



OPEN DIALOG

RESPONSE TO THE REPORT  
ACTIVITIES AND CONNECTIONS OF  
THE OPEN DIALOG FOUNDATION  
DATED AUGUST 14, 2017



**RESPONSE AND DETAILED CORRECTION**

Report published: 6 November 2017

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## 1. Summary

Following its firm statement in defence of the independence of the judiciary, and thus, against violation of the Constitution and the rule of law in Poland, on 21 July 2017, The Open Dialog Foundation became the object of unprecedented attacks<sup>1,2,3,4,5</sup> by the Polish governmental administration and broader right-wing circles (in particular, state and pro-government media, as well as openly pro-Russian, or Russian press<sup>6</sup>).

Unexpectedly, some social activists, including those who had previously worked with us and had been supported by the Foundation, joined the attackers. One is<sup>7</sup> Marcin Rey<sup>8</sup> who runs the Facebook page of Russian V Column in Poland. **With regard to him specifically, we consider the real reasons for his attack to derive from his ambitions and personal issues** (although we do not deny that he may feel at least partially correct in his statements and believe in the theses which he proclaims). At the same time, M. Rey himself admits that in the last parliamentary elections he voted for Law and Justice<sup>9</sup> (although he adds that he is now critical of many activities of the government).

Marcin Rey is a professional translator of French and, after hours, an activist and amateur detective. On 14 August 2017, he published a 150-page report<sup>10</sup> on the Foundation's 'activities and connections'. This is the first study of this kind (i.e. entirely dedicated to us) in our history.

**Although the study is respectable in volume and, as such, gives at least the initial impression of being credible, it is full of errors and misrepresentations. What is more, it contains multiple examples of basic factual errors (which then are repeated).** Contrary to the author's subsequent attempts to downplay these, they do not concern 'just minor issues',<sup>11,12</sup> but also fundamental issues. In addition, if those 'minor issues' were to be removed from the aforementioned report, the lion's share of the report would be, colloquially speaking, headed for the trash. This is what we will demonstrate in detail in this document.

**The sources cited in the text (and, sometimes, the lack thereof), and the confidence which the author affords Russian sources and information published in social media (which are often contradictory, simply outdated or are ironic in tone<sup>13</sup>), raise fundamental doubts.** In the case of some of the persons cited by the author, the Foundation is currently in legal conflict, and the credibility of some of those has already been undermined in court proceedings, which has resulted in corrections issued in favour of the Foundation.<sup>14</sup>

<sup>1</sup> <http://www.polityka.pl/tygodnikpolityka/kraj/1715314,1,czym-rzadowi-pis-narazila-sie-fundacja-otwarty-dialog.read>

<sup>2</sup> <https://goo.gl/oV3sgq>

<sup>3</sup> <https://goo.gl/Y7N4Gu>

<sup>4</sup> <http://wiadomosci.onet.pl/tylko-w-onecie/msz-wzywa-fundacje-otwarty-dialog-do-usuniecia-nielegalnych-tresci/yde9cg6>

<sup>5</sup> <https://goo.gl/PgYL3b>

<sup>6</sup> <https://pl.sputniknews.com/opinie/201707245947287-sputnik-polska-ukraina-majdan/>

<sup>7</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/>

<sup>8</sup> <https://www.facebook.com/marcinrey>

<sup>9</sup> <https://www.tygodnikpowszechny.pl/obywatelski-kontrwywiad-patrzy-na-rosje-150408>

<sup>10</sup> <http://odfoundation.eu/i/fmfiles/pdf/odraportr5kp.pdf>

<sup>11</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/586485984854938>

<sup>12</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/591413411028862:0>

<sup>13</sup> <https://www.facebook.com/zssmayak/posts/557986060992056> In this bizarre (though treated with full seriousness by Rey) post, its author presents himself as the "Austro-Hungarian emperor"

<sup>14</sup> <http://odfoundation.eu/d/7970,wprost-publikuje-sprostowanie-ws-naruszenia-dobr-osobistych-fundacji-otwarty-dialog>



**Essential questions also concern the very arbitrary selection of topics (which is absolutely unrepresentative of the Foundation's activities as a whole) and the author's competence in terms of knowledge of the issues presented, as well as his experience in their assessment.** Without denying M. Rey's merits in combatting Russia's disinformation activities, it would be incorrect to regard him as a practitioner or expert in areas such as: corporate governance, financial engineering, recent history or public life in Kazakhstan, the Russian opposition or the world of organised crime in this country, nor Polish and international law on trade in goods of strategic importance.

**The main thesis of M. Rey's report concerns the Foundation's alleged connections with the Russian arms industry, which M. Rey claims to be the source of a significant part of the Foundation's revenue. Once more,<sup>15</sup> we firmly deny these accusations as absurd.** The Foundation is one of the most effective pro-Ukrainian and anti-Kremlin organisations in Poland and in Europe, and famous for, among others, the defence of political prisoners in Russia<sup>16,17</sup> and the campaign in support of sanctions against Russia.<sup>18,19,20,21,22</sup> Since the end of 2013, we have actively fought against pro-Russian circles in Poland, among others, the 'Zmiana' party,<sup>23,24</sup> or collaborators of the anti-Ukrainian portal 'Kresy.pl'.<sup>25,26</sup> At the same time, these accusations are not new, as they initially appeared on 29 July 2017 on right-wing online websites,<sup>27</sup> and subsequently, on 30 July 2017, on the TV channel 'TVP',<sup>28</sup> which, since 2015, has become the propaganda loudspeaker of the current Polish government and has become famous for its numerous confabulations. These were then duplicated by other right-wing media, and, unfortunately, by Marcin Rey himself. Basically, the same media,<sup>29,30,31</sup> then picked up the 'revelations' of the report by M. Rey, further informing the public about its publication. The weakness of the report is very accurately and extensively revealed by an article on the Onet portal dated 19 August 2017,<sup>32</sup> and the psychological features of the author (his proneness to paranoia and to searching for enemies even in his own environment) was presented by Tygodnik Powszechny on 11 September 2017.<sup>33</sup>

<sup>15</sup> <http://odfoundation.eu/a/8299,oswiadczenie-prezes-fundacji-otwarty-dialog-lyudmyly-kozlovskiej-z-dn-17-08-2017-r>

<sup>16</sup> <http://odfoundation.eu/kampania-letmypeoplego>

<sup>17</sup> <http://odfoundation.eu/lista-savchenko>

<sup>18</sup> <https://goo.gl/8Gdg9R>

<sup>19</sup> <https://goo.gl/bPT7pY>

<sup>20</sup> <http://crcuf.fr/evenement/open-dialog-foundation-side-event-28012015>

<sup>21</sup> <https://goo.gl/WLyq6o>

<sup>22</sup> <http://www.osce.org/odihr/270586?download=true>:

*The question of the release of persecuted Ukrainian citizens is not legal, but rather political in nature. It is solely through international pressure and the threat of imposing further sanctions that the Russian authorities can be forced to release the detained and prosecuted Ukrainian citizens.*

<sup>23</sup> <http://odfoundation.eu/i/fmfiles/pdf/abw-zawiadomienie-swieca-z-dnia-25-11-2015.pdf>

<sup>24</sup> <http://odfoundation.eu/i/fmfiles/pdf/abw-zawiadomienie-z-dnia-10-12-2015.pdf>

<sup>25</sup> <http://odfoundation.eu/i/fmfiles/pdf/skalski-wyrok-nakazowy-z-dnia-27-01-2016-plakat.pdf>

<sup>26</sup> <https://goo.gl/58ke4z>

<sup>27</sup> <https://goo.gl/kGzz2s>

<sup>28</sup> <https://wiadomosci.tvp.pl/33413345/sponsorzy-fundacji-otwarty-dialog>

<sup>29</sup> <https://wpolityce.pl/polityka/353233-kto-finansowal-fundacje-otwarty-dialog-interesujacy-raport-marcina-reya>

<sup>30</sup> <http://niezalezna.pl/200851-ujawniamy-raport-o-fundacji-otwarty-dialog-pieniadze-oligarchow-i-miedzynarodowy-lobbying>

<sup>31</sup> <http://gpcodziennie.pl/67400-pieniadzeoligarchowimiedzynarodowylobbying.html>

<sup>32</sup> <https://goo.gl/8y51Ac>

<sup>33</sup> <https://www.tygodnikpowszechny.pl/jeszcze-jeden-front-marcina-reya-149658>

**The Foundation's donors are public, and their names have been available for several years in open reports; they have also been published on websites.<sup>34</sup> In its activities, the Foundation remains essentially independent of its donors and obviously cannot be held responsible for the changing course of their fate.** Possible incidents of them exerting unauthorised influence on our activities in the interest of foreign states would immediately be reported to the state security authorities. In the history of its activity, the Foundation has repeatedly notified the Internal Security Agency of suspicions of foreign special services (including proposals submitted to them) on the territory of Poland.<sup>35</sup>

It is rather despicable to allege that Ukrainian businessmen (including Crimean businessmen) who supported our activities for Maidan in 2013/14 and the assistance we rendered to Ukraine in early 2014 are in fact Russian and harbour bad intentions towards Ukraine.

**Raising funds for our activities is very difficult, and thorough verification of their origin is often impossible. While maintaining transparency (we register donor data) and the legality of the activities carried out, our priority is to spend them for statutory purposes.** Both the costs of the Foundation's activities and the activities themselves are made public; we also carry out intensive communication in the media and on social media. All our revenues are subject to diligent registration, and any suspicions under the Act on Counteracting Terrorism And Money Laundering must be reported by the accounting office of the Foundation to the General Inspector of Financial Information. However, no such incidents have occurred to date. Although the Foundation has undergone numerous inspections by both fiscal and state security authorities, no objections have ever been raised by any of these institutions.

However, the author of the report seems not to understand or accept these facts, or the difference and separation between the Foundation and independent third parties (including partners, donors or former volunteers). Still, he has the full right to report alleged irregularities to the competent authorities, and we encourage him to do so.

The allegation by M. Rey that Petro Kozlovski is a person with family ties to the Foundation's management and is an important donor who, allegedly, continues to run his business in Crimea, occupied by Russia, is completely untrue. Lyudmyla Kozlovska's previous statement refers to this matter in detail.<sup>36</sup>

The plethora of complicated alleged Crimean–Russian business connections which we heard about for the first time from the report (as we previously learned from TVP about plots allegedly linking us to Russian shipyards and the navy), is quite bizzare. It is difficult to find any logic in the Russian arms sector supporting the strongly and consistently pro-Ukrainian organisation which we are (and always have been).

**In connection with the humanitarian aid deliveries (including helmets and bulletproof vests) to Ukraine, in 2014, the Foundation received a licence from the Ministry of the Interior<sup>37</sup> for trade in special-purpose goods. This was preceded by a verification process by, among others, ABW [Internal**

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<sup>34</sup> <https://odfoundation.eu>

<sup>35</sup> <http://www.rp.pl/artykul/1180437-Zastraszyc-Otwarty-Dialog.html>

<sup>36</sup> <http://odfoundation.eu/a/8299,oswiadczenie-prezes-fundacji-otwarty-dialog-lyudmyly-kozlovskiej-z-dn-17-08-2017-r>

<sup>37</sup> <http://odfoundation.eu/a/5615,koncesja-dla-naszej-fundacji>

**Security Agency] and SKW [Military Counterintelligence Service].<sup>38</sup> In 2016, the Foundation was also successfully audited by the Ministry of Interior and Administration.<sup>39</sup>**

In this study, we demonstrate just some of the very numerous errors, some of which can be attributed to carelessness, or to insufficient subject-matter knowledge, but also to the author's bad will: **M. Rey persistently tries to show any Russian connections to the Foundation and its team members at all, in an attempt to make his theory about 'Russian traces' credible. This creates a powerful impression that the report was based on a hidden dislike of the Foundation and that it was working towards a predetermined conclusion.**

We refer to this issue several times later in this study.

We regret the serious undermining of the credibility of Marcin Rey and the Russian V Column in Poland which his biased and unreliable report has brought. This has often been expressed by Internet users themselves, including by readers of the Russian V column in Poland.

We considered Marcin Rey a good friend, with whom we were on the same team' in supporting Ukraine and opposing the Kremlin's aggression and policies. Nevertheless, he prepared his report in secret at no point during its drafting did he contact us; he did not try to verify any information, nor clarify any doubts. Furthermore, following publication of the report, he often refused to talk to journalists (in connection with new articles by Onet and Tygodnik Powszechny and the Polsat News 2 programme)<sup>40</sup> about him; he even attacked them personally.

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<sup>38</sup> <https://goo.gl/3fTCxW>

<sup>39</sup> <http://odfoundation.eu/i/fmfiles/koncesja-protokol-kontroli-mswia-z-dnia-21-12-2016.pdf>

<sup>40</sup> <https://goo.gl/YW36Rh>

## 2. General and organisational notes

- In order to understand the context of this study, Marcin Rey's report of 14 August 2017 devoted to the Foundation is of significant importance. We have saved one of the first versions,<sup>41</sup> to which we refer in more detail below. The author of the report made numerous mistakes, some of which he then corrected in response to critical articles in the media and Internet users indicating mistakes. On the one hand, we appreciate this rapid response; on the other hand, the original version of the report was nonetheless released; it was this version that was publicised and which the majority of the report's recipients downloaded and read. It is that version which violated our personal rights and which, as such, serves as a reference point for us, including, in legal actions. The author did not apologise for the mistakes in any way; in addition, he did not correct all of them (only some). The updated versions of the report also do not indicate where the errors occurred (including numerous factual mistakes). This creates the impression of an attempt to camouflaging them and to conceal the report's lack of due diligence.
- In the document, we often and interchangeably use the following terminology:
  - **Open Dialog Foundation** is referred to as: "**The Foundation**" or "**ODF**" (Open Dialog Foundation); sometimes, we also use the first-person plural (**we, us, our activities** etc.);
  - **Marcin Rey** is mentioned in the text as "**the author of the report**" (or, in short: "**the author**", when it follows directly from the context that the reference is being made to the report being the subject matter of our explanation), or simply "**M. Rey**";
  - **Marcin Rey's report** is also referred to as "**the report**" – if it is not clearly indicated that a different report is being referred to, then we are referring to his report;
  - "**The study**" – if it is not clearly indicated that a different study is being referred to, then we are referring to this, our response to M. Rey's study.
- Due to the fact that we have addressed this study primarily to Polish readers, we used Polish transcription of foreign-language names and proper names (this applies mainly to people, towns, companies and organisations from countries in the post-Soviet space). For better orientation and facilitation of possible further searches, we give an English transcription and the original form of names in brackets (when the name appears in the text for the first time).
- In the main part of the study, we refer to individual quotes from M. Rey's report, placing our comments under them. Basically, quotes are cited more or less in the order in which they appear in the report, but there are exceptions to this rule, as it is most important to address them in relation to individual issues. In some cases, there may be some repetitions (discussion and elaboration/supplementation of previously discussed issues); this, in turn, results from the design of the report itself, in which the author sometimes returns several times to the case of Mukhtar Ablyazov and others, and formulates similar theses more than once.
- The volume of the study is determined by the volume of the report and the scale of the Foundation's activity. We have made attempts to carefully document all possible facts about which we write. The work on the sources – their sourcing, review and selection – represents probably the greatest effort that went into producing this study. We think that more could be done in this matter, but it would extend the work on the study immensely. References provide links to materials in many languages and not all of them are available in Polish. The choice made is necessarily selective; in many cases,

<sup>41</sup> <http://odfoundation.eu/i/fmfiles/pdf/odfraportr5kp.pdf>



further research for those interested is simple: on Google, there are often dozens, hundreds and thousands of pieces of material on some of the topics cited.

- Two important articles which provide background and context of the situation which arose as a result of the report include Onet's article of 19 August 2017<sup>42</sup> and Tygodnik Powszechny's article of 11 September 2017.<sup>43</sup> The first concentrates on numerous errors and distortions contained in the report, while the second one analyses the author's activity and his motivations. Due to the extensive commentaries given to the editors with regard to the content of the report and our relationship with its author, we refer to them repeatedly later in this study.
- Due to the numerous references in the content of this study, we also recommend that you read the Foundation's previous statements:
  - **The statement of the Open Dialog Foundation in connection with an anonymous study entitled 'Eight things you should know about the Open Dialog Foundation' of 29 March 2016;**<sup>44</sup>
  - **The statement by the Open Dialog Foundation of 31 July 2017 (financing and donors, or a few words about the *soroses*);**<sup>45</sup>
  - **The statement and correction of Igor T. Miecik's articles (Gazeta Wyborcza, 7 August 2017);**<sup>46</sup>
  - **The statement of Lyudmyla Kozlovska, President of the Open Dialog Foundation, dated 17 August 2017;**<sup>47</sup>  
(the statement refers directly to the report and matters connected with Lyudmyla Kozlovska's relatives);

and the most crucial summaries:

- **The activities for Ukraine and other states. Selected initiatives and projects of the Open Dialog Foundation 2016–17;**<sup>48</sup>
- **The greatest achievements of the Foundation in 2016;**<sup>49</sup>
- **The greatest achievements of the Foundation 2010–2016;**<sup>50</sup>
- **Introductory information on the international activities of the Open Dialog Foundation for the defence of human rights, coordinated by the Foundation's office in Brussels 2013–2015;**<sup>51</sup>
- **Summary of humanitarian aid, provided by the Open Dialog Foundation in 2015;**<sup>52</sup>
- **Summary of the activities for Ukraine carried out by the Open Dialog Foundation and the EuroMaidan Warsaw; in the period between 2013-2014**<sup>53</sup>

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<sup>42</sup> <https://goo.gl/8y51Ac>

<sup>43</sup> <https://www.tygodnikpowszechny.pl/jeszcze-jeden-front-marcina-reva-149658>

<sup>44</sup> <https://goo.gl/jfcHLk>

<sup>45</sup> <https://goo.gl/d8fUmq>

<sup>46</sup> <http://odfoundation.eu/a/8321,oswiadczenie-i-sprostowania-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r>

<sup>47</sup> <http://odfoundation.eu/a/8299,oswiadczenie-prezes-fundacji-otwarty-dialog-lyudmyly-kozlovskiej-z-dn-17-08-2017-r>

<sup>48</sup> <https://goo.gl/tbXdWe>

<sup>49</sup> <http://odfoundation.eu/a/8020,zyczenia-noworoczne-oraz-najwieksze-osiagniecia-fundacji-w-2016-roku>

<sup>50</sup> <http://odfoundation.eu/p/34,najwieksze-osiagniecia-fundacji-otwarty-dialog>

<sup>51</sup> <https://goo.gl/UAeQL4>

<sup>52</sup> <https://goo.gl/65wb7T>

<sup>53</sup> <http://odfoundation.eu/a/5576,podsumowanie-dzialan-fundacji-otwarty-dialog-i-euromajdan-warszawa-na-rzecz-ukrainy>

as well as substantive summaries for specific years.<sup>54</sup>

They alone dispel many doubts and counter allegations raised by the author of the report. It is quite telling that Marcin Rey had not acquainted himself with those statements dating to before the publication of his report. Another explanation may be that he intentionally ignored them. The same can be said of his failure to take into account numerous media comments and interviews of the Foundation's representatives.

- The report received moderately wide reverberation on the Internet (mainly among the author's friends and the readers of the Russian V Column), it also gained popularity among the right-wing media which support the authorities currently fighting the Foundation. Nevertheless, we also met with negative/cautious reactions from people, institutions and environments which are important to us due to their activities in similar areas and opportunities for possible partner cooperation. This constitutes a sufficient reason to claim for damages, as this is genuine reputational damage. In the media and in the social sphere, the desire to neutralise this damage and previous damaging declarations made in connection with it are the reason why this study has been created; it constitutes an extension of previous comments by the ODF and its representatives.
- We did not have the slightest desire to have to create this study.

First of all, it took a huge amount of time (while we are experiencing very limited resources and reduced structures).

Secondly, we have been facing unprecedented attacks and a highly worrying situation in Poland recently,<sup>55</sup> in this context, the report and allegations from M. Rey are simply one of many elements of a wider whole: a general attack on the rule of law and the non-governmental sector in Poland. In recent weeks, we have considered events within the framework of the Warsaw OSCE conference,<sup>56,57</sup> meetings and resolutions on the international arena,<sup>58,59</sup> the conflict with the MFA<sup>60,61</sup> or Gazeta Wyborcza<sup>62,63</sup> as well as customs and fiscal inspection<sup>64,65</sup> to be obvious priorities.

**Thirdly, thus far, we have treated the author of the report as a relatively good friend, sincerely fighting along with us on the 'bright side of the power' – in support of Ukraine, against what can generally be termed 'Russian aggression'.**

Looking through the records of our conversations and correspondence in the period 2015–2016, we even had the impression of certain intimacy created by the frequency of our contacts and

<sup>54</sup> <http://odfoundation.eu/sprawozdania>

<sup>55</sup> <https://goo.gl/3X51gM>

<sup>56</sup> <https://goo.gl/upSZwf>

<sup>57</sup> <https://goo.gl/W9EV4q>

<sup>58</sup> <https://goo.gl/6EZdei>

<sup>59</sup> <https://goo.gl/j5JKDm>

<sup>60</sup> <http://wyborcza.pl/7,75398,22468229,msz-wystapil-do-sadu-o-przymusowe-odwolanie-zarzadu-otwartego.html>

<sup>61</sup> <https://goo.gl/1vWb63>

<sup>62</sup> <http://odfoundation.eu/a/8321,oswiadczenie-i-sprostowania-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r>

<sup>63</sup> <https://goo.gl/WDYXpU>

<sup>64</sup> <https://www.tvn24.pl/wiadomosci-z-kraju,3/fundacja-otwarty-dialog-msz-chce-kontroli,761329.html>

<sup>65</sup> <https://goo.gl/AP9PBM>

cooperation in combating pro-Kremlin circles in Poland. We develop this topic later in the study. Reluctantly, and with mixed feelings, we also reveal parts of discussions which took place at that time. We think that today, revealing certain backstage events will not hurt anyone, but it will contribute to a better presentation of the non-truths used by the author of the report. We do not really want to undermine what useful activity he has contributed, but it seems to us that we have no choice: we must defend our good name.

- In connection with the planned legal steps, we have notarised print screens of posts and comments on the internet, and these are used in the study. We did so because we cannot rule out the author, or others, attempting to delete them – it may happen that some links directing to social media will become inactive.
- We are aware that some of the opinions expressed may sound harsh – we try to weigh words, but we consider certain behaviours to be unambiguous in the light of information and/or personal experience, and have erred on the side of frankness over diplomacy in such cases.
- We do not plan any further studies of this kind – we believe that the topic has been dealt with exhaustively. However, we do not rule out further work on improving the public exposure and the visual presentation of the study; it will most likely be (similarly to other statements) a certain point of reference in various discussions in the future. Perhaps it will also contribute to a better understanding of the Foundation's activities and their conditions.

### 3. The background to the report's publication: a commentary

- It was with regret and sadness that we learned about the publication of the report devoted to us (the Open Dialog Foundation, ODF) and written by<sup>66</sup> our acquaintance Marcin Rey, who runs the Facebook page of the Russian V Column<sup>67</sup> in Poland.
- Our relationship with Marcin Rey dates back to 2014. We have many mutual friends, and have worked many times against anti-Ukrainian and pro-Russian circles in Poland (including the Zmiana party Kresy.pl portal and nationalist groups). We also carried out a joint campaign against the Russian group of quasi-terrorist motorcyclists 'Night Wolves' and their plans to stay on the territory of Poland in 2015.<sup>68,69,70</sup> We exchanged numerous observations and information (including detailed information on former ODF volunteer Tomasz Maciejczuk, the issue of an explosion in the 'Ukrainian World' centre<sup>71</sup> and subsequent incidents of this type,<sup>72</sup> acts of vandalism by former editor of Kresy.pl Marcin Skalski,<sup>73</sup> the Zmiana party<sup>74</sup> and its individual activists), and based on them, we prepared reports<sup>75</sup> to be filed with Polish law enforcement agencies, including the Internal Security Agency. The Foundation also filed information about them with the Security and Crisis Management Office of the Office of the Capital City of Warsaw and the security officer of the US embassy.
- In connection with the intrusion of the group of nationalists of 'Narodowa Wolna Polska' ['National Free Poland'] to the 'Ukrainian World' centre run by us in Warsaw in the autumn of 2015.<sup>76,77,78</sup> Marcin Rey became involved in the identification of the perpetrators. Their names were published on the Internet. In retaliation, a wave of hate speech and criminal threats<sup>79,80</sup> was unleashed against him (previously appearing incognito under the cover of the Russian Internet page of the Russian V Column) and against ODF, and we therefore launched a public campaign to defend him under the slogan #JeSuisMarcinRey.<sup>81,82,83</sup> We informed the prosecutor's office<sup>84</sup> and the police about the

<sup>66</sup> <http://odfoundation.eu/i/fmfiles/pdf/odraportr5kp.pdf>

<sup>67</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/>

<sup>68</sup> <https://www.wprost.pl/503535/Piata-kolumna-Putina-Nocne-Wilki>

<sup>69</sup> <https://www.tvn24.pl/wiadomosci-ze-swiata,2/przejazd-nocnych-wilkow-kim-jest-aleksander-zaldostanow,535870.html>

<sup>70</sup> <http://odfoundation.eu/a/6356,al-jazeera-polska-zablokowala-wjazd-nocnych-wilkow>

<sup>71</sup> <http://www.newsweek.pl/polska/wybuch-w-fundacji-otwarty-dialog-na-nowym-swiecie-,artykuly,370333,1.html>

<sup>72</sup> [https://www.facebook.com/permalink.php?story\\_fbid=323435711159968&id=218251225011751](https://www.facebook.com/permalink.php?story_fbid=323435711159968&id=218251225011751)

<sup>73</sup> <https://goo.gl/fvBFCu>

<sup>74</sup> <https://www.facebook.com/OpenDialogFoundation/posts/856913731017358>

<sup>75</sup> <http://odfoundation.eu/i/fmfiles/pdf/abw-zawiadomienie-swieca-z-dnia-25-11-2015.pdf>

<sup>76</sup> <https://goo.gl/wP1jJ7>

<sup>77</sup> <https://twitter.com/russian5column/status/653301753492996096>

<sup>78</sup> [http://forum.gazeta.pl/forum/w,69731,159021430,159021430,Ze\\_strony\\_Rosyjska\\_V\\_Kolumna\\_w\\_Polsce\\_1.html](http://forum.gazeta.pl/forum/w,69731,159021430,159021430,Ze_strony_Rosyjska_V_Kolumna_w_Polsce_1.html) Uwaga: pierwotny materiał w formie postu na profilu Rosyjskiej V Kolumny w Polsce został w okresie późniejszym, z nieznanych nam przyczyn, usunięty przez jej administratora

<sup>79</sup> <http://wyborcza.pl/1,75248,19049233,kibole-niszczaz-w-sieci-namierzeni-bezkarni.html>

<sup>80</sup> <https://goo.gl/BuJfw6>

<sup>81</sup> <http://odfoundation.eu/a/6939,jesuismarcinrey-stop-mowie-nienawisci>

<sup>82</sup> <http://pikio.pl/je-suis-marcin-rey-akcja-otwartego-dialogu-nacjonalisci-chca-go-zabic/>

<sup>83</sup> <https://goo.gl/nfGNwG>

<sup>84</sup> <http://odfoundation.eu/i/fmfiles/pdf/rez-zawiadomienie-o-podejrzeniu-popelnienia-przestepstwa-z-dnia-19-10-2015.pdf>

attacks. M. Rey expressed his gratitude, including in public.<sup>85,86,87</sup> We also supported him during litigation with the editor of the Kresy.pl online portal in August 2016.<sup>88</sup>

- In connection with the above, we were convinced that we were fighting on the same side of the barricade and were maintaining correct relations. Never before in conversations with us has M. Rey questioned our commitment to supporting Ukraine and the fight against Russian influence in Poland. We had quite intensive communication via the Internet, and after a long time (in winter 2016) we met in person.
- We were not surprised in August by the publication of the report itself (by that time, we had been receiving such signals for several weeks), but by its nature and the motivation of the author. We also have some suspicions regarding the purpose for its production and publication in the current period, when ODF is under unprecedented pressure from state and pro-government organisations, as well as right-wing populist media. **A lengthy, but poor-quality study is in line with their aggressive propaganda campaign against non-governmental organisations in Poland. We do not know the purpose (in the light of the Russian V Column's declared mission) of a further attack against an organisation which is so strongly pro-Ukrainian and loudly and effectively opposed to Putin's aggressive policy. What is more, the author himself admits, at least in some discussions, that ODF is not an agent of Russian influence<sup>89</sup> and does not act illegally.<sup>90</sup>**
- We presume, however, that **hidden resentments, caused by the author's ambition, may have played an important role here:** in previous internet discussions he had occasionally actually accused us of somehow undermining his role in civil society campaigns and magnifying our own (including in campaigns we carried out jointly with him). However, we did not attach much importance to it, finding these attempts at 'merit bidding'<sup>91</sup> somewhat ridiculous.
- **Despite the fact that we were acquainted, as described above, the author did not attempt to contact us or other representatives of the Foundation at any stage of the work on the report. Therefore, he did not verify any of the information he provided, a significant part of which undermines the good name of the Foundation and the people who support it. We consider this fact<sup>92</sup> to be both sad and scandalous** – all the more so that we have valued the activity of the Russian V column so far and we consider its achievements to date valuable. When asked about the reasons for not having contacted us, Marcin Rey replied<sup>93</sup> abruptly and aggressively that 'we lie all the time' and that he was not obliged to do so, as he isn't a journalist. He also added that his work requires 'cunning' and that it is 'politics';<sup>94</sup> whatever these words may mean - we believe, particularly in this context, that they seem to have striking connotations.

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<sup>85</sup> <https://www.facebook.com/OpenDialogFoundation/posts/954981587877238>

<sup>86</sup> <https://screenshots.firefox.com/bLHPwpSTtMriYbuo/www.facebook.com>

<sup>87</sup> <https://screenshots.firefox.com/EGzwvY7eMuBp10yq/www.facebook.com>

<sup>88</sup> <https://www.facebook.com/OpenDialogFoundation/posts/1157284647646930>

<sup>89</sup> <https://goo.gl/bV6TMX>

<sup>90</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/14-08-2017-r5kwp-czy-odf-lamalo-prawo.jpg>

<sup>91</sup> <https://goo.gl/9sXynp>

<sup>92</sup> <https://screenshots.firefox.com/P9xi0uhKHS6sDtw6/www.facebook.com>

<sup>93</sup> <https://screenshots.firefox.com/P9xi0uhKHS6sDtw6/www.facebook.com>

<sup>94</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/15-08-2017-r5kwp.jpg>



## 4. Basic weaknesses of the report and possible motivations of the author

In our opinion, the report was written with a pre-determined conclusion, i.e. with the objective of showing ODF as a suspicious and even dangerous organisation. Its volume and huge amount of detail arouses a certain admiration for the amount of work done by one man. This sheer size would at first glance appear to lend credibility to the report; it creates the impression of a serious and well-documented study.

The author focuses on issues which, in his opinion, are uncomfortable and negative for ODF. At the same time, the report is extremely selective; it describes in detail some connections related to several issues chosen by the author, while omitting many others. It should be emphasised that the scale of ODF's activity since its establishment has been so extensive that a reliable and comprehensive presentation would require the creation of a much larger report. The author of the report almost completely ignores topics that do not fit the predetermined conclusion, that ODF is associated with the Russian arms business, and, thus, indirectly, also with the Russian special services and government. The entire text is supplemented by insinuations about our alleged ties with the Russian mafia and allegedly mafia-like methods of operation.

The report basically ignores the (numerous) areas of activity which, contrary to the author's suggestions and exaggerated ties that he is trying to present, testify to its anti-Russian (meaning anti-*Putin*) nature. He disregards the importance of a series of intense lobbying activities carried out by ODF in the international arena aimed at introducing and maintaining sanctions against Russia and members of its highest state authorities. He fails to mention effective campaigns for the defence of Kremlin prisoners, support for the Russian opposition and political refugees, reports on Russia's violation of international law (including during the war against Ukraine), the fight against propaganda and disinformation, promotion of the report<sup>95</sup> by Małgorzata Gosiewska on Russian war crimes in Ukraine (although he was involved in its production) and many others<sup>96,97</sup> (including a large campaign to support Ukrainian soldiers in the so-called anti-terrorist zone, ATO).<sup>98</sup>

Instead, the author exposes various factual and alleged connections of third persons and institutions (who were in any contact with the ODF), based on the primary criteria of their having some kind of link with Russia. At the same time, he completely disregards circumstances such as: historical context; the possibility of changing attitudes and life choices; specific circumstances; and, above all, the ODF's lack of any influence on these circumstances. He also disregards the fact that these relations are obviously completely irrelevant to the Foundation's actual activities. It is also obvious that a certain scale of activity brings a variety of contacts and connections, and that tracing acquaintances of acquaintances can bring us to almost every person in the world. In this context, presenting ODF's ordinary administrative employees alongside the heads of the Russian mafia and the Russian government in the index of the report is quite ridiculous. In this way, the sheer number of selective facts and falsehoods and the accumulation of scary individuals, including those from front pages of newspapers, affect ODF's perception in the eyes of the readers of the report.

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<sup>95</sup> <https://goo.gl/K6n3tF>

<sup>96</sup> <https://www.facebook.com/OpenDialogFoundation/posts/1618818778160179>

<sup>97</sup> <https://goo.gl/8iKcg6>

<sup>98</sup> <http://bronezhylety.com/>

Although the report lacks real conclusions and the author rather avoids definitive statements,<sup>99</sup> the series of understatements and insinuations presented in it affects our reputation. On the other hand, some are also extremely subjective and based only on the opinion of the author himself, without even an attempt to justify or support them with facts (e.g. his statements about intrigues carried out behind the scenes, or pickets against the Mistrals, which ‘were only harmful’).

The main problem concerns the sources. The author relies on dubious quality sources, and often does not quote them at all. The credibility of many of them can easily be undermined, and, certainly, they should not be accepted without any criticism. In some cases, manipulation occurs; information is used out of context, including without the time context in which the described events took place. Distortions are quite common, and are most likely the result of haste, carelessness or limited knowledge of the subject matter (although one cannot exclude bad will, or, at least, a biased approach of the author). Elementary factual errors and simple confabulation are commonplace in the report. Some events are overinterpreted or misinterpreted which leads to erroneous but far-reaching conclusions.

The competences of the author (a professional translator of the French language) also arouse doubts, especially in the area of complex financial operations and the nature of business connections, or – no less complex and ambiguous – the political, economic and social reality of Crimea (currently occupied as it is by Russia) or Kazakhstan. Their lack (as well as the lack of basic experience) may be explained by his trust in dubious (unreliable, outdated, but also biased and discredited) sources.

**We wish to underline that if Marcin Rey had tried to contact us during his work on the report, he could have avoided many of the errors listed below, and the objectivity of the study would be much more difficult to undermine. Under the current circumstances, it is difficult to refrain from attributing to the author a hidden antipathy towards us and our actions as his main driving force.** Perhaps, in connection with the media uproar around the Foundation in recent weeks, he also wanted to become popular in this context as a whistleblower and an uncompromising discoverer of the truth. Another explanation may be a kind of request/order to write a report from circles close to the current authority in Poland, or others, those especially ‘wishing us well’.

Perhaps some kind of circumstantial evidence (which suggests some involvement in the production of the report or consultations) may be the online announcements<sup>100,101,102</sup> such as ‘just wait, soon something interesting will appear about ODF’ by Agnieszka Romaszewska-Guzy, director of Belsat TV (with whom the Foundation also previously worked (though sporadically); we also had an opportunity to present our position on air and we always supported TV Belsat<sup>103,104,105,106</sup>). The fact that the aforementioned person is acquainted with the author of the report may also be related to her husband, Jarosław Guzy, who along with M. Rey, is a member of the authorities of the Polish–

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<sup>99</sup> <https://goo.gl/cwPE6P>

<sup>100</sup> <https://goo.gl/WGYt6X>

<sup>101</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/3-08-2017-romaszewska-2.jpg>

<sup>102</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/3-08-2017-romaszewska-1.jpg>

<sup>103</sup> <https://www.facebook.com/OpenDialogFoundation/posts/1289132707795456>

<sup>104</sup> <https://www.facebook.com/OpenDialogFoundation/posts/998033270238736>

<sup>105</sup> <http://belsat.eu/programs/vesnavoe-napruzhanne-hto-kali-ne-nursultan-brudny-atam-gorad-nyanavisci/>

<sup>106</sup> <https://www.facebook.com/OpenDialogFoundation/posts/1055134677861928>

Ukrainian Psary Foundation.<sup>107</sup> Reportedly, he was also employed at the National Cryptology Centre (one of the key institutions for the security of the state, subordinate to MON and supporting activities of, among others, the Military Intelligence Service, Military Counterintelligence Service and Internal Security Agency). The unofficial information we have obtained is that ODF has made itself a special object of envy for people associated with Polish special services, as an independent and dynamic entity, breaking some kind of informal monopoly on Eastern policy and potentially threatening the established personal and institutional arrangements that have grown over the years around the Ministry of Foreign Affairs, financial mechanisms related to Polish development assistance to third countries, and their operators and beneficiaries. Of course, at this stage, we treat the information as speculation; we do not have any documents or official statements to confirm them.

We cannot confirm this at the moment, but we have heard such rumours coming from the vicinity of the Sejm Special Services Committee, some press editorial offices, or environments of former anti-communist opposition activists in the communist era. In another (but current) context, a good picture of the interpenetration of intelligence, counterintelligence and diplomatic circles is given in a recent article<sup>108</sup> in *Gazeta Wyborcza* about the links between the incumbent President of the Constitutional Tribunal Julia Przyłębska and her deputy Mariusz Muszyński with the Security Service of the Polish People's Republic, and then the State Protection Office and the Foreign Intelligence Agency in the Third Republic of Poland). In turn, possible financial irregularities and disfunctioning of Polish special services in relation to eastern matters are described by *Gazeta Finansowa*.<sup>109</sup>

In this context, Marcin Rey's strong denials of any cooperation/contacts with the Internal Security Agency are puzzling (or doubtful).<sup>110</sup> An attempt by institutionally empowered third parties to manipulate the author of the report and use him to achieve their own goals and tasks could be an alternative explanation. If we accept this hypothesis, Marcin Rey may be an unaware tool in the hands of other people/entities, from which he may additionally receive specific information about ODF and suggestions to look at specific, selected aspects of our activity. Probably, M. Rey's long-term resentments and ambitions would probably have been helpful in this.

Based on the information obtained from several of its members, we also know of the existence of a special, hidden working group on Facebook which supports the activity of Marcin Rey's Russian V Column in Poland.

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<sup>107</sup> <https://mojepanstwo.pl/ukrainsko-polska-fundacja-psary>

<sup>108</sup> <http://wyborcza.pl/7,75398,22538390,kto-rzadzi-trybunalem-konstytucyjnym-badamy-zwiazki-prezes.html>

<sup>109</sup> <https://gf24.pl/wydarzenia/kraj/item/795-znikajaca-kasa-wywiadu#.WeBU8wjZBBw.facebook>

<sup>110</sup> <https://www.tygodnikpowszechny.pl/obywatelski-kontrwywiad-patrzy-na-rosje-15040>

## 5. A review of mistakes: corrections and detailed commentaries

### 5.1. IVAN SHERSTYUK DID NOT RECEIVE MONEY FROM MUKHTAR ABLYAZOV

**Quote (Marcin Rey):** *Ivan Sherstyuk headed the consulting firm [New Horizons Consulting](#) with addresses in Kyiv, Kharkiv, and Sevastopol, where the Kozlovsky family comes from. According to some of the sources, through its own company and the Ukrainian bank [Fortuna](#) belonging to [Serhiy Tischenko](#), he was supposed to receive funds for his business activity from [Mukhtar Ablyazov](#), who the Open Dialog foundation started to defend several years later.*

*(...) [Mukhtar Ablyazov](#) is a Kazakhstani oligarch and businessman, opposition to President Nursultan Nazarbayev, remaining in exile and defended by the Open Dialog foundation. It is very likely that he transferred funds to the founder of the foundation, [Ivan Sherstyuk](#).*

**Our comment:** That is not true. Ivan Sherstyuk, to the best knowledge of Lyudmyla Kozlovska, who remained in contact with him at the time, had never met Mukhtar Ablyazov and did not receive any money from him. This has also been confirmed by Mukhtar Ablyazov himself, who stays in contact with us. The source referred to by Marcin Rey is Balli Marzec<sup>111,112,113</sup> – president of the Kazakhstani Community Association<sup>114</sup> – a person of dubious sanity, known for her long-standing reluctance against Ablyazov and the ODF. The same statement by Balli Marzec served as a source for the article<sup>115</sup> of the Wprost weekly magazine from 2014, which slandered the good name of the Foundation. This article has led to us bringing legal action, as a result of which the editorial office was obliged to correct their statement.<sup>116</sup> What is more, Balli Marzec is one of the several people who remained or remain in a legal conflict with the ODF and who have been referred to by the author in his report.

The theme of Balli Marzec also has a quasi-humorous aspect: this person is known for her extreme egocentrism and conspiratorial perception of reality. According to her: she (alone) is the only true opposition from Kazakhstan (which Mukhtar Ablyazov constantly wants to join); the Foundation appears to be an omnipotent mafia structure, which have dominated public life in Poland and its state bodies; and the courts in Poland are corrupt and deliberately ignore her complaints. At the same time, Marzec believes she is an unbreakable freedom fighter who compares her lonely protests in front of the Presidential Palace to the heroic uprising of students at the Beijing Tiananmen Square in 1989.<sup>117</sup>

Interestingly, Balli Marzec is also known for her efforts to become a candidate in the presidential election in 2015 and then to run for the Sejm from the electoral list of the party Kukiz'15 (similarly to Aleksander Koss, who was once accused by the author of the report<sup>118</sup>). She has also

<sup>111</sup> <http://ballimarzec.pl/>

<sup>112</sup> <https://www.facebook.com/balli.marzec>

<sup>113</sup> <https://twitter.com/ballimarzec>

<sup>114</sup> <http://www.wspolnotakaz.pl/>

<sup>115</sup> <https://www.wprost.pl/436103/Polscy-politycy-na-uslugach-kazachskiego-oligarchy>

<sup>116</sup> <http://odfoundation.eu/a/7970,wprost-publikuje-sprostowanie-ws-naruszenia-dobr-osobistych-fundacji-otwarty-dialog>

<sup>117</sup> <https://goo.gl/Pni3uc>

<sup>118</sup> <http://www.fronda.pl/a/wspolny-kandydat-kukiza-i-putina,59029.html>

repeatedly expressed her anti-Ukrainian views, in which she was supported by Kresy.pl – a portal fought against by Marcin Rey.<sup>119,120</sup>

We shared some of the documents regarding the attacks of Balli Marzec on the ODF and its activists. Her recent entries seem to indicate that her obsession against our activity started to turn into a persecution complex<sup>121,122</sup> (Balli Marzec accuses us of, among other things, harassment, ‘disabling the Internet’ together with Nursultan Nazarbayev, and impersonating the Internal Security Agency [ABW]);<sup>123</sup> furthermore, Balli Marzec even expresses her fear about the safety of Jarosław Kaczyński,<sup>124</sup> who is allegedly threatened by the ‘Open Dialog mafia’).

A typical example of Balli Marzec's rhetoric regarding the Foundation has been attached as Appendix 1 to this study.

## 5.2. THE DEFENCE OF ABLYAZOV AND MALYUTIN WAS NOT THE MAIN ACTIVITY OF THE ODF

**Quote (Marcin Rey):** *The manner in which Petro Kozlovsky acted and still acts in the occupied Crimea and in Russia itself is almost as controversial as the actions of Kazakhstani oligarch Mukhtar Ablyazov or Russian businessman Nail Malyutin, whose defence against extradition to their countries as ‘human rights activists’ was – until the time of the Ukrainian Maidan – the main area of high-profile lobbying activities of the Open Dialog foundation.*

**Our comment:** That is not true for four reasons. Firstly, the tragic case of Nail Malyutin was only an episode in the Foundation's activity and we dealt with it for only a few months, in the period from May/June 2016<sup>125</sup> to January 2017.<sup>126</sup> Secondly, this concerns the period **after** the Ukrainian Maidan. Thirdly, we have never claimed that Ablyazov and Malyutin were human rights defenders. Ablyazov was at various times a sponsor of the opposition, an opposition politician and a dissident. Malyutin is a whistleblower whose defence by us (as another example of political abuse of Interpol and the concept of extradition) started at the request of his wife due to him revealing corruption practices in the circles of Russian power (similar to Sergei Magnitsky).

They both have in fact become refugees, persecuted by the authorities of their home countries, but the author of the report is not precise in this case and mixes some of the basic concepts. Fourthly, we did not start dealing with the case of Ablyazov<sup>127</sup> until the mid-2013.<sup>128,129</sup> After a few months (in November 2013), Maidan began, which, as the author admits, affected the ODF's

<sup>119</sup> <https://kresy.pl/wydarzenia/szefowie-fundacji-otwarty-dialog-zaatakowali-kandydatke-ruchu-kukiza/>

<sup>120</sup> <https://kresy.pl/wydarzenia/polityka/poslowie-kukiz15-interpeluja-sprawie-fundacji-ktora-chciala-polskiego-majdanu/>

<sup>121</sup> <https://twitter.com/BalliMarzec/status/915856452786556928>

<sup>122</sup> <https://twitter.com/BalliMarzec/status/917030279193202688>

<sup>123</sup> <https://twitter.com/BalliMarzec/status/915861588296568832>

<sup>124</sup> <https://twitter.com/BalliMarzec/status/916993653922500609>

<sup>125</sup> <http://odfoundation.eu/a/7622,raport-sprawa-naila-malyutina>

<sup>126</sup> <http://en.odfoundation.eu/a/8021,numan-rights-defenders-urge-austria-to-prevent-extradition-of-nail-malyutin>

<sup>127</sup> <http://en.odfoundation.eu/mukhtar-ablyazov>

<sup>128</sup> <https://goo.gl/amrD8M>

<sup>129</sup> <https://goo.gl/1gHcz7>



priority fields of activity. The author completely ignores the Foundation's earlier commitment, for example, in the defence of the striking oil workers from Zhanaozen<sup>130,131</sup> (from mid-2011) or the cooperation with Garry Kasparov<sup>132,133,134</sup> and the Russian opposition (2011/2012).<sup>135</sup>

We also have the courage to say that if the cases of Ablyazov and Malyutin (as well as others that we have been engaged in) were as suspicious as the author suggests, they would not have been defended by such a large group of human rights organisations<sup>136, 137</sup> and European politicians.<sup>138,139</sup> It is worth noting that Ablyazov was also defended by the famous Russian human rights activist Lev Ponomaryov (who also accompanied us at court hearings as part of Ablyazov's extradition process in France) and Garry Kasparov,<sup>140</sup> which was noted, among others, by French media.<sup>141</sup>

### 5.3. PETRO KOZLOVSKY SOLD MAYAK IN 2003 AND LOST EVERYTHING IN 2014

**Quote (Marcin Rey):** *The centre of Petro Kozlovsky's business is the declining state-owned lighting production plant Mayak in Sevastopol, acquired by him in a dubious way. Companies associated with Petro Kozlovsky earn money by renting its halls and rooms. Company apartments were taken over and sold, and the tenants were brutally evicted by a group of bodyguards-taekwondo athletes. There was no 'open dialogue' with the tenants, and the part of income from this real estate trading was transferred to the Open Dialog foundation.*

**Our comment:** Firstly, we have never heard of this. Secondly, we checked it and it is not true. Petro sold Mayak in 2003. Since March 2014, he has been living in exile (first in Poland, and then in the USA). Thus, he had no connection with the events described above, and they have no connection at all with the ODF. This is the first time we have heard of this. His business was driven by Internet connections and Internet telephony. This has been described in detail by the President of the Management Board of The Open Dialog Foundation, Lyudmyla Kozlovska, in her statement.<sup>142</sup> This subject was also referred to in the statement of the ODF dated 31 July 2017,<sup>143</sup> as well as in the article of Onet.pl dated 19 August 2017.<sup>144</sup>

**The author also does not seem to understand the difference between the Foundation and its activities on the one hand, and, on the other, issues allegedly or actually related to third**

<sup>130</sup> <http://odfoundation.eu/zhanaozen>

<sup>131</sup> <http://new.org.pl/1215-polatany-kraj>

<sup>132</sup> <http://odfoundation.eu/a/3172,turniej-szachy-w-szkolach-europejskich>

<sup>133</sup> <https://goo.gl/HYFSSs>

<sup>134</sup> <https://goo.gl/NDVqR7>

<sup>135</sup> <http://odfoundation.eu/a/361,opozycjonisci-w-parlamencie-europejskim-o-wyborach-w-rosji1>

<sup>136</sup> <https://goo.gl/5QA2Jr>

<sup>137</sup> <https://goo.gl/ZtFzhY>

<sup>138</sup> <http://odfoundation.eu/a/5661,europoslowie-w-obronie-mukhtara-ablyazova-i-vladimira-kozlova>

<sup>139</sup> <https://goo.gl/tMQ891>

<sup>140</sup> <https://www.facebook.com/OpenDialogFoundation/posts/785587488149983>

<sup>141</sup> [http://www.liberation.fr/planete/2014/11/05/la-justice-de-poutine-dans-un-tribunal-francais\\_1136977](http://www.liberation.fr/planete/2014/11/05/la-justice-de-poutine-dans-un-tribunal-francais_1136977)

<sup>142</sup> <http://odfoundation.eu/a/8299,oswiadczenie-prezes-fundacji-otwarty-dialog-lyudmyly-kozlovskiej-z-dn-17-08-2017-r>

<sup>143</sup> <https://goo.gl/d8fUmq>

<sup>144</sup> <https://goo.gl/8y51Ac>

parties who may have been in contact with us in any way. It is rather obvious that our responsibility for third parties and their lives remains limited, as well as, in many cases, our knowledge of them. Counter-intelligence activities are not our responsibility, as we do not have the capacity to engage in such actions. The author's morbid suspicions and paranoid tendencies seriously affect his perception of reality, but do not have to pass on to everyone else.

We have also quite extensively addressed the above matter in our statement,<sup>145</sup> in the interview given by Lyudmyla Kozlovska and Bartosz Kramek to Gazeta Wyborcza on 13 September 2017,<sup>146</sup> and on 31 August 2017, in the conversation with Witold Jurasz in Polsat News 2.<sup>147</sup> We have also discussed this issue in the interview for TV Nowa<sup>148</sup> as well as in Lyudmyla Kozlovska's interview for Newsweek.<sup>149</sup>

Contrary to further claims by Marcin Rey,<sup>150,151,152,153</sup> which infringe our moral rights, there are no contradictions or inaccuracies in the information we provide – for example:

- The alleged (we do not have such knowledge!) contacts and contracts of Petro Kozlovsky's companies in 2013 with the Russian arms industry – even if they were indeed executed – had no connection with him, since he sold Mayak back in 2003. Therefore, according to the information we have, connecting Petro Kozlovsky with the company after 2003, or with other companies from Sevastopol with similar names, is not acceptable. It is possible (and very likely) that the Mayak plant, controlled by Russian structures after the annexation of Crimea, cooperates with Russian arms companies. Perhaps such cooperation also took place earlier, that is in 2013, as M. Rey wants, but it was in no way connected with Kozlovsky or, especially, with the Foundation.
- The sale of Mayak in 2003 did not mark the end of Petro Kozlovsky's business activity in Crimea (which he conducted in many industries). As mentioned many times, telecommunications services became the main areas of its business at that time. Among others, their infrastructure (as well as, for example, a holiday resort) were unlawfully taken over by Russia as a result of the annexation of Crimea in March 2014. **Once again: the truth is that Petro Kozlovsky sold Mayak in 2003, and was deprived of control over his other companies as a result of Russian occupation of Crimea in 2014.**
- The foundation has basic knowledge about the donors mentioned by the author of the report who are the subject of his extensive speculation. Their identity is known (and was disclosed), and the fact that they supported the activities of ODF was associated with their having been involved by Petro Kozlovsky (as the leader of a group of Ukrainian businessmen from Crimea who decided to support the Foundation's pro-Ukrainian

<sup>145</sup> <http://odfoundation.eu/a/8321,oswiadczenie-ws-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r>

<sup>146</sup> <https://goo.gl/WDYXpU>

<sup>147</sup> [http://www.polsatnews.pl/wideo-program/prawy-do-lewego-lewy-do-prawego-fundacja-obali-rzad\\_6434029/](http://www.polsatnews.pl/wideo-program/prawy-do-lewego-lewy-do-prawego-fundacja-obali-rzad_6434029/)

<sup>148</sup> <https://www.youtube.com/watch?v=sZOCY381ehU>

<sup>149</sup> <https://goo.gl/KuAejw>

<sup>150</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/586485984854938>

<sup>151</sup> <https://goo.gl/c9sfE5>

<sup>152</sup> <https://goo.gl/SSJ1an>

<sup>153</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/583784541791749>

**activities at the turn of 2013/2014).**<sup>154</sup> In this light, M. Rey's speculations about, for example, their alleged place of residence being in Russia in that period are incomprehensible (even if something like that happened later, which we do not know of), since at that time – contrary to what M. Rey would like – they were not *residents of St. Petersburg*. To sum up and add once again: they were not Russians and these transfers were not from Russia.

- **Knowing the identity of the above-mentioned donors and the circumstances of their support of the Foundation's activities, does not mean knowing them in person or having details of their biographies or further fate.** What the *a priori* negatively-oriented author does not seem to understand in this situation is that we cannot be sure about the professional career or connections (especially in the future) of A. Brovchenko. According to the information available (that provided by Petro Kozlovsky), he is not the *head of a Russian company from St. Petersburg*. Therefore, it is legitimate to **presume** that there is a coincidence of names (which we have already mentioned in the previous statement). However, even if – however hypothetically – it turned out that they were one and the same person, the Foundation obviously cannot bear responsibility for their fate or actions.

Another reason why the ODF tries to avoid public widespread media speculations about this is security considerations (which are also changing dynamically due to many circumstances).

This matter can simply be dealt with on many levels. It is therefore possible to support, for example for patriotic reasons, pro-Ukrainian activities in 2013 and at the beginning of 2014, and later adapt to the new reality under the influence of various life circumstances. However, contrary to the author of the report, we are cautious in passing arbitrary judgements about the motivation of third parties (who are not public figures) and, even more, assigning them specific connections or involvements on the basis of dubious-quality applications based on Russian-language sources or social media interactions.

- **Contrary to the claims<sup>155</sup> of the author of the report, the Foundation complied with all obligations related to the requirement to report certain financial operations to the General Inspector of Financial Information.** It is worth mentioning that in accordance with the Act on Counteracting Money Laundering and Terrorism Financing,<sup>156</sup> all cash transactions with a value in excess of EUR 15,000 were subject to obligatory notification to GIFI in that period (until 31 December 2016). These also included all transactions that were suspicious under the Act (i.e. for which no source could have been identified and which could have given rise to a suspicion that they would relate to 'money laundering' or support for terrorism – regardless of their value). If such circumstances occurred, the Foundation's accounting office would have a legal obligation to report such operations to the GIFI (without the need to inform the ODF).

Due to the author's accusations against us, we have checked this issue in recent weeks. Due to the lack of transactions meeting the above-mentioned criteria (also in the opinion of the

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<sup>154</sup> It is worth noting that our information about Petro Kozlovsky's assets quoted here comes directly from him. We have no reason to question his credibility or the authenticity of the documents (which he presented, among others, to Onet's journalists).

<sup>155</sup> <https://goo.gl/kGMqMX>

<sup>156</sup> <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20001161216&type=3>

Foundation's accounting office), there was no data on historical applications to the GIFI, since such applications had not been necessary.

It can therefore be pointed out that Marcin Rey does not know exactly the provisions of the Act which he invokes in order to strike at the ODF. The Foundation knows the identity of the donor indicated by him (without that, it could not have been revealed), but the knowledge of personal information is not tantamount to knowing the details of his professional biography, especially in the more recent period. What is more, contrary to the claims of M. Rey, no applicable laws impose such an obligation.

#### 5.4. THERE IS NO BRANCH IN ST. PETERSBURG, THERE WAS NO MONEY FROM RUSSIA

**Quote (Marcin Rey):** *Completely contradictory to the pro-Ukrainian image of the foundation, the products of the company being its main donor, through the two branches in St. Petersburg, go mainly to the Russian state shipyards servicing the navy. The directors of these branches, trading on a daily basis with the Russian admiralty, are among the largest donors of the foundation.*

**Our comment:** That is not true. Petro Kozlovsky sold Mayak (that is 'his' Mayak, since there were many enterprises with this name in different variations in Sevastopol, Ukraine and Russia) in 2003. At the beginning of 2014, he left Crimea and denies all alleged current business ties with the Russian armaments sector. Also, we do not know anything about the existence of any branches in St. Petersburg. **The Foundation never received money from Russia.** And as far as we know, Russian law would not allow for such transfers.

We do not know the donors from a few years ago personally and we have no contacts with them at the moment. We also have no influence on their further fate, life choices, views, etc. This cooperation was not continued and its initiator and intermediary was Petro Kozlovsky. It should be emphasised that in some cases we are talking about donations from 2013, while in others – from the beginning of 2014. 2013 was the year when Maidan began, and the period until March 2014 was the time before the annexation of Crimea. Therefore it is difficult to write about them as Russians – they were Ukrainian entrepreneurs.

This was a one-off support, limited to one year (2013 or early 2014). In the case of certain persons, it is a misrepresentation to say that they are still<sup>157</sup> supporting ODF financially. If some of them are currently in a territory controlled by Russia or in Russia itself, this could be dangerous for them, as the media have already reported.<sup>158</sup> There is also a difference between being listed in an on-line registry and becoming the daily 'star' of TVP1's main news programmes.<sup>159</sup>

It should also be remembered that from the formal side, all donations are subject to appropriate accounting, recording and qualification (and become a part of revenues from statutory activities). In addition, despite not having such an obligation, the ODF indicates its donors on the

<sup>157</sup> <https://www.facebook.com/lyudmyla.kozlovska/posts/10210058522562054>

<sup>158</sup> <https://goo.gl/VfWdFt>

<sup>159</sup> <http://www.tvp.info/33450487/polska/rosyjscy-biznesmeni-powiazani-z-kremlem-dotuja-fundacje-otwarty-dialog/>

lists included in the financial statements (subsequently published on the internet<sup>160</sup>) to maintain its transparency. However, the most important thing is the spending of funds that have been raised for statutory purposes. The Foundation is not able to verify the sources of its donors' funds and we are not overly interested in this. None of the funds obtained so far have raised suspicions of the ODF or the accounting office that supports us in complying with the provisions of the Money Laundering and Counter-Terrorism Act. We have also not met with any doubts in this respect from the institutions controlling our activity, including fiscal authorities and bodies responsible for state security.

Finally, the thesis about Russian money is logically questionable. At this point, the following questions are worth asking:

- What would be the purpose of the heads of Russian armaments companies financing the most pro-Ukrainian and definitely anti-Russian foundation? Why in the period after receiving the above-mentioned financing, did the ODF not only not weaken, but actually constantly intensify its pro-Ukrainian and anti-Kremlin activities?
- If this was the case, would we publish their names in an open register? Would they give us their consent to do so?
- If we were aware of the existence of suspicious sources of financing for ODF activities, would we act in such a decisive manner in defence of the independence of the judiciary and against the current abuse of power – in this way attracting the unprecedented and unfriendly interest of pro-government media and governmental administration in Poland?

It is also interesting to note that the funding of the Foundation (despite its being in the public domain) did not raise any doubts for the author of the report before and did not prevent him from cooperating with us.

## 5.5. PETRO KOZLOVSKY DID NOT FINANCE 'SVOBODA' – HE SUPPORTED THE ASSOCIATION OF POLISH CULTURE

**Quote (Marcin Rey):** *Petro Kozlovsky also cares for political protection. When Crimea remained under the control of Ukraine, he sponsored Vitali Klitschko's 'Udar' party, Yulia Tymoshenko Bloc, or the nationalistic 'Svoboda.' In the new circumstances, after the annexation, people from the close environment of Petro Kozlovsky took over complete control of the Sevastopol branch of the 'Russian Party of Pensioners for Social Justice.' Their participation in the Association of Polish Culture 'Polonia' in Sevastopol should be considered equally instrumental.*

**Our comment:** That is not true. Petro Kozlovsky never financed the Svoboda party. The author does not even provide the source of his claim. Even Kozlovsky's ex-wife (who, at the same time, suspects him of extreme Ukrainian nationalism)<sup>161</sup> does not accuse him of doing so. We are not familiar with the basis on which the author considers the support given to the Sevastopol Polonia

<sup>160</sup> Currently (i.e. from 14 August 2017), due to attacks on our donors, the publication of their personal information is temporarily suspended: <http://odfoundation.eu/sprawozdania>

<sup>161</sup> <http://ruinformer.com/page/sevastopolskie-antigeroi-pod-prikryciem-skrinshoty> – although this source does not deserve any trust, we can confirm, through family connections, that this description is in fact accurate.



as 'instrumental.' This issue has been referred to in Lyudmyla Kozlovska's statement from 25 August 2017.<sup>162</sup>

## 5.6. BARTOSZ KRAMEK AND LYUDMYLA KOZLOVSKA ARE NOT TELLING LIES

**Quote (Marcin Rey):** *However, Bartosz Kramek and Lyudmyla Kozlovska are PR masters, so there is no need to help them and show them in a positive light – they are doing it perfectly by themselves, although sometimes they are lying.*

**Our comment:** The author does not indicate exactly where the above-mentioned persons lied. We consider this allegation to be offensive. It is also ironic in the light of the numerous biases contained in M. Rey's report referred to in this study.

## 5.7. WE POSITIVELY ASSESS THE ACTIVITY OF MUKHTAR ABLYAZOV AND NAIL MALYUTIN

**Quote (Marcin Rey):** *Two attachments contain summaries of cases of the [Kazakhstani oligarch](#) and the [Russian businessman](#), whose defence against extradition is an essential part of the foundation's lobbying activities.*

**Our comment:** That is not true. As indicated above: the case of Nail Malyutin was only an episode in the Foundation's activities and we were engaged in it for only a few months – from May 2016 to January 2017. Due to his extradition to the Russian Federation and the impossibility of further support, this campaign has essentially been terminated.

The Foundation was engaged in the defence of Mukhtar Ablyazov from May 2013 (including his family) to December 2017. Even by the end of 2013, Ukraine had become the priority direction of the Foundation's activities as a result of the beginning of Maidan. At the same time, many other activities were being carried out. However, we are aware that an external assessment of the primary areas of our activity is subjective by its very nature. Nevertheless, this fact seems to have been forgotten by the author. This has been explained more extensively in the statement concerning the article by Igor Miecik from Gazeta Wyborcza dated 11 September 2017.<sup>163</sup>

While casting suspicion on Mukhtar Ablyazov and his defence by the ODF, **Marcin Rey does not seem to take into account the two fundamental issues: the pro-Western, pro-Ukrainian and anti-Putin stance of Mr. Ablyazov<sup>164</sup>** and his growing political importance in Kazakhstan. From our point of view, the possible end of Nazarbayev's rule should enable pro-Western and pro-democratic forces to gain power. This is one of the reasons why we believe they deserve support.

Consider the alternative: in many North African and Middle Eastern countries, the lack of viable alternatives to dictatorial governments has led to a period of instability and chaos, and, in some

<sup>162</sup> <http://odfoundation.eu/a/8299,oswiadczenie-prezes-fundacji-otwarty-dialog-lyudmyly-kozlovskiej-z-dn-17-08-2017-r>

<sup>163</sup> <http://odfoundation.eu/a/8321,oswiadczenie-i-sprostowania-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r>

<sup>164</sup> <https://www.facebook.com/mukhtar.ablyazov/posts/1119154524885773>

cases, to bloody armed conflicts that are still ongoing after the dictatorships have been overthrown – during the so-called Arab Spring or the earlier Western interventions.

## 5.8. ACQUAINTANCE WITH PROFESSOR OSADCZY DOES NOT MEAN ANYTHING

**Quote (Marcin Rey):** *Already in September 2006, with the same address in Lublin, the ‘Dialog for Development’ foundation has been established with the participation of, among others, professor Włodzimierz Osadczy, Lyudmyla Kozlovska and Ivan Sherstyuk. Currently, professor Włodzimierz Osadczy is the plenipotentiary of the new governor of Lubelskie voivodeship for cooperation with Ukraine, despite his recent negative attitude towards the country.*

**Our comment:** Another case of using the author's characteristic method of casting a shadow on the ODF. We have no contact with prof. Osadczy and we have no influence on his current views or activities. These are of no interest to us. Lyudmyla Kozlovska only met him briefly in 2008. Moreover, Lyudmyla had nothing to do with the origins of the above-mentioned foundation. She arrived in Poland only in 2008 for her doctoral scholarship.

## 5.9. THE 2006 ELECTION IN KAZAKHSTAN HAS NO CONNECTION WITH THE ODF

**Quote (Marcin Rey):** *In 2008, Ivan Sherstyuk organised the ‘exit-poll’ observation of the election in Georgia in a way that was considered unacceptable. This was described in the article by the Ukrainian journalist and activist Mustafa Nayyem – the same one who had used Facebook to start a gathering that turned into Ukrainian Maidan.*

**Our comment:** The ODF was established in 2009. We have nothing to do with this.

However, according to a later statement by Ivan Sherstyuk (reported to Lyudmyla Kozlovska), a group of several observers who planned to organise a press conference on the revealed election falsifications was deported then. Did this really happen? We do not know.

This case has been more extensively described in the statement<sup>165</sup> about the study ‘8 things you should know about the Open Dialog Foundation,’ which the author seems to have deliberately or unwillingly omitted.

## 5.10. DAMIAN TOMASIK WAS A MEMBER OF THE FOUNDATION COUNCIL IN ANOTHER PERIOD

**Quote (Marcin Rey):** *Damian Tomasik also became a member of the council, yet for a short period – he left the foundation already on 27 May [2013].*

**Our comment:** That is not true. Damian Tomasik was a member of the Foundation Council from

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<sup>165</sup> <https://goo.gl/jfcHLk>

the very beginning, that is, from 9 December 2009 to 19 November 2012 (when the resolution on his revocation<sup>166</sup> was adopted by the Foundation Council).

This mistake seems to indicate the author's lack of skills in using court records: the data available in their on-line aggregators of information is not always up to date. Sometimes the processes of data modification and updating in official registers are very time-consuming. The proper source of information should always be the official registry of the National Court Register (or even more so: an entity's motions for amendments and resolutions related to the relevant statutory bodies). The same applies to other countries in a similar way.

The author of the report also did not notice the fact that one of the former members of the Foundation Council is prof. Marek Chmaj.

This also affects the author's credibility and the information contained in his report with respect to other (e.g. Crimean) business connections that he tries to establish.

### 5.11. TOMASZ CZUWARA CEASED TO BE A MEMBER OF THE ODF BOARD IN DECEMBER 2016

**Quote (Marcin Rey):** *On 6 November, 2014, Tomasz Czuwara joined the board which until that date consisted only of Lyudmyla Kozlovska. Czuwara remained in the board until 30 May 2017.*

**Our comment:** Tomasz Czuwara resigned<sup>167</sup> on 19 December 2016. According to the law, his resignation was effective from that moment. In May 2017, a change in the Board was recorded by the National Court Register.

### 5.12. SILK ROAD AND OEG AND THEIR BUSINESS ACTIVITIES – THERE WAS NO VISA TRADING

**Quote (Marcin Rey):** *On a large scale, the company Silk Road Biuro Analiz i Informacji, under the brand name OEG Open Europe Group (this is not a legal entity), offers advisory services for foreigners in Poland as well as services related to arranging visas and residence cards in Poland. Its advertisements can be found in various countries of the former Soviet Union.*

**Our comment:** It also offers service in recruitment of employees and support for foreign investors.<sup>168</sup> Details can be found on the website.<sup>169</sup> Another area of Silk Road's activity is IT and VOIP telephony services. We talked about this in the interview for Gazeta Wyborcza<sup>170,171</sup> dated 12 September 2017.

<sup>166</sup> <http://odfoundation.eu/i/fmfiles/pdf/uchwala-dotyczaca-odwolania-damiana-tomasika.pdf>

<sup>167</sup> <http://odfoundation.eu/i/fmfiles/pdf/tomasz-czuwara-rezygnacja.pdf>

<sup>168</sup> <https://www.pb.pl/ukraincy-zakladaja-biznes-w-polsce-852557>

<sup>169</sup> [www.openeurope.pl](http://www.openeurope.pl)

<sup>170</sup> <http://wyborcza.pl/7,75968,22362235,otwarty-dialog-sie-broni.html>

<sup>171</sup> <https://goo.gl/WDYXpU>

### 5.13. TERNOPILSKA FOUNDATION AND MARIYA YAKUBOVYCH ARE PARTNERS OF THE ODF

**Quote (Marcin Rey):** *A partner in activities for foreigners is [Ternopilaska Foundation](#) from Żyrardów, which in 2016 donated PLN 7,300 to the Open Dialog Foundation, and whose head, [Mariya Yakubovych](#), works for [OEG](#).*

**Our comment:** According to the website of OEG,<sup>172</sup> Mariya Yakubovych is not (and has never been) an OEG employee, but she is a representative of a partner organisation: Ternopilaska Foundation.<sup>173</sup>

### 5.14. THE CLOSED ODF OFFICE IN KYIV

**Quote (Marcin Rey):** *In Kyiv, on Bankova street, just next to the office building of the presidential administration, another [Ukrainian entity](#) has its headquarters. Its name is 'Open Dialog Foundation' and it was founded by the Open Dialog Foundation from Poland and by [Atabayev's foundation](#) based in Brussels.*

**Our comment:** Not exactly. The Kiev office was physically closed down (due to savings) in August 2016. The above-mentioned address remained as the place of registration of our Ukrainian organisation.

### 5.15. THE ODF IS NOT PRESENT IN KAZAKHSTAN

**Quote (Marcin Rey):** *In Kazakhstan, which is one of the main areas of lobbying activities of the Open Dialog Foundation, there is an entity named '[Open Dialogue Civic Foundation](#)' headed by Asilbek Kilimov. It was, however, impossible to determine whether this is an accidental coincidence of names or not. It is rather difficult to imagine that an entity supporting [Mukhtar Ablyazov](#) could openly run an office in Kazakhstan.*

**Our comment:** This conclusion is correct; the ODF is not present in Kazakhstan.

### 5.16. WEALTH OF DONORS IS NOT A CRITERION

**Quotation:** *The basic activity of the Open Dialog Foundation, at least since it started obtaining significant revenues, is to carry out lobbying activities in defence of wealthy people from the former USSR countries (Kazakhstan, Ukraine and Russia), accused of embezzlement by the local authorities.*

**Our comment:** False. 'Wealth' is not a criterion at all. The Foundation has defended many people

<sup>172</sup> <http://openeuropegroup.odfoundation.eu/zespol/marija-jakubowycz/>

<sup>173</sup> <http://openeuropegroup.odfoundation.eu/oferta/ukraincy-w-polsce-i-na-polskim-rynku-pracy/>

whose financial status was not high, for example Russian activist from Tatarstan, Nafis Kashapov,<sup>174,175,176</sup> Alexander Orlov,<sup>177,178</sup> oil workers from Zhanaozen,<sup>179</sup> and many others. In this context, it is worth reading the Foundation's latest report: *The list of Kazakhstani political prisoners and persons subjected to politically motivated prosecution by Kazakhstan.*<sup>180</sup>

Mukhtar Ablyazov himself (who has political refugee status in Great Britain, widely described by the author in his report) has lost all of his property due to a conflict with President Nursultan Nazarbayev. Ablyazov's assets were frozen by a decision of the London court. The key (for the ODF – as an organisation defending human rights) is political persecution (including conflicts with authorities on the grounds of corruption), and one of the Foundation's main specialisations is the defence of political refugees. Official complaints can vary widely: financial malpractice, extremism and terrorism, striving to overthrow the regime, and so on. Ablyazov's case<sup>181</sup> has been described in great detail in our numerous reports.<sup>182,183,184,185,186</sup> How many of them has Marcin Rey familiarised himself with?

By the end of 2013, Ukraine had become a priority area of activity. While describing the ODF's lobbying activities, the author clearly omits its actions aimed at introducing sanctions against Russia and ignores the LetMyPeopleGo campaign,<sup>187</sup> including the intensive defence of Nadiya Savchenko,<sup>188, 189</sup> the campaign to reform Interpol,<sup>190, 191</sup> the campaign to defend those persecuted in connection with the events in Zhanaozen<sup>192</sup> in 2011, and joint actions with Garry Kasparov,<sup>193,194,195</sup> and the Russian opposition.<sup>196</sup>

This issue has been also addressed in section 5.2 of this study (*Ablyazov and Malyutin*), as well as in the statement on the articles of Gazeta Wyborcza dated 7 August 2017.<sup>197</sup>

<sup>174</sup> <http://odfoundation.eu/a/6401,nafis-kashapov-otrzymal-status-uchodzczy>

<sup>175</sup> <https://www.facebook.com/OpenDialogFoundation/posts/824216270953771>

<sup>176</sup> <https://www.facebook.com/OpenDialogFoundation/posts/901356106573120>

<sup>177</sup> <https://goo.gl/Krx1cQ>

<sup>178</sup> <http://odfoundation.eu/a/6769,sprawa-aleksandra-orlowa>

<sup>179</sup> <http://odfoundation.eu/zhanaozen>

<sup>180</sup> <https://goo.gl/rSvXo8>

<sup>181</sup> <http://en.odfoundation.eu/mukhtar-ablyazov>

<sup>182</sup> <http://odfoundation.eu/a/4401,bta-bank-fabrykuje-zarzuty-przy-wspolpracy-organow-sledczych-ukrainy-rosji-i-francji>

<sup>183</sup> <http://odfoundation.eu/a/6249,raport-sprawa-mukhtara-ablyazova-w-ukrainie>

<sup>184</sup> <http://odfoundation.eu/a/6485,raport-francja-nie-powinna-dopuszcz-do-wydania-kazachskiego-opozycjonisty-na-smierc>

<sup>185</sup> <http://odfoundation.eu/a/6900,raport-analiza-dokumentow-w-sprawie-mukhtara-ablyazova>

<sup>186</sup> <https://goo.gl/2FBtD4>

<sup>187</sup> <http://odfoundation.eu/kampania-letmypeoplego>

<sup>188</sup> <http://en.odfoundation.eu/savchenko-list>

<sup>189</sup> <http://en.odfoundation.eu/nadiya-savchenko>

<sup>190</sup> <http://odfoundation.eu/interpol-i-politycznie-motywowane-ekstradycje>

<sup>191</sup> <https://goo.gl/dTVg54>

<sup>192</sup> [http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/droi/dv/111\\_kazakhstan\\_/111\\_kazakhstan\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/droi/dv/111_kazakhstan_/111_kazakhstan_en.pdf)

<sup>193</sup> <http://odfoundation.eu/a/3172,turniej-szachy-w-szkolach-europejskich>

<sup>194</sup> <https://goo.gl/HYFSsS>

<sup>195</sup> <https://goo.gl/GKUdDp>

<sup>196</sup> <http://odfoundation.eu/a/361,opozycjonisci-w-parlamencie-europejskim-o-wyborach-w-rosji1>

<sup>197</sup> <http://odfoundation.eu/a/8321,oswiadczenie-i-sprostowania-artikulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r>

In this context, it is also worth recalling, for example, the mission at Maidan, in Crimea, and in various regions of Ukraine (2013/2014, along with analytical work dedicated to them),<sup>198,199,200,201,202,203,204,205,206</sup> hundreds of pro-Ukrainian aid initiatives and actions, and the value of humanitarian aid provided by the Foundation as well as the organisational efforts behind it.<sup>207,208</sup>

## 5.17. NOT EVERY VICTIM IS A HUMAN RIGHTS ACTIVIST

**Quote (Marcin Rey):** *The foundation carries out extensive communication and legal activities to demonstrate that the people it defends are human rights activists who are being persecuted for their opposition views.*

**Our comment:** False – probably a too extensive mental shortcut. Not every victim is a human rights defender. The Foundation has been defending not only persecuted human rights activists (such as Yevgeny Zhovtis<sup>209,210,211,212</sup> or Vadim Kuramshin<sup>213</sup>), but also independent journalists and media workers (Igor Vinyavsky,<sup>214</sup> the ‘Respublika’ magazine<sup>215,216,217,218</sup>), opposition activists (e.g. Mukhtar Ablyazov,<sup>219</sup> Vladimir Kozlov,<sup>220</sup> and Muratbek Ketebayev<sup>221,222,223</sup>), other social activists (such as Zinaida Mukhortova,<sup>224,225</sup> Bolat Atabayev,<sup>226,227</sup> and Aron Atabek<sup>228,229</sup>),

<sup>198</sup> [http://maidan24.pl/media/49912/raport\\_euromaidan\\_pl.pdf](http://maidan24.pl/media/49912/raport_euromaidan_pl.pdf)

<sup>199</sup> <http://en.odfoundation.eu/a/1356,report-on-euromaidan>

<sup>200</sup> <https://goo.gl/WxKs38>

<sup>201</sup> <http://en.odfoundation.eu/a/1411,ukraine-anti-government-protesters-arrested-en-masse-across-ukraine-s-regions>

<sup>202</sup> <http://en.odfoundation.eu/a/1378,ukraine-the-first-casualties-of-the-anti-government-protests>

<sup>203</sup> <http://odfoundation.eu/a/3112,krymscy-separatysci-bija-dziennikarzy-i-odbieraja-im-sprzet>

<sup>204</sup> <http://odfoundation.eu/a/3153,the-ukrainian-authorities-report-the-invasion-of-armed-russian-troops-in-crimea>

<sup>205</sup> <http://en.odfoundation.eu/a/3142,russian-federations-starts-a-war-with-ukraine>

<sup>206</sup> <http://odfoundation.eu/a/3125,the-crimea-kidnapping-of-journalists-and-civil-activists>

<sup>207</sup> <https://goo.gl/GR9jZb>

<sup>208</sup> <http://odfoundation.eu/a/5576,podsumowanie-dzialan-fundacji-otwarty-dialog-i-euromaidan-warszawa-na-rzecz-ukrainy>

<sup>209</sup> <https://goo.gl/23We7Q>

<sup>210</sup> <https://www.goldenline.pl/spotkanie/protest-w-obronie-evgeny-zhovtisa-i-opozycyjnych-mediow-w-kazachstanie>

<sup>211</sup> <http://en.odfoundation.eu/a/1350,yevgeniy-zhovtis-a-renowned-kazakh-human-rights-defender-visits-poland>

<sup>212</sup> <http://odfoundation.eu/a/6384,w-brukseli-o-prawach-czlowieka-w-azji-centralnej>

<sup>213</sup> <https://goo.gl/whkQRH>

<sup>214</sup> <http://odfoundation.eu/a/524,igor-vinyavskiy-uwazam-ze-sprawa-przeciwko-mnie-ma-charakter-polityczny>

<sup>215</sup> <http://odfoundation.eu/a/7411,pe-przyjal-rezolucje-o-wolnosci-slowa-w-kazachstanie>

<sup>216</sup> <https://kukkaranta.com/category/open-dialog-foundation/>

<sup>217</sup> <http://odfoundation.eu/a/7272,w-parlamencie-europejskim-o-wolnosci-prasy-i-mediow-w-kazachstanie1>

<sup>218</sup> <https://goo.gl/9gMZ69>

<sup>219</sup> <http://en.odfoundation.eu/mukhtar-ablyazov>

<sup>220</sup> <http://vladimirkozlov.org/>

<sup>221</sup> <https://goo.gl/7bURDV>

<sup>222</sup> <http://wiadomosci.onet.pl/swiat/pe-konferencja-na-temat-praw-czlowieka-w-kazachstanie/s8pe1>

<sup>223</sup> [http://lublin.wyborcza.pl/lublin/1,48724,14103755,Jesli\\_Polacy\\_go\\_odesla\\_skonczy\\_w\\_wiezieniu\\_Albo.html](http://lublin.wyborcza.pl/lublin/1,48724,14103755,Jesli_Polacy_go_odesla_skonczy_w_wiezieniu_Albo.html)

<sup>224</sup> <http://odfoundation.eu/a/1278,zinaidie-muhortowej-przypisano-powtorne-badanie-psychiatryczne>

<sup>225</sup> <http://www.malgorzatagosiewska.pl/?p=6773>

<sup>226</sup> [http://wyborcza.pl/magazyn/1,124059,14227411,Artysta\\_podnosi\\_glowe.html](http://wyborcza.pl/magazyn/1,124059,14227411,Artysta_podnosi_glowe.html)

<sup>227</sup> <http://odfoundation.eu/d/854,represje-wobec-opozycji-w-kazachstanie-odpowiedz-komisji>



opposition sponsors (again: Mukhtar Ablyazov<sup>230</sup>), oppressed workers<sup>231, 232, 233</sup> and their representatives (e.g. Rosa Tuletayeva<sup>234, 235, 236</sup> and Natalia Sokolova<sup>237</sup>), and, finally, persons associated with them in various ways (such as Tatiana Paraskevich<sup>238, 239</sup> and Alexander Pavlov<sup>240</sup>).

And these are only examples related to Kazakhstan. As for the last few months, it is also worth noting the Russian prisoner Vitaliy Buntov,<sup>241</sup> persecuted Moldovan activists Ana Ursachi<sup>242</sup> and Eduard Rudenco,<sup>243</sup> or Ukrainian reformers and anti-corruption activists<sup>244</sup> (such as Svitlana Zalishchuk and Alexandra Ustinova]).

The author seems to understand the nature of the ODF's activities and the issue of defending human rights in the former USSR countries in a very simplified way (so as not to use other terms, such as: 'primitive' or 'vulgarised').

## 5.18. THE CHOICE OF THE DESCRIBED CASES IS SELECTIVE AND DIFFICULT TO UNDERSTAND

**Quote (Marcin Rey):** *Special attention should be paid to the defence of the Kazakhstani billionaire Mukhtar Ablyazov, Russian businessman Nail Malyutin and Polish-Ukrainian entrepreneur Alexander Orlov.*

**Our comment:** The method of case selection (and thus the connection between the cases of Ablyazov, Malyutin, and Orlov) is incomprehensible to us.

We have discussed the case of Orlov extensively on our websites<sup>245</sup> and in the conversation with Onet's journalists.<sup>246</sup> As a result of the unsuccessful interventions of Polish authorities and the powerlessness of diplomacy at that time, it became a major issue in Polish–Ukrainian relations.

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<sup>228</sup> <http://odfoundation.eu/a/3927,kazachstanskie-wladze-odmawiaja-leczenia-arona-atabeka>

<sup>229</sup> <http://odfoundation.eu/a/3110,polityczne-przesladowanie-kazachskiego-dysydenta-arona-atabeka>

<sup>230</sup> <http://wiadomosci.dziennik.pl/swiat/artykuly/431699,biale-rekawiczki-dyktatorow-oto-jak-sluzby-grasuja-w-europie.html>

<sup>231</sup> <http://odfoundation.eu/zhanaozen>

<sup>232</sup> <https://goo.gl/AVGCvt>

<sup>233</sup> <http://odfoundation.eu/a/8383,zhanaozen-kazachstan-wiatr-zmian>

<sup>234</sup> <http://odfoundation.eu/a/1154,kazachstan-roza-tuletayeva-potrzebuje-pomocy-niezaleznych-lekarzy>

<sup>235</sup> <http://odfoundation.eu/a/1062,kazachstan-roza-tuletayeva-oglosila-strajk-glodowy>

<sup>236</sup> <http://odfoundation.eu/a/5439,roza-tuletayeva-na-wolnosci>

<sup>237</sup> <https://goo.gl/EipSKb>

<sup>238</sup> <http://www.radio.cz/en/section/in-focus/ngos-campaign-for-russian-woman-held-in-czech-jail-pending-extradition>

<sup>239</sup> <http://www.radio.cz/en/section/in-focus/czech-detention-of-russian-citizen-fuels-campaign-for-reform-of-interpol>

<sup>240</sup> [http://www.eldiario.es/desalambre/Supremo-reconoce-derecho-guardaespaaldas-opositor\\_0\\_360464603.html](http://www.eldiario.es/desalambre/Supremo-reconoce-derecho-guardaespaaldas-opositor_0_360464603.html)

<sup>241</sup> <https://goo.gl/WQBf1C>

<sup>242</sup> <http://odfoundation.eu/a/7999,moldawia-przesladowanie-adwokat-any-ursachi>

<sup>243</sup> <https://goo.gl/1uXTQH>

<sup>244</sup> <https://goo.gl/3cfegh>

<sup>245</sup> <http://odfoundation.eu/a/6839,sprawa-a-orlowa-misja-obszernyjna-aktywistow-odf-i-polskich-poslow-do-odessy>

<sup>246</sup> <https://goo.gl/55B7uY>

The situation changed with his release in 2016.<sup>247</sup> Again, we present the most important information for this case in the further part of the study.

As a digression referring to one of M. Rey's other allegations/insinuations: in 2016, Orlov was not a wealthy person. The Kyiv lawyers involved in his case by the ODF defended him at their own expense – on a *pro bono* basis.

## 5.19. MUKHTAR ABLYAZOV IS NOT A HUMAN RIGHTS DEFENDER. AND DOES NOT HAVE TO BE

**Quote (Marcin Rey):** *The Open Dialog foundation is undoubtedly right in saying that in Kazakhstan, [Mukhtar Ablyazov](#) would be exposed to an unjust trial, imprisonment, and perhaps even torture. Such practices are common in that country. The question arises, however, to what extent can [Mukhtar Ablyazov](#) be regarded as a human rights defender.*

**Our comment:** Ablyazov was not and is not a human rights defender and **the ODF does not state otherwise.** He was, however, tortured<sup>248,249,250</sup> and imprisoned in Kazakhstan for political reasons as early as in 2002.<sup>251</sup> Therefore, there is no doubt that he should be considered a victim. He was granted the status of a prisoner of conscience by Amnesty International back in 2002,<sup>252</sup> and was also recognised as a political prisoner by Human Rights Watch<sup>253</sup> and Freedom House.<sup>254</sup> At that time, the European Parliament defended him in a resolution,<sup>255</sup> recognising his case as politically motivated – as did the US State Department in its report<sup>256</sup> from 2003. Ablyazov's case was decisively referred to by well-known American senators, such as Joe Lieberman and John McCain.<sup>257</sup> The case of Mukhtar Ablyazov (and a number of persecuted people that were associated with him) also remained on the agenda of the State Department and the US Helsinki Commission in subsequent years.<sup>258</sup> The persecution and its political motivation were unquestionable.

As we state above, being a human rights defender is not a prerequisite for persecution or for the need to receive support. It is 'sufficient' to conduct opposition activities... It seems that the

<sup>247</sup> <http://wyborcza.pl/1,75399,20151705,orlow-na-wolnosci.html>

<sup>248</sup> <https://www.youtube.com/watch?v=r1zhUfNJu2w>

<sup>249</sup> <https://goo.gl/xgz18h>

<sup>250</sup> [https://rus.azattyq.org/a/derjavinsk\\_prison\\_selfinjury/2093436.html](https://rus.azattyq.org/a/derjavinsk_prison_selfinjury/2093436.html)

<sup>251</sup> <https://goo.gl/RjNfGm>

<sup>252</sup> <https://goo.gl/KkfKSw> Mukhtar Ablyazov and Galymzhan Zhakiyanov were sentenced to prison in 2002 for "abuse of office" and financial crimes. They were apparently targeted because of their peaceful opposition activities.

<sup>253</sup> <https://www.hrw.org/sites/default/files/reports/kazakhstan0404.pdf>

<sup>254</sup> <https://freedomhouse.org/report/nations-transit/2005/kazakhstan>

<sup>255</sup> <https://goo.gl/eXr5ZP>

<sup>256</sup> <https://www.state.gov/j/drl/rls/hrrpt/2002/18373.htm>

<sup>257</sup> <https://www.mccain.senate.gov/public/index.cfm/press-releases?ID=1d7d1480-982b-4df5-b3dd-8f218b157896> While we welcome the Department's role in achieving the release from prison of opposition member Mukhtar Ablyazov, his forced announcement that he will no longer participate in politics sets a poor precedent for other political prisoners. The conditions of his release arguably send the same message as his arrest: that political opposition is not tolerated in Kazakhstan.

<sup>258</sup> <https://goo.gl/K7hKzz>

author of the report has failed to search for the above (and similar) studies or has deliberately omitted them.

**Quote (Marcin Rey):** *Regardless of whether the Kazakhstani authorities' allegations are fabricated, it seems clear that the business practices of [Mukhtar Ablyazov](#) are controversial. There is a lot of people in Kazakhstan who have been repressed for opposing the regime of President Nazarbayev, but the difference between those people and [Mukhtar Ablyazov](#) is that they are not billionaires.*

**Our comment:** Controversy is a purely subjective category. In the same way, it can be said that Marcin Rey's activity is highly controversial (e.g. if assessed by the number of critical publications and opinions, especially in the recent period). **However, the question should first be asked as to what the author's claims in this respect are based on?** Especially if he admits that the charges against Ablyazov could have been fabricated. What business practices was he talking about? How reliable are the sources which the author of the report uses to support his information? What is more, a lack of controversy is not a condition for us to help a person or an institution. This is a very individual matter.

As indicated in section 5.16 of this study (and elsewhere), the ODF has defended a number of oppressed people from Kazakhstan who were not and are not 'billionaires.' This included workers from Zhanaozen, Yevgeny Zhovtis, Vadim Kuramshin, Aron Atabek, Bolat Atabayev, Bolat Mamay, Zinaida Mukhortova, journalists of the 'Respublika' magazine, and many more.

Ablyazov has very broad connections – it is hard to overestimate his importance for the support of civil society, independent media, and pro-European opposition in Kazakhstan (that is why he is sometimes referred to as the 'Kazakhstani Khodorkovsky'<sup>259</sup>). For this reason, it is right to point out, to a certain extent, the relationships of many (although not all) of the above-mentioned persons with Ablyazov and thus 'linking them' to a certain extent. However, we have to remember that it is difficult to defend civil rights and, more generally, public life in contemporary Kazakhstan without taking into account Ablyazov's role (earlier and even now) for the political opposition, civil sector, and independent media.

It seems that Marcin Rey did not possess this knowledge.

## 5.20. THE COMMUNIST PARTY OF KAZAKHSTAN WAS 'COMMUNIST' ONLY BY NAME

**Quote (Marcin Rey):** *The Open Dialog foundation also conducted a campaign against the delegalisation of the Communist Party of Kazakhstan by the regime of President Nursultan Nazarbayev. This may be related to the fact that the party formed by [Mukhtar Ablyazov](#) also cooperated with Kazakhstani Communists.*

**Our comment:** If the author's intention was to assign communist or (even better) opportunist (?) views to the managers of the ODF, then he missed out again. The facts are as follows:

- The Communist Party of Kazakhstan was 'communist' only in name;

<sup>259</sup> <http://wyborcza.pl/1,75399,20241394,kazachski-chodorkowski-czeka-na-ekstradycje-do-rosji-abljazow-chca.html>

- The name of the party could not be changed as this would lead to it losing its status (official registration);
- Its actual party platform was based on support for the rule of law and private ownership (as was mentioned during the party's government meeting in 2002 by, among others, Peter Svoik – a relatively well-known opposition activist at that time) – the very antithesis of communism!;<sup>260</sup>
- As such, the party was indeed a natural ally of the Democratic Choice of Kazakhstan (Mukhtar Ablyazov's movement/political party) and, due to formal persecution that affected the DCK at that time, it was decided to allow the activists of the DCK to take part in the election using the 'communist' banner, which was widely reported by the Kazakhstani media.<sup>261</sup>

This is another case proving that Marcin Rey tends to describe and critically assess topics that he seems to have no idea about. What's more, his analysis is superficial – especially where his first glance confirms his biased and negative presumption against the ODF.

## 5.21. NAIL MALYUTIN IS A WHISTLEBLOWER, NOT AN OPPOSITIONIST

**Quote (Marcin Rey):** *The Open Dialog Foundation is undoubtedly right in saying that in Russia, [Nail Malyutin](#) will be exposed to an unjust trial, imprisonment, and perhaps even torture. Such practices are common in that country. The question arises, however, to what extent can [Nail Malyutin](#) be regarded as an oppositionist.*

**Our comment:** Nail Malyutin is not an oppositionist (just as Mukhtar Ablyazov is not a human rights defender). And, as stated above, he does not have to be in order to deserve support. He is a whistleblower who revealed facts that were inconvenient to the Kremlin's circles of power and big business. In addition to humanitarian reasons (which even the author of the report does not object above), **Malyutin's testimony struck at the Kremlin, and thus his actions were in line with the ODF's general line of activities.**

**Quote (Marcin Rey):** *Except for the fact that he filed reports to the prosecutor's office about people with whom he has previously cooperated, we know nothing about his other activities in this area. [Nail Malyutin](#) does not conduct any political activity. He is only one of the many thousands of people who have taken part in the brutal business game in Russia, who have confronted the instrumental use of the system of 'justice' by the more powerful players with whom they have got into a conflict.*

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<sup>260</sup> <http://kub.info/print.php?sid=2249>

*The Communist Party is a political ally of the Democratic Choice. The modern Communist Party of Kazakhstan is free from anti-market and anti-democratic dogma; its program provides for the election of local and central authorities and their accountability to the population, variety of forms of ownership, and social orientation of the market economy, which corresponds to the programme of the DCK. The foundation of the CPK consists of veterans, whose patriotism and contribution to the strengthening of the country's power deserve respect, and their current political activities deserve recognition and support.*

<sup>261</sup> <https://goo.gl/sjXjGZ> – soon after, a joint congress of the DCK and the CPK took place, during which the delegates decided to form a single electoral bloc to participate in the upcoming election of deputies to Mazhilis [the lower house of the Parliament of Kazakhstan] in September 2004. 380 delegates from all regions of Kazakhstan took part in the work of the united congress. The name of the bloc – Opposition Block of Abdildin and Zhakiyanov (Union of Communists and DCK) – was unanimously approved.

**Our comment:** The Foundation defended Nail Malyutin at the request of his wife. Unfortunately, whistleblowers that are close to the circles of Russian power are not a common phenomenon (to put it mildly). By opposing the extradition of Malyutin, we were striking at Russian interests – including the personal interests of Russian elites. At this point, the key question returns: would an organisation indirectly financed by them – as the author attempts to prove (?) – do so?

Finally, the author of the report, who is negatively disposed towards the Kremlin, does not seem to notice (or marginalises) the significance of two facts: one that speaks strongly in favour of Malyutin, and a second– in addition to humanitarian reasons – that strongly justifies the support he received:

1. Nail Malyutin, after discovering an irregularity in the company he managed, ordered an audit and filed a report to the law enforcement authorities and, following an unsuccessful pursuit of justice in Russia,<sup>262</sup> appealed to the prosecutor's office in Germany.
2. **Malyutin's notices and testimonies mentioned above attacked the persons and interests of Igor Yusufov<sup>263</sup> (a member of the Board of Directors of Gazprom and former Minister of Energy of the Russian Federation) and Dmitry Medvedev<sup>264</sup> (the Prime Minister and former President of the Russian Federation).** We regret to note that the author of the report, who is trying to fight Russian influence, does not see this.

As we have pointed out, as part of the measures taken to prevent the extradition of Nail Malyutin:

*Mr Nail Malyutin, similarly as Mr Sergei Magnitsky, well-known Russian anti-corruption whistleblower, lawyer and victim of prosecution, became a witness to a huge money withdrawal from a state-owned company, initiated an audit, collected evidences and was trying twice to open a criminal case on these acts of theft in Russia and in Germany. As in the Magnitsky case, his report was rejected and criminal cases were initiated against him by the Federal Security Service of the Russian Federation (FSB). The extradition case of Mr Malyutin is based solely on a report of top-FSB officials and was approved by Mr Victor Voronin, Deputy Head of Economic Security Department of the FSB who is personally sanctioned under the US Magnitsky List and is listed on the EU Magnitsky List (please see also our statement on the involvement of the 'Magnitsky List's' Russian officials in the other politically motivated criminal proceedings in Russia, HERE). The Austrian authorities approved an extradition of Mr Malyutin to the North Caucasus region (Osetia/Dagestan), one of the most dangerous places in Russia, especially for those who were born in the countries of Central Asia. Now it is again up to the Austrian authorities to issue a final decision in Mr Malyutin's case.*

**Quote (Marcin Rey):** *It seems unlikely that [Nail Malyutin](#), according to him, only after a time*

<sup>262</sup> <http://www.ft.com/intl/cms/s/2/2db3d830-7200-11de-b7e1-00144feabdc0.html#axzz48oq5w5ty>

<sup>263</sup> <https://www.vedomosti.ru/newspaper/articles/2014/04/21/ya-ne-dolzhen-sozdavat-modelnoe-agentstvo-igor-yusufov>

<sup>264</sup> <http://www.austrevicius.lt/?p=3047> In 2008, Nail Malyutin revealed illegal money transfers, carried out with the participation of a company owned by Igor Yusufov, former energy minister, member of the Gazprom Board of Directors and Dmitry Medvedev's trusted person. The transactions, which resulted in losses, suffered by a state enterprise managed by Malyutin, were designed to be a preparation for the acquisition of German shipyards. Malyutin reported to the Russian judiciary the siphoning out of approx. \$83.4 million. Also, in 2012, he informed the German public prosecutor in Schwerin about an illegal source of funds for which the shipyards were purchased. In response, Russia initiated a criminal case, accusing Malyutin of misappropriating funds and of committing murder.

*discovered that 100 or even 150 million dollars was siphoned out of his company. This would prove his managerial skills to be extremely poor. It is more likely that [Nail Malyutin](#) knew where he lived and with whom he cooperated. If he was really so naive, he would not have been entrusted with the management of [FLC](#).*

**Our comment:** This is a matter of individual assessment. It is obvious that the author of the report did not have such contact with the case (and Malyutin himself) as the persons engaged in it. The case was widely described by the ODF,<sup>265</sup> and it is also worth reading his wife's dramatic report.<sup>266</sup>

In the opinion of the ODF, to the best of our knowledge, Malyutin's 'naivety' was indeed one of the reasons why he was entrusted with the management of FLC (thus having the role of a scapegoat assigned in advance). As a digression, it can be noted that the history of Malyutin is reminiscent (in this aspect) of the assignment of the management of the Odessa bus station to Alexander Orlov (whose case has been discussed in other parts of this study). It may be assumed that their stories had a somewhat predetermined scenario with scapegoat roles filled in.

To exhaust this topic, we asked Igor Savchenko – an analyst of the ODF who dealt with this case – to express his opinion. Savchenko's commentary is attached as Appendix 2 to this study.

We point out, however, that the defence of individuals against human rights violations does not necessarily mean total approval of their actions, views or beliefs. We quite carefully analyse the circumstances of the cases we deal with, yet the responsibility for our decisions and actions does not imply responsibility for the words and life choices of any third persons.

Last disclaimer (and, at the same time, an answer to many explicit and allusive remarks): by helping someone, we do not automatically state that a person or organisation is crystal-clear. Very often this cannot be stated unequivocally, but the fact of persecution (as well as the degree of risk that is often translated directly to the humanitarian aspects) still remains the guiding principle in that matter.

## 5.22. THE CASE OF ALEXANDER ORLOV

**Quote (Marcin Rey):** *The Open Dialog foundation conducted campaigns for the release of [Alexander Orlov](#) – a Polish citizen and businessman active in Ukraine, who was detained for a long time in Odessa on criminal charges. [Alexander Orlov](#) left the arrest in May 2016.*

As in the event of detention of bullet-proof vests in 2014, Alexander Orlov's case received support of significant public opinion in Poland in 2016. The case was very widely reported in the media, and its factual and legal details are presented in ODF reports.

We also commented on it extensively for the Onet article dated 19 August 2017. The relevant excerpts from the article are quoted below:

***“Among the dozens of people defended by the foundation, the author of the report chooses the***

<sup>265</sup> <http://odfoundation.eu/a/7622,raport-sprawa-naila-malyutina>

<sup>266</sup> <https://www.youtube.com/watch?v=jbzQO6UqNPM>



**most suspicious ones (in his opinion). From the reader's point of view, this may give rise to an impression that the OD is involved in defending figures with a dark reputation.**

(...)

*On the other hand, the author mentions the Polish citizen Alexander Orlov imprisoned in Odessa. Orlov's description in the report gives the impression that he is a significant figure in the Russian criminal world. According to 'one of the sources' (the report contains an inactive link), he even met with Semion Mogilevich, the most powerful godfather of the Russian mafia.*

*The facts concerning Orlov's case are as follows: At the time when the foundation engaged in his case, Orlov had been detained in Odessa for four and a half years. And, according to the information he had, he was the longest-detained Polish citizen abroad without a sentence. No institution was able to help him. Even the request of the then Polish President, Bronisław Komorowski, to the president of Ukraine, Petro Poroshenko, remained unanswered. The OD engaged in Orlov's case not because of any common business, but at the request of Dr. Hanna Machińska, the then head of the Council of Europe Office in Warsaw, as well as advocates cooperating with the Polish Supreme Bar Council. The defence of Orlov was in line with the Foundation's statutory goals – without considering whether or not and what role he played in the Russian criminal world. Although, according to available information, he was a small businessman who fell afoul of the local oligarch Serhiy Kivalov – head of the Central Election Commission, who was responsible for the electoral fraud which led to the outbreak of the Orange Revolution in Ukraine in 2004. Orlov, as a self-proclaimed journalist and activist, published articles pointing out Kivalov's corruption. Most likely, that's why the trial against him, in which he was accused of ordering a murder, was faked.*

*– The Foundation also dealt with Orlov's case because he was held in terrible humanitarian conditions. Figuratively speaking, he was practically being eaten by worms – says Kramek. – In addition, he was beaten by his fellow inmates and persecuted by the authorities. This case has cast a shadow over official Polish–Ukrainian relations.*

*In the context of the report's insinuation, the most important thing is that Orlov's guilt was not proven. His case became a symbol of the lawlessness in Ukrainian courts.*

*– There are Poles even serving life sentences abroad, but this man, for four and a half years, was not in prison, but in custody – even a corrupt local court was not able to convict him – says Kramek. – When we got involved in Orlov's case, he already had nearly a hundred trials behind him. The court would meet, only to postpone the hearing to the next date. When observers from Poland appeared at one of the hearings, a bomb alarm was announced and the trial was cancelled altogether.*

*Thanks to the OD supported by Marcin Świącicki and Małgorzata Gosiewska, Orlov regained his freedom a few months later. Rey wrote that the OD hired a Kyiv law firm which had previously cooperated with the Russian Sberbank. In fact, the lawyers worked for the OD and Orlov pro bono, and their support for Sberbank took place even before the war with Russia. Does this really incriminate the ODF?*

## 5.23. HALTED TRANSPORT OF BULLETPROOF VESTS

**Quote (Marcin Rey):** *Halting the transport complied with the regulations. Yet it was presented as a manifestation of the Polish authorities' alleged refusal to help Ukraine fight against the Russian aggression. In fact, this was a result of the lack of professionalism on the part of the Open Dialog foundation. Another result of this situation was the negative opinion about Poland among the people who gathered aid for battalions in Ukraine itself, so they virtually ceased to travel to our country for supplies.*

**Our comment:** We have already referred to this issue extensively in our statements<sup>267,268</sup> (and we encourage those interested to read them for comprehensive information). As we understand, M. Rey has failed to read the statement dated 28 June 2016, that is, from before his report.

Let us, however, comment once again.

**Marcin Rey misses the truth. The Foundation itself – before and afterwards – transferred vests using the so-called *ant method*, that is, similarly to other activists.** However, our activity in this area was simply the largest in scale. **The said transport was one of many sent by the ODF.** Yet it was the first one that – to our surprise (as explained later<sup>269</sup> by, among others, our aid coordinator Natalia Panchenko) – was halted (March 2014). The decision to go to the border crossing in Hrebenne was made by the volunteers who were controlling the transport. It should be added that it later turned out that there were more such halted transports in various places in the country<sup>270,271,272</sup> (and at that time, we were often asked by the Ukrainian Embassy to intervene). Thus, the case of the ODF was not individual, but – deliberately – the most publicised (and the first).

**Publicising this case was not our goal, but a secondary effect of the development of the situation at that time.** The ODF stated that the current regulations, which blocked (or at least seriously hindered) the supply of equipment that directly protected lives, were absurd. This was reflected in many of the media commentaries of the ODF representatives at that time, who emphasised that “the law treated vests and helmets just like rifles and tanks.”<sup>273</sup> We essentially still maintain this position<sup>274</sup> today. Nevertheless, the discovery of the above-mentioned provisions has led, on the one hand, to an attempt to change (liberalise) the law and, in parallel, to obtain a ministerial licence<sup>275</sup> for the trade of such goods. These efforts have proved to be effective, as we describe below.

The scale of operations and extraordinary mobilisation were motivated by the vastness of needs and direct requests from Ukraine. In 2014, the Foundation received, among others, a request for equipment support from the then Secretary of the Security and Defence Council of Ukraine,

<sup>267</sup> <http://odfoundation.eu/a/8321,oswiadczenie-i-sprostowania-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r>

<sup>268</sup> <https://goo.gl/jfcHLk>

<sup>269</sup> <https://www.facebook.com/grazyna.staniszezewska.31/posts/751901178185653>

<sup>270</sup> <https://goo.gl/XMepe6>

<sup>271</sup> <https://goo.gl/JCSgiG>

<sup>272</sup> <https://goo.gl/htEqDT>

<sup>273</sup> <http://www.rp.pl/artykul/1130678-Ukraincy-wspieraja-rodakow--Kupuja-uzbrojenie.html>

<sup>274</sup> <https://goo.gl/SWnFeS>

<sup>275</sup> <http://odfoundation.eu/a/5615,koncesja-dla-naszej-fundacji>

Andriy Parubiy (originally addressed to the heads of Polish defence and diplomacy departments).<sup>276</sup>

It is also difficult to talk about the lack of professionalism in the case of actions taken by the ODF (and many others) in such an emergency situation, that is, a revolution followed by a war. The Foundation acted in accordance with its usual *modus operandi* – quickly and decisively. The priority was to protect human health and lives. Neither the ODF nor the majority of those conducting similar activities at that time had any experience in providing humanitarian aid. No one (?) of those involved had previously specialised in this field. It was an unprecedented situation. Moreover, neither the Foundation's managers nor those directly involved in this activity were aware at that time of the licensed trade regulations concerning bullet-proof vests and helmets. This fact, along with the nobility of goals of the ODF and other volunteers, became the basis for discontinuance of all proceedings by the Polish prosecutor's office (after many battles)<sup>277</sup> due to the low social harm. In our opinion, this has been quite properly described in the article of New Eastern Europe,<sup>278</sup> which contains the following assessment: "However, the flexibility of the Open Dialog is a source of admiration." And this article was definitely not uncritical towards us.

The Foundation obtained a specialist licence from the Ministry of the Interior. What is more, as a result of our activities, the provisions of the Regulation of the Minister of Economy on the List of Military Goods (for which a licence from the Ministry of Economy was required) of 8 May 2014 (Journal of Laws of 2014, item 627), have been liberalised.<sup>279</sup> The amendment of 12 August 2014 (Journal of Laws of 2014, item 1113)<sup>280</sup> included the number of bulletproof vests and helmets, which can be held and transported across the border without permission – for what is termed 'personal use'. The helmets and vests were returned and they finally reached those in need in Ukraine. The Foundation and its lawyers were also involved in providing assistance to other activists who faced similar problems as a result of stopping their supplies at the Ukrainian border. In the end, proceedings in their cases were also discontinued.<sup>281</sup> What's more, we were very satisfied with such an outcome. We assess these actions as having been effective and necessary.

**It is not true to say that there is a negative opinion of Poland among the people gathering aid in Ukraine. The author (wrongly) seems to equate Polish public administration bodies with Polish society.** In this case, in the opinion of the ODF, the Polish administration was under justified media and social pressure, and this allowed – as indicated above – the problem to be solved. On the other hand, strong, consistent and ongoing support from Polish volunteer activists (that is, predominantly the ODF and related structures) built a very positive image and great sympathy for Poland and Poles among the Ukrainians. Moreover, some of the media and official pressure from the Ukrainian side (among others by head of the Ministry of Interior, Arsen Avakov<sup>282</sup>) were a deliberate tactic by the ODF to increase pressure on the Polish government (in which contradictory opinions on the need to provide this type of assistance to Ukraine quickly

<sup>276</sup> <http://odfoundation.eu/i/fmfiles/pdf/parubiy-pismo.pdf>

<sup>277</sup> <https://www.facebook.com/OpenDialogFoundation/posts/759332950775437>

<sup>278</sup> <http://www.new.org.pl/2006-sorry,-takie-mamy-prawo>

<sup>279</sup> <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20140000627>

<sup>280</sup> <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20140001113>

<sup>281</sup> <https://www.facebook.com/OpenDialogFoundation/posts/773832255992173>

<sup>282</sup> <http://odfoundation.eu/i/fmfiles/pdf/13-08-2014-msw-ukrainy-do-msw-polski-ws-kamizelek.pdf>

started to emerge). In a broader context, it was also important to promote the need to supply arms to Ukraine (as well as to promote the legitimacy of this issue)<sup>283,284,285</sup> which was strongly supported by the Foundation.

**It is also not true that they virtually ceased to travel to Poland for supplies.** On the contrary! Due to the publicity of this case, the Foundation began to receive even more requests for support and cooperation from more Ukrainian partners. Support (including financial) was also received from the Ukrainian diaspora organisation and new emigration outside of Poland. As indicated above, new volunteers – including many citizens of Ukraine – could now count on the legal support provided by the Foundation. It is worth noting that the said transport was stopped in March 2014, but the intensive aid efforts were carried out until the end of 2014 and, with less intensity, until mid-2015.

In addition, thanks to loud demonstrations and happenings<sup>286,287</sup> related to the halted bullet-proof vests, further public collections were publicised, which in turn translated into a larger amount of funds being obtained, and finally into the amount and value of purchased aid. *Last but not least*, the ODF's happenings at the border crossing points<sup>288</sup> exposed the described legal absurdities and popularised the so-called 'ant method' (after stopping the transport, many ODF volunteers arrived and transferred a single helmet and vest to the Ukrainian side – all in front of the cameras). In 2014, these events were widely reported by Polish and Ukrainian media<sup>289</sup> (contrary to appearances, it was sometimes necessary to put pressure on Ukrainian politicians). The case of the vest transport was also extensively presented in the Foundation's statement of 2016,<sup>290</sup> together with sources and links to many media publications.

Once again, the author of the report seems to formulate relatively far-reaching and negative opinions about the Foundation's activities which contradict the basic facts or, at best, are based only on very fragmentary knowledge. Perhaps this includes friendly/easily accessible oral sources (which are not disclosed) that share his negative attitude towards the ODF's activities.

However, the author forgets that he deliberately did not confront the Foundation with the above information. We also do not know on what basis he considered it to be representative. What is more, in light of the conditions and sources cited above, it seems that the author has only briefly familiarised himself with the subject (which he seems to know only second hand). By formulating such judgements today – from a certain perspective – the author has also taken an a-historical approach. Marcin Rey also seems to forget that during the mobilisation to help Ukraine and supply humanitarian aid in 2014, the efforts of the ODF and its volunteers received the support of – illustratively speaking – half of Poland and the whole Ukraine. This concerned fund-raising, delivery logistics, and legal battles for unblocking the detained equipment. The media and social sentiment was definitely on our side, and politicians and senior officials from both sides of the border intervened in matters of customs formalities and criminal consequences for the people

<sup>283</sup> <http://tvn24bis.pl/otwarcie-dnia,116,m/bron-dla-ukrainy-z-polski-zdecydowanie-tak,513540.html>

<sup>284</sup> <http://odfoundation.eu/a/5980,bartosz-kramek-dla-ukrainskiej-prawdy-tak-dla-dostaw-zachodniej-broni-na-ukraine>

<sup>285</sup> <http://www.pravda.com.ua/columns/2015/02/25/7059692/>

<sup>286</sup> <https://www.facebook.com/nataszita/posts/930297186986651>

<sup>287</sup> <https://www.facebook.com/OpenDialogFoundation/videos/774100692631996/>

<sup>288</sup> <https://www.facebook.com/OpenDialogFoundation/posts/759546594087406>

<sup>289</sup> <http://www.eurointegration.com.ua/experts/2014/10/14/7026818/>

<sup>290</sup> <https://goo.gl/ifcHLk>

involved. This *hysterical campaign* received almost unequivocal support. As a result, we were able to engage many new people and communities to cooperate. We achieved all of our goals.

**Quote (Marcin Rey):** *Their transport in larger quantities, for example from Poland to Ukraine, requires appropriate licences, which are not very difficult to obtain.*

**Our comment:** Not exactly. Or, to put it more bluntly: this is a ridiculous nonsense. It was necessary to obtain a specialist license from the Ministry of the Interior for the so-called domestic trade, and another license of the Ministry of Economy for foreign trade. The procedures are restrictive, cost-related and – as we know from ODF's experience – require several months of waiting. Apart from specialist training and research, a positive verification by the Internal Security Agency, Military Counter-Intelligence Service, Police, and the Ministry of Economy is also required. The Foundation managed to obtain the licence in December 2014. As far as we know, we were the only non-commercial (non-governmental) entity that succeeded in this area. Rafał Dzięciołowski, in an interview for Telewizja Republika, talked about the Freedom and Democracy Foundation's decision to withdraw from the licence application at that time (due to numerous expected complications and difficulties).<sup>291</sup>

We have also recently recalled the whole 'vests and helmets story' in the context of accusations of planning another Maidan in Poland (which, by the way, put smile on our faces).<sup>292,293</sup> Contrary to the absurd suppositions formulated by right-wing media, the concession was not taken away by the current management of the Ministry of Interior and Administration due to any suspicions (that is, that the Foundation would use it for anti-Polish armed riots), but for purely formal reasons. In fact, we gave it up ourselves, which we explained in detail in the media.<sup>294</sup> This is also confirmed by the documentation of the case.<sup>295,296,297,298</sup>

The then *charge d'affaires* (acting ambassador) of the Embassy of Ukraine in Poland, Vladyslav Kanevskiy, clearly supported ODF's defence against the charges, as well as its efforts to unblock the retained vest transport, and recommended that the above-mentioned licence be granted to the Foundation.<sup>299,300,301</sup>

It is worth paying attention to the basic aspect ignored by the author of the report: the effectiveness of collections and the value and scale of the assistance provided. Contrary to the suggestions, halting a single transport did not paralyse our activities. On the contrary – it served as an additional impulse, and the stream of protective equipment (including helmets, vests, Celox bandages, night-vision goggles, and more) flowed continuously. Contrary to the accusations of a lack of transparency, the Foundation presented the results of its campaigns and

<sup>291</sup> <https://goo.gl/nUy8bw>

<sup>292</sup> <http://wiadomosci.radiozet.pl/Polska/Bartosz-Kramek-z-Otwartego-Dialogu-o-handlu-bronia-WIDEO>

<sup>293</sup> <https://goo.gl/6YfbgP>

<sup>294</sup> <https://goo.gl/dj14W1>

<sup>295</sup> <http://odfoundation.eu/i/fmfiles/pdf/koncesja-decyzja-o-cofnieciu-koncesji-z-dnia-12-06-2017.pdf>

<sup>296</sup> <http://odfoundation.eu/i/fmfiles/pdf/koncesja-pismo-do-mswia-w-sprawie-wykreslenia-t-czuwara-z-dnia-03-02-2017.pdf>

<sup>297</sup> <https://goo.gl/3JAXhp>

<sup>298</sup> <http://odfoundation.eu/i/fmfiles/pdf/koncesja-zawiadomienie-o-wszeciu-postepowania-z-dnia-24-04-2017.pdf>

<sup>299</sup> <http://odfoundation.eu/i/fmfiles/pdf/ambasada-ukrainy-minister-spraw-wewnetrznych.pdf>

<sup>300</sup> <http://odfoundation.eu/i/fmfiles/pdf/ambasada-ukrainy-wiceprezes-rady-ministrow.pdf>

<sup>301</sup> <http://odfoundation.eu/i/fmfiles/pdf/pismo-z-ambasady-prokurator-apelacyjny-lublin.pdf>

their summaries at press conferences. Moreover, all the information concerning both finances and the recipients of the provided equipment were available on the ODF website.<sup>302,303,304</sup> Did the author fail to find this information?

## 5.24. HELP TO UKRAINE AND ENVIRONMENTAL CONFLICTS

**Quote (Marcin Rey):** *The Open Dialog foundation, however, began to ruin their good name with behaviours that testify to the desire to dominate the environment and monopolise the area of solidarity with the fighting Ukraine. The impression was that the foundation cares primarily for PR, with real actions moved to the background.*

**Our comment:** The author seems to rely on his feelings, which are subjective by their very nature. He also does not cite any sources in support of his thesis and completely disregards the number of completed projects, their effects, the value of obtained and provided assistance, and the general effectiveness of the activities carried out – that is, the achievement of the goals we set ourselves. Moreover, the ODF cooperated extensively with many partners from all over Poland, Ukraine and other countries. Many of them came to us on their own initiative, asking for help and support (including material support) and they usually received it. By the beginning of 2014, the ODF had established a strategic cooperation with the organisation Euromaidan Warsaw.<sup>305,306</sup> This cooperation gathered thousands of supporters and continued for years (focusing on humanitarian aid, pro-Ukrainian demonstrations and the operation of the ‘Ukrainian World’ centre<sup>307</sup>). Some of the ODF partners from that period are indicated in presentations and summaries.<sup>308</sup>

The author, while commencing work on his report, seemed to have a biased approach to the Foundation's activity and to choose facts and opinions in a way that suited his predetermined idea. In our opinion:

- Certain environmental conflicts are natural. One of the main ones at that time was the conflict within the national minority, which was concentrated mainly around the headquarters of the Union of Ukrainians in Poland: the ‘old’ diaspora, and new immigration. In simplified terms: old ones vs. young ones.
- Similar accusations can be successfully made against other organisations and individuals.
- It is important to take into account the scale of the ODF's activities and the number of people we have encountered in different ways and circumstances. Of these, we know at least a few who can make similar claims about us, yet, statistically, they are only a fraction of our environment. We are sorry to hear such opinions and we have often tried to explain these doubts and their causes, but we could not always count on the goodwill of the other side.<sup>309</sup> What is interesting is that doubts about ODF activities (alleging, for example, irregularities related to humanitarian aid and our spendings on it) were usually formulated

<sup>302</sup> <http://odfoundation.eu/a/5576.podsumowanie-dzialan-fundacji-otwarty-dialog-i-euromaidan-warszawa-na-rzecz-ukrainy>

<sup>303</sup> <https://goo.gl/jaz8kD>

<sup>304</sup> <https://goo.gl/HRhovD>

<sup>305</sup> <http://www.euromaidanwarszawa.com/pl/>

<sup>306</sup> <https://www.facebook.com/EuroMaidanWarszawa/>

<sup>307</sup> <http://odfoundation.eu/ukrainski-swiat>

<sup>308</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/partnerzy.jpg>

<sup>309</sup> <https://www.facebook.com/julia.koszewska/posts/10152559799976006>



by the same relatively small group of people headed by Krzysztof Stanowski, the former president of the Solidarity Fund PL.<sup>310</sup> K. Stanowski is known for his ardent and long-standing lack of enthusiasm for our activities (which became apparent with the Foundation's strong commitment to support Ukraine during the Maidan). Most likely, he perceived this to be an attempt to establish (without his authorisation) a strong presence in an independent non-governmental 'sphere of influence,' that is, in short: competition, and an attack on some kind of informal environmental monopoly.

**The report of the Institute of Public Affairs,<sup>311,312</sup> which, however, seems to have failed to come to the attention of the author, is an objective and authoritative paper that partially describes the discussed relations in the community of institutions that provide aid to Ukraine.** As we indicated in our statement,<sup>313</sup> the report: 'EngagEUkraine. Engagement of Ukrainians in Poland and Germany', which deals extensively with Ukrainian organisations in Poland (and the ODF has been classified as such by its authors), presents the Foundation and its activities as being among the most active and effective. The report (especially pages 35–75: Social engagement of Ukrainians in Poland) outlines, among others, the background of relations and mutual misunderstandings between a part of the environment (that is, among 'Ukrainian' organisations and institutions).

## 5.25. THE ODF WAS NOT INVOLVED IN 'INTRIGUES' – THERE ARE NO SOURCES AND SPECIFIC SITUATIONS

**Quote (Marcin Rey):** *On several occasions it was necessary to protest against the Open Dialog foundation's ineligible attribution of activities carried out by other people or entities. This was particularly noticeable 'behind the scenes,' where the representatives of the foundation often resorted to veiled intrigues, breaking down both Ukrainians living in Poland and the Polish environment of solidarity with Ukraine.*

**Our comment:** We consider the above words to be slander. The author does not cite any sources and we do not know what *intrigues* he refers to. No such facts are known to us. This is a lie.

What is more, the Foundation's representatives acted in accordance on the assumption of building broad coalitions, open to all those willing to share their will to support Ukraine. They always called for openness as well – which also related to criticism and objections against the Foundation, which, in our opinion, should be expressed directly and personally. Some of these discussions are still accessible on the Internet.<sup>314,315,316</sup> One good example (although the ODF had no direct connection to that case) may also be the situation from 2016.<sup>317</sup>

<sup>310</sup> <https://www.facebook.com/krzysztof.stanowski/posts/10152911137518180>

<sup>311</sup> <https://goo.gl/9m2m1P>

<sup>312</sup> [http://odfoundation.eu/a/7819\\_engageukraine-prezentacja-raportu-instytutu-spraw-publicznych](http://odfoundation.eu/a/7819_engageukraine-prezentacja-raportu-instytutu-spraw-publicznych)

<sup>313</sup> [http://odfoundation.eu/a/8321\\_oswiadczenie-i-sprostowania-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r](http://odfoundation.eu/a/8321_oswiadczenie-i-sprostowania-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r)

<sup>314</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/screen-shot-2017-10-23-at-22-14-33.png>

<sup>315</sup> <https://www.facebook.com/julia.koszevska/posts/10152559799976006>

<sup>316</sup> <https://www.facebook.com/nataszita/posts/1219804338035933>

<sup>317</sup> <https://www.facebook.com/nataszita/posts/1219804338035933>

## 5.26. THE CAMPAIGN AGAINST THE NIGHT WOLVES WAS OUR INITIATIVE

**Quote (Marcin Rey):** *The Open Dialog foundation attributed itself a leading role in the social and media protest campaign, which led to the decision to not allow the Russian motorcycle gang 'Night Wolves' sponsored by the Kremlin to the territory of Poland. In reality, the campaign against the 'Night Wolves' was organised by Jarosław Podworski with the participation of the author of this paper, who led to creating a protest community on the Internet, consisting of several thousand people. This fact was reminded to the representatives of the Open Dialog Foundation in a lively discussion.*

**Our comment:** 'A leading role' is not a precise term. What's more, even among the managers of the ODF, there is a dispute as to the importance of the role played by the Foundation and Bartosz Kramek in the campaign against the 'Night Wolves.' It seems, however, that – after its successful completion and the years passed – it has a rather humorous meaning today. We believe that at this point, we should wish the author more perspective on life and self-distance.

**Contrary to the author, the ODF never made any such claims, and nor did it attack other activists for allegedly exaggerating their role in specific activities.** Similarly to the author, we encourage everyone to carefully read the discussion referred to by him, in which, by the way, the last word belonged to the Foundation's representatives.<sup>318</sup>

However, the fact is that – according to their knowledge at that time – it was the representatives of the ODF (specifically: Bartosz Kramek) who first drew Marcin Rey's attention to the problem of the planned appearance of the 'Night Wolves' in Poland and suggested joint actions on 7 April 2015.<sup>319,320</sup> Reading the correspondence with the author of the report (which is a record of conversations on Messenger<sup>321</sup>) which we preserved from that period allows for a quite accurate reproduction of these circumstances. At that time, a working group was formed with the participation of M. Rey and several ODF activists, which was used for discussing action plans, making attempts to coordinate these actions, and reporting their effects.

In addition, apart from the social media campaign described by the author, the members of the ODF team conducted a very intensive media campaign, including at the international level, which resulted in the topic being covered by the largest Polish, international, and even most exotic media.<sup>322,323,324,325,326,327,328,329,330,331,332,333,334</sup> As part of these activities, we cooperated with the

<sup>318</sup> <https://goo.gl/xRZ3FC>

<sup>319</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/screen-shot-2017-10-23-at-22-13-51.png>

<sup>320</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/screen-shot-2017-10-23-at-22-14-33.png>

<sup>321</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/nocne-wilki.zip>

<sup>322</sup> <http://odfoundation.eu/a/6666,tomasz-czuwara-dla-tvn-nocne-wilki-nie-powinny-znalezc-sie-w-polsce>

<sup>323</sup> <http://odfoundation.eu/a/6308,dlaczego-nie-powinnismy-wpuszczac-nocnych-wilkow-do-kraju>

<sup>324</sup> <http://odfoundation.eu/a/6356,al-jazeera-polska-zablokowala-wjazd-nocnych-wilkow>

<sup>325</sup> <http://odfoundation.eu/a/6664,bartosz-kramek-o-faszyzujacej-rosji-i-jej-relacjach-z-zachodem>

<sup>326</sup> <http://odfoundation.eu/a/6304,media-w-ukrainie-i-rosji-o-akcji-przeciw-przejazdowi-nocnych-wilkow-przez-polske>

<sup>327</sup> <http://odfoundation.eu/a/6268,czuwara-nocne-wilki-stwarzaja-zagrozenie>

<sup>328</sup> <http://odfoundation.eu/a/6248,motocyklisci-putina-maja-przejechac-przez-polske-odf-protestuje>

<sup>329</sup> <http://www.ibtimes.com/meet-night-wolves-russian-nationalist-biker-gang-wants-recreate-red-armys-march-1896096>

<sup>330</sup> <http://news.sky.com/story/russian-biker-gang-turned-back-by-poland-10361820>

author of the report and often directed our journalist friends to him to allow them to obtain his opinion as well. The campaign resulted in, among others, TV materials in which we appeared side by side as experts and activists.<sup>335</sup>

As can be seen from the number of sources, our media communication in April and May was very intensive.

Moreover, in addition to comments and interviews, activities were carried out on the international stage (meetings with politicians and diplomats), and the ODF officially intervened in this case in Polish governmental institutions<sup>336,337</sup> and with the German embassy (as Germany was their destination).

This campaign was also successful: the 'Night Wolves' were not allowed into Poland. Furthermore, we also supported this decision of the Polish Ministry of Foreign Affairs the following year.<sup>338</sup>

We emphasise that the Foundation does not support such attempts to 'outbid' others for merit, especially in the case of large social campaigns, in which thousands of people are often involved. What is more, not all activities are undertaken in a planned and coordinated manner, so the attempt to assess and measure them is usually an thankless, difficult, and pointless task.

We regret to note that, although the ODF used not only to cooperate with the author and support him, but also always appreciated his significant role in this campaign, it turns out today that we cannot expect the same from him.

The author also forgets that everyone is responsible for their own image and communication activities. It seems that, instead of a futile debate with the ODF over the merits, some positive actions (such as better promotion of his own achievements) might better satisfy Marcin Rey's ambitions.

## 5.27. CAMPAIGN AGAINST MISTRALS

**Quote (Marcin Rey):** *Similarly, the Open Dialog foundation has exaggerated its role in leading the Polish part of the campaign against the sale of the French 'Mistral' assault ships to Russia. In fact, the role of the foundation and Euromaidan Warsaw came down to several pickets which – especially those in front of the Ministry of National Defence building – were more harmful than helpful in delicate actions aimed at persuading the then management of the Ministry to exert pressure on French partners interested in selling armaments to the Polish army.*

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<sup>331</sup> <https://themoscowtimes.com/news/polish-border-guards-refuse-entry-to-russias-night-wolves-bikers-46141>

<sup>332</sup> <http://www.newsmax.com/Newsfront/putin-hells-angels-road/2015/04/22/id/640185/>

<sup>333</sup> [https://24tv.ua/ru/poljaki\\_hotjat\\_sorvat\\_priezd\\_putinskih\\_bajkerov\\_n564089](https://24tv.ua/ru/poljaki_hotjat_sorvat_priezd_putinskih_bajkerov_n564089)

<sup>334</sup> <https://goo.gl/SLR9qV>

<sup>335</sup> <https://www.tvn24.pl/wiadomosci-ze-swiata,2/przejazd-nocnych-wilkow-kim-jest-aleksander-zaldostanow,535870.html>

<sup>336</sup> <http://odfoundation.eu/a/6244,stop-przejazdowi-nocnych-wilkow-przez-polske-odf-apeluje-do-msz>

<sup>337</sup> <http://odfoundation.eu/a/6316,msz-podjelo-decyzje-nocne-wilki-nie-przejada-przez-polske>

<sup>338</sup> <https://goo.gl/qPVws8>

**Our comment:** We positively assess the report author's heavy involvement in the campaign against the supply of French ships to the Russian navy. It was a necessary and good job, and we never hid this fact. Once again, unfortunately, we cannot expect the same from him. Instead, he attacks us once again. Marcin Rey's involvement in this case does not mean that the ODF and other entities and activists were inactive. One would think that this should be rather obvious.

In addition to the demonstrations carried out jointly with Euromaidan Warsaw,<sup>339,340,341,342,343,344</sup> meetings at the Ministry of National Defence<sup>345</sup> (also described here<sup>346</sup>) and activities abroad (with the involvement of our office in Brussels and foreign partners) were, from our point of view, also important. We recall, respectively, three public assemblies dedicated to the case: the action at the French embassy, the happening during Bastille Day in Saska Kępa, and the demonstration and meeting at the Ministry of National Defence. Since we have been put in the position of having to defend our involvement, we dare to say that our experience and extensive structures (the Brussels office and representative in Paris) gave us a natural advantage in this area over the translator-activist from Dobczyce.

Due to the fact that human memory (including ours) is unreliable, we allowed ourselves to briefly recreate the traces of our activity in this area. Some of them (including fragments of the ODF team's correspondence) are available in the form of print screens<sup>347</sup> and others as links.<sup>348,349,350,351,352,353,354,355,356</sup> These show that from the spring to the end of 2014, we dealt with the Mistral case quite widely and intensively. The scope of activities included, among others, communication with the French media, cooperation with the Ukrainian community in France, lobbying in French government circles and parliament, and lobbying in the European Parliament. In Poland, we discussed the matter widely in the media<sup>357,358,359</sup> (at the same time combining it with the case of the detained bulletproof vests) and social media,<sup>360</sup> we organised the above-mentioned manifestations, and we lobbied Polish parliamentarians, the Ministry of

<sup>339</sup> <http://nomistralsforputin.com/drupal/?q=PolishBoycott>

<sup>340</sup> <http://odfoundation.eu/a/5251,albo-mistrale-dla-rosji-albo-antyrakiety-dla-polski-demonstracja>

<sup>341</sup> <https://www.facebook.com/OpenDialogFoundation/posts/783460928362639>

<sup>342</sup> <https://www.youtube.com/watch?v=rjvsNrfNCZI&feature=youtu.be>

<sup>343</sup> <https://goo.gl/35145Z>

<sup>344</sup> <https://www.facebook.com/OpenDialogFoundation/posts/782274015147997>

<sup>345</sup> <http://odfoundation.eu/a/5279,demonstracja-pod-ministerstwem-obrony-narodowej>

<sup>346</sup> <https://goo.gl/4AYjsR>

<sup>347</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/mistrale-pliki.zip>

<sup>348</sup> <https://goo.gl/atHPT6>

<sup>349</sup> <https://www.facebook.com/OpenDialogFoundation/photos/pcb.730198140355585/730198040355595/?type=3&theater>

<sup>350</sup> <https://www.facebook.com/OpenDialogFoundation/posts/703588956349837>

<sup>351</sup> <https://www.facebook.com/EuroMajdanWarszawa/posts/618971341535610>

<sup>352</sup> [https://www.facebook.com/leszek.imielski/media\\_set?set=a.10202788300820534.1073741922.1590907381&type=3](https://www.facebook.com/leszek.imielski/media_set?set=a.10202788300820534.1073741922.1590907381&type=3)

<sup>353</sup> <https://www.facebook.com/OpenDialogFoundation/posts/782268878481844>

<sup>354</sup> <https://www.facebook.com/OpenDialogFoundation/posts/745764575465608>

<sup>355</sup> <https://www.facebook.com/OpenDialogFoundation/posts/702622319779834>

<sup>356</sup> <https://www.facebook.com/OpenDialogFoundation/posts/730198140355585>

<sup>357</sup> <https://www.facebook.com/OpenDialogFoundation/videos/832923160083082/>

<sup>358</sup> <https://www.facebook.com/OpenDialogFoundation/videos/832923160083082/>

<sup>359</sup> <https://www.facebook.com/OpenDialogFoundation/videos/737083016333764/>

<sup>360</sup> <https://www.facebook.com/OpenDialogFoundation/posts/724136797628386>

National Defence, and the French embassy in Warsaw. We also discussed this matter in Ukraine.<sup>361,362</sup> These activities were also noticed by Ukrainian and pro-Ukrainian activists abroad.<sup>363</sup>

One of the elements that supported, among others, the campaign against the delivery of Mistral assault ships, was analytical reports, such as the synthetic report on the violations of international law by the Russian Federation<sup>364</sup> (also translated into French). The *advocacy* activities related to this matter are also mentioned in the summary of activities coordinated by the Brussels office of the Foundation in 2013–2015.<sup>365</sup>

It can be pointed out that if Marcin Rey carried out similar (?) activities and considered ours to be – as he claims – counter-productive, he made no attempt to discuss this in order to exchange information or coordinate the efforts of both sides.

It should be assumed that it is difficult to unequivocally assess which factor was decisive in the success of such a broad and international effort. **On the part of the ODF, our commitment is perceived as a triumph due to the fact that the possible successes of French companies in large Polish defence tenders were linked to the execution of the contract for the delivery of Mistral assault ships to Russia.** In other words, France was supposed to choose between cooperation (of greater value) with allied Poland and support for Russia – which is hostile to NATO and the EU. This position was almost fully shared by the Polish Ministry of Defence (Minister Siemoniak informed about this after the meeting with his French counterpart in Brussels<sup>366</sup>) and the decision to withdraw from the supply of Mistral ships was announced by the French Minister of Defence Jean-Yves Le Drian at a press conference in Warsaw.<sup>367,368,369</sup>

Even funny in this context is our exchange of opinions (from 25 April 2015) with Marcin Rey on the Foundation's Facebook profile, which we found (recalled) at the time of preparation of this study.<sup>370</sup> The author of the report accused us of excessive 'showing off,' and we responded with a light-hearted appeal for more distance. It seems that although there was no answer at that time, M. Rey has never forgotten it. This 'showing off' also played a role in gaining social support for the activities carried out by the ODF and, more broadly, for the Ukrainian issue (which can be measured by 'interactions', that is, the sharing of published content). Marcin Rey does not take this aspect into account.

Once again, we are sad that such claims have been raised publicly. We believe that instead, we should share our experiences and congratulate each other on their success. After all, it's not the praise that matters (although we feel that we have been put on the spot to present our actions once again), but the results. At least for us.

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<sup>361</sup> <http://www.pravda.com.ua/news/2014/05/20/7025941/>

<sup>362</sup> <https://www.radiosvoboda.org/a/25392212.html>

<sup>363</sup> [https://www.facebook.com/events/269905896524807/permalink/269939266521470/?action\\_history=null](https://www.facebook.com/events/269905896524807/permalink/269939266521470/?action_history=null)

<sup>364</sup> <http://odfoundation.eu/a/5293,rosja-narusza-miedzynarodowe-zobowiazania>

<sup>365</sup> <https://goo.gl/qwBZze>

<sup>366</sup> <https://www.facebook.com/OpenDialogFoundation/posts/791898757518856>

<sup>367</sup> <https://pl.ambafrance.org/Wizyta-w-Polsce-ministra-Obrony-Jean-Yves-a-Le-Driana>

<sup>368</sup> <https://goo.gl/MSoQnt>

<sup>369</sup> <https://www.tvn24.pl/rosja-nie-dostanie-mistrali-presja-na-francje-jest-bardzo-duza,489813,s.html>

<sup>370</sup> <https://www.facebook.com/OpenDialogFoundation/posts/867939399914791>

In order to provide even more complete confirmation/illustration of the above facts and present their details, we would also like to share print screens of, among others, notes, articles, and entries from some of the discussions<sup>371</sup> held at that time by the ODF team members involved in the campaign.

## 5.28. THE ORIGIN AND HISTORY OF THE ODF'S ACTIVITIES IS OPEN TO THE PUBLIC

**Quote (Marcin Rey):** *Questionable was also the enigmatic and inconsistent manner in which the persons running the Open Dialog foundation presented the history of their activities and the sources of their financing.*

**Our comment:** We do not know what the author refers to. The ODF provides very extensive reporting and communication (beyond its statutory obligations), even in the media and social media. The history of the Foundation (although indeed colourful) has been presented many times,<sup>372,373</sup> and we do not understand this accusation. If something raised the author's doubts – he could have asked us. **But he never did.**

## 5.29. LYUDMYLA KOZLOVSKA WAS A MEMBER OF THE LUSTRATION BOARD

**Quote (Marcin Rey):** *Lyudmyla Kozlovska publicly claimed and also wrote in her statement to the Civic Lustration (anti-corruption) Council of Ukraine, that she was active in the radical opposition organisation 'Black Season' in Sevastopol during the Orange Revolution in 2014. The members of this organisation do not remember her.*

**Our comment:** Lyudmyla Kozlovska was a member of the Civic Lustration Board at the Minister of Justice of Ukraine.<sup>374,375</sup> The author confuses this body with the Ukrainian non-governmental organisation, the Social Lustration Committee<sup>376</sup> (with whom, by the way, the ODF cooperated in drafting and lobbying the lustration law and further educational and informational activities in Ukraine and in the EU).

In 2004 (not 2014), Lyudmyla Kozlovska was an activist in the 'Black Season' organisation in Sevastopol. At that time, the organisation operated, especially in Sevastopol, under conditions of a semi-conspiracy. Thirteen years have passed since then. It is also unknown which activists the author has reached and what their credibility is. The author gives the impression that he took doubtful and insufficiently proven theses for granted too easily. In addition, he made deductions based on a situation that was apparently alien to him, yet was significant for the described events.

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<sup>371</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/mistrale-pliki.zip>

<sup>372</sup> <https://goo.gl/WDYXpU>

<sup>373</sup> <http://odfoundation.eu/a/8321,oswiadczenie-i-sprostowania-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r>

<sup>374</sup> <http://uacrisis.org/11749-ukraine-justice-minister-introduces-civic-lustration-council>

<sup>375</sup> <http://odfoundation.eu/a/5220,spoleczna-rady-lustracyjna-przy-ministerstwie-sprawiedliwosci-ukrainy>

<sup>376</sup> <https://lku.org.ua/>



### 5.30. LYUDMYLA KOZLOVSKA FOUNDED THE UKRAINIAN LIBRARY IN SEVASTOPOL

**Quote (Marcin Rey):** *Similarly, Lyudmyla Kozlovska stated that she was the founder of the first Ukrainian-language library in Crimea – as a 13-year-old student at the 1st Junior High School in Sevastopol. There is no trace of this library. In fact, the first Ukrainian library was established in 1998 with the support of the Ukrainian diaspora.*

**Our comment:** Lyudmyla Kozlovska's statement is true. Meanwhile, we do not know what the above claim of the author is based on. In fact, this concerned the first library in Sevastopol (to the knowledge at the time of the person speaking), not in Crimea. It cannot be found today due to the fact that a claim against the premises occupied by a group of activists was filed *post factum* by the Russian Black Sea Fleet and the book collection was burned. And since we are talking about events of 1998, there is no trace of them on the Internet. It is difficult to treat this type of student initiative as an encyclopaedic fact.

As a digression (M. Rey's report does not refer to this), we can mention that (similarly) it may be difficult to document (and falsify as well) Lyudmyla's involvement in the campaign against the presence of the Russian fleet in Sevastopol from 2005 to 2008.

### 5.31. THE ODF IS IN LEGAL CONFLICT WITH TOMASZ MACIEJCZUK

**Quote (Marcin Rey):** *At that time, it was not possible to convince the foundation to disclose the amounts or sue Tomasz Maciejczuk.*

**Our comment:** Not true, matters regarding Tomasz Maciejczuk are in progress – as described by the Onet.pl article.<sup>377</sup> **The Foundation has repeatedly commented on the case of its relations with T. Maciejczuk, without hiding its outcome and its negative opinion about this person.**<sup>378</sup> **Besides this, we have been and continue to be attacked by him.**<sup>379</sup>

This allegation is astonishing in the light of the author's long conversations with ODF representatives at the beginning of 2015, which – as far as we remember – were the beginning of our direct relations and cooperation.

It should also be pointed out that Maciejczuk was already a relatively well-known pro-Ukrainian activist before December 2014, i. e. before cooperating with the Foundation.

To some extent, the history of our relations with Tomasz Maciejczuk is presented in documents<sup>380,381,382,383,384,385</sup> which we are now making available on such a large scale for the first time.

<sup>377</sup> <https://goo.gl/8y51Ac>

<sup>378</sup> <http://www.eastbook.eu/2016/11/25/trzy-grosze-o-dziennikarzu-kameleonie-maciejczuku/>

<sup>379</sup> <https://goo.gl/6WAKJw>

<sup>380</sup> <http://odfoundation.eu/i/fmfiles/pdf/maciejczuk-umowa-o-wolontariat-z-dnia-23-12-2014.pdf>

<sup>381</sup> <http://odfoundation.eu/i/fmfiles/pdf/maciejczuk-lista-brakujacych-oswiadczen-i-potwierdzen-2015.pdf>

<sup>382</sup> <http://odfoundation.eu/i/fmfiles/pdf/maciejczuk-screeny-z-rozmowami-rok-2015.pdf>

## 5.32. THERE WAS NO MEETING WITH THE RIGHT SECTOR; NATIONALISTS ARE NOT A REFERENCE POINT

**Quote (Marcin Rey):** *Some of the actions of the Open Dialog foundation had an effect opposite to the nominally pro-Ukrainian objectives of its activity. An example was the election meeting of the Ukrainian 'Right Sector' representative, Artem Lutsak, organised in June 2015 at the 'Ukrainian World' centre for Ukrainian citizens living in Poland.*

**Our comment:** That is incorrect and inaccurate. This event took place in May 2014, not in June 2015.

The meeting ended positively and was positively received by its many participants as well as by mainstream media.<sup>386</sup> The author of the report should realise that his particular perception of Polish reality through the prism of the behaviour of exotic extremist groups (which include Polish nationalist circles) does not have to be shared by others. In other words: the so-called nationalists and their emotions are not our primary point of reference. The aim of the meeting was to reach the many Ukrainian citizens living in Poland. The second target group was Polish activists and journalists interested in Ukrainian matters.

What is more, it was not a 'meeting with Artem Lutsak' – the form of the event was much broader. Representatives of all election committees were invited, and the event was attended by representatives of two of them (future President Petro Poroshenko and Dmytro Yarosh) as well as – via a conference bridge – the famous 'doctor of Maidan' Olha Bohomolets.

As we pointed out in other statements:<sup>387,388</sup> (...) *at the meeting, next to him was the representative of the future Ukrainian President Petro Poroshenko and the current member of the Ukrainian parliament Oksana Yurynets.*

It is also not acceptable to state that the Foundation took an action deliberately aimed at causing provocation. **The above-mentioned event (for voters – citizens of Ukraine) was organised on the initiative and at the request of the District Election Commission at the Ukrainian Embassy in the Republic of Poland. It was a continuation of earlier information meetings regarding election procedures. These meetings were conducted with the participation of the head of the consular department of the Embassy. The Foundation played only the role of host, as the administrator of the premises of the 'Ukrainian World' centre.**

Further – as reported by Gazeta Wyborcza (*"Right Sector in Warsaw: 'The borders after the Second World War are inviolable.' Yet nationalists are protesting"*<sup>389</sup>) – at the meeting, a representative of the Right Sector officially confirmed the inviolability of borders and the strong

<sup>383</sup> <https://goo.gl/wiCW9Q>

<sup>384</sup> <https://goo.gl/rxV8LR>

<sup>385</sup> [http://odfoundation.eu/i/fmfiles/pdf/maciejczuk-postanowienia-o-zawieszeniu-dochodzenia-z-dnia-08-01-2016\\_1.pdf](http://odfoundation.eu/i/fmfiles/pdf/maciejczuk-postanowienia-o-zawieszeniu-dochodzenia-z-dnia-08-01-2016_1.pdf)

<sup>386</sup> [http://wyborcza.pl/1,76842,15943322,Prawy\\_Sektor\\_w\\_Warszawie\\_Granice\\_po\\_II\\_wojnie\\_sa.html](http://wyborcza.pl/1,76842,15943322,Prawy_Sektor_w_Warszawie_Granice_po_II_wojnie_sa.html)

<sup>387</sup> <http://odfoundation.eu/a/8321,oswiadczenie-ws-artykulow-igora-t-miecika-gazeta-wyborcza-7-08-2017-r>

<sup>388</sup> <https://goo.gl/jfcHLk>

<sup>389</sup> <https://goo.gl/XWwtak>

will of good-neighbourly cooperation with Poland, thus refuting the allegations that Ukrainian nationalism is anti-Polish in nature. The event met with great interest among Ukrainian citizens living in Warsaw, and it was also attended by activists from Polish NGOs dealing with Ukrainian matters, as well as deputies to the Polish Sejm.

Of course, Marcin Rey wasn't there.

**Quote (Marcin Rey):** *Later, it was discovered that Artem Lutsak was well connected to the chief anti-Ukrainian agitator in Przemyśl, Mirosław Majkowski.*

**Our comment:** At this point it is worth noting that the relationship between Mr. Lutsak and Mr. Majkowski was not known in May 2014, when the meeting was organised. The Russian Fifth Column did not describe their relationship until July 2016. In addition, on the same day when it was described by Marcin Rey, the ODF's representative commented extensively on Lutsak's visit to the 'Ukrainian World' in his commentary to the post.<sup>390</sup> However, he did not receive an answer, and M. Rey's later report seems to ignore this information – Marcin Rey should have known that.

### 5.33. VOLODYMYR KHANAS IS NOT A RELIABLE SOURCE

**Quotation:** *Volodymyr Khanas raised the question of the pressure exerted by people associated with the foundation on the election commission at the Ukrainian Embassy in Warsaw. He warned against the foundation and advised to check its funding and screen one of its donors, Maxim Teneshev, who joined the Crimean occupation authorities.*

**Our comment:** The Foundation has reasons to consider that Volodymyr Khanas<sup>391</sup> is an embezzler and fraudster. He is another person whom the author takes at his word, regardless of the harsh legal conflict with the ODF in which he found himself for embezzlement of humanitarian aid (which links him with Tomasz Maciejczuk) and slander against us. He was mentioned in the Onet.pl article.<sup>392</sup>

The phrases used in Maxim Teneshev's biography remain broadly unknown to us. General remarks regarding individual donors are included in statements<sup>393,394</sup> as well as in other parts of this study.

### 5.34. REVENUES OF THE ODF: HOW MARCIN REY LOST HALF A MILLION ZLOTYS

**Quote (Marcin Rey):** *From the moment it was founded to 2011, that is in the period when it was still registered in Lublin, the Open Dialog foundation had practically no funds. More serious money appeared in their account in 2011 and, above all, in 2012, when the foundation moved to Warsaw.*

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<sup>390</sup> <https://goo.gl/rZd5eq>

<sup>391</sup> <https://www.facebook.com/OpenDialogFoundation/posts/740648009310598>

<sup>392</sup> <https://goo.gl/8y51Ac>

<sup>393</sup> <https://goo.gl/d8fUmq>

<sup>394</sup> <http://odfoundation.eu/a/8299,oswiadczenie-prezes-fundacji-otwarty-dialog-lyudmyly-kozlovskiej-z-dn-17-08-2017-r>

*In total, between its founding and the end of 2016, the Open Dialog foundation raised nearly PLN 6.6 million. The foundation achieved the highest revenues in 2013–2015. In 2016, their revenues still remain high.*

**Our comment:** The author of the report forgets about the revenues from business activity which amounted to, respectively:

	2010	2011	2012	2013	2014	2015	2016	Total	
Indicated by M. Rey	10,600.00 zł	156,255.00 zł	335,601.00 zł	1,741,697.00 zł	2,309,364.00 zł	1,180,549.00 zł	857,032.00 zł	6,591,098.00 zł	
Actual (total)	10,600.00 zł	156,255.71 zł	576,125.61 zł	1,741,696.58 zł	2,312,364.27 zł	1,231,013.92 zł	1,088,057.54 zł	7,116,113.63 zł	
	0.00 zł	-0.71 zł	-240,524.61 zł	0.42 zł	-3,000.27 zł	-50,464.92 zł	-231,025.54 zł	-525,015.63 zł	Difference
The author gives the wrong (understated) amount of revenue									
Statutory activity	10,600.65	156,255.71	576,125.61	1,741,696.58	2,309,364.27	1,180,549.92	857,032.14	6,831,624.88	
Business activity	0.00	0.00	0.00	0.00	3,000.00	50,465.00	231,025.40	284,490.40	
<b>Total</b>	<b>10,600.65</b>	<b>156,255.71</b>	<b>576,125.61</b>	<b>1,741,696.58</b>	<b>2,312,364.27</b>	<b>1,231,014.92</b>	<b>1,088,057.54</b>	<b>7,116,115.28</b>	

Due to the fact that the ODF (as a foundation) is a non-profit organisation, revenues generated as a result of its business activity do not generate profits, but remain within the organisation – to be spent on its activity. Therefore, they should be in fact treated as an equivalent source of ODF's income – as compared to revenues from statutory activity. However, the author of the report does not take them into account and simply omits them. What is more, he also makes a gross error. The report lost over PLN 240,000 of revenues from statutory activity in 2012. This is due to the fact that the author stated the amount of PLN 335,601.00 (indicated in the table above) instead of the actual amount of statutory revenues, which was PLN 576,125.61 (in 2012, no business activity was carried out).

**This means that, in fact, total revenues of the ODF were higher and more diversified than indicated by the author of the report.**

Revenues from business activity related to, among others, the organisation of events and concerts in Ukraine, among others in cooperation with Warsaw district self-governments, local governments in other cities, and cultural centres throughout Poland. These entities covered the costs of their organisation, and often – in support of pro-Ukrainian activities – they paid remunerations to the ODF (some of these actions were also classified as 'statutory paid activities').

Over time, these revenues started to mainly come from the Open Europe Group programme (OEG), under which (in cooperation with Silk Road Biuro Analiz i Informacji Sp. z o. o.) training, consulting, and recruitment services were provided to support the presence of Ukrainian entrepreneurs on the Polish market,<sup>395,396,397,398</sup> and Polish<sup>399,400</sup> entrepreneurs in the Ukrainian market, as well as foreigners in procedures related to the legalisation of residence and work within the EU.

<sup>395</sup> <http://odfoundation.eu/a/6300,biznes-po-majdanie-stare-problemy-i-nowe-szansy>

<sup>396</sup> <https://goo.gl/Pr9uLc>

<sup>397</sup> <https://goo.gl/rTVgtS>

<sup>398</sup> <http://odfoundation.eu/a/6986,o-sile-firm-rodzinnych-i-grup-zakupowych-biznes-na-ukrainie-i-w-polsce>

<sup>399</sup> <https://goo.gl/FfqyoY>

<sup>400</sup> <http://www.parkiet.com/artykul/1465150.html>

To be accurate and present the whole picture, one should also take into account the revenues of the Ukrainian branch of the Foundation, acting as Hromadska Spilka 'Vidkryty Dialoh.' The fact is that the financial statements of this entity have not been published so far due to its auxiliary nature, the need for additional translation and discussion of data, and the significantly lower financial scale of its operations compared to the Polish Open Dialog Foundation. However, we can point out that the largest donors of this entity, along with the Open Dialog Foundation, were: the US AID Fair Justice Project (the lustration programme<sup>401,402</sup>), Kiev Dialogue (studio visits of Ukrainian youth in the EU<sup>403</sup>) and The Farm 51 Group SA (Chernobyl VR Project<sup>404,405</sup> and humanitarian aid<sup>406</sup>); we were also supported by, among others, the Embassy of the Kingdom of Sweden (development of a booklet guide with information on the rights of soldiers – for the participants of ATO<sup>407,408,409</sup>).

### 5.35. FUND-RAISING AT THE CONCERT WAS NOT RELATED TO THE PUBLICATION OF FINANCIAL STATEMENTS

**Quote (Marcin Rey):** *The Open Dialog foundation published its financial statements on the website after controversy over the financial uncertainties related to the jar fund-raising organised during the concert of the singer Kataryna Burzyńska at the 'Ukrainian World' centre in June 2015.*

**Our comment:** That is not true. The Foundation published its first financial statements<sup>410</sup> in February 2014 (when the Foundation's new website was launched), that is long before the above-mentioned concert (we have checked this in the administrative system of the ODF's website).<sup>411</sup> Most likely, the author confuses the general financial statements of the ODF (which did not refer to the above event and should not do so, due to their nature) with reports of public collections and humanitarian aid (published after their completion). It is worth mentioning that according to the statutory calendar, the ODF accepts its financial statements in June of each year (for the previous year) and they are then published on the Internet – usually at the end of June or in July.

The concert by the above-mentioned singer (organised by activists of the partner organisation Euromaidan Warsaw) was only widely publicised by tabloid Ukrainian portals (or in tabloid sections of other portals).<sup>412</sup> According to the knowledge of ODF managers (which was confirmed by CCTV footage), the scandal concerned not financial uncertainties, but an attack on an EMW

<sup>401</sup> <http://odfoundation.eu/lustracja>

<sup>402</sup> <http://odfoundation.eu/a/3437,lustracja-rozwiazania-dla-ukrainy>

<sup>403</sup> <http://en.odfoundation.eu/a/8026,report-on-the-results-of-educational-tour-to-berlin1>

<sup>404</sup> <http://odfoundation.eu/chernobyl-vr-project>

<sup>405</sup> <https://goo.gl/FGUwjK>

<sup>406</sup> <http://odfoundation.eu/a/8081,tworcy-aplikacji-mobilnej-chernobyl-vr-project-pomagaja-szkolom-w-strefie-wykluczenia>

<sup>407</sup> <https://hromadskeradio.org/2015/04/29/vse-pro-status-uchasnika-ato-fundaciya-vidkritiy-dialog>

<sup>408</sup> [http://tvoemisto.tv/news/zyavylasya\\_broshuradovidnyk\\_dlya\\_uchasnykiv\\_ato\\_de\\_zavantazhyty\\_70335.html](http://tvoemisto.tv/news/zyavylasya_broshuradovidnyk_dlya_uchasnykiv_ato_de_zavantazhyty_70335.html)

<sup>409</sup> <http://ua.odfoundation.eu/a/6298,pilgi-ta-garantiyi-dlya-uchasnikiv-antiteroristichnoyi-operaciyi>

<sup>410</sup> <http://odfoundation.eu/sprawozdania>

<sup>411</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/sprawozdania-odf-screen-z-administratora-strony.jpg>

<sup>412</sup> [http://tabloid.pravda.com.ua/scandal/55796e07c1c7d/view\\_print/](http://tabloid.pravda.com.ua/scandal/55796e07c1c7d/view_print/)

volunteer, who was hit by the aggressive husband of the singer. Legal action was then considered, but the victim ultimately decided not to proceed (the case would have been a private prosecution).

All public fund-raising activities were settled. Their reports were published in the Public Collections Portal of the Ministry of Interior and Administration<sup>413</sup> and, additionally, on the Foundation's website.

### 5.36. THE REPORTS WERE SIGNED ON THE ADVICE OF LAWYERS

**Quote (Marcin Rey):** *On the other hand, the previous statement for 2009 was signed only in 2015 by the then board member of the foundation, Tomasz Czuwara, who joined the foundation in 2014. The report for 2009, filed in court on 27 July 2015, that is after the controversy over the fund-raising during the concert of Kataryna Burzyńska, indicates zero values and compiles data only from the date of founding of the foundation, that is December 9, to December 31, 2009.*

**Our comment:** This remark is meaningless – it is another example of the author trying to insinuate irregularities ‘at all costs’. We explained the circumstances of submitting the statements for the Onet.pl article dated 19 August 2017.<sup>414</sup>

The submission of the report for 2009 was not related to the incident during the above-mentioned concert, which was never a significant event for the ODF. After all, what logical link would a zero report for 2009 have with fund-raising during a concert in mid-2015?

In 2015, the ODF organised (alone or in cooperation with its partners) 208 concerts, including the Chopin concerts taking place in May–December 2015.

### 5.37. JACEK ŚWIECA'S RELATION WITH GEN. DUKACZEWSKI WAS OF NO IMPORTANCE

**Quote (Marcin Rey):** *It should rather be assumed that the invitation of attorney Jacek Świeca to the foundation's council was a manifestation of perfect knowledge of the people in charge of the Open Dialogue foundation as to who should they be surrounded by to achieve proper positioning.*

*(...) Indeed, the partner of the former commander of the Military Information Services, Gen. Marek Dukaczewski, in the company Int Corps is attorney [Jacek Świeca](#), who was commissioned by the foundation to defend the Kazakhstani oppositionist [Muratbek Ketebayev](#) and who was a member of the foundation's council until July 2017.*

**Our comment:** That is a false trail that may be an expression of the author's tendency to reproduce conspiracy theories. The invitation of legal counsel Jacek Świeca to the Foundation

<sup>413</sup> <http://zbiorki.gov.pl/zbiorki/index>

<sup>414</sup> <https://goo.gl/8y51Ac>



Council was a consequence of cooperation in the field of legal services for the ODF, which was started by his law firm in 2012. The relation itself dated back to the times of his activity in the Student Forum Business Centre Club organisation (and that of some members of management bodies and the ODF team).<sup>415</sup>

Jacek Świeca's relations with Gen. Marek Dukaczewski did not matter then (if they were already a fact – as far as we remember, they were not even known to us at that time). If this matter is so intriguing to the author of the report, we would like to draw his attention to the joint appearance of General Dukaczewski and Bartosz Kramek on TVN24 BIS.<sup>416</sup>

### 5.38. LYUDMYLA KOZLOVSKA WAS INVITED TO MEET WITH SOROS

**Quote (Marcin Rey):** *It should be assumed that Lyudmyla Kozlovska, as a persevering lobbyist, sought the favour of George Soros and appeared in the picture to emphasise her position in the eyes of other partners.*

**Our comment:** Another erroneous presumption. Lyudmyla was invited<sup>417</sup> to the anniversary party of the International Renaissance Foundation<sup>418</sup> (IRF) in Kyiv (where she had the famous meeting with George Soros) by its president Yevhen Bystrytskyi. The Foundation has previously worked with the IRF, as mentioned in the statement dated 31 July 2017.<sup>419</sup>

We would also like to recommend that (if he is such an enthusiast of conspiracy theories) the author familiarise himself with the information about the meeting of the ODF's representatives with Ihor Kolomoyskyi.<sup>420</sup>

### 5.39. MUKHTAR ABLYAZOV IS A VICTIM OF THE NATIONALISATION OF BTA BANK

**Quote (Marcin Rey):** In 2008, the practice of money siphoning from the bank – in the amount of USD 5 billion – was revealed, *for which the Kazakhstani authorities blame Mukhtar Ablyazov. In simple words, this was supposed to be done by granting loans to the company of Syrym Shalabayev, the father of Mukhtar Ablyazov's wife Alma Shalabayeva, which he did not repay, hiding funds in offshore companies.*

**Our comment:** Syrym Shalabayev (now with political refugee status in Lithuania) is not the father, but the older brother of Alma Shalabayeva. The author again makes a gross material mistake. In addition, he seems to uncritically repeat the official version of BTA Bank, nationalised by the government and authorities of Kazakhstan (although elsewhere he admits that the case could have been fabricated). To be accurate, it should be pointed out that this is only one of the

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<sup>415</sup> <http://sfbcc.org.pl/>

<sup>416</sup> <http://tvn24bis.pl/wideo/gosci-otwarcia-dnia-byli-gen-marek-dukaczewski-i-bartosz-kramek,1388183.html>

<sup>417</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/screen-shot-2017-11-02-at-17-32-04.png>

<sup>418</sup> <http://www.irf.ua/en/>

<sup>419</sup> <https://goo.gl/d8fUmq>

<sup>420</sup> <https://www.facebook.com/OpenDialogFoundation/posts/881711578537573>

several ‘official versions’, because the amounts which have been allegedly siphoned by Ablyazov vary significantly: from USD 4.5,<sup>421</sup> to 5,<sup>422</sup> to 7.5,<sup>423</sup> to even 10 billion.<sup>424</sup>

Nevertheless, due to later access to the documents of the case, as well as to conversations with people closely associated with it (and the mass leakage of documents),<sup>425,426,427,428</sup> we have become convinced that it was nothing more than the attempted elimination of a dangerous political competitor by President Nazarbayev. The documents<sup>429</sup> showed not only the political motivation for the persecution, but also the attempts and certain successes in exerting illegal influence on law enforcement and justice in EU countries (UK, France, and Spain). This was related to the prosecution of not only Ablyazov, but also persons associated with him in various ways.<sup>430,431,432</sup>

What is more, of fundamental importance is the central, almost historic significance of Ablyazov for the development of democracy and civil society in Kazakhstan (related to the long-standing resistance against, and persecution by, the regime of President Nazarbayev; the most important milestone in this subject was the establishment of the ‘Democratic Choice of Kazakhstan’ movement/political party in 2001<sup>433,434</sup>).

At this point, it is worth noting that even in 2008 alone, the bank (then the largest private bank in any of the CIS countries) had an excellent rating and no financial problems. Its troubles began with the sudden and forced nationalisation, which was in fact a specific type of hostile takeover. Theories about Ablyazov intentionally leading to the bank to bankruptcy appeared later as a justification for this operation and an instrument allowing the authorities to further persecute him abroad.<sup>435</sup>

<sup>421</sup> <https://goo.gl/wZusda>

<sup>422</sup> <http://prokuror.gov.kz/rus/novosti/press-releasy/informaciya-dlya-smi-astana-17-fevralya-2012-g>

<sup>423</sup> <https://goo.gl/y2ubN2>

<sup>424</sup> <https://rus.azattyq.org/a/28532861.html>

<sup>425</sup> <http://en.odfoundation.eu/a/6869,report-analysis-of-documents-in-the-case-of-ablyazov>

<sup>426</sup> <https://www.ft.com/content/1411b1a0-a310-11e7-9e4f-7f5e6a7c98a2?mhq5j=e6>

<sup>427</sup> <http://en.mukhtarablyazov.org/a/1564,respublika-super-khan-s-bodyguards-people-who-work-for-akorda>

<sup>428</sup> <https://goo.gl/rgqw2d> *London's High Court refused Ukraine's request to extradite Ablyazov's associate, Igor Kononko, citing the published correspondence in the case of Ablyazov: "The e-mail correspondence provokes the greatest interest, as it shows (...) undoubtedly that the procedure of producing an extradition request has been violated ... the material on which the request was founded, was fabricated by 'Ilyashev and Partners'".*

<sup>429</sup> <https://goo.gl/yJWYDT> *The report focuses on the disclosed correspondence concerning Ablyazov's case. Analysing the available documents is necessary, because this very correspondence was the reason behind the High Court of London's decision to deny Ukraine's extradition request of Ablyazov's former colleague, Igor Kononko on 9 April, 2014. Judge Collins stated that there had been a gross abuse of the extradition procedure: "The e-mail correspondence is the most remarkable document, as it undoubtedly shows ... that the procedure of drafting the extradition request was violated; in particular, not only was the essential information not given, but the material serving as grounds for the request was evidently forged by Ilyashev (editor's note: i.e., "Ilyashev and Partners" firm) ... who gave Mr.Melnik various petitions and documents". Also, as the British judge noted, "the e-mails seem to be speaking for themselves."*

<sup>430</sup> <https://goo.gl/psa55H>

<sup>431</sup> <https://goo.gl/bp4iK5>

<sup>432</sup> <https://www.rferl.org/a/kazakhstan-nazarbaev-ablyazov/25010488.html>

<sup>433</sup> <http://odfoundation.eu/a/7306,historia-organizacji-opozycyjnej-demokratyczny-wybor-kazachstanu>

<sup>434</sup> <http://enews.fergananews.com/article.php?id=399&print=1>

<sup>435</sup> <https://www.lawgazette.co.uk/features/extradition-as-a-political-tool/5050499.article>

**What the author of the report does not mention is that the proceedings against Ablyazov in the UK, brought by BTA Bank, were unprecedented and raised various doubts.<sup>436,437</sup> One of the key decision-making judges was... William Blair,<sup>438</sup> brother of the former British Prime Minister and special adviser to Nursultan Nazarbayev, Tony Blair.**

Michał Potocki described this case in his article for Dziennik Gazeta Prawna:<sup>439</sup>

*The authorities in Astana also began to persecute Ablyazov in exile: his financial operations were investigated in the United Kingdom, where he had been granted asylum. When Ablyazov refused to disclose foreign assets to the London court, he was punished with 22 months of arrest for insulting the court. Then he fled abroad.*

*The sentence was imposed by judge William Blair and the similarity of names is not accidental. The fact is that his brother, former British Prime Minister Tony Blair, is one of the best-known Western advisers to President Nazarbayev. Other members of the International Independent Advisory Group include former Italian Prime Minister Romano Prodi, former Polish President Aleksander Kwaśniewski, and former Austrian Chancellor Alfred Gusenbauer. The latter has just been charged with espionage for Kazakhstan.*

One interesting publication describing the course of actions against Ablyazov carried out on behalf of the Kazakhstani authorities in the West is the recent article (report) of the Financial Times.<sup>440</sup> It highlights many irregularities and legally questionable methods used against him, his family, and his relatives after their departure from Kazakhstan.

We would also like to point out that Ablyazov's case (as well as the acts he is accused of) is very complicated. When dealing with it, we focused on the political and humanitarian aspect of the matter – we did not attempt (unlike the author of the report) to explain in detail the schemes behind financial operations attributed to him by Kazakhstan (we are not financial engineering specialists). All the more so that Kazakhstan also seems to be rapidly changing its position in this area. What we know for sure is that the authoritarian authorities of Kazakhstan are in full control of BTA Bank and that they are not trustworthy. To the best of our knowledge, the bank's nationalisation was carried out against the Kazakhstani regulations of the time and as such constituted an unlawful attack on the property rights of its shareholders. In this context, the operations aimed at securing its assets abroad may be considered acts of fully justified protection of those assets.

Before the outbreak of the conflict between Nazarbayev and Ablyazov, the state authorities did not mention any abuses by the bank, which between 2006 and 2009 was top in the rankings of the best Central Asian banks.<sup>441</sup> The bank's situation in no way justified its nationalisation.

In short, it is therefore doubtful to rely on the official website of BTA Bank, which M. Rey treats as one of the sources in his report to describe Ablyazov's case.<sup>442</sup>

<sup>436</sup> <https://www.facebook.com/notes/mukhtar-ablyazov/mukhtar-ablyazov-to-remain-in-custody/337115203089713/>

<sup>437</sup> <https://ablyazov.online/major-decisions-for-the-ablyazov-case-in-london-rendered-by-tony-blair-s-older-brother/>

<sup>438</sup> <http://azh.kz/en/news/view/431>

<sup>439</sup> <http://wiadomosci.dziennik.pl/swiat/artykuly/431699,biale-rekawiczki-dyktatorow-oto-jak-sluzby-grasuja-w-europie.html>

<sup>440</sup> <https://www.ft.com/content/1411b1a0-a310-11e7-9e4f-7f5e6a7c98a2?mhq5j=e6>

<sup>441</sup> <https://goo.gl/LB55yv>

Secondly, as far as we know, the damage caused by alleged embezzlement of multi-billion dollar assets by Abylazov was ... zero. There are no people or institutions (apart from BTA Bank – that is the government of Kazakhstan), who have taken legal action against him. Among the ‘victims,’ there were no clients of the bank nor its other shareholders. There is a theory that the bank is currently being kept alive by the state only as an instrument to fight Abylazov.

We believe it is worth bearing this in mind.

We also find it typical of M. Rey that he omitted the context of Abylazov regaining his freedom on 9 December 2016. This happened on the basis of an almost unprecedented ruling by the French Council of State (Conseil d’Etat) (only one similar ruling, that changed and ultimately repealed a decision on extradition, has ever previously been made). It unambiguously stated the political motivation of his case and Kazakhstan's subsequent cooperation with Russia and Ukraine.<sup>443</sup> As we pointed out earlier, our reports have repeatedly addressed this issue. We also described in detail the ruling itself and its repercussions on 20 December 2016.<sup>444</sup>

If, as recognised by the French Council of State, the extradition requests by Russia and Ukraine were of political nature and filed at the request of Kazakhstan, then the accusations of alleged financial malpractice in that countries would be cast in a completely different light.

Thus, breaking through the media clutter and propaganda of the Kazakhstani government and taking into account the above circumstances, would the author of the report maintain his negative (as we understand it) assessment of Mukhtar Abylazov and his business career, as well as the ODF's involvement in his defence?

#### 5.40. IN THE USA, NADIA SAVCHENKO DIDN'T GIVE UP ON CRIMEA FOR RUSSIA

**Quote (Marcin Rey):** *During her stay, Nadia Savchenko repeated her controversial thesis that Ukraine should give up on Crimea in order to have a chance to regain Donbas.*

**Our comment:** This is not true. Nadia Savchenko did not repeat this thesis during the trip or other public activities with the participation of ODF.<sup>445,446,447</sup> This was also denied by Lyudmyla Kozlovska who participated in the US meetings as a member of the delegation and Savchenko's interpreter. It is hard to insinuate that we could accept such an attitude on the part of Savchenko, considering ODF's very consistent position regarding the territorial integrity of Ukraine, as well as the Crimean origin of Lyudmyla Kozlovska. This was even spoken about in an interview with Polish Newsweek.<sup>448</sup>

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<sup>442</sup> <http://bta.kz/en/about/assets/timeline/>

<sup>443</sup> <http://www.conseil-etat.fr/Actualites/Communiqués/Decision-d-extradition>

<sup>444</sup> <https://goo.gl/xpT8JV> *The State Council stressed that Kazakhstan had exerted pressure on the Ukrainian and Russian authorities, calling on them to issue extradition requests. It was also noted that Russia and Kazakhstan conspired to undertake coordinated actions in connection with the consideration of Russia's extradition request.*

<sup>445</sup> <http://odfoundation.eu/a/7696,spotkanie-z-nadia-savchenko-w-warszawie-historia-wojny-przyszlosc-pokoju-co-dalej>

<sup>446</sup> <http://odfoundation.eu/a/7925,efni-2016-lamanie-praw-czlowieka-we-wspolczesnych-konfliktach-zbrojnych1>

<sup>447</sup> [https://www.youtube.com/watch?v=8yeucW\\_hWUc](https://www.youtube.com/watch?v=8yeucW_hWUc)

<sup>448</sup> <https://goo.gl/KuAejw>

**The author doesn't quote any source to back up his statement.**

## **5.41. AT THE CONFERENCE IN PORTO, WE ISSUED STATEMENTS AGAINST PUTIN**

**Quote (Marcin Rey):** *Czerep Jędrzej. The analyst at the Open Dialog Foundation. His text 'The Russian-Israeli Relations and the War in Syria and Ukraine', written for Aleksander Kwaśniewski's foundation 'Amicus Europae' was reprinted in the book 'Formatting Ukraine', published by Mateusz Piskorski's European Centre for Geopolitical Analyses (ECGA). On behalf of the Open Dialog Foundation, he attended a meeting devoted to human rights, entitled 'Jornadas de Reflexão Direitos Humanos na Europa e na Lusofonia' in Porto, Portugal, with the participation of the pro-Russian and at least 'Kremlin-naive' MEP Francisco Assis.*

**Our comment:** It's a very good example of very particular reasoning and manipulation by the author of the report. Below we explain the circumstances of the aforementioned publication and the event in detail.

The name of an ODF employee was juxtaposed with the reprinting of his article in the book issued by the European Centre for Geopolitical Analysis<sup>449</sup> in 2015, which, in the context of the entire report, suggested connections with this, indeed, pro-Russian organisation. In fact, the author has never consented to reprints of his own texts by ECGA; moreover, since January 2015, he has repeatedly demanded that they be removed from the Geopolityka.org website belonging to ECGA. For several years, ECGA, citing vaguely defined 'general consents' of many publishers, including the Bulletin 'Opinions of the Amicus Europae Foundation', reprinted texts of other publishers without seeking permission from the authors, or even failing to heed the protests of authors who didn't wish to be associated with the organisation, and who demanded that their names be removed from the index of authors on the website. The book in question, which appeared in 2015, included the author's text, despite the fact that previously, ECGA managers had agreed to refrain from reprinting his new texts (though it refused to remove the old ones) and accepted that he didn't want his name to be associated with ECGA, not even indirectly.

The participation of the same employee in the conference "Days of reflection on human rights in Europe and Portuguese-speaking countries' (Jornadas de Reflexão Direitos humanos na Europa e na Lusofonia) in Porto on 23 February 2016, was presented as being suspicious due to the presence of the 'Kremlin-naive' MEP Francisco Assis. The Foundation's employee appeared at the conference<sup>450</sup> at the invitation of Ms Isabel Santos, the then chairwoman of the Committee on Democracy, Human Rights and Humanitarian Affairs of the OSCE Parliamentary Assembly, a persistent and principled human rights defender in the post-Soviet area;<sup>451,452</sup> MEP Assis was invited as one of the most important Portuguese in the international structures in a position relating directly to human rights, i.e. a member of the European Parliament's Sub-Committee on Human Rights.

<sup>449</sup> <http://geopolityka.org/>

<sup>450</sup> <http://odfoundation.eu/a/7304,seminarium-w-porto-czy-stary-kontynent-przestrzega-praw-czlowieka>

<sup>451</sup> <https://goo.gl/9HMKpr>

<sup>452</sup> <http://odfoundation.eu/a/3826,isabel-santos-spotkala-sie-z-v-kozlovem>

In his speech, the representative of ODF presented the ODF's report '28 Hostages of the Kremlin',<sup>453,454,455</sup> and the destructive role of Russia in undermining the idea of human rights in Europe by promoting a misrepresentation of the concept of multipolarity – which constituted an attack on 'Kremlin-naive' people in the West. The entire conference focused on Latin American and African areas as well as the historical dimension of human rights. None of the speeches expressed any support for Russia's policies (none even referred to Russia in any way). In the case of the ODF's representative, just the opposite was true.

## 5.42. EUROMAIDAN WARSAW IS A MERITORIOUS ORGANISATION

**Quote (Marcin Rey):** *Euromaidan Warsaw's activity aroused strong controversy due to financial ambiguities regarding the public fundraising with the use of donation boxes, organised at the concert of the singer Kataryna Burzyńska in the 'Ukrainian World' centre in June 2015. The foundation's seat is located at: Aleje Jerozolimskie 85/21 in Warsaw, i.e. in the same virtual office as the Kompania Kresowa Foundation, the publisher of the 'kresy.pl' online portal.*

**Our comment:** We wish the author (and all the readers of his report) such vigorous and recognisable activity and successes as those that Euromaidan Warsaw (EMW) achieved in the period 2014–2016. It was also due to the efforts of the EMW activists and volunteers that it managed to obtain hundreds of thousands of Polish zlotys to help those in need in Ukraine in the period 2014–2015 and to organise hundreds of Polish–Ukrainian events in the 'Ukrainian World' centre. With no malicious intent, we must state that characterising EMW's activities purely on the basis of one incident (in which a volunteer of the organisation was attacked by a mentally unbalanced man, and suffered harm) was highly unfair.

Dozens of entities can be registered at the aforementioned virtual office. It is a coincidence. The author, relying on his own memory and articles published on the Internet (and, perhaps, also records of the Internet activity of the Russian V Column), would be able to retrieve facts relating to numerous conflicts and attacks on ODF and EMW on the part of Kresy.pl and people associated with the portal.

It is worth noting that EMW activists supported the action in defence of M. Rey in autumn 2015;<sup>456</sup> they repeatedly shared the studies produced by the Russian V column in Poland and recognised his previous activity.<sup>457</sup> ODF has (repeatedly) done the same.

## 5.43. ALEKSANDER ORLOV WASN'T A MEMBER OF THE PROJECT TEAM

**Quote (Marcin Rey):** *On behalf of the Open Dialog Foundation, this project was carried out by Christine Brandauer, Igor Savchenko, Jędrzej Czerep and Katerina Savchenko, as well as*

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<sup>453</sup> <http://odfoundation.eu/a/7336,raport-28-zakladnikow-kremla>

<sup>454</sup> <http://odfoundation.eu/a/7257,raport-28-zakladnikow-kremla-zaprezentowany-na-styczniowej-sesji-pace-w-strasburgu>

<sup>455</sup> <http://odfoundation.eu/a/7303,dni-refleksji-o-prawach-czlowieka-w-europie-i-krajach-portugalskojezycznych>

<sup>456</sup> <http://goo.gl/hghJ1u>

<sup>457</sup> <https://www.facebook.com/EuroMajdanWarszawa/posts/1085371998228873>



*Jevhen Khrushovets (the defender of Aleksander Orlov) and Serhiy Kischenko from the Ukrainian Bar Association, and Aleksander Orlov himself.*

**Our comment:** Aleksander Orlov wasn't a member of the aforementioned team and wasn't engaged in the aforementioned project. His tragic case, however, gave rise to the implementation of the project and became a key case study illustrating the problem of long-term arrest in Ukraine.<sup>458</sup> The author is imprecise.

#### 5.44. WHO IS WHO IN THE SHALABAYEV FAMILY

**Quote (Marcin Rey):** *Salim Shalabayev. The brother of Syrym Shalabayev, the father of Alma Shalabayeva, the wife of Kazakhstani oligarch Mukhtar Ablyazov who has been defended by the Open Dialog Foundation. Similarly to Mukhtar Ablyazov, on 19 December 2013 (following the detention of Mukhtar Ablyazov in France), Salim Shalabayev was convicted by the London court for concealing his property.*

**Our comment:** This is not true. As indicated earlier, Syrym is not the father, but the brother of Alma Shalabayeva. This means that Syrym, Salim<sup>459</sup> [ros. Салим Шалабаев] and Alma are siblings. Salim Shalabayev and Mukhtar Ablyazov were convicted of 'contempt of court' (this offence is particular to the British court system; such an offence is unknown, e.g. in France), which was, in fact, connected with his refusal to disclose all assets which are under his control,<sup>460</sup> which, in turn, was connected with his concern for the safety of third-party people residing in authoritarian states (including Kazakhstan).

It is worth noting that one of the key judges in the British trial of Ablyazov was Nigel Blair, the older brother of former British Prime Minister Tony Blair and a special, high-paid adviser to President Nazarbayev.

#### 5.45. THE 'LEFTIST CORPORATION'<sup>461</sup> GOOGLE DIDN'T FINANCE ODF

**Quote (Marcin Rey):** *Google Ireland Ltd. The Google headquarters for Europe. In 2015 and 2016, it donated a total of PLN 480,025 to the Open Dialog Foundation. An element which may explain this generosity may be the person of Viktor Miroshnikov, the nephew of Petro Kozlovsky and his business partner in the Stateful company; he currently resides in the US and he used to own a company in Mountain View in the Silicon Valley, where Google's headquarters are located.*

**Our comment:** This is another untruth. This is a completely left of field and quite an original conspiracy theory which to some extent illustrates the line of M. Rey's reasoning, which brings to mind the famous TVP arrows.<sup>462,463,464</sup> The author of the report did not even find the corrections

<sup>458</sup> <https://www.nwo.nl/en/research-and-results/research-projects/i/67/26567.html>

<sup>459</sup> <http://wiadomosci.onet.pl/swiat/skazany-na-smierc/73wkv>

<sup>460</sup> <http://wiadomosci.dziennik.pl/swiat/artykuly/431699,biale-rekawiczki-dyktatorow-oto-jak-sluzby-grasuja-w-europie.html>

<sup>461</sup> <https://goo.gl/1HgBJk>

<sup>462</sup> <http://wiadomosci.tvp.pl/27602918/kolejne-pytania-o-fundacje>

<sup>463</sup> <http://wyborcza.pl/7,75968,20935737,wiadomosciach-tvp-tropia-szara-siec-metoda-glowek-i-sztrzalek.html>

and explanations that were available on the internet<sup>465</sup> before issuing his report; the corrections were also issued by representatives of the Google company.<sup>466</sup>

Due to the extensive comment previously given to the journalist, which, in our opinion, deals comprehensively with the subject, let us once again cite the article:<sup>467</sup>

*The information about financing of the foundation by the Irish branch of Google is a great treat for the media. Rey writes that Google Ireland Ltd. “donated more than PLN 480,025 to the Open Dialog Foundation”, and “the element which could explain this generosity may be the person of Viktor Miroshnikov”, the nephew of ODF’s main donor Petro Kozlowski, who “resides in the USA and owned a company in Mountain View in the Silicon Valley, where the Google headquarters are located”.*

*One phone call to the Open Dialog or a more thorough search of the basic source of the report, which is the Internet, would have been enough to avoid making the same blunder that other media had made just a few days earlier. In fact, Google did not transfer one single PLN to ODF’s bank account. In the 30 July tweet, Marta Poślad from Google explained the misunderstanding as follows: “It’s not a cash donation, it’s free services. Any foundation and association registered in the National Court Register can get this benefit. There are hundreds of them in PL’ (original spelling).*

*- It was the services of this value under the Ad Grants programme, open to all non-governmental organisations - Kramek explains additionally. - These services consist of a free access to Ad Words ads in the Google search. These ads served us to promote the foundation’s reports about persecuted political refugees, the activities of Ukrainian volunteer battalions, or political prisoners in Russia. It was worth 10,000 USD per month. This is shown in the financial statements as the ‘provision of Internet services’.*

*Google is used by institutions around the world, from the Jane Goodall Institute to UNICEF.*

#### **5.46. NATALIA PANCHENKO AND FAR-FETCHED CONTROVERSIES (VISAS AND FUNDRAISERS)**

**Quote (Marcin Rey):** *On behalf of the OEG, she was also involved in the visa arranging activity, offering assistance in obtaining visas for PLN 200. She was at the centre of the controversy related to the non-transparent fundraiser at the concert by Kataryna Burzyńska.*

**Our comment:** Natalia Panchenko did not ‘arrange visas’ – it wouldn’t be possible for PLN 200, or any other amount of money. Visas are issued by the appropriate consular offices, and the OEG’s activity in this area was solely of an advisory nature, related to the legalisation of residence and

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<sup>464</sup> <https://goo.gl/8DnDLh>

<sup>465</sup> <https://goo.gl/cRWK2T>

<sup>466</sup> <https://twitter.com/MartaPoslad/status/891607994772975616>

<sup>467</sup> <https://goo.gl/8y51Ac>

work in a broad sense, and the commencement of business activity by foreigners in Poland. It is presented in the chart.<sup>468</sup>

Support for efforts to obtain a proper visa was just one of many elements of the process.

## 5.47. THERE WERE NO SUCH WORKERS

**Quote (Marcin Rey):** *Aleksander Kaluzhnyi is also associated with the Silk Road company.*

**Our comment:** He is not. We don't know this person.

## 5.48. PETRO KOZLOVSKY DIDN'T SERVE IN THE NAVY

**Quote (Marcin Rey):** *Petro Kozlovsky is [Andrey Gross's](#) friend from the navy; Gross is a president of the martial arts club [Taeguk](#), and Kozlovsky is personally trained by him in a room located at the [Maiak Business Centre](#).*

**Our comment:** He is not. He has never served in the navy. It wouldn't be possible for him to do so for health reasons. In order to confirm his words, M. Rey shows in the report a photo depicting ... other people; Petro Kozlovsky isn't in the picture. This issue was clarified by Lyudmyla Kozlovska on 17 August 2017.<sup>469</sup>

Logically, the fact that Petro Kozlovsky is 'personally trained' by Andrey Gross doesn't matter at all. First, we are talking about past events which happened a few years ago; since 2014, Petro Kozlovsky has been residing outside of Crimea. Second, it is likely that Andrey Gross 'personally trained' dozens or hundreds of students at this martial arts school. And, again, it is difficult to present this as an accusation against representatives of ODF who have never met the man.

## 5.49. LYUDMYLA KOZLOVSKA WASN'T PRESENT AT MAIDAN

**Quote (Marcin Rey):** *[Bartosz Kramek](#), [Lyudmyla Kozlovska](#) and other activists of the foundation were present on Maidan.*

**Our comment:** Lyudmyla Kozlovska wasn't present at Maidan during the revolution. There were concerns that she might be detained due to the cooperation of Ukrainian law enforcement bodies and security services with their counterparts in Russia and Kazakhstan (in connection with the ODF's activity carried out by Lyudmyla, i.e. the defence of political refugees from these countries and lobbying against their governments on the international arena on the matter of, among others, the Interpol reform [preventing its misuse by authoritarian countries to prosecute political opponents and other persons who were inconvenient to the authorities]).<sup>470</sup> In a report

<sup>468</sup> <http://openeuropegroup.odfoundation.eu/oferta/ukraincy-w-polsce-i-na-polskim-rynku-pracy/>

<sup>469</sup> <http://odfoundation.eu/a/8299,oswiadczenie-prezes-fundacji-otwarty-dialog-lyudmyly-kozlovskiej-z-dn-17-08-2017-r>

<sup>470</sup> <http://odfoundation.eu/interpol-i-politycznie-motywowane-ekstradycje>

specially devoted to the subject, we elaborated on the phenomenon, which, unfortunately, includes political and corrupt influences on the Ukrainian authorities.<sup>471</sup>

The nature of the threats was also indicated in the article.<sup>472</sup> According to the information which was made public at the time, at the end of Viktor Yanukovich's governance, there was a real risk of Lyudmyla Kozlovska being detained in the event of her appearance in Ukraine.

## 5.50. INACCURATE BIOGRAPHY OF MARCIN ŚWIĘCICKI

**Quote (Marcin Rey):** *Marcin Świącicki. Politician of the Civic Platform, a former member of the PZPR [The Polish United Workers' Party] Central Committee. (...) and also, people known for their pro-Ukrainian attitude, MP from Law and Justice [Małgorzata Gosiewska](#) and a former member of the PZPR Central Committee [Marcin Świącicki](#) from Civic Platform.*

**Our comment:** It is noteworthy that for the author M. Rey, Marcin Świącicki,<sup>473</sup> who is known for his merits in supporting Ukraine and human rights in the East, is primarily a former member of the PZPR Central Committee. In some way, the biased selectivity of the report is concentrated here as if by a lens: Marcin Świącicki was indeed a member of the Central Committee of the PZPR in the 1980s, but in 1989, he served as the minister for economic cooperation with foreigners in the first non-communist government after World War II; the government headed by Tadeusz Mazowiecki. In the years 1994–1999, he was the president of the capital city of Warsaw. Currently, he is also the president of the Association for Democracy which grants the Pericles Award,<sup>474</sup> and the Chairman of the Board of the European Movement Forum.<sup>475</sup> But the prejudiced and negative author does not even put this information in the biography of this man in 'Appendix 4. Descriptions of people and entities of the report'.

## 5.51. THE UKRAINIAN WORLD CENTRE WASN'T ENGAGED IN COMMERCIAL ACTIVITY

**Quote (Marcin Rey):** *Numerous exhibitions and public meetings have been organised at the [Ukrainian World](#) centre. The centre offered consultation regarding residence permit and visa formalities for Ukrainians and other foreigners, which coincides with the commercial activity carried out by the [Silk Road](#) company named [OEG Open Europe Group](#).*

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<sup>471</sup> <https://goo.gl/ta36dK>

<sup>472</sup> <http://wiadomosci.dziennik.pl/swiat/artykuly/431699,biale-rekawiczki-dyktatorow-oto-jak-sluzby-grasuja-w-europie.html>

It is also worth noting that the Kazakhstani services are even more impertinent when operating in the countries of the former USSR. "The cooperation between the security services of the post-Soviet states is particularly close. The former Soviet republics continue to cooperate within the framework of the CIS and other regional organisations. There is another reason: the contacts and the same methods of work of special services that have been maintained for decades "-

Lyudmyla Kozlovska, the head of the Open Dialog Foundation from Ukraine who monitors the situation in Kazakhstan, stated in the analysis.

<sup>473</sup> [https://mamprawowiedziec.pl/strona/polityk/31024\\_marcin\\_swiecicki/informacje](https://mamprawowiedziec.pl/strona/polityk/31024_marcin_swiecicki/informacje)

<sup>474</sup> [https://pl.wikipedia.org/wiki/Nagroda\\_Peryklesa](https://pl.wikipedia.org/wiki/Nagroda_Peryklesa)

<sup>475</sup> <http://www.rucheuropejski.eu/>

**Our comment:** Not exactly. To be precise: this kind of consultation (and many others, such as consultation on job-hunting, housing, a school for children, and dealing with various official matters) and, to a large extent, language courses, were carried out free of charge in the Ukrainian World centre (most often by ODF volunteers and partners). On the other hand, the partially paid activity of OEG, consisting in solving more complex and time-consuming matters for individuals was carried out mainly by Silk Road employees outside the Ukrainian World centre. We are not sure if the term 'commercial' is appropriate even in this case due to the fact that the company belonged to significant donors to the Foundation, who constantly support its activities with both in-kind and financial donations. With the gradual deterioration of the overall financial situation,<sup>476</sup> the Foundation began to search for new ways of attracting funds for the aforementioned activities and for the overall activity of the ODF. The OEG programme (and the Chopin concerts) were the result of this search.<sup>477</sup>

The Foundation and the company also organised meetings with Polish and Ukrainian entrepreneurs as part of their cooperation.<sup>478</sup>

**Quote (Marcin Rey):** *The premises at the corner of Nowy Świat Street and Świętokrzyska Street became the target of attacks by Polish anti-Ukrainian environments, which intensified especially in autumn 2015. On 10 September, there was an explosion of a small explosive planted in the toilet.*

*A month later, a group of a dozen or so nationalists headed by Damian Bieńka from the organisation 'Narodowa Wolna Polska' [National Free Poland] suddenly stormed the premises. In the first days of November 2015, the then editor of the 'kresy.pl' online portal, Marcin Skalski, stuck offensive placards negating the statehood of Ukraine, to the windows of the premises; he was later detained and sentenced for the offence.*

*On 18 January 2016, the [Ukrainian World](#) was visited incognito by a dangerous terrorist from eastern Ukraine, deputy commander of the 'Rusich' battalion, Ian Petrovsky, aka 'Slavian', invited to Poland by the 'Obóz Wielkiej Polski' [Great Poland Camp]. Finally, in June 2016, [Bartosz Kramek](#) announced the closure of the centre, citing a lack of funds.*

**Our comment:** Those attacks were a fact; we cooperated with the author of the report when investigating their circumstances (he was actively interested in it, which was understandable, given his desire to expose pro-Russian circles); it is quite strange that he does not mention this in the report. It would seem significant that it was anti-Ukrainian groups which attacked us.

The reasons for closing the Centre are presented on the website<sup>479</sup> and in articles.<sup>480,481</sup> Ownership issues were also important; the premises are the subject of court proceedings

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<sup>476</sup> <https://goo.gl/mRj9xW>

<sup>477</sup> <http://odfoundation.eu/a/6456,koncerty-chopinowskie-codziennie-w-ukrainskim-swiecie>

<sup>478</sup> <http://odfoundation.eu/a/6987,o-sile-firm-rodzinych-i-grup-zakupowych-biznes-na-ukrainie-i-w-polsce1>

<sup>479</sup> <http://odfoundation.eu/ukrainski-swiat>

<sup>480</sup> <https://goo.gl/W4iBW9>

<sup>481</sup> <https://goo.gl/mfDXHw>

regarding the claims of the heirs of its pre-war owners. The expected reprivatization did not allow ODF to make long-term plans for the premises.

## 5.52. WE TAKE PART IN EXTRADITION TRIALS, AND IT'S NOT A SECRET

**Quote (Marcin Rey):** *It is claimed that Lyudmyla Kozlovskaya was present at some court hearings, for example on 9 January 2014. According to the Kazakhstani oppositionist Amirzhan Kosanov, in 2012, Lyudmyla Kozlovskaya lobbied for the 'Alga!' party in the German Bundestag.*

**Our comment:** Lyudmyla Kozlovskaya (similarly to many other ODF activists) was present at some court hearings regarding the extradition proceedings of Ablyazov in France (as well as at the hearings of a number of other people in various EU countries); this is exactly what the observation of court trials is about. In our opinion, the presence of observers, such as representatives of mass media and human rights defenders positively affects the position of law enforcement bodies and adjudication panels; it contributes to their better understanding of the importance of the topic of human rights protection and political persecution. Nobody conceals the fact, and so, it is incomprehensible that the author uses the phrase 'it is claimed'.

On the other hand, Amirzhan Kosanov (Russian: Амиржан Косанов) is not a reliable source, nor is Balli Marzec or her website (all the more so).<sup>482</sup> We referred to this in the beginning of this study (point 5.1). The February 2014 publication of the weekly Wprost, based on the same sources, ended in a correction issued in favour of ODF.<sup>483</sup>

The phrase which is used on the website is just a plain untruth, namely that: *"The Alga! Party, financed by Ablyzov (deligalised by Nazarbayev in 2011), has never worked hand in hand with the rest of the opposition - Amirzhan Kosanov, one of the leading Kazakhstani opposition activists, told us. When a meeting with opposition activists from various groups was to be held in the Bundestag in 2012, Lyudmyla Kozlovskaya from ODF was making phone calls to MPs with the request that they contact only Alga! because other activists are Nazarbayev's agents."*

## 5.53. THE PROJECT WITH THE FARM 51 GROUP WAS COORDINATED BY A DIFFERENT PERSON

**Quote (Marcin Rey):** *The company was the contractor of the Open Dialog Foundation project and its Kiev partner, i.e. The Centre for Civil Liberties, which was filming the torture chambers left by the separatists in the Donbass and presenting them in the 'virtual reality' technology. On behalf of the foundation, Natalia Steć dealt with this, while on behalf of the company - Konstanty Kulik carried out these activities.*

**Our comment:** This is not true. In 2015, Natalia Steć was a coordinator of humanitarian aid for Ukraine, and then the administrator of the Foundation's website (this information was readily available on the internet). It had nothing to do with the aforementioned project. The author of the report probably confused her with Natalia Panchenko. Konstanty Kulik, in turn, was one of

<sup>482</sup> <http://www.wspolnotakaz.pl/>

<sup>483</sup> <http://wiadomosci.ngo.pl/wiadomosc/1999511.html>



several people involved in the project on behalf of The Farm 51. Wojciech Pazdura should be indicated as the person coordinating and supervising the implementation of the project.

## 6. The perception of the project

### 6.1. PRO-GOVERNMENT MEDIA

As mentioned by us in the beginning of the study:

*The report received moderately wide reverberation on the Internet (mainly among the author's friends and the readers of the Russian V Column), it also gained popularity amongst the right-wing media which support the authorities currently fighting the Foundation. Nevertheless, we also met with negative/cautious reactions from people, institutions and environments which are important to us due to their activities in similar areas and opportunities for possible partner cooperation.*

The report will probably be used by people who are ill-intentioned toward the Foundation, including institutions and law firms working for the state authorities of Russia, Kazakhstan or Moldova.

### 6.2. ONET.PL: YET ANOTHER BLOW AGAINST THE OPEN DIALOG FOUNDATION AND YET ANOTHER DISGRACE [THE ANALYSIS]

In addition to the completely one-sided message and increasingly primitive approach of the pro-government media, which informed the public about the report by M. Rey (namely: wPolityce.pl,<sup>484</sup> TV Republika,<sup>485</sup> Gazeta Polska,<sup>486</sup> Niezależna.pl<sup>487</sup>), the report has been critically reviewed by journalists of Onet.pl.<sup>488</sup> In his article, Marcin Wyrwał presents the following opinion:

***A tracker of Russian influence in Poland has published a 150-page report on the Open Dialog Foundation. It is designed to expose the Foundation's dark side. Instead, he gets lost in errors, misrepresentations and innuendos (...).***

- ***The report is based on questionable internet sources and social media.***
- ***It fits into the line of attacks on non-governmental organisations, without explaining anything.***
- ***The author of the report, Marcin Rey, refused to comment on it for Onet.***

*The newest of them came from an unexpected side. Its author is Marcin Rey, an activist known and respected in the environment of analysts of Russian influence in Poland and author of the Facebook page 'Russian V column in Poland'. Despite the fact that he has been linked to the Foundation (acting in support of Ukraine) by his pro-Ukrainian and anti-Russian views, he published a 150-page report "The activity and links of the Open Dialog Foundation", claiming that the foundation carries out some shady activity and has connections with the Russian capital.*

<sup>484</sup> <https://wpolityce.pl/polityka/353233-kto-finansowal-fundacje-otwarty-dialog-interesujacy-raport-marcina-reya>

<sup>485</sup> <http://telewizjarepublika.pl/szokujace-kto-stoi-za-fundacja-quototwarty-dialogquot,52559.html>

<sup>486</sup> <http://gpcodziennie.pl/67400-pieniadzeoligarchowimiedzynarodowylobbing.html>

<sup>487</sup> <https://goo.gl/3rEqf9>

<sup>488</sup> <https://goo.gl/8y51Ac>

*The right-wing media immediately took up the thesis contained in the report. 'Defenders of oligarchs, collaborators of the Russians,' wrote niezalezna.pl, which Radio Poland (Polish Radio for Polish People Abroad) reprinted. 'The Open Dialog Foundation can hardly be labeled 'transparent,' wPolityce informed readers. 'Oligarchs' money and international lobbying,' Gazeta Polska Codziennie cried.*

*None of these editions asked representatives of Open Dialog to comment on the report, nor did they want to check the information contained therein on the basis of available documents.*

*The author of the report himself did not ask for access to the documents or the foundation's comment. When Kramek asked Rey on Facebook why he hadn't checked the information at the source, he got the answer: "Why didn't I contact you? The answer is simple: you lie so blatantly that it doesn't make sense".*

### **6.3. TYGODNIK POWSZECHNY: MARCIN REY'S OTHER FRONTLINE**

**M. Rey also refused to give an interview to Janusz Schwertner, a journalist preparing an article for Tygodnik Powszechny.** In the publication of 11 September 2017,<sup>489</sup> Bartosz Kramek, as well as several of our and M. Rey's mutual friends, were extensively quoted, for example:

*"I do not want to accuse Rey of ill will, but, in my opinion, he really went too far. The style of the attack on Open Dialog resembles paranoia. I have been watching his recent actions and I have the impression that he got a little lost. He sees foes everywhere, and in this way he is destroying himself. Although it doesn't in any way undermine his previous merits," one of his friends, who asked for anonymity, told 'Tygodnik'.*

*"I think that he has simply failed to be vigilant in this matter. Marcin is a translator, an enthusiast, but not a journalist. In order to carry out such a strong attack, he should have relied on reliable documents. Had he done so, he would have probably avoided the accusations that he has faced in recent weeks. But in his place, I would not get discouraged so soon. He still has a lot to do.*

*"For us, it was quite a surprise," says the head of Open Dialog, Bartosz Kramek. "We thought that we were not only standing on the same side of the barricade with Rey and fighting against anti-Ukrainian environments together, but that we were also maintaining quite a proper relationship. Unfortunately, today, he has turned against us along with Russian Sputnik, pro-Russian MPs of the Kukiz'15 party or Reverend Tadeusz Isakowicz-Zaleski. And yet, previously, he had fought against them," he says with regret. In his opinion, the report looks as if it had been produced with a predetermined conclusion. "The method of unmasking our 'sensational connections' resembles the famous arrows of TVP. This impression is created by connecting us with the bosses of the Russian mafia and government purely on the basis that we defended people who did not stand up with them, but against them," Bartosz Kramek added.*

*We intended to ask Marcin Rey about the report, but he did not agree to give an interview.*

<sup>489</sup> <https://www.tygodnikpowszechny.pl/jeszcze-jeden-front-marcina-reya-149658>

In the online discussion<sup>490</sup> on Janusz Schwertner's page on Facebook, Marcin Rey described Marcin Wyrwał as a 'media scavenger', and described Schwertner himself as Onet's 'media officer'. In the same conversation, Bartosz Kramek was labelled a 'villain'.

Due to the abbreviations used in the article, below we quote the full wording of Janusz Schwertner's questions and Bartosz Kramek's answers given before the publication of 5 September 2017 (at the same time, we present our views and the stance of the Foundation regarding Russian influence in Poland):

**1. Janusz Schwertner: "The Russian influence in Poland" – a magical wording which does not mean anything specific to the average citizen. How strongly and how effectively, in your opinion, does the Kremlin affect what is happening in Poland?**

**Bartosz Kramek:** *I am afraid that the ubiquitous conspiracy theories and a kind of agentomania (to which we also have fallen victim in recent weeks) quite effectively reduce the subject to absurdity, and ridicule the issue.*

*Unfortunately, the problem is real and serious.*

*This is because Polish society is historically largely resistant to any Russophilia and, therefore, Russian services must reach for more sophisticated, less direct narratives. The key frontline is antagonising Poles and Ukrainians with historical resentments and the growing number of Ukrainian immigrants in our country. Of course, Russia presents itself as a natural ally in the contemporary dispute with the mythical Ukrainian Banderites.*

*Fortunately, this is not a serious social problem (although such aggression is widely present online). Most people meet with Ukrainians at school, at work, or in social situations. Ukrainian employees are in constant demand and adapt to life in Poland without any problems. However, one must be careful and play it safe because it's a perfect space for provocation.*

*In this field, Russia is supported by various extreme environments, primarily of the extremist right wing (such as Falanga, Ruch Narodowy [National Movement], ONR [National Radical Camp] and minor groups). They are noisy, harmful and dangerous, but I would not overestimate their importance; the general public is not interested in such fights.*

*However, a question arises about the appropriate response by the Polish state, which often fails and reacts reluctantly to various xenophobic incidents, thus creating a climate of consent for misbehaviour, and, on the other hand, a legitimate concern. There is a need for decisive action by law enforcement agencies in order to fight hate and criminal threats online. Attacks against Ukrainians in Poland (such as the destruction of memorial sites) harm our relations with Ukraine, which should be our priority, as the country directly determines our security. For this reason, the matter should also be of interest to the state security bodies.*

*What is most disturbing, however, is the actions of the Polish government, which leads us into confrontation with all our neighbours, the most important partners in Europe and the EU itself. Poland's self-isolation, in turn, leads to a weakening of Ukraine's position and may mean*

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<sup>490</sup> <https://goo.gl/xyoqs5>

that the EU, which is struggling with its own problems, will lose interest in Eastern Europe. I wouldn't like to seek Russian inspiration here, but the effects of Minister Macierewicz's activity seem to be puzzling, and perhaps the Russian connections of his circles, described by Tomasz Piątek, may serve as a certain clue here. Such a policy suits Russia. In this context, the instrumental use of the Smolensk tragedy to fuel the temperature of the political dispute in the country is also apparent.

Russian activities in Poland against organisations which support Ukraine haven't been thoroughly analysed. It seems that the favourite method of Russian special services is to incite discord and fuel unhealthy environmental envy and competition. Such divisions and disagreements are natural and exist even in the generational sphere among organisations and activists (old–young), or between the Ukrainian national minority and the new immigration. They can, however, be used to further intensify conflicts, discredit individual organisations and individuals, and even undermine public confidence in the entire environment.

**2. What are the most important goals of the Kremlin and Russian propaganda in Poland in relation to the crisis in Ukraine, Maidan, and the current Ukrainian authorities? What is the image of today's Ukraine that Russian services wish to create?**

Their goals are essentially unchangeable. Russia wishes to create a picture of Ukraine as a failed state, unable to make effective transformations, which will only be a burden for the West (and, of course, a thorn in relations with Russia). For this reason, effective reforms and the fight against corruption in Ukraine are so crucial. They constitute an element which will determine public sentiment and condition further integration with the EU.

For 'internal' use, Ukraine is, of course, a fascist junta in which Russians and Russian-speakers are persecuted. The younger brother insidiously detached from the mother, whose reintegration under the 'Russian accord' is a condition for his prosperity and peace.

On the other hand, Maidan was a bloody coup d'état inspired from outside, which brought a number of misfortunes to the Ukrainians. Unfortunately, this anti-Maidan narrative has also recently been propagated by the Polish government. Anti-European sentiments and 'historical wars' with neighbours are something that connects the authorities of Poland and Russia today. This is the way towards the East. I believe that we cannot simply put up with it.

**3. How do you assess the fuss around the Open Dialog Foundation and the accusation that you are under the influence of Russian services? Such accusations were brought by Marcin Rey, who has been tracking the 'Russian V column in Poland' for years. It is quite incomprehensible to the public; it seemed that you were standing on the same side of the barricade.**

These accusations are surprising and incomprehensible for us, too. We thought that we were not only standing on the same side of the barricade (fighting together against both extreme nationalist or anti-Ukrainian border circles, whose propaganda tube is the Kresy.pl online portal, as well as the nominally left-wing party Zmiana [Change]), but were certain that we also maintained good relations. It's a sad case, the more so because this attack has come – as one of many – in recent weeks, when the Foundation itself has become the target of attacks by pro-government media and the state apparatus. The author of the report did not contact us and he did not present any objections to us personally.

*Unfortunately, Marcin Rey does not separate our activity in Poland from the actual community of goals and the history of our activities on the Ukrainian–Russian field. It seems, however – which, he admits, in a sense – that his personal resentments and ambitions, which had been hidden up until now, have played a role here. A sad paradox is that today, Marcin Rey is standing against us along with Russian Sputnik, pro-Russian MPs from the Kukiz'15 party, Reverend Tadeusz Isakowicz-Zaleski and people promoted by Kresy.pl (such as the self-proclaimed leader of the "real Kazakhstani opposition" Balli Marzec and a candidate to the Sejm from the Kukiz'15 party during the recent elections). And yet, he had fought against them himself.*

*The report itself does not even try to be objective – it looks like it was created to prove the conclusion, preconceived by the author, that we are dangerous provocateurs affiliated with Russia. It is full of factual errors, often based on dubious and Russian sources; it is very selective, and the method of unmasking our 'sensational connections' resembles the famous TVP arrows. This is the impression created by connecting us with the bosses of the Russian mafia and the government just because we defended people who stood against them.*

*Just a small number of these distortions and absurdities was revealed in the article by Marcin Wyrwał on the Onet portal: <http://wiadomosci.onet.pl/tylko-w-onecie/kolejne-uderzenie-w-fundacie-otwarty-dialog-i-kolejna-kompromitacja-analiza/e3ciqjm>. Currently, we are weighing up legal steps and we are working on an extensive correction. Unfortunately, it's extremely time-consuming.*

#### 6.4. INTERNET USERS (FACEBOOK, TWITTER)

Most interesting, however, are the reactions of confused Internet users; the reactions to the report and to Marcin Rey's subsequent publications referring to it.

What results from them? Below we cite several representative comments from discussions in social media<sup>491,492,493,494,495,496</sup> (abbreviated by us):

- **Where is the Russian V column?**
- *I mean, gradually, the content ceases to have anything to do with the name and, to be honest, I do not care about the private dispute between the two gentlemen. I did not click the 'like' button of the page in order to read this - that's it.*
- *You were better at writing about friends from the East.*
- *Marcin Rey's personal conflict, a departure from the cool and fact-based RVKP style.*
- **Will there only be posts about ODF from now on?**
- *It takes some perspective and reflection.*
- *I perceive the report as an attack on an extremely useful foundation.*
- *Biting each other is beneficial primarily for the Russian V column in Poland.*
- **Are Russian agents involved in helping Ukraine?**

<sup>491</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/596959917140878>

<sup>492</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/582922608544609>

<sup>493</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/583784541791749>

<sup>494</sup> <https://goo.gl/VUaiuV>

<sup>495</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/586485984854938>

<sup>496</sup> <https://www.facebook.com/witold.jurasz.16/posts/740358069484572>



- *Does it still make sense?*
- *So should I try and discredit you now because you have different views?*
- *I do not understand how, when you know that you have particular, strange sources of financing, you can suddenly start an action for a 'recipe' for a coup in 16 steps? It's obvious that after writing something like that, everyone will start checking what this ODF is and where it came from ...*
- *Okay, where is the Russian V Column in Poland here? Are you saying that Kramek is the Column?*
- *You are moving smoothly from these accusations to personal attacks, which are not justified by these accusations. Is writing about someone that "he's got evil eyes" fair? Or writing that he is an 'utter villain', basing the opinion on just one banner? This post is very different from what you have presented thus far - cold and substantive arguments based on sources.*
- *"There is an Andrei Vladimirovich Brovchenko, who, as I show in the report, for sure runs the St. Petersburg branch of the Sevastopol plant belonging to Petro Kozlovski" - that is, if it does not belong to Petro Kozlovski (which Onet wrote), should your entire text go to trash?*
- *Well, if everything is done in line with Polish law, and let's say, an industrialist or even a bandit from Russia decides to support the Ukrainians because he feels like it ... Why should we interfere?*
- *The note on the case of Orlov is written on a very low level. Journalistic writing on the level of Mr Miecik of GW. One would expect more than that.<sup>497</sup>*
- *Didn't it hinder you, the 'The Russian V column in Poland', that you 'cooperated' with the 'Republicans' Association, headed by Przemysław Wipler (the co-founder of the KoLibier Association - linked to the former UPR party, headed by Janusz Korwin-Mikke), whose founding convention was attended by people, such as Paweł Kukiz?*
- *In the situation when the 'Targowica Confereration' [the Law and Justice's government – Ed.] is becoming polarised, people literally use the Lubyanka language when speaking about this topic, they begin to persecute NGOs, even use the funny Duginian anti-Soros dialectics, he absolves it, even more, he distorts the facts and accuses of Russian influence the entity which promotes all things which go against Kremlin fascism (the rule of law, democracy, human rights).*
- *I have the impression that the matter has become too personal for you, and this always distorts judgement. Of course, the supporters of the currently ruling party will happily repeat your conclusions that Kramek is an 'utter villain', but I think that this is a far-fetched conclusion based on just one banner. It was not Kramek who made a political manifesto out of the Smolensk tragedy.*
- *It is a pity that two serious institutions (to me, Mr Rey is a one-man institution) fighting against Moscow spend time vetting each other. Well, maybe it's necessary.*
- *In this context, what has been happening around Marcin Rey for some time, saddens me. This whole thing with Open Dialog is stinks terribly to me – it looks a bit as if someone was trying to turn them against each other.*
- *However, I have an irresistible feeling that someone is trying hard to drive a wedge between Kramek and you. If it results in your burnout and the end of the activity, there will be just one winner of such a scenario.*

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<sup>497</sup> <https://mobile.twitter.com/russian5column/status/897230687941660674>

In this context, we would also like to draw your attention to the wider comment by Witold Jurasz, a former diplomat, columnist and editor of Polsat News 2:<sup>498</sup>

***Before my very eyes, a war is being waged in the community of people dealing with the East. Some of them are fighting head-on, others are baiting people into the conflict, while they themselves do not speak in public. The war is at full swing, and the front line, to the delight of the native 'Russland-Versteher', has divided previous allies.***

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<sup>498</sup> <https://www.facebook.com/witold.jurasz.16/posts/740358069484572>

## 7. Summary and conclusions

The Open Dialog Foundation is a consistently pro-Ukrainian and anti-Kremlin organisation. Our views on this matter have not changed in any way.

The range of our activity is conditioned by the available resources, and fundraising is actually the most difficult of our activities; we are currently struggling with a deepening crisis in this area.

**The vast majority of people and communities we have ever defended not only identify themselves with, but also actively work for, common European values: democracy, the rule of law, and human rights.** Some do so based on their beliefs; for others, these actions can be a form of forced defence; an accidental development of certain circumstances. However, this does not change the fact that regardless of intentions, we are fighting on the same side of the barricade, striving to bring about, in the broad sense, Westernisation and democratisation of the post-Soviet space, liberalisation and change of authoritarian regimes, the development of civil society, defence of people persecuted for political reasons. This also applies – and to a great extent – to Mukhtar Ablyazov and Nail Maliutin.

We do not conceal nor are ashamed of our donors, nor those whom we have defended. Possible controversies, often associated with defamatory campaigns against them, are not a key criterion in our decisions to involve ourselves in their cases. We make considerable efforts to present our activity, its conditions and effects, and we trust that this study also proves this. Contrary to the suggestions of M. Rey (and unlike himself), we are transparent (although, of course, one can ask questions about reasonable limits of transparency, or its impact on security issues in the broad sense).

It is puzzling to us that the author of the report does not see this; he adopts a specific, one-sided point of view and, to a large extent, he seems to ignore the context of the events and situations described. We are struck by the ease with which he formulates judgements of, among others, past situations, based on unreliable and incomplete information about the circumstances of that time. In the historical sciences, such an attitude (or even cognitive error) is called ‘presentism’.

Marcin Rey cooperated with us (sometimes in the form of telephone and internet discussions for many hours<sup>499</sup>), among others, by fighting (mutually) the Zmiana [Change] party,<sup>500,501,502,503</sup> the Kresy.pl online portal, Marcin Skalski,<sup>504,505,506,507,508,509,510</sup> tracking the false Falanga camp and minor so-called

<sup>499</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/ns-nowe-screeny.zip>

<sup>500</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rey-zmiana.png>

<sup>501</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rey-zmiana2.png>

<sup>502</sup> <https://goo.gl/JWUDmz>

<sup>503</sup> <http://mateuszpiskorski.blog.onet.pl/2014/10/09/otwarte-zbrojenia-zamiast-otwartego-dialogu/>

<sup>504</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/skalski-1.png>

<sup>505</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/skalski-2.png>

<sup>506</sup> <http://odfoundation.eu/i/fmfiles/pdf/skalski-4.pdf>

<sup>507</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/skalski-6.png>

<sup>508</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/skalski-7.png>

<sup>509</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/skalski-8.png>

<sup>510</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/skalski-9.png>

nationalists (Narodowa Wolna Polska, Patrio.pl), members of the so-called Rusich battalion,<sup>511,512,513</sup> searching for links between small terrorist attacks<sup>514</sup> interpreted as pro-Russian provocations, identifying the perpetrators of the invasion and explosion in the 'Ukrainian World' centre, and coordinating actions against the Night Wolves. We are surprised that, today, he denies that he did maintain these contacts or carry out these activities.

We analyse M. Rey's motivations and intentions because they are surprising to us in the light of the aforementioned circumstances and situations described in the entire study. Similarly, their extremity is surprising, considering how great an effort must have made to create a report which appears to be the largest analytical text by the Russian V column in Poland so far.

The false nature of almost all the allegations is a completely different matter. Our answer is incomplete; we haven't mentioned what is missing in the report, e.g. the selective approach to the list of people 'associated with ODF'; the author of the report seems to intentionally neglect some of our associates; most likely due to some specific personal relationships.

In the period between 14 August and 18 September 2017, all posts of the Russian V Column in Poland were devoted to the Open Dialog Foundation and its representatives. On 18 September 2017, Marcin Rey decided to comment on the participation of Bartosz Kramek in the pro-democracy demonstration, describing him as an 'immoral provocateur'.<sup>515,516</sup> The post had nothing to do with any pro-Russian activity or even Eastern issues. Numerous Internet users (including the authors of the comments we pointed out above) perceived it as an expression of the escalation of the report author's negative emotions and prejudices towards ODF. Bartosz Kramek quickly responded to it.<sup>517,518</sup>

At the same time, especially after the publications of Onet and Tygodnik Powszechny, Marcin Rey began to express doubts about the legitimacy of further activity by the Russian V column in Poland due to ongoing attacks against him, and a lack of understanding of, and the senselessness of, efforts (or, at best, disproportionate effects of the efforts).

Based on the history of our acquaintance with the author of the report and observations made recently, the situation in which we found ourselves prompts us to make a few conclusions.

Marcin Rey is a self-made activist with perhaps the greatest merits in Poland in the fight against Russian propaganda and disinformation. One cannot deny that he is a hardworking person and the persecution he has suffered at the hands of nationalist and pro-Russian forces is regrettable. Thus far, we have perceived him in this context, and we considered our cooperation to have been valuable. Also, he could always count on our solidarity. It is with a certain sadness that we must state here that the principle of reciprocity doesn't work here in any way.

**At the same time, it seems that we are dealing with a person with paranoid tendencies; a person**

<sup>511</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rusicz-1.png>

<sup>512</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rusicz-2.png>

<sup>513</sup> <http://odfoundation.eu/i/fmfiles/pdf/rusicz-3.pdf>

<sup>514</sup> [https://www.facebook.com/permalink.php?story\\_fbid=323435711159968&id=218251225011751](https://www.facebook.com/permalink.php?story_fbid=323435711159968&id=218251225011751)

<sup>515</sup> <https://goo.gl/axzyUF>

<sup>516</sup> <https://www.facebook.com/marcinrey/posts/10210474566965013>

<sup>517</sup> <https://goo.gl/DsMKfs>

<sup>518</sup> <https://goo.gl/ix366E>

characterised by a morbid distrust and suspiciousness, which extends even to friends, colleagues and partners with whom he shares common goals and experience. As commented in the TP article: *he is looking for enemies everywhere*. Perhaps it is an expression of his personal experience and a consequence of previously suffered trauma. The characteristic duplicity here is interesting (he describes it as 'slyness'<sup>519</sup>), which allows him to maintain friendly relationships while concealing his actual grudges, trauma, fears and suspicions.

Citing M. Rey's very words: ***My suspicion regarding the people from the Open Dialog began with intuition: Kramek just has extremely evil eyes.***<sup>520</sup> We believe that this kind of statement speaks for itself; it reminds us of the famous accusation that Donald Tusk has 'the eyes of a wolf'; the accusation was brought by Jarosław Kaczyński in 2008.<sup>521,522</sup>

We believe that, in a sense, M. Rey assumes that 'the end justifies the means', and 'revenge is a dish best served cold'. He is supported by the specific ruthlessness and unscrupulousness which he imposed on himself, which in turn, may be stemming from the belief he has often expressed that "this is a [brutal] war'. In other words, in this conflict, you take no prisoners. However, it is difficult for us to understand the antagonising of one's own supporting friends and the creation of enemies in one's own camp.

The author of the report also seems to be accompanied by a deepening feeling of unfulfilment and unrealised ambitions. He is overly sensitive about his own image, which is evident in the lack of perspective, in particular in relation to activities whose effects he regards to be mainly his own merit. The result is the nurturing of trauma (whose causes were insignificant) and simple envy (e.g. about the financial and organisational possibilities of others, probably exaggerated by his own perspective and without awareness of the considerable sacrifices of others and accompanying difficulties).

We believe that he displays resentment: he has expressed it on numerous occasions,<sup>523,524,525,526,527</sup> among others, by emphasising (without being asked about it) that he himself *works for a cause*, or that *there was never a person willing to pay*; or that *there is a natural conflict between ideological activists and those who work for money*, etc. It seems significant and puzzling to us that he constantly puts an emphasis on the financial aspect (by the principle: *you have money and you have a mercenary interest, and I am a noble ideologist without funds*).

In Marcin Rey's rhetoric, we are struck by the level of anger, fierceness and negative emotions which he directs at us. They are expressed, for example, by the (previously quoted) insulting epithets and attributing negative intentions *a priori* to adversaries (which he has created himself), and searching for drawbacks and weaknesses of a personal nature. In this way, he turns substantive and argument-based discourse smoothly into personal clashes in which the other side becomes, for example, *duplicitous*

<sup>519</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rey-o-chytrosoci.png>

<sup>520</sup> <https://www.facebook.com/RosyjskaVKolumnawPolsce/posts/596959917140878>

<sup>521</sup> <http://www.newsweek.pl/wiadomosci/z-ostatniej-chwili-/kaczynski--widze-wilcze-oczy-tuska,33868,1,1.html>

<sup>522</sup> <http://wyborcza.pl/7,75968,21477274,i-znow-te-wilcze-oczy.html>

<sup>523</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rey-o-pieniazdach-1.png>

<sup>524</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rey-o-pieniazdach-2.png>

<sup>525</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rey-o-pieniazdach-3.png>

<sup>526</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rey-o-pieniazdach-4.png>

<sup>527</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/kramek-o-pieniazdach-reya.png>

*filth*,<sup>528</sup> an immoral instigator, a bastard and villain. We are not certain whether this is an expression of his conscious beliefs or a purposeful tactic aimed at depriving his opponents of elementary respect (especially in cases where he seems to be displaying far-reaching hypocrisy, or, otherwise, utter ignorance). Good manners seem to have secondary value for him.

It can be noticed, however, that ease in spreading emotional judgements and the tendency to make impulsive statements in public may indicate a periodic loss of control, and this, in turn, may point to a certain emotional disorder. In this context, the persecution complex of the author of the report is also apparent, as he very frequently (*time and again*) indicates his dramatic intention to close the Russian V column and disappear from the public sphere. The analysis of our correspondence from previous years (which the report led us to conduct) indicates that the author already had such intentions two years ago; at that time, the motivation he gave for those intentions was concern for security and a lack of effects. At present, however, he broadly demonstrates his doubts and *the very likely intention of terminating his activity* as stemming from discouragement, a feeling of helplessness and *the Sisyphean nature* of his actions.

Also, Marcin Rey has problems with understanding the nature of the media and the specificity of their functioning; or the circumstances of the work of journalists. He treats quite obvious mental shortcuts (especially in crisis conditions, stressful circumstances and materials produced under time pressure) and the shortening of speakers' statements, and simplifications of others' messages by journalists as intentional and malicious manipulations. He is also unforgiving; despite the fact that we explained the circumstances of this type of media misunderstanding (related to the article in Rzeczpospolita issued on 18 February 2015) and the lack of ill will on our part, and expressed our regrets and apologies (both in public and in a face-to-face conversation<sup>529,530,531,532</sup> and the subsequent correction we issued), two years later we read about grievances against us and a 'false description' (of him as a volunteer for the ODF in an interview with the Rzeczpospolita journalist; the details are available here<sup>533,534</sup>). We realise that this matter is ridiculously minor, but this kind of pettiness seems to be an important part of M. Rey's motivation. At the same time, we wish to underline that this is only our experience and our observations; we are not professional psychologists. We also hope that we have managed, in spite of everything and in spite of what we experienced ourselves, to assess him and his work with some empathy.

**We would also like to draw your attention to the fact that – having been subjected to a very thorough assessment – we ourselves know very little about the author and, possibly, his supporters. Although we are not a public institution (a state or local government body), our communication is open and**

<sup>528</sup> <https://goo.gl/jF2cYn>

<sup>529</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rev-przeprpsiny.png>

<sup>530</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rev-przeprosiny-2.png>

<sup>531</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rev-przeprosiny-3.png>

<sup>532</sup> <http://odfoundation.eu/i/fmfiles/print-skriny/rev-przeprosiny-4.png>

<sup>533</sup> <https://www.facebook.com/marcinrey/posts/10203788432895840it> it can also be indicated that Bartosz Kramek's conversation with Izabela Kacprzak took place by phone (and in roaming) on board an aircraft preparing to take off, and his words described the incidents of attacks on 'our volunteers and (other) activists', which, in the publication, was shortened and transformed into 'volunteers of the Open Dialog Foundation', which is what caused the subsequent indignation of M. Rey; the continuation of the story is presented above. It is also quite ironic that in Bartosz Kramek's intention, mentioning M. Rey and his problems was intended to help publicise and drawing public attention to his problem - placing him as a hero of the 'light side of the force' and a victim of unjust persecution in need of support ...)

<sup>534</sup> <http://www.rp.pl/artykul/1180437-Zastraszyc-Otwarty-Dialog.html> – the article is a continuation:

<http://www.rp.pl/artykul/1177855-Putin-bije-miemi.html>



**intense.** Since the very beginning, we have operated openly, and our reporting goes beyond applicable regulations (which was admitted even by M. Rey himself); hence, carrying out a relatively simple analysis of our links was possible. On the other hand, our reviewer is neither a journalist nor a representative of any organisation. He is not subject to any industry regulations or standards (except general liability for infringement of personal rights), and we only know as much about him and his activities as he wishes to reveal to us. And so, we (i.e. public opinion) have to simply take him at his word.

Commenting on his report, Marcin Rey accuses us of acting against the Polish government (and precisely: the government's attack on the rule of law) carrying out activities to the detriment of Ukrainians and their image, because 'we are associated with Ukraine'. First of all, we do not believe that any associations should constitute an obstacle for us in the exercise of our civil rights nor relieve us of our concern for the situation in Poland. This is a situation which, in our opinion, should raise concern among conscious citizens and, as such, has become a pressing problem for us in July 2017. It is also surprising that the author of the report, who is involved in the issues of the East, does not notice any similarities between the evolution of the Polish political system and public life and the evolution of authoritarian practices among our eastern neighbours (and not only them). What's more, the current government seems to be conducting a highly harmful foreign policy, including towards the East,<sup>535</sup> and our relations with Ukraine are gradually deteriorating.<sup>536</sup>

In addition, we see a really harmful policy towards aggressive Russia and damaging actions in the sphere of state security. However, the biggest problem for M. Rey is not the destruction of the rule of law, which is discrediting Poland in the international arena, weakening our position in the EU, raising conflicts with our neighbours, paralysing the modernisation efforts of the Polish Armed Forces, putting historical policy and the Polish minority at the centre of relations with Ukraine; nor is it the questionable role or sanity of Antoni Macierewicz and the influence of the so-called neoendeks on the Ministry of National Defence and the Ministry of Foreign Affairs (linked to the deputy ministers Michał Dworczyk and Jan Dziędziczak); it is, rather ... Bartosz Kramiec and Open Dialog, who, in his opinion, seem to be working for the benefit of Vladimir Putin more actively than (at least some) representatives of the current Polish authorities. This is a significant paradox.

It may also be noted that M. Rey, with a stubbornness worthy of a better cause (such as the defence of the Constitution), not only denies us the right to hold and voice our own views, but also tries to crusade against us, searching for Russian influence and externally inspired provocations where all we have in mind is the situation in Poland. However, considering the situation from the geopolitical perspective adopted by M. Rey: the author of the report does not wish to see that the nominally anti-Russian Law and Justice camp increasingly frequently begins to share the Kremlin's rhetoric: anti-European, anti-Western, anti-immigrant, anti-Ukrainian, xenophobic, anti-liberal, chauvinistic, extremely traditionalist, granting primacy to the sovereignty and *the will of the people* over the Constitution and international law and obligations, etc.

In our case, we fully share the assessment of the situation in Poland which was very clearly expressed by Professor Leszek Balcerowicz.<sup>537</sup>

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<sup>535</sup> <https://www.facebook.com/witold.jurasz.16/posts/760012917519087?pnref=story>

<sup>536</sup> <http://www.hfhr.pl/wp-content/uploads/2016/08/Apel-ukrainskich-i-polskich-organizacji-pozarzadowych-08-2016.pdf>

<sup>537</sup> <http://www.gazetaprawna.pl/artykuly/1082488,balcerowicz-o-sytuacji-w-polsce.html>

*In a democracy and a state of law, the ruling political party plays the role of a temporary tenant in the state. In a dictatorship, it becomes its owner, taking over the state apparatus in order to intimidate people. We are not at the stage of Lukashenka's or Putin's manner of governance, but we cannot underestimate the early stages of this disease. (...)*

*Law and Justice has achieved the maximum in the sphere of distribution and stupefying people through the media. So what was left for it to do? Selective intimidation using the state services and servile prosecutors. If we allow this process to progress, more people will fear the authorities. A system based on fear is shameful. (...)*

*Groups trying to introduce a dictatorship in the country do not, at least in the long run, use their militias, but try to take over the state. Why? Because the state is the strongest organisation which can be used to intimidate opponents, and besides, the state's oppression creates the appearance of legality. (...)*

*Valuable provisions of the Constitution are those that protect people's freedom from the state through the division of its authorities. These are the provisions trampled on by Law and Justice. Its idea of the Constitution is a constitution without restrictions for politicians.*

The author of the report is also imprecise in his allegations; we get the impression that he did not read numerous pronouncements<sup>538,539,540</sup> and statements by the Foundation's representatives, or did so only superficially.

An example of this may be the statement included in the summary of the report:<sup>541</sup> *Comparing the opposition activities in Poland with the Ukrainian revolution against the corrupt dictator Yanukovich was not only a huge exaggeration. It was an intentional or involuntary dissemination of a narrative inspired, among others, by Russia, i.e. that 'Maidan' was an artificial revolt.*

This way of perceiving the text<sup>542</sup> written by Bartosz Kramek is characteristic of pro-government media and is incorrect: Kramek doesn't compare the July civic protests (not oppositional) to Maidan (in which he participated from its early days); what's more, he directly states that he refrains from such comparisons. Instead, he seeks inspirations which can become peaceful methods of civic resistance to the authorities which violate the Constitution and undermine the rule of power. Here, it only remains for us to suggest that he reread the text of the article.

How should the report be assessed? For obvious reasons, we are not objective. Without avoiding our own judgement, when introducing the context, we made attempts to carefully cite the sources and fill the text with them as much as possible. We tried to carefully point out the factual errors noticed in the report. We assess that their number is relatively large; we have never reached a similar level in the dozens of reports that we have published thus far. A separate issue is that of unauthorised extrapolations, among others, resulting from reliance on very few and strongly subjective, unrepresentative opinions. We think that the ambitious task that the author set for himself in this sense, got on top of him.

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<sup>538</sup> <https://goo.gl/PaXZ2S>

<sup>539</sup> <http://odfoundation.eu/a/8312,oswiadczenie-fundacji-otwarty-dialog-z-dn-23-07-2017-r>

<sup>540</sup> <https://goo.gl/d5GWAF>

<sup>541</sup> <http://odfoundation.eu/i/fmfiles/pdf/odraportr5kp.pdf> (Streszczenie)

<sup>542</sup> <https://goo.gl/srVDZe>

We trust that each reader can form his or her own opinion.

As for us, first of all, we are sorry and uncomfortable that we have become the object of the whole confusion, bemusement and consternation caused by the report. Here, we wish to cite the Internet users' statements again:



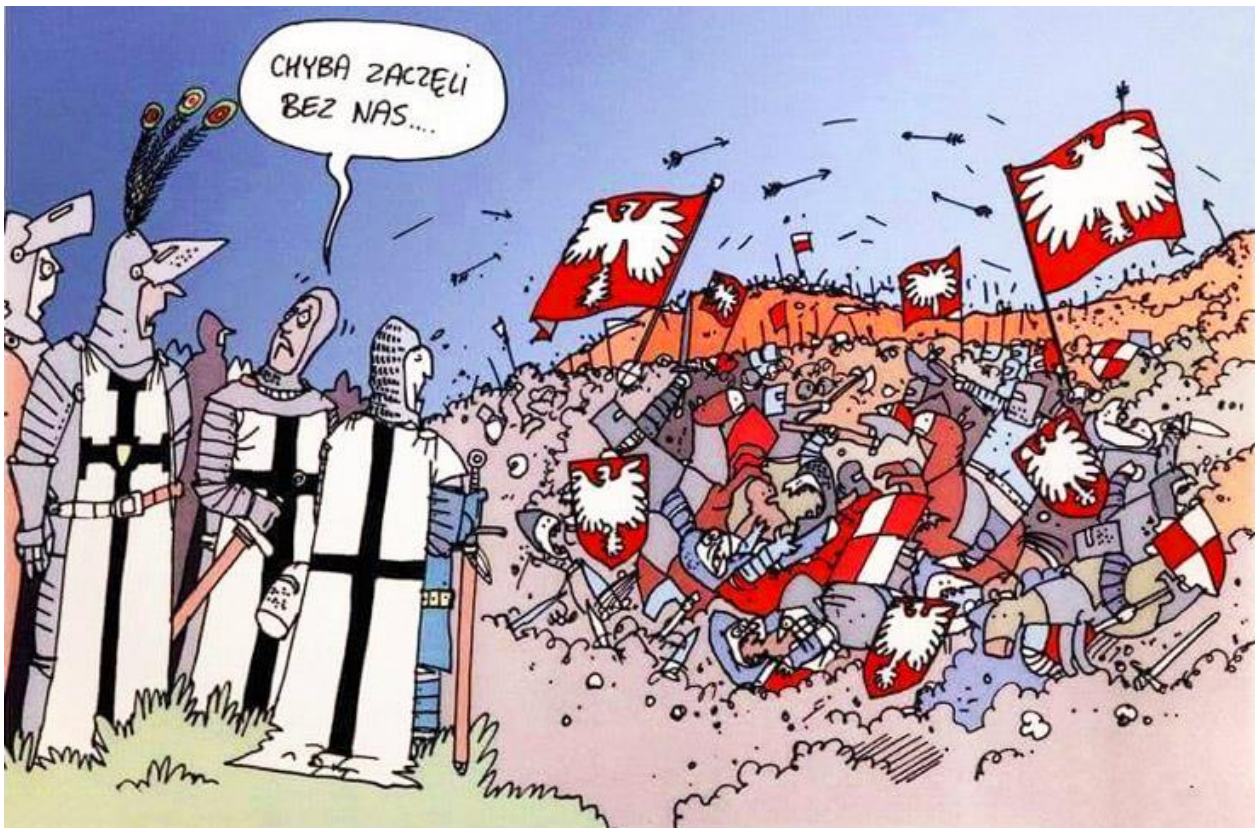
**Robert Gleń** Panowie, ja się tu niekulturalnie wtrączę i napiszę moje jako zwykłego czeška odczucia z lektury tej dyskusji, a są one takie, że po raz kolejny stwierdzam, że Ruscy naprawdę nie muszą robić nic żeby w Polsce był kipisz. A że i tak robią, to kipisz tym większy.

Smutne to w trzy cholery.

Lubię to! · Odpowiedz · 6 · 19 września o 01:22

**Robert Gleń:** Gentlemen, as a simple fellow, I am going to rudely step in and present my impression after reading the discussion. Once more, I must admit that the Russians don't have to do anything in order to make a big mess in Poland. But the fact that they are doing something anyway means the mess is even bigger.

This is sad as hell.



## Annex No. 1:

### The case of Nail Malyutin in M. Rey's report – commentary by Igor Savchenko

The report of the Open Dialog Foundation draws attention to the questionable nature of accusations made against Nail Malyutin, former general manager of the Russian 'Financial Leasing Company' (FLC). In particular, the criminal case against Malyutin (regarding economic crimes) was initiated in 2012, shortly after he made a declaration on the siphoning of significant amounts of money from FLC's accounts and called to clarify the abuses. Malyutin reported that Igor Yusufov, Andrey Burlakov and Victor Drachev were involved in illegal activities. What's more, Russia's then president, Dmitry Medvedev, was probably associated with the criminal arrangement. In addition, Malyutin expressed his readiness to testify before law enforcement agencies abroad. Following this declaration, a criminal case was initiated against him in Russia.

The case brought against Malyutin in 2012 concerned a crime allegedly committed by him in 2007. Such a long period of 'waiting' by Russian investigators may indicate political motives behind the criminal prosecution. The allegations of incitement to murder were presented to Malyutin in 2014, although the murder itself took place in 2006.

As a human rights organisation, the Open Dialog Foundation does not intend to issue judgements on the degree of Malyutin's involvement in financial crimes at the time when he headed FLC. However, starting a criminal case against him immediately after he has issued a statement of corporate abuse seems suspicious. Since the Foundation investigates the issue of misuse of the Interpol system in political matters, we were interested in Malyutin's case.

The Foundation does not claim in the report that the allegations against Malyutin are fabricated, but that they are doubtful and have the nature of a political order.

M. Rey's report is a brilliant example of manipulation, aimed at slandering the Foundation's reputation. Several pages of the report present the history of arrangements used to siphon large amounts of money from FLC and its subsidiaries. These connections were probably linked with the people earlier accused by Malyutin of malpractice – that is Igor Yusufov, his son Vitaliy Yusufov, Andrey Burlakov and Victor Drachev. However, this creates a logical sequence which links the Open Dialog Foundation with all these people. Among others, the names of Dmitry Medvedev, Vladimir Putin and Sergei Ivanov (former head of the Russian President's administration) are mentioned. **So the Open Dialog Foundation is associated with all these people purely on the grounds that it doubted the transparency and justice of Nail Malyutin's prosecution by Russian law enforcement agencies.**

#### Regarding the chapters about Malyutin:

*"The Open Dialog Foundation has been conducting intense and **costly** international lobbying activities to prevent the extradition of the Russian businessman Nail Malyutin from Austria."* – The statement about an expensive campaign seems to be unsubstantiated.

*"Nail Malyutin is involved in the gigantic siphoning of hundreds of millions of dollars out of the state-owned FLC. For this money, in **2008**, two German shipyards and one Ukrainian shipyard were bought out, leading to bankruptcy, then bought out again and sold at a considerable profit, leading to the loss of many jobs."* – At the end of 2008, Nail Malyutin initiated a financial audit at FLC, which revealed illegal



financial operations. In an interview for the German newspaper Der Spiegel<sup>543,544</sup> and the Russian Novaya Gazeta, Malyutin reported<sup>545</sup> that the funds for the buyout of shipyards were allocated illegally. In this way, he was the first to inform the public about the illegality of this transaction and the first to call for an investigation.

*The scandal took place in Russia, Germany, Austria and Spain, with the participation of well-known figures in the Russian mafia, abounding in spectacular events and audacious frauds. There was even a murder.* – It was not specifically said what murder this relates to. Of course, the author refers to the murder of Sergei Onopriyenko, but this took place in 2006 and cannot be linked to the FLC case. The author manipulates the data. Besides, Malyutin is accused not of murder, but of incitement to murder.

*“Such practices are common in that country. The question arises, however, to what extent can Nail Malyutin be regarded as an oppositionist... Nail Malyutin does not conduct any political activity.”* – Firstly, the Foundation's reports do not refer to Malyutin as an oppositionist. Secondly, the fact that a person is not involved in politics does not mean that he or she cannot be subjected to politically motivated persecution.

*“The assessment of whether Nail Malyutin was actually involved in this is not the subject of this study.”* – Another example of data manipulation. At the beginning of the report, the author raises the issue of the murder. Yet he does not give any details because there are clear indications that Malyutin has no connection with this case.

*“Andrey Burlakov loses his job, especially because a month earlier, approximately on 8 December 2009, together with the already unnecessary Yevgeny Zaritski, Nail Malyutin and Anna Etkina, he was detained and sent to a detention centre in Moscow<sup>546</sup>.”* – The source mentions only the detention of Burlakov and Zaritski.

*“On 22 September 2016, in cooperation with the Kyiv Centre for Civil Liberties, the Open Dialog Foundation organised a ‘side-event’ during the annual Warsaw OSCE Human Dimension Implementation Meeting on human rights, to which it invited influential people from the Eastern political environment. The speakers at this meeting (moderated by the head of the Open Dialog foundation's office in Brussels, Anna Koj) **included Natalia Sitnik. She is the wife of Nail Malyutin.**”* – Which is logical, since during the event she presented Malyutin's case, which the Open Dialog Foundation was working on at that time. However, this was presented in the report as evidence that the ODF ‘works’ for Malyutin.

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<sup>543</sup> <http://www.spiegel.de/spiegel/print/d-64760875.html>

<sup>544</sup> <http://www.spiegel.de/spiegel/print/d-66803938.html>

<sup>545</sup> <http://www.novayagazeta.ru/politics/45713.html>

<sup>546</sup> <https://www.gazeta.ru/social/2009/12/08/3295969.shtml>

## Annex No. 2:

### Typical rhetoric of Balli Marzec<sup>547,548,549,550</sup>

Balli Marzec – ‘we, the (real) opposition.’ The emphases are ours.

(...)

*In Poland, the Open Dialogue foundation fiercely defends Ablyazov's interests. And these mercenaries, in turn, are charging huge amounts of money for their services, going on countless trips around Europe and trying to **bribe** politicians and journalists. Politicians are sometimes **threatened** with picketing or sending critical materials to the media. And from journalists, they **demand** that they write about Ablyazov as a persecuted oppositionist. In Europe, **politicians are being intimidated and threatened** to be called partners of the Nazarbayev dictatorship if decisions are taken against their expectations.*

(...)

*The entire activity of the Open Dialog Foundation is aimed at defending their boss, the oligarch of Kazakhstan, Mukhtar Ablyazov. He is a man who stole USD 6 billion from the Kazakhstani people, then went to the West, and now wants to **join** the Kazakhstani **opposition**. And I am making it harder for them as I have been active in the Kazakhstani Community Association for many years, I am known in Poland and Kazakhstan as a successful activist, and I am telling the truth about their boss.*

*It is threatening that their boss Ablyazov is creating **mafia structures** for the huge amounts of money stolen from the Kazakhstani people. And he has already started doing this **in Poland**. These are mafia structures, because the mafia is money and power. And with money, they are trying to **buy** Polish politicians and influence Polish politics. Marcin Świącicki, Michał Szczerba, Michał Boni, and Małgorzata Gosiewska cooperate with the Open Dialog Foundation. We suspect that **this also includes people from the immediate environment of Donald Tusk**. Recently, Ablyazov's associate left prison in Lithuania, probably with the help of someone very influential.*

*The Kazakhstani fraudster is trying to **buy** in Polish politicians and influence politics.*

(...)

*Our first actions as the Kazakhstani Community Association took place in the years 2002–2003, e.g. when Nursultan Nazarbayev was to receive the degree of Doctor honoris causa of the Krakow University of Science and Technology, which he did not deserve. Since then we have been undertaking a lot of actions, which is why our association is known in Poland and Kazakhstan. It bothers them and they want me to be **silent**.*

(...)

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<sup>547</sup> <http://ballimarzec.pl/>

<sup>548</sup> <https://www.facebook.com/balli.marzec>

<sup>549</sup> <https://twitter.com/ballimarzec>

<sup>550</sup> <http://www.wspolnotakaz.pl/>



The **real** Kazakhstani opposition has nothing to do with this swindler, although Ablyazov's people proclaim in Europe that they are the only **real opposition** and that those who do not cooperate with Ablyazov are people of the Nazarbayev regime. Slandering the **real** opposition – this is the working method of Ablyazov's associates and mercenaries.

The fact that Ablyazov calls himself an oppositionist causes great damage to the **real** opposition. The **real** opposition in Kazakhstan did not steal billions of dollars and does not cooperate with criminals.

The motto of the **real** opposition of Kazakhstan is: People of the opposition must be like Caesar's wife - clean and beyond any suspicions – then they will gain trust, respect and support, both in the country and abroad.

**We, the opposition**, will continue to fight against injustice and dictatorship in Kazakhstan. With huge wealth in their land, the people of Kazakhstan deserve a better life than they have today.

**Balli Marzec**

**The opposition of Kazakhstan abroad**



**Balli Marzec**  
@BalliMarzec

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Fundacja Otwarty dialog ma kasę od oszusta oligarcha Ablyazov. Kupuje sprzęt wojskowy polityków. Szykuje przejęcie władzy i przewrót? #FOD

9:29 AM - 6 Jul 2014



**Balli Marzec**  
@BalliMarzec

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Ukraińcy Fundacja Otwarty dialog próbuje dyktować politykę Polski rządząc pikiety i zastraszając ministerstwa? [wspolnotakaz.pl /pages/news/603](http://wspolnotakaz.pl/pages/news/603)

8:30 AM - 31 Oct 2014





**Balli Marzec**

@BalliMarzec

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Polacy nie interesują się polityką fundacja otwarty dialog opanowuje #Polska. Mają polityków dziennikarzy oponują policje wojsko i Alleluja

3:16 AM - 6 Jul 2014



**Balli Marzec** @BalliMarzec · Oct 2

Czy to #Romaszewska inspirowana przez Otwarty dialog zablokowała moją akredytację na wizyte #PAD w #Kazachstan?

[ballimarzec.pl/857/](http://ballimarzec.pl/857/)



1



1



3



**Balli Marzec** @BalliMarzec · Oct 2

Czy PAD @AndrzejDuda przez #Romaszewska jest pod wpływem Otwarty dialog za pieniądze oszusta z #Kazachstan? W Belsat pracuje człowiek ODF



1



2



**Balli Marzec**  
@BalliMarzec

Obserwuj



Kazachski Tiananmen [#Nazarbajew](#) w  
Warszawie Қазақски Тяньаньмэнь  
[#Назарбаев](#) Варшаве. Kazachstan  
Қазақстан Kazakhstan



00:21 - 23.08.2016



**Balli Marzec**  
@BalliMarzec

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Zostałam zablokowana na # Facebooku. To  
działanie władz [#Nazarbajew](#) lub najemników  
[#Ablyazov](#). Jedni i drudzy są wrogami  
opozycji [#Kazachstan](#)

2:30 AM - 12 Oct 2017

1 Retweet 1 Like





**Balli Marzec**

@BalliMarzec

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W **#Polska** kupili azyl rodzina **#oszust**  
Ablyazov **#Kazachstan** ludzie Otwarty Dialog  
**#mafia** Dysponują pieniędzmi są groźni Boje  
się o **#Kaczyński**

Filozofia Ablyazov jest prosta - ukradł 6 miliardów, część trzeba wydać na przekupienie polityków, dziennikarzy, organizacji pozarządowych, a z resztą miliardów można wygodnie żyć z rodziną w Europie, śmiejąc się z ludzkiej naiwności. Dlatego trzeba traktować Ablyazov nie jak dysydenta, ale jako "mega oszusta".

Prawdziwa opozycja nie ma nic wspólnego z aferzystą Ablyazov chociaż ludzie Ablyazov głoszą w Europie, że prawdziwa opozycja to tylko oni, a ci, którzy nie współpracują z Ablyazov to ludzie reżimu Nazarabajewa. Oczernianie prawdziwej opozycji – takie są metody pracy współpracowników i najemników Ablyazov. To, że Ablyazov nazywa siebie opozycjonistą powoduje ogromne szkody dla prawdziwej opozycji. Prawdziwa opozycja w Kazachstanie nie posiada ukradzionych miliardów i nie współpracuje z kryminalistami.



4:48 AM - 8 Oct 2017



**Balli Marzec** @BalliMarzec · Oct 19

Amnesty International krytykuje **#Polska** a wcześniej broniła oszusta **#Ablyazov** Otwarty Dialog **#6mld\$** **#Kazachstan** **#FOD**  
[amnesty.org/en/latest/news...](https://www.amnesty.org/en/latest/news...)

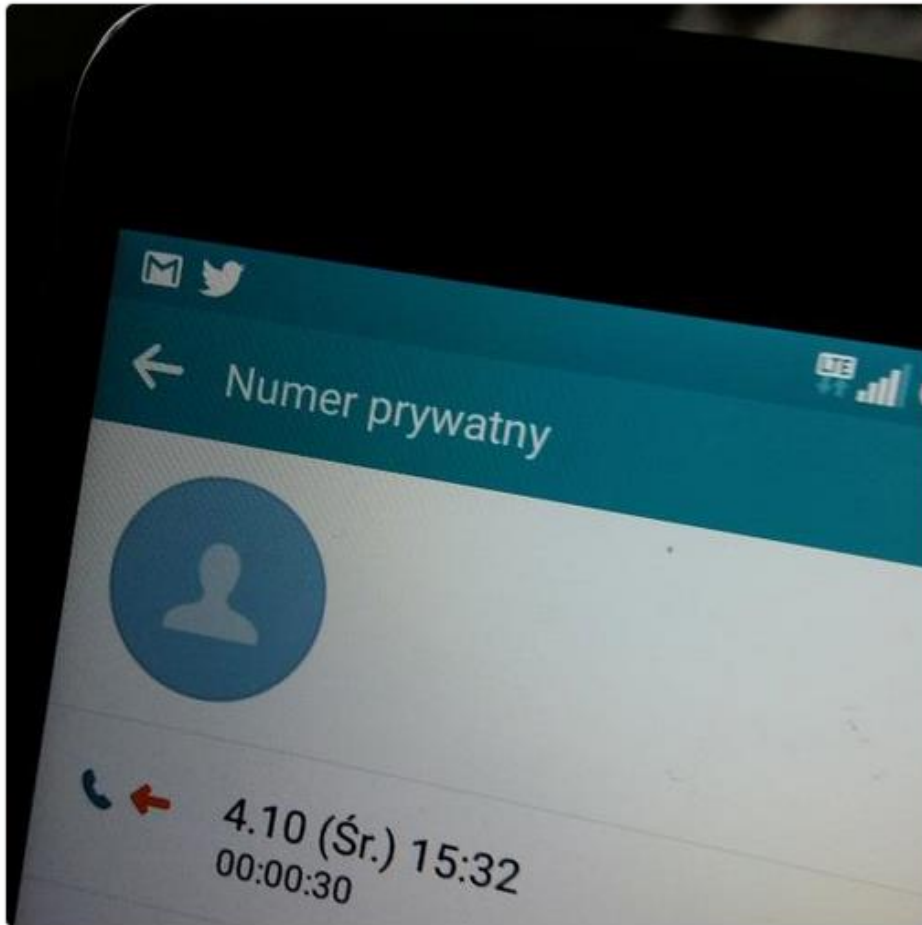






**Balli Marzec** @BalliMarzec · Oct 5

Otwarty dialog podszywa się pod ABW z anonimowego telefonu i próbuje mnie zastraszyć #Ablyazov #oszust #oligarh #Kazachstan #Kazakhstan ODF



**Balli Marzec** @BalliMarzec · Oct 20

Zamykają #Belsat Oszust #6mld\$ #Ablyazov Otwarty dialog dogadał się że to będzie jego TV. Sprawa się rypla. #Romaszewska walczy z #Kaczyński



💬 ↻ 7 ❤️ 7



**Balli Marzec**  
@BalliMarzec

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Otwarty dialog dalej działa - załatwia za kasę azyl polityczny w [#Polska](#) dla kryminalistów z b. ZSSR Askar Kupesov [contur.kz/node/3272](http://contur.kz/node/3272)



8:06 AM - 27 Oct 2017

The Foundation has written a letter to the above-mentioned person with a call to refrain from violations of personal rights.