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Tuesday, 17 March 2015

(10.00 am)

THE CHAIRMAN: Yes, Mr Tam.

MR TAM: May it please you, sir, today we have evidence from
three witnesses: Mr Goldfarb who is in the witness box
and later we will have Mr Bukovsky and then Mr Zakayev.

THE CHAIRMAN: Yes.

MR TAM: Sir, for practical reasons, not least to do with
keeping questions focused and efficient and because of
the press of work today, my learned friend and I have
agreed, subject to your approval, that what we will do
when Mr Goldfarb has answered my questions is that at
that stage, we'll interpose Mr Bukovsky and Mr Zakayev,

1 and Mr Goldfarb has kindly agreed to come back tomorrow
2 at some appropriate point to answer questions from my
3 learned friend Mr Emmerson.

4 THE CHAIRMAN: Yes, I'm very happy with that course.

5 MR TAM: I'm grateful.

6 MR ALEXANDER GOLDFARB (recalled)

7 Questions by MR TAM

8 MR TAM: Mr Goldfarb, you are still on oath so there's no
9 need to swear you again. Today, the questions that I'm
10 going to ask you are going to concentrate on the
11 possible motives that people may have had for wishing to
12 do Mr Litvinenko harm or for killing him. Last time we
13 dealt with the factual evidence about your involvement
14 in the events concerned.

15 What I want to do is to break this down by topic.
16 They won't necessarily be quite in chronological order,
17 but I hope they will be in some sort of logical order.

18 The first area that I want to ask you some questions
19 about is the suggestion that has been made in some
20 quarters that Mr Litvinenko's death was something for
21 which Mr Berezovsky bore some responsibility or that he
22 had in some way ordered it, ordered Mr Litvinenko's
23 death or his killing.

24 What do you have to say about that?

25 A. Well, in the course -- I mean, as part of this kind of

1 allegations, my own name was mentioned, since I know
2 that I didn't kill Litvinenko and certainly not in
3 Berezovsky's orders, I know that it's not true. It's
4 totally preposterous suggestion which I think is refuted
5 by the evidence which we have heard here and the key
6 evidence here is of course polonium, and we had no
7 access to polonium.

8 So it's -- there's a theory that should be
9 discounted by any reasonable person, but there are
10 a couple of -- it's much more -- there's much more to
11 that than this simple response.

12 One of them is that this murder, I am sure, was
13 planned on the assumption that polonium would never have
14 been found, and the theory that Berezovsky and his
15 entourage was somehow involved would have much more
16 credence in that situation had polonium not been found,
17 and there is a consistent practice of Mr Putin and his
18 propaganda machine to accuse his opponents of high
19 profile murders by -- on the logic that these murders
20 were planned by his opponents in order to somehow
21 tarnish his personal image or the image of Russia and
22 make difficulties to him.

23 He said this in the -- he himself, Mr Putin, said
24 this in the case of Anna Politkovskaya right after she
25 was killed, without a shred of evidence, and then this

1 theory of course has been rejected by his own
2 investigative committee, and he did it just last week
3 when Boris Nemtsov was killed in Moscow; the immediate
4 reaction from the Kremlin was that it was some sort of
5 a provocation aimed by our enemies in order to
6 destabilise political situation in Russia.

7 So this would have been -- they would have been
8 saying this if polonium had not found, they still saying
9 this, but nobody takes it seriously because of the
10 evidence, but had, as I said, polonium not been found,
11 we would have been screaming and shouting that it was
12 Putin as we did, because we started doing it before
13 polonium was found, and the louder we were, the more
14 people would discount this -- our voice saying that it
15 is all masterminded by Berezovsky.

16 So I think this theory was not just a marginal thing
17 which came about in the mind of some journalist, but it
18 was part of the plan. That's one point.

19 The other point I should say concerns the audience
20 which eagerly accepted this theory, this half of Russia.
21 The other half of course believes that they did kill
22 Sasha, the state did kill Sasha, Lugovoy did and serves
23 him right, that's the kind of more natural reaction for
24 an average Russian, but there is a lot of people who do
25 not believe that Russian state and Putin personally were

1 involved genuinely, because they're in denial, they
2 cannot accept that this is a murderous fascist
3 dictatorship, and because of that they are in denial,
4 they have to substitute the obvious theory with
5 something else, and we have seen it, this attitude, for
6 example, in yesterday's testimony of one of the
7 witnesses, so that's my response.

8 Q. In relation to what you positively know about
9 Mr Berezovsky, Mr Litvinenko and their relationship, was
10 there anything in that which would give rise to even
11 a suspicion in your mind that Mr Berezovsky might have
12 been responsible for this?

13 A. No, of course not. There was, and it cannot be denied,
14 some sort of a cooling off between them for a short
15 period before Sasha was killed which was related to the
16 reduction of his support, but, as we heard yesterday,
17 the support was reduced only marginally because Boris
18 continued to pay for schooling and for the apartment,
19 for the house. And Sasha was naturally upset when his
20 amount -- the amount of money was reduced, but of course
21 he expected that he would get -- be getting more money
22 elsewhere, and he did not, so he was a little bit --
23 financial strait, but it never, ever would even occur to
24 him to kind of confront Boris about that or accuse him
25 of something, not to mention blackmail, no. So it's

1 totally inconceivable.

2 Q. Was Boris the sort of man who would let an argument like
3 that upset him so much that he would order Mr Litvinenko
4 to be killed?

5 A. Well, one of his associates in the good old days in
6 Russia told me that Boris is different from all of them
7 because he doesn't kill. Boris is not the type of man
8 who would do this. He would just -- if somebody
9 betrayed him, for example, and there were many people
10 like that, starting with, you know, Putin and then with
11 Roman Abramovich, he would just let them go or go to
12 court, in the worst case.

13 Q. Now, I just want to pick up on a couple of things from
14 what you said earlier about the reaction, the typical
15 reaction from Mr Putin to blame his opponents for things
16 like this, including the killing of Mr Nemtsov a few
17 days ago.

18 Would he be the only person in Russia who would be
19 likely to trot out this line on such an occasion? Would
20 there be other people who would also advance such
21 a theory as well for the same reasons?

22 A. I think that this kind of handling of the situation is
23 part of the old KGB book of dirty tricks, to kill
24 somebody and to blame it to somebody else so you get
25 a double benefit out of this, and they learn it in

1 their -- you know, in their schools. So I think this is
2 part of the operational manual, and that's what they do.

3 Q. So in relation to Mr Nemtsov's murder, it was said on
4 Mr Putin's behalf that it was the fault of his enemies
5 trying to tarnish his reputation.

6 A. Yes.

7 Q. If we were to find that Mr Lugovoy had said something
8 similar, would that come as any surprise to you?

9 A. Well, as a matter of fact, I personally -- and I did
10 discuss it with Boris right after the murder -- said
11 that the major disaster for us would have happened if
12 the -- they convinced Lugovoy, I mean his handlers in
13 Moscow, would convince Lugovoy at the face of evidence,
14 of polonium evidence, to admit that he did it, and then
15 say that he did it for Boris Berezovsky, then we
16 would -- and then just hide him away in some prison, as
17 they did with him apparently in the Glushkov case, and
18 then we would be in a bad shape. But they didn't.

19 Q. He didn't do that in relation to Mr Litvinenko's murder.

20 A. Yes.

21 Q. What about in relation to Mr Nemtsov's murder? Would it
22 be a surprise to you to find that Mr Lugovoy had said
23 something along those lines, ie that it was Mr Putin's
24 enemies who were to blame for this and that they did
25 that to tarnish his reputation?

1 A. I think Mr Lugovoy would say whatever the party line is.
2 He is not an independent agent there, not a free agent.
3 So the thing is that the party line is now blurred
4 because with the rest of this group of associates of
5 Ramzan Kadyrov, of the Chechen leader, it's not clear
6 who are these foreign enemies, so it's all kind of
7 falling apart.

8 Q. I want to turn on to a different topic, please, which is
9 Valter Litvinenko, ie Sasha's father, and the things
10 that he has said about Sasha's death. Could I have up
11 on the screen, please, INQ014629.

12 Do you have that in front of you? I don't know if
13 you've seen this document before.

14 A. No.

15 Q. But you see in the heading that it's from Sasha's
16 father.

17 A. Yes.

18 Q. With a redacted address, and he makes a statement which
19 starts off:

20 "I have to inform you that undoubtedly my son
21 Alexander Litvinenko has been killed at the direction of
22 Russian President Vladimir Putin."

23 Then he goes into some detail about the events over
24 the years from 2002. Do you see that?

25 A. Yes.

1 Q. Were you aware that that was Valter's view back then
2 in -- November 2006 is the date when we have this
3 statement?

4 A. Yes, he definitely thought that way and felt that way,
5 not that he had any, again, hard evidence against Putin
6 at the time, as nobody did, but on the general logic of
7 this situation he was sharing the consensus, let's put
8 it that way.

9 Q. The consensus of all of Sasha's friends and contacts in
10 London?

11 A. Yes.

12 Q. It's right, isn't it, that Valter has changed his view
13 since then?

14 A. That's true.

15 Q. If we can have a look, please, at another document which
16 is COM00110001. Sorry, can I try 00111001, please.

17 Thank you.

18 This is, as you can see from the heading, a record
19 that emanates from the prosecutor's office of the
20 Italian republic, do you see that?

21 A. Mm-hmm.

22 Q. About six or seven lines down, just above the horizontal
23 line, there's a date there of 18 September 2012.

24 A. Yes.

25 Q. In the city of Ancona. Do you see that?

1 A. Yes.

2 Q. Then a couple of lines down, the person who presented
3 himself to the officers was Valter Litvinenko?

4 A. Yes.

5 Q. This appears to be an interview or an interrogation as
6 the word says, and in the lower half of the extract that
7 we've now got -- sorry, could we have that back again,
8 in the lower half of that, can you see that persons
9 present at the interrogation, Asya Sokolova, prosecutor
10 of the general directorate for international cooperation
11 in investigation of grave offences, and the Russian
12 passport is there quoted. So this looks like a Russian
13 investigator, is that right?

14 A. Yes.

15 Q. Mr Mikhail Popov, and Mr Oleg Zherdev and a Mr Alexander
16 Timoshkin. So this looks like an Italian interview of
17 Valter Litvinenko at which Russian investigators were
18 present. Is that right?

19 A. Mm-hmm, I see.

20 Q. If we can go on, please, in that document to 004, and
21 can we have the bottom half of the page, please. Below
22 the dotted line, so below the last paragraph that says
23 "answer", do you see the paragraph that starts:
24 "I intend to inform ..."

25 A. Yes.

1 Q. Do you see that?

2 A. Yes.

3 Q. "I intend to inform, as I added as conclusion, from what
4 I have seen personally, from what Alexander had told me
5 before his death, from what I have learnt from other
6 people and based on my personal investigations, that
7 what had happened to Alexander in London, it was
8 a result of Berezovsky's activity. It was him who
9 didn't want Alexander, after coming back to Russia, to
10 be able to tell something about what he had done and
11 about his business in London. I believe that polonium
12 was used just to mislead everyone, and that it was
13 skillfully placed everywhere, where Lugovoy had been
14 present. I also want to specify that Goldfarb, partner
15 of Berezovsky, is technical specialist in the field of
16 nuclear production. Besides, I would like to add that
17 I had been invited to a certain press conference in
18 London. During the press conference, Goldfarb broke me
19 off by the elbow jog, when I was saying that my son had
20 defended with his heart London from polonium. To my
21 opinion, Berezovsky and Goldfarb found this phrase
22 premature. After the press conference, I saw wife of
23 Alex Goldfarb crying on the couch. Perhaps she had
24 drunk a little, but she said the following, embracing
25 me: 'Poor Valter, poor Valter, Alex killed Alexander'.

1 I clarify that Goldfarb's name is ..."

2 Obviously your name, Alexander?

3 A. Yes.

4 Q. That's obviously a complete change in Valter's account,
5 isn't it?

6 A. Yes.

7 Q. Can you tell us, are you a technical specialist in the
8 field of nuclear production?

9 A. No, not in nuclear production, but I do know something
10 about, you know, physically because I am a biologist by
11 training, and I had worked in a nuclear establishment in
12 Russia.

13 Q. But the allegation here, is there any truth in that at
14 all?

15 A. No, of course not. What can I say? There is no truth
16 in that. It's all unsubstantiated statements apart
17 from -- did he say that Sasha told him something about
18 that?

19 Q. Yes, in the first line of the highlighted...

20 A. Yes, so I wasn't there, I cannot say, but I don't
21 believe that is true, and it's certainly not true about
22 my wife. She did cry, but she wouldn't say this.

23 Q. Perhaps I should ask you this: the account that it was
24 Berezovsky's activity and that the polonium was in
25 effect planted to frame Lugovoy which appears to be the

1 allegation being made there, how does that compare to
2 the accounts of this that come from Russia and from
3 Lugovoy and Kovtun themselves? Does it bear some
4 similarity to what they've been saying?

5 A. Well, this is one of the things that come from Lugovoy,
6 I don't remember whether Kovtun repeated it, but Lugovoy
7 certainly said this. Moreover, I know that this is
8 a kind of a working hypothesis of the Russian official
9 investigation into an attempt on Lugovoy and Kovtun, as
10 they presented when they were here, but this is hearsay,
11 of course.

12 So, yes, that's what not only Lugovoy but the
13 official theory is also the same thing.

14 Q. Can you think of any reason why Valter might have
15 changed his tune in this way?

16 A. Well, he's an old man, he was -- he had a tremendous
17 loss at about some time before that, his wife died, his
18 second wife died, and he was devastated, he was very
19 much attached to her, and also there were financial
20 problems, this I know, because some time before that,
21 Valter -- before this thing, Valter complained publicly
22 that he was cut off by Berezovsky from financial support
23 and that Berezovsky stopped taking his calls, and this
24 is true because Boris did provide him with money.
25 I think all, or at least a large part of it, went

1 through the foundation for civil liberties. Something
2 totalling to the amount of probably between USD 50,000
3 or USD 80,000, I don't remember right now, but that was
4 about that amount.

5 And at that time we know that his son Maxim's
6 business went broke, he had a restaurant opened and
7 operating in Rimini in Italy, Maxim did, and my
8 understanding is that all of Boris' money as well as the
9 money that they brought from Russia after having sold
10 their apartments, all went down the drain and they were
11 in a big financial straits, but Boris, for whatever
12 reason, said enough is enough, and he stopped this, and
13 didn't take his calls.

14 I think we did send him some more money at that
15 point, but then shortly after that, this thing came
16 about, and this clearly came about after a visit by
17 Russian state TV, so it was essentially a staged thing.

18 So I think all of this taken together -- his loss,
19 he's been as I said devastated, his desire to help out
20 his children, his son, and all of that -- was probably
21 the reason.

22 I've heard, although I don't have independent
23 confirmation, that after this escapade the business
24 improved somehow.

25 Q. Finally on this topic, can we have a look at the last

1 page which is 011. In the top half of that page, you
2 can see that he's asked:

3 "After Alexander Litvinenko's death, you mentioned
4 in your interviews secret services interference in his
5 death, while now you give just the contrary evidence.
6 How can you explain it?"

7 He said:

8 "I read in the internet that Goldfarb said that
9 Alexander had been poisoned upon instruction of Putin.
10 He said that Alexander had been absconding and that the
11 hand of Russia had reached him. My mind has been
12 seriously influenced for a long time, and I had to tell
13 the lie as I was full of hatred. Afterwards from all
14 the information which I was receiving, watching and
15 listening, I overflowed with rage and hatred, and
16 I forwarded all my hatred against Putin. My son had his
17 own page in internet and I read all the versions of my
18 son's death on this page. I see that because of rage
19 I even wished death to Putin. After I began visiting
20 orthodox church in Rimini my eyes got opened and I saw
21 what was going on. The priest opened my eyes and I saw
22 that I had been mistaken and I'm sorry about what
23 I said. I feel completely newborn and I would like to
24 come back to Russia to help Russian people. I can use
25 my professional skills for the service for toxic

1 addicted people."

2 Is that something you heard before?

3 A. A version of this, in his public statements.

4 Q. If indeed he was wishing to go back to Russia at this
5 point, would that provide any sort of explanation for
6 what he was then saying in 2012?

7 A. Well, he did more than that. He appealed directly to
8 Putin, asking for Putin's forgiveness at least in his
9 public statement, and pleading to be allowed, or
10 something, back to Russia, although I don't think he
11 needed any specific permission to go back to Russia. He
12 would have needed financial support to do that, but not
13 in the sense of getting visa here, he is still a Russian
14 citizen.

15 So he did that. He also did, I think, try to
16 contact or contacted Lugovoy, and what can I say, it all
17 has, you know, a proportion of drama akin to the Trojan
18 war, you know, with Priam and Achilles and that sort of
19 thing. So it's very sad and very dramatic. It has no
20 substance, and it cannot be -- it be doesn't stand any
21 logical explanation.

22 Q. Thank you. I want to move on next, please, to the
23 public commission that investigated the Russian
24 bombings. That's the apartment bombings.

25 A. Yes.

1 Q. This was a subject of Mr Litvinenko's book Blowing Up
2 Russia.

3 A. Yes.

4 Q. He was then invited to assist the commission, wasn't he,
5 in their investigation?

6 A. Yes.

7 Q. Can you tell us, what involvement did you have in
8 getting Sasha involved in the commission?

9 A. Well, the first time I heard about the commission was
10 during the presentation of that film, I think it
11 was 5 March 2002, in Royal United Services Institute
12 here where parts of this film were shown and there was
13 a big event organised by Tim Bell which we've heard, and
14 Sasha was there and there were two Russian MPs. One of
15 them prominently was Sergei Yushenkov who would then
16 later become a co-chair of this commission, and another
17 one was there, and there was also a daughter of a woman
18 who was killed in those apartment bombings who had
19 emigrated to the United States and Felshtinsky found her
20 and brought her to London and we had a meeting
21 afterwards, and the idea of creating a commission was
22 floated, I think by Yushenkov, but I cannot be sure, and
23 after -- so it originated in London.

24 Then, after Yushenkov returned to Moscow, he engaged
25 an elder parliamentarian by the name of Sergei Kovalyov,

1 who is a famous Soviet political prisoner and
2 a dissident, and was member of the Parliament at that
3 time, to chair this commission. They brought together
4 about 15 prominent people, journalists, lawyers, and
5 that sort of people, and formed the commission including
6 the daughter of the woman who was killed, her name was
7 Tatiana Morozova, and her sister, too.

8 From the beginning, there was a very -- there was
9 a sort of two types of activities in this commission.
10 One was in Moscow which was totally or completely legal
11 in the sense that they were members of Parliament and
12 they had certain tools at their disposal, so they
13 started writing requests to the FSB, to the prosecutor
14 general and so on and so forth asking for documents,
15 particularly documents related to the incident in
16 Ryazan, in the city of Ryazan in September when --
17 I think we've heard about that, when the FSB agents were
18 caught by the local police while planting a bomb in an
19 apartment house. So there was a big scandal.

20 So they wanted these documents, and they want the
21 truth. It was mostly Kovalyov, and so on.

22 Now, Yushenkov, Sergei Yushenkov, was much more
23 radical in this commission, and he wanted to make it
24 a political issue, a major issue of his campaign because
25 it was about the year before Parliamentary elections,

1 and he was involved with Boris in this party,
2 Liberal Russia, and he essentially based his campaign on
3 the film.

4 So we were organised printing of several thousand
5 copies of this film in Russia, and Yushenkov and his
6 network distributed it, and some people -- and showed it
7 in some sort of semi-official movie theatres and people
8 got beaten up and theatres were closed, and that created
9 more scandals, so it was a classical campaign.

10 And then we brought -- by we, I mean the foundation
11 for civil liberties, we brought Yushenkov with this film
12 to Washington, and he showed it to people in the US
13 Senate. I remember Senator McCain saw it at that time,
14 and he spoke publicly about that with this film, and
15 Harvard and so on.

16 The third type of activity was the actual
17 investigation, and that's where Sasha was involved,
18 seriously involved, in two ways.

19 One, he brought Mr Trepashkin to work for this
20 commission, because Trepashkin of course was his old
21 friend and was involved in the press conference in 1998,
22 so he essentially introduced Trepashkin to Yushenkov and
23 Trepashkin went out as an experienced investigator, he
24 had -- in the past he was a KGB investigator, to look
25 for evidence, and the other thing is this whole saga of

1 the search for a person -- of the person who was accused
2 of being the mastermind of these bombings by the Russian
3 official investigation, the Chechen, or Muslims from
4 north Caucasus, rather.

5 His name was Achemez Gochiyaev, and I think
6 Felshtinsky was the first to establish contact with the
7 man who called himself Gochiyaev who was hiding in
8 Pankisi Gorge in Georgia, where much of Chechen
9 resistance and fighters retreated after the beginning of
10 the second Chechen war, it's in Georgian territory, so
11 somebody from there contacted Felshtinsky, and said that
12 he is Gochiyaev and he has all -- and he is going to
13 tell the whole truth.

14 Q. That's what led Mr Felshtinsky to go to Georgia to try
15 and meet up with him?

16 A. Yes, among other things, that's why, and I think he told
17 here about that, he went to Georgia, they wouldn't --
18 and so on. But this coincided with Trepashkin in Moscow
19 finding evidence that Gochiyaev indeed was framed by the
20 FSB.

21 Trepashkin interviewed witnesses and found two
22 things. Number one -- three things. Number one, that
23 composed sketch of the man everybody was looking for who
24 rented those basements where they put the bombs was
25 replaced by -- with Gochiyaev's photographs, by

1 investigators after it was that, and they put pressure
2 on witnesses to recognise Gochiyaev's photograph when in
3 fact both witnesses didn't know that man, and one of the
4 witnesses gave a statement to Trepashkin, and then to
5 the press and so on.

6 The other thing Trepashkin found that the man whose
7 photo was originally in the case was actually known FSB
8 undercover agent by the name of Romanovich who
9 Trepashkin knew and he was specialising in penetrating
10 Chechen gangs and eventually some time after that he was
11 killed by a car in Cyprus and never was heard of since.

12 So --

13 Q. Obviously, Mr Goldfarb, we're not here to investigate
14 the bombings themselves.

15 A. But Sasha was much involved in all that, he was
16 interacting with Trepashkin and he went to Georgia and
17 that was -- occupied him probably for a year at least.

18 Q. Indeed. The important thing for our purposes may be
19 that Mr Trepashkin provided Sasha with this information.

20 A. That's right.

21 Q. When Mr Trepashkin himself was prosecuted, is it right
22 that the allegations against him included the fact that
23 he had passed on information to Sasha?

24 A. Yes, when Mr Trepashkin was arrested, it was, I think
25 in December 2003 after police -- road police planted

1 a handgun in his car, and he was arrested for illegal
2 possession of a weapon, and put in jail. They started
3 the case against him, and in that case, his lawyers,
4 I think, found a letter from operative in FSB which he
5 believed triggered the prosecution, at least it was part
6 of the indictment later, and this letter said that the
7 FSB has information, that Mr Trepashkin communicated
8 with Mr Litvinenko over the phone and Litvinenko tasked
9 him to find dirt, to find compromising information, on
10 FSB which would implicate FSB in the apartment bombings
11 with an aim of tarnishing the image of FSB. And all of
12 this was commissioned, according to this letter, by
13 Mr Berezovsky who in turn and with Sasha Litvinenko were
14 working for MI5 for whatever reason.

15 That document was seen, I didn't see it, but it was
16 seen by then Moscow correspondent of the Guardian who
17 printed this story on it.

18 Q. You provided us in one of your statements with a link to
19 that story, haven't you?

20 A. Yes.

21 Q. Going back just for a moment to the search for
22 Gochiyaev, we've heard that that trip to Georgia was one
23 that Mr Felshtinsky took Sasha on but at short notice.

24 Is that how you remember it?

25 A. I don't know, I remember meeting Felshtinsky in New York

1 and he said that he is going to go to Georgia, what do
2 I think about it, but I don't know how they arranged it
3 in London and who brought whom.

4 Q. But that was a trip on which their driver was killed,
5 and they had to leave Georgia in a hurry.

6 A. It was the -- yes, all local logistics and arrangements
7 were done by Badri Patarkatsishvili, who was big friends
8 with the then President Shevardnadze of Georgia and
9 I think the driver was from the presidential car pool,
10 and he was indeed killed; and I should say that at that
11 time Pankisi Gorge, where the Chechens were actually
12 concentrating, was totally off limits to the Georgian
13 authorities and God knows what was going on there.

14 Q. In your statements you say that in relation to the
15 public commission that there was a third line of enquiry
16 that Sasha got involved in that was to do with the
17 theatre siege that took place in Moscow in October 2002.

18 A. That's true.

19 Q. And to do with a Mr Terkibayev, is that right?

20 A. Yes.

21 Q. Is it right that Sasha was provided with some
22 information about Mr Terkibayev?

23 A. Yes, I think you'd better ask Mr Zakayev about that, but
24 what I know is from the Chechen circles, and this is
25 certainly Mr Zakayev and there is another guy here in

1 London whose name I forgot, who also has asylum from the
2 separatist government, who found out about this
3 Terkibayev, and they knew Terkibayev from previous
4 times. He was one of the resistance crowd who then
5 started to work for the federal authorities, and then he
6 surfaced after the bombings in Turkey among the Chechen
7 diaspora, saying that he was at the theatre with the
8 hostage takers, with the terrorists, and then he
9 resurfaced in Strasbourg as part of official Russian
10 Chechen delegation, and so the Chechen people, like
11 Akhmed, got interested, and they investigated and they
12 compiled a file about this strange guy.

13 And Sasha gave this file to Yushenkov because
14 Yushenkov was visiting London, I think it was
15 early April 2003, and he had other things to do here,
16 like trying -- like they had a process going on with
17 Berezovsky about money and financing of the party and so
18 on, but Sasha met Yushenkov and gave him this file, and
19 I know that Yushenkov, when he returned to Moscow, gave
20 this file to Anna Politkovskaya, in her capacity of an
21 investigative journalist dealing with Chechnya. And
22 then Yushenkov a few days afterwards was killed, I don't
23 think he was killed because of this file, but he was
24 killed. And so Sasha's involvement was in kind of
25 serving a link between the Chechen sources and visiting

1 Russian MP when this file was passed on.

2 Then the story goes that Politkovskaya did find
3 Mr Terkibayev in Moscow and interviewed him, and for
4 reasons unknown, he told her that he indeed was in the
5 theatre with the terrorists, and then he left the
6 theatre shortly before the theatre was taken by Russian
7 commandoes, and everybody was killed there, both the
8 terrorists and half of the hostages, it's a famous
9 story. And Politkovskaya published an article in
10 Novaya Gazeta with a sensational discovery, because
11 Terkibayev confessed to her that he was an FSB actually
12 plant in this whole group. The FSB was on the theatre
13 and so on.

14 So it was a kind of -- nobody believed it, this
15 article, and then Politkovskaya once told me that an
16 American ambassador called her and gave her an
17 admonition that she should check her sources because we
18 don't believe it, that FSB was behind this attack, but
19 whatever it was, it was printed, and Sasha was part of
20 this story.

21 Q. This episode was quite dangerous for all the people
22 involved, wasn't it, because Mr Terkibayev died in an
23 accident?

24 A. That's true, Mr Terkibayev died in a car crash in
25 Chechnya shortly afterwards.

1 Q. Mr Yushenkov, as you've already said, died, though not
2 necessarily because of this particular episode. Of
3 course we know that Anna Politkovskaya was assassinated
4 some years later.

5 A. Yes.

6 Q. It's right, isn't it, that somebody else who was
7 involved in the commission also died in suspicious
8 circumstances, Mr Shchekochikhin?

9 A. Yes, Mr Yuri Shchekochikhin, there were three MPs in the
10 commission, I think, one of them was Yushenkov and the
11 other was Shchekochikhin who died of apparent poisoning,
12 although judging by symptoms it was not radioactive
13 poisoning, although many people said that it was, it was
14 not. He didn't lose his hair, he had skin symptoms like
15 Ukrainian president, so it's probably dioxins, but
16 whatever it was, he died. Everybody believed that he
17 was poisoned, and his family and his party, colleagues,
18 always claimed that he was poisoned, and he was
19 investigated -- investigating at that time a big
20 corruption ring involving one of the deputy heads of
21 FSB, which is nothing to do with Sasha's allegations or
22 others, but Shchekochikhin, earlier, he wrote about URPO
23 too, so it was kind of a web of relationship. He died.

24 Q. Was Sasha's involvement with the commission public
25 knowledge or open knowledge?

1 A. Yes, of course. There was a big public event when the
2 commission gathered in Moscow, and Sasha was here,
3 I think Bukovsky was there, and they had a kind of
4 public hearing on the internet and there was the press,
5 so all of this, and this all was devoted to the search
6 for Gochiyaev.

7 Q. Linked to the apartment bombings, I want to ask you
8 about a website called terror99.ru. Can you tell us
9 something about this website?

10 A. Well, this was a website which was essentially kind of
11 a WikiLeaks -- Wikipedia-type, sorry, page on the
12 apartment bombings but a little bit extended. At that
13 time we didn't have Wikipedia, so it was a project of
14 our foundation, with a Russian-based news, web news
15 portal, called grani.ru, and they did mostly the
16 technical stuff, and we did the content, and essentially
17 Sasha -- I was probably the sole editor of that
18 material, and Sasha was helping a lot. I don't know
19 whether it was publicly known, but it published
20 everything which was there about the apartment bombings,
21 you know, from the timeline to the documents of the
22 public commission, to press digests, to records of
23 searching for Gochiyaev and all that, and it was quite
24 popular at the time, so it was in two languages, in
25 Russian and in English.

1 Q. When you say it was publishing information, this was
2 information about what you discovered about the FSB's
3 involvement in those bombings?

4 A. It was everything about the apartment bombings. We
5 tried to be kind of balanced and objective, so it
6 gave -- it reported on the official investigation
7 because there was an official investigation which ended
8 up with conviction of two Chechens who were tried behind
9 closed doors and nobody really knows what happened
10 there, but there was a trial in Moscow, where Trepashkin
11 was supposed to be present but he was arrested so he
12 never made it to that trial.

13 Q. Do you think that Sasha's involvement with that website
14 would have been known to the FSB even if it was not open
15 knowledge?

16 A. Probably, because we never -- that depends on how
17 closely they were watching us, because the emails were
18 open and phone calls were open and so on, so they could
19 have safely assumed at least that he was involved.

20 Q. I want to turn now to ask you about something called the
21 Uzbek file.

22 A. Yes.

23 Q. This was something that Sasha wrote, wasn't it?

24 A. Yes, in the same -- with the same caveat that The Gang
25 from Lubyanka, he wrote with assistance.

1 Q. Yes, and was it with assistance from you?

2 A. From me, yes.

3 Q. Can we please have up INQ017384. That's the first page
4 of this, isn't it?

5 A. Yes.

6 Q. It amounted -- I think you described it as an essay,
7 a long essay --

8 A. Yes.

9 Q. -- that was a distilled version of what he had said in
10 The Gang from Lubyanka?

11 A. Yes.

12 Q. So it contained the same sort of allegations as are to
13 be found in the longer book?

14 A. Yes, it has the whole history of his conflict with the
15 FSB. URPO, starting meeting with Putin, the press
16 conference and how he ended up on the street
17 essentially, and then in prison, and in addition to --
18 I mean and within this narrative, there is a lot about
19 his investigations and discoveries of corruption within
20 FSB, particularly what he called the trail of heroin
21 originating from Afghanistan through Uzbekistan, and
22 then allegedly to St Petersburg and then to Western
23 Europe, and he speaks about particular people and
24 essentially this was what he was doing within the FSB
25 among other things.

1 So he put it all on paper, first in The Gang from
2 Lubyanka, and then here, and it ends up -- and ends this
3 essay with allegation that Putin was personally
4 involved, although there is no direct evidence, there is
5 inference, and he says that it's inference.

6 Q. I want to ask you this: this document itself was never
7 published, was it?

8 A. No.

9 Q. So how many people would have known of its contents?

10 A. Well, I don't know whom Sasha gave -- I was in New York
11 after all. He said that he wants to have it in English
12 because he wants to show it to people, and by then he
13 was, I think, already talking to the British secret
14 services, so my assumption was that he wants to show it
15 to them, as kind of evidence that he is -- he has
16 something behind him because his English was not good at
17 that time.

18 We showed -- I showed it to a couple at his request,
19 a couple of editors in New York, in particular
20 I remember speaking to an editor of New York Times
21 magazine, in the hope that they would of course re-edit
22 it, shorten it and publish, and they said, no, that's
23 too much for us, and they didn't take it.

24 But there was a letter to the editor which was
25 published.

1 Q. Was there anything in this document, in the Uzbek file
2 that isn't found in the book, in The Gang from Lubyanka?
3 A. No.
4 Q. So even if this document had got into the hands, say, of
5 the FSB, it couldn't do any more damage to Sasha?
6 A. It wouldn't add much, no.
7 Q. We've heard already about the book itself, The Gang from
8 Lubyanka.
9 A. Yes.
10 Q. We've heard quite a lot about the allegations contained
11 in it, particularly about the Tambov criminal group, the
12 organised crime group in St Petersburg, led by a man
13 called Vladimir Kumarin, also known as Barsukov?
14 A. Yes.
15 Q. And also a man called Alexander Malyshev?
16 A. Yes.
17 Q. There are allegations about the links between that group
18 and Mr Putin and Mr Patrushev?
19 A. Yes.
20 Q. Mr Patrushev who was later the FSB director when
21 Mr Putin had become president.
22 A. Yes.
23 Q. The allegation about the drugs, as you say, that they
24 were exported through St Petersburg under the control of
25 this crime group?

1 A. Yes.

2 Q. And an allegation that Mr Putin may have been complicit
3 in that trade, is that right?

4 A. Yes.

5 Q. Mr Malyshev is said to have been an old KGB agent or KGB
6 officer, is that right?

7 A. That's what Sasha said, not an officer, an informer.

8 Q. An informant recruited by whom, do you know?

9 A. Sasha said that he was recruited by Gusak of all people,
10 his immediate boss in the FSB.

11 Q. That's Mr Gusak who also had a part to play in the
12 events around the press conference?

13 A. Yes.

14 Q. These allegations of course were made publicly because
15 they are in the book.

16 A. Yes.

17 Q. And they would have come to the attention of quite a lot
18 of people and would certainly have come to official
19 attention, wouldn't they?

20 A. Obviously.

21 Q. Was Sasha the first person to make allegations of this
22 kind?

23 A. Well, as far as I know, yes. I don't know what was
24 going on behind the scenes in the law enforcement world,
25 but publicly, yes.

1 Q. Was he joined by others, or was he a sort of lone voice
2 in the wilderness?

3 A. Well, there was an article of a former British
4 ambassador to Uzbekistan, I think his name was Murray,
5 in the Guardian, essentially saying something to the
6 effect of a massive drug traffic to Uzbekistan to Russia
7 from north Afghanistan, and even mentioning Litvinenko,
8 but it was after his death. But presumably he would
9 have reported it to the Foreign Office because he was an
10 ambassador at the time.

11 So that might be considered independent, but that's
12 all I know.

13 Q. So at the time were there no other people in Russia
14 making similar sorts of allegations?

15 A. I wouldn't say categorically because I was not following
16 what was said and what was not, but to my knowledge in
17 the West he was the lonely voice, if only because he
18 was -- he was visible and people listened, whatever.

19 Q. Because in one of your statements you mention that there
20 was a pamphlet published by Boris Nemtsov, that's
21 Mr Nemtsov who has just been assassinated --

22 A. Yes.

23 Q. -- and Mr Milov and I think a couple of other people as
24 well. Can you tell us any more about that?

25 A. Well, it was -- Nemtsov and Milov, who was one of the

1 leaders of Russian democratic liberal opposition, former
2 vice premier of the Russian government and a former
3 minister, both of them were ministers in Yeltsin's
4 government, and also Nemtsov for a while was considered
5 an heir apparent of Boris Yeltsin. So then they went
6 into opposition, and I think it was three years ago or
7 so, they published a report entitled the Putin --
8 Putin's Record Corruption, or Corruption, Putin's
9 Record, where they kind of compiled allegations that
10 Putin and his immediate circle have accumulated enormous
11 personal wealth by pillaging oil revenues and laundering
12 this money and so on, and among other things they
13 mentioned links -- alleged links of Putin with the
14 Tambov crime group and specifically with I think --
15 definitely Kumarin and probably Malyshev, I don't
16 remember.

17 Q. Can you tell us, if you can remember, when this pamphlet
18 was published?

19 A. I don't remember offhand. It was two or three years
20 ago.

21 Q. Okay, so it wasn't contemporaneous with The Gang from
22 Lubyanka?

23 A. No, no.

24 Q. It was much much later?

25 A. Much much later.

1 Q. I see. And you've provided the Inquiry, haven't you,
2 with a link to that pamphlet which can be attained?

3 A. I think so, yes.

4 Q. Can I then turn, please, to the next topic, which is
5 what we know as the Kuchma tapes. We've heard some
6 evidence about this already. These were tapes of
7 conversations between Mr Kuchma who was president of
8 Ukraine --

9 A. Yes.

10 Q. -- and a number of other people. They were secretly
11 taped in his office, I believe, is that right?

12 A. Yes.

13 Q. And taped by a man called Melnychenko?

14 A. He probably was the face, the public face, of this
15 operation, but he couldn't have done it alone.

16 Q. I see, because he is certainly the person whose name is
17 associated with the tapes.

18 A. Yes, it's called "Melnychenko tapes".

19 Q. So they're also known as "Melnychenko tapes", as well as
20 "Kuchma tapes"?

21 A. Yes.

22 Q. When you say that he was just the face, do you have any
23 feel for how many people might have been involved in
24 that?

25 A. Well, certainly two more whose names are known, but

1 I don't recall them, and maybe some others. The
2 consensus of those who looked into this was that he was
3 taped not by a tape recorder, as Melnychenko said,
4 hidden under the sofa, but by the old KGB, you know,
5 analogue equipment which was there from the old times,
6 and it was some sort of a FSB or something operation
7 which then became -- nobody owned it in the end, so
8 Melnychenko and his group decided to bring it to the
9 West. That's what my understanding was.

10 Q. Can you tell us from your recollection what was Sasha's
11 role in publicising these tapes and investigating them?

12 A. Well, our group was involved with these tapes at some
13 point, I think Felshtinsky would probably know better
14 because it was his project essentially. We -- and it
15 was -- the project was to transcribe the tapes because
16 they were in poorly audible Ukrainian and it had to be
17 done in proper English.

18 So by then Nikolai, Nikolai Melnychenko, was already
19 in the United States, he was apparently left -- let go
20 by the US government because initially US government was
21 involved somehow, because those tapes contained among
22 other things evidence of illegal sales of anti-aircraft
23 missiles by Mr Kuchma to Saddam Hussein, so there was
24 FBI involved and there was a big international scandal
25 because of that.

1 But then when this kind of -- this thing subsided,
2 Melnychenko was going around looking for money to
3 transcribe the tapes, and many people gave him money,
4 including ourselves. There was a Harvard grant, there
5 was a Soros Foundation grant and so on. And so they
6 started transcribing the tapes, and somehow these tapes
7 found their way to Yuri Shvets who actually was
8 transcribing them. I don't know what -- I think it was
9 not directly from Melnychenko but through some Ukrainian
10 opposition which was involved in contacting Shvets, but
11 to make a long story short in the end they started
12 transcribing these tapes, and at that point I think
13 Melnychenko contacted Berezovsky, and he became one of
14 the pool of people who funded this effort, and Sasha got
15 involved because we were interested, obviously, whether
16 something could be found on those tapes which relates to
17 the Russian situation in addition to Ukrainian
18 situation. And so -- and then Melnychenko came to
19 London and then Shvets came to London and they all got
20 together and developed some sort of a friendly
21 relationship. After all, they're all graduates of
22 Russian special services. And so Melnychenko stayed in
23 Sasha's home, and they were discussing it all the time,
24 and in the process I learned from Sasha that they found
25 two episodes which were very much relevant to Russia.

1 One was the Mogilevich episode and the other was the
2 so-called SPAG episode, which was mentioned in the
3 Kuchma tapes.

4 Q. If we have a look at some of the transcripts, can we
5 start, please, with INQ015726.

6 Do we see there in the bold type, Mr Kuchma speaking
7 first:

8 "Well come on! So have you found Mogilevich?"

9 Is that a reference to Semion Mogilevich?

10 A. Yes.

11 Q. Can you give us in one sentence a thumbnail picture of
12 him, who is he?

13 A. He was a famous Russian gangster who was involved with
14 all kinds of bad things. They're all probably listed on
15 FBI website because he's on the FBI wanted list.

16 Q. We'll see that in a second. Then the next speaker is
17 Mr Derkach.

18 Who is he?

19 A. He is the head of SBU who is security service of Ukraine
20 at this time. He was the top security policeman of
21 Ukraine.

22 Q. So Derkach says:

23 "I have", I have found Mogilevich. And Kuchma says:

24 "So? Are you working there?"

25 And Mr Derkach says:

1 "We are working. And tomorrow we are meeting again.

2 He is coming incognito."

3 Can you tell us, what's the significance of that
4 exchange?

5 A. Well, I'm not an expert on Mogilevich for whatever
6 reason, so -- but I know that Mogilevich was much
7 involved in the oil trade between Russia and Ukraine,
8 and oil is some of his interests. So that was probably
9 some sort of a business trip.

10 Q. Okay. Now, while we're on this document, can we go on
11 a couple of pages, please, to 728.

12 We see at the top of the page, this is
13 a conversation between Mr Kuchma and somebody else,
14 Mr Smeshko, who is stated there to be head of Ukraine's
15 military intelligence, is that right?

16 A. Yes.

17 Q. And Mr Smeshko says:

18 "This kind of documents are exchanged by FBR and
19 SBU."

20 Can I just ask you, do you know what they refer to?

21 A. Well, FBR is probably FBI because it's a direct Russian
22 acronym for FBI, and the SBU is the security service of
23 Ukraine.

24 Q. So is that Mr Smeshko's organisation or is that
25 Mr Derkach's organisation or --

1 A. I think it was Derkach organisation, SBU.

2 Q. "And it is at the time when SBU head later says, 'He is
3 ours. He is our informer'."

4 So might that be a reference to Mr Derkach, then,
5 the SBU head?

6 A. I don't know. I don't think I can comment, but it
7 sounds strange that the head of SBU would be an informer
8 of the military intelligence. They're kind of on the
9 same level. Who do they refer to as informer?

10 Q. No, it looks like the head of the SBU is referring to
11 somebody else.

12 A. Ah, somebody else, okay.

13 Q. Saying he is ours, our informer.

14 A. I see.

15 Q. "Leonid Vasilyevich considers that ... Although to be
16 honest, with all respect to Leonid Vasilyevich ..."

17 And there the name is given:
18 "Derkach, SBU head."

19 A. Mm-hmm.

20 Q. "... our security is now powerless with regard to
21 Mogilevich. And what kind of an informer is he! But
22 the press has to be saying that he is clean."

23 Do you see that?

24 A. Yes.

25 Q. That suggests that Mogilevich is an informer for the

1 SBU.

2 A. Yes.

3 Q. And the SBU head is claiming him in that second line?

4 A. Yes, which may mean nothing, because they're all talking
5 to each other. I mean --

6 Q. Sorry, they're all talking ...?

7 A. They're all on the same level. I mean, the top
8 gangsters and the security bosses, they are in
9 a continuous interaction as far as I understand this
10 world, and they share information, they talk, they do
11 favours to each other, but they're not at this level in
12 the sense "informer" -- that he is their informer whom
13 they run. He's his own man. Mogilevich is so big that
14 he is his own man.

15 Q. Then if we can finally on this document look at the next
16 page at 729, S, that's Smeshko, says:

17 "So, this is why ..."

18 So that will be FBI, won't it?

19 "... thinks that Mogilevich's organisation, it is
20 working completely under the cover of SBU. This is why
21 there is this kind of cooperation there!"

22 And Mr Kuchma says:

23 "He [Mogilevich] has bought a dacha in Moscow, he
24 keeps coming."

25 Mr Smeshko says:

1 "He has received a passport already. By the way,
2 the passport in Moscow is in a different name. And what
3 is level in Moscow is ... Korzhakov ..."

4 That's the head of Mr Yeltsin's personal security.

5 "... sent two colonels to Mogilevich in Budapest in
6 order to receive damaging information on a person ... He
7 himself did not meet them. His organisation's
8 lieutenant, Korol, met these colonels and gave them the
9 documents relating to 'Nordex'. Mogilevich has the most
10 powerful analytical intelligence service. But
11 Mogilevich himself is an extremely valuable agent of
12 KGB, PGU ..."

13 Now, that's described as the first chief KGB command
14 foreign intelligence. That's what's now become the SVR?

15 A. Yes.

16 Q. "When they wanted to ... Mogilevich ... When the Soviet
17 Union collapsed UKGB 'K' command did not exist yet.
18 When one colonel wanted to -- he is retired, he lives
19 there -- when he tried to arrest him, he got his
20 pennyworth, they told him 'Stop meddling! This is PGU
21 [that's SVR] elite'. He has connections with Chubais."

22 Do you see that?

23 A. Yes.

24 Q. Obviously this is a transcript of a live conversation,
25 it's quite difficult to follow, but it looks from that

1 that what is being discussed here in pretty candid terms
2 is just how well connected Mr Mogilevich is?

3 A. Yes.

4 Q. Not only in Ukraine, but also in Russia?

5 A. Yes.

6 Q. Is that right?

7 A. Obviously, yes, this all referred to Russian people and
8 Russian organisations.

9 Q. Yes, and not only that, but it appears that he's been
10 given a Russian passport in a different name?

11 A. Yes.

12 Q. Is that what you were referring to when you said that
13 there were parts of these tapes that had importance for
14 the Russian angle as well?

15 A. Yes, that's right. The first time I've seen that since
16 old days.

17 Q. Since way back?

18 A. Yes.

19 Q. Thank you. Now, just to complete the picture on these
20 tapes, can we have a look, please, at a document that's
21 numbered BLK000126. Actually can we have the first part
22 of the main column just so that we can actually read it.

23 You probably saw the heading that it was the FBI's
24 ten most wanted, and this is Semion Mogilevich who's
25 described here, and this is a pen picture from the FBI

1 of Mr Mogilevich and why he's on the FBI's ten most
2 wanted list.

3 A. Yes, looks like it.

4 Q. It's right, isn't it, Mr Goldfarb, that a writer by the
5 name of Dawisha has written a book on some of the
6 aspects of this and drawn on these tapes?

7 A. Yes, her name was Karen Dawisha, she is an academic,
8 she's a professor of Russian political -- I mean,
9 professor of political science specialising in Russia in
10 I think University of Florida or something.

11 Q. If we can just have a look at a couple of pages from
12 this, can we please have BLK000241. Sorry, that's the
13 wrong document.

14 Can I try BLK000270.

15 Is that the title of her book, Putin's Kleptocracy?

16 A. Yes.

17 Q. Then if we can go on in this document, please, to
18 page 274, do we see here that she's quoting from
19 a different section of these tapes?

20 A. Yes.

21 Q. On the left-hand side, a reference to a conversation
22 between Kuchma and Derkach in June 2000?

23 A. Yes.

24 Q. Where Mr Derkach says:

25 "We've got some interesting material here from the

1 Germans. One of them has been arrested."

2 And the names given by Mr Kuchma:

3 "Ritter, Rudolf Ritter.

4 "Yes, and about that affair, the drug smuggling.

5 Here are the documents. They gave them all out. Here's

6 Vova Putin too."

7 Is that a reference to Vladimir Putin?

8 A. Yes.

9 Q. And Vova, is that a diminutive name?

10 A. Yes.

11 Q. Would that only be used by people who are friendly with

12 him?

13 A. Yes.

14 Q. Kuchma says:

15 "There's something about Putin there?"

16 Derkach says:

17 "The Russians have already been buying everything

18 up. Here are all the documents. We're the only ones

19 that still have them now. I think that

20 Nikolai Patrushev is coming from the 15th to the 17th.

21 This will give him something to work with. This is what

22 we'll keep. They want to shove the whole affair under

23 the carpet."

24 A. Yes.

25 Q. So that suggests, doesn't it, that the information that

1 they've got there is information that might be
2 embarrassing for the Russians?

3 A. Yes.

4 Q. And that they discuss whether or not they're going to
5 give all of it or keep some of it in reserve?

6 A. Yes.

7 Q. I won't go through the rest of that exchange, but if
8 I can have, please, another extract from the book
9 BLK000235, that's another copy of the title page, can we
10 go on to 238, please, if you start at the bottom
11 left-hand side, Ms Dawisha says:

12 "Mogilevich's relationship to Putin is of utmost
13 interest but is not likely to be written about in open
14 source texts. However, their relationship was the
15 subject of a conversation illicitly recorded by the
16 security chief of the Ukrainian president Leonid Kuchma.
17 The conversation is said to be between Derkach
18 and ... Kuchma on 8 February 2000."

19 Then if we go to the right-hand side there's the
20 extract that we've seen already. Is that right?

21 A. Yes.

22 Q. It's right, isn't it, that the book in general
23 summarises quite a lot of the available information
24 relating to SPAG?

25 A. Yes.

1 Q. Which was a front company for the Tambov gang?

2 A. Yes.

3 Q. And Mr Putin is said to have been on the board of that

4 company until he became the president?

5 A. Yes, an advisory board.

6 Q. In the book Ms Dawisha alleges that a German

7 intelligence service issued a report saying that the

8 SPAG laundered money for both Russian mafia and also

9 drugs' cartels?

10 A. Yes.

11 Q. Did she also say that another company called the

12 Petersburg Fuel Company was owned by people involved in

13 the SPAG?

14 A. Yes.

15 Q. And in the criminal gang?

16 A. Yes.

17 Q. And that Mr Putin had a role in giving that company some

18 monopolies in St Petersburg for the supply of fuel?

19 A. Yes.

20 Q. Does the book also allege that the organised crime group

21 has connections to a dacha community near St Petersburg?

22 A. Yes.

23 Q. Of which Mr Putin was a founding member?

24 A. Yes.

25 Q. And that other people involved in that community include

1 Mr Smirnov who was in fact the chairman of the board?

2 A. Yes.

3 Q. And also someone called Yuri Kovalchuk who was

4 a shareholder in a bank called Bank Rossiya?

5 A. Yes.

6 Q. Is it right that many of these people have in fact now

7 been put on to the US sanctions list following the

8 activity in the Ukraine last year?

9 A. That's right.

10 Q. And we have, I think, for the projector -- I'm told that

11 we may even be able to get it directly on to the

12 screen -- a press release from the US Treasury.

13 If we can have the middle section of the page,

14 please. Do we see after the word "Washington", the

15 treasury designated 16 Russian government officials,

16 members of the Russian leadership's inner circle,

17 including a Russian bank authorising sanctions?

18 A. Yes.

19 Q. And then in the next paragraph, we see a list of names,

20 including, amongst others, Victor Ivanov, is that right?

21 A. Yes.

22 Q. And then in the next paragraph there's a further list of

23 names designated, which include there Yuri Kovalchuk and

24 Bank Rossiya, the bank itself.

25 A. Yes.

1 Q. And these are being designated because they are close to
2 President Putin?

3 A. Yes.

4 Q. We have the entire document which I think we can admit
5 into evidence.

6 A. Yes.

7 Q. Just one final question about the book, if I may.
8 You've read the book and you're familiar with it?

9 A. Yes.

10 Q. Do you agree with Ms Dawisha's analysis of the
11 relationships between these organisations and
12 individuals?

13 A. Yes, I don't know whether I should go into detail, but
14 one important aspect is that -- I mean, there are two
15 levels of allegations. One is that a group of
16 individuals related to Mr Putin enriching themselves
17 immensely through corrupt schemes, asset stripping of
18 Gazprom, and these are people like Yuri Kovalchuk and
19 Bank Rossiya and the members of Ozero dacha community.

20 The other group of allegations is that this whole
21 group, or now probably somewhere in the top of the -- or
22 at least before the sanctions, in the top of the Forbes
23 billionaire list, in the early days were connected with
24 the Tambov crime organisation, and these links went
25 through several specific individuals who are the kind of

1 key in this whole network, and the value of the book is
2 that it kind of details these links and these
3 connections which are not simple.

4 MR TAM: Thank you very much, Mr Goldfarb. Would that be
5 a convenient moment for a break?

6 THE CHAIRMAN: Yes, it would.

7 (11.22 am)

8 (A short break)

9 (11.35 am)

10 MR TAM: Mr Goldfarb, just before the break, we had been
11 looking at the book written by Ms Dawisha,
12 Putin's Kleptocracy. We can see that she has drawn from
13 the Kuchma tapes or the Melnychenko tapes that you and
14 Sasha and others had a hand in transcribing, or in
15 helping with the process.

16 A. Yes.

17 Q. Can I ask you this: do you think it was open knowledge
18 that Sasha had a part to play in that process?

19 A. I think so because he was giving interviews about that,
20 particularly about SPAG and Mogilevich, I think.

21 Q. Some of the things that the book deals with overlap with
22 things that Sasha knew himself in any event, don't they?

23 A. Yes.

24 Q. So what we see in the book, would it be fair to describe
25 that as perhaps a development or an updating of what

1 Sasha would have brought with him from his own knowledge
2 when he left Russia?

3 A. Yes, definitely, and sort of an independent
4 corroboration.

5 Q. Did the Ukrainian -- well, there was an investigation in
6 Ukraine into these tapes, wasn't there?

7 A. Oh yes.

8 Q. That was -- was it a criminal investigation?

9 A. Yes, it was, but not on the subject of Mogilevich or
10 SPAG, obviously, on other matters.

11 Q. On Ukrainian matters?

12 A. Yes.

13 Q. Did the Ukrainian investigators want to talk to Sasha?

14 A. Yes.

15 Q. Now, do you think it would have been wise for Sasha to
16 go to Ukraine to talk to them there?

17 A. Actually, he wanted to, but this Ukrainian prosecutor
18 who was dealing with the issue said that: we can't
19 guarantee his safety here in the Ukraine and we know
20 that he's being actively sought by the Russians, so
21 I would rather go to London; and he said this to me
22 directly.

23 Q. So the threat that the Ukrainian investigator received
24 was not a Ukrainian threat, then?

25 A. No, no, no, it was the threat from the Russians.

1 Ukrainians were totally -- at the time it was the
2 administration of -- it was after the Orange revolution,
3 it was the administration of Yushchenko, Ukrainians were
4 very much anti-Russian.

5 Q. So they came and spoke to Sasha here?

6 A. Yes.

7 Q. Was Sasha happy to talk to them there?

8 A. I think so. I wasn't present, but he told me that he
9 was.

10 Q. Do you think it was open knowledge that Sasha had talked
11 to the Ukrainian investigators about this?

12 A. I think he also gave interviews to that effect, to
13 Ukrainian media at the time.

14 Q. I want to turn to a different but linked topic which is
15 the Ivanov report.

16 A. Yes.

17 Q. Just so we can all remind ourselves what that is, can we
18 have, please, INQ006481. I can't remember if you've
19 seen this document during the course of these hearings.

20 A. I've seen it.

21 Q. This is a copy that's been provided to us by Mr Shvets
22 and there's the date of 19 September 2006 in the top
23 right-hand corner there. This report is quite an
24 in-depth report on Mr Ivanov, that's Victor Ivanov?

25 A. Yes.

1 Q. I don't think we need to go through it page by page now,
2 but it's right, isn't it, that this report includes some
3 of the allegations that are made in The Gang from
4 Lubyanka?

5 A. That's right.

6 Q. And allegations indeed that have been developed in the
7 Putin's Kleptocracy book?

8 A. Yes.

9 Q. After analysis of the Kuchma tapes?

10 A. Yes.

11 Q. Do you agree with Mr Shvets that those elements of this
12 report either were or were likely to have been from
13 Sasha's knowledge?

14 A. Yes, well, Shvets said that large parts of it came from
15 information that Sasha provided, so I have no reason to
16 doubt it.

17 Q. Okay. Now, can you help us with this: from what you
18 know, if this report was provided to people who were
19 thinking of doing business with Mr Ivanov in 2006, what
20 sort of damage do you think it would have done to him?

21 A. Well, the report apparently originated in the context of
22 a business deal, I should say that all I know about this
23 is kind of secondary, I was not involved in preparation
24 of report, but from the evidence and everything else, it
25 looked like a part of a due diligence exercise with

1 regard to a business deal which involved Aeroflot, of
2 which Mr Ivanov was chairman of the board at the time,
3 and he stood to get substantial reward personally in the
4 form of a kickback or something like that; and if the
5 deal unravels, didn't happen, because of this report,
6 then definitely Mr Ivanov was very, very angry and that
7 would probably create the -- a very serious reason for
8 him to retaliate. But more importantly, perhaps, in my
9 view, that this report came in the context of Sasha's
10 work in Spain, and people in the Kremlin definitely knew
11 about Sasha's work in Spain from their -- from other
12 sources, and -- such as Lugovoy, for example, because
13 Lugovoy knew about Sasha's work in Spain, he said about
14 that at his press conference long before it was known
15 publicly, so he could have learned only from Sasha.

16 And if we accept that Mr Lugovoy was reporting back
17 to the Kremlin.

18 So together with this report, he might probably
19 providing reports that Sasha is consulting Spanish
20 investigation of Russian organised crime of the same
21 Tambov gang that is mentioned in this report, and we
22 know now that part of this investigation involved Sasha
23 explaining to the Spanish investigators about links
24 between Tambov gang and Russian organised crime --
25 Tambov gang and people in the Kremlin, specifically

1 Putin.

2 So in that context, this was probably -- this would
3 have been perceived by those who read this report as an
4 example of the material that he was providing in Spain
5 on other members of Putin's entourage, and on top of
6 that what we don't know is -- you see, it's all kind of
7 a game of mirrors in a way, because we don't know what
8 they were doing with those Tambov people, we know only
9 what we can read in Karen Dawisha's book or in these
10 reports, but maybe there was something else. Some
11 people told that they were financing child pornography
12 through their banks. Who knows. So their fear might
13 have been much larger than the actual threat.

14 Q. At any rate, even from what we can see here, is what
15 you're saying that we can immediately discern at least
16 two reasons why Sasha's knowledge and his preparedness
17 to divulge that knowledge could affect people like
18 Mr Ivanov and other people in Mr Putin's circle, both in
19 terms of immediate effect on a particular deal, but also
20 because of a wider damage from the allegation of
21 connections between the politicians and the organised
22 criminals?

23 A. That's right.

24 Q. The next topic, please, is the Mitrokhin Commission, but
25 I think I want to ask you only one question about this

1 directly. We're going to hear from Mr Scaramella
2 tomorrow. It's right, isn't it, that he would be better
3 placed than you to tell us about the commission and
4 Sasha's work for it?

5 A. Yes, I know nothing about it.

6 Q. Okay. I think there's just one follow-up question which
7 I should ask you, though. Mr Limarev, who gave evidence
8 a couple of weeks ago, said that he couldn't remember
9 exactly who it was who had introduced him to Sasha, or
10 vice versa. Was that you or was that somebody else?

11 A. I think it was me.

12 Q. Thank you. We've also heard, and from quite a number of
13 sources now, that one of the things that Sasha was doing
14 while he was in the UK was political campaigning, and
15 obviously this was linked to some of the things that
16 we've already been discussing, but it also was linked to
17 his support for the movement for an independent
18 Chechnya.

19 A. Yes.

20 Q. Is it right that his public appearances were more
21 frequent and more high profile in the early years that
22 he was in the UK?

23 A. That's true.

24 Q. And that that rather tailed off in the latter years?

25 A. Yes.

1 Q. However, he didn't stop the political campaigning, did
2 he?

3 A. That's right.

4 Q. He changed more to writing than to speaking about it.

5 A. That's right.

6 Q. One of the forums for which he wrote was the
7 Chechenpress website.

8 A. Yes.

9 Q. About which Mr Zakayev can tell us rather more?

10 A. Yes.

11 Q. But we know that what he wrote there included attacks
12 and obviously public attacks on Mr Putin.

13 A. That's right.

14 Q. As well as strictly Chechen matters.

15 A. Yes.

16 Q. I also want to ask you a question about the work which
17 you and others have said that he was doing for UK
18 intelligence agencies.

19 A. Yes.

20 Q. I want you to listen to this. Last time you told us
21 that Sasha told you in about 2003 that he was working
22 for MI6.

23 A. Yes.

24 Q. And that he was consulting for MI6 on Russian organised
25 crime in Europe.

1 A. That's right.

2 Q. And travelling to various countries in the EU to assist
3 their law enforcement?

4 A. Yes.

5 Q. Now, since you last gave evidence, we now have a further
6 witness statement from you in which you say that Sasha
7 was very secretive about his contact with MI6.

8 A. Yes.

9 Q. And that he wouldn't share details of that with you?

10 A. Yes.

11 Q. Would you confirm that's correct?

12 A. Yes, absolutely. The only reason he told me, I believe
13 because they wanted to talk to me.

14 Q. Can I then move on to Spain?

15 A. Yes.

16 Q. We've touched on Spain already, but last time what you
17 told us was this, that he was working -- that Sasha told
18 you that he was working with Spanish security services?

19 A. Yes.

20 Q. What you said last time was that it was in 2005 in the
21 context of your meeting Trepashkin.

22 A. That's right.

23 Q. Trepashkin was released briefly from prison and went to
24 Kiev where you met him?

25 A. Yes.

1 Q. In that context, Sasha suggested that the Spanish might
2 have a job for him.

3 A. Yes.

4 Q. And the idea was to get Trepashkin out?

5 A. Yes.

6 Q. And to get him a job in Spain?

7 A. Yes.

8 Q. But in fact Trepashkin actually went back to Moscow,
9 didn't he?

10 A. Yes, he didn't want to run, he said.

11 Q. Then he was almost inevitably, I think, rearrested and
12 imprisoned again?

13 A. Yes, that's correct.

14 Q. Is it right that in 2006, so this is going on a little
15 bit in time, Sasha said to you one day that -- sorry,
16 Sasha said to you that one day he would give evidence in
17 court about Mr Putin's links to the mafia?

18 A. Yes, it was part of a conversation, and at that time
19 obviously we talked a lot about this aspect of Putin's
20 regime which was still relatively new, the corruption,
21 because up until 2005, it was mostly, you know, freedom,
22 democracy, dismantling of democratic institutions, free
23 press, pressure on dissidents and so on, but the
24 enrichment, large scale enrichment, was not an issue,
25 and Sasha's allegations were mostly about these

1 connections with gangsters back at St Petersburg time,
2 but at that time information started to accumulate about
3 enormous wealth that has been generated there, and in
4 that context we talked somehow, and he mentioned that,
5 that he might be a witness in court.

6 Q. But it's right, isn't it, that at the time -- and that's
7 up to the time of his death -- these two things --
8 that's to say the meeting with Trepashkin and Sasha
9 saying that one day he would be giving evidence about
10 this -- were the only things you knew about his work in
11 Spain?

12 A. He mentioned something about -- actually I recalled it
13 after hearing yesterday's testimony, of both
14 Boris Berezovsky and Dr Svetlichnaya, when the name of
15 Roman Abramovich came about, I recalled that he actually
16 said something about getting after Abramovich in the
17 context of Spanish things, that he has uncovered and he
18 knows something about Roman, but I didn't pay attention
19 at that time, but he did mention it.

20 Q. At any rate, after Sasha died, you've seen some further
21 documents which either were intended for or have come
22 into the public domain, which for you shed some light on
23 Sasha -- what Sasha had said at the time.

24 A. Yes.

25 Q. So if we can have a look, please, at INQ017683, have we

1 got here a report, obviously in translation, from
2 El Pais, the Spanish newspaper?

3 A. Mm-hmm.

4 Q. Headline:

5 "Two protected mafia bosses."

6 The text starts:

7 "The former spy Alexander Litvinenko offered the
8 Spanish investigators ample information about Oniani
9 and Kalashov, two of the Russian citizens most wanted by
10 the Spanish police."

11 A. Yes.

12 Q. It goes on to give some more details of the information
13 which Sasha apparently gave Spanish authorities at that
14 time?

15 A. Yes.

16 Q. Then can we have a look at BLK000049, please. We've got
17 a WikiLeaks cable -- actually, can we have the top half
18 of it, we see this is a WikiLeaks cable dated Monday,
19 31 August 2009, we see at the top there. Can we
20 highlight the next date, please, Monday, 31 August.

21 Then do we see that in the summary at paragraph 1,
22 so the indented paragraph there, we see reference to two
23 major Spanish operations codenamed Troika and Avispa?

24 A. Yes, which is wasp.

25 Q. Yes, which means wasp in Spanish. Then if we go to the

1 bottom half of the page, please.

2 In paragraph 2, we see there a reference to phase 1
3 of Operation Troika, which is actually the second in
4 time, resulted in the arrest of 20 top leaders of
5 Russia's Tambov-Malyshev crime family for criminal
6 conspiracy, and then about six lines down we actually
7 see the name of one of them arrested,
8 Alexander Malyshev?

9 A. Yes.

10 Q. The deputy leader of that gang, and then in the bottom
11 paragraph on that page, paragraph 3, do we see in the
12 italicised part:

13 "Less than a month after the arrests ... El Pais
14 published a detailed article claiming that
15 Alexander Litvinenko -- the former Russian intelligence
16 official who worked on organised crime issues before he
17 died in late 2006 in London from poisoning under
18 mysterious circumstances -- tipped off Spanish security
19 officials on the locations, roles and activities of
20 several 'Russian' mafia figures with ties to Spain. He
21 allegedly provided information on Izguilov,
22 Zakhar Kalashov and Tariel Oniani to GOS [which
23 presumably is government of Spain] officials during
24 a May 2006 meeting."

25 So some further information there given on what

1 Sasha had been doing?

2 A. Yes.

3 Q. Then if we can go to the very bottom of that page,
4 please, do you see that in the bottom paragraph there,
5 this is dealing with Avispa, Operation Avispa, which we
6 see by paragraph numbered 8, and at the bottom of the
7 page, four lines up, phase 1 was executed in 2005 where
8 28 suspects were arrested.

9 Then:

10 "Phase 2 in 2006 arrested nine additional suspects,
11 while phase 3 resulted in three more arrests including
12 the Spanish national government's number two official in
13 the Catalan region, just going over to the next page,
14 for allegedly helping members of the Russian mafia
15 secure work visas to allow them to enter the country
16 legally. Although Spanish government officials in 2005
17 publicly proclaimed Avispa a success, subsequent press
18 reports suggest authorities struggled with leaks and
19 bureaucratic snafus. Zahkar Kalashov and
20 Tariel Oniani -- Georgian born Russian citizens who were
21 the primary Avispa targets -- apparently were both
22 tipped off hours before the 2005 raid occurred and fled
23 the country. Recent Spanish press reports suggest the
24 source of the tip-off remains unidentified."

25 Then going to the last sentence there:

1 "Kalashov -- allegedly the top boss of Russian's
2 'Solnstevo' crime syndicate -- was detained in Dubai
3 and ... extradited to Spain ..."

4 So that context suggests that not only did Sasha
5 provide information, but it may have had some part to
6 play in those arrests?

7 A. Yes, it was only after reading this WikiLeaks report,
8 I actually understood the degree and skill of his
9 involvement in Spain. Before that, it was fragmented
10 information, but it rang the bell over this, because the
11 name of Malyshev was mentioned in The Gang from
12 Lubyanka, and the Tambov gang mentioned, and remarkably
13 Lugovoy mentioned Zakhar Kalashov two years before it
14 became known publicly from El Pais. So it became all as
15 parts of jigsaw came into one picture.

16 Q. Can we just have a look at one more bit of the jigsaw,
17 please, it's INQ015639.

18 This is another WikiLeaks cable. Again, can we have
19 from the -- where it goes into Courier type from a third
20 of the way down the page, if we enlarge that part we
21 should be able to read that. The date of this one is
22 8 February 2010, do we see from the top of that extract?

23 A. Yes.

24 Q. Then if we go down to the bottom of the page, summary
25 and comment:

1 "National court prosecutor, Mr ... Gonzalez ... gave
2 a detailed, frank assessment on the activities and reach
3 of organised crime in ... Spain and Spain's strategy ...
4 Grinda presented his remarks on 13 January at the new
5 US-Spain counter-terrorism and organised crime experts
6 working group ..."

7 Do you see that?

8 A. Yes.

9 Q. Then at paragraph 2, we see that Mr Grinda had then
10 wrapped up the prosecution of the network led
11 by Kalashov, who is reportedly the most senior Russian
12 mafia figure jailed outside Russia. The defendants were
13 arrested as part of Avispa.

14 Then at the bottom of the page, paragraph 4, the
15 last quarter of the page all the way down, please,
16 Mr Grinda said that he considered Belarus, Chechnya and
17 Russian to be virtual mafia states and said that Ukraine
18 is going to be one. For each of those countries, he
19 alleged, one cannot differentiate between the activities
20 of the government and organised crime groups:

21 "Grinda suggested that there are two reasons to
22 worry about the Russian mafia. First, it exercised
23 'tremendous control' over certain strategic sectors of
24 the global economy, such as aluminium. He made
25 a passing remark that the United States government has

1 a strategic problem in that the Russia mafia is
2 suspected of having a sizeable investment in ..."

3 There's a redaction there. Then:

4 "The second reason is the unanswered question
5 regarding the extent to which Russian Prime Minister
6 Putin is implicated in the Russian mafia and whether he
7 controls the mafia's actions. Grinda cited a 'thesis'
8 by Alexander Litvinenko, the former Russian intelligence
9 official who worked on organised crime issues before he
10 died in late 2006 ... that the Russian intelligence and
11 security services -- Grinda cited the FSB, the SVR and
12 the GRU -- control organised crime in Russia. Grinda
13 stated that he believes this thesis is accurate."

14 There's then a reference to a reported meeting
15 between Litvinenko and the Spanish authorities before
16 his death, and then Mr Grinda goes on, is reported to
17 have gone on to say that he believed:

18 "... the FSB is absorbing the Russian mafia but they
19 can also eliminate them in two ways: by killing
20 organised crime leaders who do not do what the security
21 services want them to do, or by putting them behind bars
22 to eliminate them as a competitor for influence. The
23 crime lords can also be put in jail for their own
24 protection."

25 Is it right that what Mr Grinda is there reporting

1 as saying has similarities to what Sasha himself
2 believed to be the position?

3 A. That's right, that's what it says.

4 Q. However, you didn't know any of this at the time, did
5 you? You've only found this out from subsequently
6 looking at documents such as this?

7 A. Yes.

8 Q. So as far as you are personally concerned, it's a matter
9 of speculation still about exactly what Sasha might or
10 might not have said to Spanish authorities?

11 A. Well, I trust what the WikiLeaks says, but I have no
12 other sources of knowledge.

13 Q. Thank you. Can I then turn to the next topic which is
14 a number of other deaths of individuals that
15 I understand you wish to draw to the Inquiry's
16 attention.

17 A. Yes.

18 Q. Mr Roman Tsepov, please, can you tell us about -- first
19 of all, give us a thumbnail sketch of him. Who was he?

20 A. Well, Roman Tsepov had -- did the same job as Lugovoy
21 did in Moscow, Tsepov was in St Petersburg, he was
22 running a very prominent and large private security
23 agency in St Petersburg. This agency -- again, my
24 knowledge is from sources, I don't have a direct
25 firsthand knowledge of that, but sources like

1 Dr Dawisha's book and others tell us that this agency
2 was founded in early or mid-1990s, and the original
3 co-founder of this agency with Tsepov was a person by
4 the name of Viktor Zolotov who later became full three
5 star general and head of Putin's personal security, the
6 Kremlin, you can see it on many official -- him, on many
7 official photographs, the big guy behind Putin.

8 So this agency at the time, in St Petersburg,
9 provided personal security to many people, among them
10 Mr Malyshev who was one of the crime bosses, and to
11 Sobchak, the mayor of St Petersburg, and to Putin, and
12 when it has been said that Tsepov was one of the
13 links -- and I mentioned it earlier -- between the
14 criminal world, the underworld, and the city hall and
15 security officials, because of his position and his
16 connections. So when the group around Putin left
17 St Petersburg and moved to Moscow after Putin has been
18 elected president of Russia and former city hall
19 officials and former St Petersburg FSB officials, like
20 Victor Ivanov, became national figures heading major
21 corporations, in ministries, departments, banks and so
22 on, Tsepov remained in St Petersburg and maintained
23 those connections, particularly with General Zolotov,
24 the head of Putin's security in the Kremlin, and he was
25 mentioned many times by the local media as a kind of

1 a grey eminence in St Petersburg who could -- who had
2 tremendous connections in the Kremlin and could
3 influence -- pedals his influence, and so on and so
4 forth, while remaining the head of this security agency
5 called Baltic-Escort, interestingly.

6 What we next know of Tsepov is he mysteriously died
7 in I think it was in early 2000 -- or in late 2004, and
8 there were many reports alleging that he died of
9 radioactive poisoning, and these reports both in Russian
10 and international press cited his family, his doctors,
11 his friends and his symptoms, and his symptoms were
12 remarkably similar to those of Sasha when he died of
13 polonium poisoning, particularly loss of hair,
14 destruction of the immune system, which tells you about
15 bone marrow damage and so on, and it was openly said in
16 the press at the time that he died of radioactive
17 poisoning.

18 So that's all I can say about the facts that are
19 known about Mr Tsepov. You can speculate, of course,
20 that this coincided with the Spanish -- beginning of
21 Spanish investigation, or whatever, and this statement
22 in the WikiLeaks cable that the FSB has a way of
23 removing people from organised crime when they become in
24 some way no longer needed.

25 Q. Or inconvenient, perhaps?

1 A. Or inconvenient, yes.

2 Q. But as I think you fairly say, that is just a matter of
3 speculation?

4 A. Yes.

5 Q. Thank you. Another death which I think you want to draw
6 to our attention is that of Vladimir Golovlev, is that
7 right?

8 A. Yes.

9 Q. Can you tell us a bit about him?

10 A. Yes, I should -- before -- I should say before talking
11 about Golovlev that we should very carefully describe
12 all these deaths because they are all of a different
13 kind, if you wish.

14 There were three -- two other deaths, like Tsepov,
15 which are relevant because they have similar symptoms as
16 Sasha, and we can talk about radioactive poisoning.

17 The other deaths of political people like Nemtsov or
18 Anna Politkovskaya who were killed in Moscow by
19 gunshots, by assassins, and there are other deaths
20 abroad by apparently assassination, but there is -- as
21 of today, there is no direct evidence in most of these
22 deaths of state involvement comparable to the one we
23 have in the Litvinenko case, so we should be very
24 careful not to devalue or -- devalue the evidence that
25 we have in this case by citing deaths which have not

1 been solved or which are based on circumstantial
2 evidence.

3 So coming back to Golovlev, Golovlev was a close
4 associate of Sergei Yushenkov who split -- both of them
5 split away from the major Liberal party of Chubais and
6 Nemtsov and started their own party, Liberal Russia.
7 I think it was 2001, and then they came to see
8 Berezovsky and formed an alliance between the three of
9 them with Berezovsky providing funding and obviously
10 political input, and they being active, acting members
11 of -- active members of Parliament, with the aim of
12 running for Parliamentary election in 2003, and then
13 both of them were killed. Golovlev was shot in the
14 street near his house in Moscow, I think it was late
15 2002 or early 2003, and then Yushenkov was shot by 2003
16 and Golovlev's assassins were never found.

17 Q. So it appears to have been a political assassination of
18 political opponents?

19 A. It appears to have been a political assassination, but
20 there is no evidence to say so.

21 Q. What about Sergei Magnitsky? What are we to make of his
22 death?

23 A. Sergei Magnitsky is of course a very famous case.
24 Because of him, there was a Magnitsky law enacted by
25 United States Congress and it became the law which, for

1 the first time, introduced personal sanctions against
2 Russian officials such as denial of visas and seizure --
3 impounding of their assets in the West, something which
4 many people were talking about for many years, that's
5 the way to deal with the corrupt regime in Russia, it is
6 to introduce personal targeted sanctions.

7 So Magnitsky was a lawyer for someone by the name of
8 Bill Browder who was head of an investment fund, and he
9 discovered large scale fraud in Moscow, Mr Magnitsky
10 discovered it, which consisted in claiming fraudulently
11 tax refund for shell companies in the amounts of
12 hundreds of millions of dollars, and he, as I said, was
13 working for the fund headed by Bill Browder who lives in
14 this country, and what happened is that those -- the
15 alleged criminals, they somehow took control of these
16 shell companies or empty companies of Bill Browder and
17 fraudulently fabricated a tremendous tax obligation, of
18 refund of taxes by the government. So they got this tax
19 refund from the government and then the money
20 disappeared and the companies disappeared.

21 And so he started pursuing this issue -- although
22 the victim here was obviously the state because they got
23 the money from the state, tax refund -- and ended up
24 arrested and it turned out that he was arrested by the
25 same people in the law enforcement, like prosecutors and

1 the police officers, whom he complained about, who were
2 involved in this scheme, and in the end he died in
3 prison apparently from the denial of healthcare or maybe
4 from active -- actively being killed, and after that
5 Bill Browder started a campaign and managed to get
6 support from United States Congress and there was this
7 Magnitsky law which interestingly to this case was met
8 with a retaliatory law which was introduced by
9 Andrei Lugovoy and the Russian Duma.

10 Q. So as far as Mr Magnitsky's death is concerned, is it
11 possible to say with any degree of confidence that he
12 was actually killed as opposed to having died of ill
13 health?

14 A. I think he was killed because the circumstances of his
15 death was obviously clear that he was kind of led to his
16 death through -- his health was very bad, but it -- it's
17 not clear what happened there to me, but I mean any
18 reasonable person he would conclude that he was killed,
19 but there was no proper investigation.

20 Q. At any rate the allegations against him could -- on the
21 basis of what you've been saying, it sounds like they
22 could have stemmed from his interfering with a criminal
23 scheme being conducted by the people who had prosecuted
24 him?

25 A. Not only that, because the bulk of the money disappeared

1 and apparently very high official -- government
2 officials were involved. The only people whom they knew
3 benefited from the scheme were low level people who
4 actually were involved in his killing, but probably
5 about 10 per cent of the money went to the specific
6 perpetrators, and the bulk of the money disappeared
7 somewhere in the top of the Russian hierarchy.

8 Q. The final death that you want to draw to our attention
9 is that of somebody called Alexander Perepilichny. Is
10 there anything that we can gain or any help that we can
11 gain from the circumstances in which he died?

12 A. All we know that he died here in London, and he was the
13 informer, he was the source of information for
14 Mr Browder on the Magnitsky case, and he died of -- he
15 was a healthy man, he died of an apparent heart failure
16 as far as I remember, and people don't know why.

17 MR TAM: Thank you. Sir, I wonder if I might pause at this
18 stage. We've discovered that Mr Bukovsky does have
19 reasons for getting away from court at the earliest
20 convenience. I wonder if, with apologies to
21 Mr Goldfarb, I might ask to interpose Mr Bukovsky at
22 this stage with the hope that we can complete his
23 evidence at any rate before the short adjournment, and
24 then we'll come back to Mr Goldfarb after that.

25 THE CHAIRMAN: Yes. Mr Goldfarb, would you mind if we

1 interrupt your evidence again? Thank you very much.

2 MR TAM: Thank you. Mr Bukovsky, please.

3 MR VLADIMIR BUKOVSKY (sworn)

4 Questions by MR TAM

5 MR TAM: Sir, I should say that with Mr Bukovsky's evidence,
6 we are in fully open session with standard measures.

7 THE CHAIRMAN: Yes, thank you.

8 MR TAM: Mr Bukovsky, can I ask you, please, to give your
9 full name to the court?

10 A. Vladimir Bukovsky.

11 Q. Mr Bukovsky, you've made three witness statements for
12 the purposes of this Inquiry. Do you have copies of
13 those with you?

14 A. Some of it, yes.

15 Q. Do you have a copy of a statement dated
16 15 December 2006? You'll find the date between the two
17 horizontal lines on that. Do you see two horizontal
18 lines on that page?

19 A. Mm-hmm.

20 Q. A typed version of your signature on the left-hand side?

21 A. Mm-hmm.

22 Q. Then on the right-hand side, there's the date of
23 15 December 2006?

24 A. Yes.

25 Q. Do you see that?

1 A. Yes.

2 Q. Then have you also got a short statement that looks
3 similar, it's also a police statement, that has a date
4 of 2 May 2007?

5 A. Yes.

6 Q. Then do you also have another statement which is again
7 in the same form that's dated 19 January 2015?

8 A. Yes.

9 Q. Good. If you need to refer to the statements, please
10 feel free to do so, if you need to refresh your memory
11 about anything, but I'd like to ask you first of all
12 some questions about your background. Is it right that
13 you were born in 1942?

14 A. Right.

15 Q. In the then Soviet Union?

16 A. Yes.

17 Q. Although you weren't born in Moscow, your family was in
18 fact from Moscow?

19 A. Yes, it was during the war.

20 Q. The family had been evacuated outside Moscow?

21 A. That's right, yes.

22 Q. Did you all return to Moscow after the war was over?

23 A. Earlier than that.

24 Q. Earlier?

25 A. The war was still there, but the Germans were pushed out

1 of Moscow.

2 Q. So you grew up and went to school in Moscow?

3 A. Yes.

4 Q. Then after you left school, you entered
5 Moscow University, is that right?

6 A. That's right.

7 Q. I think that was in 1960?

8 A. That's right.

9 Q. Can you tell us, what was your field of study?

10 A. Biophysics.

11 Q. In addition to your studies, is it right that you were
12 also involved in literary and political activities?

13 A. That's correct.

14 Q. They didn't meet with the approval of the authorities,
15 did they?

16 A. To put it mildly, yes.

17 Q. They resulted in you being expelled from the university
18 a year or two later?

19 A. It was even more complicated. I was forbidden to enter
20 university, and forbidden to get a higher education by
21 decision of Moscow party committee. I've managed to
22 deceive them and enrol in Moscow University for one
23 year, but then it was discovered.

24 Q. So your political activities had already started even
25 before you went to university?

1 A. Yes.

2 Q. Did there come a time when you were eventually detained
3 because of your political activities?

4 A. Yes.

5 Q. Was that in 1963?

6 A. Yes.

7 Q. What was the allegation that was made against you?

8 A. I was charged with possessing a forbidden book written
9 by Yugoslav author Milovan Djilas. The name of the book
10 was New Class.

11 Q. What punishment did you receive for that?

12 A. I wasn't receiving any punishment because they ruled me
13 insane or unfit to plea. After a few months of
14 interrogation, I was transferred to what is called
15 Serbsky institute, the institute of forensic psychiatry
16 in Moscow, which after a month or so of examination
17 ruled me unfit to plead.

18 Q. Do you think that that diagnosis was accurate?

19 A. Oh, it was definitely not accurate because it was
20 cancelled in few years by the same institution, they
21 told me that they were mistaken.

22 Q. How long were you actually detained for on that
23 occasion?

24 A. The first time it was one year, nine months, something
25 like that.

1 Q. During the remainder of the 1960s, were you arrested and
2 detained several more times?

3 A. Yes.

4 Q. Were you ever in prison or were you always sent to
5 a psychiatric clinic?

6 A. No, after some time they ruled me sane, all diagnoses
7 were cancelled and I was sentenced to labour camp. That
8 was in 1967.

9 Q. In the 1970s -- perhaps I should ask you this, did you
10 continue your political activities throughout this
11 period?

12 A. Certainly.

13 Q. And also into the 1970s?

14 A. Yes.

15 Q. During the 1970s, is it right that you were trying to
16 raise awareness in the West of the misuse of psychiatry
17 in the Soviet Union?

18 A. Yes.

19 Q. And in particular the misuse of psychiatry against
20 dissidents?

21 A. That's correct.

22 Q. Was that based on your personal experience?

23 A. Not only my experience, I have collected the material
24 about six or seven other inmates who were currently
25 committed to psychiatric hospitals and some past cases.

1 It was a big package, about 200 pages, which I have
2 smuggled out of Soviet Union and sent to the
3 World Psychiatric Association.

4 Q. Now, this can't have met with approval from the
5 authorities either.

6 A. No.

7 Q. You continued to be arrested and detained?

8 A. That's right.

9 Q. In fact by the time you left the Soviet Union, you'd
10 been detained for most of about 12 years, hadn't you?

11 A. 12 years, yes.

12 Q. But in -- at the end of 1976, is it right that you were
13 released to the West?

14 A. Yes.

15 Q. You went first of all to Switzerland?

16 A. That is right.

17 Q. Then you came to the UK?

18 A. Yes.

19 Q. What was the attraction of coming to the UK?

20 A. I was invited by King's College in Cambridge to continue
21 my education.

22 Q. Your education in what field?

23 A. In biophysics, in the case of Cambridge it was
24 neurophysiology.

25 Q. So that was what you were then studying in Cambridge?

1 A. Yes.

2 Q. Did you qualify, did you graduate from Cambridge?

3 A. Yes, I graduated in 1981.

4 Q. After your studies in Cambridge, did you study in other
5 countries as well?

6 A. That's right, I have been invited to Stanford in
7 California, Stanford University, where I continued to
8 work for my degree and do some scientific research.

9 Q. What degree did you get in Stanford?

10 A. Masters.

11 Q. After that, did you come back to the UK?

12 A. That's correct.

13 Q. Did you go back to Cambridge?

14 A. Yes.

15 Q. Have you remained affiliated with Cambridge ever since?

16 A. Yes, until I -- because of age, I was kind of retired.

17 Q. Now, during this time, in addition to your studies, did
18 you continue your political activities?

19 A. Yes.

20 Q. Did that include being asked to be an expert at a trial,
21 a Russian trial, in 1992?

22 A. That's correct, it's a constitutional court case of
23 Communist Party v President Yeltsin.

24 Q. Can you just tell us in one or two sentences what was
25 this trial about?

1 A. In 1991, when the coup in August collapsed,
2 President Yeltsin issued a decree banning Communist
3 party, and the communists didn't like it and they
4 protested in constitutional court of Russian Federation,
5 claiming that this ban, this order, is unconstitutional.

6 Q. Why were you invited to be an expert in this case?

7 A. Well, people in the Yeltsin entourage knew me and knew
8 that I am an expert on these issues much more than they
9 are, so in the past when I came in 1991, before this
10 happened, I also tried to persuade them to stage an
11 international tribunal of the communist system and
12 I even invited some prominent people from the West to be
13 members of it. I managed to persuade almost everyone
14 except Yeltsin.

15 Q. What was the topic on which your expertise was required?

16 A. There was no narrow field in it. I mean, it was
17 concerning internal repressions as well as subversive
18 activity abroad and crimes against humanity in general,
19 aggressive wars, it was all together.

20 Q. You were covering the entire field?

21 A. Yes, I did.

22 Q. Obviously you had some personal experience of
23 repression.

24 A. Yes.

25 Q. But not personal experience of the other things that you

1 have mentioned?

2 A. Well, to some extent, because in the years living in
3 exile in the West, we all were involved in the Cold War,
4 we were fighting against them by all means we could.

5 Q. In preparation for your evidence, were you afforded
6 access to archives of documents?

7 A. Yes, as an expert, I had a right to subpoena documents,
8 and after due process, some commission was organised to
9 decide on these things, on these matters. The documents
10 thus qualified were given to me.

11 Q. To whom or to which organisations did these documents
12 belong?

13 A. To central committee of Communist party of Soviet Union.

14 Q. Would any of those documents have been regarded as
15 sensitive by the committee?

16 A. They all were considered top secret and they were
17 released only because of the demand of constitutional
18 court, and after the court case was over, they were
19 reclassified for 30 years.

20 Q. Did any of those documents relate to the intelligence
21 and security agencies of the Soviet Union?

22 A. Yes.

23 Q. Including the KGB?

24 A. Yes.

25 Q. You say that the documents were reclassified. That was

1 reclassified in Russia?

2 A. Yes.

3 Q. Did any of those documents make their way to the West?

4 A. Well, as much as I could help, I've managed to copy
5 several thousand of them using laptop and hand-held
6 scanner. At that time, it was novelty, it wasn't even
7 available in the West, I bought an experimental model
8 from producer. So people in Russia didn't know what
9 I am doing.

10 Q. So you smuggled the documents, or the copies of the
11 documents, out of Russia?

12 A. Well, you can say that, but my philosophy tells me that
13 our history couldn't be secret from us, it doesn't
14 belong to communists, it belongs to us.

15 Q. Is it right that since then, you have published these
16 documents in the West?

17 A. I published a book called Judgement in Moscow in most
18 countries in the West, which is based on these documents
19 and also by 1998 with the help of friends we placed all
20 these documents on internet.

21 Q. So we can go to the internet today and see these
22 documents?

23 A. Yes.

24 Q. I want to turn to asking you about your relationship
25 with Mr Litvinenko. We've heard that most people called

1 him Sasha. Did you call him Sasha?

2 A. Yes.

3 Q. Did you know him personally before he came to the UK?

4 A. No.

5 Q. Did you know of him, though?

6 A. There was some mentioning of his name from Felshtinsky
7 and some other people, but I didn't know him personally.

8 Q. When you say mentioned by Felshtinsky, were they
9 personal mentions in conversations between you and him
10 or were they mentions in publications --

11 A. No, it was mentioned in conversations between either us
12 with him or in his conversation with Berezovsky or some
13 other friends, so the name cropped up, but I didn't
14 properly know who he is and what he is doing.

15 Q. When did you first meet Sasha?

16 A. Very soon after he escaped, it must have been a couple
17 of days after he escaped, he called himself, apparently
18 got my number either from Goldfarb or from Berezovsky or
19 I don't know whom, he introduced himself and asked
20 permission to come and visit, so he did.

21 Q. When he first made contact with you, he was somebody who
22 you had just heard of in passing.

23 A. Yes.

24 Q. Had anybody given you any warning that he was going to
25 call?

1 A. He is going to?

2 Q. That he was going to call you or get in contact with
3 you.

4 A. No, no, he called himself.

5 Q. So it was a surprise?

6 A. In a way, because I have heard about his escape from
7 common friends.

8 Q. Were you suspicious of him in any way?

9 A. No, no, he was straight from jail, and according to my
10 information, he behaved quite courageously in jail and
11 went through that without breaking down, without
12 becoming kind of -- cooperating with authorities, and
13 that's the best recommendation for all prisoners.

14 Q. Over the following years you became pretty good friends,
15 didn't you?

16 A. Yes.

17 Q. Can you tell us how long did it take to develop that
18 friendship?

19 A. It depends whose side we are talking about. I mean, for
20 Sasha, it was very quick. He sense he can get a lot of
21 information, he was very hungry for information. You
22 must understand he was a fellow who didn't have much
23 chance to get proper education, he was drafted into
24 army, he was a sportsman, all his free time was taken
25 with his sport and his services, and he went very

1 quickly ending up in the KGB, of which he knew
2 practically nothing. He was dealing with organised
3 crime, he was practically a policeman, but it was
4 affiliated to KGB, and he didn't know much about it.
5 When I started explaining to him what organisation he
6 ended up in, he was completely depressed by that, he was
7 shocked.

8 Q. So even though he was part of the KGB, he didn't know
9 very much about it at all?

10 A. No.

11 Q. What were you able to tell him about the KGB?

12 A. I gave him documents, after talking for a while and
13 seeing that, you know, when you talk about things, it's
14 not as impressive as when you see the documents, so
15 I just gave him the address of site on the internet and
16 he was reading for several days these documents and was
17 totally shocked.

18 Q. So basically you directed him to those documents which
19 you had taken from Russia?

20 A. Yes.

21 Q. How would you say that his attitude towards the KGB
22 changed as a result of reading them?

23 A. It changed dramatically. I mean, when he -- after
24 several days reading the documents called me and that
25 must have been about 4.00 in the morning, which is not

1 unusual by the way, he has a habit of calling me 20, 30
2 times a day, including the night time, because he knows
3 I am a late person, he was totally shocked, he said:
4 listen, it looks like KGB was always a terrorist
5 organisation; and I start laughing because I knew that
6 since the age of 16, and I said: well, Sasha, who do you
7 think killed 30 or 40 million of our citizens, it's
8 them.

9 Q. The reference to 30 or 40 million, what part of your
10 country's history was that a reference to?

11 A. That's 1930s under Stalin.

12 Q. Now, he was a lot -- forgive me -- a lot younger than
13 you.

14 A. Yes.

15 Q. How would you describe the relationship between you? Do
16 you think you were equal friends or do you think he
17 looked up to you?

18 A. No, he did look up to me, and actually I was kind of
19 a teacher for him, which -- a position which I didn't
20 ask to become, but apparently he needed that, and he was
21 looking for someone who can give him information,
22 guidance, he would always ask me what books to read, and
23 I would tell him, he would read the books and then
24 discuss them with me, he was obviously getting through
25 university, so to speak.

1 Q. What do you think was driving him? What do you think
2 was motivating him to learn more?

3 A. Well, he was a curious person. The life wasn't fair to
4 him. He didn't have a chance of getting a proper
5 education. Some military education wouldn't count,
6 that's one thing. Second, he suddenly discovered how
7 evil the system is. He was for a year or something in
8 jail himself, for no reason at all, for some trumped-up
9 accusations. And he suddenly start opening his eyes and
10 try to understand what happened to the country.

11 Q. Your knowledge and the information that you had was all
12 about the Soviet era, wasn't it?

13 A. Mm-hmm.

14 Q. Because that was the era in which you had suffered under
15 the regime, and the documents which you brought with you
16 were documents that were from the Soviet era.

17 A. Yes.

18 Q. By the time that Sasha came to this country, Russia was
19 a different place, it was no longer the Soviet Union,
20 Russia was a country in itself, there had been
21 elections. Why did this matter to Sasha?

22 A. Well, first of all, the change was not that radical.
23 Yes, it wasn't called Soviet Union and it was not
24 a communist country, but the regime remained very much
25 the same. More or less the same bureaucrats were

1 sitting in the same cabinet, in the same offices, and
2 the old habits die hard, as you know. So it was kind of
3 still a continuation of Soviet system, although in
4 a milder version.

5 Q. Did that even apply to the politicians?

6 A. Oh yes, very much so.

7 Q. Do you think that Sasha gained anything from all of that
8 in understanding what had happened to him when he was
9 still in Russia?

10 A. Definitely, it gave him a certain depth to his
11 knowledge. I mean, as far as the post-communist period
12 is concerned, he knew it better than I do, so he already
13 knew how evil it is, how criminal it is. Investigating
14 organised crime, he discovered that most of threads go
15 to his building, to some next door offices. He suddenly
16 realise that KGB kind of patronises organised crime and
17 pretty much works like hand in glove.

18 So that -- he couldn't understand how it all
19 happened, he needed some explanation, and that's why he
20 needed to know something about the past history of our
21 country.

22 Q. He was also friends with Mr Berezovsky and Mr Zakayev,
23 Akhmed Zakayev?

24 A. Yes.

25 Q. I think you knew both of them as well quite well?

1 A. Yes.

2 Q. You know, don't you, that he became very close friends
3 with Mr Berezovsky?

4 A. Well, that happened before I met him, you know, they
5 already were friends back in Russia.

6 Q. So you think they were already close friends even before
7 he came to this country?

8 A. Yes.

9 Q. Did Sasha ever talk about his relationship with
10 Mr Berezovsky and the ups and downs in it?

11 A. Yes.

12 Q. What did he have to say about it?

13 A. Well, we both were amazed how careless Boris was. Both
14 of us with him in different times and once even together
15 tried to persuade him that he lives in a very precarious
16 way. Lots of agents of KGB works in his office, and we
17 actually showed him and pinpointed them and said: they
18 couldn't be anything else, you should just get rid of
19 them. But Berezovsky was an incredibly naive person,
20 with all his billions, he was so naive. He would say:
21 oh no, no, they're very loyal to me, these people. He
22 didn't even understand the nature of Mr Putin. When we
23 first explained to him that Putin is going to kill him
24 if he has a chance, he didn't believe us. He said:
25 Volodia, he came to birthday of my wife, it couldn't be

1 true, so ...

2 Q. Did Sasha ever talk to you about any arguments that he
3 had with Mr Berezovsky?

4 A. Yes.

5 Q. What were the arguments about?

6 A. Some of them were political, some of them of a practical
7 way. Sasha was for a long time working as a security
8 adviser in Berezovsky's company, and that became with
9 time a bit of a burden for him because he said: he
10 doesn't listen to me, I'm advising him on security
11 measures, he doesn't take them, it's a kind of waste of
12 time and very awkward situation.

13 So he was looking already for a way of getting other
14 positions in life. Although there was no personal
15 quarrel of any kind. I mean, they didn't develop any
16 hostilities or whatever, but it was something of
17 a disagreement as he explained.

18 Q. So their friendship remained intact throughout?

19 A. Yes, yes.

20 Q. How often would you see Sasha during these years?

21 A. He would call me about 20 times a day, if not 30, but
22 visiting me was not that often. Sometimes I would be in
23 London seeing him as well and some common meetings or
24 whatever. So visiting my place in Cambridge, in all
25 times he probably did 15 times, not more.

1 Q. Did you sometimes see Marina and Anatoly as well?

2 A. Yes, sometimes he brought the whole family.

3 Q. Was there a time when he brought his lawyers to talk to
4 you?

5 A. His lawyers, yes, there was a point, his Moscow lawyers,
6 Mr Marov and another one, I don't remember the name, who
7 were still defending him in Russian courts. You have to
8 understand that although he ran away, the cases against
9 him continued, and all of them were grotesque, they were
10 all absurd, you know, accusations like blackmail -- it
11 was blackmail the vegetable store for green peas or
12 something, and of course all these accusations fell
13 through in the courtroom. And his main lawyer in Russia
14 was Mr Marov, a very respectable man, who used at one
15 point to be in the military college of Supreme Court, he
16 was very influential but disagreed with authorities and
17 was thrown out, so he became a lawyer, a defence
18 counsel.

19 Q. Did you form any view as to why the FSB were bringing
20 charges like that against Sasha?

21 A. Well, I mean, it's not difficult to understand, I mean
22 they just didn't know what to do, they served their
23 bosses, bosses wanted him to be punished, so they
24 continued to do absurd things which wouldn't mean
25 anything.

1 Finally, they sentenced him to suspended sentence in
2 absentia. I mean, tell me, why did they bother?

3 Q. I want to ask you a little bit about Sasha's work in the
4 UK. In your witness statements, you've said that Sasha
5 never said anything to you about specifically working
6 for British security services. That's right, isn't it?

7 A. That's right, no.

8 Q. But you do know that he travelled to Italy to help their
9 police, as you understood it?

10 A. Yes, and Spain.

11 Q. And also to Spain?

12 A. Yes.

13 Q. To help the Spanish police?

14 A. Yes.

15 Q. And that he also had some private security work, but you
16 never discussed the details of that with him?

17 A. No, we didn't discuss.

18 Q. He was also very politically active in the UK, wasn't
19 he?

20 A. You can call it like that. I mean, there is not much of
21 a political activity in UK in general, but he was
22 writing a lot of articles for the Chechenpress site, and
23 he will attend the meetings if we have any meetings.

24 Q. His political activities were concerned with Russia and
25 with Chechnya?

1 A. Yes.

2 Q. Mr Goldfarb was telling us that initially he made more
3 public appearances and made more public speeches and in
4 the latter years he was writing more. You are aware of
5 all of that?

6 A. Oh yes, definitely.

7 Q. Were you ever aware of any threats made to him while he
8 was in the UK?

9 A. Oh definitely. There were constant threats.

10 Q. In your witness statements, one of the incidents that
11 you mention was a phone call that he received while he
12 was visiting you in Cambridge?

13 A. Yes.

14 Q. Can you tell us what you know about this phone call?

15 A. Well, it was around the year 2002, I think, very soon
16 after he -- his escape, and he was in Cambridge visiting
17 me together with his son, his son at that time being
18 something like eight year old boy. We were walking --
19 it was spring time, we were walking in Cambridge,
20 beautiful sight, the birds are singing and suddenly
21 there was a call on his phone, so he answered it and
22 became rather gloomy. By his replies, I understood that
23 it's some kind of threat, I asked him after the phone
24 was over: what was it; oh, it was, he said, some former
25 colleagues from Lubyanka, Lubyanka is headquarters of

1 KGB; and they said to me, do you feel yourself safe,
2 secure, in Britain; come on, remember Trotsky. That was
3 just as we were walking across Cambridge.

4 Q. And the reference to Trotsky was a reference that you
5 understood to be a threat?

6 A. Oh definitely, Trotsky was murdered in Mexico in 1940 or
7 something.

8 Q. Trotsky was in exile himself, wasn't he?

9 A. Yes, and was murdered on orders of Stalin by -- NKVD, at
10 that time was called NKVD and not KGB.

11 Q. Did Sasha understand that too?

12 A. Oh definitely.

13 Q. I also want to ask you about an email which appears to
14 contain a threat. I'm going to ask to have up on the
15 screen in front of you INQ015576, please.

16 A. Is that the 2 May --

17 Q. No, it's going to come up on the screen in front of you.

18 A. Okay.

19 Q. 015576. No? In which case can I please try 015581.

20 This is a translation of an email which Sasha
21 received from Mr Trepashkin who I think you know of,
22 don't you?

23 A. Yes.

24 Q. Can I just ask you to have a look at paragraph 2, in
25 this translation, it says:

1 "Today I have had a meeting with Victor Shebalin who
2 as a former FSB colonel has vast contacts among serving
3 FSB officers. In the course of the conversation, he
4 said that 'you have been sentenced' to extrajudicial
5 elimination, ie after the publication of this book, you
6 will definitely be killed. Saying this, he asked me to
7 stress that he would not be involved in this killing.
8 He repeated several times about his non-involvement in
9 the murder. Who specifically was going to eliminate
10 you, Shebalin did not name, but he hinted that such
11 people do exist (so you better write your will in
12 advance)."

13 Now, I'm just asking you, do you recognise this
14 paragraph at all?

15 A. Vaguely. I mean, it was long ago. I remember at one
16 point Sasha sent me or rather forwarded me an email from
17 Trepashkin with this kind of text, and asked me to
18 translate it into English as quickly as possible because
19 he has to give it to police. So I did. But that was so
20 long ago, I think it was 2004 or --

21 Q. No, it was actually earlier than that, it
22 was October 2002, and I'm sorry that I couldn't actually
23 show you the email that you sent back to him.

24 A. I translated it quickly and sent it to him and
25 apparently he went to police with that, so police

1 prevented any consequences.

2 Q. I think you also know about an incident when Sasha was
3 being followed by somebody from the Russian embassy. Do
4 you remember that?

5 A. He was -- yes, he was harassed by someone, yes, someone
6 called Kirov, I think.

7 Q. Kirov, that's right.

8 A. Yes.

9 Q. If we can have on the screen, please, HMG000307, this is
10 a letter from Sasha's solicitors to the Home Office. If
11 we can just have the body of the letter, please, do you
12 see the first paragraph just saying the solicitors act
13 for him and his family, and at the end of that
14 paragraph, the second sentence:

15 "In the last 24 hours our client has had repeated
16 visits at his home address from a man purporting to be
17 from the Russian embassy who has given his name as
18 Victor Cirov [spelt there with a C]. Mr Cirov's manner
19 is persistent and harassing. In particular he keeps
20 demanding to speak to Mr Litvinenko."

21 A. Yes.

22 Q. Did you understand that to be threatening behaviour on
23 the part of the Russian embassy?

24 A. Definitely. I mean, it is more or less typical, when
25 they want to frighten someone, to blackmail someone,

1 they would do things like that. In the past it happened
2 to other people.

3 Q. Do you think that Sasha was aware that he might be at
4 risk?

5 A. Oh yes, he definitely was aware all the time.
6 Particularly he was worried about his family.

7 Q. I think that you last saw Sasha at the memorial service
8 for Anna Politkovskaya --

9 A. That's right.

10 Q. -- on 13 October 2006?

11 A. Yes.

12 Q. That was the day that he was made a British citizen.

13 A. That's right.

14 Q. I think he went straight from the ceremony to the
15 memorial service.

16 A. Yes.

17 Q. Did you speak to him at the service?

18 A. Yes, I did.

19 Q. Did he say anything to you that day about his own safety
20 and security?

21 A. Exactly, I mean, he was very pleased with getting
22 British citizenship and he asked me: it makes me more
23 secure, isn't it, it protects me; and I had to smile and
24 say: well, not much, not really.

25 Q. Sadly, we know that he was poisoned, we think on

1 1 November.

2 A. Yes.

3 Q. After he was poisoned, did you speak to him while he was
4 in hospital?

5 A. All the time on the phone, yes.

6 Q. Did he tell you who he first thought was responsible for
7 his poisoning?

8 A. He did, but it was definitely a mistake. He suspected
9 an Italian with the name of Mario Scaramella, and
10 I assured him that Scaramella wouldn't kill
11 a neighbouring cat without being frightened himself.

12 Q. Had you met Mr Scaramella yourself?

13 A. Yes.

14 Q. Was that your personal assessment of him?

15 A. That's right.

16 Q. When did you first discuss other possible poisoners with
17 him?

18 A. Only in very general terms. I have to emphasise, he
19 never mentioned names of Lugovoy or any one of these
20 people. I didn't hear these names, I didn't know them,
21 before it all became more known when he made another
22 statement in his hospital, but throughout our
23 relationship these names never came up.

24 Q. Even after he'd been poisoned, the only person that he
25 was keen to talk to you about as a suspect was

1 Mr Scaramella?

2 A. That's right. He tried -- he wanted to publish this,
3 and we tried to persuade, with my friend, Sasha that he
4 shouldn't publish it, it's total rubbish, you make
5 yourself ridiculous if you publish that.

6 Q. Did Sasha describe his symptoms to you?

7 A. Yes.

8 Q. Did that raise any ideas in your mind as to what the
9 poison was?

10 A. Yes, it did, yes, it did. Being in Moscow University,
11 we all have military training as well as civilian in our
12 science, and my field in military was the radiation
13 effects on living tissues, so we have to go through all
14 these things, and when Sasha described his symptoms in
15 the hospital, at certain stage, not immediately, I would
16 imagine a week or something into illness, I said:
17 listen, it's typical, a typical symptoms of radiation
18 poisoning, absolutely typical, it's textbook, you have
19 to talk to doctors, they have to check you on radiation.
20 I said the same to his wife Marina and to Akhmed.
21 I said: well, he probably cannot persuade them, but you
22 persuade the doctors to run the tests on radiation, it's
23 definitely radiation.

24 Q. We've heard from the doctors about what they did in that
25 respect.

1 A. They ran the tests, but they ran the wrong tests. You
2 see, polonium, unfortunately it's alpha emission, not
3 gamma or things like that, so Geiger counter doesn't
4 take it.

5 Q. So sadly it took some time before the actual poison was
6 found?

7 A. Yes.

8 Q. I want to pause for a moment here and go back to the
9 document which I was going to ask you to look at which
10 should be on the screen now in front of you. Can we
11 have the top half of that, please.

12 You see this is an email from you, Vladimir to
13 Alexander, 12 October?

14 A. Mm-hmm.

15 Q. And what's in English there:

16 "Greetings, Alexander!"

17 That's the translation that you made, isn't it?

18 A. Yes.

19 Q. That you sent back to him on the same day you received
20 it from Mr Trepashkin?

21 A. Exactly, the matter was urgent.

22 Q. Yes, thank you.

23 The last thing I want to ask you about is this: it
24 goes back to July of 2006 when Russia passed the second
25 of two laws that changed the way that it could deal with

1 extremists and terrorists. It's right, isn't it, that
2 you wrote a letter to the Times together with
3 Mr Oleg Gordievsky. Can I have that up on the screen,
4 please? It's INQ019194. We've seen this, and we've
5 read it before, but do you recognise that now?

6 A. Yes.

7 Q. In the fourth paragraph after having referred to those
8 laws, you say:

9 "... the stage is set for any critic of Putin's
10 regime here, especially those campaigning against
11 Russian genocide in Chechnya, to have an appointment
12 with a poison-tipped umbrella. According to the
13 statement by the Russian defence minister Sergei Ivanov,
14 the blacklist of potential targets is already compiled."

15 A. That's right.

16 Q. The poison-tipped umbrella, to whom or to what incident
17 was that a reference?

18 A. I was referring to a very well-known incident in Britain
19 when a Bulgarian dissident, Georgi Markov, was murdered
20 on Waterloo Bridge, I think, in 1977 by this device, an
21 umbrella which would release a small pellet with poison.

22 Q. This is clearly what you thought then, that the laws
23 then allowed the Russian government to do these things.

24 A. Yes.

25 Q. Do you think that this is indeed what then happened to

1 Sasha?

2 A. Exactly, exactly.

3 MR TAM: Would you wait there for a moment, please.

4 Questions by MR EMMERSON

5 MR EMMERSON: Mr Bukovsky, I just want to ask you a few
6 questions on behalf of Marina Litvinenko, Sasha's widow.

7 A. Can you speak up, please?

8 Q. Yes, I'm sorry. I want to ask you a few questions on
9 behalf of Marina Litvinenko.

10 A. Right.

11 Q. They'll mainly be just small points of clarification
12 from the evidence that you've already given.

13 Can I just return to what you told us earlier on
14 about your own personal history and just pick up
15 a couple of details with you, if I may.

16 Just to be absolutely clear for the public record,
17 the psychiatric diagnosis that was made in relation to
18 you was part of a pattern of Soviet misuse of psychiatry
19 to suppress dissidents, is that right?

20 A. That's correct.

21 Q. Indeed, the crime for which you'd been arrested was
22 anti-Soviet activity, is that right?

23 A. That's correct.

24 Q. Just to make it absolutely clear that you were regarded
25 as a political prisoner, you told Mr Tam that you came

1 to be released in 1976. You were released by way of
2 a prisoner exchange for the leader of the Chilean
3 Communist party, is that right?

4 A. That's right.

5 Q. So you were clearly regarded then by the Soviet
6 authorities in 1976 as a sufficiently important
7 political prisoner to be bargained as a chip for the
8 leader of the Communist party in Chile?

9 A. Let's clarify one point. The Soviet propaganda would
10 never admit that they have political prisoners.
11 Officially, we were called especially dangerous state
12 criminals. But implications, and particular exchanges
13 like you mentioned, my exchange and some other people,
14 the implication was very clear, that was kind of
15 euphemism for political prisoners.

16 Q. You came over time to be something, after your release
17 and settlement in the West, to be something of a leading
18 figure in campaigning against that type of repression by
19 the Soviet era authorities?

20 A. Well, I did my best, as much as I could do.

21 Q. You were for a time, at least, the leading light in an
22 organisation called the Victims of Communism Memorial
23 Foundation, is that right?

24 A. No, I was one of the advisers.

25 Q. And that organisation exists to support and publicise

1 the plight of individuals who have suffered from
2 a variety of forms of gross human rights abuse by the
3 Soviet era authorities?

4 A. That's correct.

5 Q. You said that after the political changes and the
6 Gorbachev/Yeltsin era that really little had changed.
7 Do the authorities still use psychiatry as a means for
8 suppressing dissidents?

9 A. No. In 1989, I think, because Gorbachev tried to win
10 the sympathy of the West by hook or crook, he understood
11 he must abandon this practice. They reviewed the law
12 handling the political prisoners, all the prisoners and
13 such who committed a crime in the condition of mental
14 disorder. They significantly liberalised the law. They
15 introduced judicial control over it, more rights the
16 relatives would get, and so on and so forth, so they
17 completely rewritten the whole law.

18 Q. So other methods presumably had to be found for dealing
19 with dissidents?

20 A. That's right.

21 Q. Can you just describe for us in a sentence or two what
22 those other methods were under the post-Soviet regime?

23 A. Well, at the beginning under Yeltsin's presidency, there
24 were no political repressions at all, but then there
25 were some developments, very turbulent developments, in

1 1993 when he had a confrontation with the then
2 Parliament, the Supreme Soviet, and as a result of it,
3 the White House, the so-called White House place of
4 Supreme Soviet was actually bombed by tanks and stormed,
5 and of course that brought political prisoners.

6 Mind you, Yeltsin would always try to release them
7 as soon as possible. He would proclaim amnesty for the
8 people who took part in the putsch -- in the coup of
9 1991. He also released within few months people
10 arrested for 1993 revolt, riot.

11 Q. I think we probably all remember those very dramatic
12 images. Has anything changed in the way that Russian
13 authorities, intelligence agencies, and others, deal
14 with dissidents since Vladimir Putin became president?

15 A. Yes, the emergence of Vladimir Putin was perceived by us
16 not as emergence of a certain lieutenant colonel. It
17 was definitely coming to power of KGB as an institution,
18 and since I am so used to monitor the developments, we
19 all knew in advance, as soon as he was pronounced to be
20 a candidate for the presidency by Yeltsin, a successor,
21 we knew we are dealing with KGB coming to power.

22 Q. What did that mean for political opponents and
23 dissidents?

24 A. For political opponents and dissidents, it means
25 repressions and even murder. For the West, it means the

1 growth of aggressiveness, an attempt to establish the
2 former Soviet sphere of influence in particularly
3 Eastern Europe and among former republics of the Soviet
4 Union. We knew it immediately. Being in Russia in
5 2001, I actually made a speech at a ceremony of
6 receiving award, a congressional award there, and if you
7 find this speech, I gave exactly what's going to happen.
8 Exactly.

9 Q. We've just seen the letter that you wrote to the Times
10 predicting what might be happening in London, but we'll
11 come back to that in a minute, if we may.

12 Jumping forward, you told Mr Tam about that rather
13 extraordinary moment when Mr Litvinenko and Sasha came
14 back to you after reading those original documents that
15 you had scanned and kept hold of about the evolution of
16 the history of the Soviet Communist party, but in
17 particular about the organisation that he worked for,
18 and you've said that he responded to you by saying that
19 he was shocked that it was a terrorist organisation, an
20 organisation involving terrorist activities.

21 A. International terrorists.

22 Q. Without descending into a long history, can you tell us,
23 perhaps with most recent events in mind, what that
24 description means in relation to the KGB?

25 A. Well, I gave him documents which dated -- the last one

1 dated 1991, because that's when the central committee
2 stopped existing, so whatever was Soviet involvement
3 organising international terrorism, so-called liberation
4 movements and things like that was then, and that's what
5 I gave him.

6 Now, you should keep in mind that one of the
7 obligations of Sasha in KGB was fighting not only
8 against organised crime but also against terrorism, and
9 for him, it was kind of a buzz word, you know, the
10 terrorism.

11 Q. Just so that we're clear so that everybody understands,
12 the material that you showed him included documents
13 confirming that the KGB had engaged in bombings of
14 civilian targets, is that right?

15 A. That's right. Also in bringing some activists from
16 different countries and so forth, training them,
17 training them, in terrorist activity and sending them
18 back under false documents, with diplomatic cover.

19 Q. Because we know, of course, that the first book that
20 Sasha was coauthor of and which got some wide publicity
21 and is mentioned in the Trepashkin email, dealt with
22 allegations that the KGB had been engaged in a terrorist
23 bombing of an apartment block in Russia. Was that of
24 a piece with the sort of material that you were able to
25 show him proof of in your documents?

1 A. Well, more indirectly connected, more circumstantial,
2 because I didn't have documents about them blowing up --

3 Q. I'm sorry, I should have made my question clearer. Was
4 that the same sort of activity as had been revealed in
5 your documents --

6 A. More or less, more or less, I gave him documents
7 concerning Palestinians, liberation movements in Central
8 America and South America, in Middle East, massive
9 documents, where it absolutely clearly said that they're
10 training terrorists, sending them, supplying them with
11 explosive materials, weapons, documents, cover
12 documents, things like that, a full involvement of
13 Soviet state --

14 Q. Including organisations that were targeting civilians?

15 A. That's right.

16 Q. Thank you. Another small point, if I may, briefly. In
17 one of your witness statements, a statement
18 dated December 2006, there's a sentence describing Sasha
19 and his work for the FSB in which you said:

20 "His department were asked to kill people, Alexander
21 refused but his whole department was scared."

22 A. Yes.

23 Q. I want to understand, focusing on that word "scared".
24 When you were saying his whole department was scared,
25 did you mean they were scared into doing what they did

1 or that they were scared about the consequences of not
2 doing it, or they were scared about Mr Litvinenko
3 revealing it?

4 A. Well, as far as I understood it from Alexander, most of
5 them, being quite experienced and cynical, knew that
6 they would not be left alive if they start killing
7 people on orders of the bosses. Ultimately, they would
8 be annihilated themselves. So once you step on this
9 path, the end result is known, and they were scared,
10 they didn't want to do it.

11 So, as you probably know from his material, by 1998,
12 they actually made the press conference, which was shown
13 on Russian television, all of them, practically the
14 whole department, although some of them covered their
15 faces, but others didn't.

16 Q. That was with a view to protecting themselves?

17 A. Yes, and they revealed that they are under pressure from
18 their generals to go and kill people the generals want
19 to be killed.

20 Q. Thank you for that. One small point on the Trepashkin
21 email that we've just looked at. In your January 2015
22 witness statement, you refer to that email and to the
23 indication that there was a serious threat to Sasha's
24 life, and you say:

25 "As far as I know, the team came to the UK and were

1 intercepted by the police."

2 Can you tell us any more about that?

3 A. Well, that's what Sasha told me. I mean, I know it only
4 from him, not directly from police.

5 Q. That's directly from Sasha?

6 A. Yes, and he said, yes, they were intercepted and sent
7 back without a case being opened against them, which was
8 pretty clear why, the British government didn't want to
9 have any problems with Russian government.

10 Q. Last couple of questions, if I may. When you were
11 answering Mr Tam's questions, you touched on work -- I'm
12 not going to ask you in detail about this -- that
13 Mr Litvinenko was doing for the Spanish authorities and
14 for the Italian authorities. Just one question, if
15 I may. In your 2006 statement you say that as a result
16 of Mr Litvinenko's work in Italy, a number of Ukrainians
17 were arrested. Again, can you tell us what the source
18 of that information is and what if anything you know
19 about it?

20 A. Yes, they had at that time in the Italian senate
21 a so-called Guzzanti commission after Senator Guzzanti,
22 which was officially called Mitrokhin commission. They
23 were checking the documents brought by former KGB
24 officer Mitrokhin.

25 Q. Pausing there, if it's in the context of that commission

1 that these arrests took place --

2 A. That's right.

3 Q. -- we have very much more direct evidence coming in the
4 sense that we're hearing from both Mr Scaramella and
5 from --

6 A. Exactly. I've heard about it from Scaramella first.

7 Q. Fine, okay, in which case we can get that information
8 from a source slightly more direct.

9 The Times article briefly now. You were shown by
10 Mr Tam the prophetic suggestion, and this was a letter
11 you wrote in July of 2006, that those who opposed -- you
12 said any critic of Mr Putin's regime was essentially
13 vulnerable to assassination. Did you regard Sasha as
14 a dissident?

15 A. Well, it doesn't matter, he was very critical of Russian
16 government, particularly because of war in Chechnya. He
17 was writing periodically articles published in
18 Chechenpress internet site which were very outspoken,
19 very critical, so he qualified for this category.

20 Q. And Sergei Ivanov, you say in the letter, had publicly
21 indicated that a list had already been drawn up. Can
22 you help us a bit more with that?

23 A. He made a statement, after this law passed, he made this
24 statement which was published in Russian internet
25 resources, so I've simply picked it up from Russian

1 internet.

2 Q. Finally on the letter, this: the two elements, if I can
3 put it this way, of the legal change that happened
4 in July of 2006 were, firstly, the existence of a legal
5 authorisation to send squads of officials to other
6 countries, that's to say outside the territory of the
7 Russian Federation, and to eliminate extremists in
8 a summary extrajudicial execution, correct?

9 A. Yes.

10 Q. And secondly to redefine the term "extremism",
11 justifying summary execution --

12 A. That is right.

13 Q. -- so as to include libellous statements about the
14 administration?

15 A. That's right.

16 Q. Would you agree that what Mr Litvinenko was doing both
17 publicly and privately would fall four square within
18 that definition?

19 A. Definitely, definitely.

20 Q. Your concern, I think, at the time was that unless the
21 international community registered its objections, by
22 meeting with President Putin immediately after the
23 adoption of this law --

24 A. That's right.

25 Q. -- in effect there was a sort of degree of quiet, not

1 acquiescence but failure to properly register an
2 objection?

3 A. Even endorsement. It's very typical for KGB, this kind
4 of thing, to do something outrageous and then to invite
5 some respectable people as if they approve it.

6 Q. Do you have any doubt that that legal authorisation has
7 been and will be used by President Putin's regime to
8 exterminate its enemies?

9 A. Well, it is used and it was used and it will be used if
10 Putin is still alive.

11 Q. Do you have any doubt as to the responsibility for
12 Sasha Litvinenko's murder?

13 A. None, I am pretty sure it was done on orders from
14 Kremlin.

15 MR EMMERSON: From the Kremlin. Thank you.

16 MR TAM: Sir, unless you have any questions?

17 THE CHAIRMAN: Mr Bukovsky, I'm very grateful to you for
18 your assistance, thank you. We shall resume at 2.15.

19 (1.16 pm)

20

21 (The short adjournment)

22 (2.15 pm)

23 THE CHAIRMAN: Yes, Mr Tam.

24 MR ALEXANDER GOLDFARB (continued)

25 Questions by MR TAM (continued)

1 MR TAM: Mr Goldfarb, thank you very much for your patience.

2 I want to resume by asking you about attempts to
3 assassinate Mr Berezovsky.

4 A. Yes.

5 Q. The first of these is the Terluk case, isn't it?

6 A. Yes.

7 Q. We've heard bits and pieces of this as we've gone along
8 through these open hearings.

9 A. Yes.

10 Q. But it's right, isn't it, that Mr Terluk said that he
11 had been sent over as part of a possible assassination
12 of Mr Berezovsky, perhaps by using a pen, in
13 a courtroom?

14 A. Did he say so? I think he certainly didn't say that to
15 me. He said that he was sent on -- first, on a mission
16 on behalf of the Russian embassy to monitor and report
17 on what's going on as he usually did on whatever events
18 associated with the Berezovsky group and similar events.
19 I even saw him in this courtroom. He appeared a couple
20 of times. That's what he does, and then at some later
21 point he said that he was asked to see whether he was
22 able to bring something like a metal pen through the
23 security control into the courtroom and whether he would
24 be able to get close to Berezovsky. And we reported
25 this to the police, and then we gave the information to

1 the press, and then the rest we don't know, but as far
2 as I remember, he repeated the same story to a police
3 officer, and it was -- but I don't think he ever said
4 the word "assassination", but we inferred from that that
5 that might be some sort of preparation to some sort of
6 active action.

7 Q. So you inferred that he was part of some plot that might
8 end like that, whatever his actual role was?

9 A. Yes, but on the facts of it, it might be a plot to place
10 a tracer on Berezovsky, for example, rather than
11 administer a poison.

12 Q. And the later libel litigation basically stemmed from
13 him telling a different story about that?

14 A. Well, he said that he never said that. Actually, what
15 I just mentioned, and he said that this whole story was
16 concocted by Litvinenko and myself and I think
17 Yuri Dubov, and then on that basis he said Berezovsky
18 got political -- got asylum in this country which we
19 don't know whether it's true or false, we don't know the
20 basis of Berezovsky's asylum.

21 So there were plenty of reasons to give Berezovsky
22 asylum other than this rather far-fetched story.

23 So then he claimed that stemming from that that
24 Sasha allegedly threatened Berezovsky to take back this
25 statement, and because of that -- and, as the result,

1 Berezovsky would have lost his asylum status and that's
2 what was the motive according to Terluk in Russian
3 television for Berezovsky to kill Sasha. So the case,
4 libel case, brought by Berezovsky against Terluk and
5 Russian TV was to kind of disavow this theory.

6 Q. We've seen plenty of documents about that case.

7 A. Yes.

8 Q. I want to go on to ask you about another plot against
9 Mr Berezovsky in June of 2007.

10 A. Yes.

11 Q. In June of 2007, you came to London in the middle of the
12 night, didn't you?

13 A. Yes.

14 Q. Can you tell us what did you discover when you arrived?

15 A. Well, when we arrived we were told that there is
16 a general -- I arrived with Marina, we were on a booked
17 tour to the Continent, and we arrived from Germany and
18 we were told by the driver who met us from Boris' office
19 that there is a general alert and that the police came
20 and there is a plot and Boris -- and he has to bring us
21 immediately to Akhmed's house and Akhmed was celebrating
22 I think his birthday, or Marina's birthday, right, it
23 was Marina's birthday.

24 So Akhmed was throwing a party in his backyard, so
25 we were brought there and there was plain-clothed police

1 there watching everything, and Berezovsky was out of the
2 country on the advice of the Scotland Yard, and what
3 transpired some time later, about a month or so, was
4 that the police indeed had arrested an individual, and
5 then we learned from other sources such as memoir of the
6 head of counter-terrorism command in the Scotland Yard,
7 by the name of Andy Hayman who published a memoir
8 without naming names, he gave a pretty full account of
9 this story.

10 What happened is that they had intelligence that an
11 individual came to London to assassinate Berezovsky, and
12 they found this individual, he was checked into the
13 Hilton Hotel and sought a meeting with Berezovsky, so
14 they -- the police told Berezovsky to get out of the
15 house, but this individual was led to believe that
16 Berezovsky is waiting for him, and the police arrested
17 him in the hallway of Berezovsky's office apparently
18 with a gun or something of that sort.

19 Then the police interrogated him, and then there
20 was, according to Andy Hayman, there was a big political
21 process going on behind the scene between the Home
22 Office and the Foreign Office and Prime Minister's
23 office and they didn't know what to do with this guy, so
24 eventually they decided to expel him, and he was
25 expelled to Russia, put on a plane. And then from the

1 Russian media and sources, we figured out who this guy
2 was. His name was Movladi Atlangeriev and he is a very
3 well-known individual belonging to another organised
4 crime group, which is called Lazanska(?) organised crime
5 group in Moscow, which is partly Chechen, partly
6 Russian, with a long history of association with the
7 FSB. And this particular person, Atlangeriev, was known
8 as a boss of this, one of the founders of this group,
9 but he was also known publicly as somebody who had
10 a long association with FSB. He was awarded a medal by
11 Mr Patrushev for his role in helping in the first days
12 of the second Chechen war to bring some of the Chechen
13 commanders to the federal side, and he was noted for his
14 distinguished service, and there were other people who
15 knew that he is associated with a couple of deputy
16 directors of FSB, and so on and so forth, so he was
17 a known person associated with the FSB.

18 Then the next thing we know is that he was kidnapped
19 a couple of months -- two or three months later in the
20 centre of Moscow.

21 Q. Sorry, can I stop you there. Two or three months later
22 being two or three months after what date?

23 A. After he was -- probably five months after he was
24 deported to Russia.

25 Q. Okay, so this is after --

1 A. After he was deported to Russia, he was kidnapped by
2 another group of Chechens according to the press in the
3 centre of Moscow, and then his family complained that he
4 was brought to Chechnya by Ramzan Kadyrov who is the
5 president, Putin's appointee president of Chechnya,
6 cooperator president of Chechnya, and there he was
7 killed, and the people, as we learned from yesterday's
8 press that the people who apparently kidnapped and
9 killed Atlangeriev were the same group who are now
10 accused -- standing accused of murdering Boris Nemtsov,
11 so it's part of the Chechen thing. Maybe Mr Zakayev
12 could tell more about that.

13 Q. I want to ask you a very specific question. Sasha was
14 known to be closely associated with Mr Berezovsky and
15 Mr Zakayev.

16 A. Yes.

17 Q. What effect do you think that had on the risk to him, to
18 Sasha, of being harmed?

19 A. Obviously it was one of the major -- I mean, there was
20 many motives behind -- for people to want him dead.
21 I mean, in the Russian FSB, and the government. But --
22 and Putin, starting with the very fact of his coming to
23 this country because he was considered a defector and
24 a traitor, they said it many times, different people,
25 Putin included, and of course his allegation, the

1 apartment bombings, whatever, it was mentioned here.

2 So -- but apart from that, there is the figures of
3 Berezovsky and Zakayev have a very specific and
4 particular political meaning in Russia. They are the
5 two -- first of all, they are depicted and demonised by
6 Russian propaganda as arch enemies. Zakayev is -- has
7 been characterised by Russian foreign minister as
8 Russian Osama Bin Laden and accused of gross terrorism,
9 that was the basis of the extradition request; and
10 Berezovsky is depicted by the Russian propaganda as
11 somebody who sponsors terrorism. And when they were
12 granted asylum, or when Zakayev's extradition was
13 rejected by a British court, this was the basis,
14 I think, both in fact and in propaganda, of
15 reclassifying United Kingdom from a friendly state to an
16 enemy state, in their statements and in their attitudes.

17 So in that sense, an association with Boris and with
18 Zakayev or Sasha and of everybody else who are
19 associated was kind of kiss of death, if you want.

20 That alone would be a very serious reason to --
21 you know, for many people to stay away from us, to keep
22 away from us, and many did.

23 Q. The next thing I want to ask you is about evidence of
24 the attitudes towards Sasha as said by individuals who
25 are part of official bodies. In fact, one thing that

1 was not said that we've seen on video is a target
2 practice video and we don't need to see that again, but
3 it's right, isn't it, that on 24 November 2006, the day
4 after Sasha's death, a Duma deputy called Abeltsev made
5 a speech on the floor of the Duma in which he said:

6 "Last night Alexander Litvinenko died in a London
7 hospital. The deserved punishment reached the traitor.
8 I am confident that this terrible death will be
9 a serious warning to traitors of all colours wherever
10 they are located. In Russia they do not pardon
11 treachery. I would recommend citizen Berezovsky to
12 avoid any food at the commemoration for his accomplice
13 Litvinenko."

14 That's an illustration of some of the official
15 attitudes?

16 A. Yes, that speaks for itself.

17 Q. If we can have, please, on the screen HMG000353, we have
18 here a transcript of a radio programme, do we see the
19 headline, "Litvinenko's former boss ... expands on his
20 BBC interview", and it's an interview in fact with
21 Mr Gusak about whom we've heard. If we can go on, then,
22 to the next page, please, 354, in the top quarter of the
23 page, do we see the second question from the presenter
24 there:

25 "But you believe that under Soviet laws, Litvinenko

1 deserved to be executed, right?"

2 And Mr Gusak says:

3 "Well, he did, yes."

4 A. Well, Mr Gusak is right, of course, he did deserve; and
5 we've heard the reference to the umbrella episode here
6 in London where a man was executed for much lesser
7 misdeeds than Mr Litvinenko committed.

8 Q. Then if we can have a look, please, at HMG000358, just
9 to identify the document, we see here this is
10 a collection of official Russian comments on the
11 poisoning. If we can go on two pages, please, to 360,
12 two-thirds of the way down the page, do we see
13 a quotation from Mr Zhirinovsky?

14 A. Yes.

15 Q. Saying:

16 "There is an agreement among special services and it
17 was MI6 which killed this scoundrel in London ...
18 Litvinenko was killed as a traitor."

19 A. Yes.

20 Q. So leaving aside the logical inconsistency there, that's
21 the attitude towards Sasha from officials?

22 A. Yes.

23 Q. It's right, isn't it, Mr Zhirinovsky is the leader of
24 the party of which Andrei Lugovoy is a member?

25 A. Yes, and Mr Abeltsev too.

1 Q. The next topic that I would like to deal with is a man
2 by the name of Potemkin?

3 A. Yes.

4 Q. It's right, isn't it, that you had dealings with a man
5 called Alexey Potemkin?

6 A. Yes, I did.

7 Q. And also with a friend of his by the name of
8 Sergei Ploshkin?

9 A. Never directly.

10 Q. Never directly, because you only communicated by
11 Mr Ploshkin by text?

12 A. Yes.

13 Q. It's right, isn't it, that this is a very long and
14 complex story?

15 A. That is true.

16 Q. You have helped the police with that and you've given
17 a long witness statement to this Inquiry about that.

18 A. That's correct.

19 Q. That witness statement dated 22 December of last year.

20 A. Yes.

21 Q. Running to, I think, over a dozen pages?

22 A. Yes.

23 Q. It's a story, isn't it, about the transport of polonium
24 apparently from Russia and across Europe?

25 A. Yes, and within Russia.

1 Q. And within Russia.

2 Now, the documents that you base that on, you have
3 also provided, haven't you?

4 A. That's right.

5 Q. Will it be complete if the Inquiry takes the details in
6 your statement and the documents and analyses them to
7 work out the story?

8 A. Yes.

9 Q. In that event, sir, with your permission, this witness
10 statement can go on to the website and we won't need to
11 spend -- I suspect we could probably spend a whole day
12 trying to tell the story orally from the witness box.
13 But I do want to ask you this, if I may: you discovered
14 at a later time, didn't you, that Mr Potemkin was
15 convicted of fraud in Austria?

16 A. Yes. He told me about it.

17 Q. He told you about that?

18 A. Yes.

19 Q. Before you discovered that, were you more inclined to
20 believe his story than after you were told that?

21 A. No, I would say that my reservations about this story
22 were there, they were not based on his character but
23 rather on inconsistencies in the documents themselves.

24 Q. So you've always had some reservations about the story?

25 A. Well, the major -- there were documents who should be

1 taken -- taken on the face value, and there were certain
2 inconsistencies in these documents, which he explained
3 to my satisfaction.

4 So it may be true, it may be false. The most
5 important thing that in his story, and in his documents,
6 there are certain facts that could be checked or should
7 be checked, because he gives names, dates, numbers of
8 military units, you know, and all kinds of specific
9 information which nobody without special access could
10 check, and I think that the final judgment on
11 Mr Potemkin's credibility can be made only by the secret
12 services which you probably will ask them in the closed
13 part.

14 Q. We're grateful for your evidence and we will certainly
15 analyse all of that in due course.

16 I've got two final questions for you, Mr Goldfarb.
17 The first one is this: of the politicians who are in
18 power in Russia, do you have any feel for what
19 proportion of them have a security or intelligence
20 services background?

21 A. Well, the way it looks, it looks like all of them, but
22 there is a research, serious credible academic research
23 which was conducted by a prominent sociologist by the
24 name of Olga Kryshtanovskaya, and her results were
25 published and she gives specific numbers which I quote

1 in my witness statement.

2 Q. Will it help if we turn up your witness statement for
3 those numbers?

4 A. Yes.

5 Q. It's the most recent of your witness statements,
6 I think, isn't it?

7 A. Yes.

8 Q. The one that you made earlier this month. You'll
9 probably find it at the very bottom of that folder. Can
10 you go to the last page of that statement, paragraph 19?

11 A. Yes.

12 Q. Has that got the heading, "Politicians affiliated to
13 Putin who had a security services background", do you
14 see that?

15 A. Yes.

16 Q. Did she calculate that they constitute 58 per cent of
17 the presidential circle?

18 A. Yes.

19 Q. 34 per cent in the government and 20 per cent in the
20 Duma?

21 A. That is correct, but may I add something, please?

22 Q. Of course.

23 A. This is not only the prevalence of these people in the
24 state structures, it's also their weight in the economic
25 makeup of Russia, and what actually happened is that

1 after the Yukos affair when Mr Khodorkovsky was put in
2 jail and his company expropriated to the benefit of
3 Mr Sechin and his crowd, that signal was picked up by
4 thousands and thousands of people belonging to police
5 and security and some group of bureaucrats associated
6 with them all around the country, and an open season
7 started with regard -- it was a signal for them that
8 they can bleed legitimate businesses, in particular
9 small businesses and medium sized businesses, with total
10 impunity.

11 So what happened within three or four years after
12 2000 -- I mean, in 2003, 2004, 2005, 2006, is the whole
13 economic makeup of the country has changed, and the new
14 class of owners emerged who controlled the economy and
15 who probably combined together own the country and these
16 are people whose wealth is based on entitlements and
17 belonging to this network of security officials.

18 So it's not that simple political or administrative
19 position. It's also their position in the structure of
20 wealth.

21 Q. Does that mean that the security services have even more
22 influence than these raw numbers suggest?

23 A. That's right.

24 Q. The final question is this: we've heard, and especially
25 through you today, about a large number of people who

1 would have reasons to dislike Sasha or more.

2 A. Yes.

3 Q. A large number of people who he would have angered and
4 upset by his revelations and his campaigning and so on?

5 A. That's right.

6 Q. There's lots of people who would have had reasons to
7 wish him harm.

8 A. Yes.

9 Q. Ultimately, who do you think authorised Sasha's killing?

10 A. Well, my reasoning is based on polonium, and the basic
11 premise is that it's a state crime because polonium was
12 available only to state players.

13 So you can discount any theories when people who do
14 not have this access, even if they had a very serious
15 grudge against Sasha would be able to do this. It's
16 evidence-based conclusion.

17 Now, once you accept that it was a state crime and
18 it's a Russian state crime, judging by the whole thing,
19 and -- I mean, in addition to polonium, there is also
20 the figures of Lugovoy and Kovtun. So if we accept that
21 on the basis of evidence that the immediate perpetrators
22 were Lugovoy and Kovtun, and only state could organise
23 and arrange the logistics of the operation, then the
24 question narrows down who in the state structures could
25 authorise that, and the inevitable conclusion, this can

1 be no one else than Mr Putin for three reasons, I think.

2 One is it was already mentioned by Yuri Shvets here
3 that traditionally this sort of active measures from the
4 Soviet times are authorised at the highest political
5 level, that's number one.

6 Number two is that polonium is produced in
7 a civilian agency which is Russian atomic industry,
8 ministry, Rosatom, and to transfer polonium to FSB would
9 require an interagency authority, and the only authority
10 that could authorise such transfer is the presidential
11 administration. So it brings us to a level above the
12 hierarchy of FSB.

13 Mr Patrushev, who was at that time the head of FSB,
14 could not single-handedly order Mr Kiriyenko, who was
15 the head of atomic energy, to give him polonium just
16 like that. He needed -- he would have needed -- that's
17 probably a question to an expert, but that's my guess in
18 any case.

19 So that's number two.

20 Number three is that nobody in the Russian hierarchy
21 would initiate such an operation without covering his
22 back, as Mr Shvets said for not only for general
23 reasons, but for specific reasons that everybody knows
24 in Russia, about a long history of relationship with
25 Mr Putin, Mr Berezovsky and Mr Litvinenko. It's

1 personal.

2 Anybody who is involved in these matters know about
3 that, with probably -- I don't know whether it was shown
4 here, but there was a famous TV footage of Putin
5 speaking about Litvinenko, both at the time of the press
6 conference in 1998 in his capacity as the director of
7 FSB, and with -- after, of course -- no, it was before,
8 when he said, "Who's Mr Berezovsky?"

9 So it's personal. Nobody in his right mind, knowing
10 how things run there, would authorise such an operation
11 when one could be sure that Mr Putin would take a very
12 close look at it after the fact. It's not just
13 unauthorised operation, but it would be an unauthorised
14 operation specifically involving an issue which is very
15 close personally to Mr Putin. In a way I once said
16 I think somewhere that it's a crime of passion, not only
17 the crime of politics, it's a crime of passion.

18 And finally, in one of the WikiLeaks cable, the
19 American official, by the name of Daniel Fried, said
20 that knowing Mr Putin's attention to detail we, meaning
21 the US administration, doubt that this could have
22 happened without Mr Putin's knowledge; and to confirm
23 that, I refer to the statement which was aired on
24 Russian TV three days ago, where there was a film on
25 Russian TV featuring Putin, a long interview, about him

1 telling how they annex Crimea, and Putin said to the
2 presenter: the reason why it worked so smoothly, he
3 means the taking of Crimea and the extraction of
4 Ukrainian president; the reason, Putin said, I quote
5 from memory, the reason it worked so smoothly was
6 because I personally micromanaged the whole operation.

7 The moment you delegate this to the structures, the
8 structures screw up, essentially, that's what he said.
9 So in important situations like this, only me can make
10 sure that everything is done perfectly, and this is kind
11 of in the same vein as Daniel Fried said, that knowing
12 Putin's attention to detail, he must have personally
13 micromanaged it.

14 This is of course inference but to me it's beyond
15 reasonable doubt, but it's up to you to judge it.

16 MR TAM: Thank you, Mr Goldfarb. Sir, unless you have any
17 questions at this stage.

18 THE CHAIRMAN: No, thank you again, Mr Goldfarb.

19 MR TAM: Thank you, Mr Goldfarb. We are grateful to you for
20 agreeing to come back tomorrow for the further
21 questions.

22 A. Thank you.

23 MR TAM: Sir, would this be a convenient moment?

24 THE CHAIRMAN: Yes.

25 (2.49 am)

1 (A short break)

2 (3.05 pm)

3 MR TAM: Sir, I'm grateful. The next witness is
4 Mr Akhmed Zakayev.

5 MR AKHMED ZAKAYEV (sworn)

6 Questions by MR TAM

7 MR TAM: Sir, the interpreter has been sworn previously.

8 THE CHAIRMAN: Yes.

9 MR TAM: Mr Zakayev, can you give your full name, please?

10 A. I'm Akhmed Zakayev.

11 Q. You have the interpreter sitting next to you, so please
12 make as much use of her services as you need to make
13 sure you understand my questions and to make sure that
14 your answers are understood.

15 A. Okay, thank you, I'll do that.

16 Q. Do you have with you copies of the two witness
17 statements that you have made?

18 A. Yes.

19 Q. The first of those was made to the police and is dated
20 25 November 2006.

21 A. Yes.

22 Q. The other one was made to the Inquiry?

23 A. Yes.

24 Q. And has the heading and is dated 20 February of this
25 year.

1 A. Yes, that's correct.

2 Q. Good. If you need to, please feel free to refer to
3 those statements with the interpreter's help to refresh
4 your memory about the events, but I'd like to start,
5 please, by asking you about your background. Is it
6 right that you and your family are from Chechnya?

7 A. Yes, we are from Chechnya.

8 Q. But you yourself were actually born in Kazakhstan?

9 A. Yes, I was born in Kazakhstan.

10 Q. When did you move to Chechnya?

11 A. In 1959 immediately after my birth, I was born in April
12 and moved in May.

13 Q. So really you have lived there almost since you were
14 born?

15 A. In Chechnya, yes, I've always been living in Chechnya.

16 Q. For a long time now, you have been politically active,
17 haven't you?

18 A. Yes.

19 Q. You have been part of a movement that's been seeking an
20 independent Chechnya?

21 A. No, I wasn't part of the movement. I was in the
22 government of Chechnya. I was the minister of culture
23 of the Chechen republic after the independence of
24 Chechnya was granted.

25 Q. Do you still consider yourself part of a Chechen

1 government in exile?

2 A. Yes, I am Prime Minister of Republic of Ichkeria abroad.

3 Q. How long have you been holding that position in this
4 government?

5 A. Since 2007, the Parliament abroad grant me this
6 position, which was elected in 1998.

7 Q. Before 2007, what post were you holding?

8 A. Vice prime minister of the Chechen government.

9 Q. Or deputy prime minister?

10 A. Yes, yes. And an assistant of prime minister of
11 security state, security council.

12 Q. You have now lived in the UK for a number of years.

13 A. Since 2002.

14 Q. You came here and sought asylum, didn't you?

15 A. No, first I was detained here. Then the UK government
16 started the process of extradition. The court withdrew
17 that claim and then I was given the asylum in this
18 country.

19 Q. It's right that you're married?

20 A. Yes.

21 Q. And you have two sons, is that right?

22 A. Yes, I have three childs, two sons and one daughter.

23 Q. We've heard quite a lot about a son who is called
24 Shameel.

25 A. Yes.

1 Q. Is he the older son?

2 A. Yes, he is the older son.

3 Q. Can you tell us which year he was born in?

4 A. In 1981.

5 Q. Had you ever met Sasha Litvinenko before you came to the
6 UK?

7 A. Personal meetings with Alexander Litvinenko I did not
8 have, but I knew of him since 1996 in Chechnya.

9 Q. Can you tell us the context in which you first knew of
10 him?

11 A. In 1996, the very first president of Chechnya, Dzhokhar
12 Dudaev was murdered. And his wife, widow, decided to
13 leave Chechnya and she was detained in Nalchik. But
14 later on it transpired that she was interviewed by
15 Alexander Litvinenko, who at the time was known under
16 the name of Alexander Volkov.

17 For our government, it was very important to
18 establish who was interviewing the widow of the
19 president. It was at that time when I was the deputy of
20 security council, and I was coordinating all the actions
21 of the government of -- the republic of Ichkeria.

22 And through our operatives, security services, we
23 through informants managed to establish who was --

24 THE INTERPRETER: Can I just confirm.

25 A. -- who was the first person to interview the widow of

1 the president, and it was Alexander Litvinenko. His
2 name was Alexander Litvinenko.

3 Q. Did Sasha ever tell you later on whether or not he had
4 used the name Alexander Volkov?

5 A. Immediately after our meeting in 2002, he confirmed that
6 he was introduced to Dudaev when he interviewed her as
7 Alexander Volkov.

8 Q. I think for the record, when you refer to Alla Dudaeva,
9 that was the widow of President Dudaev?

10 A. Yes, the widow of the murdered president,
11 Dzhokhar Dudaev, who was murdered on 21 April 1996.

12 Q. What was the next occasion that you noticed Sasha,
13 Alexander Litvinenko?

14 A. It was when I was in Georgia. After being injured in
15 2000, I was taken to Georgia and that's where I was, and
16 Aslan Maskhadov gave me the post of a special
17 representative in Europe. In 2001, I went to Strasbourg
18 to the Parliament as a representative of the president,
19 and at the same time I was reading in press that
20 Alexander Litvinenko was in the UK, and that he was
21 already making a statement that he had an information
22 that FSB was responsible for the bombing in Volgodonsk
23 and Buynaksk and Moscow.

24 For the Chechen people, it was very important,
25 because the official version of the second war in

1 Chechnya, Putin blamed the Chechens for being
2 responsible for the bombing and started bombing
3 Chechnya. And President Maskhadov appointed me to get
4 in touch with Alexander Litvinenko, get in contact with
5 him, to find out about this.

6 That's exactly what I did. It was Berezovsky at the
7 time I knew personally, was also already in the UK, and
8 it was him who arranged our -- my meeting with
9 Alexander Litvinenko in London.

10 Q. I just want to pause there for a moment and ask you
11 about one thing that happened in between those two
12 dates.

13 In November 1998, Sasha took part in a press
14 conference when he and some colleagues went public with
15 some allegations about their work. Did you --

16 A. Yes, I'm sorry, I'm sorry, I just forgot that, I'm
17 really sorry.

18 Q. That's all right.

19 A. Yes, a second time I heard about Alexander Litvinenko
20 after his press conference which he did on Russian TV,
21 yes.

22 Q. For you, was that anything other than an event in the
23 news?

24 A. At the time, I didn't pay attention to that. When I saw
25 the video, I thought it was some kind of pre-election

1 campaign, like PR campaign for the president before the
2 election.

3 Q. So does that mean that you didn't think that it was
4 a genuine complaint by Sasha and his colleagues?

5 A. I knew it was a complaint, but I thought that it was
6 some kind of campaign that somehow connected with the
7 pre-election of the president, because it was unusual,
8 FSB officers give like this interview on the public TV,
9 it was unusual and I think about that, this is PR
10 campaign for ...

11 Q. It was unusual and so you thought it was a PR campaign?

12 A. Yes.

13 Q. I want to come back to where we had paused, which is
14 that Mr Berezovsky introduced you to Sasha, is that
15 right?

16 A. Yes.

17 Q. Did you have a face-to-face meeting with Sasha then?

18 A. At the time that was personal meeting.

19 Q. That was the first time that you'd ever met him?

20 A. Yes, in 2002.

21 Q. What did you discuss in that meeting?

22 A. Well, we talked about what he knew about the bombing of
23 those block of flats. We also talked about the
24 interview of Alla Dudaeva. He also told me about his
25 involvement in the very first campaign. We knew that

1 there was a special department in Nalchik of FSB that
2 the work of which was controlling the actions.

3 He also told me that he was involved or he actually
4 worked for that department, for that unit, from
5 headquarters of FSK, which is FSB, FSK at the time. He
6 also told me about Pervomayskoye where he actually
7 worked. We talked for a very long time. And he also
8 told me in principle how his opinion changed towards the
9 end of the Chechen war.

10 The breaking point was when he detained young
11 Chechen boys, 15, 16 years of age, he interviewed them,
12 and started telling them off -- not telling them off,
13 but actually to try to establish why such young people
14 would join the group -- the troops of war, because they
15 have to go to study, they are young, what made them to
16 do that. And they told him that the whole year went to
17 war, and it was then when he remembered, as he told me,
18 the stories of his granddad, about Second World War when
19 his granddad told him that they'd gone to war, as a whole
20 year, the whole year went to war.

21 It was then when Alexander realised that for the
22 Chechen people, the war in Chechnya meant exactly the
23 same as the war for the Russian people, Second World War
24 meant, and that was the time when his opinion to Chechen
25 war had changed.

1 Q. Did Sasha explain how his view of the Chechen people had
2 changed as well?

3 A. His -- what do you mean, his relation?

4 Q. No, his view --

5 A. His attitude? Yes, absolutely.

6 Q. -- of Chechen people --

7 A. Yes.

8 Q. -- and what Chechen people wanted?

9 A. Yes, that changed, that's when he started to understand
10 what the Chechen people wanted and what they're fighting
11 for.

12 Q. Was that when he began to become more sympathetic to
13 them?

14 A. According to him, that was the time when, yes, his view
15 had changed.

16 Q. Because we know that later on, when he was living here,
17 he did a lot of work for the cause of the Chechen
18 people, didn't he?

19 A. Yes, in order for you to understand even more, I'd like
20 to explain even further. He did say that there would be
21 the time, the time will come, when the Russians will be
22 ashamed, just like Germans feel ashamed now as to what
23 they did to Jewish people.

24 He pointed at his son, who was with us, and he said:
25 I would do everything I can to make sure that my son is

1 not ashamed of me for that war and for that crime that
2 Russians committed in Chechnya. He was very genuine,
3 and I believed him and I still believe him, he truly
4 believed, and he did exactly what he said, that his son
5 wouldn't be ashamed of him.

6 Q. The two of you became very close friends over the
7 following few years. Mr Berezovsky provided him and his
8 family with a house to live in.

9 A. Yes.

10 Q. And also you as well after you'd been granted asylum?

11 A. Yes, yes, sir, I got the house near Alexander.

12 Q. Very close by?

13 A. Yes. You know Chechen tradition, this is Chechen
14 tradition, that Chechen people first choose the
15 neighbour and then they buy the house. That's exactly
16 what I did.

17 Q. As a result, you and your family saw a great deal of him
18 and his family?

19 A. Yes, we're very, very big friends, very close friends.

20 Q. You would see each other almost every day, wouldn't you?

21 A. Absolutely, yes, absolutely.

22 Q. Yes. And your wife and his wife, Marina, became very
23 close friends too?

24 A. Yes.

25 Q. The children, were they good friends as well?

1 A. Well, my -- our grandchildren became really good friends
2 with Alexander.

3 Q. Were your families close enough that if there were
4 errands to be run, that your sons would be prepared to
5 do that?

6 A. I'm sorry?

7 Q. Were your families close enough that your sons would be
8 prepared to run errands for Sasha and his family?

9 A. Yes.

10 THE INTERPRETER: Sorry, what are the errands you say?

11 MR TAM: Errands, jobs, small jobs to do?

12 A. Our sons, you know, would do something for Alexander,
13 yes.

14 Q. So if Sasha or Marina said to one of your sons, "Please
15 can you help, I need something taking to somewhere else
16 in London, please can you do that for me", would your
17 sons be happy to help?

18 A. Yes, whatever they need, whatever they said, they will
19 do it, I know it.

20 Q. I want to ask you about a governmental investigating
21 committee of which you were appointed a chair. Do you
22 know what I'm talking about?

23 A. Yes.

24 Q. In about 2004?

25 A. Yes, absolutely, yes, in 2004, President Maskhadov

1 appointed me as a chairman of the committee into the war
2 crimes which were committed by the Russians in Chechnya,
3 Russian army against civilians, and at my request
4 Aslan Maskhadov included into this committee
5 Alexander Litvinenko and Anna Politkovskaya, and we
6 worked together in this committee.

7 Q. Was that something that was openly known?

8 A. Yes, in principle it was known, because the order was
9 published and the members of the committee knew about
10 that, and of course it was invaluable that Alexander was
11 taking part in this committee, and also
12 Anna Politkovskaya who also worked on the committee.
13 Anna Politkovskaya knew from the data she had available
14 to her, she knew exactly the places, small villages and
15 towns, where such actions will take place.

16 And Alexander Litvinenko, using his source in
17 Moscow, established who was responsible for these
18 actions in the areas that these actions were taking
19 place, so we started opening the cases into this crime,
20 and we are absolutely confident that it's still open
21 cases and they will be looked at in the future, most
22 definitely.

23 Q. Did these investigations cause any embarrassment to
24 Russian forces or the FSB?

25 A. Maybe not so much to be embarrassed but to be afraid

1 probably. Most of all they're afraid of that. Not that
2 they are afraid of armed forces in Chechnya, which are
3 in the mountains, they're not afraid of people who are
4 committing terrorist acts. Most of all they're afraid
5 of that it would be taking to court for the war crime
6 that they committed, and the work that we did with
7 (inaudible), it was a base to bring the criminals of war
8 to court, or to justice, according to international
9 principles, you know the war crime, it hasn't got the
10 length of expiration or hasn't got expiration, so when
11 we started with Alexander, this work, that's exactly the
12 principle that we had as a basis.

13 MR TAM: Madam Interpreter, can I just ask, did you say
14 "exploration" or "expiration"?

15 THE INTERPRETER: Expiration. Sorry, did i say
16 "exploration"?

17 MR TAM: No, it was unclear and I don't think it's quite
18 gone down correctly, but at least we now know expiration
19 is the word you were using.

20 At the time of their deaths in 2006, were Anna and
21 Sasha still working on these investigations for the
22 commission?

23 A. Yes, and you know that in 2006, Russian Federation and
24 Putin signed two laws or two legislations. One stated
25 that people who criticise the power, journalist or

1 politicians, that they are equal to the terrorist and
2 the extremists, and the second law which makes Russian
3 federal forces -- services eliminate the enemies of the
4 Russian state anywhere they are, no matter where they
5 are. And when this law was passed, they started
6 eliminating people who were in the list, and they were
7 not hiding that, and you know that Russian politics
8 immediately after the death of Litvinenko and when in
9 2004, former president of Tatar was bombed together with
10 his son in the car, and people who committed this crime
11 were detained.

12 Q. Can I just wind this back, you said when this law was
13 passed, they started eliminating people who were in the
14 list. Can you carry on from there, but just keep the
15 sentences short so that the interpreter can hear you.

16 A. First, Anna Politkovskaya was killed, and immediately
17 after the murder of Anna Politkovskaya, a month later,
18 Alexander Litvinenko was murdered.

19 Then in 2007, after the murder of
20 Alexander Litvinenko, assassins were sent to London to
21 eliminate myself and Boris Berezovsky, and as for
22 Boris Berezovsky and Alex Goldfarb (inaudible) and armed
23 police services lived in my house for a week expecting
24 the attack on my house and myself.

25 So the law that was passed basically gave the green

1 light to the Russian establishment to do what they want
2 to do, and they rushed to bring this law in force.

3 Q. I want to stop you there because I will ask you a few
4 questions shortly about that, but I want to go back to
5 the time that Sasha was poisoned on 1 November 2006 and
6 to ask you some questions about that day.

7 Is it right that on that day, 1 November 2006, that
8 you went to your English language school?

9 A. Yes.

10 Q. Did you go together with Yaragi Abdul?

11 A. Yes.

12 Q. Because he was going to the same language school at the
13 time?

14 A. Yes.

15 Q. So were you both there for the whole morning?

16 A. Yes.

17 Q. During that day, did you speak to Sasha during the
18 middle of the day?

19 A. Yes, he called me on my mobile phone at the break time
20 so I talked to him on the phone.

21 Q. What did he want to tell you?

22 A. He gave me the information that he is going to receive
23 or had already received the documents that would help
24 to -- to help to look into the murder of
25 Anna Politkovskaya's case.

1 Q. At that time, that is to say when you spoke to him in
2 the middle of the day, did he ask you to give him a lift
3 home that evening?

4 A. That was in the evening when after lunch I was already
5 in town. I called Alexander to suggest that I'd give
6 him a lift back home. So he asked me to give him
7 a lift, to pick him up.

8 Q. So that was a conversation you had later in the
9 afternoon?

10 A. Yes.

11 Q. It's right, isn't it, that you had to go into the centre
12 of London that afternoon after the language school?

13 A. Yes.

14 Q. Because you were going to make a booking at
15 a restaurant?

16 A. Yes.

17 Q. Why did you have to go to the restaurant to make the
18 booking?

19 A. It was the place where we used to meet with our
20 Norwegian friends, and it was also due to the security
21 reasons for us not to book any tables over the phone.

22 Q. Did you at that stage already have tight security, good
23 security, around you?

24 A. No, we used to arrange ourselves, try to save our lives.

25 Q. So for security reasons you personally went to the

1 restaurant to make the booking, and was it during that
2 journey that you spoke again to Sasha and arranged to
3 take him home that evening?

4 A. Yes, exactly, when we were going back, I waited for him
5 in the place where we arranged, about 10, 15 minutes.
6 He came out of the Boris Berezovsky office. He said to
7 me that he needed to copy some documents which he
8 received from his source or informant.

9 Q. When he got into the car with you, had he already done
10 the copying?

11 A. He had already had the documents.

12 Q. You were driving the car, weren't you?

13 A. Yes.

14 Q. And where was Mr Abdul sitting?

15 A. Yaragi, Abdulaev, Yaragi, he sat at the front.

16 Q. So the front passenger seat?

17 A. Yes.

18 Q. So did Mr Litvinenko get into the back seat?

19 A. Yes.

20 Q. Whereabouts on the back seat was he sitting?

21 A. He sat in the middle, leaning on the front seats -- on
22 the back of the front seats.

23 Q. Is that because he wanted to talk to both of you?

24 A. Yes, we were talking.

25 Q. I think he gave Yaragi the documents to read, didn't he?

1 A. Yes.

2 Q. So that Yaragi could translate for the two of you?

3 A. No, the documents were in English. He was just reading
4 aloud.

5 Q. Okay.

6 A. We did understand a little bit then.

7 Q. Then you dropped off Yaragi at home first, is that
8 right?

9 A. Yes.

10 Q. Then you dropped off Sasha?

11 A. Yes.

12 Q. You went home on the other side of the street?

13 A. That's the same place, yes.

14 Q. On the following day, 2 November, did you have to go
15 into town for business?

16 A. Yes. That evening, Alexander was supposed to come and
17 see me, but he didn't. But in the morning, I went to
18 town.

19 Q. So let's just wind back. He was supposed to come and
20 see you on the evening of the 1st?

21 A. Yes.

22 Q. Okay, but he didn't come?

23 A. Yes.

24 Q. Did you think that that was strange?

25 A. No.

1 Q. The next morning, the 2nd, you then went into town, and
2 you stayed there all day until the evening, didn't you?

3 A. Yes.

4 Q. Because you met your Norwegian friend at the restaurant
5 that you had booked?

6 A. Yes.

7 Q. When you got home, what were you told about Sasha?

8 A. My wife told me that Alexander was not well because
9 Marina had told her about that. It was already 12.00.
10 I didn't want to pop in in the morning because prior
11 that, one or two weeks prior that, he was not well. So
12 I thought it would be the same problem.

13 Q. Can I just ask you about that, one or two weeks prior,
14 how did you know that he had been unwell on that earlier
15 occasion?

16 A. We were neighbours, we practically talked about
17 everything.

18 Q. So Sasha must have told you at about that time?

19 A. I don't remember, Sasha told or Marina, Rosa told, she
20 told me, I don't know, but I know that.

21 Q. Can I then go on to the following day, 3 November?
22 Sasha hadn't got any better, had he?

23 A. No, he didn't get better. Then I saw through the window
24 the ambulance at the front garden, so I then came out
25 the house and walked to Alexander's house, and Alexander

1 was carried out and he was put into the ambulance car.
2 But I could see that he was -- you know, he was very
3 unwell.

4 I don't know why, but from that point on, I thought
5 that he'd been poisoned.

6 Q. He was taken to hospital and we know that he was in
7 hospital all the time after that until he died. You
8 were a regular visitor to him at both of the hospitals,
9 weren't you?

10 A. From 4 November, literally all the time I was there,
11 every day.

12 Q. I just want to ask you, please, about a specific
13 conversation that you had with him early on, and perhaps
14 it was on 4 November, about who he thought had poisoned
15 him. What did Sasha say to you about who he thought had
16 poisoned him?

17 A. I don't remember whether it was on the 4th or the 5th,
18 he was telling me about Scaramella, and I actually did
19 think that was Scaramella who poisoned him. I thought
20 that the documents that he had passed to him was just an
21 excuse in order to meet him, with the aim to poison him,
22 because there was nothing special about these documents,
23 or in these documents, and that's when Marina said to
24 me -- Marina said to Sasha: why are you not telling
25 about your other meetings.

1 So I then got curious about what are these other
2 meetings, and he told me that he was meeting Lugovoy.
3 I asked him who he was. He told me that I had known him
4 because I met him at the Berezovsky's anniversary. He
5 started explaining to me that we were actually sitting
6 at the same table. I did not remember him, and I only
7 recognised him when later on Marina had shown me some
8 photos, and from that point on, when I found out who
9 Lugovoy was, how long Alexander has been communicating
10 with him, I had no doubts that he was poisoned by them.

11 As for Scaramella, why he was mentioned in press,
12 this name, that Scaramella poisoned him, it was my idea
13 and Sasha supported that --

14 Q. Sorry, this is important, can we take this step-by-step.

15 "As for Scaramella, why he was mentioned in the
16 press..."

17 It was your idea, you said?

18 A. Yes.

19 Q. Please can you do it in small bits so we get all of
20 this.

21 A. Because I thought that Scaramella had nothing to do with
22 the poisoning, but Alexander said that Lugovoy and his
23 friends might be still in the UK, but even if they're
24 not there, they can come and we didn't want to frighten
25 them, and it was that day when I insisted that Alexander

1 got in touch with police to tell them that there was an
2 attempt to murder him.

3 This information about Scaramella first was released
4 in Chechenpress. After that, Alexander made a statement
5 in Chechen radio in Prague, Liberty, and after that, the
6 rest of media kind of connected to this information.

7 And later on we found out that Lugovoy had made
8 a phone call to Marina to find out how Alexander was,
9 but I think he at that time had already left the UK and
10 he wasn't in the UK, but in fact was in Russia.

11 Q. Do I understand from that that it was your idea to focus
12 attention on Mr Scaramella and to do so deliberately?

13 A. Yes.

14 Q. Just in relation to Mr Berezovsky, it was his birthday
15 party, wasn't it, his 60th birthday party?

16 A. Yes.

17 Q. Can we please have up on the screen INQ018999. Do we
18 have a photo there of many of you at the party? There's
19 you on the right, isn't there?

20 A. Yes.

21 Q. Is that Marina next to you?

22 A. Yes.

23 Q. And your wife in the middle?

24 A. Yes.

25 Q. Yaragi next to her?

1 A. Yes.

2 Q. And Andrei Lugovoy there on the far side?

3 A. Yes.

4 Q. Thank you. You've said it was your idea to focus on
5 Mr Scaramella in public, but when Sasha was talking to
6 you, he was talking first about Scaramella and he had to
7 be prompted before he talked to you about the meeting
8 with the Russians, is that right?

9 A. Yes.

10 Q. Can I ask you a question: do you have any idea why he
11 started talking about Scaramella but wouldn't volunteer
12 anything about the Russians?

13 THE INTERPRETER: Sorry, can I ask you to repeat the
14 question.

15 THE WITNESS: No, I understood.

16 A. I believe that Alexander himself also thought it was
17 done by Lugovoy and his company. It was an interesting
18 moment. As soon as Alexander and Berezovsky and myself,
19 as soon as we were informed that we were put on to that
20 list, Alexander as former operative, he started giving
21 me instruction, what I need to do or what I don't need
22 to do in order for my own security and safety.

23 He told me that they might send a person from my
24 past to me, someone who I'd had good relations with, or
25 I was connected -- whom I was connected with, either

1 through work or some other (inaudible), and Alexander
2 told me that exactly -- and it is that person that the
3 threat would come from, and it's exactly this scenario
4 that actually was turned against him in his case.

5 So I asked Alexander: how did you allow them to come
6 so close to you, you warned me about this; and at that
7 stage he didn't want to tell me about Lugovoy or Kovtun,
8 and when I asked him why did you do that, he said:
9 Akhmed, it was work. So I didn't continue questioning
10 him or having a conversation about this, but
11 I understood that right from the beginning, right from
12 the start, he had no doubts that he was poisoned at the
13 Millennium when he was offered a drink of tea.

14 Q. Do you think he was embarrassed at having fallen into
15 the trap that he had warned you about?

16 A. I believe that it was the only thing, the only thing
17 that he hid from me is his contact with Lugovoy, and
18 I think he probably felt embarrassed about that.

19 Q. I want to ask you about something else, which is Sasha's
20 conversion to Islam.

21 Sasha had learnt a lot about Chechnya and the
22 Chechen people over the years. Had he also developed an
23 interest in Islam as a religion?

24 A. You see, recently, before his death, he started asking
25 me about -- he started asking me questions about Islam

1 and religion. Once or twice, he went to the Islamic
2 mosque, but I didn't pay attention to that, but when he
3 came back from Israel, I think it was 2006, in spring --
4 autumn or summer he brought the Koran to me and since
5 then he started asking me very deep questions, answer to
6 which I didn't know.

7 But his intention to turn to Islam, he only told me
8 in Barnet Hospital. He absolutely insisted for me to
9 help him to convert to Islam. You know that it's a very
10 small procedure. You just repeat shahada and from that
11 point on you are considered as Muslim. I did that and
12 he repeated after me shahada, and after that, at Barnet
13 university hospital, he asked for myself, Marina and
14 Shameel to stay in his room, he asked Yaragi Abdulaev to
15 leave the room who was with us at the time.

16 And he told Marina that he turned to Islam. Maybe
17 I will survive, maybe not; but if I die I would like to
18 be buried in Islamic tradition. So he ask me if I stay
19 after his death to bury him in Chechnya and for our --
20 for us to be buried next to each other, and he also
21 asked Shameel that if I can't do that, that Shameel
22 should do that, and if Shameel cannot do that, that for
23 his son, his friend, Hemyi, should do that, to take our
24 bodies to Chechnya.

25 Before his death, I kept my promise, before his

1 death, I invited the imam, the religious (inaudible).

2 He then read, you know, the words, but he was
3 already unconscious, so we buried him in accordance to
4 Islamic tradition. I invited too imam who read the
5 (inaudible) so I believe that he died as a Muslim.

6 Q. Through his time in the UK, Sasha had been a pretty
7 outspoken critic of President Putin, hadn't he, but
8 there are many people who are critics of President Putin
9 and say quite strong things about him. Do you think
10 that Sasha stood out from the others in any way?

11 A. Yes.

12 Q. Why?

13 A. First of all, because of Chechnya, I think. You see,
14 through the whole history of the war between Russia and
15 Chechnya, and that's been for nearly 500 years,
16 Alexander is the first person that Russian officer of
17 that rank came to another side, or went to another side.

18 Q. Went over to your side?

19 A. Yes, Chechen side and fight against --

20 Q. A fight against the Russians?

21 A. That was one reason, and the second reason his work in
22 the committee against crime of war, and the third one,
23 also very important, they understood that Alexander did
24 not betray his country, he betrayed the system, and
25 that's what they wouldn't forgive him for, and this is

1 why his murder was so public.

2 Q. After Anna Politkovskaya was murdered, there was
3 a meeting at the Frontline Club in London, wasn't there?

4 A. Yes.

5 Q. You were invited to speak there and also, amongst
6 others, Lord Judd who has long been a friend of your
7 cause.

8 A. Yes.

9 Q. You took Sasha with you that day?

10 A. Yes.

11 Q. Was that an invitation from the club or was that an idea
12 of yours?

13 A. That was my invitation, because anybody who comes to the
14 club can invite.

15 Q. I want to ask you to have a look at the first part of
16 a video of Sasha speaking at that meeting at the
17 Frontline Club. Can we please have INQ017681.

18 If we can just pause it there and not run it for the
19 moment, those are -- the row of people sitting there
20 against the wall, are they the invited speakers at the
21 club?

22 A. Yes.

23 Q. Does that include you?

24 A. Yes.

25 Q. You are on the right-hand side, next to the lady who's

1 the interpreter?

2 A. Yes, Yelena Cook.

3 Q. If we run this for a few seconds.

4 (Video played)

5 If we can just pause it there, thank you. That was
6 a very direct criticism that he made, or very direct
7 attribution that he made there. Had you been prepared
8 to be that direct yourself?

9 A. No, you see at the time I was holding the post of
10 minister of foreign affairs. It would not be diplomatic
11 for me to state it publicly, but I absolutely agree with
12 what Alexander said.

13 Q. The difference was that Sasha was in a position where he
14 could be outspoken about it?

15 A. Absolutely, yes.

16 Q. Do you think that that outspokenness about Anna's death
17 was linked to his own death in any way?

18 A. We were on the same list, Anna Politkovskaya, Litvinenko
19 and myself.

20 Q. Thank you. Now, we've heard over the last few weeks
21 examples of -- quite a number of examples of people who
22 have died in mysterious circumstances or who have
23 obviously been murdered. So I'm not going to ask you
24 about all of the people who you would be able to speak
25 about because we have heard much about them, but there's

1 one incident involving a man called Ismailov who you can
2 help us with. Do you know who I'm talking about?

3 A. Yes, Leche Ismailov.

4 Q. What was his position at the time that he died?

5 A. He was in prison, but he was arrested for being
6 a commander of Chechen unit, and at the time when he
7 died, he was transported from prison to the place where
8 he would serve the sentence, he got nine years.

9 Q. Before he was transported there, were there some
10 attempts made to persuade him to change sides?

11 A. Yes, he was asked to take the side of Russian services
12 in Chechnya, but he refused, so he received nine years
13 of imprisonment. He was kept in Lefortovo prison, but
14 in the morning when he was supposed to be transported to
15 a place where he would serve the sentence instead of
16 that, two members of staff came to him, the people who
17 were trying to persuade him to take the other side, they
18 came into his cell and they offered him to drink tea for
19 farewell. He had a tea with them, and after 12 days he
20 died, and symptoms that caused his death were exactly
21 the same symptoms that Alexander had before he died.

22 How did I know about the tea and how did I know
23 about the symptoms? Because before his death, his wife
24 Louisa visited him in prison. He told her about the
25 tea, and he told her that he is convinced that he was

1 poisoned by these two people, and then she said about
2 that.

3 Q. Mr Zakayev, it's right, isn't it, that your house has
4 been the subject of an actual attack?

5 A. Yes, Alexander's house and mine were attacked, both
6 houses were attacked.

7 Q. With a fire bomb, with fire bombs?

8 A. Yes.

9 Q. You were telling us also about an incident in June of
10 2007, so after Sasha had died, when you had to be given
11 protection.

12 A. Yes.

13 Q. We heard something about this from Mr Goldfarb earlier.
14 Can you tell us what were you told about the threat to
15 you at that time?

16 A. That the attack was prepared on my house. Armed police
17 officers came to my house, and they stayed at my house
18 more than five or six days. They even had a training
19 with me to show how they would evacuate me or take me
20 from the house if such attack would take place.

21 Q. Did you later discover the name of any of the people who
22 it was feared would carry out the attack?

23 A. Yes.

24 Q. What was the name that you were told?

25 A. Ruslan Atlangeriev and Movladi Atlangeriev, these two

1 names.

2 Q. Movladi Atlangeriev?

3 A. Yes.

4 Q. But also known as Ruslan?

5 A. Yes, in Russia and Chechnya he is known under the name
6 Ruslan Atlangeriev, it's the same person.

7 Q. Is this a person of whom you knew?

8 A. Yes, I met him in London, and Alexander was still alive
9 then.

10 Q. Can you remember when that was?

11 A. It was 2006, yes, it was 2006. It was in the summer.

12 Q. Was that the first time you had met him?

13 A. Yes.

14 Q. Can you remember who introduced him to you?

15 A. Yes, I do remember. Putin sent in 2006 to me, president
16 of Kalmykia, Kirsan Ilyumzhinov, and during our second
17 meeting, Ruslan Atlangeriev arrived, also came and we
18 had a separate meeting.

19 They were trying to persuade me to come back home.
20 Kirsan Ilyumzhinov on Putin's behalf, to come back home
21 and be a leader of the (inaudible) republic. Basically
22 to cease my political activity here if I'm coming back
23 home. But this contact was ceased because
24 Anna Politkovskaya was killed.

25 I informed our president who was at the mountains

1 then about this contacts, and these were informal, not
2 public, negotiations with the Russian side.

3 Q. Did you discover whether this man had any connections
4 with criminal groups?

5 A. Yes, absolutely, yes.

6 Q. Which criminal group was he associated with?

7 A. There's so many of those groups.

8 Q. If you don't --

9 A. Kazanska group, various groups, something like that.

10 Q. I don't want you to get you to guess if you don't know,
11 if you can't remember, but are you saying that there are
12 a lot of criminal groups and you don't know which one,
13 or are you saying that he himself was associated with
14 a lot of criminal groups?

15 A. Absolutely, yes. These groups were created at FSB. You
16 know that Alexander Litvinenko worked with organised
17 crime in FSB, so he knew all the leaders of those banned
18 groups, criminal groups.

19 And so practically he said that 99 per cent, they
20 would be agent of FSB. Ruslan Atlangeriev was one of
21 them and he had a gun that was presented to him by
22 Putin.

23 Q. We've heard that after this attempt he was sent back to
24 Russia by this country.

25 A. Yes.

1 Q. Do you know what happened to him after he got back to
2 Russia?

3 A. Yes.

4 Q. What was that?

5 A. He was killed, he was killed. He was kidnapped by
6 Ramzan Kadyrov's unit. It's a very complicated
7 situation. There were two groups who were working in
8 FSB. One group that was trying, via Ruslan, attract me
9 back home. That was the group that worked against
10 Ramzan Kadyrov. But there was a different group working
11 in FSB that was working for Ramzan Kadyrov. So they
12 gave Ramzan Kadyrov the photos they were taking of us
13 here in London in Mayfair in Italian restaurant, so he
14 was informed that Ruslan Atlangeriev tried to persuade
15 me to come back home to take his position.

16 So they were trying to prepare the attack on
17 Kadyrov, that was Ruslan Atlangeriev and
18 Zaindi Shachbiyev. Both were kidnapped and taken to
19 Chechnya, and according to information received, they
20 were both shot dead.

21 Q. So in short, was it the other group that killed
22 Atlangeriev?

23 A. Absolutely, yes. Yes, but by Ramzan Kadyrov hands.

24 Q. Are you saying that Kadyrov killed them personally?

25 A. No.

1 Q. Or was it his order?

2 A. His order, yes. They were kept in his personal prison,
3 in Kadyrov's prison, in Hosi-Yurt.

4 Q. The last thing I want to ask you about is this: while
5 Sasha was in this country, and in fact even before he
6 came to this country, he did a lot of things which would
7 have made him enemies in Russia, didn't he?

8 A. Not the enemy of Russia, but the enemy of the Putin
9 regime.

10 Q. People who would have regarded him as an enemy to them
11 personally?

12 A. Yes, people of that system.

13 Q. Who do you think ordered Sasha to be killed?

14 A. You see, Sasha -- it's not just a murder. Sasha was
15 murdered due to the terrorist act, with the usage of
16 radiation material, nuclear material in a different
17 country, a foreign country. It's not just any country,
18 it's the UK, and it could only be done, such an attack
19 against the UK as a country, could only be done at an
20 order of a senior commander, Putin, and the last
21 remark -- and I'm really sorry -- it's a very public and
22 it confirms my words and opinion of other people who
23 believe that Putin is behind this murder. You know that
24 literally a week ago Lugovoy was awarded for his good
25 work for the country with a medal. And that's the proof

1 that Alexander was killed at the order of Putin.

2 MR TAM: Thank you. Would you wait there for a moment,
3 please.

4 Questions by MR EMMERSON

5 MR EMMERSON: Mr Zakayev, I'm just going to ask you some
6 questions on behalf of Marina Litvinenko. By and large,
7 they'll be questions that just supplement some of the
8 answers that you've already given.

9 If I can just pick up briefly on the answers that
10 you've most recently given to Mr Tam. I want to put to
11 you, if I may, some words that you used in a witness
12 statement in November 2006 just over a month after
13 Sasha's death. If you are following it, it's at the
14 bottom of page 8. But I want to if I may put these
15 words to you and ask you to comment on them.

16 You say:

17 "I cannot speculate about the technicalities of this
18 assassination. I know that there isn't in the world
19 a single real opponent of Putin's regime ..."

20 THE INTERPRETER: Sorry, can I just find those words first?

21 MR EMMERSON: Yes, you are on page 8 of 12, the top
22 right-hand corner. That's the page we're on. Then
23 towards the bottom, five lines up from the bottom:

24 "I cannot speculate ..."

25 A. Yes, we find it, yes.

1 Q. You say:

2 "I know that there isn't in the world a single real
3 opponent of Putin's regime and of Putin personally who
4 is hated and feared by Putin himself as is
5 Alexander Litvinenko. If other political opponents
6 appealed to the democratic values and accused him of
7 breaching human rights in oppressing freedom of speech
8 and so on, Alexander Litvinenko pointed out and
9 practically proved his crimes against humanity and his
10 mass killings on the territory of the Chechen republic
11 as well as in Russia itself."

12 First of all, is that an accurate description of
13 your assessment of the situation?

14 A. Yes, absolutely, yes.

15 Q. I'm going then to look, please, just with you a little
16 bit, if I may, at some of the building blocks that lead
17 you to that conclusion.

18 First of all, a couple of quick questions. You got
19 to know Sasha very well, and you came to understand how
20 he had moved from a loyal FSB officer to an opponent of
21 Putin's criminal regime.

22 A. Yes.

23 Q. But he had a long history, didn't he, of FSB involvement
24 and military involvement in the Chechen region and in
25 the Chechen conflicts?

1 A. And especially in organised troops, organised groups, of
2 the crime groups in Russia.

3 Q. We'll come to his expertise in organised crime, but he
4 also had a background and experience in Chechnya, is
5 that right?

6 A. Yes, absolutely, yes, absolutely, yes. Yes, that's
7 correct, yes.

8 Q. I'll come to the relevance of that in a minute. When he
9 was explaining to you the process by which he became
10 disillusioned, am I right in thinking that he told you
11 that the first occasion that he began to have very
12 serious concerns was when he was tasked to kill a man
13 called Trepashkin?

14 A. Yes.

15 Q. I don't know whether you were in court or listening to
16 the evidence earlier on today. You may have heard
17 Mr Bukovsky talk about an email from Trepashkin
18 alerting --

19 A. Yes, absolutely, yes.

20 Q. You know about that email?

21 A. Yes, I know it.

22 Q. But in fact the origins of their relationship lay in the
23 fact that Mr Litvinenko had been asked or tasked with
24 the assassination of Mr Trepashkin many years before?

25 A. Alexander told me that personally.

1 Q. And that he had himself come to the conclusion that
2 Mr Trepashkin was an honest lawyer seeking the truth?

3 A. Yes, that's correct, yes.

4 Q. Rather than a criminal deserving summary execution. We
5 know quite a lot about the next step in the process,
6 namely the attempt or the instruction to kill
7 Mr Berezovsky, but I wanted to pick up one aspect of it.
8 You told us about a conversation that you and Sasha had
9 had, in which he had warned you in advance that when
10 they came to get you, they would use someone who you
11 thought was your friend?

12 A. Yes.

13 Q. And that the great irony, tragic irony, is that Sasha
14 himself fell victim to precisely such a strategy, but
15 the very instance which caused him to finally break
16 ranks with the FSB was also, was it not, an instruction
17 to murder Mr Berezovsky, precisely because he, Sasha,
18 was a friend of Mr Berezovsky?

19 A. Yes.

20 Q. Have you yourself in fact been targeted in this country
21 by an individual who you knew formerly as a friend from
22 Chechnya?

23 A. I can only give you one story that already took place.
24 It's a person who had been security -- working for
25 security of our president of Ichkeria, and he was

1 a representative of Republic of Ichkeria here in the UK,
2 and for many years he had contacts with us here.

3 Q. Are you speaking about Atlangeriev?

4 A. No, I'm speaking about E1.

5 Q. Exactly, that's the person I was going to come back to.

6 So that was a little later than the Atlangeriev attack
7 or attempt, but E1 was an individual who you yourself
8 had known as an associate of your political movement?

9 A. Yes.

10 Q. Who had then gone back to Chechnya, had either been
11 turned or had always been a double agent, and he came
12 back here with instructions to murder you?

13 A. Yes. But the most important that they created a legend
14 there for him specific -- it was broadcasted on --

15 Q. Take it nice and slowly because none of us can hear what
16 you're saying. If you speak and then let the
17 interpreter interpret, otherwise we just have one voice
18 over the other.

19 A. Broadcasted on the television that his house was for
20 sale, that he is no longer accepted by Kadyrov, that he
21 ran away from Chechnya or fled from Chechnya.

22 Q. So let's just take it in stages. We're calling this man
23 E1 because he's been given anonymity in legal
24 proceedings in this country in 2012, so we'll continue
25 for the purposes of this hearing to call him E1. So

1 that we can get the facts absolutely clear, he had
2 previously been involved as part of the separatist
3 government?

4 A. Yes.

5 Q. Can you just tell us what his role was?

6 A. First he was in security services of Aslan Maskhadov.
7 Then he was a prefect of Naterichny(?) region, and when
8 this second war started, he was here in the UK, the
9 representative of President Maskhadov.

10 Q. We know that he then went back to Chechnya. You were
11 just telling us, if you could just confirm, that a cover
12 story was then put into the public domain to justify why
13 he was coming back to England, is that right?

14 A. Absolutely.

15 Q. But before he got to England, it was known, wasn't it,
16 that he had been involved in the murder of another
17 senior Chechen critic, a man called Israilov in Austria?

18 A. Yes.

19 Q. Who had been assassinated by being chased through
20 a shopping centre and shot in cold blood in 2009?

21 A. Yes.

22 Q. Again, believed to have been sent by Kadyrov, the
23 current president of Chechnya, as a death squad,
24 correct?

25 A. Correct, but I'd like to add, we need to understand that

1 abroad, that kind of operation is not done at the order
2 of Ramzan Kadyrov but somebody who's senior in Russian
3 authority. Ramzan Kadyrov is just a curtain for Britain
4 government, for other European governments, Chechens
5 kill each other, we're not --

6 Q. Like the killing of Boris Nemtsov, for example?

7 A. Yes.

8 Q. But what you're saying is that this assassination
9 couldn't have happened without orders from the Kremlin
10 in Moscow?

11 A. Absolutely, yes.

12 Q. And that's Mr Israilov you're speaking of?

13 A. And also Israilov.

14 Q. Yes.

15 A. The law that was passed in 2006 included everybody, the
16 Chechen, Russian and Jewish who are enemies of the
17 Russian Federation.

18 Q. Just finally if we can bring this part of the
19 questioning to a conclusion, this individual who we're
20 calling El then comes to London and is part of a plot to
21 assassinate you through his personal historical
22 connections to you?

23 A. And his knowledge of my house and also some security
24 keys or methods that were already in place by Scotland
25 Yard.

1 Q. Pausing there, if I just take the story through --

2 THE CHAIRMAN: Mr Emmerson, I think I have the point.

3 There's a pattern of behaviour.

4 MR EMMERSON: Yes, sir, if you're happy, then I can leave it
5 there. It's simply a question of what the conclusion
6 was in relation to this individual case, but if you're
7 comfortable, I'll leave it where it is.

8 Just a couple of tidying-up points, then, if I may.

9 First of all, you were asked by Mr Tam what impact
10 you thought that Sasha's speech at the Frontline Club
11 had had. I think you've previously said that in your
12 opinion, that was the last straw for him, is that right?

13 A. I believe so, because further he is stating that he's
14 working on investigating this murder.

15 Q. Just two final questions, if I may. In the second
16 witness statement you made to the Inquiry, you indicated
17 that Sasha had spoken publicly about the FSB's financial
18 support of terrorist groups established by the FSB
19 between the two Chechen wars who were kidnapping people,
20 foreigners and reporters, in Chechnya for ransom.

21 Obviously, we have his published work, but was he
22 providing confidential information to your
23 investigations into crimes committed by the Russian
24 authorities?

25 A. Yes.

1 Q. Did that include information about the funding of
2 terrorist organisations?

3 A. Yes. Moreover, we published some of the moments or
4 aspects in Chechenpress.

5 Q. Lastly this: in the same witness statement, you refer to
6 a meeting that you had in 2003 or 2004 with an
7 individual from a scientific institution in Leningrad or
8 St Petersburg.

9 A. Yes.

10 Q. You say in your statement that you met this individual
11 at Mr Berezovsky's office and that he gave you some
12 information about a poisons factory run by the FSB. Is
13 that correct?

14 A. Yes.

15 Q. Do you want to tell us what he told you, please?

16 A. He told me that the person who wanted to meet me --

17 THE INTERPRETER: Sorry, can I just confirm with Mr Zakayev.

18 A. He found me via Berezovsky's office, so I went there and
19 I met him there, so he told me that the Chechen people
20 who are at the moment hiding in mountains need to do
21 something against the poisoning which are prepared by
22 the Russian FSB, and as a proof he said that the lab in
23 St Petersburg, which was closed at the order of Yeltsin,
24 at the order of President Putin started -- was opened
25 again, or reopened again. And he knows for sure that

1 the poisoning would be sent to Chechnya.

2 Q. Did you assess this information to be reliable, and if
3 so why?

4 A. Yes, I thought so, because when I asked him, I asked him
5 whether he had a commercial interest in this or
6 a humanity interest. He said that it was his personal
7 attempt because he hates any crime, because there were
8 a lot of people who would come to Berezovsky with
9 various information for money, but he came to Berezovsky
10 and didn't ask for any money.

11 And later on, the poisoning that took place in
12 Chechnya confirmed that they did use those poisons.

13 MR EMMERSON: Thank you very much, Mr Zakayev.

14 MR TAM: Sir, unless you have any questions.

15 THE CHAIRMAN: No. Thank you very much indeed, Mr Zakayev.

16 MR TAM: Thank you very much, Mr Zakayev.

17 Sir, that completes the evidence for today.

18 THE CHAIRMAN: 10.00 tomorrow morning.

19 (4.41 pm)

20 (The Inquiry adjourned until 10.00 am on Wednesday,

21 18 March 2015)

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