



Enquiry Committee

for the elucidation of the de facto and de jure circumstances surrounding the interference of the Foundation „Otwarty Dialog” (Open Dialogue) and its founder Ludmila Kozłowska in the internal affairs of the Republic of Moldova and the financing of certain political parties from the Republic of Moldova

REPORT

1. PREAMBLE

The Enquiry Committee for the elucidation of the de facto and de jure circumstances surrounding the interference of the Foundation „Otwarty Dialog” (Open Dialogue) and its founder, Ludmila Kozłowska in the internal affairs of the Republic of Moldova and the financing of certain political parties from the Republic of Moldova (hereinafter – *the Committee*) was established in accordance with article 34 of the Parliament’s Rules of Procedure through the Decision of the Parliament no. 204 of 4 October 2018, with the following membership:

- RĂDUCAN Marcel – Parliamentary Faction of the Democratic Party of Moldova;
- REȘETNICOV Artur – Parliamentary Faction of the Democratic Party of Moldova;
- VREMEA Igor – Parliamentary Faction of the Democratic Party of Moldova;
- BOLEA Vasile – Parliamentary Faction of the Party of Socialists of the Republic of Moldova;
- LEBEDINSCHI Adrian – Parliamentary Faction of the Party of Socialists of the Republic of Moldova;
- GRIȘCIUC Simion – European People’s Parliamentary Group.

1.1. The goal of the Committee

The goal of the Committee is to elucidate the de facto and de jure circumstances regarding the accusations, made in public, of interference in the internal affairs of the Republic of Moldova and illegal financing of certain political parties by the Foundation „Otwarty Dialog” (Open Dialogue) and its founder, Ludmila Kozłowska. The Committee intended to study, establish, elucidate and take attitude in accordance with the constitutional competences of the legislative forum of the country with respect to the risks to the national security posed by the activity of the investigated subject, qualifiable as an activity of foreign diversionary intelligence directed against the Republic of Moldova.

In accordance with the competences with which the Parliament of the Republic of Moldova invested the Committee, the Committee set out to identify the presence or absence of potential threats to the constitutional order and sovereignty of the Republic of Moldova and to the relations of the Republic of Moldova with foreign development partners, especially with the European Union and its institutions.

Besides this, the Committee was tasked with defining from a political and legal viewpoint the potential threats and to formulate, within the limit of the checks and balances, recommendations for the institutions with a view to suppressing and combating them, in accordance with their legal competences.

1.2. Organising and procedures

In accordance with the provisions of article 35 para. (1) of the Parliament's Rules of Procedure, the enquiry committees are established in conformity with the provisions referring to standing committees. Thus, the Chairpersons, Deputy Chairpersons and Secretaries of the Enquiry Committees are elected by the Parliament with the vote of the majority of the elected MPs.

On 5 October 2018, the Committee convened in the first sitting and, given the lack of an express appointment through the Parliament's Decision no. 204 of 04.10.2018 of the Chairperson, Deputy Chairperson and Secretary of the Committee, the majority of the MPs present voted for the following leadership of the Committee (subsequently, on 12 October 2018, it was approved by the Parliament's plenum by Decision no. 210):

- Chairman of the Committee – VREMEA Igor;
- Deputy Chairman of the Committee – REȘETNICOV Artur;
- Secretary of the Committee – GRIȘCIUC Simion.

By Decision no. 204/2018, the Parliament established a 30 days deadline from the moment of the adoption until the submission of the report.

Considering the complexity of the activity of the Committee, the lack of responses to all the requests submitted, the number of persons invited and heard, the checking of documents that had to be analysed by the members of the Committee and the drawing up of the final report, the deadline for the submission of the report was changed from 30 to 60 days through the Parliament's Decision no. 211 of 25 October 2018 on the amendment of art. 2 of Parliament's Decision no. 204 of 4 October 2018 regarding the establishment of the Committee.

In its activity, the Committee abided by the Constitution of the Republic of Moldova, the Rules of Procedure of the Parliament, adopted through Law no. 797/1996, as well as the relevant active legislation.

From the procedural viewpoint, the Committee took into consideration the conclusions and findings of the Constitutional Court laid down in the Decision no. 3 of 15 February

2013 on the constitutionality check of the Parliament's Decision regarding the enquiry committee in the Pădurea Domnească case (the competence of parliamentary enquiry committees) no. 29 of 23 September 2013.

In accordance with art. 36 para. (1) of the Parliament's Rules of Procedure, the Enquiry Committee shall summon as witness any person who is in possession of information about an act or a circumstance that could be useful in the investigation of the cause.

The Committee mentions that, in the framework of the enquiry, **the representatives of the judicial power, of the prosecution authority and the criminal prosecution entity cannot be summoned for submitting information that could prejudice the fairness of the trial and/or the confidentiality of the criminal prosecution.**

Concomitantly, judging by the findings and appreciations formulated by the Constitutional Court in Decision no. 29/2013, it is necessary to keep in mind the following:

- The goal of parliamentary enquiry committees is to establish the existence or inexistence of the acts, but without establishing (with certainty) the contravention liability or the material, disciplinary or criminal liability of a person;
- It is inadmissible to summon persons that are suspected or accused in criminal cause and to hear them *in the enquiry committee with respect to the circumstances that underlie the criminal charges*, otherwise, there is a danger of encroaching upon the right to silence, protected by art. 6 of the European Convention and, implicitly, the presumption of innocence provided for in art. 21 of the Constitution;
- It is inadmissible to make any public declarations (or made by other means) bringing serious accusations that are not proved under strictly regulated procedures, to concrete persons;
- The findings, conclusions and recommendations (proposals) comprised in the report of the enquiry committee shall not contain legal norms, as the legal norm, according to Law no. 780/2001 on legislative acts, is a compulsory social rule, a general, official, impersonal and sanctionable prescription applicable to an entire series of concrete situations.

In the process of elucidating the de facto and de jure circumstances surrounding the interference of the Foundation „Otwarty Dialog” (Open Dialogue) and its founder, Ludmila Kozłowska in the internal affairs of the Republic of Moldova and the financing of certain political parties from the Republic of Moldova, the Committee received information with a degree of secrecy established in art. 11 para. (2) letters b) and c) of Law no. 245/2008 regarding state secret from the Security and Intelligence Service (*no.2/2038c of 11 October 2018*), the Prosecution Office for Combating Organised Criminality and Special Causes (*no.7C of 1 November 2018*) and the Service for Combating and Preventing Money Laundering (*no.03/03-697 of 24 October 2018*). The given information is contained in this report and will be presented during an in camera sitting, MPs being legally liable for its illegal disclosure.

1.3. Applicable legal framework

Art. 25 para. (1) of Law no. 294/2007 on the political parties stipulates that the sources of financing for political parties shall be:

- Party membership fees;
- donations, including those raised at recreational, cultural, sports or other type of mass events organised by the party on the condition that they are recorded in the established manner;
- state budget subsidies, pursuant to the regulations of this law and of the yearly budget law;
- Other legal incomes obtained in accordance with art. 24 para. (3). Political parties have the right to carry out editorial activities, activities connected directly with the administration of their property, as well as other activities bringing profits for the needs of the party, if such activities are not prohibited by law and are explicitly provided for in the statute of the political party.

Art. 26 para. (1) of Law no. 294/2007 on political parties indicates expressly that donations made to political parties may be of the following kinds:

- Pecuniary donations, other than the membership fees;
- Donations made in the form of property, goods, free of charge services or under conditions that are more advantageous than the commercial value on the market, the payment of certain goods or services used by the party.

At the same time, art. 26 para. (4)– (5) of Law no. 294/2007 on the political parties establishes the legal limit of donations. Thus, a natural person may make donation to one or more political parties, not exceeding a total of 200 average monthly salaries, established for the respective year in a budget year. If the natural person is a party member, the mentioned limit also includes membership fees paid by them for one year. The donations made by a legal person to one or more political parties in a budget year may not exceed an amount of 400 average monthly salaries established for the respective year.

Article 26 para. (6) of Law no. 294/2007 on political parties prohibits the financing of, the supply of free of charge services to or the material support in any form of, whether directly or indirectly, political parties by:

- The citizens of the Republic of Moldova who have not turned 18, the citizens with limited capacity or declared incapable through a final decision of a court;
- Natural persons, citizens of the Republic of Moldova, from incomes obtained abroad;
- Foreign citizen, stateless persons, anonymous persons or persons donating on behalf of third parties;
- Public authorities, organisations, enterprises, public institutions, other legal persons financed by public budget or owning state capital, except for cases in which service provision or material support is expressly stipulated by law;

- Legal persons who, on the date when the donation is made, have unpaid debts older than 60 days to the state budget, the budget of social state insurances or the fund of compulsory health insurances;
- Legal persons with foreign or mixed capital, legal persons from abroad;
- Other states and international organisations, including international political organizations;
- non-commercial, Trade union, charitable or religious organisations.

Article 31¹ of the Law on political parties provides for the consequences of the breach of the rules on donations.

Thus,

(1) In case a political party receives donations in breach of art. 26, including in case of receiving donations that exceed the established limits, the respective political party must, within 3 days from the transfer of the donation, pay into the state budget the sums received in breach of law or to return the sums exceeding the established limits.

(2) In case of breach of the requirements in para. (1), the Central Electoral Commission shall summon in written form the political party to eliminate the breach and to inform about the undertaken measures within 3 working days from the issue of the summons.

(3) Failure to obey the summons of the Central Electoral Commission constitutes a contravention and shall be punished in accordance with the provisions of the Contravention Code.

(4) In case of the repeating, in the course of one calendar year, of the breach provided for in para. (3) and of the enforcement of the contravention sanctions for such breaches, the Central Electoral Commission shall adopt a decision on depriving the party of the right to state budget allocations for a period from 6 months to one year.

According to art. 48 of the Contravention Code of the Republic of Moldova, the use by political parties of funds that are undeclared, non-compliant or originate from abroad shall be sanctioned with a fine from 30 to 90 conventional units, applicable to natural persons, or a fine from 180 to 300 conventional units, applicable to a person with a managerial position.

Pecuniary means used in the manner provided for in para. (1) shall be seized and transformed into state budget revenue. Art. 8 para. (5) of the Law no. 837/1996 regarding public associations states that „Public associations and their legal entities have no right to use pecuniary means or material assets received from foreign or native persons as well as from the state for supporting political parties, social and political organisations, blocs and independent candidates in the elections of public authorities. The breach of such restrictions is punished in accordance with the active legislation. Pecuniary means and material assets used for the above-mentioned goals shall be expropriated gratis for the benefit of the state budget, relying on a court decision.”

Para. (1) of art. 337 of the Criminal Code of the Republic of Moldova states that „**the act committed deliberately by a citizen of the Republic of Moldova to the detriment of the sovereignty, territorial inviolability or state security** and the defence capacity of the Republic of Moldova, by ranging themselves on the side of the enemy, espionage, **disclosure of the state secret to another state, a foreign organisation or their representatives, as well as helping another state to perform hostile activities against the Republic of Moldova**” is qualified as High Treason and shall be punished with a jail term from 12 to 20 years.

1.4. Activities undertaken with a view to achieving the goals of the Committee

The Committee has conducted a comprehensive study and has analysed, in a multi-layered way, the information contained in public space related to the object of the investigation.

The Committee has requested from the Security and Intelligence Service, the General Prosecutor's Office, the Prosecution Office for Combating Organised Crime and Special Causes, the Central Electoral Commission and the Service for the Prevention and Combating of Money Laundering, a number of documents and information on the researched topics, which contributed with a conclusive factual basis to the formulation of objective conclusions.

Appeals were sent to all political parties registered in accordance with the law, requesting to inform the Committee whether they were funded or not, whether certain services were provided free of charge or not, or whether they were materially, or in any other form, directly and / or indirectly supported or not by the persons indicated in art. 26 para. (6) of Law no. 294/2007 on political parties.

During the meetings of the Committee, the heads of the Security and Intelligence Service, the Ministry of Internal Affairs, the Service for the Prevention and Combating of Money Laundering, the General Prosecutor's Office, the Prosecution Office for Combating Organised Crime and Special Causes, and the Central Electoral Commission, as well as the representatives of the political parties, the Party Action and Solidarity, and the Dignity and Truth Platform Party, the representative of the Promo-LEX Association were invited.

During its activity mandate, the Committee held seven meetings, of which two hearings, with minutes being drawn up.

The following persons were heard:

1. the representative of the Security and Intelligence Service – Vasile Botnari, Director (2 November 2018);
2. the representative of the Ministry of Internal Affairs – Dorin Purice, state secretary (2 November 2018);
3. the representative of the Service for the Prevention and Combating of Money Laundering – Vasile Șarco, Director (2 November 2018);

4. the representative of the Central Electoral Commission – Alina Russu, President (2 November 2018);

5. the representative of the Promo-LEX Association – Ion Manole, Executive Director (12 November 2018).

The persons who refused to appear at the hearings, on legal grounds:

1. the representative of the General Prosecutor’s Office, by notification no. 02-1d18-8530;

2. the representative of the Prosecution Office for Combating Organised Crime and Special Causes; by notification no. 3d/18-8937;

The persons who failed to show up at the hearings:

1. the representative of the Party Action and Solidarity – Maia Sandu, President;
2. the representative of the Dignity and Truth Platform Party – Andrei Năstase, President;

3. Alexandru Machedon.

1.5. Wrap-up of the activity

The Committee has aggregated the results of its work in this report, which includes processed information with a secrecy degree set out under art. 11 para. (2) letters b) and c) of Law no.245/2008 on the state secret, received by the Committee from the above-mentioned state institutions.

The Report has been drawn up based on the materials gathered in the Committee’s work, debated and approved by the members of the Committee and proposed, ultimately, for submission to the plenum of the Parliament.

2. FINDINGS

2.1. “Otwarty Dialog”/ “Open Dialogue Foundation” (hereinafter – ODF)

There are two (2) foundations with identical names registered in the official registers of Poland at the same legal address: 11A/21, Al. Jana Christiana Szucha, Warsaw, whose director is Ludmila Kozłowska:

1. The “Otwarty Dialog” Foundation, constituted in December 2009, was included, on 12 April 2010, in the state register of associations and other public and professional organisations, medical foundations and institutions of Poland, under registration number KRS 0000353754. In the year of its registration, 2010, Ludmila Kozłowska became its president;

2. The Open Dialog Foundation, entered in the aforementioned register on 26 August 2014, under registration number KRS 0000521093.

Ludmila Kozłowska is also the Deputy President of the “**Silk Road Biuro Analiz i Informacji**” Organisation, entered in the Polish register of legal persons on 3 December 2012, under registration number KRS 0000416937 and registered at the same legal address as those two foundations. Bartosz Kramek is registered as the president of the mentioned organisation.

Except for Ludmila Kozłowska, the members of the Management Board and the ODF lawyer, no other members of the organisation were identified.

For the analysed period (from 2015 up to now), the website of the foundation <https://en.odfoundation.eu/search/financial/publications> does not contain financial statements of the ODF, although the organisation’s official website gives the impression that these exist and have been made public¹.

The stated purpose of the activities of both ODF foundations is the defence of human rights and freedoms, democracy and the rule of law in ex-Soviet states².

2.2. Ludmila Kozłowska

Ludmila Kozłowska, date of birth – 17 March 1985, Sevastopol region, is a Ukrainian citizen, who, after the annexation of Crimea by the Russian Federation in 2014, obtained the citizenship of the Russian Federation. She studied at the Technical University of Sevastopol, Finance Department, the School of Arts and Humanities of the Wales University, in Bangor, USA and has been a civic activist since 2004.

She is married to Bartosz Kramek who is also a founding member of ODF and of “Silk Road Biuro Analiz i Informacji”.

¹ <https://en.odfoundation.eu/search/financial/publications>; <https://en.odfoundation.eu/p/11.faq1>

² <https://en.odfoundation.eu/>

2.3. ODF Funding

According to the statutory provisions and the information provided on the ODF website, the organisation is funded by donations and grants from Polish physical persons, companies and institutions and from abroad.

The same source mentions that ODF has obtained material and financial support from the following organisations: City of Lublin, Visegrád International Fund, Foundation for Democracy from Russia, “Kasparov” European Chess Foundation, Goethe Institute, Theatre Institute, Polish Ministry of Culture, Gazeta Wyborcza and Members of the European Parliament.

The funding of the “Open Dialog Foundation” and the “Silk Road Biuro Analiz i Informacji” was the subject of joint investigations with competent authorities from Poland, Estonia and Latvia.

According to the findings of these authorities, as well as the information provided by the General Prosecutor’s Office of the Republic of Moldova and the Security and Intelligence Service, the main ODF financing source, which was not declared publicly and transparently, has been provisionally channelled through the bank accounts of “Silk Road Biuro Analiz i Informacji” and can be classified as follows:

- a) originating from transactions with the Ministry of Defence of the Russian Federation;
- b) delivery of military equipment to states involved in regional conflicts;
- c) payments from off-shore areas with unknown and unclear route and origin;
- d) from the Russian “Laundromat” scheme;
- e) originating from the bank fraud occurred in the Republic of Moldova before 2014.

At the same time, based on the inquiry of RISE Project journalists, we have found out that another funding source originates from Azeri Laundromat (for example, through Seabon Ltd Company, etc.)³.

2.3.1. Description /origin of the funding sources

2.3.1.1. ODF funding from financial means originating from the transactions with the Ministry of Defence of the Russian Federation:

The data submitted by the competent foreign institutions show that ODF is actually funded from the business of *Piotr Kozlowsky* (born 27 July 1972, in Sevastopol) in a

³ <https://www.riseproject.ro/articol/masina-azera-de-spalat-bani-filiera-romaneasca/>

proportion of 4/5, who, after the annexation of Crimea, settled in the USA, and its partners, including:

- **Agarkov Arkadi**, representative of the Company “Stali” from Saint-Petersburg, Russian Federation. From 2014 to 2015, he donated to ODF an amount of PLN 370 thousand;

- **Brovchenko Andrei**, Director of a company from Saint-Petersburg supplying goods to Russian naval forces. From 2014 to 2015, he donated to ODF an amount of PLN 180 thousand;

- **Tenishev Maxim**, Director of a Simferopol aviation company;

- Brother of Ludmila Kozłowska, **Piotr Kozłowsky**, has made significant contributions through Florida Profit Corporation Big Data Service INC company, founded on 13 October 2017, on a property acquired for USD 400 thousand, in Boca-Raton, Florida, together with citizen **Victoria Khukhra**, owner of “Завод судовой светотехники МАЯК” (“Ship Lighting Engineering Factory MAYAK” Ltd), “Завод судовой техники” (“Ship equipment factory” Ltd) (co-founder), “Севастопольский Маяк” (“Sevastopol Lighthouse” Ltd) (co-founder), “Производственно-выставочный центр МАЯК” (“Production and Exhibition Centre MAYAK” Ltd) (founder), “Tinos” Ltd (founder) and “Plosk” Ltd (co-founder) from Simferopol. According to the report submitted by “The Russian Fifth Column in Poland” project to the European Parliament, the “Ship Lighting Engineering Factory MAYAK” Ltd is under the control of the Federal Security Service (FSB) of the Russian Federation, being the supplier of special equipment for Russian nuclear military submarines;

- Sister of Ludmila Kozłowska, **Elena Miroshnikova**, born on 3 September 1967, co-owner of the “Ikaria”, “Kuruta”, “Atoll”, “Ilion”, ЭО “M1”, ЭО “M2”, and “Tehnotrom” companies in Sevastopol, and the “Cadastral Centre for buildings and land management”.

Analysing the funding of the Open Dialogue Foundation, Radio Polska journalists state that the entity is actually a family fund, financed in a proportion of 4/5 by **Piotr Kozłowsky**’s family business from Sevastopol, annexed by the Russian Federation, and that he is the brother of Ludmila Kozłowska⁴.

The analysts of the “Russian Fifth Column in Poland” Project submitted a comprehensive report demonstrating that Kozłowska’s foundation was funded by money from Crimea, which was annexed by Russia. According to the authors of the report, during the period between the establishment and the end of 2016, the ODF gathered about EUR 1.5 million from these sources.

On 21 December 2017, an article was published in the media analysing the ODF funding by Ludmila Kozłowska’s brother, Piotr Kozłowsky, who is also the owner of the “Ship

⁴<http://www.radiopolsha.pl/6/136/Artykul/321165>

Lighting Engineering Factory Mayak” Ltd in Sevastopol. Meanwhile, “Mayak” is working with Russian military industrial companies, which, since 2014, after the Crimean annexation, have been subjected to the European Union sanctions.

2.3.1.2. Provision of Military equipment to the states involved in regional conflicts

The Foundation also had revenues from other sources, including the sale of military equipment and weapons. The horde.me portal indicates that the Open Dialog Foundation had the authorisation to sell arms ⁵.

In 2017, the Polish authorities withdrew the ODF authorisation to sell arms. Meanwhile, the public foundation in charge of “promoting democracy and protecting human rights” has had such an authorisation since 2014, and secretly delivered weapons from Poland to Ukraine. This disclosure has been completely unexpected for both Poles and NGOs working with the “charity” foundation.

2.3.1.3. ODF funding from financial means originated from the Russian Laundromat:

In period of 2013-2018, ODF was funded by financial means in an amount of EUR 2456000, and the main source of the Open Dialog Foundation funding, though the “SILK ROAD BIURO ANALIZ I INFORMACJI” and the accounts opened with commercial banks from Latvia, Estonia, Cyprus and the Russian Federation, is the financial means transfers from off-shore companies, such as STOPPARD CONSULTING LLP, SILENTFEAR LIMITED, KARIASTRA PROJECT LP, STOX TRADE LTD and AUSTIN

⁵ <http://horde.me/mary4/ablyazova-i-mezhdunarodnuyu-mafiyu-pod-sud.html>

ORGANIZATION AG, with accounts opened with AS PRIVATBANK, RIETUMU BANK (Latvia), DANSKE BANK A/S (Denmark), ESTONIA BRANCH (Estonia) and OJSC PROMSVYAZBANK CYPRUS BRANCH (Cyprus), i.e.:

- AUSTIN ORGANIZATION AG (Panama), accounts opened with AS PRIVATBANK (Latvia), the amount of USD 119 610, in the period of 7 November 2013 – 13 December 2013, payment destination “PCs and IT equipment”;
- KARIASTRA PROJECT LP (the United Kingdom), accounts opened with AS PRIVATBANK (Latvia), the amount of EUR 64 785 and USD 852 828, in the period of 24 January 2014 – 18 February 2015, payment destination “PCs and IT equipment”;
- STOPPARD CONSULTING LLP (the United Kingdom), accounts opened with RIETUMU BANKA (Latvia), the amount of USD 422 000 and EUR 26 465, in the period of 24 December 2014 – 31 March 2016, payment destination “consulting services”;
- SILENTFEAR LIMITED (British Virgin Islands), accounts opened with OJSC PROMSVYAZBANK OAO (Cyprus), the amount of USD 20 831, on 19 April 2013, unspecified payment destination;
- STOX TRADE LTD (the United Kingdom), accounts opened with DANSKE BANK AS ESTONIA BRANCH, the amount of USD 21 969, on 15 July 2013, unspecified payment destination;
- Natural person *KHRAPUNOVA Leila*, domiciled in Switzerland, 28B Chemin du Petit-Saconnex, the amount of EUR 20 000, on 7 September 2016, unspecified payment destination. It is worth mentioning that Khrapunova Leila is the wife of the former mayor of Alma-Aty, Kazakhstan, accused by law enforcement bodies of Kazakhstan for USD 300 million fraud and an affiliate (relative) of Mukhtar Ablyazov, born on 16 May 1963.

In the period of 1 May 2012 to 30 December 2013, from the financial means forcefully collected by the court executor MOCAN Svetlana from the Russian banking system, the off-shore companies PR-VERT SYSTEM LIMITED and SEABON LIMITED (managed by Veaceslav Platon), through the accounts opened in TRASTA KOMERCBANKA and BC MOLDINCONBANK SA benefited of USD 357 124 000 and RUB 1 325 698 245, that were transferred later to a series of companies specialised in money laundering activities by using the banking system in Latvia, including WYNFORD SYSTEM LIMITED and DUNFORD UNIVERSAL LLP.

The companies WYNDFORD SYSTEM LIMITED and DUNFORD UNIVERSAL LLP transferred about USD 4.5 million to the company AUSTIN ORGANIZATION AG from the financial means derived from the „Russian Laundromat”

The PR VERT SYSTEM LIMITED and DUNFORD UNIVERSAL LLP companies are also involved in the theft in the financial-banking system of the Republic of Moldova through fraudulent bank credits granted by „Banca de Economii S.A”. Thus, on 30 December 2013, BC MOLDINCONBANK S.A. granted a bank credit in amount of MDL 35 000 000 to MOLINT GRUP SRL society, fiscal code 1005600046866.

Subsequently, the credit funds were converted and transferred in the amount of USD 2 684 049 to the non-resident company account PR-VERT SYSTEM LIMITED, registered in Great Britain, the accounts opened in TRASTA KOMERCBANKA (Latvia), having as destination "the payment for building materials".

Subsequently, on the account of the company PR-VERT SYSTEM LIMITED, financial means in total amount of USD 7 520 000 were transferred from the companies GRIDEN DEVELOPEMENT LP and DENISON LIMITED, the accounts being also held in TRASTA KOMERCBANKA, with the destination „payment for computers”.

Therefore, from the funds received in the account in amount of USD 10 204 049 (including the amount of USD 2 684 049 coming from Banca de Economii S.A.) PR-VERT SYSTEM LIMITED transferred them to the non-resident companies NEVASKA COMERCIAL LLP, LIBERTON ASSCIATED LIMITED and DUNFORD UNIVERSAL LLP.

On 18 June 2014, the society MOLINT GRUP SRL repaid its bank credit no.37/13 of 30 December 2013 issued by BC MOLDINCONBANK S.A., as follows:

On 9 June 2014, Banca de Economii S.A. granted a bank credit in amount of MDL 46 887 600 to the CARITAS GROUP SRL society, fiscal code 1012600033082. It should be noted that the bank credit was fraudulently granted, having as collaterals interbank placements from the banks METROBANK and ALFA BANK from the Russian Federation, which were later found to be fictitious. After that, the credit funds were converted and transferred in amount of EUR 1 280 000 to CARITAS GROUP SRL, to the company BANNYSTER LLP, the accounts opened at AS PRIVATBANK, having as destination „advance payment for building materials”, while EUR 1180000 were transferred to the company WELENTAS LLP, being destined for „payment for clothing”.

Subsequently, from the funds received in the account from CARITAS GROUP SRL, the company BANNYSTER LLP, transferred the amount of EUR 1275000 to the company FIDAN PROPERTIES LLP, the accounts being opened at AS PRIVATBANK. In its turn, the company FIDAN PROPERTIES LLP transferred the amount of EUR 1 223 000 in the account of the company KALTEN HOUSE LP, registered in Great Britain, accounts being opened at AS PRIVATBANK.

At the same time, WELENTAS LLP, from the funds received in the account from CARITAS GROUP SRL, on 09 June 2014 transferred the amount of EUR 636 700 to the company KALTEN HOUSE LLP.

In this context, on the same day, from the financial means received in the account from FIDAN PROPERTIES LLP and WELENTAS LLP, the company KALTEN HOUSE LP transferred the balance in amount of EUR 1859383 to the MOLINT GRUP SRL society, accounts being opened at BC UNIBANK S.A., with the destination „payment for duty-free goods”.

Further, MOLINT GROUP SRL, converted the currency and transferred the balance in amount of MDL 35123750 from BC UNIBANK SA to the account in BC MOLDINCONBANK S.A.

Thus, on 09 June 2014, the MOLINT GRUP SRL company used the sum of MDL 35 000 000 for the reimbursement of the loan no.37/13 of 30 December 2013 granted by BC MOLDINCONBANK S.A. (*see the Annex*)

2.3.1.4. Funding from fraudulent means coming from the banking system of the Republic of Moldova:

The Organisation „Silk Road Biuro Analiz i Informacji” is the beneficiary of multiple suspicious transfers, coming from companies that are among the main beneficiaries of the financial means embezzled from the financial institutions of the Republic of Moldova, mentioned in the KROLL Report, namely: Winston Associates Ltd, Carberry Investment Ltd, Harwood United LLP, Harrogate Consulting LP, Rosslyn Trade LP.

Thus, between 2014 and 2017, the citizen *B. Kramek*, the spouse of Ludmila Kozłowska, received through „Silk Road Biuro Analiz i Informacji” transfers in amount of USD 1.2 million and EUR 60.000 from the off-shore companies registered in Scotland, Stoppard Consulting LLP and Kariastra Project LP.

The company Stoppard Consulting LLP (removed from registers in 2017) is affiliated with 4 companies that are part of Veaceslav Platon group, to which belong also Harwood United LLP, Harrogate Consulting LP, Rosslyn Trade LP: Winston Associates Ltd (Seychelles), Carberry Investment Ltd (Seychelles), Erin Group Corp. (Belize), Maytree Overseas S.A. (Panama), which appears in „Panama Papers”.

The companies Winston Associates Ltd and Carberry Investment Ltd are on the list of companies involved in the 2014 bank embezzlement in the Republic of Moldova.

A part of embezzled money was used by ODF to organise various political and lobbying events, including for the funding of the Political Party "Dignity and Truth Platform" and the Political Party "Action and Solidarity".

Currently, the investigations carried out by the services of the Republic Moldova jointly with the external partners found the direct transfer to the Republic of Moldova, on 11 May 2017, of the amount of USD 2000,00 from „Silk Road Biuro Analiz i Informacji” to a company from the Republic of Moldova managed by persons affiliated to the Political Party „Dignity and Truth Platform”.

2.3.1.5. Other suspect financings:

Another company financing the SILK ROAD BIURO ANALIZ I INFORMACJI SP z.o.o is the company KARIASTRA PROJECT LP, that was subjected to investigations carried out by similar services in Germany.

2.3.2. Relations between ODF, Veaceslav Platon and other citizens of the Russian Federation.

It has been established that the actual beneficiaries of the companies involved in the transfers made to SILK ROAD BIURO ANALIZ INFORMACJI z.o.o, involved in the Russian „Laundromat”, the bank fraud committed until 2014, are citizens of the Russian Federation and Ukraine, namely:

- AUSTIN ORGANIZATION AG – beneficiary: Malikov Maxim, born on 05.02.1978, citizen of the Russian Federation, passport no.4502025882 of 26.03.2002;
- DUNFORD UNIVERSAL LLP – beneficiary: Chaly Alexandr, citizen of Russian Federation, passport no.5706988179;
- WYNDFORD SYSTEM LIMITED – beneficiary: Mishin Andrei, born on 13.09.1979, citizen of the Russian Federation, passport no.1709986887;
- PR-VERT SYSTEM LIMITED – Mykhaylyk Taras, born on 26.11.1981, citizen of Ukraine (affiliated with Platon group);
- SEABON LIMITED – Romaniuk Oleksii, born on 30.05.1987, citizen of Ukraine (affiliated with the Platon group).
- In the process of remote management of the bank accounts of the companies DUNFORD UNIVERSAL LLP and WYNDFORD SYSTEM LIMITED, the IP addresses 176.104.233.21, 195.39.210.28 and 83.187.155.16, assigned to internal service operators in Ukraine, Donetsk region and Latvia were used, there being suspicions that these IP addresses were obtained through proxy server;
- STOPPARD CONSULTING LLP, was obtaining income including from the companies CONTINENT LLC, registered in the Russian Federation, Crimea region, with accounts opened in the Russian bank FINANCIAL STANDARD CB OOO and from TD CONTINENT LLC, registered in the Russian Federation, Moscow, with accounts opened in SBERBANK OAO. The beneficiary of the company CONTINET LLC, as well as of the company STOPPARD CONSULTING LLP is the citizen of the Russian Federation (previously a citizen of Ukraine, too) *Igor Prevysokov*, born on 28.02.1967, being the founder of the companies: ООО „ПРЕДПРИЯТИЕ МОРСКОЙ ЗАЛИВ” – in proportion of 20%; ООО „ГУДВИН” – in proportion of 99%; ООО „ПРЕВЫСОКОВ ИГОРЬ МИХАЙЛОВИЧ” – in proportion of 100%.
- KARIASTRA PROJECT LP presents reasonable suspicions of involvement in activities of money laundering. Thus, between 01.06.2013 and 01.05.2015, on the account of AS PRIVATBANK (Latvia) of KARIASTRA PROJECT LP, bank operations were registered, in a total amount of EUR 5 228 024 and USD 27 764 388, with different companies registered in off-shore areas, based on contracts for the sale and purchase of fictitious goods and equipment. The financial means in amount of EUR 64 785 and USD 852 828, transferred between 24.01.2014 and 18.02.2015 to SILK ROAD BIURO ANALIZ INFORMACJI SP z.o.o., came from the companies WESTEND TECHNICS AG, with accounts opened in AS PRIVATBANK (Latvia), KWENTEN CONSTRUCTION LLP, with accounts opened in DANSKE BANK AS ESTONIA, JOHANSEN GROUP INC, with accounts opened in the bank ONLINE BANK, TRYSS GROUP SA from the Russian

Federation, with accounts opened in OJSC PROMSVYAZBANK OAO (Cyprus). The account manager and actual beneficiary of the company KARIASTRA PROJECT LP is the citizen of the Russian Federation *Romanova Anastasiya*, born on 04.08.1984, passport no.4510860335;

- STOX TRADING LTD, which made transfers to the account of SILK ROAD BIURO ANALIZ INFORMACJI SP z.o.o., between 01.12.2012 and 01.03.2013, by means of the accounts held in DANSKE BANK AS ESTONIA BRANCH has transferred financial means in total amount of EUR 62 000 to the citizen of the Republic of Moldova *Oleg Mihaniuc*, born on 05.04.1968, ID number 0961501894586, accounts being held in the Latvian bank BALTIKUMS BANK AS, with the destination „payment for car parts”.

The circumstances mentioned above are to be considered in terms of the acquisition, use, conversion, transfer of assets known to constitute illicit income, with a view to disguising the illicit origin of these goods through the espionage, diversion, as well as the illegal financing of political parties or electoral campaigns.

ODF's links with *Veaceslav Platon* and ODF's serving of his interests are also proven by ODF's involvement in the usual family affairs of *Veaceslav Platon*'s family.

On 13 November 2016, a few months after the arrest of V. Platon in Kiev and his extradition to Chisinau, the coordinator responsible for logistics of Ludmila Kozlowska's „Open Dialog” Foundation, Rafal Matouszek, sent from his e-mail rafal.matouszek@odfoundation.eu to the e-mail address, sarmana.moldova17@outlook.com the boarding pass for the flights on 14 November 2016, Otopeni, Bucharest-Frankfurt, Frankfurt-Warsaw for Svetlana Platon.

On 19 November 2016, from the same e-mail of the logistics coordinator of Ludmila Kozlowska, to the e-mail, sarmana.moldova17@outlook.com, two flight tickets were sent for Egor Platon and Artiom Platon, for the flight of the company „Belavia” Odessa-Minsk, Minsk-Sankt-Petersburg.

2.4. The activities of ODF and Ludmila Kozłowska

The stated purpose of the activities of both OD foundations is to defend human rights and freedoms, democracy and rule of law in ex-Soviet states.

Based on this statement and aligning themselves some actions of protest regarding human rights and democracy, ODF and Ludmila Kozłowska obtained permanent access to the European Parliament⁶ and the European Commission's premises.

The accreditation of the ODF and Ludmila Kozłowska in the European Parliament raised questions among the Members of the European Parliament and there were also official Parliamentary Questions by MEP Kosma Zlotowski⁷, who on 28 March 2018 said: „*Under these circumstances, the question arises as to how correct it is to appreciate a person as a "trustworthy person" given the fact that she obtained the Russian Federation's passport in 2014 after the annexation of Crimea, and her foundation and sponsors are suspected of having links with the Russian Federation*”.

In addition to the activities declared by ODF, there is a more intense activity meant to represent in various international fora the interests of some persons from post-Soviet states subjected to criminal charges in various courts.

The tactics applied by Kozłowska and her NGO are assimilated into "lobbying" strategies, but by exceeding their limits, rather attacking and acting against some states and authorities of these states in order to make political pressure but also outside media pressure, for the benefit of people in the area of ODF's interest.

In lobbying activities, ODF uses the following tools:

- a) creating a perception of facts or circumstances in a light that favours the "customers" served by it, regardless of profile and case;
- b) influencing and promoting the attribution of a series of labels to states, authorities or individuals;
- c) putting pressure on the public area on certain international and national institutions in different jurisdictions to influence certain procedural and criminal law decisions and actions and,
- d) in this connection, co-opting various civic activists and politicians to legitimise their activities.

Multiple cases administered by ODF concern businessmen with imposing fortunes and dubious backgrounds, originating from the former USSR (CIS).

⁶ <http://ec.europa.eu/search/?page=1>

⁷ http://www.europarl.europa.eu/doceo/document/E-8-2018-001890_EN.html?redirect

Brussels-express.eu writes that *“In the name of “human rights”, the “Open Dialogue” Foundation represents a number of extremely reach runaway persons, most of them wanted in their countries for money laundering, presenting them as persecuted by “political opposition”⁸, and the MEP Andi Cristea claims that an investigation concerning the “Open Dialogue” Foundation is needed. “Taking into consideration the foundation’s efforts to defend one or more controversial persons, I believe that significant resources are needed for this, and it may also be necessary to investigate in Brussels the transparency of the Foundation’s financing and the proper registration of lobbying activities in the public register, in accordance with the existing European legislation”, said Andi Cristea⁹.*

The international mass-media has repeatedly published information confirming that ODF, headed by Ludmila Kozłowska, has lobbied in the European Parliament, the Council of Europe, the OSCE and other European organisations to clear the name of their major clients - oligarchs convicted in their countries of origin for serious offences of common law. The mass-media wrote that ODF uses the “fake news” phenomenon in this process to present clients with criminal-law issues as victims of political persecution.

2.5. Controversies related to ODF and Ludmila Kozłowska

2.5.1. Calls to the overthrow of legitimate governance in Poland

ODF and, in particular, *Bartosz Kramek*, the spouse of the activist Ludmila Kozłowska, has taken several actions against the Polish authorities, the main ally of Ukraine and Russia's enemy in the EU. Last year, he launched an Internet instruction called "Niech państwo stanie: wyłączmy rząd!" ("Let's stop the State: disable the Government!"). Citizen *Kramek* planned a government fall and a social destabilisation in Warsaw, paralysis of state's functioning, general strikes, "direct enforcement by the judges of the Constitution", i.e. ignoring laws, not performing work duties, not paying taxes, disobedience to local authorities controlled by the ruling parties in Poland on the grounds that they had falsified the 2014 elections, street demonstrations and external pressures, letters, sanctions, personal psychological pressures on PiS leaders, such as protests in front of President Kaczyński's home.

ODF and Ludmila Kozłowska, and another organisation (Zmiana), headed by Mateusz Piskorski, pursued the same goal of promoting the political interests of the pro-Russian forces, being coordinated from a common centre, trying to create a public opinion that they were in conflict. A conflict arose later between these actors, but its source was the funds to which they had common access¹⁰.

⁸ <https://brussels-express.eu/a-controversial-brussels-registered-human-rights-ngo-is-under-scrutiny/>

⁹ https://zugo.md/article/scandalul-open-dialog-continua--un-europarlamentar-solicita-o-investigatie-privind-finantarea-fundatiei_29255.htm

¹⁰ <http://euromaidanpress.com/2016/01/27/ukrainians-in-warsaw-may-to-jail-for-3-years-for-disrespecting-putin/>

The nature of the ODF initiative was totally different from the organisation's activity until that time. The Special Polish Services have evidence proving that these actions were directed by special structures in the Russian Federation.

2.5.2. Expelling of Ludmila Kozłowska from the Schengen area

In 2017, ODF came into the focus of Special Polish Services.

Mariusz Kamiński, Minister for Coordination of Special Services in Warsaw, requested the launching of an investigation on the way ODF had been registered and detailed reports on the activity and suspicious funding of the foundation¹¹, including the funding coming from the Russian Federation.

The investigation recently culminated in the request of the Polish authorities, which are in a hybrid war with the Russian Federation, to expel Ludmila Kozłowska from the EU area.

Several investigations have been published in the international mass-media on Ludmila Kozłowska and the foundation she represents. The general conclusion of the published investigations is that ODF President, Ludmila Kozłowska, is part of the category of latent agents of the special services of the Russian Federation, who are infiltrated when needed into various subversive activities, sometimes over considerable periods of time.

“Right from the start of her activity, Ludmila Kozłowska was placed in the well-coordinated recruitment machinery of the Kremlin’s Special Services - through blackmail, compromising material and pressure on the business of close people, especially of her brother’s, the businessman Piotr Kozłowsky”¹², is the conclusion of a journalistic investigation published in Ukraine, the country of origin and the current residence of Ludmila Kozłowska.

The negative opinion of the Polish Internal Security Agency on Ludmila Kozłowska's request for obtaining a long-term residence permit within the European Union was based on the evidence provided by the Polish Internal Security Agency's Counterintelligence Department.

The evidence also includes information on the suspect funding sources of the Open Dialog Foundation¹³, including significant funding from Mukhtar Ablyazov, a citizen of the Republic of Kazakhstan, an oligarch convicted for multiple financial frauds in several countries, accused of falsifying identity and for stealing \$ 5 billion from the "BTA Bank", which he had managed.

On 20 August 2018, an article on the "Ukrainian activist Ludmila Kozłowska", who was banned from entering the Schengen area following a Polish request, was published in the

¹¹ <https://wpolityce.pl/polityka/351022-kto-finansowal-fundacje-otwarty-dialog-internauci-przeswietlaja-sprawozdania-i-darczyncow>

¹² <https://www.antikor.com.ua/articles/198549-spjashchie-agenty-kremlja-v-ukraine>

¹³ <https://www.7iasi.ro/spionajul-rusesc-are-cumetre-celebri-si-la-iasi/>

international mass-media¹⁴. The material released by the brussels-express.eu portal mentioned that “*Ludmila Kozłowska was detained late in the evening at Brussels airport following a passport check on Monday, 13 August. This was done on the basis of the entry ban introduced by Poland in the Schengen Information System. In accordance with art. 6 of the Schengen Borders Code, all the other Schengen countries must regard her as an inadmissible foreigner and refuse her entry into Schengen territory. [...] The following morning, Kozłowska was deported to Kiev.*” The same article mentioned that “*She, (Ludmila Kozłowska) was identified as a danger to Polish national security, fact denied by her. [...] The funding sources of the Open Dialog Foundation have always been a matter of concern to the Polish authorities. It was found that the foundation received donations from Igoria Trade, a company behind a currency exchange internet site, and from Banerco Ltd. in Cyprus, a significant player in the online casino and bookies world.*”¹⁵

Consequently, following the expelling of ODF President, Ludmila Kozłowska, from the European Union on the basis of Polish special services’ alert on 21 September 2018 at the Warsaw conference, the OSCE called on the international community to pay more attention to the risks associated with ODF’s activity. At the event, a unanimous statement was issued stating that organisations such as ODF use dirty money from sponsors, distort information about the human rights situation and try to promote their views (of the sponsors) in countries having a developed civil society.

The delegates urged the OSCE leadership to pay attention to the activity of the Open Dialogue Foundation, that has an ambiguous reputation in the European Union countries¹⁶.

In an interview, *Ludmila Kozłowska* denies allegations that she is an agent of Russia's special services. She also said that her organisation *Open Dialogue Foundation* focuses on promoting democracy in *Ukraine, Kazakhstan and Moldova*¹⁷.

From the information that has been studied, the Committee notes that ODF President Ludmila Kozłowska has started, after being expelled from the EU, a victimisation tour through certain countries of the European Union, trying to persuade the authorities through lobbying measures like those used in the case of her clients, to put pressure on Poland to lift her ban on entering the European Union.

¹⁴ https://wiadomosci.onet.pl/tylko-w-onecie/ludmila-kozłowska-wydalona-zpolski/vc0w3vw?utm_source=wiadomosci_viasg&utm_medium=nitro&utm_campaign=allonet_nitro_new&srcc=ucs&utm_v=2

¹⁵ <https://brussels-express.eu/the-curious-case-of-the-brussels-lobbyists-the-expulsion-of-lyudmyla-kozłowska-from-the-schengen-zone/>

¹⁶ <https://eutoday.net/news/politics//2018/osce-leadership-urged-to-pay-attention-to-the-activities-of-controversial-ngo-open-dialog-foundation>

¹⁷ <https://europalibera.org/a/29443805.html>

Germany, Belgium, France and Great Britain offered her the right to short-stay entry visas and these decisions have been accompanied by tough reactions from Warsaw.

Ludmila Kozłowska tries to manipulate the public opinion, speculating that his short visits to the EU, covered by the visas given by those states, would prove that she has not been subject to any expelling from the European Union.

2.5.3. The prosecution of Ludmila Kozłowska by the Security Service of Ukraine

Recently, the Security Service of Ukraine (SBU) launched an investigation against Ludmila Kozłowska on the grounds of violation of Ukrainian state unity and high treason¹⁸.

SBU investigates Kozłowska for actions "intended to change the territory or state border of Ukraine, violating the procedure established by the Constitution of Ukraine, as well as for public calls or the distribution of materials requesting such actions."

Kozłowska is also suspected by the Ukrainian authorities of fraud in large proportions.¹⁹

2.5.4. Ludmila Kozłowska and Mukhtar Ablyazov

According to the information studied by the Committee, an important funding source of the ODF is the controversial Kazakh oligarch *Mukhtar Ablyazov*, who is one of the main clients of the lobbying services provided by ODF and Kozłowska.

Mukhtar Ablyazov is accused of stealing \$ 5 billion from Ukraine and Kazakhstan. In this respect, there are several court rulings in different states, including the UK.

Also, starting with a "Financial Times"²⁰ investigation, "Timpul.md" published a comprehensive analysis of the phenomenon of Mukhtar Ablyazov²¹. Thus, in this material and in other publications it is stated that Mukhtar Ablyazov's trouble with the law in Ukraine, Kazakhstan, Great Britain and later in Russia, coincided with the creation of the Open Dialogue Foundation. The Foundation was created in Poland by the Ukrainian Ludmila Kozłowska, who met Mukhtar Ablyazov in Kiev, when she was a student, during the "orange revolution" in 2004. The foundation's annual million-dollar funding by the oligarch is justified by the lobby and advocacy conducted for him in the media, civil society, but also on the corridors of the political institutions in Brussels and other European capitals.

¹⁸ <http://www.thenews.pl/1/10/Artykul/378997,Kremlin-%E2%80%98sleeper-agents%E2%80%99-in-Poland-and-Ukraine-report>

¹⁹ [https://deschide.md/ro/stiri/social/37853/\(DOC\)-SBU-Kozłowska-%C8%99efa-Open-Dialog-est-urm%C4%83rit%C4%83-penal-%C3%AEn-Ucraina.htm](https://deschide.md/ro/stiri/social/37853/(DOC)-SBU-Kozłowska-%C8%99efa-Open-Dialog-est-urm%C4%83rit%C4%83-penal-%C3%AEn-Ucraina.htm)

²⁰ <https://www.ft.com/content/1411b1a0-a310-11e7-9e4f-7f5e6a7c98a2>

²¹ <https://www.timpul.md/articol/investigaie--fenomenul-ablyazov-calul-troian-pentru-europa--razboaiele-politice-din-est-exportate-in-instantele-parlamentele-si-mass-media-occidentale-120941.html>

Also, the same journalistic investigation indicated the fact that ODF has positioned itself as an oligarch's lawyer and spared no time, money or effort to lobby in public, but also in front of the European institutions, for the legend that Ablyazov is not a common law offender, crook and thief of billions, but a dissident, persecuted by the leadership of Ukraine, Kazakhstan and Russia, which issued international arrest warrants against him. What proved the financing of the Open Dialogue Foundation by Ablyazov and its subordination to the Kazakh oligarch convicted by the British justice, was the concern of the foundation, immediately after its creation, about the situation in Kazakhstan.

ODF seemed to be very concerned about Ukraine, another country that had formulated criminal charges against the oligarch, and the first that issued an international arrest warrant for Mukhtar Ablyazov. Only later, the concern about Ukraine and Kazakhstan was diluted in order to create a credible legend of enrolment in the fight for human rights throughout the CIS, by focusing, obviously anaemically, on the situation of the respect for human rights in Russia.

On 7 June 2017, Mukhtar Ablyazov was convicted by a Kazakhstan court for a series of crimes, including embezzlement and money laundering, and was sentenced to 20 years in prison with a fine and confiscation of assets. This court decision was not executed because Mukhtar Ablyazov took refuge in Great Britain, which had a sophisticated extradition procedure.

On November 2012, a court from Great Britain ordered definitively and irrevocably that Mukhtar Ablyazov should pay 1.02 billion pounds (\$ 1.63 billion). The court also ordered “new post-judgment asset-freezing orders be made against Mr. Ablyazov in an unlimited sum and new asset-freezing orders in relation to certain other defendants”.²²

In the same context, the High Court decided that Ilyas Khrapunov, the son-in-law of Ablyazov, should pay compensation amounting to USD 500 million (USD 424,110,000 + USD 75,851,783.01 interest rate) for the conspiracy with Ablyazov to transfer assets violating the freezing order²³. After the decisions of the British Courts, Ablyazov also fled from the UK, hiding himself in France.

2.6. ODF, Ludmila Kozłowska and their activities related to the Republic of Moldova

The Republic of Moldova came up in the attention of the foundation led by Ludmila Kozłowska at the end of 2016, immediately after the detention in Kiev, by the Ukrainian security service (SBU), of the citizen of the Republic of Moldova and the Russian Federation **Veaceslav Platon**, based on the arrest warrant issued by Moldovan prosecutors.

²² <http://gca.satrapia.com/+bta-bank-court-rules-against-ablyazov-in-2-blm-suit+>

²³ <https://www.hoganlovells.com/~media/hogan-lovells/pdf/2018/approved-judgment-dated-21-june-2018-bta-khrapunov.pdf?la=en> .

Veaceslav Platon was extradited by the Ukrainian authorities to the Republic of Moldova, where he was arrested, put under accusation and after that convicted, already irrevocably, for money laundering, financial fraud and theft from the country's financial-banking system.

Exactly like in the case of *Ablyazov*, in order to discredit the authorities from the Republic of Moldova, to victimise its client and *to create the image of a state in which the human rights are constantly violated*, the foundation started immediately to cooperate with the lawyers of *Veaceslav Platon* and tried to present the criminal investigation of the lawyer *Ana Ursachi*, accused of common law offences, as political persecution²⁴.

The investigations carried out by the relevant institutions of the Republic of Moldova, in partnership with counterpart services of the partner states, concerning the ODF activity confirm the accusations made in public regarding Ludmila Kozłowska and her NGO engaging in diversionary actions directed against the institutions of the Republic of Moldova, funded and orchestrated by special services hostile to the state.

Chronological description of the ODF and *Ludmila Kozłowska's* activities related to the Republic of Moldova.

2.6.1. The year 2016

The Republic of Moldova came to the attention of the foundation headed by *Ludmila Kozłowska* at the end of 2016, immediately after the arrest in Kiev, by the Ukraine Intelligence Service (SBU), of the citizen of the Republic of Moldova and of Russian Federation *Veaceslav Platon*, based on the arrest warrant issued by Moldovan prosecutors. *Platon* was extradited by the Ukrainian authorities in the Republic of Moldova, where he was arrested, put under accusation and later convicted, already irrevocably, for money laundering, financial fraud and theft from the country's financial-banking system.

The first analysis of the ODF regarding the Republic of Moldova was conducted on 29.11.2016, in the Report „Human Freedom Index 2016: level of freedom decreased in Eastern Europe. Ukraine drops in the ranking by record 27 positions”²⁵.

The Report was published on the web page <https://en.odfoundation.eu/a/7992,moldova-prosecution-of-counsel-ana-ursachi> la 06.12.2016.

On 12.12.2016 (only 6 days after the above-mentioned report), ODF placed *Veaceslav Platon* in the forefront of its activities, in the attempt to victimise him and obtain the support of international community under the pretext of the „persecution” of the political opponent of the government, who supposedly had taken refuge in Ukraine.

²⁴ <https://en.odfoundation.eu/a/7992,moldova-prosecution-of-counsel-ana-ursachi>

²⁵ <https://en.odfoundation.eu/a/8723,human-freedom-index-2016-level-of-freedom-decreased-in-eastern-europe-ukraine-drops-in-the-ranking-by-record-27-positions>

The report drafted in this connection by ODF focused on the alleged violation of the human rights in the process of the extradition of Veaceslav Platon from Ukraine to the Republic of Moldova and the alleged breaches of procedure during his detaining in Kiev²⁶.

On 15.12.2016, an address was made by Open Dialog Foundation and Destination Justice, aimed at drawing more attention to the practices of persecuting independent counsels in the Republic of Moldova.

The communiqué was addressed to Commissioners Federica Mogherini and Johannes Hahn, the President of the European Commission, Jan-Claude Juncker, the MEP Martin Schulz, PACE President Pedro Agramunt, OSCE President Christine Muttonen and the United Nations High Commissioner for Human Rights, Ra'ad Zeid Al-Husseini, in an attempt to justify and victimise the persons investigated by the judicial authorities of the Republic of Moldova, namely Veaceslav Platon, Ana Ursachi and Eduard Rudenco (the two of them being affiliated to the citizen Veaceslav Platon).

2.6.2. The year 2017

On 24.01.2017, ODF announced that thanks to the access it had to various European institutions, in the period from December 2016 to January 2017, Ana Ursachi, Eduard Rudenco, Alexandru Machedon, Natalia Morari and Alexei Tulbure participated in meetings with a series of high-ranking office-holders from the European Parliament and the European Council (including Brock, Sorin Preda) whom they communicated that the above-mentioned persons were intimidated by various media outlets and presented Veaceslav Platon as a politically persecuted person²⁷.

Besides this, ODF announced that, thanks to these visits, they managed to obtain from the high office-holders they met, the condemning of the political situation in the Republic of Moldova, the alleged abuses of the prosecution authority and law courts against the defenders of human rights and civic activists, and of politically motivated lawsuits, as in the case of Domnica Manole.

On 25.01.2017, ODF announced that it had managed to collect 23 signatures of PACE members for „Moldova: oppression of civil society and key witnesses”²⁸, through which it attempted to impose the idea of political persecution of Veaceslav Platon, who was allegedly a key witness in the banking fraud case and to transfer the responsibility to other persons. This address emphasised the idea of repressions conducted against the independent press.

²⁶ <https://en.odfoundation.eu/a/7978,ukraine-assists-post-soviet-states-with-the-persecution-of-political-opponents-and-refugees>

²⁷ <https://en.odfoundation.eu/a/8043,the-odf-s-support-of-the-civil-society-in-moldova-high-level-meetings-at-pace-ep>

²⁸ <https://en.odfoundation.eu/a/8102,written-declaration-moldova-political-oppression-against-civil-society-and-key-witnesses-signed-by-23-members-of-pace>

On 2 May 2017, the ODF published a new report “The Captured State: Persecution of Oppositionists, Media Representatives and Human Rights Defenders in Moldova”²⁹, invoking the persecution of media institutions’ representatives. Unlike the report published on 29 November 2016, this report was extremely critical and had only the members of the Dignity and Truth Platform Party (PPDA), its leader Andrei Năstase and the extremist politician Grigore Petrenco as main protagonists.

On 4 May 2017, the ODF announced that it had managed to get the support of MEPs Anna Fotyga (ECR, Poland), Ramona Nicole Mănescu (EPP, Romania), Renate Weber (ALDE, Romania) and Rebecca Harms (Greens/EFA, Germany), and organised the “Moldova at the crossroads” Conference, during which the political situation and the respect for human rights in the Republic of Moldova were discussed with the participation of party leaders Maia Sandu (PAS), Andrei Năstase (PPDA), Veaceslav Platon’s lawyer, Ana Ursachi, journalist Natalia Morari, and StarNet Director Alexandru Machedon³⁰. The event was funded by the ODF.

The President of the Party Action and Solidarity Party, Maia Sandu, confirmed, by reply no. 01-12 / 36 of 26 October 2018 that she attended the conference.

On 17 May 2017, the ODF announced that several debates were held, on 16 May 2017, in the European Parliament on the modification of the electoral system, the fight against corruption, the lack of reforms in the Republic of Moldova and the macro-financial assistance of the European Union³¹ (the request of suspending the macro-financial assistance was put into discussion). The ODF press release stated that the debates were also due to ODF’s efforts and to the event of 4 May 2017.

On 22 May 2017, the ODF published the report “*The Captured State: Politically Motivated Prosecution in Moldova and Usurpation of Power by Vladimir Plahotniuc*”³². The report focused on the victimisation of the same people and attached a string of labels to the Republic of Moldova, its public authorities, as well as to a number of persons.

On 27 April 2017, within the framework of the PACE plenary session, the ODF organised an event on “Political persecution in Ukraine and Moldova: how political corruption undermines the reform efforts”. *Ana Ursachi* and *Alexei Tulbure* participated in the event and attempted to instil the idea of illegal influence in the judiciary of the Republic of Moldova.

On 19 October 2017, an ODF delegation visited the European Parliament and the PACE where they had several meetings with a number of senior European officials and tried to

²⁹ <https://en.odfoundation.eu/a/8180,the-captured-state-persecution-of-oppositionists-media-representatives-and-human-rights-defenders-in-moldova>

³⁰ <https://en.odfoundation.eu/a/8161,invitation-to-a-conference-moldova-at-the-crossroads>

³¹ <https://en.odfoundation.eu/a/8182,press-release-moldova-at-the-crossroads-say-meps>

³² <https://en.odfoundation.eu/a/8188,the-captured-state-politically-motivated-prosecution-in-moldova-and-usurpation-of-power-by-vladimir-plahotniuc>

instil the idea of allegedly illegal actions by the Moldovan authorities and political repression of the same people. The event was attended by the lawyers of *Veaceslav Platon* and *Alexei Tulbure*.

On 29 December 2017, the ODF announced on its website that the appeals of MEPs Ana Gomes, Tunne Kelam, Jaromir Stetina, Indrek Tarand, Kazimiers Michael Ujazdowski and Julie Ward to the authorities of the Republic of Moldova to condemn the alleged political persecution of *Ana Ursachi*, *Alexei Alexeev*, *Alexandru Machedon*, *Sergiu Cebotari*, *Domnica Manole* and *Dorin Munteanu* (all these people are from Veaceslav Platon's entourage) were successful due to the visits to the European Parliament, on 21-23 November 2017 and 11-12 December 2017, of the delegation led by *Ludmila Kozłowska*, accompanied by activist *Ștefan Gligor* and lawyer *Ana Ursachi*.

2.6.3. The Year 2018

On 30 January 2018, the ODF published on its website³³ a press release announcing that, as a result of the ODP mission to PACE in January 2018, PACE members were launching a resolution on the preservation of civil rights in Poland, the Republic of Moldova and Ukraine. The ODF announced that the resolution was the result of the ODF activities carried out at the PACE in January 2018.

On 2 March 2018, the ODF communicated that due to its mission to the OSCE of 22-23 February 2018, in Vienna, the chair of the General Committee for Democracy, Human Rights and Humanitarian Affairs of the OSCE Parliamentary Assembly, Jose Ignacio Sanchez Amor, addressed to the Republic of Moldova and Kazakhstan on issues of criminal prosecution by law enforcement authorities, of *Ana Ursachi*, *Eduard Rudenco*, *Domnica Manole*, and *Dorin Munteanu*³⁴.

On 9 April 2018, the ODF announced on its website³⁵ that due to its mission of February 2018, MEPs Jaromir Stetina, Julie Ward, and Tomas Zdechovsky approached the Minister of Justice and the Prosecutor General of the Republic of Moldova, stating that Ana Ursachi and Alexandru Machedon were persecuted.

³³ <https://en.odfoundation.eu/a/8550.members-of-the-pace-launch-a-motion-for-resolution-on-the-preservation-of-civil-liberties-in-poland-moldova-and-ukraine>

³⁴ <https://en.odfoundation.eu/a/8579.the-chair-of-the-osce-pa-general-committee-on-democracy-human-rights-and-humanitarian-questions-addresses-the-authorities-of-kazakhstan-and-moldova>

³⁵ <https://en.odfoundation.eu/a/8618.meps-decry-attacks-against-independent-lawyers-activists-and-judges-in-moldova>

On 17 May 2018, the Report “The authorities of Moldova roll back the democratisation process and fail to fulfil their obligations to the EU”³⁶ was published. Subsequently, encouraged by the support of the political actors from Chişinău sponsored by the ODF, the Open Dialogue Foundation applied a new diversionary blow to the Republic of Moldova. It published a report³⁷, according to which “The Republic of Moldova is rapidly turning into an outbreak of instability, corruption and transgressions in the region”. The ODF welcomed the EU position on the suspension of the macro-financial assistance to the Republic of Moldova and urged the European Union authorities (the European Commission, the European Parliament, the European Council) to undertake decisive actions in connection with the failure of the Republic of Moldova to fulfil its obligations and demanded:

- *Extending financial sanctions in the form of refusal to grant EU macro-financial assistance to the Republic of Moldova.*
- *Revising the Association Agreement between the Republic of Moldova and the EU in connection with the increasing number of cases of violation of democratic principles, human rights and fundamental freedoms in the Republic of Moldova.*
- *Immediate cessation of politically motivated criminal prosecutions (including the alleged “Veaceslav Platon file”, the client about whom the ODF is concerned), of opposition representatives, human rights defenders, journalists and judges from the Republic of Moldova.*
- *Personal sanctions against persons involved in politically motivated criminal prosecutions.*

At the same time, the ODF continued the diversionary blows and on 26-28 July 2018, Paola Gaffurini, lawyer employed by the ODF, participated in human rights monitoring mission organised in Chisinau.

On 7 September 2018, the mission report was published³⁸, and the recommendations addressed to the international community included:

- The EU shall ensure the consolidation of monitoring activities for the compliance of the Republic of Moldova with its obligations, as stipulated in the EU-Moldova Association Agreement.
- The IMF shall include new conditions for granting macro-financial assistance to the Republic of Moldova regarding the compliance with democratic standards in line with the conditionality measures adopted by the EU.

³⁶ <https://en.odfoundation.eu/a/8460,report-the-authorities-of-moldova-roll-back-the-democratisation-process-and-fail-to-fulfill-their-obligations-to-the-eu>

³⁷ <https://en.odfoundation.eu/a/8460,report-the-authorities-of-moldova-roll-back-the-democratisation-process-and-fail-to-fulfill-their-obligations-to-the-eu>

³⁸ <https://en.odfoundation.eu/a/8835,report-on-the-results-of-the-human-rights-monitoring-mission-to-the-republic-of-moldova-in-the-period-between-26-and-28-july-2018>

- The adoption of individual sanctions and promotion of domestic awareness of the Global Magnitsky Act against the leaders of the Republic of Moldova.

On 29 June 2018, the ODF published the press release “Defence for the defenders: Lawyers and attorneys under attack for participation in politically motivated cases”³⁹.

On 7 September 2018, the ODF issued the report “On the results of the human rights monitoring mission to the Republic of Moldova in the period between 26 and 28 July 2018”⁴⁰.

2.7. Illegal funding of activities of some parties of the Republic of Moldova

According to the provisions of art. 25, 26 para. (1) of Law no. 294/2007 on political parties, the political parties shall be financed from party membership fees, donations, including those collected from the recreational, cultural, sports or other mass activities organised by the party, provided that these are accounted for in the established manner, grants from the state budget, pursuant to the provisions of this law and the annual budget law, other legally derived revenues according to art.24 para.(3), revenues from editorial activities, provided that these activities are not forbidden by law and are expressly stipulated in the Statute of the political party, donations to the political parties (such as: pecuniary donations, other than membership fees, donations in the form of property, goods, services free of charge or under more favourable conditions than the market value, payment for goods and services used by the party).

At the same time, art. 26 para. (4) -(5) of Law no.294/2007 on political parties sets the legal limit for donations. Therefore, a physical person shall make donations to one or several political parties in an amount not exceeding 200 average monthly salaries per economy established for the respective year per financial year. In the event that the physical person is a party member, the limit amount mentioned shall include the amount of his/her annual party membership fees. The donations made by a legal person to one or several political parties during a financial year shall not exceed the amount of 400 average monthly salaries per economy established for the respective year.

Pursuant to art. 26 para. (6) of Law no. 294/2007 on political parties, it is forbidden to finance the provision of free of charge services or the material support under any form, either direct and/or indirect, for the political parties by:

³⁹ <https://en.odfoundation.eu/a/8707,defence-for-the-defenders-lawyers-and-attorneys-under-attack-for-participation-in-politically-motivated-cases>

⁴⁰ <https://en.odfoundation.eu/a/8835,report-on-the-results-of-the-human-rights-monitoring-mission-to-the-republic-of-moldova-in-the-period-between-26-and-28-july-2018>

- citizens of the Republic of Moldova aged below 18 years, citizens limited in their exercise capacity or declared incapable by a final judgment of the court;
- physical persons citizens of the Republic of Moldova, from revenues obtained abroad;
- foreign citizens, stateless, anonymous persons or persons donating on behalf of third parties;
- public authorities, organisations, enterprises, public institutions, other legal persons financed from the public budget or with public capital, except for the cases when the provision of services or material support is expressly stipulated in the law;
- legal persons that, on the date of donation, have overdue debts older than 60 days to the state budget, the budget of social insurances or the fund of compulsory health insurances;
- legal persons with foreign or mixed capital, legal persons from abroad;
- other states and international organisations, including international political organisations;
- non-commercial organisations, trade unions, charity and religious organisations.

2.7.1 Examples of some forms of illegal financing by the ODF of some political parties of the Republic of Moldova

On 30 November 2016, another air roundtrip ticket was sent from the email address of *Rafal Matouszek* to the email address of *Sarmana.Moldova* for the dates of 3 and 4 December 2016 for the Air Moldova flight of Chişinău-Domodedovo, Moscow, on the name of *Alexandru Machedon*, Director of StarNet Company and the former head of staff of *Andrei Năstase*, President of the Dignity and Truth Platform Party, for exactly the same flight, of the same Belavia company, for Odessa - Saint-Petersburg fight with a stopover in Minsk, on the name of *Constantin Ursache*.

An article, published by Free Europe⁴¹, indicates that Ludmila Kozłowska confirmed in an interview that she paid for the air ticket of politician *Maia Sandu* to enable her to participate in a conference in Brussels. At the same time, the article stipulates that the “Otwarty Dialog” (Open Dialogue) Foundation, has started the activities related to the Republic of Moldova in summer 2016, upon the receipt of a help request from the family and lawyers of Veaceslav Platon.

Ludmila Kozłowska said that “her organisation for human rights approached the case of Platon from the perspective of human rights violation only, believing that such violations have been committed during his arrest and extradition.” At the same time, she claimed that she “has stopped dealing with the case when she learned about the alleged involvement of Platon in the theft of the billion.” Although the information about V.

⁴¹<https://www.europalibera.org/a/kozlovska-respinge-atacul-lui-plahotniuc/29449603.html>

Platon's involvement in the financial fraud appeared in the international media yet in 2014.⁴²

Ludmila Kozłowska also denied being a Russian agent or Russian citizen (even if the Ukrainian media published a copy of her Russian passport in an article)⁴³.

The Party Action and Solidarity, led by *Maia Sandu*, affirmed that it had no links with Ludmila Kozłowska or the "Otwarty Dialog" Foundation⁴⁴, although in the public space, clear evidence had emerged that Ludmila Kozłowska had paid, through her foundation, for the air tickets for *Maia Sandu*, *Andrei Năstase*, *Alexandru Machedon*, lawyers, and members of *Veaceslav Platon's* family⁴⁵.

In its reply no. CEC 8/2798 of 26 October 2018, sent to the Enquiry Committee, the Central Electoral Commission confirmed the information made public and indicated that the non-governmental organisation "Open Dialogue" covered the costs of the trip to Brussels, Belgium, in the period between 2 and 5 May 2017, of the President of the Party Action and Solidarity.

The Committee found out that the ODF was not the only foreign organisation to have financed the activities of the political parties from the Republic of Moldova.

The Central Electoral Commission additionally informed that there were other foreign non-governmental organisations that covered the trip costs for the participation of the political parties' representatives from the Republic of Moldova in various events. For example:

- The International Republican Institute covered, in 2017, the costs for the trip of the President of the Party Action and Solidarity, Ms. Maia Sandu;
- The Congress of Local and Regional Authorities of the Council of Europe covered, in 2017, the trip costs for two local councillors – representatives of the Political Party "Our Party", to Strasbourg;
- The Konrad Adenauer Foundation (Konrad-Adenauer-Stiftung) covered, in 2017, the costs for several trips of the President of the Party Action and Solidarity, Ms. Maia Sandu.

The funding of political parties is also reflected in the Report on "Financing of political parties in the Republic of Moldova. Semester I, 2018", developed by the Promo-LEX Association.

This report reveals the undeclared funding and expenditures of several political parties. Thus, the Promo-LEX Association Report mentions that the Dignity and Truth Platform

⁴² <https://www.reportingproject.net/therussianlaundromat/>

⁴³ <https://coolyanews.info/prorossijskie-obschestvennye-organizacii-v-es-gibridnoe-oruzhie-kremlia.html>

⁴⁴ https://adevarul.ro/moldova/politica/pas-neaga-legatura-ludmila-kozlowska-regimul-plahotniuc-dodon-inventeaza-dusmani-a-si-justifica-prezenta-putere-1_5b7d4987df52022f75a977fe/index.html

⁴⁵ <https://www.ziarulnational.md/pas-recunoaste-ca-fundatia-open-dialog-a-platit-pretul-biletelor-de-avion-pentru-o-deplasare-la-bruxelles-dar-nu-considera-ca-e-vorba-de-o-crima/>

Party did not declare at least 138 530 Moldovan lei spent solely on the party headquarters' rental and expenses related thereto.

Similarly, the Dignity and Truth Platform Party reported to the Central Electoral Commission much less staff costs. According to the Promo-LEX experts, the Dignity and Truth Platform Party failed to report at least 15 660 Moldovan lei, given the situation that the party did not include any official employees, although the monitors reported employees and the fact the leader of this party was always accompanied by bodyguards.

Moreover, the Dignity and Truth Platform Party did not report the expenditures incurred for in-country and out-country trips⁴⁶.

The media wrote that for trips abroad, the President of the Party Action and Solidarity received money from the non-governmental organisation funded by several Russian oligarchs, the Open Dialogue⁴⁷. The information was confirmed by the Central Electoral Commission in its reply to the Enquiry Committee, no. CEC 8/2798 of 26 October 2018.

The Central Electoral Commission informed the Enquiry Committee in its reply no. CEC 8/2813 of 1 November 2018 that **the Party Action and Solidarity received a donation in an amount of 100 000 Moldovan lei from a legal person with mixed capital**. This fact contradicts art. 26 para. (6) letter f) of Law no.294/2007 on political parties, which expressly stipulates the prohibition of funding and providing free of charge services or material support in any form, direct and/or indirect, to political parties by legal persons with foreign or mixed capital and legal persons from abroad.

Consequently, the Central Electoral Commission warned the Party Action and Solidarity that, pursuant to art. 31¹ para. (1) of the same law, in the event a political party receives donations in violation of the provisions of art. 26, including in the event of receiving donations exceeding the established ceilings, the political party shall be compelled, within 3 days from the donation acceptance, to pay to the state budget the amounts received in violation of the law or to repay the amounts received above the established ceilings.

Nevertheless, **the Party Action and Solidarity failed to comply with the legal provisions**, but committed to transfer, in instalments, the donation of 100 000 Moldovan lei to the state budget. Until now, eight instalments have been made, with the last one being recorded on 29 October this year, in the total amount of 24 000 Moldovan lei.

The Central Electoral Commission also revealed, by its reply no. CEC 8/2813 of 1 November 2018, another **case of illegality**, in which the Party Action and Solidarity was donated an amount of 94 813 Moldovan lei by a natural person whose revenues originated from outside the Republic of Moldova, i.e. in violation of Art. 26 para. (6) letter b) of Law no. 264/2007 on political parties. The donation was returned to the donor, violating thus

⁴⁶ <https://www.today.md/ro/news/politic/20214>

⁴⁷ *Ibidem*

the legal procedure provided for in art. 31¹ para. (1), according to which **the amount had to be paid to the state budget.**

The information given above makes it clear that *L. Kozłowska* and *the Open Dialog Foundation* were involved in lobbying V. Platon's interests in Chisinau and in the European area **in exchange for the funding received therefrom through off-shore companies, which had previously been the subject of investigations carried out by law enforcement institutions due to the involvement in the "Russian Laundromat" and the robbery of the financial and banking system of the Republic of Moldova, known as the "Theft of the Century" and other suspicious sources and activities. There are enough indications that both these operations were coordinated by the special services of the Russian Federation.**

In order to defend her client and respectively discredit the authorities of the Republic of Moldova, *Ludmila Kozłowska* and the ODF committed to the creation, both internally and externally, of the image of a state in which human rights are flagrantly violated. Accordingly, the ODF started to coordinate its actions with *Veaceslav Platon's* lawyers and attempted to interpret *Ana Ursachi's* criminal investigation as a political persecution.

Subsequently, *L. Kozłowska* has become more and more involved in the political processes and internal affairs of the Republic of Moldova. Thus, with money derived in a suspicious way, the ODF funded the participation of some political and civil society leaders from the Republic of Moldova in meetings, conferences, etc., aimed at promoting the interests of its sponsors.

The lobby campaign continued at the beginning of 2017 with the collection of signatures in the Parliamentary Assembly of the Council of Europe, while the Platon case was presented in connection with alleged pressures on the freedom of expression and repressions against certain business people affiliated to the opposition. (Jurnal TV, StarNet).

Besides this, at the time of the debates regarding the change of the electoral system in the Republic of Moldova, *Kozłowska* and her foundation lobbied openly in European institutions for the support of the position of PPDA (Truth and Dignity Platform) and PAS (Action and Solidarity Party), parties who benefited of ODF's financing.

During investigations, it was established that ODF funded the trips to a number of forums and reunions in Brussels and Strasbourg, made by the leaders of the Political Party the Platform Dignity and Truth and the Political Party Action and Solidarity, *Andrei Năstase* and *Maia Sandu*, together with *Alexandru Machedon*, the counsel of *Veaceslav Platon*, *Ana Ursachi*, and other persons.

Thus, the events funded by ODF from suspicious sources were attended by the persons mentioned beneath:

- On 13 December 2016, in Strasbourg, France, at the Council of Europe, the conference „Stopping the practice of persecuting independent counsels in the Republic of Moldova” – the counsel of V. Platon, *Eduard Rudenco* (from the Associated Counsels Bureau BAA „Justiția”), the counsel of V. Platon, *Ana Ursachi* (from the Counsel Office CA „Ana Ursachi”), *Alexei Tulbure* (director of Oral History Institute of Moldova);
- On 23 January, in Brussels, Belgium, at the European Parliament, the working meeting on the topic „Moldova: political pressure on civil society and key witnesses”- the counsel of V. Platon, *Ana Ursachi* and *Alexei Tulbure*, as well as *Alexandru Machedon* (Director-general of the company StarNet, affiliated to the Political Party the Platform Dignity and Truth), *Natalia Morari* (Chair of A.O. „Media Alternativa”/TV-8), *Alexandr Petcov* (former MP, editor-in-chief of the news portal of Russian orientation „omg.md”);
- On 4 May 2017, in Brussels, Belgium, at the European Parliament, the conference „Moldova at the crossroads” - *Alexandru Machedon*, *Ana Ursachi*, *Natalia Morari*, as well as the political leaders *Andrei Năstase* (President of the Political Party the Platform Dignity and Truth) and *Maia Sandu* (the Political Party Action and Solidarity). As a result, in May 2017, ODF published the report “The Captured State: Persecution of Oppositionists, Media Representatives and Human Rights Defenders in Moldova”, through which it continued the campaign of victimisation of V. Platon, the Media Trust „Jurnal” and the attacks against the institutions of the Republic of Moldova.

As a result of the conferences and thematic meetings organised by ODF under the shield of the European structures, various official declarations/corporate reports of ODF were proposed, allegedly reflecting the negative attitude towards the internal situation and legal Establishment in Poland, Ukraine and the Republic of Moldova:

1. The proposal for a resolution „Civil liberties in Poland, Ukraine and the Republic of Moldova must be preserved”, signed by 30 delegates (the main author of the draft was MP Alexander Dundee – UK, CE) whose main contribution referred to Poland.
2. On 11 October 2017, the members of the Parliamentary Assembly of the Council of Europe addressed the Interpol Secretary, Jurgen Stok and the Commission for the Control of Interpol Files (CCF), in an attempt to warn against the abusive use of the international arrest mandate. This appeal regarded several states, like Russia, Kazakhstan, Uzbekistan, Kirgizstan, China, Azerbaijan, Turkey and Moldova.
3. In the annual 2016 report regarding human rights and democracy worldwide, containing a country analysis and a summing-up of the current and future actions and priorities of the EU in the field of human rights protection, the Republic of Moldova is described by aspects of the failure to enforce the rule of law. In its communiqué of 31 October 2017, ODF suggests that the country analysis regarding the Republic of Moldova is similar to the one contained in its report of May 2017 „The Captured State: Politically Motivated Prosecution in Moldova and Usurpation of Power by Vladimir Plahotniuc”.
4. CE Resolution no. 2188 (2017) “New threats to the rule of law in Council of Europe member States: selected examples”.

5. CE Declaration no. 637/ Doc. 14379 of 29 June 2017 “The authorities of the Republic of Moldova and Ukraine are urged to cease harassment and political prosecution of pro-reform forces”.

6. Declaration no. 644/ Doc. 14425 of 12 October 2017 “International obligations of the Republic of Moldova and risks for its credibility abroad”.

According to the processed data, *Ludmila Kozłowska* has never visited the Republic of Moldova and all the thematic events are organised by her beyond the frontiers of the country, outside the jurisdiction of the Republic of Moldova, all the expenditures being covered by ODF. At the same time, there are data according to which, the husband of Ludmila Kozłowska, *Bartosz Kramek* visited the Republic of Moldova four times.

ODF has no representations or branch offices on the territory of the Republic of Moldova, has not signed any partnership or cooperation agreements with structures from the local associations’ sector with a view to carrying out joint projects with external funding.

The only ODF delegation to the Republic of Moldova paid a visit in the period from 27 to 29 July 2018, being made up of the Italian citizens: *Antonio Stango* (the president of the Italian Federation for the Defence of Human Rights, having friendship ties with Ludmila Kozłowska) and *Paola Gaffurini* (lawyer employed by ODF). The purpose of the visit was to find facts about the alleged „violations of the human rights” and gathering individual declarations from persons whose rights and freedoms had been violated for political reasons, in their viewpoint.

Thus meetings took place with the leaders and representatives of : the Political Party the Dignity and Truth Platform – *Andrei Năstase, Inga Grigoriu, Liviu Vovc, Gheorghe Petic, Iurie Tesa*; the Political Party „Casa noastră - Moldova” (Our home – Moldova) – *Alexandru Roșco*; the Political Party „Partidul Nostru” (Our Party) – *Ilian Cașu, Elena Grițco*; the Public Association „Centre for Policies and Reforms” – *Ștefan Gligor*; the public associations „WatchDog”- *Valeriu Pașa, Sergiu Tofilat*; the public association „Independent Press Association” – *Petru Macovei*; the public association „Transparency International” – *Lilia Carasciuc*; former judges, *Dominica Manole, Ion Țurcan*; state secretary of the Ministry of Justice, *Anatolie Munteanu*.

3. CONCLUSIONS

As a result of the studying, processing and systematising of the accumulated materials and the information noted during the hearings, the Committee formulates the following conclusions:

1. The Foundations „Otwarty Dialog”, „Open Dialog Foundation”, „Silk Road Biuro Analiz i Informacji”, are registered in Poland by Ludmila Kozłowska, a native of Sevastopol (part of the Crimean Peninsula annexed by the Russian Federation in 2014), holder of double citizenship of Ukraine and Russian Federation and by her husband, Bartosz Kramek, a citizen of Poland:

2. ODF and Ludmila Kozłowska are funded from:

- a) Incomes derived from transactions with military enterprises from the Russian Federation, which have been the object of international sanctions (including by the European Union and the USA);
 - b) The provision of military equipment in the states involved in regional conflicts;
 - c) Payments from off-shore areas with unknown and dubious routes and origins;
 - d) From the money laundering scheme Laundromat in the Republic of Moldova (at least 2,5 million Euro were identified) and the Azeri Laundromat⁴⁸ (through the off-shore companies Seabon Limited, PR Vert System Ltd, etc., managed by Veaceslav Platon);
 - e) Incomes derived from the banking fraud that happened in the Republic of Moldova up until 2014.
3. The sophisticated mechanism by which ODF is funded comprises all the elements of money laundering schemes, indicates to financial intelligence practices exclusive to the remit of special services, exceeding practices known worldwide for the financing of a simple civil society organisations. This fact brought Ludmila Kozłowska and ODF to the attention of special services, first in Poland, then Ukraine and the Republic of Moldova.
4. The stated purpose of the activities of Ludmila Kozłowska and ODF is the defence of human rights and freedoms, of democracy and the rule of law in former Soviet countries.
5. In reality, ODF and Ludmila Kozłowska are a lobby and influence vehicle, in various international institutions, aiming at protecting and promoting the interests of persons with a dubious past, usually with imposing fortunes derived from frauds and money laundering, in conflict with the law and often investigated or prosecuted by the judicial authorities or even convicted for the committed offences, including in international jurisdictions.
6. ODF and Ludmila Kozłowska have connections and commitments, and depend on a series of agents of the Russian intelligence services, including Piotr Kozłowski and his connections, Veaceslav Platon, etc., becoming a soft power interference tool used by the Russian Special Services in the hybrid war launched against states considered by them adversaries of the geopolitical interests of the Russian Federation in Eastern Europe, Poland, Ukraine and the Republic of Moldova.
7. ODF and Ludmila Kozłowska use tactics meant to deteriorate the international image of the countries, institutions and persons from the area of interest of the Russian Federation, worsen the relations of these states with Western partners counterbalancing the interests of the Russian Federation, divide society, the political class in these states, incite hostility, undermine their security and constitutional order (the example of Poland, including in cooperation with Polish pro-Russian political elements, in the person of Mateusz Piskorski⁴⁹). De facto, Ludmila Kozłowska and ODF are a sophisticated strategic weapon, helping those who own it to weaken the geostrategic

⁴⁸ <https://www.riseproject.ro/articol/masina-azera-de-spalat-bani-filiera-romaneasca/>

⁴⁹ <https://www.rise.md/articol/clientii-din-laundromat/>

positions of the countries it is used against, in the geostrategic interest of the Russian Federation.

8. The interest of ODF and Ludmila Kozłowska for the Republic of Moldova began in 2016, immediately after the arrest and extradition from Ukraine to the Republic of Moldova of Veaceslav Platon.

9. ODF and Ludmila Kozłowska have intensively lobbied and promoted the interests of Veaceslav Platon and the persons affiliated to him, acted in agreement with the intelligence services of the Russian Federation against the interests of the Republic of Moldova and succeeded in several undertakings that led to the tensing up of the relations between the European institutions and politicians and Moldovan institutions and government. The lobby activities of ODF and Ludmila Kozłowska resulted also in such political documents:

a) The condemning of the political situation in the Republic of Moldova, of alleged abuses by the prosecution authority and the courts against the defenders of human rights and civic activists, of the politically motivated lawsuit, like the case of Domnica Manole;

b) The address of 25.01.2017 by 23 PACE members: „Moldova: oppression of civil society and key witnesses”⁵⁰, which is an attempt to impose the idea of political persecution of Veaceslav Platon, who would be a key witness in the file of the banking fraud and to transfer responsibility on other persons. The address imposes the idea of repression against the independent press;

c) The carrying out in May 2017 of the conference „Moldova at the crossroads” with the participation of MEPs Anna Fotyga (ECR, Poland), Ramona Nicole Mănescu (EPP, Romania), Renate Weber (ALDE, Romania) and Rebecca Harms (Greens/EFA, Germany), as well as of the party leaders Maia Sandu (PAS), A. Năstase (PPDA), of the counsel of V. Platon, A. Ursachi, the journalist N. Morari, the director of ”StarNet”, A. Machedon⁵¹, where the idea of political persecutions conducted by the authorities of the Republic of Moldova was imposed.

d) The introduction on the agenda and the debate on 16.05.2017 in the European Parliament of the false interpretations regarding the change of the electoral system, the fight against corruption, the lack of reforms in the Republic of Moldova and the macro financial assistance granted by the EU⁵², presenting tendentious and subjective information.

e) The carrying out on 27.06.2017 of an event in the framework of the plenary session of PACE on the topic of the “political persecutions in Ukraine and Moldova and how the political corruption undermines the reform efforts”. The event was also attended by Ana Ursachi and Alexei Tulbure, who tried to accredit the idea of illegal influence in the judicial system of the Republic of Moldova,

f) The addresses from December 2017 of the MEPs Ana Gomes, Tunne Kelam, Jaromir Stetina, Indrek Tarand, Kazimiers Michal Ujazdowski and Julie Ward to the

⁵⁰ <https://en.odfoundation.eu/a/8102,written-declaration-moldova-political-oppression-against-civil-society-and-key-witnesses-signed-by-23-members-of-pace>

⁵¹ <https://en.odfoundation.eu/a/8161,invitation-to-a-conference-moldova-at-the-crossroads>

⁵² <https://en.odfoundation.eu/a/8182,press-release-moldova-at-the-crossroads-say-meps>

authorities of the Republic of Moldova, condemning the alleged political persecutions of Ana Ursachi, Alexei Alexeev, Alexandru Machedon, Sergiu Cebotari, Domnica Manole and Dorin Munteanu (all from the entourage of Veaceslav Platon),

g) The negative influence on the opinion of a number of euro-parliamentarians with respect to the Republic of Moldova and its institutions,

h) The launching in January 2018, by PACE members of a resolution on preserving the civil rights Poland, Moldova and Ukraine. OFD announces that this resolution is the result of the its activities with PACE,

i) The address from February 2018 by the head of the OSCE Parliamentary Assembly General Committee on Democracy, Human Rights and Humanitarian Questions, Mr Jose Ignacio Sanchez Amor, to the Republic of Moldova and Kazakhstan with respect to the insinuated problems regarding Ana Ursachi, Eduard Rudenco, Domnica Manole, Dorin Munteanu, prosecuted under the criminal law by judicial authorities,⁵³

j) The addresses of March 2018 of the MEPs Jaromir Stetina, Julie Ward, Tomas Zdechovsky, to the Minister of Justice and the Prosecutor General of the Republic of Moldova, with erroneous declarations regarding the persecution of Ana Ursachi and Alexandru Machedon,

k) The lobby for the suspension by the EU of the macro financial assistance to Moldova,

l) The approval of a resolution by the European Parliament on 14.11.2018 with a view to taking a tougher position regarding the Republic of Moldova and its institutions.

10. ODF and Ludmila Kozłowska continue to lobby for:

a) The extension of financial sanctions consisting in the refusal to grant macro financial assistance to Moldova by the EU,

b) The review of the Republic of Moldova-EU Association Agreement,

c) The immediate cessation of politically motivated criminal prosecutions (including as alleged in the file of Veaceslav Platon),

d) The introduction of personal sanctions against decision-makers in the Republic of Moldova.

11. Some stakeholders on the political arena of the Republic of Moldova were lured and enrolled in diversionary activities conducted by Ludmila Kozłowska and ODF directed against the Republic of Moldova, orchestrated and funded by foreign secret services. We cannot confirm or reject their awareness of the role, place and real goals of ODF and Ludmila Kozłowska, the repercussion for the Republic of Moldova, neither can we establish the real intentions of these political stakeholders from the Republic of Moldova;

12. The party Action and Solidarity, the political party the Dignity and Truth Platform and their leaders benefited of illegal funding from ODF and did not even declare this funding correspondingly,

⁵³ <https://en.odfoundation.eu/a/8579,the-chair-of-the-osce-pa-general-committee-on-democracy-human-rights-and-humanitarian-questions-addresses-the-authorities-of-kazakhstan-and-moldova>

13. A more and more active involvement is noted on the part of foreign public associations or local associations with foreign financing in the direct or indirect funding of political parties, as well as the influencing of political options, which constitutes a flagrant breach of legislation.

14. Problems were found in respect of the practical enforcement by a number of political parties from the Republic of Moldova of the legal framework regulating the assistance, material support, trainings offered by various non-governmental organisations, documentation and reporting thereon in the period between electoral campaigns,

15. The lack of a decision on the part of the Central Electoral Commission is noted with respect to the above-mentioned breaches,

16. A minute analysis is necessary both of the active legal framework and of the institutional capacities of the state's authorities responsible for the supervision of the financing of political parties with a view to elucidating the needs for the improvement of such mechanisms.

17. The active legislation referring to the financial transparency of non-commercial organisations, especially of those having foreign financing is not sufficient for the prevention and combating of direct or indirect involvement in the funding of political parties, which should be analysed in depth in order to eliminate gaps in the relevant legal framework.

4. RECOMMENDATIONS

1. The Parliament will reassess all legislative initiatives and draft laws under the legislative procedure, which refer to the activity and funding of parties and public associations, taking into consideration the conclusions of the Enquiry Committee, in order to eliminate the risks posed to the state's security.

2. The Government shall put forward to the Parliament proposals for the improvement of the legislation regarding the financing of parties and non-commercial organisations, with a view to ensure genuine financial transparency and eliminating the gaps that allow for the illegal funding of political parties.

3. The Central Electoral Committee is recommended, jointly with other state authorities, to check and undertake necessary measures for the sanctioning of persons responsible for the admission of breaches of the legal provisions regarding the financial management of parties, with the transfer of the sums received illegally to the state budget.

4. The Central Electoral Committee is recommended to conduct a comprehensive analysis of institutional processes and capacities, and shall propose to the Parliament measures for the improvement of the mechanism of financial supervision and management of political parties.

5. The given report will be transmitted to the Prosecutor General's Office, the Security and Intelligence Service, the Ministry of Internal Affairs for thorough analysis and investigation of the materials and conclusions of the Enquiry Committee and the undertaking of necessary reforms in conformity with the active legislation.

6. The Prosecutor General's Office is recommended to examine the findings of this report in the context of the legal defining and framing of ODF and affiliates'

involvement in actions that encroach upon the national security of the Republic of Moldova, including through high treason, espionage, etc., with lawful bringing to account.

7. The Ministry of External Affairs and European Integration shall inform the diplomatic corps and the international organisations active in the Republic of Moldova about the legal provisions establishing imperative restrictions on the direct and indirect financing of political parties, including through non-commercial organisations.

8. This report shall be brought to the notice of the Council of Europe, OSCE, the European Parliament, the European Commission and other interested parties.

9. The leadership of the Parliament, the Legal Committee on Immunities and Appointments and the Committee on National Security, Defence and Public Order of the Moldovan Parliament are urged to find together with the competent authorities the legal means of making this report public.

Igor VREMEA
Chairman of the Enquiry Committee