

**FOR MARAT BEKETAYEV OF THE MINISTRY OF JUSTICE OF THE
REPUBLIC OF KAZAKHSTAN**

STRICTLY PRIVATE AND CONFIDENTIAL

**PR PLAN PROPOSED BY FTI CONSULTING REGARDING MUKHITAR
ABLYAZOV (“MA”)**

A. Executive summary

The French Court has found that MA should be extradited to Russia or Ukraine, with a preference for Russia.

MA has appealed against the decision of the French court. On current estimates, it could take as long as a year for the appeal process in France to be exhausted. In that time it is expected that MA, his family and his legal advisors, along with their NGO supporters, will escalate the campaign to seek to show that MA is a “persecuted political dissident” rather than a “fleeing fraudster”. MA’s objective will be to win public opinion that he should not be extradited to either Russia or Ukraine (or Kazakhstan, once the Kazakh request is processed and heard).

It is therefore necessary to put a PR campaign in place with the following objectives:

1. Reframing this matter as a financial crime by MA on a vast scale,
2. Supporting Russia and Ukraine in their efforts to communicate their appropriateness to receive MA from France,
3. Mitigating MA’s likely attack that Kazakhstan is behind the extradition requests from Russia and Ukraine, and any extradition to those states would lead to a rendition to Kazakhstan,
4. Enhancing Kazakhstan’s reputation in support of 1-3 above, and in support of any extradition hearing relating to the Kazakh Extradition Request.

In summary, the proposed PR campaign has 7 key elements; 1 to 5 relate to the litigation, and 6 and 7 relate to Kazakhstan’s broader standing in the political community (which of course also has an impact on points 1 to 5). Each of these points is addressed in more detail below. The 7 key elements are as follows:

Litigation PR strategy:

1. Target financial and other key French and international journalists, build close relationships with them, ensure that they have a very good understating of the frauds that were committed, and the appropriateness of extradition to Russia or Ukraine (key messages will need to be prepared with Russia and Ukraine in this regard), and Kazakhstan. Seek media coverage of the same, as appropriate. This should be done with BTA Bank if possible.
2. Political engagement in France so that there is a better understanding of Kazakhstan at a political level in France, and to indirectly gain support for MA’s extradition.
3. Opinion pieces: Securing the publication of opinion pieces in France, so that there is third party endorsement of Kazakhstan’s position.

4. Engage an NGO to provide an independent report and engagement programme to support the above.
5. Addressing the grounds for opposition ordinarily put forward in response to Kazakh Extradition Requests: a great deal of this information has already been gathered together as part of the current PR campaign, but all grounds of opposition should be examined and a PR plan devised to address the objections.

Broader strategy to change the landscape for Kazakhstan

6. Broader political engagement to develop Western advocates for the Kazakh position.
7. An issues management campaign to address misconceptions about Kazakhstan by briefing the media, political stakeholders and certain NGOs on the specifics.

B. Introduction

This draft PR campaign outlines an international approach to seek to neutralise MA's PR campaign and to further raise awareness of the crimes that form the basis of the extradition requests.

Too concerted a communications campaign by the Kazakh Government would be counterproductive, and would give the impression of a political campaign against MA, thereby endorsing his positioning as a political dissident. It would also encourage greater activity by him and his family. For this reason, FTI recommends the 7 key elements set out above, which are addressed in section C below.

C. The 7 key elements of the PR campaign

Key point 1 - Target financial and other key journalists

The key financial journalists in France were targeted effectively for the press briefing in Paris, which took place on 17 December 2013. The result was positive coverage in the French press focussed on the crimes committed by MA, and not on the message that MA seeks to promulgate, namely that he is being persecuted by the Kazakh State as he is a political dissident.

More media engagement and relationship building is required with key journalists. As seen from the Wall Street Journal engagement, journalists expect little from Kazakhstan and its politicians. They believe the country will evade answering questions and will not engage with them directly. They expect representatives of the country to be aggressive and evasive in their media relations. A simple programme of education and relationship building will overcome this.

FTI will identify an extended target list of influential journalists and arrange, attend and manage the engagement between those on the list and the MoJ/GPO representatives. In such meetings, the media should be persuaded that Kazakhstan holds an honest position as victims of a serious crime, rather than being the agents of oppression as put forward by MA. As part of this process, the briefing documents for

the journalists need to be re-worked, and a simple litigation website could be set up that places these matters in the public domain, and which can be accessed by all, but not edited by third parties.

Engagement will not lead to overnight changes in perception. But by the end of the extradition process, FTI is confident that major progress can be achieved

There needs to be clarity over BTA Bank's PR programme. It is assumed that BTA Bank will take the lead in terms of managing the media outreach at all stages of the litigation timeline within France, but issues of cooperation have arisen in the past, and therefore need to be resolved at an early stage.

Key point 2 – Political engagement in France and, more broadly in Europe

Higher political engagement in France will lead to a better understanding of Kazakhstan in France. In addition, at a certain stage of the extradition process, the extradition of MA will need to be approved at the political level.

FTI recommends organising a visit to Astana, as well as information meetings in Paris, with key French Parliamentary members from the French-Kazakh Friendship Groups, and participation in geopolitical think-tanks such as the IFRI or IRIS, in order to raise awareness and understanding of Kazakhstan.

Key Initial targets

- *The President of the National Assembly of the French-Kazakh Friendship Group – Michel Voisin (UMP- conservative party)*
- *The President Delegate for Kazakhstan of the Senate Inter-parliamentary Group of Friendship with Central Asia – Jacques M  rard (Radical Left Party)*

In 2013, both Presidents wrote **letters promoting the French-Kazakh relationship in the French Geopolitical Quarterly Publication *La Lettre Diplomatique*.**

Senator **Jacques M  rard** announced that he fervently wished to pursue the good relationship between both countries in an open letter titled "the Senatorial Group of French-Central Asia Friendship: a dynamic actor of the Kazakh-French relationship". He praised President Nazarbaiev's "*intelligence and ability to take the curve towards the practice of democracy and market economy without questioning too deeply the traditional balance of his country*" and underlined that Kazakhstan has "*made great progress towards a State of Law*". He called for more exchanges between the two countries, the promotion of tourism, and expressed his enthusiasm for 2017's International Exhibition on Energy and the Future in Kazakhstan.

Parliamentarian **Michel Voisin** penned an open letter "For the Friendship between France and Kazakhstan: the parliamentary way", in which he notably said that "*one will not be surprised that as an elective parliamentarian from the nation of human rights, I am following with much interest the progress that Kazakhstan has made, thanks to a sovereign decision, in the path of assuring fundamental liberties and the rules of democracy*". He ended his letter by a call for cooperation: "*the France-Kazakhstan parliamentary group is ready to promote, with the elected members of the National Assembly, the cultural, economic, and political realities of the country as well as welcome our friends from Kazakhstan who wish to exchange with their French colleagues*".

Given that the consideration of the extradition requests may reach the ECHR, there also needs to be broader political engagement in Europe.

Key point 3 – Opinion pieces

As set out in the 20 December 2013 Report from FTI, FTI recommends leveraging the contacts already made with French MPs, especially Thierry Mariani and other members of the Franco-Kazakh Friendship Group at the French Parliament. The objective would be to have opinion pieces published in the French media (e.g. online with La Tribune and Huffington Post) in order to endorse and support Kazakhstan's point of view.

In addition, linked to key point 4 below, FTI could work with a third party expert to have opinion pieces published which are supportive of Kazakhstan's position, based on reports emanating from the NGO campaign. The third party expert could be a lawyer, financial expert, geopolitical expert, and/or French politician supportive of Kazakhstan's position.

Key point 4 - NGO Campaign

One of the major challenges that Kazakhstan faces is that MA's position is endorsed by a number of NGOs, and that these NGOs are unlikely to change their position based on briefings by the government or by FTI. For this reason, it is necessary to neutralise the impact of these groups through a campaign by a separate, specialist NGO group with expertise of white-collar crime.

FTI favours direct engagement with an NGO called the Organised Crime Observatory ("OCO"), which is a Geneva-based white-collar crime and corruption group that has excellent links to Interpol, the French government including with the President, and with police and prosecution agencies across Europe and, indeed, the globe.

FTI has worked with the OCO previously and are confident that though its leadership of this project there is no risk arising from this strategy.

FTI would engage the OCO, which would be remunerated for its work, to conduct an independent report assessing the impact of MA's crimes at BTA, outlining in detail how he conducted the crime and how he hid it, assessing which financial institutions were party to the money laundering. The report would be framed in such a way as to use the MA/BTA case as a means of educating emerging and developed economies how to mitigate large-scale fraud and money-laundering, calling on international agencies and governments to support the tackling of such matters on a multi-lateral basis.

The report would have major public relations benefits. FTI would announce the investigation of the matter by the OCO through the OCO itself, independent of the case and of Kazakhstan, encourage the OCO to seek interviews with MA's team etc., and then publicise the report through the media, in political and legal circles and online. The report's launch would be conducted through a news conference either in Paris or in Geneva (at the United Nations where there is a captive media community).

or indeed in Paris. The OCO's position would be available to all, endorsing the fact that a crime has been perpetrated and should be punished.

Key point 5 – Addressing the grounds for opposition ordinarily put forward in response to Kazakh Extradition Requests

A number of objections are ordinarily put forward when requests for extradition are made by Kazakhstan. It would be worthwhile to carry out an analysis of the objections and devise a PR plan as to how they can be addressed: this is likely to be relevant in the future if the plan remains to secure the ultimate extradition of MA to Kazakhstan.

Key point 6 – Broader political engagement

The Kazakhstan Government should also bolster its position with the international community by deploying a "political engagement strategy". This would be comprised of the following:

- *Developing Western advocates for Kazakhstan's position:* the objective will be to secure the support of key international political stakeholders.
- *Working with key ministries to develop messaging on key issues:* there should be concise messaging on key issues relating to the MA matter, but also with regard to Kazakhstan's system of law and governance.
- *Integrate with and support other media efforts:* ensure that the media and other steps taken reach political stakeholders, and ensure that the messaging and public positioning represents the Kazakh Government in a strong position with the international community.

Key point 7 – A broader Issues Management Campaign about Kazakhstan

In addition to the litigation communications strategy outlined above, a broader programme is required, which will include engagement with the media, greater political and diplomatic engagement, and third party engagement (such as Chatham House, the Conservative Party Conference, and the UK Kazakhstan Investment Summit).

Kazakhstan suffers due to Western ignorance. It is geographically and culturally a long way from Paris, London and Berlin and journalists and politicians are quick to rely on ignorant stereotypes as the foundation of their opinions on the country. Kazakhstan needs a programme to bridge it more closely to the west, to manage the issue of its relationship building and to create a new understanding of the country and its leadership.

The foundation of trust is knowledge. A number of programmes could be implemented to raise awareness of Kazakhstan (further information can be provided in this regard).

Most international reporting of Kazakhstan is driven by international wire services based within the CIS countries. There is a need for relationship building with these journalists, as increased positive engagement will result in a reduced readiness to attack the Government. The focus should lie in introducing other international journalists to Kazakhstan, and creating a new narrative about the country and its leadership.

The headline points could be (more information on the thinking behind these points can be provided):

- The Modernising Agenda: the Modernising President in a Parliamentary Democracy
- Expression of the Presidential Vision
- Kazakhstan as a business opportunity (including economics)
- Legal reform
- Media freedom
- Kazakhstan and Human Rights
- Energy and natural resources

Conclusion

As outlined in the Executive Summary, points 1 to 5 should form part of the litigation PR strategy. Points 6 and 7 are broader PR recommendations, which may not form part of the MoJ or GPO's remit. They nevertheless are very worthwhile steps to consider, and they impact on the matters set out in key points 1 to 5.

In addition, there needs to be a high level of cooperation with Portland in the event they continue to act for BTA Bank in relation to the PR pertaining to the MA matter.

19 January 2014