

THE CONTEXT OF VESELNITSKAYA'S "INFORMANT" COMMENT

There seems to be a great deal of confusion about what Natalia Veselnitskaya admitted to in a contentious MSNBC interview. Before I get into the admission(s), consider two details about the interview. First, Veselnitskaya insisted on making her own recording of the interview, which she says she always does for her own "security" (I'm using MSNBC's translations throughout here, but I await a Russian speaker to see how well that was done). It's unclear whether she's doing that because she doesn't trust the journalists she's speaking with, or whether she feels like she needs a record to avoid trouble with the Russian state.

Also the interview is based on probably hacked documents leaked to Mikhail Khodorkovsky who then passed them on, precisely the kind of "weaponized" leaking that our intelligence services claim (dubiously) never to do. MSNBC dismisses Veselnitskaya's accusations that Americans might have hacked her (she provided names but sadly MSNBC doesn't tell us whom she named) by pointing to Khodorkovsky and his anonymous dropbox, as if he played any different role than Julian Assange played in the Russian election operation, down to the verification using metadata. All's fair in love and hacking – I'm not complaining that this happened to her – but it's worth attending to the provenance of the documents, particularly given that key ones are attachments.

There are two separate admissions in the interview (MSNBC has not released a transcript, and the excerpts shown are edited in ways that I believe are, like all else MSNBC does on the Russian story, designed to be as inflammatory as possible often at the expense of clarity, if not

fact).

The first admission is that Veselnitskaya has ties to a military organization that has ties to the FSB (MSNBC presents it as her “doing legal work for Russia’s intelligence agency, the FSB”). Here’s what she admits to:

I did not represent the interests of the FSB. ... I did not represent the interests of the FSB. I represented the interests of a military unit which has a very remote association with the FSB. ... I can’t tell you anything further.

The second admission appears to be that, in regards to a US request to the Russian government for information on Denis Katsyv – the same client and same legal issue whom Veselnitskaya was representing in the Prevezon case through which she worked with US law firm Baker and Hostetler and Fusion GPS – she provided the language to the Russian government used to refuse to comply with an MLAT request. It appears to be in this context – in response to the claim that she may have crafted the official government response – that she used the word “informant.”

Former SDNY Prosecutor Jaimie Nawaday, who worked on the Prevezon case: The US Department of Justice puts out a request to Russia asking for bank records, incorporation records, because the underlying fraud involved the theft of corporate identities.

Richard Engel: How did the Russian authorities respond?

JN: Essentially they responded by saying that the US government’s allegations were without merit, and they would not be providing the records.

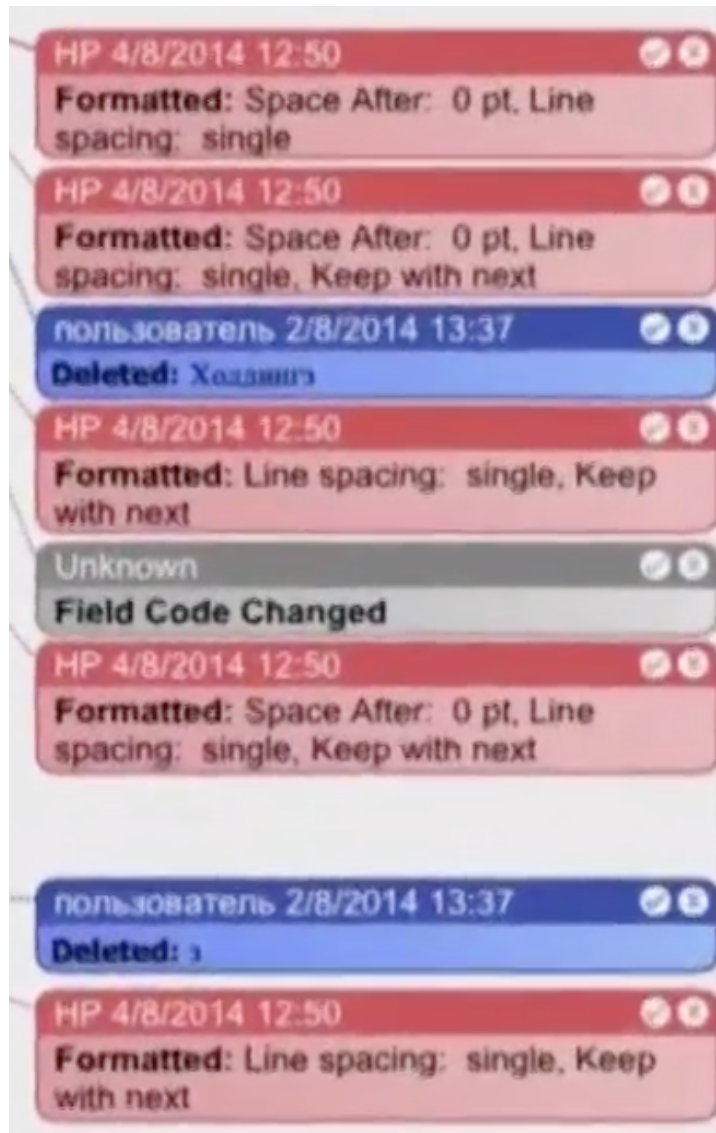
RE: Were you surprised by that response?

JN: Well, yes, because it’s not the job of the foreign government to

reinvestigate and come to its own conclusion about the merits of the government's case.

Let me interject and say this is a load of baloney, though it sure makes for good – if misleading – TV. In the same way no one imagines the UK will ever respond to one of Russia's regularly issued arrest warrants for Bill Browder, the oligarch who is behind the Magnitsky sanctions, no one should expect Russian cooperation on an MLAT request for information on the money laundering of a favored oligarch. That doesn't justify it. But it's just pure fantasy to think Russia will cooperate in the prosecution of one of its own.

What MSNBC showed were emails to an official in Russia's prosecutor general office (to someone named Sergey Bochkarev,* not to Yuri Chaika himself), as well as a Word document with track changes, neither of which is obviously Veselnitskaya (one is HP or NR – her patronymic is Vladimirovna, so her initials in Cyrillic would be HB; the other is a name that doesn't appear to be hers).



Veselnitskaya at first did not confirm that the emails were hers. And she flatly denied dictating to the Russian prosecutor's office how it should respond to the US.

Nothing of the sort. It's not true.

At another point in the interview, she said she wanted something (perhaps this denial, perhaps that what she did constituted obstruction of justice) on the record, but it appears MSNBC edited out what that was.

Later she did admit that the details in the documents (though not the documents) were hers.

There are many things here from my motions. This was in one of my memos I passed along to the prosecutor general's

office.

But again she denies that she had a “back and forth dialogue.”

Finally, though, Engel asks her what her relationship to the prosecutor general is (again, because of the editing, it is totally unclear whether this comes after the discussion of the Katsyv response or after something else), to which she says,

I am a lawyer and I am an informant.

In point of fact, she has previously admitted providing information she obtained from Fusion to the prosecutor general, so she could have simply been repeating that admission. In any case, in context, this *appears* to be an admission that she provided information about the case against Katsyv to the prosecutor.

These two details come well after Richard Engel asks Veselnitskaya on whose behalf she went to Trump Tower to lobby Trump’s spawn and campaign manager to lift the Magnitsky sanctions (lobbying activities she engaged in publicly and extensively outside of that event). And they come between the time he describes the HPSCI report finding there was no collusion between Trump’s team and Russians and the times he (ridiculously, in my opinion) twice uses the word “collusion” to refer to Veselnitskaya’s interactions with the Russian government on behalf of a known client.

Frankly, I think the MSNBC reporting (or at least editing) is a mess, in part because what one would want to prove is that she was working for Aras Agalarov (Trump’s apparent handler) or Putin when she met with Don Jr and the others. As I’ve intimated elsewhere, I think the reference to “Crown Prosecutor” in Rob Goldstone’s email to Don Jr is some kind of code, not a reference to Yuri Chaika or Veselnitskaya at all.

But in reality, the “informant” admission is the far less interesting of Veselnitskaya’s two admissions in the interview, because at least in context, all she’s admitting to is providing information to the prosecutor general’s office in the course of her representation of Katsyv. The other admission – the confirmation she’s done work for some entity with ties to Russian intelligence – might be more interesting, though still not a smoking gun regarding the background to her appearance at Trump Towers.

Most of all, though, I still think the role of the Agalarovs – whom the Minority HPSCI Report describes offering to set up a Putin meeting and providing birthday gifts days earlier than stolen emails that appear just after Trump’s birthday – is far more crucial to showing that the Trump Tower meeting was an official outreach from the Russian government. Veselnitskaya was just a convenient way to deliver the demand, Magnitsky relief, and that’s a role she played overtly in numerous other occasions.

Update: I meant to note this detail from the HPSCI Minority Report. Dana Rohrabacher apparently explained his 2016 meeting with Veselnitskaya and Akhmetshin by “acknowledging” that they were probably spies.

In testimony before the Committee, Congressman Rohrabacher acknowledged that he met Veselnitskaya and Akhmetshin on previous occasions, but that in April 2016, he was traveling as part of a Congressional delegation and encountered them by chance at the hotel lobby of the Ritz Carlton in St. Petersburg. He acknowledged that they were probably spies and probably knew the Congressman would be there. HPSCI Executive Session Interview with Dana Rohrabacher, December 21, 2017.

*I’ve been informed Bochkarev is Chaika’s chief of staff. So not him directly, but close to it.