

## The courts should compel law firms to continue to represent Russia

**Law firms in Britain and worldwide have announced they intend to drop Russia as a client following the invasion of Ukraine. It's good PR, but terrible for the rule of law, because it allows Russia to delay justice.**

*By Tim Osborne*

Following Russia's brutal full-scale invasion of Ukraine, most international law firms representing the Russian Federation in various matters decided to drop the Kremlin as a client. This sudden withdrawal is disingenuous. Though nothing compares to the heart-breaking tragedy and immense suffering of the Ukrainian people presently taking place, the ruthless behaviour of the Putin regime is nothing new. It has time and again used brute force and violated fundamental human rights, eliminating its opponents and illegally appropriating assets for the benefit of Putin and his cronies. One such example is the Yukos case, in which I lead the fight to get justice on behalf of the former majority shareholders for the illegal expropriation of their investments by the Kremlin back in 2003-2007. Despite a unanimous ruling by an independent international Arbitral Tribunal awarding the former majority shareholders in excess of \$50 billion in damages -- a ruling which was affirmed on all major counts by the Dutch Supreme Court just last year -- the Kremlin continues to use every trick in the book to delay justice. In this endeavour the Kremlin is supported by well-known international law firms like White & Case in England and the United States and Albert Jan van den Berg and Houthoff in the Netherlands. These firms have undoubtedly earned gargantuan fees helping the Kremlin spread its lies in courts to cover up its kleptocratic behaviour. And in the end, it was neither the truth, nor the rule of law, nor even the interest in justice that convinced these firms to drop the Kremlin as their client. Instead, it was the pressure of public opinion and the overall risk to their own profitability and reputations. What's worse, their false-hearted PR move plays into the hands of the Russian Federation. Because if its lawyers are allowed to resign, the Kremlin can use the lack of representation as a new excuse to delay legitimate legal proceedings even further. Our battle for justice following the Kremlin's illegal expropriation of Yukos has dragged on for twenty years now. How much longer until justice prevails? In the interest of both justice and the rule of law, the Russian Federation must not be allowed to delay legitimate legal procedures further because their lawyers suddenly grew a conscience. That's why I call upon courts all around the world to force law firms who have represented the Russian Federation in legitimate legal proceedings to continue to do so. And for those law firms who worry that current sanctions make it impossible for the Russian Federation to continue to pay their bills, I have a two-word answer: pro bono. Attorneys and law firms like White and Case, Albert Jan van den Berg and Houthoff have made a fortune representing the Kremlin for decades in courts and in commercial transactions. If they are truly horrified by the Russian invasion of Ukraine and want to take a stance for the rule of law, as their righteous public statements imply, they should jump at the opportunity to cleanse their consciences and ensure that the wheels of justice continue to turn – even if that means on a pro bono basis. It is of paramount importance that the Russian Federation is held accountable for its crimes under the rule of law. History has shown that appeasing the Kremlin by letting it get away with murder does not end well. The best way to hold Russia's feet to the fire is for courts to force law firms to continue to represent Russia so it can be held accountable for its crimes in the only places that truly count: international tribunals and courts of law around the world.



*Tim Osborne is the CEO of GML Limited, which through its subsidiaries, Yukos Universal Limited and Hulley Enterprises Limited, together with Veteran Petroleum Limited was the majority shareholder of the former Yukos Oil Company. This Op-Ed appeared in Dutch newspaper [De Volkskrant on May 26<sup>th</sup>, 2022](#).*