

EUROPE

# Austria Approves Ukrainian Dmytro Firtash's Extradition to U.S.

Court rejects argument that businessman was sought for political reasons



Ukrainian oligarch Dmytro Firtash arrives at court in Vienna, Austria, on Tuesday. PHOTO: HEINZ-PETER BADER/REUTERS

*By James Marson*

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MOSCOW—An Austrian court granted a U.S. appeal to extradite Ukrainian billionaire Dmytro Firtash, a well-connected tycoon who for years has pushed for Ukraine to maintain close ties with Russia.

In 2015, a lower court denied the U.S. request, calling it politically motivated. But on Tuesday, Vienna's Higher Regional Court disagreed.

“The crimes alleged against Mr. Firtash have no political character,” the court said, adding that a final decision on extradition would fall to Austria's justice minister.

Mr. Firtash was detained in Vienna in 2014 on charges filed in U.S. District Court in Chicago that he conspired to bribe Indian officials to enable his company to secure titanium-mining rights there. U.S. prosecutors say he routed some of the payments through U.S. banks, exposing him to prosecution under the U.S Foreign Corrupt Practices Act. Mr. Firtash has denied the charges.

“We are disappointed in the Austrian appeals court decision,” said Mr. Firtash’s legal team, which includes former U.S. Homeland Security Secretary Michael Chertoff and Lanny Davis, former special counsel to President Bill Clinton. “Mr. Firtash, a Ukrainian, is charged concerning a project in India that was never completed—a project entirely outside of the United States that had no effect on the United States and in which the United States has no legitimate interest.”

If Mr. Firtash is brought to the U.S., the lawyers added, they “will fight to obtain dismissal of this unjust case by the Department of Justice or, if necessary, in U.S. courts, to clear Mr. Firtash’s name.”

Mr. Firtash, who had been free on bail in Austria pending the extradition decision, was detained again after the trial, according to one of Mr. Firtash’s lawyers. His arrest Tuesday was based on a warrant from Spanish authorities in a separate money-laundering case, the lawyer said.

The court’s go-ahead for extradition comes as U.S. President Donald Trump’s administration is calibrating its policy on Ukraine and Russia. Mr. Trump has said he wants to improve ties with Moscow, but top advisers have said Russia should hand back Crimea, which it annexed in 2014, and have criticized the Kremlin’s support for separatists in eastern Ukraine.

Mr. Firtash, who made his fortune as a partner of a Russian state company selling natural gas to Ukraine and Europe, has said the Obama administration sought to remove him from the political scene in Ukraine, which Washington pressed toward integration with the European Union.

Mr. Firtash says he wants Ukraine to have equal relations with Russia and the West, rather than prioritizing EU ties.

The Federal Bureau of Investigation has had Mr. Firtash in its sights for more than a decade.

In 2006, it began looking into whether the gas-trading company he co-owned with Russia’s state gas firm was connected to Semyon Mogilevich, a reputed mobster sought by the FBI. Mr. Firtash has denied any commercial or business links to Mr. Mogilevich.

Mr. Firtash was a longtime supporter of Ukrainian President Viktor Yanukovich, who fled to Russia in February 2014 amid street protests against corruption and his rejection of an EU trade and political deal with the EU in favor of Russia.

Three weeks later, Mr. Firtash was detained in Vienna on the U.S. charges. In 2015 a lower-level Austrian judge denied the extradition request, describing it as possibly politically motivated.

In an interview last month, Mr. Firtash said he intended to return to Ukraine, where he wields considerable influence through political surrogates and business interests ranging from chemicals factories to television channels.

**There's too much blood, too much pain, too many graves, and too much propaganda.**

—Tycoon Dmytro Firtash, referring to the Russia-Ukraine conflict

Mr. Firtash  
said business  
is suffering  
from the

conflict: He has mothballed one chemicals plant in separatist-controlled territory, and another on the Ukrainian side of the front line is working only partially, although he says he continues to pay wages at both.

Mr. Firtash threw his weight behind Ukrainian President Petro Poroshenko's campaign in 2014, but now says the Ukrainian government is using the conflict, which has cost some 10,000 lives, to distract from its own shortcomings.

The conflict, he said, has also blinded many to Ukraine's reliance on Russia. "There's too much blood, too much pain, too many graves, and too much propaganda," Mr. Firtash said.

Ukraine, he said, needs a reset so it isn't forced to choose between Russia and the EU, which hasn't offered Ukraine membership. "We are losing the huge Russian market, and the EU can't sustain a country as big as Ukraine," he said.

Critics of Mr. Firtash say his business links with Russia make him an advocate of the Kremlin's policies, which aim to keep Ukraine more closely tied to Moscow than the West.

**What we have is a full-fledged aggression, a Russian military aggression.**

—Kostyantyn Yeliseyev, deputy head of Ukrainian President Petro Poroshenko's administration

Mr. Firtash says his ties to Moscow are purely business. He said he received around \$2 billion in loans from PAO Gazprombank, which is controlled by people close to Mr. Putin, as partial funding for purchases of three chemicals plants in the year after Mr. Yanukovich became president. The tycoon said he has a 17-year relationship with the bank, which offered a much more attractive interest rate than Ukrainian banks. Mr. Firtash said he received a preferential price from Russia for gas, the key feedstock for the factories, because of his longstanding connections and the large volumes he bought.

Mr. Firtash concedes his views aren't popular in Ukraine, where Russia is mostly seen as an aggressor fueling the conflict. Ukrainian officials say Russia needs to withdraw its military before Ukraine can carry out elections in the east and hand the region more powers.

"What we have is a full-fledged aggression, a Russian military aggression," said Kostyantyn Yeliseyev, deputy head of Mr. Poroshenko's administration, in Kiev.

—*Sarah Sloat in Frankfurt and Alan Cullison in Kiev contributed to this article.*

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