

108TH CONGRESS  
1ST SESSION

# S. RES. 258

Expressing the sense of the Senate on the arrest of Mikhail B. Khodorkovsky  
by the Russian Federation.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 2003

Mr. LUGAR (for himself and Mr. BIDEN) submitted the following resolution;  
which was referred to the Committee on Foreign Relations

NOVEMBER 7, 2003

Reported by Mr. LUGAR, without amendment

DECEMBER 9, 2003

Considered and agreed to

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## RESOLUTION

Expressing the sense of the Senate on the arrest of Mikhail  
B. Khodorkovsky by the Russian Federation.

Whereas the Russian Federation is now a member of the  
family of democratic countries;

Whereas the United States supports the development of de-  
mocracy, free markets, and civil society in the Russian  
Federation and in other states of the former Soviet  
Union;

Whereas the rule of law, the impartial application of the law,  
and equal justice for all in courts of law are pillars of all  
democratic societies;

Whereas investment, both foreign and domestic, in the economy of Russia is necessary for the growth of the economy and raising the standard of living of the citizens of the Russian Federation;

Whereas property rights are a bulwark of civil society against encroachment by the state, and a fundamental building block of democracy; and

Whereas reports of the arrest of Mikhail B. Khodorkovsky and the freezing of shares of the oil conglomerate YUKOS have raised questions about the possible selective application of the law in the Russian Federation and may have compromised investor confidence in business conditions there: Now, therefore, be it

1       *Resolved*, That it is the sense of the Senate that—

2           (1) the law enforcement and judicial authorities  
3       of the Russian Federation should ensure that Mi-  
4       khail B. Khodorkovsky is accorded the full measure  
5       of his rights under the Russian Constitution to de-  
6       fend himself against any and all charges that may  
7       be brought against him, in a fair and transparent  
8       process, so that individual justice may be done, but  
9       also so that the efforts the Russian Federation has  
10      been making to reform its system of justice may be  
11      seen to be moving forward; and

12           (2) such authorities of the Russian Federation  
13      should make every effort to dispel growing inter-  
14      national concerns that—

1                   (A) the cases against Mikhail B.  
2                   Khodorkovsky and other business leaders are  
3                   politically motivated; and

4                   (B) the potential remains for misuse of the  
5                   justice system in the Russian Federation.

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