

# Khodorkovsky's Prosecutors Request Jail Terms

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Former Yukos chief Mikhail Khodorkovsky. **Vladimir Filonov**

Prosecutors asked Friday for a 14-year prison sentence for former oil tycoon Mikhail Khodorkovsky in his second trial, though time served for convictions from his first trial could reduce that number.

The case is serving as a test of President Dmitry Medvedev's commitment to the rule of law and to the legal reforms that the president has trumpeted during his term.

Khodorkovsky, once Russia's richest man, has already served seven years of an eight-year sentence for tax evasion. With time served, a 14-year sentence could keep him in jail until 2017, at the latest. But early release, which is sometimes granted, could allow him to be released as soon as 2012, the year of the next presidential elections.

Before he was first arrested at gunpoint by commandos on the tarmac of a Siberian airport, Khodorkovsky had bankrolled political parties and media critical of then-President Vladimir Putin. Rights activists accuse Putin of making an example out of Khodorkovsky for other

opposition-minded oligarchs.

As Khodorkovsky's release date approached last fall, investigators brought new charges of fraud and embezzlement, leading to a second trial that threatened to keep the 47-year-old tycoon behind bars for another 22 years.

However, as prosecutors wrapped up their arguments on Tuesday, they asked for 14 years, declining to press one of the charges because the statute of limitations had run out. They also told the judge that Khodorkovsky deserves leniency because he has two children.

Outside the courthouse, defense attorney Konstantin Rivkin said the proposed sentence, although less than the maximum, was nothing to celebrate. "Yes, it could have been worse, but not by much," he said. "Trying to put an innocent man away for 14 years is not my idea of leniency," Rivkin said.

More than two years into Medvedev's presidency, which made justice reform a top priority, human rights activists are waiting for concrete steps on the issue. Kremlin observers say Medvedev's hands may be tied because Putin still calls the shots. This month, the prime minister suggested that there should be no leniency in the Khodorkovsky case.

While insisting on a long prison term, the prosecution has granted several token concessions to the defense. Earlier in October, they corrected downward the amount of oil Khodorkovsky is accused of stealing, blaming poor arithmetic and lack of evidence for their mistake.

In the courtroom on Tuesday, Judge Viktor Danilkin, who is expected to reach a verdict in the coming weeks, appeared more sympathetic toward the defense, whose supporters crowded the hall.

At previous hearings, Danilkin often has yelled for order or ejected those who laughed at the prosecutor's remarks. But this time he laughed along. When Prosecutor Valery Lakhtin told the court not to be fooled by the "conniving" defendant's ability to "act like a normal person," the judge laughed so hard that he had to wipe tears from his eyes.

Afterward, a pale and tired Khodorkovsky was marched smiling out of the courtroom in handcuffs. When asked by an Associated Press reporter about the proposed term of 14 years, he said wryly, "It's fine," and shrugged.

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