

6 Extra Years Sought for Khodorkovsky

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Former Yukos CEO Mikhail Khodorkovsky, left, and co-defendant Platon Lebedev, listening to court proceedings from a glass defendant's cage Friday. Prosecutors demanded that Khodorkovsky be imprisoned **Sergey Ponomarev**

Prosecutors on Friday demanded that jailed former Yukos CEO Mikhail Khodorkovsky be imprisoned for an additional six years if convicted in a politically charged second trial, which is seen as a test of President Dmitry Medvedev's commitment to the rule of law.

Supporters have cast both trials as part of a Kremlin-driven campaign of revenge for perceived political, economic and personal challenges to Prime Minister Vladimir Putin, who was president at the time of Khodorkovsky's arrest and just this month suggested that there should be no leniency in his case.

Prosecutors on Friday asked for a 14-year prison sentence but said it should include the eight-year term that Khodorkovsky is serving, which will end in October 2011. Defense lawyers said the requested sentence was one year short of the maximum allowed.

With time served, the sentence could keep Khodorkovsky in jail until 2017, at the latest. But early release could see him out as soon as 2012, the year of the next presidential election.

Outside the courthouse, defense lawyer 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."

Prosecutors made the request as they wrapped up closing arguments in the second trial of Khodorkovsky and his partner Platon Lebedev.

Khodorkovsky, dressed in black and sitting in a bulletproof-glass defendant's cage with Lebedev in the courtroom, listened carefully to prosecutor Valery Lakhtin's statement.

Afterward, Khodorkovsky was marched smiling out of the courtroom in handcuffs. Asked by an Associated Press reporter about the proposed term, he said wryly, "It's fine," and shrugged.

His defense lawyers are to begin their closing arguments this week.

Once Russia's richest man, Khodorkovsky, 47, has one year left to serve in an eight-year sentence imposed after a high-profile fraud and tax evasion trial that tarnished the country's image during Putin's eight-year presidency.

In the second trial, which has been grinding on in a drab Moscow courtroom for more 18 months, Khodorkovsky stands accused of stealing billions of dollars' worth of oil from Yukos production subsidiaries from 1998 to 2003.

When first announced, the charges carried a maximum of 22 1/2 years, but a retroactive change in sentencing rules for economic crimes introduced by President Dmitry Medvedev earlier this year reduced the maximum sentence for the charges to 15 years, prosecutors said. 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.

Defense lawyer Vadim Klyuvgant said the law obliged the judge to count Khodorkovsky's current eight-year prison term against any new sentence. "The judge is obliged to take into account the sentence from the first trial," Klyuvgant said by telephone. "That is what the law says, but there is no law here."

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

At previous hearings, Danilkin would often yell for order or eject those who laughed at the prosecutor's remarks. But this time he laughed along. When prosecutor 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 he had to wipe tears from his eyes.

(Reuters, AP)

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