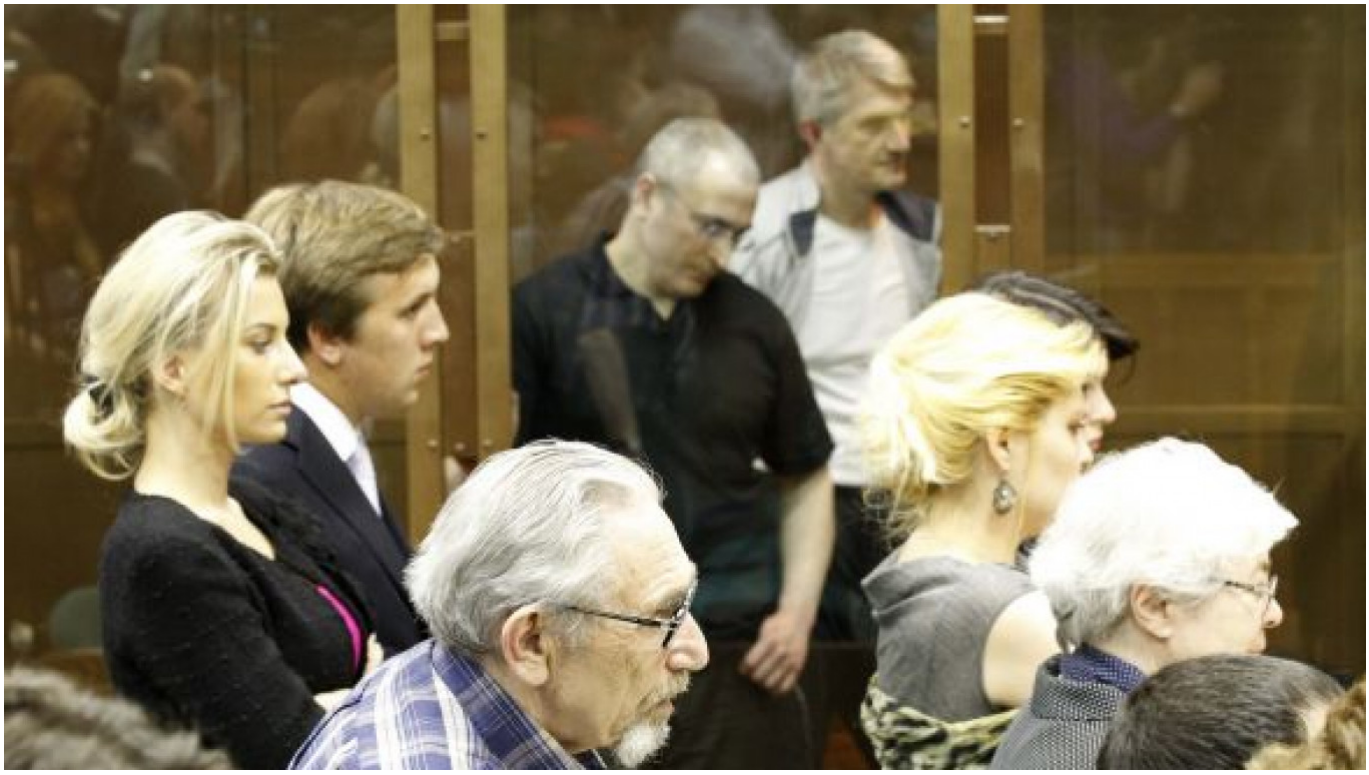
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Khodorkovsky's Term Reduced by One Year

By Alexandra Odynova

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Tatyana Makeyeva

Dismay hung in the air of the packed courtroom Tuesday as the Moscow City Court rejected an appeal by jailed businessmen Mikhail Khodorkovsky and Platon Lebedev over their December convictions.

The judge, visibly unmoved by a passionate speech minutes earlier in which Khodorkovsky declared that the verdict had been written by a "venomous Stalinist spider," announced that the sentences of the two former Yukos owners would be reduced by one year.

That means Khodorkovsky and Lebedev could be freed in 2016 instead of 2017, barring a third trial on new charges that prosecutors have hinted might be opened.

"I'm not seeking justice here," Khodorkovsky told the three judges in his statement. "I've parted with such illusions, thanks to your colleagues. All I want is to draw attention to the

iniquity at courts."

In a bitter and scathing diatribe against the government, Khodorkovsky accused the country's judiciary of rubber-stamping the decisions of the government and law enforcement agencies. He cited as evidence statistics from the Supreme Court that show judges acquit defendants in only one of every 300 trials.

His own verdict was "gibberish" pieced together by some "venomous Stalinist spider," Khodorkovsky said, likening his case to the rigged Soviet show trials of the 1930s.

Khodorkovsky and Lebedev, convicted of fraud and tax evasion in a first trial in 2005, were found guilty of theft and money laundering over Yukos' operations on Dec. 30. Their supporters claim both cases were fabricated on orders by Prime Minister Vladimir Putin as revenge for Khodorkovsky's political and commercial ambitions.

The second trial has also been seen as a test of President Dmitry Medvedev's commitment to independent courts. Medvedev said last Wednesday that Khodorkovsky would not pose a threat to society if he were freed.

December's guilty verdict delivered by district court judge Viktor Danilkin, whose aide said in February that the text had been written by the Moscow City Court, the very court that upheld the verdict Tuesday.

Danilkin "is a good enough man, but he just can't roll with the system's punches," Khodorkovsky said from a glass-and-steel defendant's cage in the courtroom.

He said he would not ask for a presidential pardon.

The speech ended in a burst of applause, followed by shouts of "Shame!" as the judges upheld the verdict with minor tweaks to the phrasing.

Khodorkovsky's father, Boris, fought back tears as he left the courtroom. He said his expectations had been low.

The two prosecutors praised the ruling as "legal and reasoned." They also dismissed accusations of political undertones to the trial and accused Khodorkovsky of pressuring the judge.

"The court was under extensive pressure from Khodorkovsky, Lebedev and their defense" because of critical comments they made to the media, prosecutor Gyulchekhra Ibragimova told reporters.

"Lawyers and convicts are trying to link statements from the country's leaders to the trial" despite there being no connection, she said, referring to a statement by Putin two weeks before the December verdict in which he called Khodorkovsky a thief and compared him to disgraced U.S. financier Bernard Madoff in a live television broadcast.

Khodorkovsky's supporters have accused Putin of pressuring the court. Medvedev also criticized the statement in December, though he didn't mention Putin by name.

The Moscow City Court initially was scheduled to make a decision on the appeal on May 17. But the hearing was postponed amid speculation that Medvedev didn't want it to interfere with a major news conference he held on May 18.

The Moscow City Court did not explain the reasoning behind its decision, which, incidentally, is a carbon copy of its ruling in the first Yukos trial, when it also upheld a lower court's ruling while slashing the defendants' prison terms by one year.

Khodorkovsky and Lebedev will be sent back to the Siberian prisons where they were serving their first terms within 10 days, Interfax reported.

Their lawyers promised to appeal to the European Court of Human Rights, where an appeal in the first trial is pending.

"The court's ruling is unlawful, ungrounded and unjust," Khodorkovsky's lead lawyer Vadim Klyuvgant said in a statement.

Defense lawyers said last fall that a third case against their clients is in the works, apparently as a means to keep them behind bars after 2016.

Prosecutor Ibragimova said after the hearing Tuesday that no third case has been opened. But she added, however, that a new inquiry was possible if new information surfaced of wrongdoing.

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