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Plea Bargain Upheld in Politkovskaya Case

By Jonathan Earle

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Pavlyuchenkov, right, accused of aiding Politkovskaya's alleged killers, listens to his lawyer in court Wednesday. **Mikhail Metzel**

A Moscow judge upheld a controversial plea bargain that could complicate efforts to determine who ordered the killing of Novaya Gazeta journalist Anna Politkovskaya in 2006.

Judge Alexander Zamashnyuk ruled that Politkovskaya's two children had no right to challenge the deal, which includes a reduced sentence for the suspect, ex-cop Dmitry Pavlyuchenkov, in exchange for his cooperation with the investigation, the Rapsi legal news agency reported Wednesday.

The lawyer for Politkovskaya's children, Anna Stavitskaya, said the deal would hinder efforts to determine who ordered the killing and exactly how it was carried out because Pavlyuchenkov's trial would now take place without the examination of documents or witnesses, and parts of it would be closed to the press.

Stavitskaya also argued that Pavlyuchenkov hadn't satisfied the conditions of the plea bargain, which include describing his role in the crime and naming the person who ordered it.

But the state prosecutor said Pavlyuchenkov had named names previously unknown to investigators and described in detail how the crime was organized, funded and carried out.

And Pavlyuchenkov, who has confessed to tracking Politkovskaya and acquiring the murder weapon, said self-exiled tycoon Boris Berezovsky and Chechen separatist leader Akhmed Zakayev were behind the slaying, a claim Stavitskaya has dismissed as political scapegoating.

The state prosecutor on Wednesday asked that Pavlyuchenkov be sentenced to 12 years in prison and pay 10 million rubles ($326,000) for passing information about Politkovskaya to the killers.

She cited extenuating circumstances, including his cooperation with investigators, awards he received as a police officer, health problems, his service in Afghanistan, and a wife awaiting his return.

"But Vera and Ilya Politkovsky's mother will never return because a man named Pavlyuchenko did a lot to make sure she passed away," Stavitskaya retorted.

Zamashnyuk also rejected a request that Pavlyuchenkov be tried with five other suspects rather than separately. A verdict could come as soon as Friday, he said.

According to investigators, another suspect, Lom-Ali Gaitukayev, organized Politkovskaya's killing by hiring a criminal gang of three Chechen brothers — Rustam, Ibragim and Dzhabrail Makhmudov — and another former police official, Sergei Khadzhikurbanov.

They have been charged with murder and illegal possession of weapons, which carry maximum sentences of life imprisonment and eight years' jail time, respectively.

Politkovskaya, a top investigative journalist who specialized in corruption and human rights violations in the North Caucasus, was shot dead in her apartment building in Moscow. Investigators linked the killing to her work.

The crime sparked an international outcry, and the government's failure to punish the killers and identify the person who ordered the hit has for many come to symbolize the justice system's ills.

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