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In Surprise Ruling, Court Frees Businessman Kozlov

By Yekaterina Kravtsova

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Moscow's top court ruled Friday to free businessman Alexei Kozlov, who was jailed in 2008 on charges of fraud and attempted money laundering, accusations that Kozlov said were fabricated by a powerful business rival.

Kozlov's case has attracted widespread public attention due to a campaign organized by his wife Olga Romanova, the journalist and opposition activist, who has said the prosecution of her husband was initiated by a former Federation Council member and Kozlov's business partner, Vladimir Slutsker, who now lives in Israel.

The ruling comes as state agencies consider a plan to grant amnesty to thousands of business people, an initiative proposed by business ombudsman Boris Titov. When presented with the idea last month, President Vladimir Putin said it needed to be improved before it could be implemented.

Many state officials and lawyers say that economic charges such as those brought against Kozlov are commonly used by law enforcement agencies to put pressure on entrepreneurs, often at the behest of business rivals. To help prevent this practice, Dmitry Medvedev pushed through legal changes during his presidency that softened the punishment for economic crimes.

Kozlov was arrested in July 2008 after investigators said he stole 33.4 percent of shares in leather production company Iskozh, shares worth more than 253 million rubles ($8 million). The company, at which Kozlov headed the board of directors, was part-owned by Slutsker.

Kozlov said Slutsker had falsified papers in a criminal case against him because the latter wanted to become the sole owner of Iskozh. Romanova said her husband purchased shares of the company legally and accused Slutsker of intimidation and blackmail.

At the hearing Friday, Moscow City Court overturned the conviction on the charge of attempted money laundering, reducing his sentence from five to four years. Since he has already spent nearly five years in prison, the court ordered him freed immediately.

In an interview with Dozhd television, Romanova said she would demand compensation for every day her husband spent in prison over the four-year period.

Kozlov was not present at the hearing, nor were any of his relatives, but activists from a prisoners' rights movement organized by his wife came to support him and they seemed genuinely surprised by the court's decision.

But one of Kozlov's lawyers, Alkhas Abgadzhadva, said such a “compromise decision was exactly what we expected,” referring to the fact that only one of the two convictions was reversed.

Abgadzhadva also said he was confident that after his release, Kozlov would demand that he be cleared of all the charges.

“We have all the necessary grounds for this, because the fact that the Supreme Court has several times conducted supervisory procedures means that his guilty verdict was unproven and illegal,” he said.

Friday's ruling was initiated after the Supreme Court found in April that the case should be reviewed because the guilty verdict was based on speculation rather than evidence.

The courts have changed the terms of Kozlov's punishment on several occasions before. His initial eight-year sentence handed down in 2009 was reduced by Moscow City Court to five years in 2011. Later that same year, the Supreme Court overturned the convictions, freed Kozlov and ordered the case reviewed.

But in 2012, Moscow's Presnensky District Court issued new guilty verdicts, sentencing him to five years behind bars.

While out of prison, Kozlov took part in an opposition rally together with his wife, who has been a regular rally-goer since the rise of the anti-Kremlin protest movement in December 2011 and a member of the opposition Coordination Council since last fall.

Before the court reduced Kozlov's sentence on Friday, he had been scheduled to be released from prison in January 2014.

Abgadzhadva said Kozlov would be released after the official court ruling reached the prison in the Ivanovo region where Kozlov has been serving his sentence. He said that due to bureaucratic procedures, his release may be delayed by up to three weeks.

Romanova was more skeptical, saying her husband would likely walk free only in late summer at the earliest.

Contact the author at e.kravtsova@imedia.ru

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