The Moscow Times
30 YEARS
INDEPENDENT NEWS FROM RUSSIA

Operation Khodorkovsky

By Georgy Bovt

December 22, 2013



The way in which President Vladimir Putin pardoned former Yukos CEO Mikhail Khodorkovsky resembled an Alfa special forces operation. Putin signed the decree at lightning speed, and Khodorkovsky managed to leave prison so quickly that he was long gone before paparazzi showed up to record the event.

Putin apparently prepared the pardon in such secrecy that not even the members of his inner circle knew of it in advance. In fact, nobody even knew exactly how and when Khodorkovsky filed his appeal for clemency. His lawyers had no knowledge of it. Even his mother had not heard a thing. Khodorkovsky somehow bypassed the established procedure for submitting his request because nobody within the prison administration knew of it, nor did anyone at the regional commission in charge of handling clemency requests, where all such appeals are filed. Putin reportedly sent representatives to meet with Khodorkovsky in prison, where the secret deal on clemency was sealed, including the conditions that he must now abide by while he is a free man.

This comes as even more of a surprise given that Khodorkovsky was not included in the

recently passed law on amnesty. And despite business ombudsman Boris Titov's direct appeal to Putin, the amnesty for prisoners charged with economic crimes also skipped over Khodorkovsky's name. In fact, the authorities were already preparing a third criminal case against Khodorkovsky.

I had anticipated that Putin might make some sort of grand "humanitarian" gesture in the run-up to the Winter Olympics in Sochi. After all, the Games are much more than a global sporting event. They are, above all, a colossal opportunity for Russia to boost its image in the world — that is, if everything goes right.

But Moscow has already experienced serious problems. For example, the U.S., French and German presidents announced they will not attend the Olympic Games. One leader does not like the law against gays, another protests Russia's policy toward Ukraine and its interference with the European Union's Eastern Partnership program, while a third dislikes the general human rights situation in the country.

The West is becoming increasingly irritated with Putin, and this comes at the very moment when the Russian economy is in a downturn. This is no time for a confrontation, and Putin's pardon of Khodorkovsky — a move that holds great significance in the West — might be a signal that he does not want to escalate that confrontation.

Putin made two other conciliatory gestures toward the West during Thursday's annual expanded news conference, saying the decision to deploy Iskander missiles in Kaliningrad had not yet been made, countering recent media reports claiming that they were already in place, and acknowledging that Washington conducted its highly controversial, massive global surveillance programs for a worthy goal: to combat terrorism.

Putin might have also reckoned that he could afford to pardon a man who is unlikely to become a revolutionary. What's more, his vertical power system is strong enough to make it difficult for Khodorkovsky to pose a problem for the authorities.

What will happen next?

It is clear that Khodorkovsky struck a deal with the authorities to secure his pardon. The first condition for that clemency might have been that he agreed not to wage direct attacks against the Kremlin, in the style of anti-corruption whistleblower Alexei Navalny, and to instead focus on humanitarian and educational projects.

Second, Khodorkovsky might have agreed not to file lawsuits against the Russian government or Rosneft, the company that took over most of Yukos' assets. Given the flimsy grounds of the government's forced bankruptcy of Yukos after Khodorkovsky's arrest and imprisonment, and the sudden emergence of Baikal Finance Group, which served as the conduit to transfer Yukos' assets to Rosneft, the Kremlin and Rosneft are rightfully concerned about losing a huge lawsuit that might overturn the whole deal and award damages to former Yukos shareholders.

We will probably never know all of the details regarding Khodorkovsky's release, and he will unlikely reveal anything about the secret agreement. He has already paid heavily for his freedom — 10 years in a maximum-security prison — and it would be highly inappropriate

for us to ask him to reveal the conditions or the price of his get-out-of-prison deal, much less criticize him for overpaying.

Georgy Bovt is a political analyst.

The views expressed in opinion pieces do not necessarily reflect the position of The Moscow Times.

Original url: https://www.themoscowtimes.com/2013/12/22/operation-khodorkovsky-a30701