

Russian Spy in New York Loses Bid to Have Charges Dropped

By [The Moscow Times](#)

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NEW YORK — A Russian citizen accused by U.S. authorities of posing as a banker in New York in order to spy for his government lost a bid to have the case against him dismissed on Wednesday.

U.S. District Judge Richard Berman in Manhattan rejected Evgeny Buryakov's request to have the charges thrown out, saying the government's allegations were adequate to support the indictment.

Buryakov and two other Russians were charged in February with conspiring to gather economic information on behalf of Russia's foreign intelligence service known as the SVR.

Buryakov worked at the New York branch of state-owned Vnesheconombank or VEB but prosecutors claim he was secretly engaged in covert work for the SVR.

The indictment alleges he was trying to gather intelligence on potential U.S. sanctions against

Russia and U.S. efforts in the field of alternative energy.

The other two defendants, Igor Sporyshec and Victor Podobnyy, are no longer in the United States but enjoyed diplomatic immunity when they were in the country by virtue of their positions as a trade representative and United Nations attaché, according to prosecutors.

The Russian Foreign Ministry has called for Buryakov's release, citing a lack of evidence.

The charges against Buryakov rely on a federal statute that requires agents of foreign governments to register with the U.S. Department of Justice.

Scott Hershman, a lawyer for Buryakov, argued on Wednesday that his client did not need to register as a foreign agent under an exception to the law, which exempts anyone who is an "officially and publicly acknowledged and sponsored official or representative of a foreign government."

"The only question is whether saying he was working for VEB was the same as saying he was working for the Russian government," since VEB is state-controlled, Hershman said.

But Berman pointed out that Hershman himself had argued in the past that VEB was a "freestanding" corporate entity under Russian law.

"The court finds that the defendant, Mr. Buryakov, does not qualify for the exemption ... and that VEB does not qualify as a 'foreign government,'" Berman said.

He also suggested that Hershman's interpretation would essentially create a "loophole" that allows foreign governments to place spies freely in state-owned companies through the United States.

Berman set a trial date of Dec. 7.

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