

Former Defense Official Convicted for Embezzlement Gets Quick Parole

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Yevgenia Vasilyeva

Flamboyant former Defense Ministry property manager Yevgenia Vasilyeva, sentenced to five years in prison for mass embezzlement in May, is out on parole — just a little more than week after the motion for parole was filed, four days after her sentencing officially came into force and after having spent a month in a penal colony.

On Tuesday a court in the Vladimir region ruled that Vasilyeva could leave the penitentiary that very day. The decision has already sparked public outrage, because most convicts in the Russian penitentiary system await their parole for many years, experts say.

“The fact that she was released that soon and that she wouldn't have to wait ten days pending the prosecution's appeal on the ruling is completely surreal,” Andrei Babushkin, member of the presidential Human Rights Council, told The Moscow Times on Tuesday. “People will be indignant at this decision,” he added.

Vasilyeva, 36, found herself in the spotlight after it was reported that she was romantically involved with former Defense Minister Anatoly Serdyukov, who was also investigated for misusing army funds, but got amnestied.

She became the anti-hero of the most high profile anti-corruption case in the past decade, fueling speculations that her ties to Serdyukov — who reinvented himself as a top manager of a state-run company after his scandalous dismissal — and overall wealth bought her preferential treatment by law enforcement.

To Shop and To Swap

During the investigation and the trial Vasilyeva was kept under house arrest in her luxurious apartment in the center of Moscow — since she was arrested in November 2012 and right up to her sentencing in May 2015. During that time she was allowed to leave her home for several hours a day, time she often spent, according to the media reports, shopping for designer clothes and jewelry.

She made it back into the headlines last month, when media reported that a woman resembling her was seen walking into a bank in the upscale Patriarch's Ponds area of central Moscow, while she was supposedly to serving out her sentence in a penal colony.

For two weeks following the alleged sighting, neither officials nor civil rights defenders who visited the colony where Vasilyeva was supposed to be could confirm her whereabouts, eliciting suspicions that she was at liberty and someone else was in prison in her stead.

Eventually Russia's Federal Prison Service (FSIN) stated Vasilyeva was in a colony in the Vladimir region. Officials claimed she was kept in the same conditions as all the other convicts and even got a job as a janitor in a local school.

Activists from the government-friendly rights watchdog, the Public Watch Commission (PWC), failed to meet Vasilyeva when they visited her colony. FSIN representatives explained that she had the right to refuse to meet with the activists.

Against the Odds

Some days after her location was disclosed, Vasilyeva filed a motion to be released on parole. By that time she had spent only 20 days in the penal colony, Kommersant newspaper reported last week.

Vasilyeva had the right to apply because she had spent half of the five-year sentence under lock and key, even though most of this time was spent in pre-trial and trial custody in her own apartment.

The hearing into the motion was scheduled several days after that, for Aug. 21. Vasilyeva quickly obtained a positive reference from the administration of the colony, required for those who apply for parole, which is practically impossible in such a short amount of time, claimed Anton Tsvetkov, a member of the PWC that visited the colony in search of Vasilyeva.

On average a convict has to spend from three to six months in a colony to get a reference, he told The Moscow Times in a phone interview last week. “Usually the administration of a

colony tells a convict that has just arrived: 'We don't know you well enough to give you a reference, so you need to spend at least three months here for us to evaluate your behavior,'" he said.

If there are other convicts like Vasilyeva, who manage to obtain a reference within 20 days, Tsvetkov concluded, their cases are rare and exceptional. "Or [after Vasilyeva's precedent] all the convicts [asking for parole] should be given their references within 20 days," he said.

Vasilyeva was clearly eager to leave the penitentiary. Not only did she expeditiously pay 82 million rubles (\$1.2 million) of the damages the court had assigned her to pay, her father, a successful businessman himself, paid the rest of the 216 million ruble (\$3.17 million) compensation assigned to all the co-defendants.

Nevertheless, last Friday, the day of her parole hearing, the odds seemed to be against her release.

Defense Ministry companies that were determined victims in the case informed the court they were against releasing Vasilyeva, and the prosecution sided with them and said it was too early to talk about parole.

The prosecution mentioned that her sentence hadn't come into force yet, pending an appeal of her co-defendants, a hearing into which was scheduled for the same day. Vasilyeva's defense lawyers moved to postpone the hearing, and it was rescheduled for Aug. 25.

Out on Parole

Vasilyeva's sentence came into force last Friday, following the Moscow City Court's confirmation of her co-defendants' sentences. Four days later, on Tuesday, she was out on parole and left the penal colony in the Vladimir region several hours after the court ruling was announced, Moskovsky Komsomolets newspaper reported Tuesday.

Vasilyeva wasn't present at the court hearing. Several hours after the hearing ended, she was, according to the report, whisked away from the colony in a Toyota Camry sedan with tinted windows, accompanied by her lawyers, ignoring a crowd of reporters waiting for her at the gates of the penitentiary.

The judge took into consideration, among other things, the fact that neither the FSIN, nor the prosecution were against releasing Vasilyeva immediately, and the fact that she underwent a "psychological program of personality correction" in the colony. Psychologists working with her under the program determined Vasilyeva would be able to restrain herself from committing a crime again, Kommersant newspaper reported Tuesday.

The request to comment on what a program like that would entail and whether it was available in every Russian colony for every convict, sent by The Moscow Times to the FSIN, went unanswered by the time of publication.

"It's complete nonsense," Vladimir Osechkin, founder of the Gulagu.net project devoted to defending prisoners' rights, told The Moscow Times in a phone interview. "Until the sentence comes into force, a convict can't be transferred to a colony, can't have visitors and of course

can't apply for parole," he said.

It sends a clear signal to hundreds of thousands of convicts in Russia, who spend years hoping for parole, serving time for crimes much less serious, the activist said.

"If you steal a cell phone or a sack of potatoes, you will serve every day of your sentence, no parole and no nothing, but if you embezzle millions and bribe everyone around you — you get [preferential treatment, including release on parole]," Osechkin added.

Applying for parole before the sentence came into force was well within the law, disagreed Lev Kroshkin, a lawyer that runs a legal advice office in Moscow.

"A convict can request a parole after he has served half of his term," he told The Moscow Times on Tuesday. "In Vasilyeva's case her house arrest and the time she spent in a pre-trial detention center count, too," and the day of her sentence coming into force doesn't really matter, Kroshkin added.

Nevertheless, the most important thing is to determine whether Vasilyeva has repented and is willing to change, said Tsvetkov. "But it is hard to believe that she has repented," he told The Moscow Times.

In Comparison

Vasilyeva was charged with fraud, embezzlement and exceeding her authority. The prosecution claimed she was responsible, among other things, for selling real estate belonging to the Defense Ministry and taking 5 percent off each deal.

The court determined that Vasilyeva had embezzled some 800 million rubles, according to media reports, which in 2012, when she was put under house arrest, was worth around \$26.6 million. By Aug. 20 in 2015 she had paid court-ordered damages of 216 million rubles, which is now worth about \$3.7 million.

While Vasilyeva got her parole in no time, several other high profile convicts stay in prison and wait for it for months, Alexei Navalny, Russian opposition leader and prominent anti-corruption campaigner, wrote in his blog Tuesday.

"Just today [on Tuesday Denis] Lutskevich, in prison as part of the Bolotnoye case [in which a dozen opposition protesters were arrested for allegedly starting a mass riot and attacking police officers during a rally in Bolotnaya Ploshchad in 2012], was denied parole," Navalny wrote.

"[Ecologist Yevgeny] Vitishko, serving time for writing 'Sanya's a thief' on a fence of the governor's dacha [of Alexander Trachyov, former Krasnodar region governor and now the Agriculture Minister], was denied parole, because he was bad at weeding tomatoes," he added.

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