

The Waiting Game: Savchenko Convicted, What Is Next?

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Former Ukrainian army pilot Nadezhda Savchenko laughing inside a glass-walled cage during a verdict hearing at a court in the southern border town of Donetsk in Russia's Rostov region on March 21.

DONETSK, Rostov Region/MOSCOW — In eight days, the Ukrainian servicewoman Nadezhda Savchenko will be transferred to a penal colony to begin serving a 22-year sentence. By that time, the stubborn Savchenko has promised to be back on a dry hunger strike, which, she says, she will “take to the end.” The deadline is therefore tight — perhaps just three weeks — for Russia, Ukraine and the West to agree to the conditions of her release.

Judge Leonid Stepanenko's guilty verdict was in many ways a predictable finale for the highly contested trial. The story, however, has some way to run. The defiant Savchenko has become a national hero for Ukraine; for the West, she has become a political martyr; for Russia, she has become an annoyance.

Within minutes of the verdict, Ukrainian and Western officials demanded her release — at the

very least, as part of a prisoner exchange as agreed under the Minsk agreements. So far, however, the Kremlin has expressed little sign that it is ready to support such a deal.

When Russian authorities arrested Savchenko in July 2014, she was an officer fighting in the Aidar paramilitary volunteer battalion near Luhansk, eastern Ukraine. In those frantic times, battle positions around Luhansk were in constant flux, with front lines changing on a daily basis. The entire future of Ukraine was under doubt.

Then, perhaps, the arrest of the officer might have made some sense to the anti-Kiev side. As the case evolved, however, its use to the Kremlin became less and less clear. On one level, it seems the Kremlin has refused to compromise on principle, and allowed the Russian legal system to follow the case through to its logical conclusion.

All 22 years of it.

Courtroom Drama

It took the judge two days to read the 200-page verdict. Finally, after several breaks, he declared that the “rehabilitation of Savchenko” was “only possible if she is isolated from society.” The Ukrainian officer responded to the guilty verdict by singing at the top of her voice, while some of her supporters broke out in applause.

Savchenko stood trial in Donetsk, a small town in southern Russia. There were requests from human rights advocates and politicians to move the proceedings to Moscow. These were ignored — an attempt, some speculated, to draw attention away from the high-profile case. If there was such an attempt, however, it failed: the trial gripped international attention from the start, reaching a peak on March 21-22, when the verdict was read.

Security was tightened to exaggerated levels in and around the courtroom. Several dozen policemen were brought into town for the occasion, and the border with Ukraine was monitored by traffic police. As a result, the situation within the town began to heat up, and local residents — angered over the past few months of basement and attic searches, and the close attention of security officials — began to air some of their dissatisfactions at a meeting with journalists.

The residents also revealed that they had been warned the city would be visited by many foreigners. They were advised to monitor their children closely.

Police and security services expected mass demonstrations in support of Savchenko. In the end, the only demonstrators were from pro-Kremlin youth movements. These activists stood with picture placards of the killed journalists, and demanded the court “punish the murderer.” According to local residents, the demonstrators were students and state employees, specially bussed in from neighboring towns.

Unlike dozens of reporters who had great trouble gaining entry, the pro-Kremlin activists were allowed into the courtroom with little restriction. Once inside, the activists faced-off with a Ukrainian delegation, which subsequently found itself in trouble with bailiffs. “They forced us, an official delegation, out of the courtroom for singing the Ukrainian anthem,” said Svyatoslav Tsegolko, President Petro Poroshenko’s spokesman.

Prisoner Exchange

Savchenko has on multiple occasions stated that she has no intention to appeal the sentence, no matter how harsh. Right now, the most likely way for her to get out of jail is prisoner exchange. For months, Russian and Ukrainian officials have been talking about the possibility of it, but so far the only detailed offer was voiced by Poroshenko. It provoked minimal reaction from the Kremlin.

In an online statement issued right after the verdict, Poroshenko said he would hand over “two Russian citizens” detained in Ukraine in exchange for Savchenko. He did not name the Russian detainees, but government sources in Kiev confirmed to The Moscow Times that he was referring to Yevgeny Yerofeyev and Alexander Alexandrov, the two “on leave” Russian servicemen captured fighting in eastern Ukraine.

According to Poroshenko, Russian President Vladimir Putin had promised to hand Savchenko over to Ukrainian authorities at the conclusion of her trial. Presidential spokesman Dmitry Peskov, however, told reporters that he had no knowledge of any such agreement. Peskov added that only the president can make a decision regarding the exchange. “I can’t say now what his decision will be,” he said.

Russia may well place humiliating conditions on a deal. Earlier this month, Russia’s Justice Ministry told the Vedomosti newspaper Ukraine would have to recognize the legitimacy of the sentence before any deal is made. A government source in Kiev told The Moscow Times this was “difficult at the current time,” adding that Kiev was also concerned Savchenko may be obliged to apply for pardon to Putin. She will almost certainly reject such a condition.

It is likely Savchenko’s fate will be a major topic for conversation during talks between U.S. Secretary of State John Kerry and President Putin. Speaking to Poroshenko over the phone on March 22, U.S. Vice President Joe Biden stressed that “signals regarding immediate release of the Ukrainian [citizen Savchenko] will be passed over to the Russian side.” Peskov, in turn, said the Kerry and Putin “might” discuss Savchenko’s case — but “only if there’s time for it.”

No New Sanctions

Savchenko’s defense team anticipated that the West would respond to a guilty verdict with a full set of new sanctions. Yet analysts believe these are not on the table at the moment.

“The question of prolonging current sanctions is much more important now, especially since Moscow is campaigning for lifting them,” says international affairs expert Vladimir Frolov. Convicting Savchenko, he adds, might lower the probability of lifting or softening the current sanctions. “It will be that much harder for the EU to do that following the conviction, and the United States isn’t even considering it,” he told The Moscow Times.

Poroshenko will likely step up his push for sanctions against Russian individuals involved in the prosecution. According to Taras Berezovets, a Kiev-based political analyst, the Ukrainian government has already compiled a “Savchenko list,” and passed it to the chair of the European Commission. “Savchenko’s case is an instrument with which Ukraine can apply pressure to Russia,” he says. “The fact that the West sympathizes with Savchenko’s story, helps Ukraine.”

At the same time, Poroshenko is under pressure to close the deal, Berezovets says: “He wants Savchenko released, that way it would count as his personal political victory.”

A source close to the Kremlin suggested it was unlikely Savchenko would be released any time soon.

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