

# Russian Media Speculate: Where Is Convicted Defense Official

By [Daria Litvinova](#)

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Vasilyeva seized the public imagination after she was reported to have been romantically linked to former Defense Minister Anatoly Serdyukov.

The whereabouts of Yevgenia Vasilyeva, an extravagant former Defense Ministry property manager convicted in May to five years in prison for mass embezzlement, became the most discussed question this week for Russian media, civil rights activists and politicians after she was reportedly seen at liberty in central Moscow.

The Federal Prison Service (FSIN) at first left unanswered journalists' questions about which colony Vasilyeva, the 36-year-old anti-hero of a high-profile corruption case, was being kept in, and then refused outright to disclose that information. Moscow City Court spokespeople said she could not have been transferred to a colony yet since her sentence is pending an appeal.

These contradictory responses from officials elicited intense speculation in the media that

the Russian penitentiary system was either corrupt enough to let her walk free, or so ineffective that a convict can vanish into it without a trace.

Vasilyeva seized the public imagination after she was reported to have been romantically linked to former Defense Minister Anatoly Serdyukov, who was also investigated for misusing army funds but was amnestied.

During the investigation and trial, Vasilyeva was kept under house arrest in her luxurious apartment in the center of Moscow but was allowed to leave her home for hours at a time, and was often seen in expensive boutiques buying designer clothes and jewelry.

Her public penchant for writing poetry and painting and her release of a pop video featuring her and Serdyukov only fueled interest in the case.

## **Chercher la Femme**

When Vasilyeva was convicted to five years in prison, her lawyers said the sentence was a "shock" to them and they would appeal, but a week ago they raised eyebrows by withdrawing the appeal and claiming they were not looking to overturn the sentence.

Their statement followed a report by the Russian Legal Information Agency (RAPSI) last Thursday, in which an unidentified source claimed that a woman resembling Vasilyeva was seen walking into a VTB bank branch in the upscale Patriarch's Ponds area of central Moscow.

Vasilyeva's lawyer, Hasan-Ali Borokov, would neither confirm nor deny the information, setting off an avalanche of contradictory statements from officials.

Anton Tsvetkov, head of the state-supported Public Watch Commission (PWC) and a member of the Civic Chamber of rights activists, told media last Friday that Vasilyeva couldn't be in Moscow as she was incarcerated in a prison colony in the central Vladimir region.

At the same time, Moscow City Court spokespeople argued that Vasilyeva couldn't have been transferred to a prison colony, saying that she was obligated to remain in a pretrial detention center pending an appeal filed by her four co-defendants, even if she had decided not to pursue the appeal herself.

"The sentence is the same for all [co-defendants]. It comes into force at the same date for all of them," and the appeal hearing is scheduled for Aug. 12, Ulyana Solopova, spokeswoman for the Moscow City Court, was cited by RAPSI as saying on Friday.

## **All the King's Horses**

Tsvetkov insisted that Vasilyeva had been sent to the Vladimir region, where there is only one colony for first-time female offenders: Penal Colony No. 1 in the village of Golovino, the Gazeta.ru news website reported last week. The report said that the colony's administration couldn't confirm or deny Vasilyeva's presence there.

But on Tuesday, activists from the PWC in the Vladimir region visited the institution and found no sign of her.

"We walked through all of the colony, visited the quarantine area and all other departments, but the prisoner was nowhere to be found," Irina Kitayeva, chairwoman of the regional branch of PWC, was cited by Gazeta.ru as saying Tuesday. "The colony director refused to tell us where Vasilyeva is," she added.

That same day, FSIN issued an official statement saying Vasilyeva was serving her sentence in one of Russia's prisons, without specifying the establishment and claiming that the law prohibits revealing such information.

After that, Vasilyeva's father also claimed in an interview with the Ren-TV channel that his daughter was in a colony in the Vladimir region.

The FSIN confirmed Vasilyeva was in the Vladimir region in a formal letter to The Moscow Times on Wednesday, without giving further details. "Information about the region where Vasilyeva is serving her sentence is only being disclosed to you because her father already revealed it to the media," the letter read.

## **Prisoner Swap**

The mixed messages concerning Vasilyeva's whereabouts elicited speculation that she wasn't in prison at all and that she could have paid someone to impersonate her and serve the sentence in her place.

On Tuesday, State Duma deputies from the LDPR faction announced their plans to introduce a new article to Russia's Criminal Code under which people who agree to be substitutes for convicts can be sentenced to 10 years in jail, and the original convict would see their sentence increased by 25 percent.

"These situations happen — not often, but they happen, and Russia's [current] Criminal Code doesn't address them at all," Yaroslav Nilov of LDPR was cited by Izvestia newspaper as saying Tuesday. "Lately such precedents have become more frequent and attracted increasing attention due to high-profile figures like Yevgenia Vasilyeva getting in the spotlight," he said.

According to Vladimir Osechkin, founder of the Gulagu.net project devoted to defending prisoners' rights, substitution does happen, but far from systematically and almost never in cases involving high-profile convicts.

"There are several known cases when other people served convicts' sentences. In one of the most notorious cases, corrupt prison staff helped a convict to go to Moscow to attend meetings in restaurants," he told The Moscow Times in a phone interview Wednesday.

But it's not a common problem, and prominent convicts like Vasilyeva attract too much attention for such schemes, as they would put the reputation of the entire FSIN at stake, Osechkin said.

"An operation to free Vasilyeva and replace her with someone else would be impossible without the involvement of a dozen FSIN employees from different departments and subdivisions, and without the FSIN's director's consent," he said. "But the very thought of him letting something like this happen is unrealistic and surreal," Osechkin added.

The expert suggested Vasilyeva was being kept in a pretrial detention cell at a penitentiary in the Vladimir region, since, according to him, until her sentence comes into force — which can't happen until her co-defendants' appeal is heard and ruled on — the FSIN is forbidden by law from transferring her to a regular colony.

"Moscow pretrial detention centers could have been overcrowded, ... so they would move her to [a similar institution in] Vladimir, knowing that she would serve her sentence there anyway," he said.

### **Out on the Town?**

Tsvetkov of the PWC told The Moscow Times on Wednesday that the FSIN hasn't replied to the commission's formal request about Vasilyeva's location. According to him, the FSIN is obligated by law to disclose this information to the PWC.

"It's the first time in the history of the public monitoring of the Federal Prison Service that this has happened. And I think it's an extremely damaging situation because it discredits the service," Tsvetkov added.

He said the one thing the commission knows for certain is that Vasilyeva was moved out of a Moscow pretrial detention center.

"I refused to believe before that she was allowed out for a few days. Unfortunately now this version has to be taken into consideration too because I can't think of another explanation for why she's being hidden," Tsvetkov told The Moscow Times.

He said it was unlikely that Vasilyeva had been replaced with a substitute in prison: According to him, the current FSIN administration is tightening the screws and keeps everything in order.

In a letter to The Moscow Times, FSIN spokespeople said the law makes no provision for PWC activists to find out the location of convicts in order to disclose that information to the press.

As to the fact that they visited the colony and didn't see Vasilyeva there, the FSIN said that convicts don't have to communicate with civil rights defenders if they don't want to.

Contact the author at [d.litvinova@imedia.ru](mailto:d.litvinova@imedia.ru)

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