

# Court Sets Date for Navalny Embezzlement Case

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Alexei Navalny

A Kirov court on Wednesday set a date to begin hearing a criminal case against opposition leader Alexei Navalny, who describes as "absurd" the charge that he embezzled \$515,000 from a state timber company several years ago.

Navalny's lawyers had asked Kirov's Leninsky District Court to arrange preliminary hearings prior to considering the case in full so that inconsistencies could be eliminated from the case materials, but their request was turned down.

The Leninsky court said on its website that Judge Sergei Blinov would start hearing the so-called KirovLes case on April 17, when Navalny could be handed a 10-year jail term and slapped with a maximum fine of 1 million rubles (\$32,000).

Navalny, the darling of the anti-Kremlin protest movement that sprung up in the wake

of disputed State Duma elections in December 2011, stands accused of organizing the theft of 10,000 cubic meters of timber from the state-owned KirovLes company and profiting from its sale.

It will begin on April 17. Navalny faces up to a decade in prison for allegedly organizing the theft of 10,000 cubic meters of timber.

Navalny was advising the firm at the time in his capacity as an unofficial aide to local Governor Nikita Belykh.

He has denied guilt and denounced as fabricated two further criminal cases that investigators have opened against him for allegedly embezzling 100 million rubles from a political party and organizing a 55 million ruble fraud with his brother.

Investigators, who finalized the KirovLes charges against Navalny in January, said the Kirov region government lost roughly 16.2 million rubles through the timber theft, which they say Navalny organized with the help of two accomplices.

One of the supposed accomplices, Vyacheslav Opalev, general director of KirovLes, pleaded guilty to embezzlement charges in December and was given a suspended prison sentence of four years by the Leninsky court.

The case against the other, Pyotr Ofitserov, former director of the Vyatskaya Timber Company, is set to be heard as part of judicial proceedings against Navalny. Ofitserov has been targeted because the two are friends, the opposition leader says.

In posts on his LiveJournal blog, Navalny, who rose to prominence by shining a light on corrupt officialdom, has repeatedly ridiculed the accusations against him, calling them mathematically implausible and "fabricated by the Investigative Committee on the orders of President Vladimir Putin."

Opposition activists from the For Honest Elections protest movement leaped to Navalny's defense on Wednesday, posting on Facebook a bus schedule for the Moscow-Kirov route and encouraging users to make the trip to support their idol.

For his part, Navalny last week launched a website where users can browse financial documents and accounts relating to the [KirovLes](#) case as well as read experts' assessment of the charges under the title, "Why Is Navalny Innocent?"

"There is no evidence that timber products were taken [from KirovLes] without payment.

They were paid for, as confirmed by bank documents. There is also no proof that Alexei Navalny received any funds from VLK [Ofitserov's former company] or from KirovLes," experts from the Agora rights group wrote about the case.

Navalny said on his blog that the charges against him have two clear aims: to discredit him by suggesting that he is a hypocrite to engage in anti-corruption campaigning and to damage his political ambitions.

He cited legal amendments Putin submitted to the State Duma that would forbid those convicted of serious crimes — including embezzlement — from holding elected office as proof that authorities wanted to bar him from influential political posts.

On Wednesday, Navalny's lawyers reacted with outrage to the Leninsky court's decision to bypass preliminary hearings, and some observers said it reflected authorities' intention of rushing to secure a guilty verdict.

"It's nonsense to start a court case without preliminary hearings," lawyer Olga Mikhailova told opposition-slanted magazine The New Times. "It's a violation of a defendant's rights. Especially as the Kirov Region Court is scheduled to hear on April 23 our appeal against the restricted time period we were allotted to study the case."

But Blinov, who will oversee the KirovLes court hearings in two weeks' time, told the Moskovsky Komsomolets daily that the court was unlikely to pass a ruling on the case for some time, since there are 31 volumes of evidence to get through.

Analysts contacted by The Moscow Times described the KirovLes case against Navalny as politically motivated and said it could backfire for authorities.

"Authorities want to prevent Navalny from gaining political influence, but by doing so they could turn him into a victim, which would play into his hands," said Alexei Makarkin, an analyst with the Center for Political Technologies.

Makarkin said by phone that it was "entirely possible" that Navalny would be convicted of embezzlement but that a guilty verdict would be taken skeptically by society.

"There's one real question that remains," he said. "Will Navalny receive a real jail term or just a suspended sentence as a means of discrediting him?"

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