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Navalny Tries to Boot Judge From KirovLes Trial

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Alexei Navalny

The trial against opposition leader Alexei Navalny and his business partner Pyotr Ofitserov on embezzlement charges entered its 12th day on Monday, with the defense demanding that the judge in the case recuse himself for allegedly creating unequal conditions for the defense and prosecution.

The judge, Sergei Blinov, of the Leninsky District Court in the provincial city of Kirov, dismissed the defense's motion, which cited his "loss of independence and impartiality" as grounds for its request.

The stakes of the case, in which Navalny and Ofitserov are accused of stealing 16 million rubles ($500,000) of timber from state-owned company KirovLes in 2009, have grown over the last week with the announcement of a mayoral election in Moscow, a race Navalny has said he wants to run in.

If Navalny is convicted on the embezzlement charges, which he links to his political activities and public investigations of corruption by senior officials, he will be barred from running for government office.

The criminal case against Navalny and Ofitserov, previously closed by investigators, was re-opened last May. They were charged in January, and the trial against them started in mid-April.

Prosecutors allege that Navalny and his co-defendant Pyotr Ofitserov embezzled 10,000 cubic meters of timber between May and September 2009 by making KirovLes executives sell timber to Ofitserov's private VLK timber company at below-market prices. Navalny worked at the time as an adviser to Kirov region governor Nikita Belykh.

Best known for his satirical, muckraking blog, Navalny has been philosophical about the possibility of being imprisoned on the charges. On Monday, when an e-mail from Ofitserov was read aloud to the court in which he had asked Navalny to introduce him to prison officials to sell them timber, Navalny tweeted, jokingly, "We will get acquainted soon."

Judge Blinov, after dismissing defense lawyers' motion to remove him Monday, read case materials describing the activities of Ofitserov's VLK; the work-related e-mail exchange between Navalny and Ofitserov; material evidence, such as computer discs and SIM cards; and timber sales contracts, legal news agency Rapsi reported.

Later, he read an expertise conducted by Kirov region police that determined that VLK bought 14.8 million rubles worth of timber from KirovLes and sold it to other customers for 16.2 million rubles, making a profit of 1.2 million rubles.

Close to the end of the hearing, some witness testimony was read out. One of the pieces of allegedly incriminating evidence in the case materials was the conviction on similar charges of former KirovLes director Vyacheslav Opalev, who was given a four-year suspended sentence in December and whom investigators believe to be an associate of Navalny and Ofitserov.

Defense lawyers on Monday protested against including Opalev's conviction as evidence, saying Navalny and Ofitserov did not participate in his trial.

It is unclear when the trial, which will resume Tuesday morning, may end.

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