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INDEPENDENT NEWS FROM RUSSIA

Alexei Navalny Is Now Russia's Outlaw Presidential Candidate

Federal law says he can't run for office, but Russia's opposition leader says the Constitution is on his side.

By Kevin Rothrock

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Evgeny Feldman / AP

A felony conviction against Alexei Navalny is now in force, effectively banning him from running for president for 15 years, though he says he isn't stopping his presidential campaign.

This February, following rulings by the European Court of Human Rights and the Russian Supreme Court to overturn an earlier case, Navalny was found guilty a second time of embezzling money from a lumber company in Kirov. The verdict entered force on Wednesday, after an appellate court refused to hear Navalny's challenge to the February verdict. Navalny's lawyer has vowed to take the matter to the ECHR again.

Unfortunately for Navalny, Russia has federal laws on voting rights and the election of the president that ban candidates with serious felony criminal convictions. The verdict that entered force on Wednesday falls under this criminal category. Even after an individual has served out their sentence, the person can't run for president for another 10 years.

So why is Navalny continuing his campaign? In part, he is pinning his hopes on another likely victory in the ECHR, though the problem here is that the court often takes several years to rule on a case. Russia's next presidential election is less than a year away, and candidates are required to submit all necessary paperwork at least 45 days before the vote.

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Navalny also says he plans to appeal to Russia's Constitutional Court, pointing out that Russia's Constitution only bans incarcerated and legally incompetent citizens from running for office. He argues that a suspended sentence should not bar his candidacy. In other words, Navalny will ask the Constitutional Court to overturn the federal laws now in place that make it illegal for him to run for president.

In October 2013, however, the Constitutional Court ruled that the government has the power to expand the ban on presidential candidacy, arguing that the Constitution's list isn't exhaustive.

Pressing ahead with his presidential run, Navalny could find himself in even more trouble with the authorities. Russia's Central Election Committee is already accusing him of "manipulating" and "misleading" voters, warning that "serious problems" will arise, if he doesn't end his campaign.

Since announcing his intention to run for president last December, Alexei Navalny's presence in the Russian media has grown five times, according to a study released this week by Medialogia. The only people whose names appear more often are President Vladimir Putin, U.S. President Donald Trump, Russian Prime Minister Dmitry Medvedev, Kremlin spokesman Dmitry Peskov, and Ukrainian President Petro Poroshenko.

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