The Moscow Times
30 YEARS
INDEPENDENT NEWS FROM RUSSIA

As It Happened: Navalny Sentenced to 2 Years and 8 Months in Penal Colony

February 02, 2021



Alexei Navalny. **Moscow Court Press Service / TASS**

A Moscow court sentenced Kremlin critic Alexei Navalny to two years and eight months in a penal colony, defying tens of thousands of his supporters who had rallied in his support since his return to Russia and Western governments who had urged for his immediate release.

Navalny, 44, was detained on Jan. 17 when he returned to Moscow from Berlin, where he had spent months recovering from a near-fatal poisoning attack in August he blames on President Vladimir Putin.

His arrest triggered mass protests across Russia, with supporters taking to the streets in more than 100 cities for unsanctioned rallies urging his release.

Related article: 3 Things to Know About Navalny's 2014 Fraud Case

The anti-corruption campaigner was charged with violating a 2014 suspended sentence for

embezzlement by skipping out on check-ins with Russia's prison service while in Germany. The European Court of Human Rights (ECHR) in 2017 ruled that Navalny's 2014 conviction was "arbitrary and unreasonable."

Here's a look at events as they unfold:

10:48 a.m.: More than 1,400 protestors were detained across Russia throughout the day, OVD-Info reported. At least 11,45 people were detained in Moscow alone — first at rallies outside the court where Navalny's hearing was taking place, but the majority later in the evening as spontaneous protests broke out through the city center. Another 248 were detained in St. Petersburg, which also saw violent clashes and a forceful police response.

12:40 a.m.: Police are conducting document checks and photographing passports of everybody entering the Kuznetsky Most metro station in central Moscow, near the site of clashes between riot police and protestors, Mediazona reports.

12:25 a.m.: At least 918 protesters have been detained in rallies against Navalny's imprisonment, according to OVD-Info, with 573 detained in Moscow and 150 in St. Petersburg.

12:05 a.m.: More videos shot on the ground in Moscow continue to show a forceful response from riot police to the unsanctioned and spontaneous protests that broke out across the city after Navalny's sentence was announced. One clip posted by Open Media shows a man being taken out of a taxi, kicked and pinned to the ground.

Embed:

> Пассажир такси крикнул оскорбление из окна машины. Полицейские избили и его, и таксиста pic.twitter.com/hkmjC4gCXh
>
> — Открытые медиа (@OpenMedia_io) February 2, 2021

11:55 p.m.: At least 679 people have been detained in 10 cities across Russia so far, the OVD-Info police monitoring NGO reported. Around half were detained throughout the day during Navalny's court hearing, with the rest late Tuesday evening as protests broke out calling for his release. In Moscow, 557 were detained and another 108 in St. Petersburg.

According to journalists on the ground, the police crackdown has grown increasingly forceful as the crowds have grown in the hours since the verdict was announced and authorities deployed large numbers of riot police.

11:50 p.m.: German Chancellor Angela Merkel joined international calls for the immediate release of Navalny, and urged Russia to end a police crackdown on opposition demonstrators.

"The verdict against Alexei Navalny is far removed from any rule of law. Navalny must be released immediately. The violence against peaceful demonstrators must stop," Merkel said

in a message posted on Twitter by her spokesman Steffen Seibert.

11:30 p.m.: Police continue to detain protesters who have taken to the streets in central Moscow, with various media outlets reporting police using tough measures to break up crowds. A video posted by the Baza telegram channel shows riot police hitting protestors with their truncheons.

Another video, shared by Navalny's team, purported to show a member of the riot police hit a journalist over the head with their baton, knocking them to the floor.

More than 525 protestors have been detained so far across Russia on Tuesday, according to OVD-Info. Some 488 of them in Moscow.

At least 29 people were detained in St. Petersburg on Tuesday evening, as protesters there were also met with a heavy police presence.

11:10 p.m.: An estimated 2,000 protestors are now marching through central Moscow to demand Navalny's release, according to journalists from the independent Meduza news site and other outlets.

Embed:

> Meduza's correspondent on the ground in Moscow estimates that about 2,000 people are marching in the crowd down Petrovskiy Pereulok. pic.twitter.com/1jLqgzCNOK
>
> — Kevin Rothrock (@KevinRothrock) February 2, 2021

10:40 p.m.: Small crowds have continued to gather at different locations in central Moscow demanding Navalny's freedom. Protesters shouted the "Russia without Putin!" and "Putin is a thief!" chants that are frequently heard at pro-Navalny rallies. Police are detaining protesters across the city, the Meduza news site reported.

Embed:

> Выходящие из Камергерского переулка на Большую Дмитровку сотни молодых людей скандируют: «Россия без Путина!»
>
> Видео: @OpenMedia_io pic.twitter.com/lLmuSTHVrt
>
> — Открытые медиа (@OpenMedia_io) February 2, 2021

10:30 p.m.: Russia described calls by Western countries to free Navalny as "disconnected from

reality."

"There is no need to interfere in the internal affairs of a sovereign state," Foreign Ministry spokeswoman Maria Zakharova was cited by Russian news agencies as saying, adding that "appeals by Western colleagues" were "disconnected from reality."

The European Union's foreign policy chief Josep Borrell became the latest leader to call for Navalny's immediate release, joining the U.S., Britain, Germany, France and others in condemning the decision.

"The sentencing of Alexei Navalny runs counter Russia's international commitments on rule of law and fundamental freedoms," Borrell wrote on Twitter, adding "I call for his immediate release."

10:20 p.m.: Addressing the question of what happens next for Navalny's supporters and his organization, key ally Leonid Volkov, who is based outside Russia, has pledged to "increase pressure on Putin — from inside and outside the country — to secure the release of Navalny and all political prisoners. We will release new investigations and hold more peaceful protests."

"We will make sure that no world leader talks to Putin about anything other than the release of Navalny," he said in a post on Telegram.

10:15 p.m.: French President Emmanuel Macron has said the sentence handed down to Navalny is "unacceptable." In a statement on Twitter he added: "Political disagreement is never a crime. We call for his immediate release. Respect for human rights and democratic freedom are non-negotiable."

10:00 p.m.: Pockets of Navalny supporters have started gathering in central Moscow, following a call from his team to protest the court decision.

Embed:

> Тверская сейчас
>
> Видео: Дождь pic.twitter.com/LriAlohRB5
>
> — Дождь (@tvrain) February 2, 2021

9:45 p.m.: Riot police have cleared journalists from a square in front of the Kremlin where Navalny's team had called for protests to gather, the Open Media telegram channel reported.

9:30 p.m.: Navalny's lawyers say they will appeal the decision to the Committee of Ministers of the Council of Europe, which oversees the enforcement of ECHR decisions. The rights court previously said that the first ruling, upon which Tuesday's decision to imprison Navalny was based, was "arbitrary and unreasonable," and ordered Russia to pay compensation to Navalny

and his brother, Oleg, who served a 3.5 year jail sentence in the same case.

9:22 p.m.: Navalny has been taken away from the courtroom. His wife Yulia, who was in tears when the verdict was being read out, did not speak to reporters.

9:20 p.m.: Police have ordered three metro stations in central Moscow near to the Kremlin to be closed, the city's transport authorities said, after Navalny's team called for supporters to gather there and protest the verdict.

9:00 p.m.: A large number of riot police have been deployed to Manezhnaya Square, opposite the Kremlin, where Navalny's team called for supporters to protest the verdict. Police have started detaining some protesters that have already arrived, the Avtozak telegram channel reported.

Embed:

> На Манежной площади наблюдается усиление. «16 рядов росгвардейцов стоят в шеренгу. У Красной площади, где закрыты ворота, тоже стоят. Сейчас они пошли», — передает корреспондент «Медиазоны»
>
> Видео: Никита Сологуб / Медиазона pic.twitter.com/vl49irVHaD
>
> — Медиазона (@mediazzzona) February 2, 2021

8:55 p.m.: Western governments are already reacting to the decision and calling for Navalny's immediate release. U.S. Secretary of State Antony Blinken said: "The United States is deeply concerned by Russia's actions toward Alexei Navalny. We reiterate our call for his immediate and unconditional release as well as the release of all those wrongfully detained for exercising their rights."

In a post on Twitter, British Foreign Minister Dominic Raab said: "Today's perverse court decision shows Russia is failing to meet the most basic commitments expected of any responsible member of the international community."

Germany Foreign Minister Heiko Mass said the verdict "is a bitter blow against fundamental freedoms & the rule of law in Russia." He noted an ECHR ruling which found the original decision baseless and added: "Navalny must be released immediately."

The Council of Europe has said the ruling "defies all credibility and contravenes Russia's international human rights obligations."

"With this decision, the Russian authorities not only further exacerbate human rights violations ... they also send a signal undermining the protection of the rights of all Russian citizens," said the body's Commissioner for Human Rights, Dunja Mijatović in a statement.

8:35 p.m.: Navalny's team calls for immediate protests in the center of Moscow over the

Kremlin critic's jailing. "We are going to Manezhnaya Square right now!," they said in a Telegram post Manezhnaya Square is located in the center of Moscow, directly in front of the Kremlin.

Large numbers of police have been deployed both to the Square and to the court, as well as other locations around central Moscow, according to various media reports.

8:31 p.m.: "Don't be sad, everything will be fine," Navalny said to his wife Yulia after the verdict was read out, Novaya Gazeta reported.

8:22 p.m.: The verdict is in. Navalny's suspended sentence of 3.5 years will be transferred into a prison sentence, the court rules. The 10 months Navalny already served under house arrest as part of the first trial will count against that time, meaning he will be imprisoned for a further two years and eight months.

The judge ruled that Navalny was in violation of the terms of his parole — which required him to appear in person with a probationary officer twice a month — after he was discharged from Berlin's Charite hospital September, where he was being treated for Novichok poisoning.

If he serves the full sentence, Navalny will be behind bars until September 2023.

8:14 p.m.: The judge has now returned to the courtroom and has started to deliver the verdict.

8:05 p.m.: Alexei Navalny has been brought back into the courtroom.

7:50 p.m.: Navalny's lawyers, his wife, Yulia, and journalists have returned to the courtroom. A verdict is expected shortly.

7:30 p.m.: The OVD-Info police monitoring watchdog has increased its count of the number of people who have been detained at protests today to 354. Four of those were in the city of Izhevsk and the rest in Moscow, where Navalny's court hearing is taking place. The detained Kremlin critic had asked supporters in Moscow to come out in his support once more after two weekends of nationwide protests as he faces a 3.5 year jail sentence.

6:50 p.m.: Police have closed Moscow's Red Square, the Ekho Moskvy radio station reported, saying there was a large presence of security forces around the entrance to the square, which sits next to the Kremlin in the center of the city. Several eyewitnesses are also reporting a heavy police presence throughout central Moscow, including around the headquarters of the FSB security services.

5:43 p.m.: The verdict will be announced at around 8 p.m., the court's press service tells the Mediazona news website.

OVD-Info reports that 311 people have been detained so far today, four of whom were in the city of Izhevsk and the rest at the Moscow City Court.

5:29 p.m.: The judge has left the courtroom for deliberation.

5:23 p.m.: The prosecutor asks the judge to replace Navalny's suspended sentence with a real sentence: "The court showed unprecedented lenience towards Alexei Navalny despite the

gravity of his crime by giving him suspended sentences. However, Navalny, despite the humanism the court expressed toward him, continued to violate the terms of his probation."

She adds that they are willing to count the 12 months that Navalny previously spent under house arrest toward the requested sentence of 3.5 years, meaning he would face a maximum prison sentence of 2.5 years.

5:15 p.m.: The prosecutor continues to cross-examine Navalny over whether he violated the terms of his parole.

5:01 p.m.: The prosecutor asks Navalny if he was officially warned about replacing his suspended sentence with a real prison term each time he missed a probation check-in. "I confirm that this fabricated case was regularly used to stop my political activities," he replies. The prosecutor says she didn't hear an answer to the question.

4:57 p.m.: The prosecutor begins questioning Navalny, asking him whether he "intentionally" missed six parole check-ins before his hospitalization in Siberia in August 2020. He says he went to all required check-ins twice per month since 2014 according to the judge's instructions.

4:45 p.m.: Kobzev continues: "The poisoning of Alexei Navalny in August 2020 was called political Chernobyl by many. Therefore, I would like to end my speech with a quote from the HBO series ["Chernobyl"]. [Valery] Legasov says: 'Dyatlov broke all the rules and brought the reactor to self-destruction. Nobody in that control room knew that the shutdown button would act as a detonator.' Dear judge, don't be like Dyatlov, don't push the button."

4:32 p.m.: Navalny finishes and his lawyer Kobzev begins speaking. Kobzev repeats his earlier arguments that Navalny didn't hide from surveillance and that he was put on the wanted list illegally, adding that his whereabouts were always known to the FSIN.

4:28 p.m.: "It's easy to lock me up. The main thing in this process is to intimidate a huge number of people, this is how it works. They are putting one person behind bars to scare millions," Navalny says. "I really hope that this process will be perceived as... a sign of weakness. ... You can't put millions and hundreds of thousands in jail — and I hope people will begin to realize that. Once they do — and this moment will come — you won't be able to jail everyone."

4:24 p.m.: Navalny continues speaking: "We have 20 million people below the poverty line; tens of millions live without the slightest prospects for the future. Life in Moscow is more or less fine, but if you drive 100 kilometers away it's full of poverty. The whole country lives in this poverty, and [the government is] trying to shut them up with such show trials."

4:15 p.m.: Navalny gives his closing statement. "Let's talk about the elephant in the room: It's about putting me in jail because of a trial that was ruled to be unlawful. ... We know why this is happening. The reason: The hatred and fear of one man in a bunker. Because I offended him by surviving after they tried to kill me on his orders," he says, using a term he frequently uses to refer to Putin.

"No matter how much [Putin] tries to pose as a geopolitician, his main resentment toward me

is that he will go down in history as a poisoner. There was Alexander the Liberator and Yaroslav the Wise. Now we'll have Vladimir the Poisoner of Underpants. The police are guarding me and half of Moscow is cordoned off because we have shown that he is demanding to steal underwear from opponents and smear them with chemical weapons."

4:04 p.m.: The hearing has resumed following a two-hour break.

3:15 p.m.: Dozhd correspondent Vasily Polonsky posts video of himself being detained outside the court. He is later released.

2:00 p.m.: Ekho Moskvy correspondent Irina Vorobyova shares a photo of police officers with black tape covering their badges outside the Moscow City Court.

2:00 p.m.: After reading out documents for about a half hour, the judge announces a two-hour break for lunch. "Can you send someone to McDonald's?" Navalny asks.

1:57 p.m.: The court confirms to Interfax that diplomats from the Czech Republic, Austria, Lithuania, Norway, Sweden, the Netherlands, the United States, Canada, Germany, Switzerland, Britain, Latvia and Poland are present at the hearing as well as EU representatives.

1:27 p.m.: At least 237 people have been detained outside the Moscow City Court so far, the OVD-Info police monitor reports.

1:00 p.m.: Navalny questions the FSIN official: "Comrade captain, do you respect the Russian President Vladimir Vladimirovich Putin?" ... "You said you don't know where I've been since August. Putin said on television that thanks to him I'd been sent to Germany for treatment."

"I was in a coma, then I was in the ICU," he continues. "I sent you medical documents; you had my address and contacts. What else could I have done to tell you where I am? I have a lawyer and my lawyer has a telephone... how could I have informed you better?"

The FSIN representative responds that Navalny "needed to provide documents and explain the serious reasons for not showing up to inspections."

"I was in a coma!" Navalny says.

12:49 p.m.: Russian Foreign Ministry spokeswoman Maria Zakharova writes that the presence of foreign diplomats at Navalny's hearing "isn't just meddling in the internal affairs of a sovereign state, but the self-incrimination of the west's unsightly and illegal attempts to contain Russia." She accuses the diplomats of being "an attempt at psychological pressure on the judge."

12:45 p.m.: The Kremlin says Putin is not following today's hearing, adding that it hopes Navalny's fate would not affect Russia's ties with Europe.

"We hope that such nonsense as linking the prospects of Russia-EU relations with the resident of a detention center will not happen," Kremlin spokesman Dmitry Peskov told journalists, days ahead of a visit to Moscow by the European Union's foreign affairs chief Josep Borrell.

12:39 p.m.: Navalny's lawyer Kobzev asks why the FSIN didn't contact his family or lawyers when he missed his check-ins with his probation officer and only added him to Russia's wanted list months after he was evacuated to Germany. Kobzev says he submitted medical files from Berlin the FSIN in person in November, contradicting prosecutors' claims that they hadn't heard from Navalny or his representatives. "The whole country, the whole world knew where he was," he says.

12:34 p.m.: At least 127 people have been detained outside the Moscow City Court so far, the OVD-Info police monitor reports.

12:20 p.m.: A Federal Penitentiary Service (FSIN) representative formally asks the judge to replace Navalny's suspended sentence with a real prison term of 3 years and 6 months.

"Since the end of September 2020, Navalny has been in outpatient treatment. Judging by media reports, he moved freely and gave interviews. He did not contact FSIN inspectors, although their phone number was posted on their website. He was put on the wanted list, as the service decided that he was systematically evading a suspended sentence," the representative says.

When the judge asks the prosecution why the FSIN didn't take action against Navalny earlier, they respond that there was hope he "would get on the road to reform."

12:01 p.m.: After the hearing resumes, the prosecution dismisses the Charité document, saying it does not state where Navalny was after he was discharged for outpatient treatment on Sept. 23 and before his outpatient treatment ended on Jan. 15.

11:54 a.m.: Vyacheslav Detishin, the head of the Simonovsky district court that is presiding over Navalny's trial, submitted his resignation on Jan. 28, the Znak.com news website reports.

11:42 a.m.: Detentions continue outside the court as the judge calls a 10-minute break.

11:36 a.m.: Navalny's lawyer Vadim Kobzev asks the court to admit a medical document as proof that he was in outpatient treatment at Berlin's Charité hospital until Jan. 15 and that he was unable to check in with his probation officer before then, Mediazona reports. Kobzev also submits a document from Charité stating that Navalny underwent inpatient treatment for severe poisoning from Aug. 22 to Sept. 23 as well as the European Court of Human Rights' statement that the verdict against Navalny in the Yves Rocher case was unfair.

He adds that if Navalny hadn't been detained at the airport upon his Jan. 17 arrival in Moscow, he would have checked in with his probation officer the next morning.

11:32 a.m.: Prosecutors oppose a request from Navalny's lawyers to allow journalists to film the hearing, saying it will "interfere" with proceedings.

11:27 a.m.: When asked by the judge to state his place of residence, Navalny jokes that he lives at the Matrosskaya Tishina detention center, according to the Mediazona news website.

11:25 a.m.: Two correspondents from the Mash Telegram channel have been detained, Dozhd reports.

11:21 a.m.: The hearing has started, according to the independent Dozhd broadcaster. Journalists are barred from taking photos or recording video.

11:14 a.m.: Yevgeny Safronov, a journalist from the Open Media news website, has reportedly been detained outside the metro station nearest the courthouse.

11:07 a.m.: Navalny has arrived in the courtroom, video footage from state-run media shows. He speaks with his wife Yulia and his lawyers through a microphone in his glass holding cell.

Embed:

> Фото @navalny в зале суда от пресс-службы pic.twitter.com/MeUxtoUu4x
>
> — Оранжевая ромалюция (@lifewithnosense) February 2, 2021

10:48 a.m.: The judge who will consider the Federal Penitentiary Service's request to jail Navalny has been switched at the last minute, according to the Moscow City Court website.

10:42 a.m.: At least 18 diplomatic vehicles are at the courthouse, the Kremlyovskaya Prachka Telegram channel reports.

10:22 a.m.: The Proekt investigative website reports that at least 20 people have already been detained outsite the closest metro station to the court. Detentions have also started outside the courthouse, the iStories investigative website reports.

10:00 a.m.: An MT correspondent reports massive police presence outside the Moscow City Court where the hearing will take place. Police have locked down the surrounding neighborhood and have set up multiple document checks for those looking to get closer to the courthouse.

9:34 a.m.: Navalny's wife Yulia has arrived at the Moscow City Court.

AFP contributed reporting.

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