

Political Prisoners and Political Repression in Russia in 2023

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Introduction

01.

1.1. The context of political repression in 2023

In 2022, Russia launched a full-scale military invasion of Ukraine, in continuation of its occupation of Crimea and the 'hybrid' war it had been waging in Donetsk and Luhansk Oblasts since 2014. This military operation has determined the core feature of today's political repression: prosecuting opponents of the war and military service personnel who refuse to take part in hostilities, as well as people who support Ukraine on moral grounds and are prepared to join the Ukrainian army or to help it in other ways. The authorities have passed a series of laws to support the roll-out of such prosecutions.

Not only did the war continue throughout 2023, but it took on a protracted character. Despite continuous and heavy fighting, neither side managed to advance farther than 10 km from the previous front line. All the more serious for the Russian regime did the task of maintaining the appearance of a pro-war consensus in society become. The repressive practices that had emerged in 2022 were expanded and entered the mainstream, while repressive laws were supplemented with new regulatory requirements.

In the occupied territories, the problem of local residents' loyalty to the occupying authorities was becoming more acute. In Crimea, which had been annexed in 2014, people showing any form of pro-Ukrainian sentiment have come under systematic, overwhelming pressure. The situation is worse still in the territories that were 'annexed' to Russia in 2022. On the one hand, the security forces had the formal option to use Russian legislation to prosecute those who were disloyal, but at the same time these territories have remained beyond the oversight of civilian authorities.

Yet, a major challenge for Vladimir Putin in 2023 came not from opponents of the war, the most prominent of whom had in large part already been put behind bars, forced to leave the country, or silenced, but from its active participants and ideologues. One example of this is Yevgeny Prigozhin, founder of the Wagner private military company [PMC], who on 23-24 June effectively staged a mutiny, alleging a conflict between his semi-official mercenary organisation and the Ministry of Defence. A column of 'Wagnerites' (as the PMC fighters became known) equipped with heavily armoured vehicles took control of Rostov-on-Don, meeting no resistance, shot down military aircraft belonging to the Ministry of Defence, and stopped 200 km short of Moscow, having decided after negotiations not to continue the rebellion. The Russian authorities did not launch criminal proceedings. However, on 23 August, Prigozhin died in a plane crash in Tver Oblast in Russia. Citing US intelligence sources, The Wall Street Journal, reported that the plane crash had been organised, in agreement with Putin, by the then Russian Security Council Secretary and FSB director Nikolai Patrushev.

Another war criminal, Igor Strelkov (Girkin), who led the so-called Donetsk People's Republic [DPR] militia in 2014 and was sentenced in the Netherlands to life imprisonment in the case of the downed Boeing 777 Malaysia Airlines passenger flight MH17, fell out of favour for good when he started criticising not only Russia's military command, but Putin himself, for mismanaging the war. In July, he was remanded in custody on a charge of calling for people to engage in extremism.

Overall in 2023, tension increased among people who had not previously opposed the war (and in some cases were basically in favour) but had come to worry about the heavy losses, poor supplies and lack of rotation in the Russian army, retaliatory attacks from Ukraine, and economic problems in the country. This is especially true for Russian military service personnel and their families. The regime seems to be looking for a strategy to effectively suppress protest of this kind.

In an attempt to give purpose to the war, the authorities are casting Russia as a bastion of conservative traditional values doing battle with 'Western perversions.' It was in this context in 2023 that gender transition and the 'international public LGBT movement' were banned in Russia, and restrictions were placed on the right to abortion. The regime's fight for morality reached its pinnacle with a campaign against popular entertainers who had attended a social event at a night-club at which some people were partially nude.

Even more in keeping with the propaganda-driven understanding of traditional values than control over sexuality and gender identity is the hyper-glorification of the USSR's victory in World War II. We are seeing a continuing trend in which people whose actions might in some way or other be interpreted as 'desecration' of the Eternal Flame or other memorials are actively sought out and subjected to demonstrative punishments, irrespective of their motives and intentions. Anyone who criticises the actions of the USSR during World War II or the official Soviet historiography of this period, or who speaks out against propaganda equating the 'Special Operation' in Ukraine with the war against the Nazis, is also targeted by this campaign. The criminal charge of rehabilitation of Nazism is widely used against these persons.

Finally, domestic policy in 2023 was also determined by the forthcoming (and fifth) 'Putin elections', held in March 2024. Although this event bears little relation to a true democratic process, authoritarian traditions require that the ritual be observed to avert public scandal and social tension. On the one hand, it means taking care to avoid any severe upheaval or making life worse than it was previously (this would appear to explain why there were no fresh waves of military mobilisation in Russia throughout 2023). On the other hand, the authorities, even though they have total control over the nomination process and vote counts, still need to rule out the possibility of protests or opposition campaigning.

In the summer, the state dealt a serious blow against independent election observers when it arrested the co-chair of the Golos movement, Grigory Melkonyants. Repression against supporters of the opposition politician Aleksei Navalny, who had been in a penal colony since 2021, was stepped up. In order to prevent Navalny from broadcasting appeals to the outside world, three of his lawyers were remanded in custody. Then Navalny himself was transferred to a remote penal colony inside the Arctic Circle, where he died on 16 February 2024. The reasons for his death remain unknown, but it was undoubtedly murder, whether drawn out over time and beginning with his poisoning in August 2020 or carried out directly in the very facility where he was being held.

1.2. Composition and changes to Memorial’s lists of political prisoners

The project ‘Political Prisoners. Memorial’ operates two lists of political prisoners: a [general list](#) and a list of those who have been imprisoned [for their religion](#). The total number of people on both lists increased in 2023 from 531 to 636.

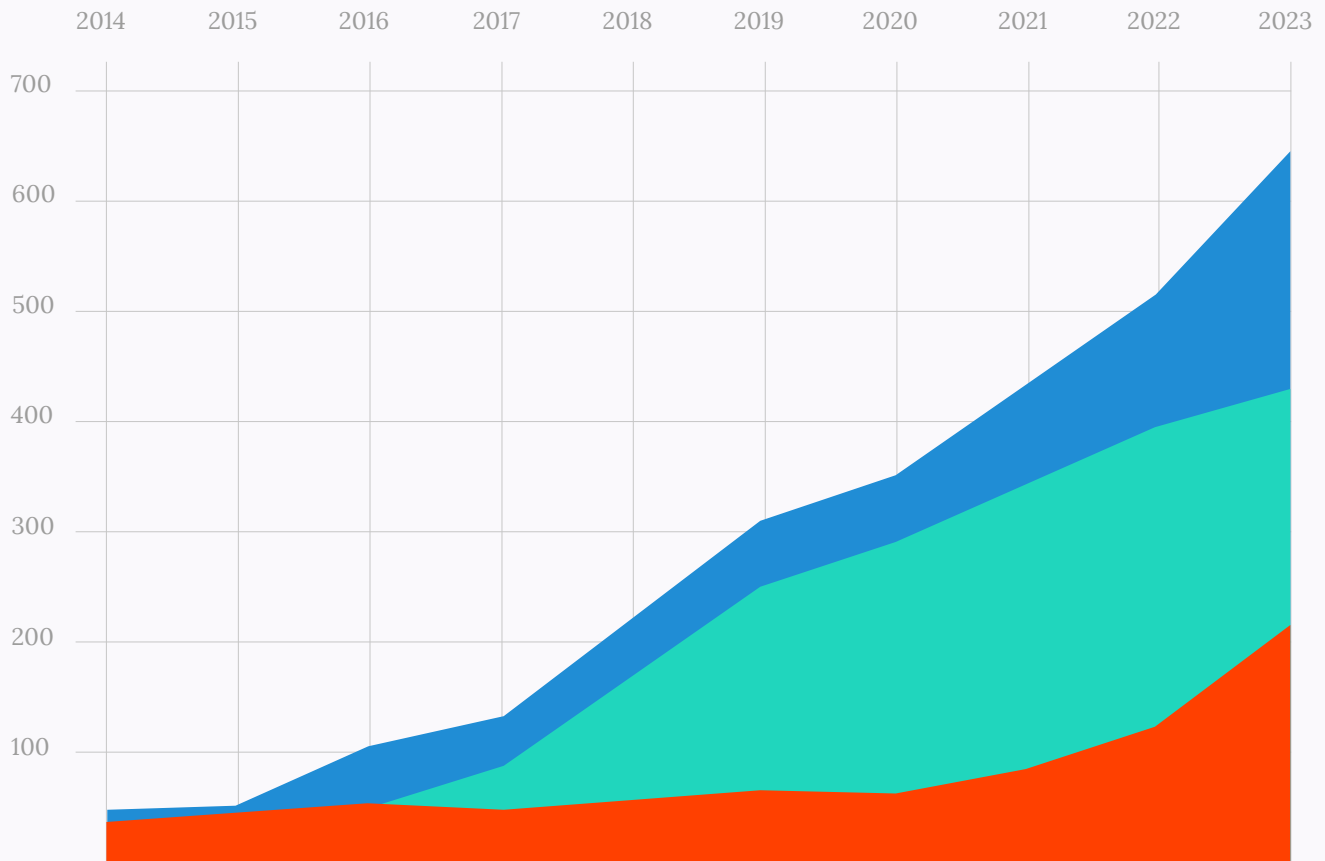
	As of 31/12/2022	As of 31/12/2023	Added to the list in 2023
General list	122	213	134
Religious list	391	423	75

Table 1. Changes in lists of political prisoners in 2023

The general list of political prisoners has grown significantly for the third year in a row, with the rate of growth increasing year on year. The list grew by 36% in 2021, a year marked by intense repression against followers of Aleksei Navalny and those attending rallies in support of him. In 2022, the first year of Russia’s full-scale war against Ukraine, it went up by 47%, and, lastly, in 2023, by 73%.

In 2023 the ‘Political Prisoners. Memorial’ human rights project added 134 people to its general list of political prisoners, but only 80 of them were imprisoned in that year. Over 40% of people recognised as political prisoners in 2023 (excluding victims of religious persecution) had been imprisoned earlier but, due to a lack of information and resources, the project has only been able to study their cases in the past year. The above figure is essential to understanding just how incomplete our current lists are. The number of political prisoners at the end of 2022 could have been higher by at least 54 people if there had been more timely and accessible information. With growing repression and a simultaneous decrease in public awareness due to the pressure on the media, human rights organisations, and lawyers, the gap between the list and reality may widen further.

Of the 134 people added to the general list in 2023, 107 (79.6%) were prosecuted in connection with the Russia-Ukraine war in one way or another. 63 of them were imprisoned in 2023, 39 in 2022, and five before the full-scale invasion. Among the new criminal cases classed as ‘not related to the war,’ one group stands out: people prosecuted for associating with Aleksei Navalny or his organisations, which comprises at least nine new political prisoners.



	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
● General list	36	40	52	46	53	63	61	83	122	213
● Religious list	10	10	50	84	167	245	287	343	391	423
● All	46	50	102	130	220	308	346	426	513	636

Diagram 1. Changes in lists of political prisoners, 'Political Prisoners. Memorial' project.

Meanwhile, the 'religious' list grew by 8% in 2023 to include 58 Jehovah's Witnesses, 16 people accused of involvement in Hizb ut-Tahrir, and a woman wrongly accused of financing Islamist terrorism.

More than 80 individuals in total were removed from both lists. These were generally people who had served a term of imprisonment or done compulsory work, been released on parole, received a non-custodial sentence and been released from custody or house arrest, been held on remand or under house arrest and had these commuted to more lenient pre-trial conditions, or been able to leave Russia. In one case, political prisoner [Andrei Russkikh](#) was extradited to Be-

larus, where he will be tried, and he was therefore taken off the Russian list. [Azizbek Inamov](#), who served a sentence for involvement in Hizb ut-Tahrir, was deported to Uzbekistan, while Jehovah's Witness [Rustam Seidkuliev](#), who has since been released, was deported to Turkmenistan. Also dropping off the religious list of political prisoners was [Dzhemil Gafarov](#), a Crimean Tatar convicted of involvement in Hizb ut-Tahrir. He died in a remand prison, having been denied the medical care he needed for his serious illnesses.

As of 31 December 2023, 60 people accused of disseminating information known to be false about the Russian army (**Art. 207.3 CC RF**) were added to the general list of political prisoners. This is the most common charge on the list, in part because the 'Political Prisoners. Memorial' human rights project automatically counts people imprisoned under this article as political prisoners. We also recognise as political prisoners by default those imprisoned on charges of 'discrediting the use of the Russian army' (**Art. 280.3 CC RF**). However, that charge is less frequently used to remand people in custody and impose an actual term of imprisonment – the list featured 15 individuals prosecuted on that charge in late 2023.

The charges of calling for people to engage in terrorism or justification of terrorism (**Art. 205.2 CC RF**) are particularly 'popular.' There were 31 people convicted under this article on the general list of political prisoners at the end of 2023. With the outbreak of full-scale war, these charges became widely used against people expressing a positive attitude towards the military operations of the Ukrainian army, talking about armed resistance, or expressing approval of the idea of killing those who orchestrated the war, notably Vladimir Putin. Use of the charge of calling for action against state security is gaining momentum (**Art. 280.4 CC RF**) – the list featured eight individuals who had called on people to evade mobilisation or participation in the fighting.

Other articles of the Russian Criminal Code to feature prominently in the general list of political prisoners include the following:

- membership of an extremist group (**Art. 282.1 CC RF**), 22 people;
- use of violence against a government official (**Art. 318 CC RF**), 16 people;
- calling for extremist activities (**Art. 280 CC RF**), 15 people;
- commission of an act of terrorism (**Art. 205 CC RF**), 13 people;
- incitement of hatred or enmity (**Art. 282 CC RF**), 12 people;
- rehabilitation of Nazism (**Art. 354.1 CC RF**), 11 people; and
- participation in an illegal armed group (**Art. 208 CC RF**), 10 people.

Note that some people are facing multiple charges.

The list of political prisoners includes people who have been imprisoned, mostly on remand or in penal colonies. We also count the following as forms of imprisonment: house arrest (two individuals from the general list are under house arrest pending trial, and 21 from the religious list), compulsory treatment in a psychiatric institution (at least eight individuals from the general list and one from the religious list, not counting those admitted to hospital even before a court ruling), and compulsory work while being held in a correctional centre (three individuals from the general list, and two from the religious list).

We also include on the list of political prisoners those who remain unaccounted for after being detained/abducted by security forces or their associates. For instance, Memorial recognised as a political prisoner the former Chechen police officer [Yasin Khalidov](#), who reported official misconduct committed by himself and his colleagues. He was detained on 20 May 2023 while trying to leave Russia and was taken to Chechnya. No record of him has since been found.

The list of political prisoners includes 423 victims of religious persecution. As in previous years, this type of political prisoner falls into two groups: people accused of involvement in Hizb ut-Tahrir (237) and Jehovah's Witnesses (151).

Even though the general list grew at a much faster rate during the war years than the religious list, people imprisoned on charges of involvement in Hizb ut-Tahrir and the Jehovah's Witnesses still make up the largest groups of political prisoners.

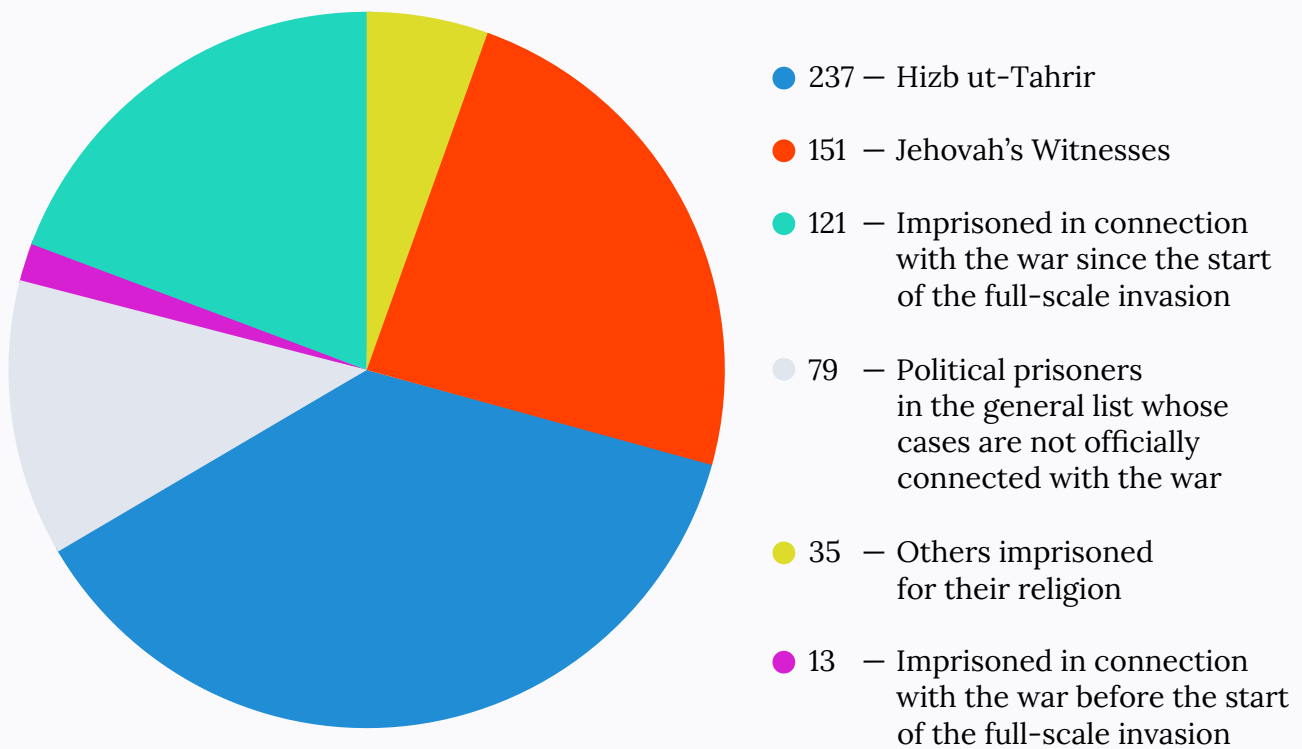


Diagram 2. Composition of lists of political prisoners

Political repression and the war against Ukraine

02.

The full-scale war launched by the Russian Federation against Ukraine on 24 February 2022 continued throughout 2023. The war significantly affected the entire landscape of political repression within Russia and the annexed territory of Crimea (as well as in the territories of several regions of Ukraine occupied during the war). It would be no exaggeration to say that by far the greater part of political repression by the Russian authorities in 2023 was a result of the war, being either directly or indirectly related to the war, and a response to various public expressions of opposition to the war.

The background to the current phase of the confrontation between Russia and Ukraine and related political persecution is described in detail in Memorial's [report](#), *Political Prisoners and Political Repression in Russia in 2022*.

The main contours and themes of the new so-called war crimes became quite clear in the course of 2022. The year that followed, 2023, has been mainly a continuation and development along the lines set out in 2022. There was some toughening of legislation, but in general we can say that in 2023 the authorities acted according to the familiar scenarios developed in 2022. People were prosecuted for anti-war statements, including with the help of new offences, primarily those introduced into the Russian Criminal Code in March 2022; various media that showed a different picture from the official one were blocked; and severe measures were applied against people considered by the authorities to be disloyal, with restrictions on their professional activities, dismissals, and fines.

For this reason, we shall not describe the main trends in political repression of the past year in a separate section. Instead, each section will be devoted to specific types of repressive measures used against anti-war statements, with a brief description of what happened in the same sphere in 2022.

2.1. Prosecutions for anti-war statements

From the first days of the full-scale invasion of Ukraine by the Russian army, Russia has, in effect, established military censorship. This is even though the war was not called a war (on the contrary, one of the forms of censorship was the prohibition on the media using the word 'war' in relation to the 'Special Military Operation') and martial law was not imposed.

On 4 March 2022, eight days after the start of the war, the Russian State Duma immediately passed in three readings a bill introducing two new offences into the Code of Administrative Offences and three new offences into the Criminal Code. The new offences penalised statements related to the war and the imposition of sanctions against Russia. The two new articles of the Code of Administrative Offences were closely linked to two of the three new articles of the Criminal Code. In this way, the lawmakers continued the malign tradition of administrative prejudication, which had also been previously used in politically motivated prosecutions. Under **Art. 20.3.3 CAO RF** one can be penalised for 'discrediting the use of the armed forces',

and under **Art. 280.3 CC RF** for repeated ‘discrediting.’ In other words, the criminal offence is applicable when, at the time of committing an act of ‘discrediting,’ a person has already had at least one conviction under the corresponding administrative article come into force within a year. In the same way, by virtue of **Article 20.3.4 CAO RF**, a person can be penalised under administrative law for appealing for sanctions against Russia, and by virtue of **Art. 284.2 CC RF** (according to our data, not yet applied) under criminal law for repeated appeals of this nature.

The third offence was introduced into **Art. 207.3 CC RF**: ‘Dissemination of information known to be false about the use of the armed forces.’ This article, popularly known as ‘fake news about the army’ or even more simply ‘fake news,’ is still the most frequently used law to prosecute anti-war statements.

The ‘Political Prisoners. Memorial’ human rights project considers that the imposition of penalties, for both discrediting the use of the army and spreading fake news about the army, contradicts the Russian Constitution and fundamental principles of law. Such actions violate the constitutional right to freedom of thought, speech and dissemination of information (**Article 29 of the Russian Constitution**) and similar rights enshrined in international instruments (**Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 19 of the International Covenant on Civil and Political Rights**). The Russian state attempts to justify the restrictions on freedom of speech through a perverted logic, according to which unleashing and waging a war of aggression on the territory of another country is supposedly necessary to ensure Russia’s defence or national security, and anything that hinders the waging of this war threatens Russia’s security.

In theory, the imposition of martial law could allow the state to legally exercise military censorship. On 19 October Putin imposed such a regime in the occupied regions of Ukraine, which he considers part of Russia. However, martial law has not yet been imposed in the regions that are legally part of Russia, and even if it were, it would not automatically restrict freedom of expression. It would be necessary to pass a special law to that effect.

2.1.1. Article 207.3 on ‘fake news’ about the armed forces of the Russian Federation

Art. 207.3 CC RF has three parts. According to our information, **Part 3**, the most severe, which provides a penalty of 10 to 15 years’ imprisonment for spreading fake news that has serious consequences, has never been used. An offence under **Part 1** in its original wording was punishable by up to three years’ imprisonment, but in March 2023 the maximum term was raised to five years.

Under **Part 2**, which is used most often and has five paragraphs, the maximum penalty is 10 years’ imprisonment. **Paragraph ‘a’** penalises the dissemination of ‘fake news’ by using one’s official position; **Paragraph ‘b’** concerns dissemination of ‘fake news’ ‘by a group of persons, a group of persons by prior conspiracy or by an organised group.’ **Paragraph ‘c’** is related to dissemination of ‘fake news’ ‘involving fabrication of evidence’ (**Paragraph ‘c’** is applied when a person publishes photographs or videos of civilians killed in Ukraine or of the destruction

of cities which the Ministry of Defence considers unreliable). **Paragraph ‘d’** penalises dissemination of ‘fake news’ ‘motivated by self-interest’; and **Paragraph ‘e’**, which is most frequently used, penalises such dissemination ‘motivated by political or other hatred.’

Already in April 2022, ‘fake news’ about the use of the Russian armed forces to protect the interests of the Russian Federation and its citizens and to maintain international peace and security were equated with ‘fake news’ about the activities of Russian state bodies abroad; from March 2023, a prohibition was imposed on dissemination of ‘fake news’ about volunteer groups and assistance to the armed forces, and from December 2023 about combatants in the National Guard.

It is not clear from the text of the law precisely what information and on what grounds can be considered ‘known to be false.’ However, the practice of applying the law has shown that it can refer to statements that mention either crimes of the Russian army against Ukrainian civilians (above all, the massacre in Bucha [mentioned in at least 38 cases], a town near Kyiv occupied soon after the beginning of the invasion, where, following the withdrawal of troops at the end of March 2022, bodies of murdered civilians and mass graves were found), or military actions that resulted in the death of civilians (most often the attack on the drama theatre in Mariupol on 16 March 2022, which, according to various reports, may have killed several hundred people [mentioned in at least 29 cases]). At the same time, official reports of the Ministry of Defence of the Russian Federation either denied these events or did not mention them at all. As a result, the criminal prosecutions were based on the notion that the information disseminated was ‘known to be false.’ It was assumed that the content of the official communiqués of the Ministry of Defence, firstly, should be known to everyone, and secondly, was not subject to doubt. In addition, several prosecutions concerned statements about the deaths of Russian service personnel. As is well known, official federal bodies publish practically no data about numbers killed.

In total, from the beginning of the war until the end of 2023, at least 272 people were prosecuted for the offence of disseminating ‘fake news,’ and at least 247 criminal cases were opened (at least four cases without suspects or defendants; some cases against more than one person were later separated into individual prosecutions by the investigative authorities due to different circumstances)¹. Of these, at least 80 persons were prosecuted under the less serious **Art.207.3, Part 1, CC RF**, and more than 180 persons under **Art.207.3, Part 2, CC RF**. As can be seen, the more serious offence, under **Part 2**, was used in almost two-thirds of cases (in another seven cases it is not known which part of the article was used in the prosecution). In two cases, the court reclassified the charge from **Art.207.3, Part 2, CC RF to Part 1**; in 12 cases, on the contrary, the investigative authorities toughened the charge from **Art.207.3, Part 1, CC RF to Part 2**. Finally, in at least one case, the investigative authorities toughened the charge from **Art.207.3, Part 1, CC RF to Part 2**, but then the court in passing sentence reclassified the charge from Part 2 to Part 1. In addition, apparently in two cases the investigative authorities reduced the charge by replacing **Art.207.3, Part 2, CC RF with Part 1**.

1 On 28 February 2024, TASS news agency [published](#) data reported by the head of the Investigative Committee, Aleksandr Bastrykin, who stated that 303 criminal cases under **Art.207.3 CC RF** had been initiated since March 2022. It follows that even taking into account known cases initiated in 2024 and not mentioned in this report, in reality there are significantly more cases.

The vast majority of prosecutions for ‘fake news’ were initiated in 2022. The first cases became known as early as March (it is known 156 people were prosecuted in the course of the year, of which 48 were under **Art. 207.3, Part 1, CC RF and 103 under Part 2**. For 2023, reliable information is available about 104 prosecutions, of which 27 were under **Part 1** and 74 under **Part 2**). At the same time, no more than 22 court judgments were handed down that year (two cases were returned to the prosecutor’s office but reached the court again in 2023). In addition, at least some of the sentences handed down in 2022 passed through appeal proceedings in 2023. In this situation, it seems reasonable to consider the statistics for all known prosecutions in the aggregate, in some cases specifically noting the 2023 statistics.

The record-breaker in terms of use in cases brought under **Art. 207.3, Part 2, CC RF** is **Paragraph ‘e’**, concerning ‘dissemination of ‘fake news’ about the armed forces on grounds of hatred’ (as a rule, ‘political hatred’). This paragraph alone, or in combination with others, has been used against more than 160 people. **Paragraph ‘b’**, applied in cases where the alleged act is considered to have been committed by an ‘organised group’, has been used in court decisions against more than 30 people, **Paragraph ‘a’** against 10 people, and the other paragraphs against fewer still. Charges under some Paragraphs are on occasion excluded from the indictment. For example, **Paragraph ‘e’** is only applied if the charge is reclassified from **Art. 207.3, Part 2, CC RF to Part 1**. The motive of ‘political hatred’ in this offence is usually proved with the assistance of linguistic experts who typically use mention of crimes and words like ‘fascist’ to claim that the defendant in their statements incites hatred towards ‘the members of the armed forces of the Russian Federation’ as a social group.

The largest number of prosecutions for ‘fake news’ – against more than 80 people – have been brought in Moscow. Of these, at least 70 were prosecuted under **Art. 207.3, Part 2, CC RF**. We cannot give the exact number as the details of the prosecution are not known for some of those prosecuted who have now left Russia. St. Petersburg has the second largest number of prosecutions, albeit far fewer (13 persons prosecuted, 12 of whom came under **Part 2**), Moscow Oblast (nine, including one prosecution where a case was investigated in Moscow but then transferred to a court in Moscow Oblast), Nizhny Novgorod Oblast (eight), Kirov Oblast (seven), and Novosibirsk, Rostov, and Samara Oblasts, the Republic of Tatarstan and Khabarovsk Krai (six persons prosecuted in each). In total, cases under **Article 207.3 CC RF** were initiated in more than 60 regions, including annexed Crimea, and not only in major cities, but also in villages.

Here an important reservation should be made that among the prosecutions for ‘fake news’ there are at least five cases against well-known public figures who are citizens of Ukraine, living and working in their home country or beyond its borders, whether Ukraine and Russia, including TV presenters [Dmitry Gordon](#) (also prosecuted for incitement to unleash a war of aggression [**Art. 354, Part 2, CC RF**] and incitement of hatred [**Art. 282, Part 2, CC RF**]) and [Masha Efrosynina](#) (sentenced in absentia to seven years’ imprisonment in September 2023); the singer [Jamala](#) (Susana Dzhamaladinova), who won the Eurovision Song Contest in 2016 with a song about the deportation of Crimean Tatars from Crimea under Stalin; the mayor of Chernivtsi, [Roman Klychuk](#); former Ukrainian presidential adviser [Oleksii Arestovych](#); and Ukrainian Interior Ministry Colonel [Volodymyr Shylov](#). We mention them here and include them in the statistics, but we nonetheless note that, firstly, it hardly makes sense to interpret their statements, which were or could have been a reason for their prosecution, as primarily anti-war,

and secondly, that their prosecutions should probably be considered as political propaganda rather than political repression.

This group also includes former Russian politician [Ilya Ponomaryov](#) and lawyer [Ilya Novikov](#), former Pussy Riot member and former *Mediazona* publisher now fighting on the side of Ukraine [Pyotr Verzilov](#), who are all currently living in Ukraine, as well as several other people prosecuted under the article on ‘fake news’ and having links to Ukraine. However, all of them were until recently directly linked to Russia, and Ponomaryov is still engaged, or claims to be engaged, in various activities aimed at changing the political situation in Russia.

Separately, we will mention at least one case known to us under **Art. 207.3, Part 2, CC RF** (as well as **Art. 205.2, Part 2, CC RF** on ‘public justification of terrorism’), apparently brought against a resident of Ukraine, [Oksana Boyko](#), who is believed to be from the occupied part of Ukraine’s Zaporizhzhia Oblast. The case was heard by the Southern District Military Court in Rostov-on-Don.

The most common pre-trial condition applied to those prosecuted under **Art. 207.3 CC RF** has been custody (more than 80 people in total, including those for whom pre-trial conditions were later relaxed; of these, more than 60 were prosecuted under **Art. 207.3, Part 2, CC RF**, the more serious offence under this article; at least 20 people were in custody awaiting trial or sentence at the end of 2023).

It is important to note that there are more than a dozen women among those prosecuted under the article on ‘fake news.’ At the same time, only one, [Yelena Yun](#), an activist from Novosibirsk, was not immediately remanded in custody, but in the process of the gradual tightening of her pre-trial conditions. Yun is the only one charged under **Art. 207.3, Part 1, CC RF** and as a result was not remanded in custody. Another woman was ordered by the court to undergo compulsory psychiatric treatment, another was sent to a psychiatric hospital during the trial, while the rest have already been sentenced to real terms of imprisonment or are awaiting trial. Public attention was drawn to the story of [Sasha Skochilenko](#), an artist from St. Petersburg, remanded in custody despite having an autoimmune disease (in November she was sentenced to seven years in a general-regime penal colony).

16 people were placed under travel restrictions during the investigation or trial, 13 people were banned from undertaking certain actions, more than 10 were placed under house arrest, two of whom remained so as of the end of 2023.

A considerable number of those prosecuted under the article on ‘fake news’ left Russia either before the start of their prosecution (and even before the outbreak of the full-scale war) or during the trial. In addition, as mentioned above, at least four of those prosecuted live permanently in Ukraine. In this regard, the number of cases of those remanded in custody in absentia is high (at least 47 people, 39 of whom are being prosecuted under **Art. 207.3, Part 2, CC RF**, including the four above-mentioned Ukrainian public figures). But most notable is the number of trials held in absentia (at least 27 people) and sentences handed down in absentia under **Article 207.3, Part 2, CC RF** (at least 19, including in the case of Ukrainian TV presenter Masha Efrosynina; all sentences were handed down in 2023). In terms of the number of verdicts, Moscow is the leader with 15 persons convicted; one case was recorded in each of Kirov, Kostroma, Kurgan and Ulan-Ude (with regard to the Kirov case, the verdict was initially quashed, but then the court of first instance issued an identical judgment; in 2024, another verdict was issued in absentia

in a case where the trial had begun while the defendant was still in Russia, and then suspended before being resumed seven and a half months later). At least one case is still being heard in absentia in St. Petersburg in which the defendant also absconded after the trial began (the trial was suspended but then resumed more than a year later). In total, there are more than 90 people who have left Russia (or are known to be outside the country) who have been prosecuted under the article on 'fake news.'

One case was terminated at the investigation stage (but later a new case for an offence under the same article was initiated against the defendant and he was sentenced to compulsory work) and two cases were terminated during the trial (one of these cases was later retried and the defendant sentenced to compulsory work). In another case, the trial was suspended because of the defendant's illness.

At least five persons absconded during their trials, and in only one such case was the absconder found and convicted, while in two other cases the trials continued in the absence of the defendants.

By the end of 2023, at least 111 people had already been convicted (at least 92 of them in 2023), of whom 67 were convicted under **Art. 207.3, Part 2, CC RF** (58 in 2023). Of the different penalties imposed by the courts, imprisonment in a general-regime penal colony was most common (at least 32 persons, of whom 31 were sentenced under **Art. 207.3, Part 2, CC RF** [28 and 27 respectively in 2023]). It should also be borne in mind that in more than 40 cases charges were laid under more than one article). If we take into account the fact that, for all sentences of imprisonment handed down in absentia under **Art. 207.3, Part 2**, if the convicted person is subsequently detained they will be sent to a general-regime penal colony, then the total number of such judgments is 51. In total, 59 people have been sentenced to terms of imprisonment, including those sentenced in absentia (53 of them in 2023).

At least 14 persons were sentenced to fines (10 under **Art. 207.3, Part 1, CC RF**; at least one person was released from punishment on account of having been held in custody during the investigation) and nine such sentences were handed down in 2023. Fourteen persons were sentenced to compulsory work (all under **Art. 207.3, Part 1, CC RF**), 10 such sentences were handed down in 2023 (one of those convicted was initially given a suspended sentence; it was changed to compulsory work on appeal). Nine people were given suspended sentences (four of them under **Art. 207.3, Part 1, CC RF**), six such sentences were handed down in 2023. Five people were sentenced to imprisonment in a strict-regime colony (there are cases under both **Art. 207.3, Part 1, CC RF** and **Art. 207.3, Part 2, CC RF**; such severe punishments are explained by the presence of either a criminal record or other, more serious charges in the case), there were four such sentences in 2023. Three people were given suspended sentences of compulsory work (all in 2023), while three were also sentenced to imprisonment in a low-security penal colony (two in 2023); both types of sentences were imposed under **Art. 207.3, Part 1, CC RF**. There were two instances of sentences of compulsory work (one under **Art. 207.3, Part 1, CC RF** and one under **Art. 207.3, Part 2, CC RF**, both in 2023; in the latter case, the court sentenced the defendant to imprisonment, but then changed the punishment to compulsory work). One person was sentenced to compulsory work and one to a fine together with a restriction on military service (in both cases under **Art. 207.3, Part 1, CC RF** and in 2023). In addition, one person was sentenced to a fine and a suspended sentence in 2023: apparently, the suspended sentence was imposed under **Art. 207.3, Part 1, CC RF**, and the fine was imposed under a different article.

The punishment imposed in cases of five convictions handed down in 2023 is unknown to us.

Nine people were ordered to undergo compulsory psychiatric treatment by the courts, in one case the decision was overturned on appeal, but on review the decision was re-adopted. If we count the final rulings, they all came in 2023.

The minimum fine imposed was 150,000 roubles, the maximum was 3m roubles. In one case a defendant was ordered to pay 209,811 roubles 36 kopecks (the amount of the convicted person's pension for the year). At the same time, the size of the fines imposed under **Art. 207.3, Part 1, CC RF** may exceed those imposed under **Art. 207.3, Part 2, CC RF**.

For example, the first person we know of convicted under the article on 'fake news', civil society activist [Pyotr Mylnikov](#) from Zabaikalsky Krai, as well as the first persons we know of prosecuted under this article, Tomsk Oblast residents [Marina Novikova](#) and [Viktor Lavrentiev](#), were both fined 1m roubles under **Art. 207.3, Part 1, CC RF**, while [Irina Bystrova](#), the head of an art studio from Petrozavodsk prosecuted on charges of both disseminating 'fake news' (**Art. 207.3, Part 2, CC RF**) and public justification of terrorism (**Art. 205.2, Part 2, CC RF**) was [fined](#) 800,000 roubles to be paid over five years.

The terms of imprisonment range from six months in a low-security penal colony (and in one case not only on a charge of 'fake news' [**Art. 207.3, Part 1, CC RF**] but also on a charge of rehabilitation of Nazism [**Art. 354.1, Part 2, CC RF**]) to 11 years of imprisonment in absentia under **Art. 207.3, Part 2, CC RF** – if we do not count sentences in absentia, then up to ten years of imprisonment in a strict-regime colony given additional charges under two other articles, or eight and a half years in a general-regime colony exclusively under **Art. 207.3, Part 2, CC RF**. The sentence of 25 years in a strict-regime penal colony imposed on opposition politician [Vladimir Kara-Murza](#) under three separate articles, including that of 'fake news,' should still be considered separately. Such a severe punishment is explained by the fact that he was charged with treason (**Art. 275 CC RF**). Usually, the courts handed down terms of imprisonment of seven years (ten cases, including in absentia), eight years (ten cases), or six years (seven cases). The sharp contrast between these sentences and those which are comparatively lenient can usually be explained by a confession of guilt in the latter cases.

Not surprisingly, prosecutions for 'fake news' were brought against opposition politicians ([Ilya Yashin](#), [Vladimir Kara-Murza](#), [Vladimir Milov](#), [Dmitry Gudkov](#), [Mikhail Khodorkovsky](#), former coordinators of Aleksei Navalny's regional headquarters [Lev Gyammer](#) (from Krasnodar), [Yevgeny Kochegin](#) (from Volgograd), [Yevgeny Domozhirev](#) (from Vologda), [Ilya Danilov](#) (from Lipetsk), [Aleksandr Zykov](#) (from Kostroma), [Aleksei Shvarts](#) (from Kurgan), [Violetta Grudina](#) (from Murmansk), a [group of Navalny's associates](#) who became hosts of the Populyarnaya Politika YouTube channel, Moscow and regional municipal deputies who were regular participants in street protests ([Dmitry Ivanov](#), a Moscow student and host of the Protestny MGU Telegram channel, participant in Pussy Riot and former Moscow municipal deputy [Lyusya Shtein](#), and activists of the Vesna movement from various cities), as well as prominent public figures (most of whom have left Russia – writers [Dmitry Glukhovsky](#) and [Boris Akunin](#), theatre director [Ivan Vyrypaev](#), film producer [Aleksandr Rodnyansky](#), cartoonist [Pavel Muntyan](#), Pussy Riot participant and former Mediazona publisher [Pyotr Verzilov](#), who is fighting on the side of Ukraine). The criminal case against the investigative journalist, participant in the Bellingcat investigative project and Bulgarian citizen [Christo Grozev](#) is worth noting separately. In addi-

tion, the scandal on the *Pervy Kanal* TV channel, whose staff member [Marina Ovsyannikova](#) went live on air with an anti-war poster, was widely publicised (the formal charge against her, however, related not to this incident but to a single-person protest picket she had held four months later). However, a large number of those prosecuted under the article on ‘fake news’ are residents of small provincial towns, people who have not been engaged in political activity, or generally speaking any other kind of civil society activity, but who decided to speak out against the war on social media.

Among those of various professions who have been prosecuted under the article on dissemination of information known to be false about the armed forces, the cases of military service personnel should be singled out. There have been at least 10 such cases (at least one member of the National Guard can also be added to this group). One is that of [Daniil Frolkin](#), a military serviceman who [confessed](#) to Yekaterina Fomina, a journalist with *Vazhnye istorii*, that he was involved in the murder of civilians in the Kyiv Oblast and other crimes (in 2024, it became known that a criminal investigation for ‘fake news’ had been opened against Fomina herself; [according to the investigative authorities](#), Frolkin and Fomina acted in collusion for personal gain). At least five military service personnel, including Frolkin, were given non-custodial sentences; we have no information about the sentences handed down to five others (in the case of one of them, the sentence was cancelled). [Valery Kotovich](#), a member of the National Guard who previously served in the internal troops of Ukraine in Crimea, was sentenced to six years in a general-regime penal colony.

All those imprisoned or on remand known to us (as well as those sentenced to compulsory work) prosecuted under the article on ‘fake news’ have been recognised as political prisoners under the ‘Political Prisoners. Memorial’ human rights project. We list them here in full on account of the unparalleled and exceptionally lawless nature of this legal norm and its application. The list includes:

- [Anna Aleksandrova](#), a resident of St. Petersburg (in custody awaiting trial);
- [Anna Arkhipova](#), [Yan Ksenzhepolsky](#) and [Vasily Neustroev](#) (in custody awaiting trial; they face charges, in addition, under five other articles of the Criminal Code – for more details on the Vesna cases, see [Section 2.1.7](#));
- [Mikhail Afanasiev](#), editor-in-chief of the Khakassia publication *Novy Fokus* (sentenced to five and a half years in a general-regime penal colony);
- [Anna Bazhutova](#), author of video streams on Twitch (in custody awaiting sentencing);
- [Andrei Balin](#), former co-chair of the Samara branch of the People’s Freedom Party (PAR-NAS) (sentenced to seven years in a general-regime penal colony);
- [Igor Baryshnikov](#), a resident of Kaliningrad Oblast (sentenced to seven and a half years in a general-regime penal colony despite serious health problems; in addition, Baryshnikov had been caring for his 96-year-old mother who died while he was on remand);
- [Aleksandr Bakhtin](#), a resident of Mytishchi, Moscow Oblast (sentenced to six years in a general-regime penal colony);
- [Oleg Belousov](#), a resident of St. Petersburg (sentenced to five and a half years in a general-regime penal colony despite having a disability and a son with a disability; he was also charged with making calls to engage in extremism);

- [Yevgeny Bestuzhev](#), a member of the political council of the St. Petersburg Solidarity movement (in custody awaiting sentencing despite serious health problems);
- [Daniil Vodolagin](#), a student from Volgograd (in custody awaiting sentencing);
- [Viktoria Goncharova](#) from Adygea (sentenced to six and a half years in a general-regime penal colony, also charged with participation in the activities of an extremist organisation – she was accused of being a member of the banned Right Sector);
- Moscow municipal deputy [Aleksei Gorinov](#) (the first person sentenced to a term of imprisonment under the article on ‘fake news’ back in 2022; following an appeal, also held in 2022, he was sentenced to six years and 11 months in a general-regime penal colony despite serious health problems; while in the penal colony, a new charge was [brought](#) against him for public justification of terrorism [Art.205.2, Part 1, CC RF] because of a conversation with other prisoners);
- [Mikhail Zharikov](#), a former employee of a hockey club from Nizhny Novgorod (sentenced to six years in a general-regime penal colony; also charged with public justification of terrorism [Art.205.2, Part 2, CC RF] and rehabilitation of Nazism [Art.354.1, Part 2, CC RF]);
- Moscow activist [Dmitry Ivanov](#) (sentenced to eight and a half years in a general-regime penal colony);
- [Roman Ivanov](#), a journalist with RusNews from Korolyov in Moscow Oblast (sentenced on 6 March 2024 to seven years in a general-regime penal colony);
- [Ivan Kavinov](#), a resident of Vladimir Oblast (sentenced to three years in a strict-regime penal colony);
- opposition politician [Vladimir Kara-Murza](#) (sentenced to 25 years in a strict-regime penal colony despite serious health problems; he had been poisoned in 2015 and 2017; he was also charged with treason [Art.275 CC RF] and participation in the activities of an ‘undesirable organisation’ [Art.284.1, Part 1, CC RF] for a number of public speeches);
- [Sergei Klokov](#) (Semiel Wedel), an employee of the Moscow headquarters of the Interior Ministry (sentenced to seven years in a general-regime penal colony for private telephone conversations);
- St. Petersburg documentary filmmaker [Vsevolod Korolyov](#) (sentenced to three years in a general-regime penal colony in March 2024);
- former National Guard officer [Valery Kotovich](#) (sentenced to six years in a general-regime penal colony);
- [Alsu Kurmasheva](#), editor of the Tatar-Bashkir service of Radio Liberty (in custody awaiting trial; she is also being prosecuted for evasion of duties as a foreign agent [Art.330.1, Part 3, CC RF]);
- a priest of the Russian Orthodox Church Abroad living in St. Petersburg, [Fr. Ioann Kurmoyarov](#) (sentenced to three years in a general-regime penal colony);
- [Sergei Lintsov](#), a resident of St. Petersburg (in custody awaiting sentencing);
- [Andrei Lugovoi](#), a resident of Kaliningrad Oblast (in custody awaiting trial);

- 18-year-old Muscovite [Maksim Lypkan](#) (in custody awaiting sentencing);
- [Aleksandr Martynov](#) and [Lyudmila Razumova](#), residents of the town of Konakovo in Tver Oblast (Razumova was sentenced to seven years in a general-regime penal colony, Martynov to six and a half years; they were also charged with vandalism [Art.214, Part 2, CC RF] for writing anti-war graffiti on buildings in neighbouring villages);
- [Vasily Melnikov](#), a resident of Volgograd Oblast (sentenced to five years in a general-regime penal colony in January 2024);
- [Sergei Mikhailov](#), publisher of the Listok newspaper in Gorno-Altai (in custody awaiting sentencing);
- [Viktor Moskalyov](#), deputy executive director of the Scientific and Technological Centre of the Moscow Institute of Physics and Technology (MIPT) (ordered to undergo compulsory psychiatric treatment);
- [Sergei Nevorotin](#), a resident of Tver Oblast (sentenced to six years in a general-regime penal colony);
- [Oleg Nepein](#), a municipal deputy from Saratov Oblast (ordered to undergo compulsory psychiatric treatment);
- [Aleksandr Nozdrinov](#), a blogger from Krasnodar Oblast (sentenced to eight and a half years in a general-regime penal colony);
- [Aleksei Onoshkin](#), a priest of the Temple of the Flying Spaghetti Monster in Nizhny Novgorod (ordered to undergo compulsory psychiatric treatment; also charged with public justification of terrorism [Art.205.2, Part 2, CC RF]);
- [Igor Orlovsky](#), a resident of Krasnoyarsk (sentenced to seven and a half years in a general-regime penal colony; also charged with rehabilitation of Nazism [Art.354.1, Part 2, CC RF]; the sentence was handed down in conjunction with a sentence on other charges related to anti-war statements – incitement of extremist activity [Art.280, Part 2, CC RF] and public justification of terrorism [Art.205.2, Part 2, CC RF]);
- [Altan Ochirov](#), a former employee of Elista City Hall (in 2022 he was sentenced to three years in a general-regime penal colony; on appeal, the term was increased to five years);
- [Pavel Pekpaev](#), a resident of Yoshkar-Ola (sentenced to five and a half years in a general-regime penal colony);
- [Viktoria Petrova](#), a resident of St. Petersburg (ordered to undergo compulsory psychiatric treatment);
- [Maria Ponomarenko](#), a correspondent of RusNews from Barnaul (sentenced to six years in a general-regime penal colony; during the investigation, she was released from custody and placed under house arrest in her ex-husband's apartment; as a result of a conflict with her ex-husband, she left the house for the police station, after which she was again taken into custody; in the penal colony, a new charge was [brought](#) against Ponomarenko for causing harm to the health of a representative of the authorities [Art.321, Part 2, CC RF]);
- Kirov activist [Richard Rouz](#) (sentenced to eight years in a general-regime penal colony; he was also charged with public justification of terrorism [Art.205.2, Part 2, CC RF]; on remand he was subjected to violence and threats intended to force him to confess;

his wife [Maria Rouz](#), who managed to leave Russia during her husband's trial, is also being prosecuted; her case was considered separately; in January 2024 she was sentenced in absentia to five and a half years' imprisonment);

- [Vladimir Rumyantsev](#), a stoker from Vologda who created his own radio station (sentenced to three years in a general-regime penal colony in December 2022);
- Moscow resident [Konstantin Seleznyov](#) (in custody awaiting trial);
- [Maria Semerenko](#), a resident of Korolyov in Moscow Oblast (ordered to undergo compulsory psychiatric treatment);
- [Mikhail Simonov](#), a restaurant-car manager living in Moscow (sentenced to six and a half years in a general-regime penal colony);
- St. Petersburg artist [Sasha Skochilenko](#) (sentenced to seven years in a general-regime penal colony for replacing price tags in a grocery store with information about the deaths of civilians in Ukraine);
- [Olga Smirnova](#), an activist of Peaceful Resistance, a St. Petersburg movement (sentenced to six years in a general-regime penal colony; according to unconfirmed information, she has also been charged with destruction of a cultural heritage site [Art. 243 CC RF] for publicly burning of an installation in the form of the letter Z);
- [Aleksandr Tarapon](#), a resident of Alushta in Russian-occupied Crimea (sentenced to two and a half years in a strict-regime penal colony in 2022; he was accused of pasting a picture from Instagram of a relative who, as a member of the National Guard, had taken part in military operations, on the gate of the relative's house, with a caption accusing him of killing children; the severity of the sentence was on account of his criminal record);
- [Vladimir Timofeev](#), an activist from Irkutsk and a participant in the Afghan and Chechen wars (sentenced to two years and eight months in a general-regime penal colony; also charged with public justification of terrorism [Art. 205.2, Part 2, CC RF]);
- [Aleksandr Somryakov](#), an electrician from Krasnodar (sentenced to six years in a general-regime penal colony);
- [Dmitry Talantov](#), president of the Bar Association of the Republic of Udmurtia (in custody awaiting sentencing; also charged with incitement of hatred [Art. 282, Part 2, CC RF]);
- [Olga Trifonova](#), a resident of Odintsovo in Moscow Oblast (probably ordered to undergo compulsory psychiatric treatment);
- [Aleksei Filyugin](#), a resident of Kurgan Oblast (sentenced to one and a half years of compulsory work in a correctional centre; also charged with repeatedly discrediting the armed forces of the Russian Federation [Art. 280.3, Part 1, CC RF]);
- [Alberto Enrique Giraldo Saray](#), a Colombian citizen living in Moscow (sentenced to five years and two months in a general-regime penal colony; according to the investigative authorities, in collusion with Venezuelan citizens [Salazar Ramirez](#) and [Mendoza Briceño](#), who gave him money and instructions, he informed Russians about crimes of the Russian army in Ukraine through mass mailings to phones; [Salazar Ramirez](#) and [Mendoza Briceño](#) were sentenced in January 2024, but the details are not known);

- [Bulat Shumekov](#), an activist from Kemerovo Oblast (sentenced to five and a half years in a general-regime penal colony);
- [Andrei Etkeev](#), a resident of Kirov Oblast (sentenced to five years in a general-regime penal colony);
- opposition politician [Ilya Yashin](#) (sentenced to eight and a half years in a general-regime penal colony).

Among those imprisoned or under house arrest as a result of prosecution under this article but then released, the following have been recognised as political prisoners: [Nikolai Veprikov](#), a resident of St. Petersburg (after he was released under travel restrictions, he left Russia and was remanded in custody in absentia), human rights activist from Cherepovets [Gregori Severin](#) [Markus Vinter](#) (pending trial, banned from certain actions since November), [Aleksei Volsky](#), a resident of Nizhny Novgorod (under travel restrictions since October), [Ruslan Ganeev](#), a resident of Naberezhnye Chelny (detained after an attempt to abscond, sentenced to ten months' correctional work, not in custody), [Maksim Rachkov](#), a physicist from Rostov-on-Don (sentenced to one and a half years in a low-security penal colony, released shortly after the verdict; also charged with possessing drugs [Art. 228, Part 1, CC RF]), [Andrei Filippov](#), a resident of Yoshkar-Ola (fined 1,800,000 roubles), [Yelena Yun](#), an activist from Novosibirsk (sentenced to 11 months of correctional work, not in custody). [Shakhban Abakargadzhiev](#), a resident of Khasavyurt (Dagestan), was sentenced to compulsory work in a correctional centre, but on 1 February 2024, the appeal court overturned the verdict and sent the case for review.

2.1.2. The law on discrediting the armed forces of the Russian Federation

Art. 280.3 CC RF on discrediting the use of the armed forces of the Russian Federation has two parts that differ significantly.

The first part applies where a person has at least one previous conviction that has entered into force under the related article of the Code of Administrative Offences – **Art. 20.3.3 CAO RF**.

According to *Mediazona*, as of 21 December 2023, since March 2022 a total of 8,526 cases brought under **Art. 20.3.3 CAO RF** went to trial. The peak came in March and April 2022 with 916 and 949 cases respectively. After May 2022 (800 cases) the monthly number falls significantly and since July 2022 has not reached 500 (except for September 2022 when there were 514 cases – apparently, this small increase was associated with protests at the end of that month in response to the mobilisation announced by President Putin). Thereafter, the number of cases brought before the courts steadily declined, with some spikes in March 2023 (possibly reflecting the anniversary of the start of the war), May 2023, and a very small spike in August 2023. The total number of charges brought under **Art. 20.3.3 CAO RF** in 2023 was 2,830, of which 2,707 cases were tried, 2,113 convictions were handed down, 166 charges were dropped and in 370 instances the cases were returned to the police for review.

Charges can be brought under **Art. 20.3.3 CAO RF** on almost any grounds. These could include, for example, a green ribbon tied to a bag, an object in the colours of the Ukrainian flag, an inscription with the single word 'PEACE,' a hoodie with a crossed-out portrait of Putin and quotes by Leo Tolstoy, online posts about military strikes on residential areas in Ukraine (which could also be grounds for a criminal charge under the article on 'fake news'), a video of the burning of a military ID card or uniform or a letter to the city administration demanding the removal of a poster with the letter Z (which symbolises support for the Russian army) from a local building. Participation in anti-war rallies in early March 2022, after the article had been adopted into law, have also served as grounds for drawing up charges, not to mention holding a single-person picket with an anti-war poster. Distribution of anti-war leaflets has also been grounds for drawing up a charge. Quite often charges for discrediting the Russian army were brought for single-person pickets with anti-war posters. It should be noted that, according to OVD-Info, the number of arrests for public anti-war protests during 2023 was generally low, especially compared to the first days of the full-scale invasion of Ukraine by the Russian army in late February and early March 2022, and even at the beginning of mobilisation in September 2022.

Statements or speeches that fall under **Art. 20.3.3 CAO RF** are punishable by fines from 30,000 to 50,000 roubles (for comparison, fines for a first violation of the regulations for holding public events do not exceed 30,000 roubles) or from 300,000 to 500,000 roubles for legal entities (for example, a publication can be fined this amount; Yekaterinburg's *Vechernie vedomosti*, its editor-in-chief and director were [fined](#) a total of 1m roubles for publications about police behaviour at anti-war protests). If the discrediting is accompanied by 'calls for unauthorised public events' or creates 'a threat of harm to the life or health of citizens, property, a threat of mass disruption of public order or public safety, or a threat of interference with the functioning or cessation of functioning of life support facilities, transport or social infrastructure, credit institutions, energy, industry or communications facilities,' the amount of the fine may range from 50,000 to 100,000 roubles (for legal entities, the fine may be from 500,000 to 1m roubles).

It is not uncommon for charges under **Art. 20.3.3 CAO RF** to be brought on the basis of a denunciation by a third party. Such denunciations are most common on the territory of annexed Crimea. Reports of discrediting the armed forces of the Russian Federation or something similar with a demand to punish violators are [published](#) on the Telegram channel Krymsky SMERSH, created in September 2022 shortly before mobilisation. Similar Telegram channels exist in at least 25 Russian regions, as well as the occupied Ukrainian territories of Luhansk, Donetsk and Zaporizhzhia Oblasts. However, it is only *Crimean* SMERSH and *Sevastopol* SMERSH that have an audience of tens of thousands. These channels also publish videos in great numbers showing people who have been arrested for discrediting the Russian army, or something similar, apologising.

Repeated discrediting may not differ in form or substance from the initial act, but entails criminal prosecution. Among those prosecuted under **Art. 280.3, Part 1, CC RF**, five people were prosecuted for holding a single-person picket; one person for handing out leaflets; one person (presumably) for intending to participate in a mass anti-war protest; one person for laying flowers and installing plaques near the monument to Taras Shevchenko in memory of civilians killed in Ukrainian cities; another for expressing their thoughts about public protest; in 12 cases the grounds for previous similar administrative prosecutions had been holding single-person

pickets; three persons had been prosecuted for participating in mass anti-war protests; in one case, the person prosecuted had reposted a photo of a single-person picket; and in one other case the person in question had expressed their thoughts about public protest.

Art. 280.3, Part 1, CC RF on discrediting has undergone changes similar to those made to **Art. 207.3, Part 1, CC RF** on ‘fake news’. Originally, the maximum penalty had been three years’ imprisonment, but this was increased to five years in March 2023. At the time of writing, none of the sentences known to us under **Art. 280.3, Part 1, CC RF** has exceeded two years’ imprisonment where it was the only article imputed.

As early as April 2022, discrediting the activities of state bodies abroad was added to discrediting the use of the Russian armed forces; in March 2023 discrediting volunteer formations and assistance to the Russian armed forces was also added; and in December 2023 discrediting personnel of the National Guard was added.

In total, from the beginning of the war until the end of 2023, at least 144 people were prosecuted under **Art. 280.3, Part 1, CC RF**, and at least 150 prosecutions were initiated, which means at least six people were prosecuted in two cases under this article. The first prosecution became known in the second half of April 2022, but most of them – more than 90 – were initiated in 2023. Only in three cases did courts hand down judgments in 2022. Therefore, as with prosecutions under the article on ‘fake news’, we believe it reasonable to consider the statistics for all known cases in aggregate.

Prosecutions under **Art. 280.3, Part 1, CC RF** on discrediting were initiated in 55 regions, including the annexed territory of the Republic of Crimea. In addition, at least one case is known to have been brought in the occupied Kherson Oblast of Ukraine. The largest number of cases – nine – was recorded in Krasnodar Krai, eight in Arkhangelsk Oblast, at least seven in Ivanovo Oblast (two of them against one person), six each in Sakhalin Oblast (where two cases were brought against two people), Sverdlovsk Oblast, Tatarstan, and annexed Crimea. Only three prosecutions were brought in Moscow and no more than three in St. Petersburg.

The most common pre-trial conditions imposed on those prosecuted under **Art. 280.3, Part 1, CC RF** on discrediting were travel restrictions, applied to 35 people (including at least two outside Russia). Twenty-one people were banned from undertaking certain activities.

Twenty-two individuals were remanded in custody. Of these, six were also being prosecuted for other offences, two were charged with violation of a previous pre-trial condition, at least two had an unexpunged criminal record, and two were already in custody in another case. However, it should be noted that after the maximum penalty under **Art. 280.3, Part 1, CC RF** was increased, more people were remanded in custody. 11 people were placed under house arrest. Four were held on remand pending trial or sentence at the end of 2023; three were under house arrest.

More than 20 people prosecuted under **Art. 280.3, Part 1, CC RF** left Russia, five of them were remanded in custody in absentia. Two died during the investigation, one died when the trial was already underway. In one case, charges were dropped during the investigation.

As of the end of 2023, 67 convictions had been handed down (of which two were against one person); 64 were handed down in 2023. Of the different types of punishment, fines predominated (against 40 people [37 of them in 2023], two of them were also ordered to undergo out-

patient psychiatric treatment); one of these convictions was overturned on appeal and the case sent for review.

Eight people were sentenced to imprisonment in a general-regime penal colony (three of these had been charged under more than one article, two were accused of violating pre-trial conditions, one tried to abscond and two had a criminal record). Six suspended sentences were handed down, two of which were against one person. Another suspended sentence was changed to a fine on appeal. Three people were sentenced to compulsory work in a correctional centre (one of these sentences was overturned in 2024), two were sentenced to imprisonment in a low-security penal colony (in one case the sentence was changed to compulsory work in a correctional centre on appeal), and two were sentenced to a strict-regime penal colony (both had criminal records). We do not know the details with regard to five sentences. Of the 11 persons imprisoned by court decision, three were residents of Crimea.

The minimum fine for this offence is 60,000 roubles, the maximum is 400,000 roubles. The most frequently imposed fine – imposed on at least 14 people – was 100,000 roubles.

The minimum possible term of imprisonment – in a general-regime penal colony – is one year, the maximum is five years (in a case where the maximum term was imposed, the defendant had also been charged with another offence).

Prominent public figures are practically never prosecuted on charges of repeated discrediting of the armed forces (in contrast to the situation with regard to [Art. 207.3 CC RF](#) on ‘fake news’). Such prosecutions have predominantly been against people living in the regions beyond Moscow and St. Petersburg, and not only against activists. Among the few well-known people prosecuted under [Art. 280.3 CC RF](#) is the former mayor of Yekaterinburg, [Yevgeny Roizman](#). It is important to note that although the case against Roizman was initiated in Moscow, contrary to initial reports he was not taken to the capital and remained in Yekaterinburg under a ban on certain activities pending trial. Therefore Roizman, who enjoys great popularity in Yekaterinburg, was almost the only opposition politician who regularly and consistently condemned the war and yet remained at liberty. On 19 May 2023, Roizman was [fined](#) 260,000 roubles. Even though after the sentence came into force the politician was no longer banned from publishing on the Internet, he stopped speaking out about the war. The prosecutor appealed the verdict, but the very next day withdrew the appeal.

One of the three prosecutions of Moscow residents, that of [Oleg Orlov](#), co-chair of the Memorial Human Rights Centre, also attracted public attention. The reason for Orlov’s prosecution was the publication on his Facebook page of a link to an article he wrote for the French publication [MediapArt](#). Orlov was fined 150,000 roubles. However, the official from the prosecutor’s office, who during the trial had asked that the human rights defender not be imprisoned, unexpectedly appealed the verdict and demanded that Orlov be sentenced to [three years’ imprisonment](#), the maximum penalty under the version of the article current at the time of the ‘crime.’ Subsequently, during the hearing of the appeals submitted by both parties, the official from the prosecutor’s office asked the judge to cancel the verdict and return the case to the prosecutor’s office, which was done. In the retrial, which took place in 2024, Orlov was charged with being motivated by ‘ideological enmity towards traditional Russian spiritual, moral and patriotic values and hatred of the social group of “members of the armed forces of the Russian Federation.”’ On 27 February 2024 Oleg Orlov [was sentenced](#) to two and a half years in a general-regime penal colony.

Among those imprisoned under **Art. 280.3, Part 1, CC RF** on discrediting the Russian army, the case of [Aleksei Moskalyov](#), a resident of the town of Yefremov in Tula Oblast, also attracted public attention. The reason for the public resonance of this case would seem to have been the fact that the authorities acted against Moskalyov after his daughter, whom he was bringing up as a single parent, drew an anti-war picture in her art class. Moskalyov said that during one of the interrogations his head was beaten against the wall and the floor. After the interrogation, he and his daughter left Efremov but were then detained. Moskalyov was placed under house arrest and his daughter was sent to a rehabilitation centre. The father was sentenced to two years in a general-regime penal colony but did not appear in court to hear the verdict, having left Russia. He was then detained in Belarus, where he claimed he was severely beaten. Shortly afterwards, according to Moskalyov, he was taken to Russia in a passenger car with no official markings. Custody of his daughter was given to her mother. In December 2023, the court of cassation overturned the verdict and sent Moskalyov's case back to the appeal court for reconsideration. In February 2024, the appeal court reduced Moskalyov's sentence to one year and ten months.

Among those prosecuted under **Art. 280.3, Part 1, CC RF** on discrediting the Russian army, the 'Political Prisoners. Memorial' human rights project recognises the following as political prisoners:

- [Pavel Baryshev](#), a resident of the Megino-Kangalassky district of Yakutia (sentenced to one and a half years in a general-regime penal colony);
- [Oleg Valeev](#), a resident of Feodosia in annexed Crimea (originally sentenced to one and a half years in a low-security penal colony, the court of appeal replaced the punishment with one year and four months of compulsory work in a correctional centre);
- [Dmitry Kozlya](#), a resident of Simferopol in annexed Crimea (sentenced to one year in a general-regime penal colony);
- activist from Krasnodar Krai [Marina Melikhova](#) (sentenced to one and a half years in a general-regime penal colony);
- [Aleksei Moskalyov](#), a resident of Tula Oblast (sentenced to one year and ten months in a general-regime penal colony);
- [Vladislav Nikitenko](#), an activist from Blagoveshchensk (sentenced to three years in a general-regime penal colony; he was also charged with insulting participants in court proceedings [**Art. 297, Part 1, CC RF**] and four episodes of insulting a judge [**Art. 297, Part 2, CC RF**]);
- [Oleg Orlov](#), co-chair of the Memorial Human Rights Centre (sentenced to two and a half years in a general-regime penal colony);
- Tomsk resident [Vyacheslav Polkanov](#) (under house arrest awaiting sentencing);
- [Dmitry Seryogin](#), a resident of Crimea (sentenced to one and a half years in a low-security penal colony);
- [Dmitry Skurikhin](#), entrepreneur and activist, store owner from the Leningrad Oblast (sentenced to one and a half years in a general-regime penal colony; initially the court imposed a ban on certain activities pending trial, however after a photo of Skurikhin kneeling with a banner that read, 'Sorry, Ukraine,' appeared on the Internet on 24 Feb-

bruary 2023, he was charged with repeated discrediting of the Russian army and was taken into custody; the cases were later merged);

- [Nikita Tushkanov](#), a former schoolteacher from Komi Republic (sentenced to five and a half years in a general-regime penal colony, on appeal the sentence was reduced to five years and a fine of 150,000 roubles was imposed; Tushkanov was also charged with public justification of terrorism [Art. 205.2, Part 2, CC RF]);
- [Aleksei Filyugin](#), a resident of Kurgan Oblast (sentenced to one and a half years of compulsory work in a correctional centre; he was also charged with spreading ‘fake news’ about the armed forces [Art. 207.3, Part 1, CC RF]);
- [Vadim Kharchenko](#), a blogger from Gelendzhik in Krasnodar Krai (under house arrest awaiting trial; he has also been charged with insulting the feelings of believers [Art. 148, Part 1, CC RF], defamation on grounds of accusations of sexual violence [Art. 128.1, Part 5, CC RF], and calls to engage in extremism [Art. 280, Part 2, CC RF]).

Among those who were imprisoned or under house arrest pending trial under this article, but then released, those recognised as political prisoners are: [Askhabali Alibekov](#), a resident of Krasnodar Krai (sentenced to a year and two months in a strict-regime penal colony; he was released in November 2023), former teacher from Simferopol in annexed Crimea [Andrei Belozyorov](#) (fined 100,000 roubles), a student from Arkhangelsk [Olesya Krivtsova](#) (placed under house arrest after investigators said tickets to leave Russia had been bought in her name; Krivtsova managed to leave Russia), environmental activist from Komi Republic [Aleksei Semyonov](#) (under house arrest until February 2023, he was released under travel restrictions after pleading guilty, but in court rejected his confession), a musician from Vladivostok [Sergei Tokhteev](#) (held in a psychiatric hospital; in January 2024 he was fined 120,000 roubles), [Ai-Tana Tugudina](#), a resident of the Altai Republic (sentenced to eight months of compulsory work in a correctional centre, she left Russia).

Concerning the application of Art. 280.3, Part 2, CC RF on discrediting, see [Section 2.2](#).

As for another pair of administrative and criminal articles, on calls for sanctions against the Russian Federation (Article 20.3.4 CAO RF and Article 284.2 CC RF), there were no cases to report for the year 2023. All instances of application of the administrative-law article, according to data from OVD-Info, relate to 2022, and no cases of application of the article of the Criminal Code have yet been recorded.

2.1.3. Article 280.4 CC RF on calls to engage in anti-state activity

In July 2022, another article was added to the Criminal Code, aimed in particular at the expression of anti-war sentiments that are more active and radical in form than those penalised by the articles on ‘fake news’ and discrediting. Art. 280.4 CC RF on ‘calls to engage in activities against the security of the state’ was adopted as part of a large package of amendments to the Criminal Code penalising threats to state security.

According to the wording of **Art. 280.4 CC RF**, the article is not concerned with calls to engage in terrorism, extremism, separatism, imposing sanctions or waging aggressive war, since the Criminal Code contains separate articles for these offences. **Art. 280.4 CC RF** deals with calls ‘to obstruct the execution by the authorities and their officials of their powers to ensure security.’ Actions falling under this article are punishable by fines from 100,000 roubles to 500,000 roubles or imprisonment for up to four years; if committed by a group of persons by prior conspiracy, with the use of an official position or with the use of the Internet (**Art. 280.4, Part 2, CC RF**), by a fine from 300,000 roubles to 1m roubles or imprisonment for a term ranging from three to six years; if committed by an organised group (**Art. 280.4, Part 3, CC RF**), by imprisonment for a term ranging from five to seven years.

Grounds for initiating proceedings under this article are statements that call for desertion, escape or surrender by Russian military service personnel (the most common case) and calls to ‘sabotage mobilisation and military activities’ – in particular, calls to refuse to accept call-up papers, to attack military recruitment centres, to engage in sabotage, to damage military equipment, as well as to transfer information to the Ukrainian side about the locations of Russian forces, to finance the Ukrainian army or to switch to the Ukrainian side.

As of the end of 2023, at least 39 people are known to have been prosecuted under this article with at least 24 cases initiated. Two cases were initiated in 2022. There is no information about the year of initiation of three more cases, while all others began in 2023. Eighteen cases were initiated under **Art. 280.4, Part 2, CC RF**, two cases (one against three people, the other involving 15) under **Art. 280.4, Part 3, CC RF**. In another three cases, it is not known under which part of **Art. 280.4 CC RF** the charges were brought, although most likely, since the charges concern statements on the Internet, they would come under Part 2.

Both cases involving several defendants were initiated in Moscow, there were two cases each in Krasnodar Krai, the Republic of Tatarstan and Tomsk Oblast; in 15 regions where cases under **Art. 280.4 CC RF** were recorded, one person was prosecuted; in addition, one case is known in Karelia, although there is no information about the suspects or defendants.

At least 17 people were remanded in custody, two were placed under house arrest, and travel restrictions were imposed on four persons. As of the end of 2023, ten people were in custody and one under house arrest awaiting trial or sentencing.

At least 14 people against whom investigations have been initiated are on a wanted list, while five others are known to be outside Russia.

Seven convictions have been handed down, all in 2023. Six people were sentenced to terms of imprisonment in a general-regime penal colony ranging from two to seven years (in one case the convicted person had a criminal record, in three others they were convicted under more than one article). One person was fined 150,000 roubles. In addition, one person was ordered to undergo compulsory psychiatric treatment.

The prosecution of the [Vesna](#) movement involves 15 people and involves charges for calls to engage in anti-state activity (for more details see [Section 2.1.7](#)). The [Mayakovsky case](#) involves three defendants and was initiated for poetry readings on Triumfalnaya Square in central Moscow (for more details see [Section 2.1.6](#)). Among defendants in other cases concerning calls to engage in activities against the security of the Russian Federation, the most well-known is cartoonist [Oleg Kuvaev](#), author of the series about Masyanya, who left Russia and since the

start of the full-scale war has been producing a series of cartoons with an anti-war message. It is supposed that the case against him was initiated for a series of cartoons in which Masyanya urges Russian soldiers to surrender with the help of 'I want to live,' a project set up by the Ukrainian intelligence service.

The list of those imprisoned under **Art. 280.4 CC RF** who have been recognised as political prisoners by the 'Political Prisoners. Memorial' human rights project includes:

- [Parvinakhan Abuzarova](#), a resident of Kazan (sentenced to three years in a general-regime penal colony);
- the above-mentioned defendants in the Vesna movement case, [Anna Arkhipova](#), [Yan Ksenzhepolsky](#) and [Vasily Neustroev](#) (in custody awaiting trial);
- Defendants in the 'Moscow' case [Nikolai Daineko](#), [Artyom Kamardin](#) and [Yegor Shtovba](#) (all sentenced to terms in a general-regime penal colony – Daineko to four years, Shtovba to five and a half years, Kamardin to seven years; they were also charged with incitement to hatred [**Art. 282, Part 2, CC RF**]);
- [Sergei Korneev](#), a resident of Chelyabinsk Oblast (sentenced to two years in a general-regime penal colony);
- [Tatyana Moskalenko](#), an activist from Adygea (in custody awaiting trial; in January 2024 she was either placed under house arrest or released under a ban on certain activities).

2.1.4. Prosecutions for calls to engage in terrorism or extremism, and incitement of hatred, in relation to anti-war statements

By the beginning of the full-scale invasion of Ukraine by the Russian army, Russian law enforcement had developed a consistent practice of prosecuting critics of the authorities for calls to engage in terrorist activity or justification of terrorism (**Art. 205.2 CC RF**), calls to engage in extremism (**Art. 280 CC RF**) and incitement of hatred or hostility (**Art. 282 CC RF**). In 2022, the legal arsenal concerning calls to engage in certain activities was supplemented by a new law on calls to engage in activities against the security of the state (**Art. 280.4 CC RF**), details of which can be found in [Section 2.1.3](#).

Criminal cases under these articles are often initiated for emotional publications on social media, including criticism of law enforcement officers and officials. Law enforcement does not always take into account such important factors as the author's intention, the context and audience of the statement, or the likelihood of consequences.

At the same time, liability for these offences may include long-term imprisonment. Thus, the articles on calls to engage in extremism and incitement of hatred and hostility provide for penalties of up to five years' imprisonment, while the article on calls to engage terrorism carries a penalty of up to seven years' imprisonment. Defendants in cases prosecuted under **Art. 205.2**

CC RF, **Art. 280 CC RF** and **Art. 282 CC RF** are also automatically included in the Federal List of Terrorists and Extremists maintained by the Federal Financial Monitoring Agency (Rosfinmonitoring). People placed on this list are significantly restricted in their ability to dispose of their funds and use banking services.

Art. 205.2 CC RF (calls to engage in terrorist activity, justification or propaganda of terrorism)

Prosecutions for justification of terrorism are often triggered by statements about events that security agencies classify as acts of terrorism. According to OVD-Info, in 2023 more than a hundred opponents of the war were [prosecuted](#) in politically motivated cases for this offence. The grounds for these prosecutions included comments about arson attacks on military recruitment centres, the death of propagandist Vladlen Tatarsky, the attempted assassination of the writer Zakhar Prilepin and attacks by the Ukrainian military on the Crimean Bridge and Belgorod Oblast. In addition, cases under **Art. 205.2 CC RF** were also initiated for statements calling for anti-war protests and for support for Ukraine. Examples of such cases in 2023 include:

- [Nikolai Farafonov](#), an anti-war blogger from Komi, was prosecuted for allegedly calling for the burning down of military recruitment centres and justifying such an event in the town of Usinsk;^[2]
- [Yaroslav Shirshikov](#) from Yekaterinburg was prosecuted for a post in which he wished Vladlen Tatarsky ‘may he not rest in peace;’^[3]
- [Mikhail Zharikov](#), an ex-employee of the Torpedo hockey club in Nizhny Novgorod was found guilty on three different charges, including justification of terrorism, and sentenced to six years in a penal colony. The reason for Zharikov’s prosecution under **Art. 205.2 CC RF** was a comment about the attempted assassination of Zakhar Prilepin;
- High school teacher [Nikita Tushkanov](#) was [sentenced](#) to five and a half years in a penal colony – in part under **Art. 205.2 CC RF** for comments about attacks by the Ukrainian military on the Crimean Bridge;
- Sociologist [Boris Kagarlitsky](#) was charged in connection with his livestream ‘Explosive congratulations of the cat Mostik’ on the same topic; in July 2023, he was remanded in custody; in December he was sentenced to a large fine; subsequently, in February 2024, the court of appeal [replaced](#) the fine with a five-year term in a penal colony;
- In late 2023, Lipetsk anti-fascist activist [Feliks Yeliseev](#) was sentenced to 14 years in a penal colony on a number of criminal charges, including under **Art. 205.2 CC RF** for a post about an attack by the Ukrainian military in Belgorod Oblast;
- Novosibirsk pensioner [Takhir Arslanov](#) was sentenced to three years in a penal colony on charges of calling for people to engage in extremism (**Art. 280, Part 2, CC RF**), and in terrorism and riots (**Art. 212, Part 3, CC RF**); he was charged, in particular, with pub-

2 In March 2024 Farafonov was [sentenced](#) to six years in a penal colony.

3 In February 2024 Shirshikov was [sentenced](#) to two years in a penal colony.

lishing online posts about the arson of the military recruitment centres in the Kirov and Lenin districts of Novosibirsk. The term imposed on Arslanov was [reduced](#) by two months on appeal.

In addition, by the end of the year it [became known](#) that a criminal case had been brought against the well-known writer [Boris Akunin](#) (real name Grigory Chkhartishvili) on charges of disseminating ‘fake news’ about the Russian army (**Art. 207.3, Part 2 [e], CC RF**) and justification of terrorism (**Art. 205.2, Part 2, CC RF**). The case against him was initiated shortly after pro-Kremlin pranksters Vovan (Vladimir Kuznetsov) and Leksus (Aleksei Stolyarov) published conversations with writers Akunin and [Dmitry Bykov](#). During the phone call with the pranksters,^[4] Akunin said he had organised a fundraiser to help Ukraine.

A criminal charge for making calls to engage in terrorism can also be added to other charges. For example, in the autumn of 2023, information [appeared](#) about a criminal case initiated on a charge of calling to engage in terrorism against [Aleksei Rozhkov](#), a defendant in a case of arson of a military recruitment centre in Sverdlovsk Oblast. The basis for this charge was a repost of a video by the *Khodorkovsky LIVE* channel, in which Rozhkov spoke about his first criminal prosecution.^[5]

Since 2019, human rights activists have [noted](#) an increase in criminal prosecutions for justification of terrorism of people already in detention. In October 2023, it became known that a charge of this nature [had been brought](#) against former Moscow municipal deputy [Aleksei Gorinov](#), who is serving a long sentence for disseminating ‘fake news’ about the army (**Art. 207.3, Part 2 [a, b, d], CC RF**) in a penal colony in Vladimir Oblast. Gorinov has been accused of discussing, with other prisoners, the Azov Battalion and attacks by the Ukrainian army on the Crimean Bridge.

4 Pranker [Russian] is a prankster — is a person who engages in pranks [prank] (from the English word ‘prank,’ meaning trick, mischief, stunt, antic, practical joke or joke) of this kind could be described as telephone hooliganism or a type of practical joke, consisting of a call to someone (usually anonymous) followed by a conversation that confuses the pranker’s interlocutor. The prank is often intended to be absurd. During a telephone prank, the caller, through provocation and banter, brings their victim to the desired state of confusion, anger or rage, often accompanied by a steady stream of swearing. The prank may be recorded and further disseminated on the Internet.

5 The case was [initiated](#) in 2022 on a charge of ‘attempted murder committed with particular cruelty by means of a generally dangerous method motivated by hooliganism’ (**Art. 105, Part 2 [e, f, i], CC RF** in conjunction with **Art. 30, Part 3, CC RF**) because there was a security guard in the building of the Berezovsky military recruitment centre, something which, according to the investigators, Rozhkov knew. The guard was not injured, the fire was extinguished, and petrol canisters were found at Rozhkov’s home. However, the police officer who detained Rozhkov claimed no one was in the building. Rozhkov was [remanded in custody](#). While he was on remand he was subjected to compulsory psychiatric treatment and was sent to a psychiatric hospital for 21 days for examination. However, the charge was subsequently reclassified to attempted intentional destruction of another’s property (**Art. 167, Part 2, CC RF** in conjunction with **Art. 30, Part 3, CC RF**) and Rozhkov was released from custody and placed under travel restrictions. In November 2022, Rozhkov failed to appear at the first court hearing in his case. He later reported that he had left the country. On 30 May 2023, he was [taken](#) from Kyrgyzstan to Russia and remanded in custody. Rozhkov said he had been threatened with torture in the building of the Kyrgyz State Committee for National Security, after which he was taken to the airport and in Russia was met by FSB officers who put a bag over his head and beat him with an electric shock gun. On 10 October, the charge of arson was reclassified as commission of an act of terrorism (**Art. 205, Part 1, CC RF**).

Article 280 CC RF (calls to engage in extremism)

Art. 280 CC RF is often used to prosecute those who criticise the authorities, which law enforcement officials assess as ‘calls for violent change of the foundations of the constitutional order.’ This charge is used against opponents of the war less often than the charges of justification of terrorism or making calls to engage in, terrorism. OVD-Info has [counted](#) about 60 such cases. Among those prosecuted under this article in 2023 are:

- Chita anarchists [Aleksandr Snezhkov](#) and [Lyubov Lizunova](#) were charged with making the graffiti, ‘Death to the regime,’ and publications about arson attacks on military recruitment centres. They have also been charged with vandalism (Art. 214, Part 2, CC RF) and public justification of terrorism (Art. 205.2, Part 2, CC RF). Snezhkov is on [remand](#), while Lizunova was initially banned from certain actions, but later her pre-trial conditions were tightened and she was placed under house arrest.^[6]
- [Kirill Martynushev](#), a student from Tyumen, was remanded in custody in 2022 on a charge of making calls to engage in extremism for an emotional video about the breaking up of anti-war protests. He was [sentenced](#) in 2023 to three years in a general-regime penal colony.
- In March 2023, [Evgeniya Mayboroda](#), a 72-year-old resident of Shakhty in Rostov Oblast, was charged with disseminating ‘fake news’ about the army (Art. 207.3, Part 2 [e], CC RF) and making calls to engage in extremism for reposting a text about the number of Russian soldiers killed in the war and an emotional video.^[7]

Article 282 CC RF (incitement of hatred or enmity)

The classification of a statement as incitement of hatred or enmity implies the existence of a specific person or social group against whom the statement is directed. Among the people and groups against whom law enforcement officials believe opponents of the war incite hatred are [Vladimir Putin](#), [Russian military service personnel](#), and ‘[Moskali](#)’ [a pejorative Ukrainian term for Russians].

In 2023, two defendants in the ‘[Mayakovsky case](#)’ initiated under Art. 282 CC RF – [Anton Kamardin](#) and [Yegor Shtovba](#) – were [sentenced](#) to seven years’ imprisonment and five and a half years’ imprisonment, respectively. Another defendant in the case – [Nikolai Daineko](#) – was [sentenced](#) to four years in a penal colony in May 2023, after he entered into a plea bargain with the investigative authorities. The young men faced criminal prosecution for reading anti-war poems by the Moscow statue of the Soviet poet Mayakovsky. Initially, they were [charged](#) with incitement of hatred ‘towards participants in combat operations in the LNR and DNR’, but later a charge of making calls to engage in anti-state activity (Art. 280.4, Part 3, CC RF) was [added](#) to the indictment for calls to sabotage mobilisation.

6 In April 2024 it became known that Lizunova had been remanded in custody for violating the rules of her house arrest.

7 Early in 2024 Mayboroda was [sentenced](#) to serve five and a half years in a penal colony.

2.1.5. Other forms of military censorship

During 2023, the Russian authorities continued to exercise military censorship, primarily by blocking various media outlets. According to the [Roskomsvoboda](#) project, which monitors Internet censorship by the Russian authorities, in February 2023 the number of Internet resources blocked for reasons of military censorship was 10,000, by November 2023 this number had reached 15,000. Meanwhile, according to [TASS](#), citing the Prosecutor General's Office, in 2023 more than 69,000 media outlets 'discrediting with "fake news" the actions of the Russian armed forces and the Russian authorities' were blocked or deleted.

It should be remembered that, in the first months of the war, popular websites of media outlets not under the Kremlin's control were blocked, including *Meduza*, *Mediazona*, *The Village*, *Sobesednik*, *Republic*, *7x7*, *Gorizontalnaya Rossiya*, *Bumaga*, *Ekho Kavkaza*, *Taiga.Info*, as well as *Radio Liberty*, *BBC*, *Voice of America* and *Deutsche Welle*. In addition, Facebook, Instagram and Twitter, which had been widely used before, were now blocked. The Meta company, which owns Facebook and Instagram, was designated extremist. In this way, in a short period of time the greater part of media outlets disseminating views different from the official Russian viewpoint were made inaccessible to many people living in Russia, or at least difficult to access.

It should be noted that Telegram was unaffected and not blocked. After the start of the war, it was expected that YouTube would be blocked, but this has not happened as of this time of writing. Meanwhile, several independent online resources that appeared after the start of the war — *Verstka*, *Novaya vkladka*, *Novosti-26*, *ROAR*, *Dron Media* — were blocked as early as 2022. What happened to the independent news aggregator *The True Story*, which was blocked three days after its launch, is illustrative.

During 2023, websites dedicated to covering the war continued to be blocked, in particular those publishing lists of the dead, as well as various Ukrainian Internet resources (including various domains of the project 'I Want to Live', which explains how Russian soldiers sent to fight can surrender as prisoners of war). Other websites blocked included that of the [Kovcheg project](#), which helps Russian citizens who left the country, and the website of the related project, *First Flight*, which addresses those who left Russia but intend to return after the fall of the Putin regime; the website of [Radio Sakharov](#), set up in May 2023 by former staff of the Sakharov Centre (an educational and research organisation that was officially closed down in August 2023, but was actually forced to cease operations in the first months of the year); and the website of the digital project '[Prodolzhenie Sleduet](#)', created by journalists from *Novaya gazeta* that suspended operations at the end of March 2022 after warnings from Roskomnadzor. At the request of the military prosecutor's office, the website of the Movement of Conscious Refuseniks was also [blocked](#).

Despite a significant decrease in the number of media outlets blocked in 2023, [RoskomSvoboda notes](#) some innovations in censorship procedures and methods that have been characteristic of this year. VPNs [virtual private networks that encrypt internet traffic and route connections through the VPN provider's server enabling the circumvention of geographic restrictions] were blocked more actively, with eight of the 15 most popular VPN services blocked by the end of the year. In addition, in October 2023, the Duma [passed](#) a bill on the blocking of websites

that provide information about how to circumvent blocking. The bill also envisages blocking online resources that carry proposals to finance the Ukrainian armed forces and instructions on how to transfer money to Ukrainian organisations and foundations.

2.1.6. Prosecutions for participation in demonstrations or street performances against the war or mobilisation

In 2023, there were no mass protests against the war, such as public gatherings or marches. The only cases where people gathered on the streets in groups to express opposition to the war would seem to have been the laying of flowers at various statues and memorials (mostly to Ukrainian figures) in Russian cities over the deaths of civilians in Ukrainian cities as a result of Russian military strikes. Otherwise, street protests against the war were limited to single-person pickets and anonymous actions such as writing graffiti.

We do not have data for the number of people who took part in protests against the war. However, certain conclusions can be drawn about the war-time situation regarding freedom of assembly from the statistics of arrests for anti-war protests maintained by OVD-Info. For the whole year 2023 the number of arrests each month at anti-war protests did not exceed 50, with the sole exception of February, when 82 detentions were recorded. Apparently, the increase in the number of detentions that month was because of protests held in connection with the anniversary of the beginning of the war. February aside, the maximum number of detentions in 2023 was recorded in May (47), the minimum in July (7). In total, there were 276 arrests at anti-war protests during the year, according to data as of the beginning of December 2023. By contrast, there had been 18,905 arrests in more than ten months of 2022 (including anti-war protests prior to the official start of the full-scale invasion).

It should be noted that, according to OVD-Info, based on the number of arrests the war was not the main reason for protests in 2023 (unlike in 2022). More arrests were recorded at protests in support of political prisoners. However, since at least some of those arrested had spoken out in support of those prosecuted for opposition to the war, they can also be counted in the total number of detainees at anti-war rallies. According to OVD-Info, at least 52 people were arrested at protests in support of political prisoners prosecuted for anti-war protests in 2023, not counting arrests at protests in support of all political prisoners (89 such rallies were recorded). The largest number of arrests at an action in support of political prisoners prosecuted for anti-war speech took place on 19 March in the office of the Open Space project. There, 30 people attending a presentation of cartoons by Sasha Skochilenko, an artist prosecuted for disseminating 'fake news' about the Russian military (**Art. 207.3, Part 2, CC RF**), were [detained](#). At least one detainee was beaten up; subsequently their lawyer, who had not been allowed into the police station to see their client, was also beaten up by police. Law enforcement officers tried to force those detained to sing patriotic songs (a humiliating practice tried out during previous raids in Moscow bars) but the sound equipment did not work.

In 2022, there were more than 20 criminal prosecutions for participation in large-scale anti-war protests. Almost all of these cases were initiated in 2022, but in less than half were judgments handed down in that year.

As in previous years, in 2023 the law most frequently used in prosecutions for participation in public protests has been **Art. 318 CC RF** on the use of violence against a representative of the authorities. At least 17 people were charged with an offence under **Art. 318, Part 1, CC RF** (violence not dangerous to life or health), three were charged under Part 2 (dangerous violence), and one person was charged with an offence under both Part 1 and Part 2. The charges of five of those prosecuted were later reclassified under **Art. 115 C RF** (causing minor harm to health). All these prosecutions were initiated in 2022; at least nine people were convicted and sentenced in that year and four in 2023; in addition, in at least two cases, charges were dropped in 2023.

The most cases brought under **Art. 318 CC RF** (including the case reclassified under **Art. 115 CC RF** against five people) were in Dagestan where, following the anti-mobilisation protests in Makhachkala on 25 and 26 September 2022, a total of 12 prosecutions are known. According to available statistics, in Moscow three persons were prosecuted under **Art. 318 CC RF**, in St. Petersburg the number was also three, while there were two in Sverdlovsk Oblast and one in Buryatia.

In terms of pre-trial conditions, at least seven people were remanded in custody, two were banned from certain activities, and one was placed under house arrest.

There are 16 known court judgments in these cases. Verdicts against ten people were handed down in 2022 (most of which figured in Memorial's [report](#) on politically motivated prosecutions in 2022), one of which was reviewed in 2023. The prosecutions of at least two people ended with the dismissal of charges and the imposition of a court fine: these were the cases of [Magomed Ubaidulaev](#) and [Murad Aligadzhiev](#), residents of Makhachkala – two of the five people with regard to whom the charges had been reclassified from 'violence against a representative of the authorities' to 'causing minor harm to the health of a private person.' These two, as well as [Sultan Akhmedkhanov](#), [Biymurat Ibragimov](#) and an unidentified man, were accused of inflicting 'multiple blows with hands and feet on various parts of the body' of police lieutenant S. Sarukhanov at a protest on 26 September 2022. The defendants [claimed](#) they were responding to screams from a young woman whose phone had been stolen during the rally. They suspected Sarukhanov, who was in civilian clothes, of the theft. As a result, the investigative authorities agreed that the defendants could not have known that Sarukhanov was a police officer. There is no information as of the time of writing whether the charges have been dropped against Akhmedkhanov and Ibragimov and the unidentified man.

Three defendants were fined. Makhachkala resident [Kemran Agabekov](#) was fined 50,000 roubles in 2023 (no other details are known). [Suren Atanasyan](#), a participant in a Moscow protest against mobilisation on 21 September 2022 who was accused of striking 'R. S. Sosnin, an inspector of the Avangard OMON service organisation of the Main Directorate of the National Guard in Moscow' in the head was also sentenced to one year of compulsory work in a correctional centre in 2022 (at the time of publication of last year's annual report by Memorial, information about the punishment handed down in this case had not been known).

Five people were given suspended prison sentences, two of them in 2023. Makhachkala resident [Mukhammad-Afandi Asipov](#), on a charge that is not known, was given a two-year suspended

sentence. The verdict in the case of [Kirill Korolyov](#) from St. Petersburg, who took part in an anti-war protest on 6 March 2022 and was accused of attacking a police officer after the rally had been broken up, was reviewed twice. In September 2022 the case against him was [dismissed](#) with imposition of a court fine. Then, in January 2023, on appeal this decision was [overturned](#) and on 2 March Korolyov was [sentenced](#) to ten months in a low-security penal colony. However, on 10 May the court of appeal [replaced](#) the term of imprisonment with a suspended sentence.^[8]

Three people were sentenced to terms of imprisonment, two of them in 2023. [Adam Gadzhiev](#), a resident of Makhachkala, was given a year and a half in a general-regime penal colony (it is believed he was released in November 2023), and Buryat activist [Natalya Filonova](#) was sentenced to two years and ten months in a general-regime colony. Filonova's case was indirectly related to the protest against mobilisation in Ulan-Ude on 24 September 2022. On that day she and human rights activist [Nadezhda Nizovkina](#) were arrested and two days later, on 26 September, both were tried in the Sovetsky district court in Ulan-Ude on an administrative-law charge of repeated violation of the regulations governing participation in public assemblies (**Art. 20.2, Part 8, CAO RF**). However, that day the court announced an emergency evacuation. Filonova and Nizovkina were taken away from the court in different cars, and, according to the investigative authorities, Filonova struck one police officer in the face with her hand and poked another in the face with a pen. The investigative authorities classified Filonova's blow with her hand as 'violence not dangerous to life or health' (**Art. 318, Part 1, CC RF**), and the use of a pen as 'dangerous to life or health' (**Article 318, Part 2, CC RF**), since the pen allegedly touched the police officer's face close to their eye. According to an acquaintance of the activist, at the time of Filonova's arrest force was used against her, and she had been threatened with violence in the police car. Filonova was placed under house arrest. On 15 November 2022 it became known that an additional charge of breaking a police officer's finger had been brought against her. After that, Filonova was remanded in custody. In December 2022, social services placed Filonova's adopted son in hospital, and in March 2023 he was sent to an orphanage. Following the events involving Filonova, another criminal case was opened against human rights defender Nadezhda Nizovkina, who was questioned as a witness, as a result of which she could not provide legal representation to Filonova. In May 2023, Nizovkina was accused of refusing to testify in Filonova's case (**Art. 308 CC RF**). At the end of the summer of 2023, the charges against Nizovkina were dropped.

Serious charges were brought against two residents of Omsk, [Anton Zhuchkov](#) and [Vladimir Sergeev](#), in connection with an anti-war protest in Moscow on 6 March 2022. According to the investigative authorities, the two men intended to set fire to a police van and commit suicide. During their arrest, both took methadone,^[9] and were taken first to the Sklifosovsky Emergency Medical Research Institute before being remanded in custody. Initially, they were both

8 [Dmitry Dubenyuk](#), the other person prosecuted in the case of the above-mentioned incident in St. Petersburg, was sentenced to a year in a low-security penal colony back in April 2022 and was released in October of the same year. Initially, it was reported that another person, who had managed to escape, had been involved in the attack on the police officer. It is not known whether that person is being prosecuted.

9 Methadone is a synthetic drug that belongs to the opioid group of surfactants. After taking methadone, the addict feels a very powerful rush of energy, which turns into euphoria. The drug subsequently has the opposite effect, making a person lethargic and inert.

charged with ‘preparing an act of hooliganism by a group of persons with the use of weapons’ (Art. 213, Part 2, CC RF in conjunction with Art. 30, Part 1, CC RF). It was reported that the two were found to be in possession of explosives. On 5 May it became known that the charge had been reclassified to ‘preparing an act of terrorism by a group of persons’ (Art. 205, Part 2, CC RF in conjunction with Art. 30, Part 1, CC RF). Sergeev [pleaded guilty](#) while Zhuchkov stated that he had only intended to commit suicide. On 20 April 2023 both men were sentenced to terms in a strict-regime penal colony, Zhuchkov to 10 years, and Sergeev to eight years. On 27 September, the appeal court reduced both sentences by two months.

Three criminal cases initiated in connection with speech at mass protests should also be noted. [Andrei Tsapkalenko](#) was accused of insulting the feelings of religious believers (Art. 148 CC RF) for, among other things, calling Patriarch Kirill of the Russian Orthodox Church the Antichrist during a protest on 6 March 2022 in Khabarovsk. On 28 December 2022, the case was dismissed, but this was known only in [March 2023](#).

A statement which became grounds for another criminal prosecution was related to the war, more precisely to mobilisation, but was made at a protest over a different issue. In October 2023, it became known that [Fail Alsynov](#), an activist from Bashkortostan, had been charged with incitement to hatred (Art. 282, Part 1, CC RF) for a speech he made in the Bashkir language at a gathering of local people in the Baymak district against the construction of a gold mine. In his speech, Alsynov criticised the mobilisation carried out in the republic and the lack of access of local residents to the natural resources of the region. According to the investigative authorities, he made a negative reference to people from the Caucasus and Central Asia. After his arrest, Alsynov was released under travel restrictions.^[10]

Finally, the ‘[Mayakovsky case](#)’, brought against participants in poetry readings on Moscow’s Triumfalnaya Square on 25 September 2022 (held annually since 2009 at the Mayakovsky statue to revive the tradition of Mayakovsky readings which began in 1958), can also be attributed to this group of prosecutions. Initially, poets [Artyom Kamardin](#), [Nikolai Daineko](#) and [Yegor Shtovba](#) were charged with inciting hatred (Art. 282, Part 2, CC RF) towards ‘members of volunteer armed groups of the Donetsk and Lugansk People’s Republics’. The charge was based on Kamardin’s poem ‘Kill me, militiaman!’ which he recited at the event.

The case received public attention from the first day, primarily because Kamardin, as he claimed, was subjected to violence during his arrest, which took place the next day in his flat. The poet reported through his lawyer that he was not only beaten, but also had the shaft of a dismantled dumbbell shoved into his anus, in an effort to make him apologise for his poems. Kamardin’s girlfriend [Aleksandra Popova](#) and their neighbour [Aleksandr Menyukov](#) were also beaten. All three poets were remanded in custody. In March 2023 it became known that the three had been charged with ‘calling for people to engage in activities against the security of the Russian Federation’ (Art. 280.4, Part 3, CC RF). According to the investigative authorities, at the poetry readings Kamardin organised a collective declamation of calls to refuse to accept call-up papers, not to sign for them, not to attend military recruitment offices, and to remember the above, while Daineko and Shtovba took part in the declamations. Daineko pleaded guilty and his case was tried separately. On 10 May 2023, he was sentenced to four years in a general-

10 On 17 January 2024 Fail Alsynov was [sentenced](#) to four years in a general regime penal colony.

regime penal colony. On 28 December 2023, Shtovba was sentenced to five and a half years in a general-regime penal colony and Kamardin to seven years, also in a general-regime penal colony.

Single-person pickets and other small-scale protests against the war, including street performances, were also grounds for criminal proceedings. The relevant statistics related to cases brought under **Art. 280.3, Part 1, CC RF** on repeated discrediting of the armed forces are presented in [Section 2.1.2](#). Instances where street performances, including graffiti, were grounds for initiating prosecutions for vandalism (**Art. 214 CC RF**) are discussed in [Section 2.1.5](#). The remaining cases, including the prosecutions for disseminating ‘fake news’ (**Art. 207.3, Part 2, CC RF**) brought against St. Petersburg activist [Olga Smirnova](#) and former Channel One employee [Marina Ovsyannikova](#), number at least 10, eight of which were initiated in 2022, although only verdicts concerning two persons were handed down that year.

The prosecution of [Olga Nazarenko](#), an activist from Ivanovo, for repeated discrediting of the armed forces and related activities also includes a charge for repeated violation of the regulations for holding public events (**Art. 212.1 CC RF**). Nazarenko was charged with discrediting the army for pasting up leaflets about war crimes in Ukrainian cities on 6 September 2022 (the required conviction for an offence under administrative law [**Art. 20.3.3 CAO RF**] necessary for the initiation of criminal proceedings had been for a single-person picket by Nazarenko with a poster containing a quote from a poem by the Ukrainian poet Lina Kostenko); and with ‘repeated violation of the regulations for holding protests’ for holding a single-person picket on 10 September 2022 in support of Aleksandra Skochilenko, Olga Smirnova, Viktoria Petrova, Maria Ponomarenko and Ilya Yashin, all prosecuted for their anti-war stance on charges of disseminating ‘fake news’ (see [Section 2.1.1](#)). Similar administrative-law prosecutions under **Art. 20.2 CAO RF**, necessary to initiate criminal proceedings under **Art. 212.1 CC RF**, had been initiated for solitary pickets held in February 2022. Two of these were in protest against the war; another, held on 13 February, was in support of [Nikita Uvarov](#), convicted in the case of the Kansk teenagers. Nazarenko died in October 2023 after falling from a tree. Her criminal case was at that time already pending in court.

Some anti-war street performances resulted in criminal prosecutions after videos or photos of them were disseminated on social networks. For example, in St. Petersburg, a prosecution for insulting the feelings of believers (**Art. 148 CC RF**) was initiated for posts on Telegram and VK in April 2022 timed to coincide with Easter. These were photographs of a Party of the Dead rally, held in a cemetery, in which a man in a black robe and with a hidden face held up anti-war posters. In September 2022, the homes of activists of the Party of the Dead in St. Petersburg and the Moscow Oblast were [searched](#). In December 2022, a warrant for the arrest of party leader [Maksim Yevstropov](#) was issued, and in February 2023 he was [remanded in custody in absentia](#).

Three convictions for anti-war street performances were handed down in 2023. Two of them were related to arson. On 28 February 2023, [Aleksei Nechushkin](#), a Muscovite, was sentenced to four years in a general-regime penal colony on the grounds that a year earlier, on 27 February 2022, he had driven a car onto the pavement on Pushkin Square, damaging a metal fence, and then set fire to the car’s interior. The car bore the inscriptions ‘People, rise up!’ and ‘This is war.’ Nechushkin was charged with hooliganism involving resistance to a representative of the authorities (**Art. 213, Part 2, CC RF**). On 31 May 2023, [Igor Paskar](#), a resident of Volgograd, was sentenced to eight and a half years in a strict-regime penal colony for a protest in Krasno-

dar against the war. According to the investigative authorities, Paskar threw a Molotov cocktail into the front entrance of the local FSB headquarters, after which he painted his face in the colours of the Ukrainian flag and remained at the scene, waiting to be detained. This incident was considered an act of terrorism (**Art. 205 CC RF**). In addition, Paskar was accused of vandalism motivated by hatred (**Art. 214, Part 2, CC RF**) for burning a banner with the letter Z and the inscription ‘We do not abandon our own’.^[11] See [Section 2.3](#) for more details on prosecutions for arson as an anti-war protest.

A prosecution for attempted hooliganism committed by a group of persons (**Art. 213, Part 2, CC RF** in conjunction with **Art. 30, Part 3, CC RF**) was [initiated](#) in connection with a protest planned for 9 May 2022 by artist [Danila Tkachenko](#). He intended to launch, remotely, blue and yellow smoke bombs built into air conditioners outside the windows of his apartment near the Kremlin, but the protest was disrupted by security forces. Tkachenko left Russia on 7 May. The investigative authorities considered musician [Grigory Mumrikov](#) a participant in the protest even though Tkachenko claimed he alone had made all the preparations. Mumrikov was arrested on the night of 10 May 2022 and remanded in custody. On 8 August he was released and placed under house arrest. On 4 April 2023 Mumrikov was sentenced to one and a half years of compulsory work in a correctional centre, the charge having been reclassified to aiding and abetting attempted hooliganism (**Art. 213, Part 1, CC RF** in conjunction with **Art. 30, Part 3, CC RF** and **Art. 33, Part 5, CC RF**). Mumrikov was released on parole on 11 September 2023.

Another prosecution for hooliganism in Moscow, related to a protest intended to take place on 9 May 2023, was that of [Konstantin Kochanov](#). The grounds for the charges were red crosses drawn on the asphalt on the night of 9 May 2023. According to the investigative authorities, Kochanov drew two crosses near houses in Bolshoi Kozlovsky Lane and one cross on Nizhnaya Krasnoselskaya Street. Photographs of the crosses were published by a Ukrainian Telegram channel, stating that the crosses could have been drawn as markers for attacks on the city before the public holiday. Later, a refutation appeared in the pro-government Telegram channel *Voina s feikami*. The post’s authors claimed such drawings were markings of geodetic points, i.e. they were used to make topographic surveys of an area. At first, the police refused to initiate a criminal case. However, when they subsequently did, Kochanov was remanded in custody. He was subsequently also charged with vandalism (**Art. 214, Part 1, CC RF**). Kochanov was released from custody before the end of 2023.

A prosecution for use of violence against a representative of the authorities (**Art. 318, Part 1, CC RF**) and, presumably, insulting a representative of the authorities (**Art. 319 CC RF**) was brought in Moscow against [Vitaly Yermishin](#), who in August 2023 wrote lines by Vladimir Mayakovsky in chalk on the road: ‘War is a wind with the stench of corpses, war is a factory for making beggars!’ [‘Voina — eto veter trupnoi vonishchi — zavod po vydelke nishchikh!']. He was beaten up by a security guard from a nearby shopping centre. When Yelena, Vitaly Yermishin’s wife, called the police they pushed Yermishin to the ground, handcuffed him and took him to the local headquarters of the Investigative Committee. It subsequently became known that a criminal case had been opened against him. The investigative authorities requested that Yermishin be remanded in custody, but the court placed Yermishin under house arrest. By November 2023 he was no longer under house arrest but banned from certain activities.

11 A popular propaganda slogan in support of the Russian invasion of Ukraine.

Another prosecution for ‘use of force against a representative of the authorities,’ indirectly related to anti-war protests, was initiated in Gatchina, Leningrad Oblast. On 27 July 2022, activist [Aleksandr Pravdin](#) was detained for a single-person picket holding a poster that read, ‘Russians, you are not people.’ At the police station he was charged with [incitement of hatred](#) (**Art. 20.3.1, CAO RF**). His wife, [Momagul Alimordonova](#), accompanied him to the police station. When asked to leave the premises, she refused. Then, according to Pravdin, his wife was sprayed in the face with tear gas, thrown to the floor and handcuffed. Subsequently, Pravdin was told that charges had been brought against his wife. [According to the investigative authorities](#), Alimordonova ‘took the opportunity to surreptitiously enter’ the Gatchina district police station where, allegedly, she threw police officer Ivanova to the tiled floor and pushed her down the stairs. Alimordonova was arrested and later attended Gatchina clinical district hospital. As stated on the medical report, Alimordonova was diagnosed with multiple bruises and contusions on her body and in the area of her upper and lower extremities. In September 2023, Alimordonova was sent to a [psychiatric hospital](#) for examination. During one of the court hearings, Pravdin noticed strangulation marks on her neck. In December 2023, the prosecutor’s office [returned](#) the case to the investigative authorities.

Anastasia Levashova, so far as we know the first person convicted for protesting against the war and sentenced to two years in a penal colony for throwing a Molotov cocktail at police officers at a Moscow protest on 24 February 2022, was [released](#) on 5 August 2023.

At least 12 criminal prosecutions were initiated for statements about planned or past anti-war protests. While at least 10 of these cases were initiated in 2022, only one person was convicted in that year.

At least three prosecutions were initiated for statements made in response to being arrested at anti-war protests. In January 2023, Tyumen resident [Kirill Martyushev](#) was sentenced to three years in a general-regime penal colony in January 2023 on a charge of making calls to engage in extremist activity (**Art. 280, Part 2, CC RF**). Martyushev has spent several hours in a police station following his arrest for a single-person anti-war picket on 24 February 2022, after which he recorded a video in which he said that police officers should be put in the electric chair, which provided the grounds for his prosecution. The prosecution of Novokuznetsk activist [Igor \(Ingvar\) Gorlanov](#) was initiated on a charge of incitement of hatred (**Art. 282, Part 2, CC RF**) for aggressive publications on Telegram about judges and police officers, presumably in connection with his arrest on the way to an anti-war protest on 27 February 2022 and subsequent arrests and trials. Later, an additional charge of insulting a representative of the authorities (**Article 319 CC RF**), unrelated to the protests, was brought against him. In August 2023, [Maksim Polovnikov](#), a resident of Norilsk, was prosecuted for public justification of terrorism (**Art. 205.2, Part 2, CC RF**) for emotional statements he had made, particularly in connection with the violent breaking up of anti-war protests in Moscow. On 2 April 2024, he was [sentenced](#) to two years in a penal colony.

Apparently, calls to hold protests were one of the reasons for prosecuting [Tatyana Moskalenko](#), a Maykop resident (see [Section 2.1.3](#) on **Art. 280.4 CC RF** on calls to engage in activities against the security of the Russian Federation). In Petrozavodsk, [Sergei Drugov](#), author of the *Voina – eto krinzh* Telegram channel, faced prosecution for reposting a publication by the Feminist Anti-War Resistance, in which activists criticised the cult of Victory against the backdrop of Russian aggression in Ukraine and announced alternative mourning protests to be held on 9 May 2022.

He was charged with dissemination of information disrespectful to the days of military glory (**Art. 354.1, Part 4, CC RF**). On 25 July 2023, Drugov was sentenced to two years of compulsory work in a correctional centre. [A resident of Tver](#) was charged with calling on people to engage in extremist activity (**Art. 280, Part 2, CC RF**) for comments on the Telegram channel *Zakroy za mnoy Tver* made during a protest against mobilisation on 21 September 2022. The comments were made with regard to a post suggesting that police officers dispersing the protest should be sent to the front and contained the abbreviation ACAB^[12] and an aggressive call for violence against law enforcement officers. The Tver resident was also charged with possessing drugs. On 28 December 2022, the court returned the case to the prosecutor's office but, on 1 March 2023, that decision was overturned on appeal and the case sent for a retrial. On 27 March, the defendant was given a [suspended sentence](#) of two and a half years.

Two collective prosecutions were reported for involvement in the organisation of riots (**Art. 212, Part 1.1, CC RF**) on the grounds of discussing plans for future protests in chat rooms. One case was opened in Kazan in March 2022, for which all information is dated to that same year. The second case was initiated in St. Petersburg on grounds of publications of 24 September 2022 on a number of Telegram channels, including ones with an anti-war orientation devoted to various types of active resistance. On 17 May 2023, searches took place at a number of addresses. Yegor Pavlov and Viktoria Kuzmina were accused not only of involvement in the organisation of riots, but also of public justification of terrorism (**Art. 205.2, Part 2, CC RF**). After the interrogation, they were released under travel restrictions. Kuzmina left Russia. A warrant was then issued for her arrest and she was remanded in custody in absentia. Marianella Filatova, another St. Petersburg resident arrested in the same case, was charged with calling on people to engage in extremist activity (**Art. 280, Part 2, CC RF**). On 10 October 2023, she was given a two-year suspended sentence.

Several other prosecutions relating to the planning of protests are described in the next section.

2.1.7. Vesna prosecutions

The Vesna [Spring] movement was founded in 2013 in St. Petersburg, after which branches of the organisation appeared in other Russian cities. Vesna set its goals as 'changing the corrupt regime in Russia, building a system based on democracy and human rights.' Vesna took an active part in various protests, including the anti-war demonstrations that began immediately after Russia's full-scale invasion of Ukraine.

The first criminal case brought directly against participants in Vesna, as well as against those the investigative authorities considered to be involved in the movement's activities, became known on 7 May 2022 when there was a [series of searches](#) in St. Petersburg. Law enforcement officers went to the home of the parents of the movement's national coordinator, [Bogdan Litvin](#), who had previously left Russia, and detained coordinators of the movement [Valentin Khoroshenin](#) and [Yevgeny Zateev](#). The two were taken to Moscow, after which they were banned from cer-

12 An abbreviation of the English-language phrase, All Cops Are Bastards, a popular slogan among antifascists and anarchists.

tain activities pending trial. The next day [Roman Maksimov](#) was detained in Novgorod, and on the night of 9 May in Moscow several activists were detained after searches: [Timofei Vaskin](#), a public defender of those detained for administrative-law offences, [Ivan Drobotov](#), a former employee of the Anti-Corruption Foundation and [Angelina Roshchupko](#), a journalist working for Skat media. All four were banned from engaging in certain activities pending trial. All those detained were charged with ‘creation of a non-profit organisation infringing on the personality and rights of citizens’ (**Art. 239 CC RF**). Litvin was considered by the investigative authorities to be the organiser (he was charged with an offence under **Art. 239, Part 2, CC RF**) while the seven other defendants (in addition to those named, [Yekaterina Goncharova](#), who had left Russia, was also charged) were charged as participants (**Art. 239, Part 3, CC RF**). According to the investigators, Vesna ‘encouraged citizens to commit unlawful acts’ and promoted such acts, specifically calling on people to take part in protests against the war on 25, 26 and 27 February 2022. The involvement of some of the defendants in the activities of Vesna was proved in a perturbing manner. For example, Vaskin [said](#) that in his case the proof was his correspondence with another defendant in the case, in which the interlocutor had asked Vaskin for the number of the intercom on the entrance to his apartment building.

Drobotov and Maksimov left Russia and an arrest warrant was issued for them, as in the cases of Roschupko and Vaskin. On 6 October 2022 Litvin and another Vesna activist [Timofei Martynenko](#) were designated as ‘foreign agents,’ and on 14 October 2022 the movement itself was included on the ‘foreign agent’ register. A few days earlier, on 11 October, the movement had been added to the list of extremist and terrorist organisations.

In May 2023, the charges against Khoroshenin and Zateev were reclassified to come under **Art. 239, Part 2, CC RF**. On 6 June 2023, they were [detained](#) again after [searches](#) in St. Petersburg and taken to Moscow. On the same day, [Vasily Neustroev](#), a member of the board of the local Yabloko party branch, was arrested in St. Petersburg (the door of his flat was broken down), [Yan Ksenzhepolsky](#) was detained in Tver, [Anna Arkhipova](#) was detained in Novosibirsk, and [Pavel Sinelnikov](#) was detained in Barnaul. All those arrested were also taken to Moscow. In this way it became known that a [new case](#) had been initiated against Vesna. This time the main charge in the case was ‘organisation of an extremist group (**Art. 282.1 CC RF**). All six detainees were charged under **Part 1** of this article (creation of an extremist group), while Sinelnikov and later Arkhipova were charged under **Part 2** (participation in the activities of an extremist group).

In addition, all but Sinelnikov were charged with ‘disseminating information disrespectful to the days of military glory by a group of persons’ (**Art. 354.1, Part 4, CC RF**). Furthermore, Ksenzhepolsky, Arkhipova and Neustroev were charged with making ‘public calls to engage in actions against the security of the state, committed by an organised group’ (**Art. 280.4, Part 3, CC RF**) and disseminating ‘fake news’ about the Russian army ‘by a group of persons motivated by hatred’ (**Article 207.3, Part 2 [b, e], CC RF**). Neustroev was also charged with ‘organising the activities of non-profit organisations that infringe on the personality and rights of citizens’ (**Art. 239, Part 2, CC RF**) and ‘inducement to organise riots’ (**Art. 212, Part 1.1, CC RF**). Later, in early December 2023, Ksenzhepolsky and Arkhipova were also charged with inducement to organise riots. Ksenzhepolsky was also charged under **Art. 239, Part 2, CC RF**, while Arkhipova was charged under **Art. 239, Part 3, CC RF** (‘participation in the activities of non-profit organisations that infringe on the personality and rights of citizens’).

All six were remanded in custody on 8 June 2023.

According to the investigative authorities, the extremist group was established in December 2021, while the Vesna movement itself had been founded in 2013. Most of the charges were based on posts on Vesna's social media accounts in 2022. In the second case, as in the first, there are charges for calls to organise protests at the end of February 2022. At the same time, in the second case as in the first, it is not always clear why the investigators considered some of the defendants to be involved in the movement's activities. For example, Neustroev had not been involved in the movement for several years.

A total of 21 people are on trial in the second Vesna prosecution, including 15 for whom arrest warrants have been issued. Among the 15 are Bogdan Litvin and Yekaterina Goncharova who appeared in the first case, Timofei Martynenko, and also the national coordinator of the movement [Andrei Lozitsky](#), former coordinator of Vesna's Chelyabinsk branch [Aleksandr Kashevarov](#), editor-in-chief of Skat media and former coordinator of Navalny's headquarters in Krasnodar [Lev Gyammer](#), assistant to a deputy of Novosibirsk City Council [Vladimir Arzhanov](#),^[13] [Gleb Kondratiev](#), [Makar Dyakonov](#), [Yekaterina Bushkova](#), [Vladislav Sorvenkov](#), [Kira Pushkaryova](#), [Anna Nazarova](#), [Mikhail Tukh](#) and [Maria Lakhina](#). They have all been declared wanted.

All 15 for whom arrest warrants have been issued in the second Vesna case face charges of creating an extremist community. All but Lakhina and Arzhanov are suspected of disseminating information disrespectful to the days of military glory by a group of people (**Art. 354.1, Part 4, CC RF**). All but Goncharova, Lakhina and Arzhanov are suspected of disseminating 'fake news' about the Russian army 'by a group of persons motivated by hatred' (**Art. 207.3, Part 2 [b, e], CC RF**) and 'public calls to engage in actions against the security of the state, committed by an organised group' (**Art. 280.4, Part 3, CC RF**). Martynenko, Pushkaryova, Nazarova, Tukha and Lakhina are also suspected of participation in the activities of an extremist community (**Art. 282.1, Part 2, CC RF**).

In December Litvin was [remanded in custody in absentia](#). It became known that the two charges against him had been merged. He now faces charges under six articles of the criminal Code: creation of an extremist group (**Art. 282.1, Part 1, CC RF**) creation of a non-profit organisation infringing on the personality and rights of citizens (**Art. 239, Part 2, CC RF**), spreading 'fake news' about the army (**Art. 207.3, Part 2 [b, e] CC RF**), spreading information disrespectful to the days of military glory (**Art. 354.1, Part 4, CC RF**), involvement in riots (**Art. 212, Part 1.1, CC RF**) and making calls to engage in activities against the security of the Russian Federation (**Art. 280.4, Part 3, CC RF**).

Another criminal case related to Vesna was initiated in October 2023. Polina Piskeeva, a resident of Ulyanovsk, was accused of participation in the activities of an extremist organisation (**Art. 282.2, Part 2, CC RF**) for sticking up flyers by Vesna against the war and mobilisation. After

13 A criminal case was opened against Arzhanov in March 2022 for embezzling 22,362 roubles 5 kopecks from Novosibirsk City Council 'through deceit and breach of trust.' Arzhanov stated that he was in fact being accused of stealing his own salary. At that time, similar charges were brought against two other assistants to deputies of Novosibirsk City Council. According to Arzhanov, this could hardly have coincided by chance with the initiation of criminal cases against opponents of the war. Novosibirsk deputy Helga Pirogova, for whom Arzhanov worked as an assistant, and another defendant in the fraud case, [Yekaterina Aleksandrova](#), spoke out against the war and the putting of the letter Z on city transport. Later, Pirogova herself was prosecuted for spreading information known to be false about the armed forces of the Russian Federation (**Art. 207.3, Part 1, CC RF**).

Piskeeva made public the fact that her home had been searched she was also charged with ‘disclosure of information about a preliminary investigation’ (**Art. 310 CC RF**). On 11 January 2024, Piskeeva was given a three-year [suspended sentence](#) on the charge of extremism and acquitted on the charge of disclosure of information about an investigation.

2.1.8. The case of Vladimir Kara-Murza

We have separated the prosecution of one particular individual into a separate subv of this report on account of its unprecedented nature. So far as we know, the case of [Vladimir Kara-Murza](#) is the sole case of a conviction for treason (and of a harsh sentence in the form of a lengthy prison term) for public statements.

On 17 April 2023, [Moscow City Court](#) sentenced [Vladimir Kara-Murza](#) to 25 years in a strict-regime penal colony. He was found guilty on three charges: treason (**Art. 275 CC RF**), disseminating ‘fake news’ about the Russian army (**Art. 207.3, Part 2 [e], CC RF**) and involvement in the activities of an ‘undesirable organisation’ (**Art. 284.1, Part 1, CC RF**). He was sentenced to 18, seven and three years of imprisonment on each of the charges, respectively, with parts of the sentence to run concurrently. In addition, the politician was banned from engaging in journalistic activities for a further seven years after his release, and fined 400,000 roubles. At the end of July 2023, the First Court of Appeal of General Jurisdiction [upheld](#) the verdict.

Kara-Murza had been detained in April 2022 and [jailed](#) for 15 days for disobeying a police officer (**Art. 19.3 CAO RF**). According to the law enforcement officers involved, Kara-Murza ‘behaved inappropriately’ at the sight of police officers, ‘changed the direction of his movement, quickened his step and tried to hide when asked to stop.’ Shortly before the end of the jail term, it became known that a criminal case had been [opened](#) against him for disseminating ‘fake news’ about the Russian army and he was remanded in custody. At the same time, Kara-Murza was added to the list of ‘foreign agents.’

In July 2022, Kara-Murza was also charged with participation in the activities of an ‘undesirable organisation’ for taking part in a round table in support of Russian political prisoners.

Kara-Murza was [charged](#) with treason (**Art. 275 CC RF**) in October 2022 on the grounds of public speeches he had made at forums in Lisbon, Oslo and Helsinki, as well as for his participation in hearings of the U.S. Helsinki Commission via video link. Kara-Murza had criticised the Russian authorities and spoken about the illegitimacy of the country’s elections, as well as the need for Russian citizens to have access to objective information about the war in Ukraine. Valeria Vetoshkina, a lawyer for the NGO Pervy Otdel, noted that this was the first publicly known case of a conviction for treason unrelated to the transference of state secrets.

The case was heard in camera. Kara-Murza’s lawyers twice demanded the recusal of the presiding judge Sergei Podoprighorov, who is on the Magnitsky list. The defence stressed that he could not conduct the trial impartially, as Kara-Murza had [lobbied](#) for the adoption of the Magnitsky Act in the United States and other countries.

While in detention, Kara-Murza's health deteriorated significantly.^[14] In February, he was placed in a punishment cell, where he began to experience numbness in his limbs. In late March, his lawyer Vadim Prokhorov [reported](#) that both feet of his client were affected. Kara-Murza was diagnosed with polyneuropathy, which, as Prokhorov emphasised, is a medical condition that is grounds for a person not to serve a term of imprisonment. Despite this, Kara-Murza was sent to a penal colony and while there has regularly been placed in a punishment cell. By November 2023, Kara-Murza had been placed in [punitive isolation](#) five times and had been charged with 14 breaches of regulations, including having a button undone and using a bed while lacing up his shoes.

Kara-Murza's lawyer, Vadim Prokhorov, also faced intimidation from the authorities. Shortly before the verdict was announced, he was forced to [leave](#) Russia because of the threat of criminal prosecution. According to Prokhorov, the judge and prosecutor warned him of this danger during the trial.

The 'Political Prisoners. Memorial' human rights project has [recognised](#) Vladimir Kara-Murza as a political prisoner.

2.2. Prosecutions for vandalism, desecration of memorials and graves

As already noted in Memorial's report on political repression in 2022, one of the most common types of anti-war protest has been the writing of inscriptions on various objects in cities and the defacement of symbols associated with the war, especially of the letter Z. As a rule, such protests have resulted in prosecutions for vandalism ([Art. 214 CC RF](#)).

In 2023, at least 24 people who had taken part in anti-war protests in 2022 were convicted of vandalism. The most common type of penalty for this offence was a non-custodial sentence (applied to 11 persons). The length of such sentences varied from six months to a year, except in four cases. [Anton Zavadsky](#) and [Faik Khandzhigazov](#), paramedics from Tula who drew graffiti in the entrance halls of four apartment buildings (reading 'Overthrow Putler! Stop the war!') were [given non-custodial sentences](#) of two years. The two were also charged with making calls to engage in extremism ([Art. 280, Part 1, CC RF](#)) for which they were both fined 180,000 roubles. In addition, two residents of Sevastopol in annexed Crimea, charged with desecration of the Russian flag ([Art. 329 CC RF](#) – see below for more details on prosecutions under this article), were [given non-custodial sentences](#) of 15 and 25 months.

14 In 2015 and 2017, Kara-Murza was twice hospitalised with symptoms of poisoning. The Bellingcat investigative group later pointed out that before his first hospitalisation as a result of poisoning Kara-Murza had been followed by the same FSB officers who had followed Boris Nemtsov and Aleksei Navalny.

Eight people were sentenced to terms of imprisonment. The severity of the penalties in these cases was related to the fact that in all these cases the charge of vandalism (**Art. 214 CC RF**) was not the only one .

In 2023, in all likelihood, the number of such protests significantly decreased. The number of those whose prosecution under **Art. 214 CC RF** began in 2022 was 69, while in 2023 the corresponding number was only 19. At the same time, three of those whose prosecutions began in 2023 were prosecuted for acts that took place in 2022. In three other cases, the dates of the acts are unknown. In ten prosecutions, according to the investigative authorities, the imputed acts of vandalism were committed in 2023, and this was probably also so for two other prosecutions. In the vast majority of cases, those prosecuted were charged with vandalism committed by a group of persons, with motivation variously ascribed as on the grounds of political, ideological, racial, national or religious hatred or enmity, or on the grounds of hatred or enmity against a social group (**Art. 214, Part 2, CC RF**). Only two people were charged with the less serious offence under **Art. 214, Part 1, CC RF**. The first was [Oleg Knyazev](#), a resident of Cheboksary, who, according to the investigators, on 9 January 2023 destroyed a metal structure in the form of the letter Z put up in the Victory Memorial Complex, striking it with his hands and feet, and on 14 January of the same year fired metal balls from a slingshot at the door of the State Archive, which bore a sticker in the form of the letter Z. The second was a [15-year-old girl from Feodosia](#) in annexed Crimea who allegedly drew symbols of an extremist movement on the building of a district heating plant, on the wall of an abandoned building and on a gazebo.

Of prosecutions for vandalism that began in 2023, four were in annexed Crimea and two in annexed Sevastopol. In at least five cases, the discovery of these cases was facilitated by the Krymsky SMERSH Telegram channel and by the pro-Russian activist Aleksandr Talipov, who is behind the initiative. Three people have been prosecuted in one case in Tomsk, two people in Yaroslavl Oblast, and we know of one case in each of five other regions, including Moscow. Another person detained in Rybinsk (Yaroslavl Oblast), was charged not only with vandalism for anti-war graffiti, but also with participation in the activities of an extremist organisation (**Art. 282.2, Part 2, CC RF**) for graffiti in support of the Anti-Corruption Foundation and Navalny's headquarters. His case was transferred to Moscow but was then tried in Rybinsk.

At least four people were remanded in custody during the year; five were placed under house arrest; two were banned from certain activities, and two were placed under travel restrictions. One person, [Philipp Kozlov \(Philippenzo\)](#), a street artist from Volgograd, was prosecuted for his work 'Izrossilovanie' [a play on the Russian words for rape and Russia], painted under the Elektrozavodsky Bridge on the Yauza embankment in Moscow. Kozlov left Russia after he had been forcibly detained and jailed twice for 15 days for administrative-law offences on a charge of 'disobeying the lawful demands of police officers (**Art. 19.3 CAO RF**).

Unfortunately, we generally know less about prosecutions for vandalism than, for example, about prosecutions for spreading 'fake news' about the armed forces. The former receive much less public attention and these cases are heard by magistrates (if there are no other charges), and sentences in such cases are relatively lenient. As a result, very often information about them, unlike information about the initiation of criminal cases, is not widely disseminated by the media or Telegram channels. At the end of the year, judgments in two vandalism cases initiated in 2023 were known. Cheboksary resident Oleg Knyazev, mentioned above, was [sentenced](#) to eight months of non-custodial compulsory work. Kerch residents [Yegor Savchenko](#) and

[Mikhail Zhitkov](#) were each given a one-year non-custodial sentence for anti-war graffiti, but then the sentence was [quashed](#) because the magistrate had drafted only the introductory and operative parts of the verdict in the deliberation room, and attached a more complete version of the verdict to the case later, which is a violation of the law. At the time of writing, it is not known whether the final verdict in this case has yet been handed down.

Among those imprisoned on charges of vandalism, Memorial has recognised as political prisoners only those who were also charged with other offences. They are listed here:

- [Aleksai Arbuzenko](#), a resident of Tolyatti, who, according to the investigators, over several weeks threw paint and drew graffiti on three banners carrying images of Russian military figures (sentenced to six years in a general-regime colony; he was also charged with involving a minor in criminal activity [[Art.150, Part 4, CC RF](#)] and discrediting the armed forces, involving damage [[Art.280.3, Part 2, CC RF](#) – for more on these cases see below]);
- [Kirill Butylin](#), a resident of Moscow Oblast (sentenced to 13 years in a strict-regime colony; in addition to a charge of vandalism for painting the gates of a military recruitment centre in the colours of the Ukrainian flag, he was charged with committing a terrorist act causing significant damage [[Art.205.2, Part 2, CC RF](#) – the first instance of application of this article in connection with an attempt to set fire to a military recruitment centre, see [Section 2.3](#)], and public justification of terrorism [[Art.205.2, Part 2, CC RF](#)] for publication of a manifesto);
- [Aleksandr Martynov](#) and [Lyudmila Razumova](#), residents of Tver Oblast (sentenced to six and a half and seven years in a general-regime colony, respectively; they were charged with vandalism for anti-war graffiti on buildings in local villages [in particular, they wrote ‘Ukraine, forgive us’ on the back wall of the Konfetka shop], but the main charge was disseminating ‘fake news’ about the army ([Art.207.3, Part 2 \[e\], CC RF](#), see [Section 2.1.1](#)));
- [Vladislav Kraval](#), a resident of Ukhta (sentenced to six years and three months in a general-regime penal colony; in addition to inscribing ‘Fuck war’ on a banner with the letter Z that had been put up on the facade of the local palace of culture, he was charged with falsely reporting an act of terrorism [[Art.207.3, Part 3, CC RF](#)] for calling the police about the arson of a military recruitment centre);
- [Igor Paskar](#), a resident of Volgograd (sentenced to eight and a half years in a strict-regime penal colony; the main charge related to an attempt to set fire to the FSB headquarters in Krasnodar, classified as an act of terrorism [[Art.205, Part 1, CC RF](#)]; in addition, setting a banner with the letter Z on fire and writing the inscription ‘We do not abandon our own’ was classified as vandalism);
- [Bohdan Ziza](#), a resident of Yevpatoria in annexed Crimea (sentenced to 15 years in a strict-regime penal colony; he was charged with committing an act of terrorism [[Art.205, Part 1, CC RF](#)] for dousing the main local government building with blue and yellow paint and throwing a Molotov cocktail at it, and with public justification of terrorism [[Art.205.2, Part 2, CC RF](#)] for a video manifesto he published; he was also charged with vandalism for dousing the government building with blue and yellow paint);
- [Artemy Perevozchikov](#), a resident of Udmurtia (on remand awaiting sentencing);

- [Sergei Streknev](#), a resident of Rybinsk (on 15 February 2024 he was sentenced to three and a half years in a general-regime penal colony for graffiti against the war and in support of Aleksei Navalny, Perevozchikov and Streknev were both charged not only with vandalism but also with participation in the activities of an extremist organisation [Art. 282.2, Part 2, CC RF]; however, the latter charge was later reclassified as participation in the activities of an extremist group [Art. 282.1, Part 2, CC RF]).

In addition, [Konstantin Kochanov](#), in custody in the case of the red crosses painted on Moscow roads on the night of 9 May 2023, was also charged with vandalism: previously he had only been charged with hooliganism (Art. 213, Part 1, CC RF).

Acts that appear to be similar can be classified as different crimes. The case of [Aleksandr Kudryashov](#), a resident of Leningrad Oblast, is illustrative. Kudryashov, according to the investigative authorities, in the autumn of 2022 damaged a war memorial at the Road of Life Museum Complex, inscribing graffiti on the Commemorative Kilometre Memorial Stone and the pedestal of an anti-aircraft gun, in which he equated the swastika in the first case with the Soviet red star and in the second case with the letter Z. Initially, a criminal case was opened for ‘damaging a monument or memorial structure commemorating those who died in defence of the Fatherland or its interests’ (Art. 243.4, Part 2 [b], CC RF) and Kudryashov was remanded in custody on this charge. However, the charge was then reclassified as ‘vandalism motivated by political hatred’ (Art. 214, Part 2, CC RF) on the grounds that the paint used by Kudryashov washed off over time, and the memorial was not permanently damaged. He was then [released from custody](#) and banned from certain activities. Subsequently, the charge was again reclassified, this time as ‘desecration of symbols of military glory’ (Art. 354.1, Part 3, CC RF) and ‘damage to property’ (Art. 167, Part 1, CC RF). On 20 December 2023, Kudryashov [was sentenced](#) to a fine of 1,400,000 roubles. It is presumed that he was found guilty only of ‘desecration of symbols.’

There have been instances of prosecutions under Art. 354.1, Part 4, CC RF (desecration of symbols of military glory on the Internet or by a group) for actions that could be classified as vandalism. Currently under house arrest in Nevinnomyssk (Stavropol Krai) is Muscovite [Kirill Pilyugin](#), who, according to the investigators, in November 2022 put a sticker with the word ‘Bucha’ on the ‘Stars of Heroes’ memorial and sent the photo to the Vidimy protest Telegram channel. In Orel Oblast, [Stepan Sitnik](#) and [Aleksandr Kulakov](#) are being [prosecuted](#) for graffiti in white paint in the shape of the letter Z with the slogan ‘We do not abandon our own’ and a St George ribbon.

[Daria Kozyreva](#), a St. Petersburg resident, was charged under Art. 167 CC RF. She was a minor at the time of committing the imputed act. The reason for the [prosecution](#) was an inscription on the installation ‘Double Hearts’ about the ‘friendship’ between St. Petersburg and the Ukrainian city of Mariupol. Kozyreva wrote ‘Murderers, you bombed it. Judas.’

In several cases, for similar protests, prosecutions were brought for discrediting the armed forces (Art. 280.3, Part 2, CC RF). Unlike prosecution under Art. 280.3, Part 1, CC RF, which is described in [Section 2.1.2](#), for Part 2 to apply, it is not necessary for a person to have been held liable under administrative law for discrediting the armed forces of the Russian Federation (Art. 20.3.3 CAO RF), but it is necessary for a person’s actions to have caused ‘death by negligence or harm to the health of citizens, property, mass disruption of public order or public safety or interfered with the functioning or interruption of the functioning of life support facilities, transport or social infrastructure.’ At the current time only a small number of prose-

cutions initiated under **Art. 280.3, Part 2, CC RF** are known, possibly because of the similarity of these offences to those penalised under other articles.^[15]

In addition to the case of [Aleksei Arbuzenko](#) from Tolyatti, described above, at least two people were convicted under **Art. 280.3, Part 2, CC RF** in 2023. [Ivan Churinov](#), a neurologist from the Krasnodar Krai, was [fined](#) 800,000 roubles. According to the investigators, Ivan Churinov, together with [Anton Bykov](#), ‘went at night by car in the period from 11.09.2022 to 18.09.2022 to different areas of the city of Rostov-on-Don, the Aksai district, and the city of Novocherkassk in Rostov Oblast, and deliberately, aware of the illegal nature of their actions, as well as the fact that they could be seen by others, threw paint in the direction of banners bearing portraits of participants in the Special Military Operation’. Bykov has left Russia. Another person convicted was Kirov resident [Vladimir Vladimirov](#). According to the investigators, on 17 August 2023 he approached a mobile military recruitment point for soldiers under contract, covered his face with a T-shirt and set fire to the tent. He then stepped back, exposing his face, and filmed the fire on his phone, sending the video to other people. He was [sentenced](#) to two years in a general-regime penal colony.

In addition, a St. Petersburg court is currently considering the case of [Vladimir Mironov](#), who, according to investigators, broke windows in the building of the Vyborg district military recruitment office and wrote on the walls, ‘No to war’, ‘Enough killing’ and ‘How many can be killed.’ Initially it was reported that he had been charged with hooliganism (**Art. 213, Part 2, CC RF**) and **Art. 280.3, Part 1, CC RF**, but it subsequently became known that the charges come under **Art. 280.3, Part 2, CC RF**.

Closely related to the article on vandalism (**Art. 214 CC RF**) is the article on desecration of burial places, specifically the ‘desecration of the bodies of the dead or the destruction, damage or desecration of burial places, gravestones or cemetery buildings intended for ceremonies related to the burial of the dead or their commemoration, committed on grounds of political, ideological, racial, national or religious hatred or enmity or on grounds of hatred or enmity against a social group’ (**Art. 244, Part 2 [b], CC RF**). We know of two prosecutions brought in 2022 under this article in connection with anti-war protests. On 11 May 2023, [Irina Tsybaneva](#), a St. Petersburg resident, was given a two-year [suspended sentence](#). Her offence was, according to the investigative authorities, the following note which she left near the grave of Putin’s parents

15 Below are prosecutions brought under **Art. 280.3, Part 2, CC RF** involving graffiti or any other damage to war-related objects. There is also at least [one case](#) brought under **Art. 280.3, Part 2, CC RF** for a collective physical attack on someone who had returned from the war. In August 2023 in the village of Nerchinsky Zavod (Zabaikalsky Krai), a former fighter from the Wagner private military company and veteran of the Special Military Operation Mikhail Taskin had a conflict in a cafe with several local residents, as a result of which, according to the investigators, [Vladislav Aleksandrov](#), [Ivan Zyryanov](#) and [Sergei Piskaryov](#) called Taskin a murderer and after he had left the cafe with his acquaintances, caught up with him in a car and assaulted him. All three are in custody. They have also been charged with ‘intentional infliction of minor harm to health on the grounds of political or ideological hatred’ (**Art. 115, Part 2 [b], CC RF**) and intentional destruction of property (**Art. 167, Part 1, CC RF**) for damage to the car. Also involved in the case is Anastasia Chertkova, who, according to the investigators, helped catch up with Taskin. She has been charged with ‘incitement to discredit the armed forces’ (**Art. 280.3, Part 2, CC RF** in conjunction with **Art. 33, Part 5 CC RF**) and with ‘incitement to cause harm to health’ (**Art. 115, Part 2 [b], CC RF** in conjunction with **Art. 33, Part 5, CC RF**), along with [Yevgeny Golyatin](#), who, according to the investigators, held back an acquaintance of Taskin who had tried to interfere. Golyatin has also been charged with ‘incitement to harm health’ **Art. 115, Part 2 [b], CC RF** in conjunction with **Art. 33, Part 5, CC RF**). The case is already in court. Zyryanov has lost the use of his legs and right arm, which makes it impossible for him to move independently.

in Serafimovskoe cemetery on the eve of Putin's birthday, 6 October 2022: 'Parents of a maniac, take him to yourselves, he causes so much pain and misery, the whole world prays for his death [unintelligible]. Death to Putin, you brought up a freak and a murderer'. In November 2023, it is believed, [Valeria Goldenberg](#), a resident of Sudak (in annexed Crimea) was released. In June 2022 she had been [sentenced](#) to two years in a low-security penal colony because, according to the investigators, she poured blood and faeces on the grave of Valentin Isaichev, a mortarman of the 810th brigade of the Russian Marine Corps who died in Berdyansk in Ukraine on the landing ship Orsk.

2.3. Prosecutions on charges of arson of military recruitment centres, government buildings and transport

2.3.1. Incidents of arson as protests against the war and the general nature of related prosecutions

Since the beginning of the full-scale invasion of Ukraine, there have been arson attacks on military recruitment centres and other administrative buildings in both Russia and annexed Crimea. Such attacks increased significantly following the announcement of mobilisation on 21 September 2022.

As of 28 July 2023, *Mediazona* had [counted](#) 113 publicly known arson attacks on military recruitment offices committed in 48 regions since the beginning of the full-scale war. *Mediazona* noted that the number of arson attacks in 2023 was significantly lower than in 2022: '... 46 arson attacks were committed last autumn, 16 were committed in the winter, nine in the spring, and five during the first half of summer.' As a rule, the method most frequently used to commit arson was to throw Molotov cocktails into the building.

Sometimes the practical purpose of the attack was to destroy the archive holding the personal files of conscripts. There is little information about cases where archives were actually damaged. However, in April 2022 in Zubova Polyana (in Mordovia) and in May 2022 in Shchyolkovo in Moscow Oblast, arsonists managed to set fire to the archives, although it is not known how much damage was done. In most cases, the attack failed to destroy the archives: either the fire took

hold in a room not related to the archive, the extent of the fire proved negligible, the fire happened outside the building, the Molotov cocktails failed to ignite, or the arsonists did not have time to throw them. More often than not, the damage caused by the arson attempt was negligible.

Another, more common purpose of the arson attacks was to express a symbolic protest against the war and mobilisation.

Since the beginning of the full-scale invasion of Ukraine by the Russian army, investigators have been arbitrary in their choice of the article of the Criminal Code under which to prosecute anti-war arson attacks, probably depending on the local political situation with regard to the law enforcement agencies. Investigators have chosen from among the following offences:

- destruction or damage to other people's property by arson (**Art.167, Part 2, CC RF**) – up to five years' imprisonment;
- hooliganism (**Art.213 CC RF**) – up to five years' imprisonment or, with aggravating circumstances, up to seven years' imprisonment;
- attempted murder of a security guard with particular cruelty by generally dangerous means motivated by hooliganism (**Art.105, Part 2 [e, f, i], CC RF** in conjunction with **Art. 30, Part 3, CC RF**)^[16] – up to 15 years' imprisonment;
- acts of terrorism (**Art.205 CC RF**) – up to 20 years' imprisonment;
- treason (**Art.275 CC RF**) or attempted treason,^[17] and others.

It has proved to be the article of the Criminal Code on acts of terrorism^[18] that has been used most often. According to calculations by *Mediazona*, as of 25 July 2023, of 82 prosecutions for

16 This is how the investigative authorities initially classified the arson attack on the military recruitment centre in the town of Beryozovsky, in Sverdlovsk Oblast, in March 2022. Aleksei Rozhkov was remanded in custody as a suspect in the case. Subsequently, the charges against Rozhkov were reduced to attempted arson (**Art.167, Part 2, CC RF** in conjunction with **Art. 30, Part 3, CC RF**) and he was released pending trial under travel restrictions. Rozhkov then tried to flee to Kyrgyzstan, where in May 2023 he was kidnapped by local security services and handed over to their Russian colleagues. Rozhkov was again remanded in custody, but this time on charges of terrorism (**Art.205, Part 1, CC RF**), justification of terrorism (**Art.205.2, Part 2, CC RF**) – after he had reposted an interview he had given – and spreading 'fake news' about the Russian army by a group motivated by hatred (**Art.207.3, Part 2 [b, e], CC RF**) – for talking live on air with hosts of the programme 'Air' on the *Khodorkovsky Live* channel.

17 A charge under this article is brought, for example, when a suspect is accused of attempting arson on the instructions of the Ukrainian military. See below, the case of Ilya Baburin, a resident of Novosibirsk.

18 The practice of bringing a charge of terrorism against persons who carried out a symbolic arson attack on a government building that caused no casualties, and even in theory posed no danger to the public (in most cases buildings were set on fire at night), and caused no significant fire or damage, has been a long-term practice by Russian law enforcement agencies. Such charges were used in the case of the [Autonomous Combat Terrorist Organisation](#) for a series of arson attempts and explosions in Moscow in 2009-2010. In particular, in 2012 the courts recognised as an act of terrorism the throwing of Molotov cocktails into the local FSB headquarters in Moscow's South-West Administrative District to 'mark' the Day of the Chekist. The defendants in the case of [Oleh Sentsov](#), accused of symbolic arson attacks in Crimea shortly after its annexation in the spring of 2014, were designated as terrorists. Supporters of the Artpodgotovka movement were charged with making preparations for a terrorist attack, even in the absence of a planned target, on the sole basis of the investigators' claim that they had stored bottles of petrol on their balcony. Even plans to set fire to some hay that had been used for decorative purposes and had not been removed after a festival in central Moscow in 2019 were designated as preparations for a terrorist attack. You can read more about these and other terrorism cases in the [2020 report](#) of the Memorial Human Rights Centre.

arson known since the beginning of the full-scale war, 40 were brought on terrorism charges, 28 on a charge of destruction of property by arson, and the rest on other charges. In our 2022 [annual report](#), we noted that charges of terrorism and wilful destruction of property were used with approximately the same frequency. In some cases, suspects were first remanded in custody on a charge of destruction of property and subsequently the charge was changed to that of terrorism.

The article on acts of terrorism itself also provides for a range of possible sentences. Committing a terrorist act (**Art. 205, Part 1, CC RF**) is punishable by imprisonment from 10 to 20 years, ^[19]and if it caused significant damage or was committed by a group (**Art. 205, Part 2 [a, b], CC RF**), then the punishment is imprisonment from 12 to 20 years. For preparing to commit a terrorist crime (**Art. 30, Part 1, CC RF**), the most severe punishment that can be handed down is not more than half the maximum penalty for the crime itself; and for attempting to commit such a crime (**Art. 30, Part 3, CC RF**) the most severe punishment is not more than three quarters of the maximum punishment for the crime itself.

At the same time, the minimum sentence for preparing to commit or attempting to commit a crime is not defined. This also creates room for the arbitrary classification of a charge. Fires that are very similar in nature can be classified as an ‘uncompleted act of terrorism’ or as a completed act of terrorism with aggravating circumstances; approximately identical damage in one case is recognised as significant, in another it is not. It is also possible to reclassify a charge as more serious by adding charges under other articles.

Sentences under the article on acts of terrorism (**Art. 205 CC RF**) for arson or planning arson of military recruitment centres and other buildings generally began to be handed down in 2023 (investigations under this article tend to last longer than for less serious charges). As of the end of 2023, all 21 of those sentenced in cases of arson committed in protest against the war, known to [OVD-Info](#), had been sentenced to terms of imprisonment, ranging from four years and 10 months to 19 years. Meanwhile, 11 of the 21 persons convicted were given sentences of 10 years or more. In addition, one teenager was sent for compulsory psychiatric treatment. As a rule, punishments handed down under the article on arson are much milder. Of 15 sentences known to [OVD-Info](#) as of the end of 2023 for persons who protested against the war in this way, seven did not involve actual imprisonment (the convicted persons received either suspended sentences or were sentenced to compulsory work in correctional centres), while in the other eight cases the convicted persons were sentenced to terms of imprisonment ranging from four months in a low-security penal colony to four years in a general-regime penal colony.

19 Before the amendments of April 2023, the maximum term was 15 years. It should be noted, however, that most of the incidents of arson whose prosecutions are described in the report, occurred prior to the amendments, and therefore the previous version of the article of the Criminal Code applies in these cases.

2.3.2. Politically motivated prosecutions for anti-war arson attacks on military recruitment centres and other buildings

Political prisoners convicted on charges of anti-war arson attacks or of planning such attacks

In 2023, the ‘Political Prisoners. Memorial’ human rights project recognised seven individuals as political prisoners who had been charged with arson of a military recruitment centre or other administrative building or preparation of such arson, motivated by opposition to the war against Ukraine. The project continues to analyse similar cases to consider whether they contain evidence of unlawful politically motivated prosecution.

[Kirill Butylin](#), 22, from the town of Lukhovitsy (in Moscow Oblast), worked as an aircraft fitter and assembly worker at the Lukhovitsy Aviation Plant. He participated in an anti-war demonstration on 24 February 2022, and presumably in other, earlier, opposition protests.

What were the charges against him?

- On 28 February 2022, Butylin went to the joint military recruitment office for Lukhovitsy and Zaraysk, drew a Ukrainian flag on its gates and wrote ‘I will not go to kill my brothers!’ He then broke windows in the building and threw inside two lighted Molotov cocktails. The fire that followed covered an area of 0.3 square metres and was extinguished in two or three minutes. The investigative authorities classified the arson attack on the military recruitment centre as an act of terrorism causing significant damage (**Art. 205, Part 2 [c], CC RF**) and the graffiti on the gate as vandalism motivated by political hatred (**Art. 214, Part 2, CC RF**).
- On 8 March a [text](#) was published on Telegram channels whose author claimed to have committed the arson. The text read: ‘*The purpose was to destroy the archive of conscripts’ personal files which is located in this military unit. This should have hindered mobilisation in the district. I hope that I will not see my classmates in captivity or listed as killed in action.*’ In addition, the text read, ‘*Our protesters should be inspired and act more decisively. And this should break the spirit of the Russian army and government even more. Let these paedophiles know that their own people hate them and will wipe them out.*’ For this text, Butylin was charged with making public calls to engage in terrorism on the Internet (**Art. 205.2, Part 2, CC RF**).

On the same day, 8 March 2022, Butylin was detained while trying to cross the Belarusian-Lithuanian border and was taken to the police station in Lukhovitsy. On 13 March 2022, he succeeded in escaping, but was again caught and remanded in custody.

He was sentenced on 15 March 2023 to 13 years’ imprisonment, of which he is to serve the first three years in a cell-type prison and the remainder in a strict-regime penal colony.

[Vladimir Zolotaryov](#), 51, from Komsomolsk-on-Amur, worked as a taxi driver. He took part in demonstrations in support of Aleksei Navalny and other opposition protests. By his own admission, after the start of the full-scale war against Ukraine, he began drinking and in March 2022 decided to go into the woods for about 10 days to take his mind off the news.

What were the charges against him?

- On 12 March 2022, he used force against traffic police officers who stopped his car while he was driving to the forest. According to the investigators, during the altercation and scuffle, Zolotaryov struck one officer on the nose with his head and another in the stomach with his fist. Zolotaryov was then charged with use of force not dangerous to health against a representative of authority (**Art. 318, Part 1, CC RF**). He was placed under house arrest.
- On the evening of 3 June 2022, in violation of the conditions of his house arrest, Zolotaryov poured petrol on the porch of the National Guard headquarters in Komsomolsk-on-Amur and set fire to it. On 4 June he was detained and remanded in custody on a charge of ‘terrorism causing significant damage’ (**Art. 205, Part 2 [c], CC RF**). On interrogation, Zolotaryov said his actions were in protest against the war.
- On 29 June 2022 Zolotaryov was also charged with having made preparations in March 2022 to set fire to the offices of law enforcement agencies, because in his car, when stopped on 12 March, there were five canisters of petrol and a tyre iron. Police officers also testified that he had made threats of arson. Zolotaryov himself denied the allegations and claimed he needed the petrol to refuel his car while he was in the forest, and that he was going to use the tyre iron to cut branches, having no axe. An additional charge of making preparations for an act of terrorism was laid against him (**Art. 205, Part 1, CC RF** in conjunction with **Art. 30, Part 1, CC RF**).

Zolotaryov was sentenced to 18 years’ imprisonment, of which he is to serve the first five years in a cell-type prison and the rest in a strict-regime penal colony.

[Igor Paskar](#), 47, lived in various cities, depending on where he found work. He worked as a courier, a loader, a construction worker, a strawberry picker, a labourer, and a dealer in antiques. He took part in demonstrations in solidarity with the protesters in Belarus in 2020 and in protests against the arrest of Aleksei Navalny in 2021.

What were the charges against him?

- On 12 June 2022, Paskar set fire to a banner that bore the words ‘We do not abandon our own’ in the centre of Krasnodar. On this account, Paskar was charged with vandalism motivated by political hatred (**Art. 214, Part 2, CC RF**).
- On 14 June 2022, Paskar threw a lighted Molotov cocktail at the door of the FSB headquarters in Krasnodar Krai, as a result of which a doormat [caught fire](#) and was extinguished by FSB officers. The investigators classified this as an act of terrorism (**Art. 205, Part 1, CC RF**). Paskar put blue and yellow paint on his cheek and remained standing in place until he was detained.

After he was detained, Paskar refused to testify. He has since [claimed](#) that the FSB officers beat him, put a grenade in his hand and threatened to explode it, put a gun to his head, tortured him

with electric shocks, sat on top of him and tried to rape him with a rubber object. The torture caused Paskar to lose consciousness twice.

Paskar was sentenced on 31 May 2023 to eight years and six months' imprisonment, of which he will serve the first three years in a cell-type prison and the remainder in a strict-regime penal colony.

[Ivan Kudryashov](#), 27, from Tver, worked as a loader. In May 2022 he [put up](#) posters with the words 'Fuck war' in the colours of the Ukrainian flag at a bus stop, for which he was [fined](#) 15,000 roubles for discrediting the army under administrative law (**Art. 20.3.3.3, Part 1, CAO RF**).

What were the charges against him?

- On the night of 30 September 2022, Kudryashov was detained by FSB officers as he returned home from work. According to him, they pulled his T-shirt over his head to cover his eyes and led him to his apartment, only removing the T-shirt after some time. The officers claimed they found Molotov cocktails in the apartment. Kudryashov asserts that the officers planted them there during the search. He was charged with making preparations for an act of terrorism (**Art. 205, Part 1, CC RF** in conjunction with **Art. 30, Part 1, CC RF**).

After the search of his apartment, Kudryashov was subjected to electric shock torture. According to Kudryashov, the FSB officers also placed a stick next to his anus, threatening to rape him. He was forced to confess and to give the officers the password to his phone. A court-appointed lawyer present during the interrogation ignored the bruises and abrasions on Kudryashov's face. The Investigative Committee refused to open a criminal investigation into the allegations of torture, even though at the initial medical examination when Kudryashov was admitted to the remand prison, doctors recorded abrasions and bruises all over his body.

Kudryashov was sentenced to four years and 10 months' imprisonment, of which he is to serve the first two years and six months in a cell-type prison and the remaining term in a strict-regime penal colony. Initially, in June 2023, Kudryashov had been sentenced to six years' imprisonment. However, the sentence was reduced on appeal on 29 September 2023.

In June 2023, Kudryashov, who is a vegan, went on hunger strike for 40 days, primarily because staff at the remand prison refused to give him parcels received in his name containing vitamins and vegetable protein. On the 10th day of his hunger strike, 27 June, he was hospitalised in the regional prison hospital in Torzhok. Five days later his lawyer [found him](#) in the psychiatric ward in an immobile state and unresponsive to speech. On 4 August 2023, one of the members of his support group received a letter allegedly from Kudryashov that had been [forged](#) by prison officers. In the letter, an unknown author, claiming to write on Kudryashov's behalf, said that following his hunger strike Kudryashov was suffering from 'problems in his head', a 'nervous breakdown' and inappropriate behaviour. It was only on 8 August 2023 that the lawyer [saw the prisoner](#) in a conscious state. According to Kudryashov, he was able to remember everything that happened after 4 August, but could not remember being hospitalised or what happened during the first week he spent in hospital. At the same time, he said he had not dictated letters in his own name to anyone, nor had he written any letters in his own hand.

[Aleksei Nuriev](#), 38, from Bakal (Chelyabinsk Oblast), worked in the fire and rescue service of the Ministry of Emergency Situations. He is a musician and a member of the rock band Room 32.

and

[Roman Nasryev](#), 28, from Bakal (Chelyabinsk Oblast), worked as a driver for the extra-departmental security service of the National Guard. He is a musician and a member of the rock band Room 32.

What were the charges against them?

- On 26 and 28 September 2022, Nuriev and Nasryev tested Molotov cocktails with different chemical compositions on a vacant lot. They filmed the process on their phones. The video, when it was subsequently found, served as grounds to open a criminal case on a charge of ‘training for terrorism’ (**Art. 205.3 CC RF**).
- On the night of 10 October 2022, Nuriev and Nasryev threw two Molotov cocktails through the window of the military recruitment office in Bakal. A guard extinguished the fire with the help of a blanket and a five-litre bottle of water. Two very small pieces of linoleum were damaged. A criminal case was at first initiated on a charge of deliberate destruction of property by arson (**Art. 167, Part 2, CC RF**). Subsequently the FSB classified the alleged offence as an act of terrorism committed by a group of persons by prior conspiracy (**Art. 205, Part 2 [a], CC RF**).
- A few hours after the arson attack, Nuriev and Nasryev were detained. They have been in detention since 11 October 2022.

They were both sentenced to terms of 19 years’ imprisonment, of which the first four years are to be served in a cell-type prison and the rest in a strict-regime penal colony.

[Ilya Podkamenny](#), 19, from Irkutsk, worked at a Subway restaurant.

What were the charges against him?

- In May 2022, he taped pages from an exercise book on railway tracks, on which he had written: ‘Death to the Katsaps!’, ‘Instead of pages, Putinists will hang’, ‘Freedom for Siberia!’ The investigative authorities classified this action as calls to engage in extremism (**Art. 280 CC RF**).
- He ran a Telegram channel whose name can be translated into English as *Siberian Liberation Movement – the Federal States of Siberia*, in which the investigators identified calls to engage in both extremism (**Art. 280, Part 2, CC RF**) and terrorism (**Art. 205.2. Part 2, CC RF**).
- He planned to set fire to the military recruitment office in the village of Dzerzhinsk. Based on the testimony of his mother and canisters with an incendiary mixture found at their home, he was charged with making preparations for an act of terrorism (**Art. 205, Part 1, CC RF** in conjunction with **Art. 30, Part 1, CC RF**).
- He downloaded the book, *Russian Kitchen. The ABC of Domestic Terrorism*, and studied how to make incendiary mixtures, in this way undergoing training in terrorist activities (**Art. 205.3 CC RF**).
- He collected 8,000 roubles in cryptocurrency wallets to purchase containers with flammable liquids. The investigators classified this as organising financing terrorism (**Art. 205.1, Part 4, CC RF**).

Initially Podkamenny was detained only on a charge of making calls to engage in extremism. Under house arrest from 17 November 2022, on 21 December 2022 he was sent to a psychiatric hospital and subsequently was remanded in custody.

He was sentenced to 12 years' imprisonment, of which the first three years are to be served in a cell-type prison and the remaining term in a strict-regime penal colony. Since, according to the investigators, Podkamenny committed the alleged acts when he was not yet 18 years old, his sentence was lighter than it would otherwise have been.

Yegor Balazeikin, 17, from Otradnoe (Leningrad Oblast), was a senior high school student in St. Petersburg.

What were the charges against him?

- Between 16 and 22 February 2022, Balazeikin threw a bottle with inflammable liquid into the military recruitment office in St. Petersburg's Krasnogvardeisk district. The bottle broke, but there was no fire.
- On 28 February 2023, he threw three bottles with inflammable liquid into the military recruitment office in Kirovsk, Leningrad Oblast. None of the bottles caught fire. It was then that Balazeikin was detained. Initially, he was charged with deliberate destruction or damage to property by arson (**Art.167, Part 2, CC RF**). However, on 1 March of the same year he was charged with attempting an act of terrorism (**Art.205, Part 1, CC RF** in conjunction with **Art. 30, Part 3, CC RF**).

Since his arrest, Balazeikin has been held on remand. He has autoimmune hepatitis, as a result of which he suffers from fibrosis of the liver.

He was sentenced to serve six years in a penal colony for minors.

Application of charges of terrorism for anti-war arson attacks

The prosecutions listed above have one common feature: minor arsons are classified as acts of terrorism (and in cases where the arsons did not in fact take place, but, according to the investigators, were planned, the defendants were charged with making preparations for acts of terrorism). This classification is inappropriate to the acts in question and is politically motivated. By labelling such forms of protest as terrorism, the FSB seeks to impose the most severe punishments on the perpetrators, intimidate society, and exaggerate the threat posed by those who do not agree with the war.

The application of terrorist charges entails extremely long terms of imprisonment, as well as many additional penalties:

- Those convicted of terrorist offences serve part of the term to which they are sentenced in cell-like prisons, facilities with the harshest regime possible;
- It is possible to apply for parole only after serving three-quarters of the term (those convicted of other serious offences can apply for parole after serving half of their sentence, and for especially serious offences after two-thirds of their term);

- The Federal Penitentiary Service can send ‘terrorists’ to serve their sentences in any region of Russia (including, now, in the annexed territories), without trying to find a penal institution closer to the prisoner’s home;
- All the convicted person’s bank transactions are blocked, and this blocking will remain in force for a long time after the end of the sentence, etc.

The arson attacks committed by Butylin, Zolotaryov, Paskar, Nuriev and Nasryev, and Bala-zeikin (as well as by a number of other people) are not acts of terrorism because:

- They did not intimidate the population. In no case did the investigators prove that, for example, the residents of the neighbourhood were frightened by the fact that the linoleum in the military recruitment office or the porch in front of a law enforcement building caught fire, nor is there any evidence in these cases that the persons convicted intended to intimidate the population, which it is also necessary to prove for crimes involving direct intent;
- Most often the acts in question did not pose a danger to human life or health. As a rule, the fires were easily extinguished by people without specialised training. Those convicted said they took special precautions to prevent harm to people. For example, they lit the fire at night, did not enter the building, refrained from undertaking such acts in places where people would gather, etc.;
- As a rule, the purpose of the arsonists was not to ‘destabilise the activities of the authorities’ or to influence decisions by these authorities, but to express a symbolic protest. For example, it is unlikely that anyone would seriously suggest that a doormat on fire at the regional FSB headquarters could destabilise that body’s work or force the staff of the security services to take a specific decision. The arsonists’ acts were motivated by emotion rather than reason. For example, Zolotaryov [said](#) during his interrogation: *‘About the war in Ukraine you all probably know. I guess it is worse for some people and not so terrible for others. For me it’s just a disgrace. Putin is the arsehole who got us stuck in this whole thing. I decided there’s no way I can tolerate it any longer.’*

The most serious charge that, in our point of view, could be brought against the arsonists in such cases is ‘deliberate destruction of or damage to property by arson’ (**Art.167, Part 2, CC RF**) punishable by up to five years in a penal colony.

Nuriev and Nasryev, as well as Podkamenny, in addition to being charged with acts of terrorism, were charged with undergoing training for the purpose of carrying out terrorist activities (**Art.205.3 CC RF**).

Art.205.3 CC RF is one of the most severe in the Russian Criminal Code, providing for punishment from 15 years’ imprisonment to life. From the point of view of Russian criminal law, training for the hypothetical commission of a number of terrorist offences is worse than the offences themselves. This is exactly the situation in the case of Nuriev and Nasryev. Even the charge of ‘act of terrorism by a group,’ with which Nuriev and Nasryev were charged, is less serious (punishable by terms of imprisonment from 12 to 20 years) than the charge of ‘training in terrorism’, which in their case consisted of throwing Molotov cocktails in a vacant lot.

In our view, such actions as self-initiated ‘training’ in throwing bottles, and even more reading books or instructions on the Internet, which in other similar cases has also been prosecut-

ed under **Art. 205.3 CC RF**, can hardly be considered as ‘training.’ Such a process, in theory, presupposes the presence not only of the person being trained, but also of the trainer, and requires a systematic approach, or at least a minimal institutionalisation of the process such as a course of classes, a set of assignments, and so on. The ascribing of the purposes listed as training in **Art. 205.3 CC RF** to cases such as those of Nuriev and Nasryev is unreasonable and arbitrary.

Furthermore, when an offence is considered to have been committed, the preparations for it (such as training or studying Internet sites) should be included in the offence itself, rather than being treated as a separate offence. Even if we were to agree that the arson of the military recruitment centre was an act of terrorism, then the training of the ‘terrorists’ before the arson forms part of the same offence (as, for example, in preparing for a burglary, a thief may learn how to use a lock-pick beforehand). In cases where the ‘trainees’ never committed what they were trained to do, it is logical to speak only of making preparations for a crime (**Art. 30, Part 1, CC RF**). In such cases, the punishment may not exceed half of the maximum provided for the act for which preparations were made, and life imprisonment is not applied.

Art. 205.3 CC RF is, therefore, a means to facilitate the unjustified and practically unlimited reclassification of charges as more serious ones. This is what made it possible to sentence both Nuriev and Nasryev to 19 years’ imprisonment, which is a record punishment for anti-war arson.

It is also important to remember the situation in which people decided to set fire to military recruitment centres and government buildings.

First, the waging of a full-scale war of aggression aimed at the seizure of territory accompanied by systematic violations of the Geneva Conventions is a grave offence. The actions of the arsonists, although formally illegal, are in no way comparable to the crimes of the Russian authorities. Moreover, the intention to counter Russian military aggression, including the attempt to hinder conscription and mobilisation (the declaration attributed to Butylin refers to his desire to destroy the personal files of conscripts), can be considered socially useful rather than socially dangerous.

Second, there are no opportunities for legal protest in Russia and the occupied territories. As evident from previous sections of the current report, the authorities prosecute any expression of protest against the attack on Ukraine, whether demonstrations, publications, online posts or private conversations.

Falsifications and provocations in prosecutions for anti-war arson and sabotage

Alongside criminal cases in which defendants openly admit they deliberately decided to commit arson in protest against the war, there are instances where the evidence of the defendants’ involvement is probably falsified, as well as instances where people were influenced by provocateurs.

For example, after studying the case against Ivan Kudryashov, the ‘Political Prisoners. Memorial’ human rights project [concluded](#) that the investigators did not provide any plausible

evidence that the Molotov cocktails found at Kudryashov's home belonged to him. Kudryashov's fingerprints were not on the bottles, the only hair found on one of the bottles did not belong to Kudryashov, and nor was there any evidence that the convicted person had bought combustible mixtures or any other items for making Molotov cocktails. Furthermore, the FSB officers did not explain where they obtained the information that such bottles could be found in Kudryashov's apartment.

In addition, Kudryashov was [incited](#) to engage in dangerous actions. In particular, the charges were based on his correspondence with a former colleague, Vadim Gonchar,^[20] and with a certain person who went by the nickname 'Carl Azov.' Kudryashov told Gonchar he was ready to go to jail, but not to go to the front. However, the case file contains no messages in which he directly discussed plans to set fire to the military recruitment centre. At the same time, Gonchar himself wrote provocative messages. In particular, he suggested setting fire to buildings and asked if his friend wanted to join the Free Russia Legion. As a witness for the prosecution in court, Gonchar claimed he deleted messages in which Kudryashov spoke about specific illegal actions, but could not explain why he had not deleted the entire correspondence.

A user with the nickname 'Carl Azov' wrote to Kudryashov the day before he was detained, asking: *'Are you ready to go to the end to stop the war...? Or are you already finished?'* To which he received a sarcastic reply: *'No, I have a Molotov cocktail in one hand and a lighter in the other. Tell me where to go.'* After that, Kudryashov ignored the correspondence, in which 'Carl Azov' suggested that he 'blow up or set fire to all military recruitment centres that have documents.' The investigators, however, considered this correspondence as evidence of Kudryashov's criminal intentions.

It can be assumed that the FSB treated Kudryashov as a 'person of interest' after the latter's protest with anti-war posters and decided to fabricate the case against him.

There are other examples of prosecutions for arson where there were obvious signs of provocation of the crime by law enforcement agencies, in particular, the cases of [Valeria Zotova](#) and [Mikhail Balabanov](#).

In December 2022, a WhatsApp correspondence with Valeria Zotova was [initiated](#) by someone who introduced himself as Andrei and said he was an employee of the Ukrainian security services. Andrei kept up the communication and even ordered flowers for Zotova. At the same time, he gave her an assignment to photograph the aid collection point in Karabikha and paid her 7,000 roubles for this. According to [Zotova's mother, Svetlana Zotova](#), Andrei suggested that her daughter set fire to railway equipment, but she refused. A certain Stepan, who introduced himself as Andrei's colleague, also contacted Zotova. He also communicated with her mother, asking her to help with the planting of an explosive device (Svetlana also refused). Finally, in February 2023, at Andrei's request, Zotova agreed to set fire to the Karabikha local government building, for which she was promised \$2,000.

Zotova went to carry out the task with a friend she knew as Karina. The latter had begun communicating with Zotova around the same time that Andrei had started writing to her. It follows from the case materials that, in reality, Karina was acting on behalf of the FSB and she appeared

20 Kudryashov had previously done his compulsory military service. In September 2022, he received a summons to the military recruitment office.

in court under a pseudonym. Zotova was detained near the building with a canister of petrol and empty bottles that she had prepared.^[21]

The prosecution claimed that Karina was the only person who had cooperated with law enforcement officers. However, both Zotova's mother and her lawyer are sure that the people calling themselves Andrei and Stepan who communicated with Zotova were provocateurs from the FSB. This is evidenced by the fact that while the investigative authorities have full access to Russian bank transactions, the investigators did not show how Valeria Zotova had been paid 7,000 roubles for her alleged work for the Ukrainian security services.

The FSB might have been interested in the Zotova family because Valeria was a member of several anti-war groups on social media and her mother, Svetlana, had been convicted in the autumn of 2022 of an administrative-law offence for writing 'Glory to Ukraine' on a food stall in Yaroslavl with red paint and leaving a bouquet of yellow and blue chrysanthemums with the words 'Forgive us, Ukraine.' After her daughter's arrest, Svetlana Zotova was prosecuted for making calls for people to engage in terrorism (**Art. 205.2, Part 2, CC RF**) and extremism (**Art. 280, Part 2, CC RF**). In December she was [fined](#) 350,000 roubles.

Mikhail Balabanov, 21, is being held on remand in Stavropol on [charges](#) of preparing a terrorist act by a group (**Art. 205, Part 2 [a], CC RF** in conjunction with **Art. 30 CC RF**), specifically arson of a military recruitment centre in Nevinnomyssk.

After the announcement of mobilisation in September 2022, he called the phone number of the project, 'I want to live,'^[22] since he was afraid he would be drafted to fight in the war and was thinking over what he might do in the circumstances. His phone call went unanswered, but in the evening he sent a message to a Telegram user with the nickname 'I want to live.' Balabanov told the stranger, whom he took to be a representative of Ukraine, that he wanted to leave Russia. The user with the nickname 'I want to live' said he worked for Ukrainian intelligence, that his call sign was 'Ben,' and that if Balabanov wanted help to leave Russia he would in turn have to give assistance to 'Ben.'

At the end of November, on Ben's instructions Balabanov moved from Kazan, where he lived, to Nevinnomyssk. At Ben's request, for Ukrainian military intelligence, Balabanov also videotaped his agreement to provide assistance; he also filmed the FSB regional headquarters, the military recruitment office, the local hydroelectric power station, an electric substation, and a railway station. He also made and stored two Molotov cocktails in the apartment he was renting. Finally, on 19 December 2022, at Ben's request Balabanov went to the military recruitment centre to photograph military equipment and people who were being mobilised there. Balabanov was detained at the military recruitment centre, and during a search of his apartment the Molotov cocktails were found.

21 Zotova's legal defence managed to recover her correspondence with Karina, from which it follows that Zotova had intended to deceive the person giving her the instructions. She had decided to take a picture of herself against the background of the building holding one of the bottles and send the picture as proof, while not actually committing the arson. Even though this showed that the defendant did not intend to commit an act of terrorism, the court ignored this evidence.

22 'I Want to Live' is a Ukrainian government project to facilitate the voluntary surrender of Russian military service personnel.

Representatives of the real 'I want to live' project [told](#) the *Vot Tak* publication that they had never had any contact with Balabanov. It is very likely that Balabanov was the victim of a provocation by FSB officers, who could have easily tracked the phone numbers from which calls to the 'I Want to Live' phone line were made.^[23]

A separate mention should be made of the prosecution of *Ilya Baburin* from Novosibirsk, whose case can be considered unprecedented, given the initial charge of attempted arson he faced and the subsequent gradual increase in the number of serious charges brought against him. Baburin was remanded in custody in late September 2022 on charges of attempted arson of a military recruitment centre and organising an act of terrorism (**Art. 205.1, Part 4, CC RF**). Later, a further charge was added of involvement in terrorist activities (**Art. 205.1, Part 1.1, CC RF**) and, in early April 2023, an additional charge of [treason](#) was added because, according to the investigators, Baburin had tried to organise arson 'in order to assist' the Azov Battalion. In December 2023, it became known that Baburin had been charged with four more offences: 'illegal trafficking of special technical means for the unauthorised acquisition of information' (**Art. 138.1 CC RF**) because a GPS-beacon had been found during a search of his home; 'committing an act of terrorism' (**Art. 205, Part 1, CC RF**) for an arson attack on a music school, with which, according to Solidarity Zone, Baburin had no connection; and, for involvement in the Azov Battalion that Baburin also denies,^[24] 'participation in an illegal armed group' (**Art. 208, Part 2, CC RF**) and 'participation in the activities of a terrorist organisation' (**Art. 205.5, Part 2, CC RF**).

2.3.3. Arson attacks on military recruitment centres and government buildings for purposes other than protest against the war

In several cases, law enforcement agencies and the courts have alleged that arsonists acted on the instructions of unidentified individuals from whom they received payment. According to such reports, following a contact online, a stranger would offer a person a reward for carrying out an arson attack. Sometimes the suspect would confess to this. There have also been frequent reports that individuals have tried to make money by setting fire to railway equipment (see [Section 2.4](#)).

Without access to the files of each individual case, we cannot say whether such allegations have any truth in them. It may well be that there are persons, including in Ukraine, ready to hire willing individuals to carry out arson attacks on military recruitment centres; and also

23 On 22 May 2024, Balabanov was [sentenced](#) to four and a half years in a strict regime penal colony. Given that, in most cases, arsonists charged under anti-terrorism laws are given harsher sentences, it would seem the court implicitly recognised the weakness of the prosecution's evidence.

24 On 20 May 2024 Baburin was [sentenced](#) to 25 years in a strict regime penal colony.

that the authorities invent such cases to discredit these forms of protest, and that FSB operatives themselves incite individuals to commit such crimes in order thereafter to 'solve' them efficiently.

In 2023, incidents of arson committed at the instance of telephone scammers became widespread. As a rule, in such cases unknown persons first stole money from their victims (by tricking them out of bank card details or using other fraudulent schemes) and then promised to return what they had stolen if the persons in question set fire to a certain object. Sometimes the caller claimed to be a law enforcement officer and sought to persuade the victim to participate in a search for criminals, and for that reason to set fire to a building where criminals were allegedly hiding. There were other variants of such 'pranks' in which fraudsters persuaded people to set fire to military recruitment centres, cars, bank branches, ATMs, or police stations. Sometimes the tasks involved shouting pro-Ukrainian slogans during the arson attack. Those who fell victim to these fraudsters may themselves have taken a pro-Russian stance.

Although the Moscow FSB [stated](#) that 'in most cases, the calls are made from the territory of Ukraine,' we do not have any reliable information about who carries out such prank calls, which occur in great numbers, or for what purpose. It is not known what benefits the fraudsters gain by continuing to deceive their victims after they have stolen money from them.

However, it is important to note the sometimes disproportionate reaction of Russian law enforcement agencies to such arson attacks, namely, the charging of victims of deception with terrorism offences ([Art. 205 CC RF](#)).

This rarely happens. As a rule, if criminal cases are initiated, this is on the less serious charge of destruction of property ([Art. 167 CC RF](#)). However, there have been instances of the victims of prank calls being charged with terrorism.

For example, on 8 September 2023, 59-year-old [Yelena Komaricheva](#) was detained in St. Petersburg after she tried to set fire to the military recruitment centre in Vyborg district, threw stones at the window of the building, and filmed her actions on her phone. She had been [persuaded](#) that a criminal who had stolen her money was in the building. Komaricheva was [charged](#) with 'committing an act of terrorism by a group of persons causing significant damage' ([Art. 205, Part 2 \[a, c\], CC RF](#)). However, she was not remanded in custody pending trial, but banned from certain activities. On 20 November 2023, 74-year-old [Nadezhda Shusharo](#), who, according to [local media](#), citing a source in law enforcement agencies, also acted out of a desire to take revenge on swindlers, was remanded in custody in Novosibirsk. Shusharo was charged with 'committing an act of terrorism by a group of persons by prior conspiracy' ([Art. 205, Part 2 \[a\], CC RF](#)). These are by no means the only examples.

The [FSB](#) and the [Interior Ministry](#) have openly said that they are ready to classify such actions as terrorism. This shows the absurd degree of formalism with which the Russian authorities have for many years approached the application of anti-terrorism laws. The key feature of an act of terrorism is the intention to destabilise the activities of the authorities or international organisations, or to influence their decision-making.

Actions carried out for other purposes do not constitute terrorism; an act of terrorism cannot be unintentional or committed by mistake.

By charging the victims of fraudsters with terrorism (instead of investigating the crime com-

mitted against them^[25] and providing psychological, social and material assistance!), the authorities show their eagerness to increase the number of terrorism prosecutions at any price, calling an act of terrorism something that is obviously not.

For the same reason, it is not always possible to consider arson and other acts committed for remuneration as acts of terrorism. The desire to make money is not evidence of an intention to destabilise the authorities.

2.3.4. Prosecutions for arson of police vehicles

There are two high-profile cases in which protesters set fire to, or planned to set fire to, police vans.

Anton Zhuchkov and **Vladimir Sergeev** were hospitalised with methadone poisoning after an anti-war rally on 6 March 2022 in Moscow. Sergeev [told](#) the interrogating officers, as quoted by *Mediazona*, that he had gone to the rally with a Molotov cocktail and planned to set fire to a police van in protest against the war in Ukraine, and then commit suicide by taking methadone. Sergeev and Zhuchkov were detained before the alleged arson could take place. They then attempted suicide in the police van and were subsequently saved by doctors. Zhuchkov claimed that suicide had been his sole intention and that he had not personally planned the alleged arson attempt.

After treatment, the men were detained and remanded in custody. Initially, they were charged with attempted hooliganism (**part 2 of Art. 213, Part 2, CC RF** in conjunction with **Art. 30, Part 3, CC RF**), but later the charges were reclassified as ‘preparation for a terrorist act by a group of persons’ (**Art. 205, Part 2 [a], CC RF** in conjunction with **Art. 30, Part 1, CC RF**). Zhuchkov was also charged with the sale of narcotic substances (**Art. 228.1 CC RF**).

On 20 April 2023, Zhuchkov was [sentenced](#) to 10 years’ imprisonment and Sergeev to eight. Both are to serve the first three years of their sentences in a cell-type prison, and the remainder in a strict-regime colony. In September 2023, on appeal their sentences were both [reduced](#) by two months.

On 2 May 2022, **Vitaly Koltsov** threw two Molotov cocktails at two police buses parked on Revolution Square in Moscow. Koltsov’s motive, in his own [words](#), was ‘sympathy for those wrongfully detained at peaceful protests’ (at the time, for more than two months the police had been systematically breaking-up anti-war protests and harassing participants).

Koltsov was detained on the spot and charged with making an attempt on the life of a law enforcement officer (**Art. 317 CC RF**), which carries a penalty of up to life imprisonment. The charge

25 There is [one](#) instance, the case of 83-year-old **Rimma Vtorova**, in which the authorities not only dropped the charges against a victim of deception, but also formally recognised them as a victim. However, this happened after a story about her had been broadcast on a federal TV channel. Furthermore, Vtorova heads the district branch of the organisation Children of Wartime Stalingrad, which supports the Russian invasion of Ukraine. It is probable that these facts prompted the authorities to intervene in this case.

was related to the fact that there was one National Guard officer in each of the buses, and another 10 of their colleagues standing next to one of the buses. None of the officers were injured. Koltsov categorically denied that he had planned to harm anyone. Another charge was brought against him for ‘arson of other people’s property’ (**Art. 167, Part 2, CC RF**).

Unlike defendants charged with terrorist offences, Koltsov had the right to a jury trial and he took advantage of it. On 6 June 2023, the jury reached a verdict that the defendant had indeed committed arson, but that he had not intended to take the lives of police officers. In addition, five of the eight jurors decided that Koltsov deserved leniency.

Although the Code of Criminal Procedure prohibits the parties from questioning a jury’s verdict, the prosecutor requested that the charge of an attempt on the life of a police officer be upheld and the defendant be sentenced to 19.5 years in a penal colony. The court eventually ruled that Koltsov was not guilty of attempting to kill the police officers, but guilty of using non-dangerous violence against them (**Art. 318, Part 1, CC RF**) and arson. Koltsov was [sentenced](#) to six years in a general-regime penal colony.

In both cases, the charges were significantly more serious than the actual offence warranted, and therefore disproportionate, which may indicate the presence of a political motive in terms of a desire for retribution against the defendants and to intimidate other protesters. In the case of Zhuchkov and Sergeev, the method described above, which has become standard practice among Russian law enforcement agencies, was used, i.e., the formal labelling of any arson as a terrorist attack without attempting to prove in any plausible way that the arsonist intended to influence decisions taken by the authorities or make any demands of them, etc. The charge against Koltsov was unusual when compared with most prosecutions for arson as a form of anti-war protest, but even more absurd. It is impossible to kill 12 people, 10 of whom are standing in an open square, ‘with two Molotov cocktails,’ and the charge of an attempt on the lives of police officers is even more serious than that of terrorism. However, the fact that Koltsov was charged with a criminal offence unusual in terms of most prosecutions for arson proved ultimately beneficial to the defendant. He was able to secure a trial by jury where the chance of acquittal is more than a hundred times higher than in ordinary courts.^[26]

26 The project, To Be Accurate, based on statistics from the Judicial Department of the Supreme Court of the Russian Federation for 2022, [calculated](#) that the overall acquittal rate in the courts for 2022 was 0.15 per cent, while the acquittal rate in jury trials for the same period was 25 per cent!

2.4. Prosecutions on charges of sabotage

2.4.1. Attacks on railway infrastructure and other forms of sabotage during the full-scale war against Ukraine

With the outbreak of the full-scale war against Ukraine, Russian security forces faced the task of combating sabotage in Russia and the occupied territories. Although attacks aimed at reducing the combat capability of the Russian army have been carried out on various types of infrastructure, there have been a much greater number of attempts to damage railway traffic.

Two main types of railway sabotage can be distinguished. One is sabotage aimed at derailing trains (blowing up a train, damaging the track to cause a train to derail, etc.); the second is sabotage carried out in order to slow down traffic. ‘Micro-sabotage’ of the second type became very widespread in 2022-2023. Examples include the placing of a wire jump lead on the rails to trigger a warning system or setting fire to automated signalling equipment, most often the relay boxes. At the same time, the risk of causing an accident is extremely low. In 2022, several anonymous Telegram channels called for methods such as these to be used en masse to cause permanent disruption to train schedules and complicate supplies to the Russian army.

In September 2023, the activist group Solidarity Zone [reported](#) that since the beginning of the full-scale war against Ukraine, there have been media reports of 111 acts of railway sabotage. As of 5 October 2023, *Mediazona*, based on open sources, [counted](#) 137 persons involved in criminal cases of sabotage on railways. According to the journalists’ calculations, there were 76 criminal prosecutions (in some cases, there was more than one defendant).

In ten out of these 76 cases the exact nature of the charge is not known. In 38 out of 66 cases the defendants were charged with sabotage (**Art. 281 CC RF**). However, there has been no uniform approach to the classification of acts of sabotage on the railways.

Often (in 16 out of 66 cases) railway sabotage is classified as a terrorism-related offence, most often as an act of terrorism (**Art. 205 CC RF**). Nine cases were investigated on the comparatively milder charge of ‘destruction or damage to other people’s property’ (**Art. 167 CC RF**), for which the maximum punishment is five years’ imprisonment, or ‘damage to railway lines’ (**Art. 267 CC RF**) for which the maximum penalty where there are no aggravating circumstances is one year’s imprisonment and, where the actions cause death by negligence to two or more people, the maximum sentence is 10 years’ imprisonment. In addition, in four cases defendants have been charged with treason (**Art. 275 CC RF**) or ‘collusion with foreign organisations’ (**Article 275.1 CC RF**), which is usually the case where the investigative authorities allege that damage to the railway infrastructure was committed on the instructions of Ukrainian intelligence. However,

in all cases known to us, the charges of treason or collusion with foreign organisations have been in addition to a charge of sabotage or terrorism.

Charges may change during an investigation, in some cases becoming less serious. For example, [Aleksandr Chestnykh](#), a resident of Balashikha in Moscow Oblast, accused of carrying out two arson attacks on relay boxes in Reutov for a reward of \$350 in the form of cryptocurrency, was initially charged with ‘committing a terrorist act by a group’ (**Art. 205, Part 2 [a], CC RF**). However, two months after his arrest, the charge was [changed](#) to ‘disabling transport facilities and communication routes’ (**Art. 267, Part 1, CC RF**).

As in many other examples of politically motivated prosecution, in prosecutions for attacks on railway infrastructure there is an evident arbitrariness in the selection of charges and, consequently, punishment. For one and the same act, a person may face very different charges in terms of their seriousness.

Charges of sabotage related to the war in Ukraine are not limited to attacks on railways. Sabotage is also used as a charge regarding attacks on military units, military aircraft and airfields, etc. For example, [Yury Mikheev](#), [Matvei](#) and [Timofei Melnikov](#), remanded in custody in November, are [accused](#) of preparing to set fire to military equipment in a military unit in Dmitrovsky district, Moscow Oblast (**Art. 281, Part 2 [a, c], CC RF** in conjunction with **Art. 30, Part 1, CC RF**). Three Novosibirsk teenagers, about whom it was initially known only that they had set fire to a relay box, were also [believed](#) by investigators to be involved in the arson of a Su-24 bomber at the aircraft factory.

As in prosecutions for arson attacks on military recruitment centres and other buildings (see 2.3.3 ‘Arson attacks on military recruitment centres and government buildings for purposes other than protest against the war’), in prosecutions for arson attacks on relay boxes, law enforcement officials regularly claim suspects committed illegal acts for remuneration from unknown persons. As with reports of allegedly paid acts of arson against military recruitment centres, we do not have sufficient information to assess whether these reports are true. It can be assumed both that representatives or sympathisers of Ukraine are indeed recruiting ‘saboteurs’ for money and that FSB officers act in the role of fake employers of this kind. It cannot be excluded that Russian law enforcement agencies make up stories about these actions being paid for in order to discredit them.

As of the end of 2023, the ‘Political Prisoners. Memorial’ human rights project recognised as a political prisoner one person who, according to investigators, committed an act of sabotage on the railway. This is 19-year-old [Ilya Podkamenny](#) from Irkutsk. The allegation against Podkamenny is that in May 2022, while still a minor, he used wire to attach sheets from an exercise book bearing slogans to the rails of the East Siberian railway. The wire caused a short circuit in the electrical system and as a result one train came to an unscheduled halt.

Interestingly, Podkamenny was subsequently charged only with making calls to engage in extremism (**Art. 280, Part 1, CC RF**) for slogans written on the sheets that allegedly read ‘Death to the Katsaps!’ [Katsap – a pejorative term for Russians used by Ukrainians and Poles], ‘Instead of leaves, there will be Putinists dangling [from the trees],’ and ‘Freedom for Siberia!’ In November 2022, Podkamenny was placed under house arrest and subsequently remanded in custody. Later he was charged with much more serious offences related to alleged preparations for arson of a military recruitment centre (see 2.3.2. ‘Politically motivated prosecutions for anti-war arson

attacks on military recruitment centres and other buildings’) and a Telegram channel, *Siberian Liberation Movement – Federative States of Siberia*, which the FSB considered to be authored by Podkamenny. On all charges, Podkamenny was sentenced to a total of 12 years’ imprisonment, the first three years of which are to be served in a cell-type prison, and the rest in a strict-regime penal colony.

2.4.2. Offences of sabotage and acts of terrorism. Changes in the criminal law on sabotage during the period of full-scale war

The factual elements of the offence of sabotage (**Art. 281 CC RF**) are similar to those of an act of terrorism (**Art. 205 CC RF**), namely explosions, arson and other destructive actions. The main difference lies in the intention. An act of terrorism, as defined in the Russian Criminal Code, is aimed at destabilising the authorities and forcing them to take certain decisions. The purpose of sabotage, on the other hand, is to undermine Russia’s economic security or its defence capability.

Since the beginning of Russia’s full-scale war against Ukraine, the Russian authorities have regularly labelled military attacks (on bridges, oil depots, airfields, etc.) as acts of terrorism, even though these attacks are aimed at reducing the military potential of the Russian army rather than intimidating anyone. On the other hand, acts of ‘micro-sabotage’ (for example, arson of a railway relay box, etc.), which, according to their original intention are also aimed at making it more difficult for Russia to wage war, are often classified as acts of terrorism.

It is difficult to find any clear logic in this substitution of concepts. In the case of arson of military recruitment centres, a charge of terrorism makes potential sentences considerably more severe (as compared to a simple charge of arson). However, a charge of sabotage is comparable to the charge of terrorism in terms of severity and consequences for the accused. Both these offences without aggravating circumstances can be punished by terms of up to 20 years’ imprisonment (the maximum term under **Art. 281, Part 1, CC RF** was raised in 2023 from 15 to 20 years), and with aggravating circumstances up to life imprisonment.

One of the consequences of classifying an act as one of terrorism is that criminal proceedings can be initiated for expressing approval of the act. For example, this has been the case for statements about the blowing up of the Crimean Bridge connecting Krasnodar Krai and occupied Crimea.^[27] The Crimean Bridge is an important element of the military transport infrastructure,

27 The first explosion on the Crimean Bridge occurred on 8 October 2022, killing the driver of a truck, which, according to the investigators, contained explosives, and two people in a passenger car passing nearby. Furthermore, the roadway partially collapsed and the tanks of a goods train caught fire. On 17 July 2023, another attack was carried out by a Ukrainian surface drone. A married couple were killed and their daughter injured. The roadway was damaged once again.

and damage to the bridge makes it more difficult to supply the Russian army in the occupied territories, which is evidently the main purpose of the attacks. In addition, both attacks were carried out in the early morning hours, when the number of civilian vehicles on the bridge has been minimal. Attempts to destroy the Crimean Bridge clearly fall under the definition of sabotage rather than that of terrorism since they are strikes against a legitimate target in terms of military action. Nevertheless, by officially classifying the attacks as acts of terrorism, the state claimed legal grounds for the prosecution of those who express positive assessments of these attacks on grounds of justification of terrorism (**Art. 205.2 CC RF**).

The purpose of classifying sabotage as terrorism may also lie in the psychological impact this has on society. An act of terrorism evokes more negative emotions than sabotage perceived as a usual event during wartime.

Law enforcement agents seem to have been given a certain freedom when investigating sabotage, or perhaps the point is that a common approach has yet to be found. The criminal law on sabotage is being actively expanded, which indicates plans for its future use. See [Section 4.1.3](#) for more on this.

2.5. Prosecutions on charges of providing military assistance to Ukraine

2.5.1. Rise in frequency and severity of prosecutions on charges of treason in connection with Russia's war against Ukraine

Changes in legislation

In 2022, the Russian authorities, in terms of both statements and legislation, equated any assistance provided by Russian citizens to the Ukrainian army with treason (**Art. 275 CC RF**). In particular, this crime includes 'switching to the side of the enemy in conditions of armed conflict.' In addition, a new article was introduced into the Russian Criminal Code on 'Collusion with a foreign state or international or foreign organisation' (**Art. 275.1 CC RF**), providing for a penalty of up to eight years' imprisonment if such cooperation is for 'assistance in activities knowingly directed against the security of the Russian Federation.' The law on espionage applicable to for-

eigners (**Art.276 CC RF**) was supplemented by wording on the collection and transfer of information ‘which could be used against the armed forces of Russia’ in conditions of armed conflict.

In April 2023, the maximum sentence for treason was increased to life imprisonment, the previous maximum had been 20 years’ imprisonment.

Sharp rise in the number of prosecutions for treason and espionage

The number of convictions on charges of treason and espionage increased sharply in 2023. In the first half of 2023 alone, according to the Judicial Department of Russia’s Supreme Court, 15 people were convicted of treason and two of espionage, while in the whole of 2022 16 people had been convicted of treason and one of espionage. In the first half of 2022, four people had been convicted of treason and one of espionage, i.e. the number of convictions has more than tripled compared to the same period last year.

An even higher rate of increase can be seen in the number of recent criminal cases initiated. A number of media outlets and organisations published the following data.

- The publication *Verstka* [calculated](#), based on open sources, that in the first half of 2023, at least 43 prosecutions for treason were initiated in Russia and annexed Crimea, while 21 such cases were reported for the whole of 2022.
- On 7 August 2023, the publication *Kholod* [published](#) its calculations for the seven months from January to July. Open sources alone contained information about 82 criminal cases initiated by Russian law enforcement agencies on charges of treason, espionage, or collusion with foreigners.
- On 21 December 2023, the human rights organisation First Department, that specialises in prosecutions for treason and espionage, [reported](#) that in 2023 63 cases of treason and seven cases of collusion with foreign organisations had been brought to the courts of first instance, 37 of which resulted in verdicts (all convictions). In addition, at least 94 people had been detained on charges of treason.
- *Mediazona*, in turn, [counted](#) at least 101 defendants in new prosecutions for treason, espionage and collusion with foreign organisations by the end of 2023.
- Finally, *Sibir.Realii* published [statistics](#) at the beginning of 2024 from which it follows that, collectively, in 2023 at least 148 criminal cases had been initiated on charges of treason, espionage or collusion with foreigners. Russian courts, according to this data, received at least 88 such cases in 2023.

For comparison, the now closed project, Team 29, [stated](#) in 2018 that Russian courts had convicted 101 people on charges of treason and espionage between 1997 and 2017.

As of 13 December 2023, according to the database of the Moscow courts, about 13 individuals have been held on remand in Moscow on treason charges since the beginning of the year, two on charges of collusion with foreigners, and nine on charges of espionage. Most likely, this data is incomplete.

At the same time, as Pervy Otdel notes, a clear trend in 2023 has been the regional spread of so-called spy cases. 'Previously, 90% of cases were in Moscow, and the remaining 10% were primarily in Krasnodar, St. Petersburg and sometimes Khabarovsk,' says the organisation's lawyer Yevgeny Smirnov. 'Each criminal case in a region has a supervisor in Moscow. The regional investigator collects the facts and sends them to Moscow for approval via an internal telephone switchboard. If the "boss" in Moscow agrees, the region opens a criminal case and begins the investigation, consulting with the supervisor in Moscow at every stage.' In 2023, of 30 reports on the FSB's website about new investigations for espionage, only two cases refer to Moscow.

How the law on treason is applied in connection with the war against Ukraine

While not all these cases are directly related to the war against Ukraine, the surge in prosecutions is undoubtedly a direct consequence of that war.

- First, after the addition of wording about 'switching to the side of the enemy' to **Art. 275 CC RF** on treason, attempts by Russians to join the Ukrainian armed forces have been predominantly classified under this law. While in 2022 in some cases of this kind the charge brought was 'participation in an illegal armed group' (**Art. 208, Part 2, CC RF**), in 2023 this article was virtually unused (except for prosecution of residents of the occupied territories of Ukraine). However, the charge of 'participation in a terrorist organisation' (**Art. 205.5, Part 2, CC RF**) 'competes' with the article on treason in cases concerning actual or fictitious joining of the Ukrainian army.
- Second, prosecutions on charges of passing information to Ukrainian intelligence have sharply risen. In such cases, Russians are prosecuted for treason, while foreigners are prosecuted for espionage.
- Third, the law on treason is used in cases of transferring money to fund the Ukrainian army.

In 2023, charges for making preparations for treason (**Art. 275 CC RF** in conjunction with **Art. 30, Part 1, CC RF**), attempted treason (**Art. 275 CC RF** in conjunction with **Art. 30, Part 3, CC RF**) and incitement to treason (**Art. 275 CC RF** in conjunction with **Art. 33, Part 3, CC RF**) were all actively used in prosecutions. In the latter instance, charges may be brought, for example, for a conversation in which a proposal is made to commit an act the FSB classifies as treason.

'Jail Merry-Go-Rounds.' The death of Anatoly Berezikov

In 2022 and 2023, the so-called 'jail merry-go-round' has been increasingly used before an investigation on charges of treason is initiated. It is common practice for Russian law enforcement officials to use a 10-15 day term in jail on a fabricated administrative-law charge (for example, a person may be accused of foul language or disobeying the police) before that person is remanded in custody on a criminal charge. The time the person then spends in a special detention centre is used by the authorities to prepare the criminal charge. A relative novelty

here is the use of a series of consecutive administrative-law jail terms, when a person may not be released for as long as one or two months before a criminal case is initiated.

For example, in 2022 [Savely Frolov](#) was given four consecutive administrative-law jail terms and in this way was kept in a special detention centre from 30 October until 2 December, when he was charged with attempting to join the Free Russia Legion. On 26 April 2023, a ‘merry-go-round’ of four consecutive administrative-law jail terms began for [Aleksandr Kraichik](#), which lasted until 10 June when he was taken for questioning about transferring money to the Ukrainian armed forces. On 12 June he was taken from Moscow to Perm and remanded in custody there.

Lawyers specialising in treason prosecutions explained to [Kholod](#) that there are at least two reasons for the spread of the practice of using administrative-law jail terms to keep future defendants in criminal cases in detention for such a long time. Firstly, cases are increasingly being brought against people at random, where law enforcement officers have no evidence at the time of the individual’s initial arrest. Secondly, the person’s isolation creates the conditions for the application of physical and psychological pressure in order to obtain a confession.

The death of anti-war activist and musician [Anatoly Berezikov](#) in a special detention centre in Rostov-on-Don demonstrates how dangerous ‘merry-go-round’ jail terms are. When he died, Berezikov was serving his third consecutive administrative-law jail term. He had been detained on 11 May 2023. According to the police, officers encountered him on the outskirts of the city and when they asked him to show his documents, he tried to flee. After serving 10 days for failing to obey police instructions, Berezikov allegedly was released, but once outside the special detention centre immediately started swearing and harassing passers-by, for which he was sentenced to another 10 days. During his second jail term, Berezikov managed to pass information about his situation to people he knew, and on 31 May the lawyer Irina Gak and Rostov activist Tatyana Sporysheva found him in the courtroom where he was being sentenced to a third consecutive jail term.

Sporysheva [managed](#) to communicate with Berezikov in court and he told her that at the end of his second jail term he had been taken out of town and tortured with electric shocks (the lawyer later [photographed](#) the marks that resulted). Sporysheva described Berezikov’s condition as follows: *‘He was very pale. Secondly, he was just like a stuffed doll that didn’t react at all. His hands were absolutely as if made of cotton wool, his fingers were practically not moving at all. He couldn’t write a statement [about familiarisation with the case file] at all He was very slow, he listened to my words for a very long time...’*

In turn, after the trial, which handed Berezikov another 15 days in jail, Sporysheva said he told her: *‘I am afraid that I will disappear altogether. I’m afraid they will kill me. And I won’t live to get out of the special detention centre.’*

On 14 June 2023, Berezikov died in the special detention. Staff at the facility [stated](#) that the cause of death was suicide. *‘My assumption is that he did not die in the special detention centre,’* Sporysheva said. *‘I assume that he was taken away again, taken out, most likely tortured. I don’t know how it happened, maybe from electric shocks ... maybe his heart stopped, maybe they overdid it somehow, when they were beating him. But I know for sure that Anatoly did not intend to kill himself. I remember when I talked to him, he said he was going to fight.’*

According to [Pervy Otdel](#), the FSB was preparing to bring a charge of treason against Berezikov. The human rights activists reported that what actually happened was that, on 10 May 2023, Berezikov's home was 'inspected' (actually searched), after which law enforcement officers first took him to the forest and severely beat him, and then handed him over to the police to fabricate an administrative charge against him. During the torture, the law enforcement officers threatened Berezikov with a life sentence. It is known that before his arrest Berezikov had been sticking up anti-war leaflets, presumably from the Ukrainian project 'I Want to Live', which assists Russian soldiers to surrender.

As a result of the activist's death, the Investigative Committee opened an investigation into 'incitement to suicide' (**Art. 110, Part 1, CC RF**). On 22 June, the home of the lawyer Irina Gak was [searched](#) in this case. That same morning Sporysheva's apartment was subjected to an 'inspection' (in fact, no different from a search) in the framework of a preliminary investigation into making calls to engage in extremism (**Art. 280, Part 2, CC RF**). Later both Gak and Sporysheva left Russia.

2.5.2. Prosecution on charges of attempting to join the Ukrainian army

In 2022, courts reported a number of convictions of Russians on a charge of 'participation in an illegal armed group or military actions for purposes contrary to the interests of Russia' (**Art. 208 CC RF**) on grounds that the convicted persons had fought or intended to fight in Ukraine. Judging by public reports, this charge is now used less frequently against Russians, and is more often used against Ukrainians captured in the occupied territories (see [Section 3.3](#)).

As a rule, attempting to join the Ukrainian armed forces or participating in the war against Russia is prosecuted either on a charge of treason (**Art. 275 CC RF**) or on a charge of 'participation in a terrorist organisation' (**Art. 205.5, Part 2, CC RF**) where the unit in question has been designated as such by the Russian courts.

Most prosecutions for participation in a terrorist organisation are based either on real or fabricated attempts to join the Free Russia Legion. It is under this name that, according to Ukrainian officials, a unit assembled from Russian volunteers and prisoners of war fights as part of the international legion of the Ukrainian armed forces. In March 2023, the Russian Supreme Court [designated](#) the Legion as a [terrorist organisation](#). This opened the way for law enforcement agencies to bring a charge of a particularly serious offence on the most purely formal grounds.

For example, the Moscow activist [Yevgeny Mishchenko](#) was remanded in custody on 13 September 2023 on a charge of participation in a terrorist organisation. He admitted guilt, which, according to him, consisted of the following: *'I got into contact with this organisation, the Free Russia Legion, it is useless to deny it, it is really true.'* According to media reports, it can be assumed that a correspondence with this organisation became the basis for the charge, which provides for at least 10 years' imprisonment. At the same time, Mishchenko admitted his guilt after being severely beaten: three of his ribs were broken, and it was not initially possible to hold the court hearing on pre-trial conditions because Mishchenko had been hospitalised.

Mishchenko did not try to leave the hospital, even though the term for his detention had expired: ‘I did not want to go through a second arrest of that kind of brutality,’ he explained. For this reason, Mishchenko’s confession of guilt should also be treated with the greatest degree of scepticism, since there were sufficient indications it was obtained under torture.

Russian security forces also bring prosecutions for participation in another well-known unit of the Ukrainian armed forces, namely The Russian Volunteer Corps (RVC), which was founded by Russian citizens of mostly far-right views.^[28] At the end of December 2023, the RVC was also [added](#) to Russia’s list of terrorist organisations.

The number of convictions for participation in a terrorist organisation has increased significantly since the beginning of the full-scale war against Ukraine. According to the statistics of the Judicial Department of the Supreme Court of the Russian Federation, in 2021, 73 people were convicted under **Art. 205.5, Part 2, CC RF**; in 2022, 91 people were convicted; and in the first half of 2023 64 people were convicted. Most likely, these dynamics have resulted from the use of this charge to prosecute involvement in the Free Russia Legion and the Azov Battalion. Such charges have been most often brought against captured Ukrainian military personnel, as well as civilians who previously served in the unit created on the basis of the Azov Battalion (see [Section 3.3](#)).

Alleged links with Ukrainian military units have also been prosecuted on a charge of treason. [Polina Yevtushenko](#), a 25-year-old resident of Samara remanded in custody in July 2023, has been [accused](#) of both ‘making preparations to commit treason’ (**Art. 275 CC RF** in conjunction with **Art. 30, Part 1, CC RF**) and ‘inducement to engage in terrorist activity’ (**Art. 205.1, Part 1.1, CC RF**). According to an official [report](#) by the Samara district court in Samara, the prosecution on a charge of making preparations to commit treason was initiated because Yevtushenko allegedly induced a man to join the Free Russia Legion. There is no information available as yet about what exactly she did to be charged with inducement to terrorism. In addition, Yevtushenko has been charged with making public calls to engage in terrorism (**Art. 205.2, Part 2, CC RF**) and extremism (**Art. 280, Part 2, CC RF**) on the Internet for posts on social media, rehabilitation of Nazism (**Art. 354.1, Part 4, CC RF**) and dissemination of ‘fake news’ about the army (**Art. 207.3, Part 2 [e], CC RF**).

In prosecutions for links with Ukrainian military units, the issue is not always that of joining the Ukrainian army. In some cases people have been charged with attempting to commit arson or sabotage allegedly on behalf of the Ukrainian military. In such cases, those accused of arson of a military recruitment centre (see [Section 2.3](#)) or sabotage (see [Section 2.4](#)) may also be charged with treason or collusion with a foreign organisation contrary to the security interests of the Russian Federation (**Art. 275.1 CC RF**).

The authorities not only prosecute actual participants in the fighting on the side of Ukraine, but also their family members and people close to them who remained in Russia. On 2 Sep-

28 Some RVC fighters have been fighting for Ukraine since 2014. On 2 March 2023, members of the group [raid-ed](#) the border village of Lyubechane in Bryansk Oblast, where they recorded a video and called on Russians to revolt. A spokesperson for the RVC [told](#) *Vazhnye istorii* that they ‘went in, filmed, ambushed two infantry fighting vehicles’ and that one border guard was injured. Authorities in Bryansk Oblast [said](#) that as a result of the raid [two local people](#) were killed and a child was injured, something the RVC denied. Subsequently, fighters from the RVC and other units of the Ukrainian armed forces with Russians in their ranks entered Russian border territories several more times.

tember 2023, [Irina Izmailova](#), the girlfriend of [Aleksandr Kudashev](#), who joined the Free Russia Legion, was remanded in custody in Samara. Izmailova was charged with the illegal manufacture of explosives (**Art. 223.1, Part 1, CC RF**). According to the investigators, she made acetone peroxide on the instructions of *'her handler, an employee of the Ukrainian security services.'* During a search of her home, allegedly 0.25g of this substance was [found](#). Kudashev [told](#) *Mediazona* that even before Izmailova was arrested, law enforcement officers visited people who knew him and he had tried to persuade his partner to leave Russia, realising she was in danger because of her relationship with him. However, she decided not to leave. A warrant has been issued for the arrest of Kudashev himself and, according to [pro-government media](#), he is accused of participating in an illegal armed group (**Art. 208, Part 2, CC RF**).

There are sufficient grounds to believe that many instances of joining military formations of one kind or another are fabricated as a result of provocations by the FSB. SOTA has [found](#) at least 10 bots on Telegram which, on behalf of the Free Russia Legion, gather personal data about those who wish to join the unit. Some of the accounts are operated from St. Petersburg. The Free Russia Legion explained to SOTA that it has only one chatbot on Telegram, and direct communication with recruits takes place via Proton mail. Journalists also discovered fake RVC bots, one of which, in particular, is operated from Yekaterinburg. In turn, sources close to the RVC [claimed](#) they do not recruit people based in Russia and do not have any Telegram bots.

Some details of the charges that are known are hard to explain other than as provocations. For example, the Southern District Military Court [reported](#) that [Ivan Miroshnichenko](#), a resident of Cherkessk, who intended to leave for Ukraine, corresponded with a certain person who persuaded him that, before leaving, he should prepare an explosion in Cherkessk. In addition, Miroshnichenko sent his interlocutor a video of him reading the oath to Right Sector.^[29] Miroshnichenko was sentenced to 17 years' imprisonment. The idea that a Ukrainian organisation would ask someone wishing to join it while in Russia to read out the oath and record it on video appears highly implausible. It makes no sense and would moreover be very dangerous. What is plausible, however, is that it might be done by a provocateur who wanted to gather as much evidence as possible for a criminal prosecution. This is especially so since, even before the full-scale war with Ukraine, Russia practised similar fabrication of cases.^[30] In other cases, it has sometimes been reported that the suspect had with him *'a contract with the Ukrainian armed forces that had been printed out'* or *'a completed application form to join the Free Russia Legion.'* Details such as these are indicative of a gross provocation having taken place.

The 'Political Prisoners. Memorial' human rights project examines information available about the prosecutions of persons accused of trying to join the Ukrainian army. In 2023 the project recognised two such people as political prisoners.

29 A Ukrainian nationalist movement created during the 2013-2014 Maidan protests. The movement includes both a political party and the Volunteer Ukrainian Corps, which has been engaged in the Russian-Ukrainian war since 2014. Right Sector has been designated an extremist organisation in Russia.

30 For example, in 2019, three Uzbekistani citizens were [convicted](#) in Nizhny Novgorod for reciting the 'oath of allegiance to the leader of ISIS.' However, according to the three men, an acquaintance had persuaded them to recite the text against the background of the flag of this terrorist organisation for money. Furthermore, the charges against the other man were dropped and he acted as a secret witness at the trial.

[Savely Frolov](#), 22, from Naro-Fominsk, Moscow Oblast, worked as an instructor in extreme sports for children and teenagers. He participated in protests in support of Aleksei Navalny and, since February 2022, in anti-war protests at which, along with his girlfriend, he handed out anti-war leaflets and was subsequently convicted of an offence under administrative-law.

What were the charges against him?

- According to the FSB, Frolov corresponded on Telegram with a representative of the Free Russia Legion, wanted to join this unit and tried to leave Russia for this purpose. According to the investigators, Frolov planned to go to Georgia, from there to Turkey, then to Poland, and from there to Ukraine. He was charged with making preparations to commit treason (**Art. 275 CC RF** in conjunction with **Art. 30, Part 1, CC RF**).

On 30 October 2022, Russian border guards removed Frolov from a bus as he was attempting to leave for Georgia. Communication with him was lost after he wrote to his girlfriend that FSB officers were going to search him. Frolov was then subjected to a ‘merry-go-round’ of three consecutive administrative-law jail terms in a temporary detention centre in Vladikavkaz. During this period, a criminal case was opened against Frolov, and on 12 December 2022 he was remanded in custody.

After Yekaterina Frolova, Frolov’s mother, was able to see him, she [told](#) the publication *Bumaga*: ‘Savely told me that he had been beaten at the border, threatened with being raped with a mop handle and that threats had been made against his relatives, and that was why he gave them his phone and password. In the cell, without his phone or any communication with anyone else, Savely, according to his mother, lost track of the days and started burning his hands with cigarettes to at least feel something.’

Frolov had told his mother before he left that he had applied to join the Free Russia Legion, but had received no reply. A friend of Frolov’s [said](#) that in conversation the latter had mentioned the Legion, as if half-joking. According to the lawyer acting for Frolov, in the [autumn](#) Frolov had not planned to go to Ukraine, but to open a fencing club in Georgia together with his girlfriend. In addition to camouflage trousers and army-style boots, which the investigators considered evidence of an intention to join the fighting, the young man also carried a foam sword and a wooden shield. He did not have a visa that would have allowed him to enter Poland.

Frolov was sentenced on 25 October 2023 to six years in a general-regime penal colony and a fine of 100,000 roubles.

[Igor Pokusin](#), 61, is from Abakan in the Republic of Khakassia. A Russian citizen, born in Ukraine, Pokusin was formerly a civil aviation pilot. As an opposition activist, more than ten years ago he created the civil society movement *How Long?* aimed at combating lawlessness among law enforcement agencies. In March 2022, he poured yellow and blue paint on a banner with the letter Z and the slogan ‘We do not abandon our own’ and wrote ‘Glory to Ukraine’ on the wall of the local history museum. As a result, Pokusin was sentenced in December 2022 to six months of probation on a charge of vandalism motivated by hatred (**Art. 214, Part 2, CC RF**). Pending trial, Pokusin had been initially under travel restrictions, but after he was detained at Krasnoyarsk airport on 24 July 2022, he was placed under house arrest.

The day after the verdict in the vandalism case, on 8 December 2022 Pokusin was detained on a new charge of treason, and since then he has been held on remand.

What were the charges against him?

- The investigative authorities believed Pokusin had planned to go to Ukraine and join the Ukrainian army there. According to the [BBC Russian Service](#), wiretaps of phone conversations with friends showed that Pokusin did indeed dream of moving to Ukraine, where he was born, and had been thinking about how to do it. He had also discussed *‘whether [he] could come, get in a Bekas light aircraft,^[31] and, so to speak, serve his homeland intellectually. He could transport the wounded.’* When Pokusin was detained while trying to leave Russia, he was forced to make a videotaped confession in which he said that he had planned to join the Ukrainian armed forces. As a result, he was charged with attempted treason (**Art. 275 CC RF** in conjunction with **Art. 30, Part 3, CC RF**); at the trial, the prosecutor reduced the charge to making preparations to commit treason (**Art. 275 CC RF** in conjunction with **Art. 30, Part 1, CC RF**).

‘He said that as the car left Krasnoyarsk – somewhere near the village of Zeledeevo – it turned into the forest,’ Yelena, Pokusin’s wife, [told](#) Kholod. ‘I asked him: “And what, did they tell you to dig a hole?” He replied: “That’s about right.” They fired shots over his head. They said: “Confess that you were travelling to Ukraine to join the Ukrainian army.” And they filmed [this confession] on video. He said, “Well, what can I do?” They simply told him: “Now we will kill you, we will give you more electric shocks,” knowing that he had a stent in his heart,^[32] “Your heart won’t take it.” They tightened his handcuffs so much that his hands swelled up.’

According to the lawyer acting for Pokusin, Pokusin’s conversations with his acquaintances were ‘the expression of emotional thoughts out loud’ rather than real plans. The pensioner is hardly likely to be able to fight. He has a stent in his heart and prostheses in two joints. According to [his wife Yelena](#), he has not piloted a plane for many years, but worked as a taxi driver.

On 7 December 2023, the prosecutor asked that Pokusin be sentenced to a term of imprisonment of seven years and one month. On 19 January 2024, he was sentenced to eight years and one month.

From the point of view of international law, Russia’s military actions against Ukraine are unlawful and criminal, while Ukraine’s actions to defend itself against aggression are lawful and justified.

On this basis, in our opinion, the participation of foreign citizens in military action on the side of Ukraine and its defence against aggression should not be considered as criminal. International law only prohibits fighting as a mercenary, but even if the charges against Frolov and Pokusin were true, the two men would not fall under the definition of mercenaries in the [relevant convention](#). According to the charges, Frolov and Pokusin were trying to join the Ukrainian army, primarily motivated by ideological rather than personal gain, and there is no evidence they were promised higher remuneration than other combatants (or any remuneration at all).

We believe that even actual combatants captured by an enemy state should have the status of prisoners of war and should not be subject to prosecution for the mere fact of participation in the war, unless they have committed war crimes.

31 X-32 Bekas is a light multipurpose aircraft. Its main area of application is agriculture. Previously, Pokusin himself had worked on similar aircraft, spraying fertilisers.

32 A tubular implant to help restore blood flow to the heart.

2.5.3. Prosecution on charges of passing information to Ukraine

Charges of gathering and passing information to representatives of foreign states make up the majority of all prosecutions for treason. The law on espionage, by its very nature, should apply only to actions of this type where they are carried out by foreigners or stateless persons. Statistics [published](#) by *Kholod* in August 2023 show that prosecutions for the transfer of information to foreigners account for at least 37 percent of all known cases of treason and espionage.

Most of such prosecutions in 2023, according to news reports, have been specifically related to Russia's war against Ukraine. People are accused of collecting military information of interest to Ukraine, including data on the movement of military equipment, the location of military units, railway stations, etc. The law on espionage has become a tool of repression against Ukrainians living both in Russia and in the occupied territories (see [Section 3](#)).

Prosecutions in so-called espionage cases are traditionally as secret as possible, and it is usually impossible to analyse how well-founded the charges are. The history of political repression in Russia shows that the FSB has repeatedly fabricated charges of treason and espionage against random civilians who have never had access to classified information.^[33] The motive for doing so in the 2010s may have been the desire on the part of intelligence officers to advance their careers by demonstrating high rates of solving such serious state crimes. It is perfectly reasonable to suppose that in the context of full-scale war, the regime's need to search out spies and increase public concern about external and internal enemies is much higher, and therefore the motivation of law enforcement agencies to meet such demands in terms of such cases will also be higher.

Suitable targets may include Ukrainian citizens living in Russia, ethnic Ukrainians with Russian citizenship, and people who have expressed an anti-war stance, among others.

It is not yet possible to provide a more detailed overview of prosecutions for the collection and transfer of information to Ukrainian intelligence agencies because of the lack of public information about the charges.

2.5.4. Prosecutions on charges of financing the Ukrainian army

As of the end of 2022, there was no information about criminal prosecutions for transferring money to the Ukrainian army. At the same time, the authorities warned they would treat such actions as treason and a number of people received official warnings. Since March 2023, the media have regularly reported on criminal cases and suspects being remanded in custody on charges of donating money to the Ukrainian armed forces.

33 See, for example, the prosecutions of [Svetlana Davydova](#), [Pyotr Parpulov](#), [Oksana Sevastidi](#) and [others](#).

According to [calculations](#) by journalists of the news website *Sibir.Realii*, at least 14 people had been charged with financing the Ukrainian army by the end of 2023.^[34] The names of the accused are known (although not always for certain) in only about half of the cases. In all cases about which we know, criminal proceedings have been initiated on a charge of treason. It is not always known what pre-trial conditions have been imposed on suspects, but where such information is available, it has always been custody.

Three convictions are known to have been [handed down](#) to those accused of financing the Ukrainian army, two in Khabarovsk where a woman (her name is believed to be [Tamara Parshina](#)) was given eight years' imprisonment and a man was given seven years' imprisonment. In addition, [Feliks Yeliseev](#), a resident of Lipetsk, was sentenced to 14 years' imprisonment. Yeliseev was initially arrested in December 2022 on a charge of 'justification of terrorism' (**Art. 205.2, Part 2, CC RF**). The 'Political Prisoners. Memorial' human rights project is aware of one of the two texts imputed to Yeliseev, where he wrote positively about Ukrainian military attacks on Russian territory. In August 2023, Yeliseev wrote in a letter that he would probably soon be charged with treason, and in September the state TV channel *Vesti Lipetsk* broadcast a [report](#) that a certain 'supporter of one of the radical leftwing groupings' had confessed to financing the Ukrainian armed forces. Although the channel broadcast the news as if the 'sponsor of Ukrainian militants' had just been detained, and the face of the person in the story was intentionally blurred and his voice changed, Yeliseev's acquaintances recognised him.

The 'Political Prisoners. Memorial' human rights project has [recognised](#) Feliks Yeliseev as a political prisoner. We proceed from the premise that the defence of Ukraine against Russian military aggression is legitimate. Moreover, it is Russian military aggression that causes maximum harm to Russia's security, not monetary donations to the defending country. The project will consider other similar cases as and when sufficient information about them becomes available.

2.6. Prosecutions for refusing to fight against Ukraine

2.6.1. The legal system of coercion to take part in the war

In 2022, after the start of the full-scale war against Ukraine, there began a wave of refusals by military and National Guard personnel to take part in combat operations. There were at least

34 These are cases known to be related to the transfer of money to support the Ukrainian armed forces (in many treason cases it is not known what exactly those remanded in custody have been accused of doing, and such cases may include instances where people have been accused of donating money to the Ukrainian armed forces).

1,500 such people, and as a rule they were dismissed from service. In May 2022, the number of cases of going absent from military service without leave (**Art. 337 CC RF**) began to increase, with non-custodial sentences being handed down in the cases known to us.

These are relatively light consequences, but they were only for those military personnel not in a combat zone and in the virtual absence of a legal framework (see [Section 2.6.4](#)).

Once mobilisation began on 21 September 2022, the legal situation changed dramatically for the worse. First, it became virtually impossible for both regular and mobilised military personnel to leave military service. There can be only three reasons for dismissal: 1) reaching the age limit; 2) being declared unfit for service by a military medical commission; 3) the entry into force of a sentence of imprisonment. Previously, military service personnel could obtain permission to leave the army, for example, for family reasons, or be dismissed for failing to fulfil their contract. The formerly established contractual length of terms of military service have now been abolished and professional military personnel must now remain in service until the end of mobilisation. Participation in the war also becomes indefinite for those mobilised.

Secondly, sentences for the criminal offences of being absent without leave (**Art. 337 CC RF**) and desertion (**Art. 338 CC RF**) have been made more severe. For absence without leave during mobilisation the punishment is up to 10 years' imprisonment; and for desertion it is up to 15 years' imprisonment. Under the amendments to the law, refusal to participate in hostilities is equated with failing to obey orders in wartime (**Art. 332, Parts 2.1 & 2.2, CC RF**). The amendments have also criminalised voluntary surrender (**Art. 352.1 CC RF**).

Since mobilisation began, military service personnel who refuse to go to the front or who have fled from the front have been systematically sentenced to a term of imprisonment. At the same time, only a sentence of this kind brings with it the opportunity to leave military service. Those given a suspended sentence or some other milder punishment remain in military service and are obliged to go to war again.

Civilians subject to mobilisation may avoid criminal prosecution until they receive a mobilisation order. Failure to appear at a military recruitment centre on summons is penalised only by a fine under administrative law. The maximum fine was 3,000 roubles until, in October 2023, it was raised to 30,000 roubles. The only crime in this context is evasion of conscription (**Art. 328 CC RF**), but not evasion of mobilisation by reservists. Back in 2022, members of the State Duma put forward a legislative initiative to criminalise evasion of military service during mobilisation or martial law for reservists too. In August 2023, it [became known](#) that a government commission had approved the bill, but as of the end of the year there is no information about its submission to the State Duma.

Nevertheless, many of those mobilised were previously unaware that it was not a criminal offence to fail to appear on a summons, and on that basis the staff of military recruitment centres successfully misled them.

For a more detailed account of prosecutions for refusing to serve in the military in 2022, see Memorial's previous [report](#) on political repression (Section 2.8).

In 2023, the authorities continued to tighten legislation on military service. In the spring and summer, the State Duma passed a [number](#) of [amendments](#). A summons to appear at a military recruitment centre is now considered to have been served, even if it has not been received

by the addressee. From the moment a summons is sent to a person subject to conscription, they are forbidden to leave Russia. For other persons liable for military service, in case of failure to appear when called up, a whole range of domestic restrictions have been introduced, including bans on obtaining a loan, driving a car, various property transactions, and so on.

In addition, from 1 January 2024, the age limit for military service was raised. For conscripts, the maximum age was raised from 27 to 30 years; for most reservists, the age limit was raised from 50 to 55 years.

2.6.2. The scale of prosecutions by the Russian authorities of those refusing military service

[According](#) to *Mediazona*, in 2023, Russian military courts received:

- 5,024 criminal cases for absence without leave (**Art. 337 CC RF**), of which 5,006 cases concerned absence without leave during mobilisation (**Art. 337, Parts 3.1 & 5, CC RF**). Absence from service without leave during mobilisation for more than two days can result in up to five years in a penal colony; for more than ten days up to seven years; and if the period of absence was more than a month, up to ten years;
- 421 criminal cases for disobedience of orders in wartime and refusal to participate in military actions (**Art. 332, Part 2.1, CC RF**); this is the least serious of the charges for those who refuse to serve at the front, the maximum penalty being three years' imprisonment, and, as a rule, those who openly refuse to go to the front are charged with this offence;
- 148 criminal cases for desertion (**Art. 338 CC RF**); this is the charge carrying the most severe punishment, providing for up to 15 years' imprisonment; those charged, according to the investigative authorities, left their place of military service for good, not temporarily.

Mediazona notes that since the end of May 2023, garrison military courts have been handing down about 100 or more convictions every week for being absent without leave during mobilisation.

notes that, for the whole of 2022, 1,001 cases of absence without leave were transferred to the courts, while in 2021 the total was 615 cases.

In September 2023, based on 513 published verdicts on absence without leave during mobilisation, *Mediazona* [concluded](#) that in 58% of cases, those convicted had been mobilised (in all other cases it was contract service personnel or conscripts), and that more than half of the known sentences handed down were suspended sentences (under which an individual is not allowed to leave military service until the end of mobilisation and are often sent to the front again).

The harshest known sentence was that handed down to [Maksim Kochetkov](#), a contract serviceman from Sakhalin, who was given 13 years' imprisonment in a strict-regime colony. In the

summer of 2022, *The Insider* [reported](#) that Kochetkov, along with 16 other military service personnel who refused to fight, were unofficially held in a former penal colony in Luhansk Oblast, known as a place of detention for those who refused to fight. There is no public information on how exactly Kochetkov managed to escape from this place of detention. According to the press service of the [Yuzhno-Sakhalinsk District Garrison Military Court](#), in February 2023 Kochetkov was given a suspended sentence for being absent without leave, however, even after that, he did not report for duty and was detained by police officers on 9 July. He was then sentenced to nine years in a penal colony for desertion, to which the remaining term of his suspended sentence was also added.

[Ivan Kostarev](#) was also sentenced to 13 years' imprisonment in Tomsk, but in addition to the charge of being absent without leave he was also [accused](#) of theft of household appliances ([Art.158, Part 1, CC RF](#)) and sale of heroin ([Art.228.1, Part 4 \[d\], CC RF](#) in conjunction with [Art.30, Part 3, CC RF](#)).

There may be more people prosecuted for refusing to participate in the war than those prosecuted on charges of being absent without leave, desertion or disobedience of orders. Formally, criminal cases can also be initiated for other, general criminal offences, as in the case of [Igor Sandzhiev](#), a mobilised resident of Kalmykia who was detained in Moscow after escaping from his military unit in Belarus. Sandzhiev had been charged with hooliganism, which he allegedly committed in August 2022, in connection with which he had been placed under the supervision of the command of the military unit. Sandzhiev's passport had been confiscated at that time. In March 2023, he fled again, this time without his passport, illegally crossing the border into Kazakhstan, where he has so far unsuccessfully been seeking political asylum.

On the whole, the authorities do not publish systematic information on prosecutions for offences related to military service, and they probably do not wish to make public the number of those refusing to serve in the war. For example, the Judicial Department of the Russian Supreme Court excluded data on this category of offences from the general statistics for 2022. Only a small proportion of convictions are published on court websites, and the charges are described in general terms. In a number of cases, court press services have reported the sentences imposed. Some cases are heard in camera. Judge Vitaly Zagorsky of Murmansk Garrison Court in December 2022 explained to the *Mediazona* correspondent his refusal to discuss the essence of the sentence on desertion during mobilisation as [follows](#): *'The crime he committed has a high profile in terms of the events that are now taking place. And so that there would be no information leakage, so that later in some, excuse me, Yankeeland, their local channels would not be talking about what these people did here, I closed the trial, that's all.'* Most of those accused are also not interested in communicating with journalists and human rights activists. They follow the logic that, without publicity and any links with 'foreign agents,' the punishment will be milder.

2.6.3. Those who refuse to fight and openly express anti-war views

Since there is very little public information about prosecutions for absence without leave, desertion or failure to obey orders, the motives of those who flee the front or refuse to go to the front are also not usually known. In cases where the motive is mentioned in a verdict, court press release or interview, it is usually not related to pacifism or rejection of the war of aggression against Ukraine. Military personnel explain their actions by the need to care for sick relatives, poor provision of the army, lack of rotation, and fear for their lives. However, the declared motives need to be treated critically, because public disclosure of anti-war views can worsen the situation for defendants.

Nonetheless, there are a few individuals who are publicly known to have refused to participate in hostilities precisely because of their anti-war views. In 2023, the 'Political Prisoners. Memorial' human rights project recognised five military service personnel sentenced to imprisonment for refusing to fight as political prisoners.

[Dmitry Vasilets](#), 28, is a former senior lieutenant. He has a higher education qualification from a military college and served under contract in Murmansk Oblast. From 24 February 2022, he participated in Russia's full-scale war against Ukraine for five months. In July 2022, he was given leave of absence and visited the families of fallen comrades in Chita and Ulan-Ude, and, according to him, adopted Buddhism, in which he had been interested before. The new religious philosophy made him realise the unacceptability of killing. *'I realised that there is light in every human being and I can't allow myself to take another person's life, it is a boundary, a red line I cannot cross. I'd rather go to jail than betray myself, than go against humanity. I won't be able to say to myself later: "I was ordered to do this" – it won't be an excuse,'* Vasilets [told](#) *Novaya gazeta*.

In August 2022, Vasilets refused to return to the front when his leave ended and the military command decided to dismiss him. The dismissal procedure had not been completed when mobilisation was announced, as Vasilets had been granted the 140 days of leave he was legally entitled to as an officer. His term of service was to end on 20 January 2023.

During the period of mobilisation, Vasilets' military command ordered him three times to go to the front, but Vasilets did not obey, although on one occasion he expressed his willingness to switch to alternative civilian service.

On 7 April 2023 he was sentenced to two years and five months in a low-security penal colony on a charge of refusing to participate in combat operations (**Art. 332, Part 2.1, CC RF**). **On 1 June, the sentence was reduced on appeal to two years and two months in a low-security penal colony. Until the sentence came into force, he was under travel restrictions.** He is currently serving his sentence in Low-security Penal Colony No. 3 in Kalmykia.

[Mikhail Zhilin](#), 37, is a former major of the Federal Guard Service. He worked as an engineer at the Special Communication and Information Centre of the Russian Guard Service in Novosibirsk. He had access to state secrets and was therefore banned from leaving Russia. After the

announcement of mobilisation on the night of 27 September 2022, Zhilin crossed the border with Kazakhstan at a place where there was no checkpoint. In Kazakhstan, Zhilin was detained by border guards, whom he told he was requesting political asylum. Later, he recorded a video he made public in which he [stated](#): ‘I, Mikhail Alekseevich Zhilin, a serviceman of the Russian Federation, crossed the state border with the Republic of Kazakhstan on 27 September 2022, not for the purposes of desertion, but because the war in Ukraine initiated by the military and political leadership of the Russian Federation would oblige me to go to the combat zone to kill other persons, citizens of Ukraine, which I categorically do not agree with.’

On 30 November 2022, Zhilin was refused asylum in Kazakhstan, and on 2 December he was found guilty of illegally crossing the border and sentenced to a suspended sentence and deportation, with the right to leave the country by himself. However, while attempting to fly to Armenia on 6 December, he was detained at Russia’s request and placed in a pre-trial detention centre. On 30 December 2022, it became known that, although Zhilin’s appeal against the refusal of asylum had not yet been heard, the Kazakh authorities deported him to Russia, where he was remanded in custody.

He was sentenced on 20 March 2023 to six years and six months in a strict-regime penal colony on charges of desertion during mobilisation (Art. 338, Part 3, CC RF) and illegal border crossing (Art. 322, Part 1, CC RF). He is serving his sentence in Penal Colony No. 3 in Irkutsk Oblast.

[Andrei Timin](#), 24, was a contract soldier serving in Khabarovsk Krai. [According to him](#), in February 2022 he received an offer to go on three weeks’ training exercises.^[35] However, he realised this was in fact a deception and refused. In September 2022, Timin officially requested to leave the military for family reasons. While on 19 September he was dismissed, after the announcement in October of mobilisation he was reinstated, as his name had not at that time been removed from the list of service personnel. Timin showed up in the mornings for reveille, but did not put on his uniform and did not fulfil his official duties, working as a courier the rest of the time. On 16 February 2023, he was ordered to go to a combat zone, but refused. ‘I won’t hide it, first and foremost I thought of myself and did what I thought best for myself. But my right not to die is at the same time my right not to kill. I simply don’t want anyone to die,’ he [told](#) reporters.

He was sentenced on 8 August 2023 to two years and six months in a low-security penal colony on a charge of refusing to participate in combat operations (Art. 332, Part 2.1, CC RF).

[Andrei Kapatsyna](#), 28, is an evangelical Christian who worked as an air traffic controller in Magadan. On 22 September 2022, the day after mobilisation was announced, he received his call-up papers. He arrived at the muster station and said that his employer had applied for him to be excused from mobilisation. Nonetheless, he was taken to a military unit in Vladivostok. The military recruitment office ignored the employer’s request. On 20 October at the assembly line up he refused to go to the front on the grounds that his religion and conscience did not allow him to take up arms and shoot people. Later he repeated his refusal and also applied for alternative civilian service. Kapatsyna continued to be held at the location of the 155th Separate Marine Brigade in Vladivostok until his conviction and sentence came into force.

Kapatsyna was sentenced on 29 June 2023 to two years and 10 months in a low-security penal colony on a charge of refusing to participate in combat operations (Art. 332, Part 2.1, CC RF).

35 After the start of the full-scale invasion of Ukraine, many military service personnel claimed they had been misled by being told they were being sent on training when in fact they were being sent to the war.

[Dmitry Morozov](#), a contract soldier, took part in hostilities against Ukraine in 2022. His case became known from the [verdict](#) published on the website of the Sochi Garrison Military Court. On 1 February 2023, at the assembly line up in the military unit, Morozov refused to comply with the order to re-deploy to the front. He motivated his refusal, according to the verdict, as follows: *'On grounds of his conscience, fear for his life and health, as well as because he had not been passed by a military medical commission and had not been paid in full additional payments owing to him for taking part in special combat tasks in 2022.'*

Morozov was sentenced on 28 June 2023 to two years and four months in a low-security penal colony on a charge of refusing to participate in combat operations (Art. 332, Part 2.1, CC RF).

The 'Political Prisoners. Memorial' human rights project considers that refusal to participate in an aggressive, unjust war, such as Russia's attack on Ukraine, deserves respect. The wish not to take part in an international crime is, in our view, justified and lawful. In addition, both international law and the Russian Constitution recognise the right of any person to refuse military service if it contradicts their beliefs, and the right to undertake alternative civilian service (ACS) instead of military service.

We know of a number of other cases in which those convicted for refusing to fight have publicly justified their refusal in terms of a pacifist position or a rejection of Russia's predatory war of aggression. We continue to study the available case files.

2.6.4. Extra-institutional violence against those who refuse to fight

In 2023 the practice, begun in 2022, of unofficial imprisonment of military personnel who refused to participate in the war continued. Throughout 2022, the media reported that military personnel refusing to fight or even simply asking to leave the military were being detained and forcibly held in abandoned buildings and cellars in the occupied territories, usually with a lack of food and water and in conditions that were damp and unsanitary, with no provision for a toilet except a bowl to be used in the same room. In some cases, the detainees were beaten and tortured.

By the end of 2022, the ASTRA journalism project, which has conducted the most thorough reporting on this issue, had [identified](#) 13 such informal detention centres in occupied parts of Donetsk and Luhansk Oblasts. In 2023, the journalists also became aware of such camps in [Borova](#) in Kharkiv Oblast and [Rassypne](#) and [Sofiyivka](#) in Luhansk Oblast.

One of the main places of illegal detention of those refusing to fight remains the informal prison in Zaitseve in Luhansk Oblast, which temporarily ceased operations in 2022 when what was happening there was publicised. Those sent there included: in August 2023, [24 mobilised soldiers](#) who had complained in a video message about being forced to go on 'human wave assaults' [in Russian, literally 'meat assaults']; in October [42 mobilised soldiers](#) who refused to continue the offensive in Kharkiv Oblast; and also in October [20 mobilised soldiers](#) who refused to follow an irresponsible order by a drunken commander. [About 30 ex-prisoners](#), released from penal colonies

in exchange for their participation in the war, were also held in Zaitsevo, where they were forced to renew their contracts with the Defence Ministry. In October, ASTRA [counted](#) 173 military service personnel (these are the numbers known to journalists, the real number may be much higher) who had been placed in detention camps for refusing to fight in the period from 13 to 24 October 2023 alone, after the start of another attempt by Russian troops to encircle Avdiivka.

The Russian Prosecutor General's office said in June that it had investigated the location where those refusing to fight were being held in Rassypne following complaints and found no violations of the law. [The Prosecutor General's office](#) described the [basement](#) as '[an assembly point for military service personnel who had temporarily lost their combat readiness, where educational and prophylactic measures were undertaken, as well as informational and awareness-raising work aimed at restoring combat readiness.](#)'

In 2023, the State Duma took a step towards legalising the still illegal practice of extrajudicial deprivation of liberty. In March, the State Duma [passed](#) in first reading a bill allowing the detention of service personnel for breaches of discipline by decision of the commander of a military unit or the military commandant of a garrison. Currently, only a court can officially impose such punishment.

There have been continued reports, not only of extrajudicial detentions, but also of torture of those refusing to fight. For example, on 1 December 2023, Semyon Kiskorov from Novokuznetsk [wrote](#) to the Movement of Conscientious Objectors that his brother [Gennady Kiskorov](#), with whom he had filed a petition in Donetsk Oblast requesting to undergo alternative civilian service rather than military service, was left tied to a tree 'in the rain and snow' in the street overnight. Semyon managed to send the Movement of Conscientious Objectors a [video](#) showing his brother in the distance. He also said that similar torture was being used against other military service personnel.

2.7. Other measures against those who oppose the war

2.7.1. Cancellation of concerts, performances and other cultural and educational events

Throughout 2022, starting from 25 February 2022, musicians, actors and other theatre professionals, comedians and lecturers who openly demonstrated opposition to the war faced cancellation of their events – concerts, plays, performances and lectures. In 2023, such cases occurred as frequently. While in 2022 OVD-Info recorded at least 34 such incidents, in 2023 there were no less than 36. The great majority of such cases involved cancellations of musical events, while less than a third were theatrical events.

- One of the most notable was the treatment of the actress [Liya Akhedzhakova](#). In February 2023 Moscow's Sovremennik theatre [cancelled performances](#) of the play The Genie Game, in which she played the lead role. Akhedzhakova said she had received a call from the theatre's manager Yury Kravets who told her he had been forced to cancel the play because he was *'literally flooded with angry letters criticising the actress.'*
- Concerts by the rock band Neschastnyi Sluchai [were cancelled](#) in Votkinsk and Izhevsk (in Udmurtia), as well as in Novosibirsk. The band's leader [Aleksei Kortnev](#) had repeatedly spoken out against the war. One of the reasons given for the cancellation of the concert in Udmurtia was that Kortnev had been designated a 'foreign agent' (which, in fact, was not the case). The band's [performance](#) in Novosibirsk was first [moved](#) to another venue at the last minute, and later cancelled on the grounds of smoke in a nearby room. After that, Kortnev had a disagreement with a police officer, during which the musician gave the middle finger to the officer, an action which was subsequently grounds for a criminal charge of 'insulting a representative of the authorities' ([Art. 319 CC RF](#)). Kortnev recorded a video in which he publicly apologised. On 25 August 2023, the court [dismissed](#) the case, the musician was given a court fine of 20,000 roubles which he had already paid by then.
- As in 2022, in 2023 the most famous Russian rock band DDT was not allowed to perform concerts. The group's leader, [Yury Shevchuk](#), had repeatedly made direct statements against the war, including during a concert in Ufa (which eventually led to a fine on an administrative-law charge of discrediting the armed forces [[Art. 20.3.3 CAO RF](#)]). That concert proved to be the band's last in Russia. Shevchuk, unlike a number of other famous musicians who publicly condemned the war and were no longer allowed to perform in Russia, did not leave the country but continued to record and release songs, including those with openly anti-war content.
- The rapper [Loqiemean](#), who spoke out against the war, was [forced](#) to cancel his series of concerts in Russia. The head of the Safe Internet League, Yekaterina Mizulina, and rapper Akim Apachev wrote denunciations of him.
- At least nine cities [cancelled](#) concerts by the band [Nochnye snaipery](#) because of statements by its leader, the singer [Diana Arbenina](#). The series of cancellations began after Vitaly Borodin, a well-known author of similar statements against many other public figures, filed a complaint against her with the Prosecutor General's Office. The [latest cancellation](#) of one of her concerts [took place](#) in November 2023 in Tomsk, after Arbenina had sung with the wife of a war veteran at a concert in Novosibirsk and published a post on social media about a meeting with the mothers of slain military personnel.
- From the summer of 2023, concerts by the band Zveri began [to be cancelled](#) because of anti-war statements by its leader [Roman Bilyk](#) (aka Roma Zver). However, after Bilyk and the band's guitarist German Osipov (who, on the contrary, actively supported the war) performed in front of the Russian military in Donbas, concerts in Russian cities resumed.
- Russian theatres [began](#) to [exclude](#) from their repertoire plays based on [Boris Akunin's](#) works after it became known the writer was being prosecuted for disseminating 'fake news' about the army ([Art. 207.3, Part 2 \[e\], CC RF](#)) and public justification of terrorism ([Art. 205.2, Part 2. CC RF](#)). At the same time, Akunin's books [disappeared](#) from sale in bookstores, including chain stores, and online.

- Later, [Dmitry Bykov's](#) books were [similarly dealt with](#). At that time there was no information about a criminal case against Bykov.
- Even before the reports appeared of Akunin's criminal prosecution it was reported that both he and Bykov had been victims of a prank by the pro-Kremlin pranksters, Vovan and Lexus, who had pretended to be high-ranking Ukrainian officials. During these conversations, the writers, in particular, expressed their views about attacks on various facilities on Russian territory and about the financing of the Ukrainian armed forces.

2.7.2. Dismissals and expulsions from educational institutions for anti-war views

From the beginning of the full-scale invasion until the end of 2022, OVD-Info recorded 47 cases of dismissals, terminations of contract and expulsions from membership of organisations, and 50 cases of students being expelled from universities, for anti-war views. For the full year 2023, there were 48 and 16 such instances, respectively. In 2023 20 instances of dismissals involved faculty members.

- The dismissal of the actor and author of anti-war poems [Dmitry Nazarov](#) and his wife, the actress [Olga Vasilieva](#), from the Chekhov Moscow Art Theatre attracted public attention. The [actors](#) told the journalist [Yekaterina Gordeeva](#) in an interview that the theatre's artistic director Konstantin Khabensky had made it clear that if they remained with the theatre he would be obliged to send 29 of the theatre's staff to be mobilised as soldiers.
- [The Russian State Institute of Stage Arts](#) in St. Petersburg sacked teachers [Konstantin Uchitel](#), [Filipp Vulakh](#) and [Anastasia Kim](#), who had earlier been described as 'opposition upstarts' in an anonymous Telegram channel for statements they had made about the war against Ukraine. Uchitel believed the initiative came from the government in Moscow and not from the institute's management.
- The historian [Sergei Chernyshov](#) [left](#) all his administrative positions at the Novosibirsk Novokolledzh and Novoshkola, which he had founded, after complaints were received that the college had refused to allow sessions of the project 'Conversations about What is Important' to be held there. In May 2023, Chernyshov was designated as a 'foreign agent.'
- Director of the Institute of the USA and Canada of the Russian Academy of Sciences, historian and political scientist [Valery Garbuzov](#) was [suspended](#) from the post he has held since 2016. This happened shortly after the publication in Nezavisimaya gazeta of an article by him examining myths cultivated in Russian ideology.
- [Mikhail Lobanov](#), a mathematician and well-known activist, was [fired](#) from Moscow State University. The same day he left Russia. Two months earlier, Lobanov's home had been [searched](#) after he was designated a witness in the prosecution of the politician [Ilya Ponomaryov](#) for spreading 'fake news' about the army (**Art. 207.3, Part 2 [e], CC RF**)

and public justification of terrorism (Art. 205.2, Part 2, CC RF). This was the second time his home had been searched in six months.

- [The Novosibirsk State Philharmonic](#) dismissed its artistic director [Vladimir Kaluzhsky](#) and closed down its department of music for children and young people, where he taught, after a denunciation against him by activists of the Novosibirsk Coordination Council for the Defence of Public Morality, Culture and Traditional Family Values. The reason for the denunciation was the director's intention to stage a concert based on a book by Ukrainian writer Maria Pustovit, *You are Handel*. The authors of the denunciation noted that Pustovit spoke against the war, and Kaluzhsky's son 'lives in Berlin and publishes anti-Russian posts, while his father "likes" them, thereby expressing his point of view.'
- [Yevgeny Stupin](#), a member of the Moscow City Duma, was [expelled](#) from the Communist Party of the Russian Federation. Among the reasons for his expulsion was the fact that he had signed the anti-war letter, 'Socialists and Communists Against War,' on 24 February 2022 and that he had been given a positive character reference by [Ilya Yashin](#), prosecuted in a case of 'fake news' about the armed forces (Art. 207.3, Part 2 [e], CC RF).
- Of note are the cases of clergymen who spoke out against the war. Archpriest [Andrei Kordochkin](#) of the Spanish-Portuguese diocese of the Russian Orthodox Church, who spoke out against the war in Ukraine, was [suspended](#) from ministry for three months. In December 2023, Kordochkin transferred to the diocese of Constantinople. The rector of the Church of the Resurrection of Christ in the village of Karabanovo (Kostroma Oblast), [Ioann Burdin](#), was [banned](#) from ministry until he had made a public repentance for things he had written in his blog. Protodeacon [Andrei Kuraev](#), who has long criticised the Russian Orthodox Church but, in particular, has also spoken out against the war, and [Ioann Koval](#), a priest at Moscow's Church of St Andrew the First-Called in Lyublino, were deprived of their ministry. Koval had previously been suspended from ministry for replacing the word 'victory' with the word 'peace' in the prayer for Holy Russia which Patriarch Kirill of the Russian Orthodox Church had approved to be read in churches in the autumn of 2022.

2.7.3. Violence, threats, damage to property

The increase in the number of prosecutions of dissidents in 2022 was accompanied by an increase in violence against them. Individuals were attacked, their cars were damaged, and the doors of their apartments were daubed with insults and the letter Z – at least 40 such instances were recorded since the spring of 2022 alone.

In 2023, the number of such attacks noticeably decreased, with only two such cases being recorded. In Krasnodar in August, an unidentified person [assaulted Roman Taganov](#), an activist from Adygea, who in 2022 was given a three-year [suspended sentence](#) on a charge of using violence against a police officer (Art. 318, Part 1, CC RF). The attacker demanded that Taganov 'shut up and not write anything on the Internet.' In Moscow, a shopping centre security guard [assaulted Vitaly Yermishin](#), who had written on the pavement with chalk the words, 'War is the stench of a corpse, war is a factory for making beggars!' The police who arrived at the scene did

not take a statement about the assault, but arrested Yermishin, after which a [criminal case](#) was [initiated](#) against him for using violence against a representative of the authorities, and possibly for insulting a representative of the authorities ([Art. 319 CC RF](#)).

There were also few cases of property damage in 2023. OVD-Info managed to record six such attacks. One such was the [sealing](#) shut of the door of the singer Monetochka's Moscow apartment. A white and red ribbon were also hung on her door together with insulting inscriptions and a photo collage. This happened shortly after the singer had been designated a 'foreign agent.' In another instance, the [apartment door](#) of the above-mentioned activist [Mikhail Lobanov](#) was [defaced](#) with the letter Z and leaflets about him were scattered nearby. In Novosibirsk's Akademgorodok unknown persons [damaged](#) the wheels of the car belonging to [Igor Prosanov](#), a physicist and mathematician, because of the slogan 'Putin kaput' on his car. Prosanov called the police who demanded that the slogan about Putin be erased and threatened to arrest Prosanov. When Prosanov refused, one of the officers told him that 'next time' the police might not come when he called them. In Tula Oblast, unknown persons [hung](#) a funeral wreath on the door of the apartment of activist [Yelena Agafonova](#), who was helping [Aleksei Moskalyov](#), a resident of Efremov convicted of discrediting the armed forces ([Art. 280.3, Part 1, CC RF](#)). On the wreath was written, 'Lenochka, happy birthday!' In Astrakhan, the letter Z was [painted](#) on the gate of the house of [Sarvan Gasanov](#), a lawyer defending those prosecuted for holding single-person pickets and publishing anti-war online posts.

In contrast, there has been a significant increase in the number of instances of individuals being threatened and forced to publicly apologise for anti-war statements or for acts in support of Ukraine. As discussed in [Section 2.1.1](#), it is not uncommon for on-camera public apologies to precede or accompany the bringing of administrative or criminal legal proceedings. Such videos have become particularly frequent on the Telegram channels that share the word 'SMERSH' in their names. The most active channel is Krymsky SMERSH, which has an audience of several tens of thousands of users. In 2023 the total number of instances of forced apologies or simply threats of violence has been at least 100. At the same time, the number of threats not accompanied by publications of apologies has been less than 10. In these videos, people [most often](#) appear to read from a previously written text using wording characteristic of official documents, such as 'doused with a flammable mixture,' 'banned social network,' and so on. The speakers may stutter and lower their eyes as if looking at a piece of paper. Sometimes, instead of apologising, or as well as apologising, the individuals concerned are told to sing the Russian anthem or patriotic songs. That was what happened, for example, in March when police [raided](#) two Moscow bars, Underdog and La Virgen, on the pretext of checking whether funding for the Ukrainian armed forces was taking place.

Repression
against residents
of Ukraine, includ-
ing on Ukrainian
territory

03.

In 2023, repression continued against Ukrainians. Repressive measures began immediately after the annexation of Crimea and Russia's unleashing of a hybrid war in the Ukrainian regions of Luhansk and Donetsk in 2014 and intensified after the full-scale invasion in 2022. There are three types of repression to highlight here: against individuals who left Ukraine at various points and settled in Russia or were for some reason located in the Russian Federation; against residents of Crimea disloyal to Russian authorities; and against those living in the territories occupied after the start of the full-scale invasion.

3.1. Repression against Ukrainian citizens on Russian territory

We have no grounds to assert that politically motivated criminal prosecutions of Ukrainian citizens differ in any cases from politically motivated criminal prosecutions of citizens of the Russian Federation, or of other states, or that any generalisations can be drawn about any such supposed differences. However, it is clear Ukrainian citizens prosecuted during wartime are often subject to unique pressures. This is most notable in cases involving defendants' activities on Ukrainian territory (see [Section 3.3](#)).

Cases of espionage and collusion with foreigners

Prosecutions under these articles of the Russian Criminal Code, similar to prosecutions for treason (see [Section 4.10](#) for details), are classified, so we have no information about the details of the charges. However, there has been a significant expansion of the application of these articles to meet the 'needs' of wartime, and to the criminalisation of certain acts committed during an armed conflict or military operation. Such acts include the transfer by a foreign citizen of information that can be used against the Russian armed forces or official agencies of the Russian government, and incitement to transfer such information. We also note a significant increase in the number of cases under these articles, which is clearly related to the war. [Sibir.Realii calculated](#) that in 2023, at least 148 cases were initiated under the three articles, of which 31 were for espionage and 19 for collusion with foreigners. The number of cases coming to trial has also increased: 18 cases under the espionage law, and seven for collusion with foreigners. The number of verdicts increased as well. According to data from the Judicial Department of the Supreme Court, there were nine verdicts in espionage cases, while there was only one in 2022; and there were two verdicts for collusion with foreigners, although the article was only added to the Criminal Code in 2022, and there were no sentences under it that year.

We also note the practice of sentencing a person to a series of short-term prison sentences for administrative offences (the so-called 'jail merry-go-round') before a criminal case is formally initiated. This practice is characteristic of various kinds of politically motivated prosecutions, including prosecutions for treason.

The risk of prosecution on charges of espionage is especially high for citizens of Ukraine, a state in an armed conflict with the Russian Federation.

[Leniye Umerova](#), a native of Crimea, moved to Kyiv in 2015 without obtaining a Russian passport. In December 2022, she returned home to visit her father, who had been diagnosed with cancer. Umerova was detained at the Verkhny Lars checkpoint by Russian security forces while travelling on the Tbilisi-Simferopol bus. She was then taken to Vladikavkaz. The next day, she was found guilty of violating Russian border crossing law (**Art. 18.1, Part 1, CAO RF**). She spent three months in custody in a Temporary Detention Centre for Foreign Nationals. On appeal, the deportation ruling was overturned in March 2023, which should have meant her release. However, she was detained again instead. Umerova was charged four successive times with disobeying a police officer (**Art. 19.3 CAO RF**) and [sentenced](#) four times to 15 days' in prison under administrative law. Her last prison term should have ended on 12 May. However, on 4 May it [emerged](#) that the FSB had taken Umerova from the temporary detention facility in Vladikavkaz, where she had been held the past months. The next day, a Moscow court [remanded her in custody](#) on espionage charges (**Art. 276 CC RF**). [Allegedly](#), the investigators believed that Umerova had gathered information on Russian military facilities and Vostok Battalion equipment in Kyiv Oblast.

In Umerova's case, it is important to emphasise that sharing information about the stationing of troops of an occupying army on the territory of a foreign state cannot be equated with sharing information to be used against the security of the Russian Federation, since the mere presence of Russian troops in Ukraine is a flagrant violation of international law. Moreover, at the time when Russian occupying troops were in Kyiv Oblast, **Art. 276 CC RF** did not yet contain the new provisions on '*sharing information that could be used against the Russian armed forces in wartime*'. Finally, Umerova did not have access to government secrets.

Ukrainian citizen [Petro Opalnyk](#) lived in the city of Pestovo (in Novgorod Oblast). He worked as a real estate sales manager and was involved in insurance. On 18 January 2023, he was detained on charges of collusion with foreigners (**Art. 275.1, CC RF**). Even after private counsel had been obtained for the case, the court refused to remove the state-assigned lawyer. Almost none of the letters sent to Opalnyk were given to him in the pre-trial detention centre. [According to the investigators](#), he persuaded those mobilised to commit treason by providing the enemy with information about the deployment of Russian military units and formations, the theft and transfer of military equipment, and voluntary surrender.^[1]

Cases of terrorism and support of terrorism

Ukrainian citizen [Serhii Karmazin](#) was [detained](#) on 15 February 2023. In a video published by the FSB, he says that he travelled from Ukraine to Poland, was recruited by the Ukrainian security services, and complied with all their demands because his daughter had been taken hostage in Vinnytsia. Karmazin says that he travelled to Latvia, where local authorities interrogated him with a lie detector, after which he was sent under the guise of a refugee to Moscow Oblast, where he set fire to two relay boxes on a railway line. Karmazin was taken into custody. Later he was also charged with attempting to blow up an oil depot in Serpukhov. At this point, the Baza Telegram channel [published](#) an account that differed from what had been previously

1 In March 2024, when Opalnyk's case went to trial, it emerged that he was also being accused of attempting to organise voluntary surrender (**Art. 352.1 CC RF**, in conjunction with **Art. 30, Part 3, CC RF** and **Art. 33, Part 3, CC RF**).

reported. According to this account, Karmazin had allegedly been corresponding with an individual who sent him detailed video instructions for making an improvised explosive device, directed him to carry out a terrorist attack, and sent him 96,000 roubles in advance. Karmazin then began gathering the parts to make the explosive device, but he was unable to carry out the plan because he was detained for setting fire to the relay boxes. According to the latest information, the following charges have been brought against Karmazin: carrying out a terrorist act (**Art. 205, Part 1, CC RF**), attempting to carry out a terrorist act (**Art. 205, Part 1, CC RF**, in conjunction with **Art. 30, Part 3, CC RF**), and receiving instructions with the goal of carrying out terrorist activities (**Art. 205.3 CC RF**). See [Section 2.3](#) for details about the prosecution of arson as an anti-war activity.

The case of [Eduard Cherevan](#), a native of Luhansk Oblast who moved to Rostov-on-Don after 2014, has gone to court. He was taken into custody on charges of participating in a terrorist organisation (**Art. 205.5, Part 2 CC RF**). [According](#) to Igor Paskar, who was at the same pre-trial detention centre as Cherevan and is being prosecuted for throwing a Molotov cocktail at an FSB building, Cherevan has also been accused of advocating membership of the Azov Battalion.

In February 2022, Ukrainian resident [Illia Hibeskul](#) left Kharkiv, where he was studying at university, for his home in Volnovakha (Donetsk Oblast) to update his identity documents. On 11 March 2023, Volnovakha was captured by the Russian army. After a humanitarian corridor was set up at the end of March, Hibeskul left Donetsk to complete filtration (according to other sources, he and his family were forcibly removed from Ukraine). He next spent time in Voronezh and subsequently decided to move to Poland. According to Hibeskul, he flew from Moscow to Kaliningrad on 14 April, and intended to continue by bus to Gdansk. Russian border guards detained Hibeskul for seven hours. They examined his phone and laptop, asked him questions about his attitude towards Putin and the war, and recorded his answers on video. He was ultimately let through. However, the Polish border guards did not let Hibeskul into the country, since he did not have a passport for travel abroad, just a Ukrainian ID card. Hibeskul was forced to return to Russia, where he was arrested and taken to the district police station. There they drew up a charge against him for an administrative offence on the grounds that, on 14 April at 11:50 pm, he had allegedly ‘used profanity and violated public order’ (**Art. 20.1 CAO RF**) on Lukashova Street in Kaliningrad, which Hibeskul denies. The next day, the court jailed him for 14 days. Shortly before the end of his sentence, on 26 April 2023, a criminal case was opened against Hibeskul for justification of terrorism (**Art. 205.2, Part 2, CC RF**) and on 29 April 2023, he was remanded in custody. The grounds for the case were nine reposts Hibeskul supposedly shared on his VK page, in which forensic experts found signs of justification of terrorism. This included calls to send money to the Azov Battalion, a video of an oath to the Battalion, an interview with Dzhokhar Dudaev, and a repost from the public page *Russian Nationalist*. According to Hibeskul and his defence, the reposts that formed the grounds for the criminal charges started to appear one after the other on his page at a time when Hibeskul had already been detained and was being taken by car to the police station (around 11:30 pm to 12:30 am on the night of 14 – 15 April). Moreover, he had stopped using his VK page a long before this time (the last time he had visited his page was in 2019). As Hibeskul explained, during that time his phone was in the possession of those who had detained him and were accompanying him in the car. Later, while in custody, he was able to call his father from his cellmate’s phone. His father informed him that prohibited information had appeared on his VK page. Hibeskul went online and saw the posts, which he stated he had nothing to do with. His lawyer pointed this out

during the hearing on pre-trial conditions, but the court supported the investigators' account. The messages calling for financial support for the Azov Battalion were reposted from virtually abandoned and possibly fake VK groups and were moreover quite old. On 28 February 2024, Hibeskul was [fined](#) 60,000 roubles and released from custody.

Ukrainian [Prokhor Neyzhmakov](#) fled to Russia after the start of the war and settled in Vladimir. According to the investigators, on 8 November 2022, he wrote several messages on the Telegram chat Vladimirskaya Banda against the war that called for overthrowing Putin (the media were unable to find a Telegram chat with this name.) On 2 March 2023, a criminal case was brought against Neyzhmakov for making public calls to engage in terrorist activity online (**Art. 205.2, Part 2, CC RF**). He was remanded in custody. Neyzhmakov pleaded guilty to the charge and on 14 August 2023 he was sentenced to three years in a general-regime penal colony.

The cases of Hibeskul and Neyzhmakov demonstrate how vulnerable refugees from Ukraine are, and how easily Russian authorities take advantage of their unfamiliarity with Russian ways of life and legislation, and the fact that they may be experiencing psychological difficulties and may be without the support of loved ones.

Ukraine-born Moscow resident [Oleksandr Kolomiets](#) was arrested on 1 January 2023 in Murmansk. According to Kolomiets, he was hit several times while being arrested, causing him to walk with a limp for a week. He was taken to Moscow, where he was remanded in custody on charges of public justification of terrorism (**Art. 205.2, Part 2, CC RF**). According to the investigators, in September 2022 he used his phone to post a series of comments on VK on a post in the *Liberty News* group about the progress of the partial mobilisation, in which, among other things, he called on people to 'get hold of knives and Molotov cocktails.' Kolomiets pleaded guilty. On 25 April the court [fined](#) him 300,000 roubles.

Back in August 2022, a new case for public justification of terrorism (**Art. 205.2, Part 1, CC RF**) was opened against Crimean resident and Ukrainian supporter [Oleh Prykhodko](#), who had at that time been sentenced to five years in a strict-regime penal colony for preparation of a terrorist act (**Art. 205, Part 1, CC RF** in conjunction with **Art. 30, Part 1, CC RF**), manufacture of explosives (**Art. 223.1, Part 1, CC RF**), attempted manufacture of explosives (**Art. 223.1, Part 1, CC RF** in conjunction with **Art. 30, Part 3, CC RF**), and acquisition of explosives (**Art. 222.1, Part 1, CC RF**). (Memorial Human Rights Centre recognised Prykhodko as a political prisoner when the first case was brought.) In the new case, Prykhodko was charged with '*repeatedly speaking about the need and permissibility for the mass physical extermination of residents of Crimea and Donbas who oppose the policies of the Kyiv regime*' [*while in prison*]. In 2023, a case was also brought against Prykhodko for rehabilitation of Nazism (**Art. 354.1, Part 1, CC RF**). According to the investigators, he had spoken approvingly of Hitler. The cases were combined and on 10 November 2023, Prykhodko was [sentenced](#) to four years' imprisonment and a fine of 110,000 roubles. In addition, in January 2023 he was [sentenced](#) to 360 hours of compulsory work (in his free time), which was replaced with one month of imprisonment, on a charge of insulting members of the judicial process (**Art. 297, Part 1, CC RF**). The charges were for insulting FSB officers, whom Prykhodko accused of falsifying documents.

Sabotage cases

On 29 July 2023, [Serhii Okrushko](#), a native Ukrainian living in Samara, was arrested at the Kuibyshev Oil Refinery on suspicion of sabotage (**Art. 281, Part 2, CC RF**). On 28 July 2023, the day before his arrest, an explosion occurred in a decommissioned, freestanding old building of the Kuibyshev Oil Refinery. At the court hearing on pre-trial conditions, Okrushko [said](#) he had planned to detonate three homemade devices, but in order to avoid casualties he disarmed two of them. On 3 August he refused to be legally represented by Zakhar Lebedev, who works for the human rights organisation Solidarity Zone. While Okrushko was hand-writing the notice declining legal representation, Lebedev noticed a large bruise on his arm. According to the court-appointed lawyer, Okrushko's actions were intended as a protest against the war in Ukraine, and he had previously participated in anti-war rallies. In November, Okrushko was also accused of illegal manufacture and possession of explosives (**Art. 222.1 CC RF** and **Art. 223.1 CC RF**). Solidarity Zone reported that several boxes appeared during the trial, which were supposedly confiscated from Okrushko despite not having been among the items taken from him in September.

Right Sector

In February 2023, the investigators dropped charges against [Mikhail Kavun](#), which Memorial detailed in its [report](#) Political Prisoners and Political Repression in Russia in 2022. The 61-year-old geologist, a descendant of Ukrainian Jews who before the war had often travelled around Ukraine on his motorcycle, was suspected of involvement in Right Sector. The grounds for the charge was a photograph where Kavun is wearing a shirt with the ironic inscription 'Zhidobandera,' and a sticker that reads 'Glory to Ukraine!' on his motorcycle. Kavun was taken into custody and a criminal case was opened against him on a charge of financing extremist organisations (**Art. 282.3, Part 1, CC RF**). The investigators, based on testimony given by secret witnesses, argued that the geologist provided various types of assistance to the Right Sector leadership. In particular, in 2015-2019, he allegedly gave 'I. N. Pirozhok, the political leader of a branch of the Ukrainian organisation Right Sector, at least 20,000 hryvnias, and other members of Right Sector at least 70,000 roubles to support the organisation's activities.' Kavun did not plead guilty. He claimed that while he met biker acquaintances on his trips across Ukraine, he never associated with Right Sector, nor did he know any members of the organisation. The money was in fact donated to the St. Seraphim Medical Centre in Lviv and the Dorogi Dobra (Roads of Kindness) charitable foundation in Kyiv. After he was freed, Kavun left Russia.

Anti-war cases

On 8 February 2023, [Andrii Yatsentyuk](#), a Ukrainian citizen living in Kaliningrad Oblast, was [sentenced](#) to six months' compulsory work in a correctional centre. After receiving a military summons, Yatsentyuk attempted to cross the border into Poland to avoid fighting his own people. However, he was arrested and a criminal case was brought against him for attempting to illegally cross a border (**Art. 322, Part 1, CC RF** in conjunction with **Art. 30, Part 3, CC RF**). Before the verdict, Yatsentyuk was under travel restrictions and was fired from his job.

Among those convicted for disseminating ‘fake news’ about the armed forces (**Art. 207.3 CC RF**) there are at least two members of the military who served in the Internal Troops of Ukraine, under the Ministry of Internal Affairs. [Ilya Karpenko](#) was [fined](#) 800,000 roubles, and [Valery Kotovich](#) was sentenced to six years in a penal colony.

3.2 Repression in Crimea

Early in 2024, the Telegram channel Krymsky SMERSH [SMERSH being a shortening of the Russian phrase, ‘Death to spies’] which monitors and denounces Crimean residents who support Ukraine, [summarised](#) its work ‘with Comrade Major [a term for the FSB] in 2023.’ Here is the list:

- *‘64 Criminal cases focused on extremism and terrorism were opened;*
- *330 charges were brought under Articles 20.29^[2], 20.3^[3], 20.3.3^[4], 20.1^[5], and 5.26^[6];*
- *four weapon caches belonging to zhduns^[7] were identified and discovered, from which were seized three machine guns, three handguns, two shotguns, nine grenades, six mortar grenades, three anti-aircraft shells, over 3,000 rounds of ammunition, four TNT-based improvised explosive devices with detonators, and more than 1 kg of marijuana. Over 20 pieces of extremist material were seized;*
- *12 unauthorised mass events were prevented.*
- *over 200 warnings were issued to persons liable to commit extremist actions.*
- *over 220 residents of Crimea were revealed as having joined nationalist battalions on the territory of Ukraine or the Ukrainian armed forces.’*

In this section, we are not concerned with criminal prosecutions of residents of Crimea and Sevastopol for anti-war statements and speech. Details for those cases can be found in the corresponding sections. Here we will only say that, according to OVD-Info, at least 30 individuals have been subject to prosecutions of this kind. For information on the persecution of Crimean residents on account of their real or purported religious affiliation, see [Section 3.2](#).

On 29 July 2023, the term of imprisonment of nurse and civil society activist [Iryna Danylovykh](#) was [reduced](#) on appeal by one month. In December 2022 she had been sentenced to seven

2 **Art. 20.29 CAO RF** – distribution of extremist materials.

3 **Art. 20.3 CAO RF** – public display of extremist and prohibited symbols.

4 **Art. 20.3.3 CAO RF** – discrediting the use of the armed forces of the Russian Federation to defend the interests of the Russian Federation and its citizens.

5 Probably referring to **Art. 20.1, Part 3, CAO RF** – dissemination of information expressed in an indecent manner that offends human dignity and public morality; clear disrespect for society, the state, official government symbols of the Russian Federation, the Constitution of the Russian Federation, or authorities exercising governmental power in the Russian Federation.

6 **Art. 5.26 CAO RF** – violating the law on freedom of thought, freedom of religion, and religious groups.

7 This is a term used by pro-Russian bloggers to describe residents of Crimea who speak out in support of a possible return of the territory to Ukraine.

years in a general-regime penal colony on charges of possession of explosives (**Art. 222.1, Part 1, CC RF**). Danylovych herself alleged she had been tortured and stated that the explosives had been planted. The ‘Political Prisoners. Memorial’ human rights project has recognised her as a political prisoner. Throughout 2023, there were repeated reports of the grave condition of Danylovych’s health. During one of her transfers in March, she [lost consciousness](#) and the next day [began a dry hunger strike](#) in response to the lack of medical assistance. One month later it [emerged](#) that FSB agents had forced her to end her hunger strike, despite the fact that her demands were not met. In June, Danylovych’s father [stated](#) that she had almost lost her hearing. In the penal colony, when Danylovych complained to a nurse about pain in her ears, the nurse had [replied](#) that the pain would go away once Danylovych went completely deaf. It is [likely](#) that Danylovych suffered a stroke while in pre-trial detention.

Mamut Belyalov, a supporter of Ukraine who previously lived in Feodosia (since 2017 he had been living in Kherson, but in 2021 he moved to Crimea for family reasons), is in custody on charges of participating in preparations for murder (**Art. 105, Part 2 [b, g, h], CC RF** in conjunction with **Art. 30, Part 1, CC RF**). He was accused of attempting to murder Vadim Volchenko, head of the Russian Ministry of Resorts and Tourism in Crimea. The [investigators](#) maintain that a Ukrainian resident named ‘Ilya’ instructed Belyalov to find weapons and transfer money to the would-be perpetrator of the murder, Igor Tishchenko. According to Belyalov, his acquaintance Ilya from Kherson did indeed get in touch with him about Tishchenko, asking Belyalov to help him with housing. Belyalov also stated that Ilya sent him money, which he withdrew and gave to Tishchenko. In September 2022, when Belyalov met up with Tishchenko again to give him more money, which Tishchenko allegedly needed urgently, Belyalov was detained and beaten. A pistol and a grenade were found in his car. Belyalov was then subjected to torture and threats of mutilation and violence. Belyalov admitted that the weapon and explosives belonged to him. He stated that he was also offered a suspended sentence in return for testifying against ‘*someone from Hizb ut-Tahrir or Jehovah’s Witnesses.*’

In October 2023, Crimean resident **Albert Kruhlov** was [sentenced](#) to eight years in a strict-regime penal colony. According to the investigators, Kruhlov planned to join the Azov Battalion in November 2022, and he obtained a camouflage uniform, gloves, gas mask, and knife as part of this plan. However, he was detained on Crimean territory and taken into custody. He was charged with making preparations to engage in treason (**Art. 275 CC RF** in conjunction with **Art. 30, Part 1, CC RF**) and making preparations to participate in a terrorist organisation (**Art. 205.5, Part 2, CC RF** in conjunction with **Art. 30, Part 1, CC RF**). We believe that even if Kruhlov really had intended to join the Ukrainian Azov Battalion, he cannot be subject to criminal prosecution for this intention, neither for treason, nor for participation in the activities of a terrorist organisation. From 2014 to 2018, the Azov Battalion was a volunteer unit, partially made up of former members of nationalist and neo-Nazi groups. In 2018, it became part of the 18th Operational Regiment of the Eastern Operational-Territorial Command of the National Guard of Ukraine, and since October 2019 it has been part of the 12th Operational Regiment of the Eastern Operational-Territorial Command of the National Guard of Ukraine. In this way, the unit became a conventional, non-politicised unit. Nevertheless, the Russian authorities, while acknowledging these facts, group those prosecuted in cases formally related to the Azov Regiment together with those who participated in the activities of neo-Nazi volunteer groups.

Designating the Azov Regiment as a terrorist and extremist organisation in the midst of the war unleashed against Ukraine is unfounded and illegal and was done solely for the purposes of inciting ethnic hatred and enmity and military propaganda.

3.3 Repression of Ukrainian citizens on Ukrainian territory

According to Ukrainian human rights activists, as of the start of 2024 at least 7,000 Ukrainian citizens are illegally imprisoned on the internationally recognised territory of the Russian Federation and in the occupied territories as a result of their opposition to the Special Military Operation. Many of these Ukrainians were detained or captured in February and March of 2022 in Ukraine in Kyiv, Sumy, Kharkiv, Kherson, and Chernihiv Oblasts. At the same time, only about 1,600 Ukrainian citizens have been confirmed as being held in captivity. According to [data](#) obtained by the Centre for Civil Liberties, a Ukrainian human rights organisation, they are located at 57 detention facilities. Some have not yet been charged, which means they have not been allowed access to lawyers due to their lack of legal status. Many have been tortured in detention, held in inhumane conditions, and not allowed to meet with members of the International Red Cross. In some cases, Russian officials state that the detainees are prisoners of war. As of early 2024, only 160 civilians had been turned over to Ukraine as part of a prisoner exchange.

In addition, in 2023 many criminal cases initiated by bodies under the authority of the self-proclaimed DPR and LPR were brought to trial and sentencing. As a consequence, Russian official bodies and courts – primarily the Southern Military District Court in Rostov-on-Don, which hears cases under the so-called terrorism articles of the Russian Criminal Code – were receiving cases concerning events involving Ukrainian citizens that took place on Ukrainian territory at a time when the Russian Federation did not consider the ‘people’s republics’ to be independent states, let alone Russian territory. In other words, these cases were from a time when, even from the Russian Federation’s official standpoint, Ukrainian laws were in effect in those regions. At the same time, these detained Ukrainian citizens have been prosecuted specifically for opposing the authorities of the self-proclaimed people’s republics, which actually means for supporting the Ukrainian authorities that were in power at the time.

Cases against abducted civilians

The Fourth Geneva Convention of 12 August 1949 ‘relative to the Protection of Civilian Persons in Time of War’ defines the basic rules for the treatment of civilians by belligerents during armed conflict. This convention protects the rights of individuals who are not prisoners of war or the wounded or sick of an army in the field, *‘who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals.’*

These cases often involve charges of espionage (**Art. 276 CC RF**), sabotage (**Art. 281 CC RF**), and acts of terrorism (**Art. 205 CC RF**), namely actions directed against an occupying power and committed or planned at the direction of Ukrainian law enforcement agencies. However, it is important to emphasise that the Geneva Convention extends protection to citizens who have been accused of such crimes, as well as citizens who participated directly in military activity, acted as mercenaries, or even served in the armed forces but lost their right to the status of prisoner of war as a result of espionage activities. At the same time, such individuals are being held in detention and forcibly transported to officially recognised Russian territory or annexed Crimea without the requisite court decisions on their internment in such circumstances.

[Serhii Tsyhupa](#), a former officer of the Ukrainian armed forces, lived in Nova Kakhovka (in Kherson Oblast). After the occupation began, he organised pro-Ukraine rallies there and was detained in March 2022. He was then taken to Crimea, according to Kherson resident Oleksandr Tarasov who was detained for similar activity and later released. Tsyhupa was subjected to brutal torture – possibly more brutal than that to which other captured Ukrainian citizens were subjected – because of what Russian security forces knew about his past. Tsyhupa had previously served in the KGB, the Ukrainian security services, and the Ukrainian armed forces (in the area of the Anti-Terrorist Operation) with the rank of major. In April 2022, pro-government, pro-war channels and several Russian media outlets published a video in which Tsyhupa explained how the Centre for Information and Psychological Operations of the Ukrainian armed forces gathered citizens in predetermined locations in Ukrainian cities, allegedly for rallies or evacuations, and then subjected these locations to gunfire as a false flag operation. It was asserted that this is how the Ukrainian military operated in Bucha, Irpin, and other places where evidence of widespread murder and abuse of civilians was discovered after Russian troops withdrew. Oleksandr Tarasov stated that Tsyhupa had not confessed to the charge, and that the video was filmed under torture and threats of murder. Tsyhupa’s family hired a lawyer to represent him, but the lawyer was unable to meet with Tsyhupa before the proceedings began. The lawyer was told that Tsyhupa had refused his services. The criminal case against Tsyhupa was initiated only on 26 December 2022. According to the investigators, Tsyhupa gathered intelligence on the movements and size of Russian military units in Kherson Oblast, acting on the assignment of a member of the Ukrainian security services. On 6 October 2023, Tsyhupa was sentenced to 13 years in a strict-regime penal colony on charges of espionage (**Art. 276 CC RF**).

So far as we can judge, several of Tsyhupa’s rights guaranteed by the Geneva Convention have been violated: his right to physical integrity, to humane treatment, and to a fair and impartial trial. Moreover, there is every reason to believe that Russian law enforcement officials intended to imprison Tsyhupa in order to put an end to his work organising rallies and his journalism. It is also possible that they wanted to imprison him as someone who posed a threat given his service in the Ukrainian security services and the Ukrainian armed forces.

As for the charges brought under the Russian Criminal Code against Ukrainian citizens detained on occupied territory at the start of the war, there are two points worth noting. First, the Russian President’s decree on applying the Criminal Code of the Russian Federation in the new territories was published only on 2 August 2023. Second, in our opinion this decree inherently contradicts the Geneva Convention. Under the Convention, an occupying power can only introduce new criminal provisions in an occupied territory for three purposes: (1) to enable

the occupying power to comply with its obligations under International Humanitarian Law, (2) to ensure proper governance of the territory, and (3) to ensure the security of personnel, property, and communications infrastructure of the armed forces and administration of the occupying power.

The ‘Political Prisoners. Memorial’ human rights project has recognised Serhiy Tsyhyba as a political prisoner.

A similar case is that of [Hryhorii Sinchenko](#), charged with espionage, detonation of explosives, attempts on the lives of law enforcement officers, illegal border crossing, extortion, participation in the activities of a terrorist group, and other acts, all of which allegedly took place between 2016 and 2020. Another case involves [Andrii Harryus](#), [Yurii Ivanov](#), and [Stanyslav Surovtsev](#), whom the investigators claim committed a series of terrorist attacks on the territory of the self-proclaimed DPR at some point before 2019.

As of the end of 2023, the article on espionage ([Art.276 CC RF](#)) [appears](#) in at least nine cases filed with Rostov Oblast Court and six cases filed with the Southern Military District Court. One such case was filed against [Artem Yen](#), [Oleksandr Pohorelov](#), [Vasyl Churylov](#), and [Oleksandr Tymoshenko](#), who are accused of attempting to assassinate the leader of the self-proclaimed DPR, Aleksandr Zakharchenko, in 2018 and organising an assassination attempt against Arsen Pavlov (alias Motorola), the commander of the DPR special unit Sparta, in 2016.

In February 2023, former captain of the Ukrainian Navy [Oleksii Kiselyov](#) was sentenced to eight and a half years in a strict-regime penal colony. Kiselyov was detained in 2022 in occupied Henichesk (Kherson Oblast) and transported to Crimea. He was found guilty of participating in an illegal armed group ([Art.208, Part 2, CC RF](#)). According to the investigators, since 2016 he had been supplying materials to members of the Noman Çelebicihan Battalion, a volunteer Crimean Tatar group created to liberate Crimea, and was helping them prepare to assist in a naval blockade of the Crimean peninsula. Kiselyov’s case is one of many cases concerning the Battalion’s activities. We know of at least 30 guilty verdicts for genuine or ostensible participation in the volunteer Noman Çelebicihan Battalion in which terms of imprisonment were handed down.

Kiselyov has denied the charges and has asserted that he was tortured. His connection to the Battalion has not been confirmed by the group’s founder, Lenur Islyamov. The evidence for Kiselyov’s involvement with the Battalion is based on the testimonies of three witnesses, two of whom were themselves in a vulnerable position as they were being prosecuted on similar charges. The third is a secret witness, which by nature significantly reduces the credibility of the investigators’ account. In our opinion, the FSB’s use of secret witnesses makes it easier for them to fabricate evidence and limits the rights of the accused to a legal defence. The ‘Political Prisoners. Memorial’ human rights project has recognised Kiselyov as a political prisoner.

Islyamov announced the creation of the Battalion in September 2015. It was at that time that the leaders of the Mejlis^[8] of the Crimean Tatar People declared a civilian blockade of Crimea. Members of the group began inspecting cargo at the Crimean border. Over the next two

8 Mejlis or Majlis – the name for legislative and representative bodies in a number of countries, and a general term for a People’s Assembly.

months, the Ukrainian government banned shipments to and from Crimea of goods and services, with the exception of humanitarian supplies. Since January 2016, members of the Battalion, or rather of the Asker association created on its basis, have been carrying out joint patrols with the Ukrainian Border Service. The Battalion has never participated in combat operations.

Cases against prisoners of war accused of committing war crimes

On 10 March 2023, the Supreme Court of the LPR [sentenced Maksym Butkevych](#) to 13 years in a strict-regime penal colony. Butkevych is a well-known journalist and human rights activist from Kyiv. He is also a former employee of the UN High Commissioner for Refugees, a former member of the National Committee of Amnesty International Ukraine, and a co-founder of Hromadske radio. He was one of the first Ukrainian prisoners of war to be tried, not under the laws of the self-proclaimed Donetsk and Luhansk People's Republics, but under those of the Russian Federation. Butkevych was found guilty of attempted murder of two or more people by generally dangerous means (**Art.105, Part 2 [a, f], CC RF** in conjunction with **Art.30, Part 3, CC RF**), use of forbidden means and methods of warfare (cruel treatment of civilians) (**Art. 356, Part 1, CC RF**), and deliberate destruction or damage to property by generally dangerous means (**Art.167, Part 2, CC RF**). According to the investigators, on 4 June 2022, while serving in the Ukrainian armed forces as platoon commander in the Berlingo special unit, Butkevych 'fired a grenade launcher at a residential building, for purposes of intimidation, causing damage to the entrance and injuring two women' in Sievierodonetsk (Luhansk Oblast). The investigative authorities emphasised that although there was already fighting in the city at that time, there had been none in the area of Gagarin Street, where Ukrainian special forces were stationed in one of the residential buildings. The civilian population had remained there, and public infrastructure was functioning. Allegedly, Butkevych personally admitted shooting at civilians and showed over a video stream the location and details of the event. The activist did in fact participate in military activity, but the [Ukrainian publication Hraty](#) has shown that there is reason to believe Butkevych's unit was not in Sievierodonetsk on the day mentioned in the case. This is supported by correspondence between Butkevych and an acquaintance. In addition, even from the scant data [provided](#) in *Kommersant*, it follows that the victims of the shooting could not have seen the shooter, and therefore could not have identified him. As for Butkevych's confession, his lawyer explained later that the investigator had insisted on them as a condition for Butkevych's name being added to the list of prisoners for exchange.

According to official records, Butkevych was held on remand from 19 August 2022. However, the court of first instance, in handing down sentence, counted towards his term of imprisonment only the few days in March 2023 that Butkevych spent in custody before sentencing. It was the court of appeal that ruled that the whole period of Butkevych's detention from August 2022 should be taken into account. The lawyer hired by Butkevych's relatives was unable to meet him, nor did that lawyer have prior knowledge of the court hearing.

The most blatant violation in the prosecution of Butkevych is that, despite the fact that in all respects he meets the definition of a prisoner of war, the authorities of both the unrecognised LPR and DPR and of the Russian Federation ignored the requirement of the Third Geneva Con-

vention on the Treatment of Prisoners of War, which establishes that prisoners of war be tried only by a military court.

The 'Political Prisoners. Memorial' human rights project has recognised Butkevych as a political prisoner. We believe Butkevych's prosecution was initiated for purposes of propaganda. In terms of domestic propaganda, the prosecution plays into the massive campaign of vilification of the Ukrainian people and justification of the ongoing war. It is also put forward as 'proof' of the allegedly fascist nature of the Ukrainian government. At the same time, in terms of external propaganda, in the view of the Russian authorities the case serves to some degree to counterbalance information about war crimes committed by Russians during the war that is prevalent among the international community. On account of the lack of information, it is difficult to analyse large numbers of such cases.

Cases against prisoners of war not related to the war

Prosecutions on charges of forcible seizure and retention of power (**Art. 278 CC RF**) deserve particular attention. By the logic of the investigators, the authorities in the self-proclaimed people's republics did not forcibly seize and retain power; instead it was Ukrainian military service personnel and other individuals in the Ukrainian armed forces and other units fighting for Ukraine who did.

A [trial](#) has been ongoing in the Southern Military District Court since June 2023 against 24 individuals, for engaging in the activities of a terrorist organisation (**Art. 205.5 CC RF**) and attempting the forcible seizure and retention of power (**Art. 278 CC RF**). Each of the individuals served in the military at different times or served as civilian members of the Azov Special Purpose Regiment. Some of them were captured during the fighting in Mariupol in the spring of 2022, and others were detained when attempting to leave Mariupol, or during so-called filtration – detentions in the occupied territories aimed, in the official Russian view, at identifying Nazis and individuals who had assisted the Ukrainian armed forces. There are currently 22 individuals in custody: [Olena Avramova](#), [Nina Bondarenko](#), [Alyona Bondarchuk](#), [Vladyslava Maiboroda](#), [Iryna Mohitych](#), [Liliya Pavrianidis](#), [Liliya Rudenko](#), and [Maryna Tekin](#), who are all cooks; food warehouse manager [Natalia Holfiner](#); maintenance worker [Oleh Zharkov](#); volunteer [Oleksandr Ishchenko](#); military service personnel [Artur Hretskyi](#), [Oleksandr Merochenets](#), [Oleksii Smykov](#), and [Mykyta Timonin](#); as well as [Artem Hrebeshkov](#), [Anatolii Hrytsyk](#), [Yaroslav Zhdamarov](#), [Oleksandr Irkha](#), [Oleh Mizhgorodskyi](#), [Oleksandr Mukhin](#), and [Oleh Tyshkul](#), who previously served in Azov (some having served long before the war started, for example Mukhin left the Azov Battalion in 2018). Two other defendants, military servicemen [Davyd Kasatkin](#) and [Dmitro Labinskyi](#), were exchanged for Russian prisoners of war. All have been accused of forcible seizure and retention of power. Holfiner, Hrebeshkov, Hrytsyk, Kasatkin, Mizhgorodskyi, Mukhin, Rudenko, and Tyshkul are considered by investigators to be organisers of a terrorist organisation (**Art. 205.5, Part 1, CC RF**), while the others are considered participants in a terrorist organisation (**Art. 205.5, Part 2, CC RF**). In addition, the investigators maintain that Hretskyi, Zhdamarov, Irkha, Kasatkin, Labinskyi, Merochenets, Smykov, Timonin, and Tyshkul underwent training for the purposes of carrying out terrorist activities (**Art. 205.3 CC RF**). The 'Political Prisoners. Memorial' human rights project has recognised all the defendants in this case who have been in detention as political prisoners.

According to the Ukrainian Constitution, the DPR legally was and remains Ukrainian territory under occupation, and both Ukrainian and international law maintain that the actions of soldiers of the Azov Battalion, and its successor, the Azov Special Purpose Regiment, have been lawful actions taken to restore constitutional order and rebuff military aggression. Thus the Azov soldiers did not seize power and forcibly retain it on Ukrainian territory; in fact, this is precisely what the self-proclaimed DPR did with the tacit, and then open, support of the armed forces of the Russian Federation.

The charge of participation in a terrorist organisation brought against the defendants is unlawful and ill-defined, seeing as they are being tried not for committing any specific terrorist acts or war crimes, but for the mere fact that they were part of the Azov Regiment, which was cynically and absurdly declared a terrorist organisation in the absence of any legal grounds. Even more absurd is the charge brought against seven of the defendants of organising the activities of a terrorist organisation, in particular regarding warehouse manager Natalia Holfiner and cook Liliya Rudenko. Moreover, it should be noted that the Azov Regiment was not designated as a terrorist organisation until 2 August 2022, which is after the time that almost all the defendants were detained, to say nothing of the fact that there are no grounds for designating an official military unit of Ukraine as a terrorist organisation. Similarly, **Article 205.3 CC RF** does not apply to the defendants, since the soldiers were trained in combat skills in the Azov Regiment not so that they could carry out terrorist activities, but so that they could complete tasks, combat and otherwise, legitimately assigned to them within the framework of an established procedure as in any other standard military unit.

A trial in a similar case has been taking place [in the same court](#) since July 2023. This case also involves numerous defendants, and concerns the same articles and charges, but has been brought against alleged members of a different Ukrainian unit the Aidar Battalion, or, more precisely, the Aidar 24th Territorial Defence Battalion of Luhansk Oblast. On trial are [Ihor Hayokha](#), [Serhii Kalinchenko](#), and [Taras Radchenko](#), who, according to the investigators, held command positions; military servicemen [Vitalii Hruzinov](#), [Vladyslav Yermolinskyi](#), [Semen Zabairakovyi](#), [Vitalii Krokhalov](#), [Volodymyr Makarenko](#), [Roman Nedostupa](#), [Serhii Nikitiuk](#), [Yevhen Pyatygorets](#), [Oleksandr Taranets](#), [Dmitro Fedchenko](#), and [Mykola Chupryna](#); as well as former military serviceman [Viacheslav Baidiuk](#); and medics [Maryna Mishchenko](#), [Liliya Prutian](#), and [Andrii Sholik](#). They are all in custody, the majority of them taken prisoner in March or April 2022. Notably, they are all charged with participating in a terrorist organisation (**Art. 205.5, Part 2, CC RF**), while Aidar was only designated a terrorist organisation in September 2023, the decision coming into effect in November 2023. They are also charged with forcible seizure and retention of power (**Art. 278 CC RF**). In addition, with the exception of Baidiuk, the three medics, and the drivers Krokhalov, Pyatygorets, and Fedchenko, they are all charged with undergoing training for the purposes of carrying out terrorist activities (**Art. 205.3 CC RF**).

There are also prosecutions of individuals for participating in the Aidar Battalion who served in the unit between 2014 and 2022. Amnesty International, OSCE, and UN reports have repeatedly mentioned various crimes committed by Aidar soldiers before 2016. However, the criminal cases mentioned below are not for involvement in specific crimes. Instead, they are about the defendants' purely formal membership in the former Aidar Battalion, which the Russian investigative authorities and courts consider grounds for charges of participation in the activities of a terrorist organisation (**Art. 205.4, Part 2, CC RF**). The Aidar Battalion was designated

a terrorist organisation in the territories of the self-proclaimed DPR and LPR back in 2016 and, as far as we can tell, the case indeed refers to the Aidar Territorial Defence Battalion. However, the Russian authorities began charging Ukrainians with participation in the activities of a terrorist organisation based solely on their affiliation with a standard unit in the Ukrainian armed forces. This same unit was designated as a terrorist organisation in September 2023 by the decision of a Russian court.

[Volodymyr Udovyka](#) was sentenced to five and a half years in a strict-regime penal colony in December 2023 for alleged participation in the Aidar Battalion (Udovyka had been in reserve since 2018); [Volodymyr Linnyk](#) was sentenced to six years in a general-regime penal colony; [Mykola Martyniuk](#) was sentenced to five and a half years in a general-regime penal colony; and [Natalia Prydatchenko](#) and [Viktoriiia Tkachenko](#) were sentenced to five years in a low security penal colony. The 'Political Prisoners. Memorial' human rights project has already recognised four of the five individuals as political prisoners.

The case against former Ukrainian serviceman [Dmytro Lisovets](#) appears even more absurd. Lisovets served in the Ukrainian Volunteer Army from August 2016 until January 2017, and served under contract with the Ukrainian armed forces from early 2020 until June 2021. On 3 April 2022, he was detained at a filtration point when attempting to leave Mariupol, then under siege. The next day, Lisovets was jailed for five days for the administrative-law offence of disobeying the lawful demands of a law enforcement officer (**Art. 19.3 CAO RF**). He was later placed in a pre-trial detention centre, where he was held without being charged for over two months. The lawyer, who later began handling his case, reported that Lisovets had been tortured during this time. On 16 June 2022, Lisovets was charged with participating in the activities of an illegal armed group (**Art. 208, Part 2, CC RF**) and an extremist organisation (**Art. 282.2, Part 2, CC RF**), as well as for undergoing training for the purposes of carrying out terrorist activities (**Art. 205.3 CC RF**). On 7 December 2023, the former Ukrainian military serviceman was sentenced to 16 years in a strict-regime penal colony. In effect, Lisovets was accused of being part of a volunteer unit that legally operated in Ukraine. In addition, the investigative authorities and the courts unreasonably considered the Ukrainian Volunteer Army to be a subdivision of Right Sector (and on this basis charged Lisovets with participating in an extremist organisation), even though it was created by former Right Sector leader Dmytro Yarosh after he had left that organisation. As for training for purposes of carrying out terrorist activities, what is at issue is the usual combat training that is part of any military unit's standard operating procedure. The 'Political Prisoners. Memorial' human rights project has recognised Lisovets as a political prisoner.

Other instances of political repression

04.

4.1. The persecution of Aleksei Navalny and cases against structures linked to him

At the time this report was being written, we did not know that the authorities' years-long personal retribution against [Aleksei Navalny](#) had come to an end. On 16 February 2024, the Federal Penitentiary Service for Yamalo-Nenetsky Autonomous Okrug announced the opposition activist's death in a penal colony. In 2020, Navalny had survived an attempt on his life carried out by FSB operatives. Over the course of three years, he was completely under the control of the Federal Penitentiary Service, whose officers consistently created intolerable conditions for him. Whether death came as a result of torturous conditions of custody or government officials undertook other actions to achieve their long-held goal does not matter. Navalny was killed intentionally.

— *Aleksei Navalny became popular in the late 2000s and early 2010s as a blogger, author of investigations on corruption in Russia, and opposition activist of national-democratic views and later became one of the Russian opposition's political leaders and created the Anti-Corruption Foundation. In the early 2010s, criminal prosecutions were started against both Navalny and his associates.*

In 2013, Navalny took part in the Moscow mayoral elections and, according to official data, even won 27.24% of the votes, taking second place. In 2017 he announced he would run for president and created a network of regional headquarters that became permanent structures. The Central Election Commission refused Navalny registration because he had been convicted in one of his political cases – the Kirovles case.

In 2020 Navalny was poisoned with a Novichok-class neurotoxin. The media [published](#) investigations that point convincingly to the fact that FSB operatives had tried to murder him.

In January 2021, after recovering in Germany, Navalny returned to Russia, where he was arrested at the airport. The suspended sentence he had previously been given in one of his criminal cases,^[1] was changed to a real prison term – two years and eight months

1 The [case of Yves Rocher](#) was opened in 2012 against the brothers Aleksei and Oleg Navalny. Oleg Navalny was charged with the fact that, while an employee of Pochta Rossii [the Russian postal service], he had persuaded Yves Rocher East and Mnogoprofilnaya Protssessingovaya Kompaniya (MPK) – both Pochta Rossii clients – to use their services to deliver shipments of his own private company, Glavnoye Podpisnoye Agenstvo. The investigators considered his profits from this business stolen money. According to the investigators, Aleksei Navalny's guilt was in founding the Glavnoye Podpisnoye Agenstvo in his own name. The court ignored the fact that Yves Rocher East and MPK had used those services voluntarily, had had no claims against the company, and had renewed their contracts because they found them profitable for their business. In 2014, a verdict was issued against the Navalny brothers: Oleg Navalny was given three years and six months' imprisonment, was taken into custody in the courtroom, and served his punishment in full in a general regime penal colony; Aleksei Navalny was given a suspended sentence of three years and six months with a five-year probationary period. In 2017 the probationary period was extended after Navalny had administrative sanctions imposed for participation in a protest rally.

in a general-regime penal colony. Navalny's arrest provoked mass protests in various regions of Russia. The demonstrations were brutally disbanded by the police. More than 180 people were [prosecuted](#) as a result of these protests.

In June 2021, Moscow City Court deemed Navalny's Anti-Corruption Foundation and headquarters extremist and banned them on Russian territory. Although, from the legal standpoint, recognition of organisations as extremist entails criminal liability for continuing their activity after the ban, by autumn 2021 prosecutions had already begun for participating in Navalny's structures against people who had worked with him before the ban came into force. Those prosecuted in the extremist group case were Navalny himself and his closest associates, as well as many regional activists. A significant number of headquarters employees and volunteers found themselves in forced emigration.

In 2022, a new sentence was issued against Navalny in a fraud case, with punishment in the form of nine years in a strict-regime penal colony. Without any grounds whatsoever, the court found that Navalny had spent money donated to the Anti-Corruption Foundation on his personal needs.

4.1.1. Continuing prosecutions of Aleksei Navalny in 2023

The verdict against Aleksei Navalny and Daniel Kholodny in the case of creating an extremist group

On 4 August 2023, Moscow City Court [issued](#) a new verdict against Aleksei Navalny. He was convicted of creating an extremist group using his official position (**Art. 282.1, Part 3, CC RF**), financing extremism using his official position (**Art. 282.3, Part 2, CC RF**), and calling for extremism on the Internet (**Art. 280, Part 2, CC RF**).^[2] Taking his previous sentences into consideration, they gave Navalny 19 years' special regime imprisonment and also a fine of 500,000 roubles, three years of probation following his release, and a ten-year ban on writing on the Internet also following his release.

2 Also figuring in the case were charges of creating a nonprofit organisation that infringed on citizens' persons and rights (**Art. 239, Part 2, CC RF**), calls for extremism online (**Art. 280, Part 1, CC RF**), public desecration of symbols of military glory (**Art. 354.1, Part 3, CC RF**), and inducing minors into anti-lawful activity (**Art. 151.2, Part 2, CC RF**), which were dropped because the statute of limitations had run out. At the base of some charges in the case lay acts for which other people had been held liable long before. Thus, the grounds for opening a case against Navalny for desecrating symbols of military glory was a 'Motherland Calls!' collage smeared with green ointment. However, in 2019, in a corresponding case, [Aleksei Volkov](#), the former local coordinator of Navalny headquarters, was [judged guilty](#) but released from punishment. Under **Art. 280, Part 1, CC RF**, Navalny was charged for a speech at a 2017 rally by Ufa resident [Rustem Mulyukov](#), who was given for this speech a two-year [suspended sentence](#), and under **Art. 280, Part 2, CC RF**, the tweets of former Anti-Corruption Foundation cameraman [Pavel Zelensky](#), previously [sentenced](#) for them to two years in a general regime penal colony. Evidently, the investigators felt that Navalny had directed all these actions.

Within the framework of this case,^[3] [Daniel Kholodny](#), the former technical director of the *Navalny LIVE* YouTube channel, was sentenced to eight years in a general-regime penal colony on charges of participating in an extremist group (**Art. 282.1, Part 2, CC RF**) and financing extremism using his official position (**Art. 282.3, Part 2, CC RF**). He was also banned from publishing on the Internet for three years after his release. Kholodny had been in custody since 4 March 2022.

The case against Navalny and Kholodny was one part of a major criminal case on the creation of an extremist group. The trial took place at Penal Colony No. 6, Vladimir Oblast, where at that moment Navalny was serving his sentence in a fraud case. A room was set up for journalists with a poor-quality video relay, but after a while the trial was closed. The pretext given was [information](#) allegedly received by the Federal Penitentiary Service inspector about a threat of danger to trial participants.

In all likelihood, the real reason for closing Navalny's latest trial was the state's desire to minimise public outcry and avoid discussion of the accusation's absurdity. On Navalny's Twitter account, nevertheless, one of the pieces of evidence of his alleged crime was [published](#), which is also contained in the case materials, and might give some idea of the nature of this criminal prosecution – the lyrics of a composition by the rapper Morgenshtern [Lyokha is a diminutive for Aleksei]:

'Navalny Lyokha, hey!

Navalny Lyokha, ooh!

....

Lyokha the sleuth, Lyokha's the best, Lyokha's so great!

There's no hiding your fancy palace from him.

Lyokha's gonna punish all those money launderers.

They won't let him go, but that's no big deal

I don't give a single f-k about politics, but my ballot says Lyokha...'

Conditions of incarceration

In 2022, the administration of Penal Colony No. 6 in Melekhovo, Vladimir Oblast, began to apply against Navalny a typical means of pressure used against prisoners, namely repeated placement in a punishment cell^[4] on a fabricated pretext. On 31 December 2022, New Year's Eve,

3 The essence of this case will be described in detail below

4 Placement in a punishment cell is a type of disciplinary penalty in penal colonies. It presumes the prisoner's isolation from the majority of the contingent and living conditions and rules are significantly harsher, for example, a total ban on lying down during the day. Someone put in a punishment cell is not allowed visits or telephone calls, is not brought packages and post, and is forbidden to make purchases in the prison store. In practice, the prisoner's suffering is intensified by cold and hunger. A prisoner can be sent to a punishment cell for up to 15 days, but by imposing this penalty repeatedly, time after time, the administration can keep the convict in a punishment cell for many months.

Navalny was put in the punishment cell for what was now the tenth time. In 2023, the practice continued: Navalny was put in a punishment cell another 13 times, and the total time he spent in the colony's punishment cell in Melekhovo over half a year, by his calculations, [came](#) to 266 days. In September 2023, Navalny was put in a 'single-space cell' for a year, which is the harshest possible punishment in a penal colony, but even after that they continued to send him to a punishment cell.

The penal colony administration did not limit itself to formal punishments but also looked for other ways to worsen Navalny's living conditions. Thus, they regularly put in his punishment cell a prisoner who, as Navalny reported, had [serious problems with daily hygiene](#) in order to make the smell in the space intolerable. According to Navalny, the administration purposefully impeded this prisoner's access to methods of hygiene, depriving him of toilet paper and a toothbrush. In neighbouring cells they kept a psychologically unwell man, a prisoner who day and night shouted in different voices, preventing Navalny from reading and sleeping. Yet another method of psychological pressure on Navalny in the punishment cell was to frequently turn on [speeches by Putin](#) and anti-Semitic and [military-patriotic songs](#) on the penal colony radio. Correspondence, including from relatives and later from lawyers as well, was systematically [confiscated](#); the time during which the prisoner could use writing implements was maximally [restricted](#).

Someone put in a punishment cell has no alternative to the meagre and inedible prison food. 'You won't die, but you'll always be hungry,' as Navalny [described](#) this condition. Additionally, they [curtailed](#) his time for food from 30 minutes to 15, and in this time he also had to drink his uncooled hot water. The Federal Penitentiary Service also took measures to [deprive](#) Navalny of the possibility of ordering additional food even when he was not in the punishment cell.

The politician's lawyers and associates frequently reported on health problems that arose for him while incarcerated, the failure to render medical assistance, and even intentional attempts by penal colony staff to inflict harm on his health. Thus, his cellmate, whom Navalny called 'A person who had serious problems with daily hygiene,' was used not only as a source of stench but also, as Navalny [put it](#), 'like a cotton ball of bacteria.' Many times before putting him in with Navalny they sent him for a day to the infirmary, where they kept patients with flu and the coronavirus. At least once in January, Navalny fell ill as a result with an upper respiratory viral infection, the symptoms of which in conditions of the punishment cell become yet another torture: the cell is cold, you can't lie down, and it is [extremely hard](#) to get medicine or additional boiling water. Instead of the medication his lawyer tried to get to him, Navalny was treated with antibiotics, which are not prescribed for a viral illness, [as a result](#) of which he began to suffer stomach pains and lost seven kilos. The back pain that accompanied the political prisoner all the time he was in penal colonies could get unbearable in the punishment cell. From reveille to retreat you can't lie down even on the floor; moreover, the penal colony staff would sometimes give out an exercise mat and writing implements simultaneously, forcing the prisoner to choose between healing physical exercise and writing letters and complaints.

In April, Navalny's lawyer Vadim Kobzev wrote that an ambulance had been [summoned](#) for Navalny due to acute stomach pains and weight loss. In December, according to a press release from Kira Yarmysh, press secretary of the Anti-Corruption Foundation, penal colony staff had to render Navalny emergency assistance and insert an IV: presumably, he had lost consciousness.

In December 2023, in accordance with the latest verdict, Navalny was transported from the strict-regime penal colony to a special regime penal colony. His new place for serving his sentence was Penal Colony No. 3 in Kharp, in the Yamalo-Nenetsky Autonomous District. Kharp is located above the Arctic Circle in a permafrost zone. The main problem with the location is not even its climate but its accessibility. You can get from Moscow to Kharp by rail in approximately two full days, or else take a plane to Salekhard and continue on across the Ob River – over ice in winter, by ferry in summer, or by helicopter between seasons. This significantly intensified Navalny's isolation, especially considering that some of his lawyers were now in custody and others had been forced to emigrate (see below).

In the new penal colony, they continued to put Navalny in the punishment cell regularly.

Other new criminal cases against Navalny

In 2023, a series of new criminal cases were opened against Navalny. In April, he was accused of disrupting the work of the penal colony ensuring his isolation from society (**Art. 321, Part 1, CC RF**). [According](#) to lawyer Vadim Kobzev, when on 17 April they once again put the foul-smelling prisoner in the cell with Navalny, the latter refused to enter the space. Federal Penitentiary Service staff made him go in by force, punching him in the belly. Then he grabbed his cellmate by the collar and took him out into the corridor, which became grounds for a new criminal case.

In December 2023, Navalny was informed that a case had been opened on vandalism for motives of political hatred (**Art. 214, Part 2, CC RF**). More than likely, this was connected to the case against his underground headquarters (see below), the suspects in which were accused of writing graffiti.

Moreover, back in 2022, a criminal case was [opened](#) against Navalny for propaganda of terrorism (**Art. 205.2 CC RF**), which, according to the investigators, the politician had committed while in prison. Apparently, the charge is connected to statements by presenters on the *Populyarnaya politika* YouTube channel, which, in the investigators' opinion, Navalny continued to run.

4.1.2. Other repressions in cases on belonging to Navalny's 'extremist group' and 'extremist organisations'

Prosecutions of the Anti-Corruption Foundation and Navalny Headquarters employees and volunteers who were involved in these structures before their ban

In addition to Aleksei Navalny and Daniel Kholodny themselves, four people, three of whom had previously headed up Navalny's municipal headquarters, were also given real-time sentences in the extremist group case.

[Liliya Chanysheva](#), who before Navalny's headquarters network was disbanded had headed up the Ufa headquarters, has been in custody since 9 March 2021. She was sentenced on 14 June 2023 to seven years and six months in a general-regime penal colony and fined 400,000 roubles.^[5]

Before the network of Navalny headquarters was disbanded, [Vadim Ostanin](#) was coordinator of the Barnaul headquarters. He has been in custody since 10 March 2022. Before this, he had been banned from certain actions, pending trial. He was sentenced on 24 July 2023 to nine years in a general-regime penal colony.

Before the Navalny headquarters network was disbanded, [Kseniya Fadeeva](#) headed up the Tomsk headquarters. In 2020, she was elected deputy in Tomsk Municipal Duma. She has been in custody since 13 November 2023, before that was under house arrest for about a month, and before that under a ban on specific actions. On 29 December 2023, she was sentenced to nine years in a general-regime penal colony and fined 500,000 roubles.

Convicted along with Liliya Chanysheva was Ufa opposition activist [Rustem Mulyukov](#), who has nothing to do with Navalny's organisations. In 2017, on his own initiative, Mulyukov spoke at an anti-corruption rally organised by Navalny headquarters where he spoke harshly about corrupt officials who, in his opinion, should be, as he put it, 'imprisoned and executed.' In 2019, because of this speech, Milyukov was given a two-year [suspended sentence](#) for making calls to engage in extremism (**Art. 280, Part 1, CC RF**). Evidently, the investigators decided to include Mulyukov in Navalny's so-called extremist group in order to use his prior conviction as proof that the group's members were engaged in extremist activity.

Since 15 March 2023, Milyukov has been under house arrest. On 14 June 2023, he was sentenced to two years and six months in a general-regime penal colony. On 7 November, when the verdict was confirmed on appeal, Milyukov was taken into custody. Milyukov has a serious

5 On 4 March 2024, the court of cassation rescinded the verdict and returned the case to the appellate court. On 9 April, the appellate court increased Chanysheva's sentence to nine and a half years.

disability in connection with kidney disease and requires regular dialysis, which is impossible to administer in penal colony conditions. In December 2023, the court refused to release him from punishment on account of his health.

Chanysheva, Ostanin, and Fadeeva were convicted of creating an extremist group using their official position (**Art. 282.1, Part 3, CC RF**), and Mulyukov of participating in an extremist group (**Art. 282.1, Part 2, CC RF**). All four became defendants in the criminal case after a series of searches in late 2021, though originally only Chanysheva was remanded in custody.

In addition, the coordinators were accused of participating in the activities of an ‘organisation inciting citizens to anti-legal actions’ (**Art. 239, Part 3, CC RF**). The investigators named the Anti-Corruption Foundation as just such an organisation because it called on people to come out on protests that did not have official permission. Russian law enforcement organs began opening cases against Navalny and his associates under **Art. 239 CC RF** back in 2021. In addition, Aleksei Navalny as well as Leonid Volkov and Ivan Zhdanov were accused of creating an organisation that incited citizens to anti-legal actions (**Art. 239, Part 2, CC RF**). Both Navalny and the convicted coordinators were released from punishment under this article, since at the time of the verdict the statute of limitations had run out.

Chanysheva was also accused of making calls to engage in extremism (**Art. 280, Part 1, CC RF**) in connection with Mulyukov’s above-mentioned 2017 speech. The investigators took the view that she had organised the event. She was also released from punishment under this article.

Toward the end of 2023, the ‘Political Prisoners. Memorial’ human rights project [knew](#) of at least 17 people wanted in connection with the prosecution of this ‘extremist group’ case. Among them:

- [Roman Rubanov](#) and [Ivan Zhdanov](#), former directors of the Anti-Corruption Foundation;
- [Kira Yarmysh](#), Navalny’s press secretary and former press secretary of the Anti-Corruption Foundation;
- former directors and associates of various departments in the Anti-Corruption Foundation [Georgy Alburov](#) and [Mariya Pevchikh](#) (research department), [Anna Biryukova](#) (sociological service), [Vyacheslav Gimadi](#) and [Lyubov Sobol](#) (legal service);
- [Leonid Volkov](#), former director of the Navalny headquarters network;
- former regional headquarters coordinators [Sergei Besspalov](#) (Irkutsk), [Aleksei Vorsin](#) (Khabarovsk), [Violetta Grudina](#) (Murmansk), [Stanislav Kalinichenko](#) (Kemerovo), and also the activists and volunteers [Andrei Fateev](#) (Tomsk) and [Olga Shkolina](#) (Arkhangelsk);
- other Navalny associates [Dmitry Nizovtsev](#) and [Ruslan Shaveddinov](#).

Some of these, apart from involvement in an extremist group, have been charged with disseminating ‘fake news’ about the Russian army (**Art. 207.3 CC RF**), making calls for or justification of terrorism (**Art. 205.2 CC RF**), and other crimes. Many were also subjected to political repression before their emigration.

The Investigative Committee described the essence of the extremist group case in a [press release](#) of autumn 2021. The investigators believe that Aleksei Navalny decided, no later than 2014, to create an extremist group. In subsequent years, allegedly within the framework of this group, he created several funds and a network of headquarters, and for propaganda used

websites and pages on social networks. ‘The extremist group’s anti-legal activities were aimed at discrediting the organs of state power and their policy, destabilising the situation in the regions, creating a protest mood among the population, shaping public opinion about the necessity of a violent overthrow of power, and organising and holding protest actions that grew into mass riots,’ the Investigative Committee wrote at the time. The group’s crimes included issuing calls to participate in protest actions without official approval, including those addressed to minors, calls to finance the Anti-Corruption Foundation after its ban in Russia, as well as the personal statements by [Rustem Mulyukov](#) and former Anti-Corruption Foundation cameraman [Pavel Zelensky](#), for which they had already been convicted.

The ‘Political Prisoners. Memorial’ human rights project [believes](#) the criminal case is unmasked political retribution. Discrediting state bodies and their policies, creating a mood of protest, and holding demonstrations are not crimes, they are people’s basic political rights. Verdicts were not issued for organising mass riots or participation in them based on the results of the demonstrations that Navalny and his colleagues organised in 2013 or that were held in support of Navalny. Some of the claims cited by the Investigative Committee against Navalny’s colleagues have nothing to do with the definition of extremism: for example, issuing calls to minors to participate in protests.

In October 2023, repressions within the framework of the case on Navalny’s extremist group reached a new level. Defendants in the case now included lawyers who had rendered Navalny legal services (for more detail, see 3.4.2. Prosecutions of lawyers). [Vadim Kobzev](#), [Aleksei Liptser](#), and [Igor Sergunin](#) were remanded in custody, [Aleksandr Fedulov](#) was forced to leave Russia and [Olga Mikhailova](#) was obliged to remain out of Russia following a vacation. The obvious goal of these arrests was to make Navalny’s link to the outside world and conveying his texts to freedom maximally difficult. Furthermore, equating lawyers’ professional activity with the real or invented crimes of the principal could have catastrophic consequences for the defence of political prisoners in general. Work on political cases is becoming increasingly dangerous and ‘toxic’: in the future, lawyers who do not work hand in hand with the investigators might refuse clients like these for fear of persecution.

We also know of three people convicted solely for participating in the activities of an organisation calling for anti-lawful actions (Art. 239, Part 3, CC RF): [Yegor Butakov](#) and [Yelizaveta Bychkova](#), former coordinators of Navalny’s Arkhangelsk headquarters, and [Zakhar Sarapulov](#)^[6], former coordinator of the Irkutsk headquarters, were both given a one-year suspended sentence.

Repressions in cases on belonging to Navalny’s ‘underground headquarters’ created after the ban

Navalny’s team [announced](#) the cessation of their headquarters’ activities after the ban imposed in 2021, but in 2022 the project was [relaunched](#) underground with anonymous communications among participants through Tor software.

6 The verdict against Sarapulov was issued in December 2022.

As of the end of 2023, [five people](#) had been remanded in custody on a charge of belonging to Navalny headquarters after their ban:

- [Artemy Perevozchikov](#), 20 years old, student from Udmurtia;
- [Sergei Streknev](#), 42 years old, worker from Rybinsk (Yaroslavl Oblast);
- [Alina Olekhovich](#) and [Ivan Trofimov](#), both 22 years old, students from Moscow;
- [Aleksei Malyarevsky](#), 28 years old, programmer, previously living in Rostov-on-Don, lately in Moscow.

All of them were originally accused of participating in the activities of a banned extremist organisation (**Art. 282.2, Part 2, CC RF**). Later, the charges against all defendants were reclassified to participation in an extremist group (**Art. 282.1, Part 2, CC RF**). According to the logic of Russian legislation, **Art. 282.1 CC RF** applies if signs of extremist activity are discerned in the work of some group; **Art. 282.2 CC RF** applies if this group had already been deemed an extremist organisation and banned but its members continued their activity. Why it was decided to reclassify the charges is as yet unknown.

In addition, an analogous criminal case was opened against [Ilya Danilov](#), former coordinator of the Navalny headquarters in Lipetsk, for whom an arrest warrant has been issued. It has been [reported](#) that he is accused of belonging to extremist structures specifically after their ban.

Perevozchikov was detained on 23 March 2023 in Izhevsk while writing graffiti. We know from the [ruling](#) in the administrative case on discrediting the army (**Art. 20.3.3, Part 1, CAO RF**) that he wrote 'No to war' on a white fence and in the snow in red paint. The ruling states that he received his instructions on the Navalny headquarters website. In addition, as a *Mediazona* correspondent learned, Perevozchikov is accused of writing 'Freedom for Navalny,' 'A Russian soldier is a fascist occupier,' and other things. Perevozchikov has been held on remand since the time of his arrest. He was taken to Moscow for the investigation and in December 2023 returned to Izhevsk, where his [trial began](#) on charges of participating in the activities of an extremist group (**Art. 282.1, Part 2, CC RF**) and vandalism for motives of hatred (**Art. 214, Part 2, CC RF**).

On 4 June 2023, when in various countries, including Russia, Aleksei Navalny solidarity actions were held for his birthday, two men were detained in Rybinsk for writing graffiti on bus stops, public buildings, and facilities. One of them, Sergei Streknev, was remanded in custody on charges of participating in an extremist organisation (**Art. 282.2, Part 2, CC RF**) and vandalism for motives of hatred (**Art. 214, Part 2, CC RF**). The Investigative Committee [stated](#) that Streknev had written graffiti in support of the Anti-Corruption Foundation and Navalny headquarters, as well as graffiti discrediting organs of the state. *Rybinskie Izvestiia* [published](#) several photos where the depiction of this graffiti was concealed using a graphics editor but in which you could make out 'No to war' and 'Freedom for political prisoners.' Memorial does not have access to the case materials, and we do not know how or whether it was proved that Streknev had written on the walls specifically in collaboration with the underground headquarters rather than on his own initiative. He, like Artemy Perevozchikov, was taken for investigation to Moscow, after which, in late 2023, his case went to the Rybinsk City Court.^[7]

7 On 15 February 2024, Streknev was sentenced to three and a half years in a general regime penal colony

On 26 June 2023, Olekhnovich and Trofimov were placed under house arrest in Moscow, but on 9 August the pre-trial conditions for the young people were harshened and they were remanded in custody. We know about the essence of their case only from a publication by Russian propagandist Vladimir Solovyov, who called the detainees ‘activists in Navalny’s “underground headquarters” ... who believed the assurances of Volkov and Pevchikh^[8] sitting abroad and helped the Anti-Corruption Foundation’.

Malyarevsky was taken into custody in Moscow on 20 October 2023. He is accused of posting leaflets with a portrait of Moscow City Court Judge Andrei Suvorov, who issued the verdict against Navalny and Daniel Kholodny (see 4.1.1. Continuing prosecutions of Aleksei Navalny in 2023). According to the investigation, Malyarevsky photographed these leaflets and sent the photograph to an unknown participant in the Navalny Headquarters public movement and so himself became a participant in a banned organisation.^[9]

4.1.3. Prosecutions for donations to Navalny structures

The initiation of [criminal investigations](#) into the financing of extremist activity (**Art. 282.3, Part 1, CC RF**) over donations^[10] to the Anti-Corruption Foundation began in August 2022, a year after the court decision designating the organisation as extremist went into effect.

On 5 August 2021, the day after the Anti-Corruption Foundation’s extremist status was confirmed on appeal, there was a technical glitch in the system used to collect donations from Navalny supporters. Because of this the information of a few donors landed in Russian banks. This lay at the base of several criminal cases.

The first publicly known defendant back in 2022 was the journalist [Andrei Zayakin](#). He was given a ban on specific actions pending trial, and he was able to flee Russia. In 2023, it became [clear](#) that two weeks before the search of Zayakin’s apartment, law enforcement organs in Magadan had detained [Andrei Konovalov](#), who had sent the Anti-Corruption Foundation 10,000 roubles. Konovalov was banned from specific actions pending trial, and in January 2023 he was fined 500,000 roubles. The same punishment was given to Muscovite [Sergei Shiryayev](#) in December 2022: he had sent the Anti-Corruption Foundation 5,000 roubles.

In August 2023, [Andrei Kovalenko](#) was convicted in Krasnodar Krai and sentenced to five years in a penal colony. One of the incriminating charges against him was financing the Anti-Corruption Foundation, but, in addition, he was convicted of creating malware (**Art. 273, Part 2, CC RF**) and of improper use of payments (**Art. 187, Part 1, CC RF**).^[11]

8 Leonid Volkov is the former director of the Navalny headquarters network. Since 2023, Maria Pevchikh has been head of the board of directors of the Anti-Corruption Foundation (relaunched abroad after the ban in Russia on the Anti-Corruption Foundation) and was previously head of the Anti-Corruption Foundation research department.

9 In April 2024, Malyarevsky was [sentenced](#) to seven years’ imprisonment.

10 A monetary donation in favour of a given organisation or person.

11 According to the investigators, Kovalenko had sent his accomplices malware, which they disseminated for a fee as mailouts to foreigners’ computers and, as a result, using stolen information, bought goods from Internet stores.

On 6 September 2023 in various cities, at least six searches were conducted in the Anti-Corruption Foundation financing case. Those whose properties were searched were: [Gleb Kalinychev](#) in Nizhny Novgorod, [Ilya Startsev](#) in Oryol, [Anton Kovrik](#) in Omsk, [Aleksei Kamkin](#) in Irkutsk, [Andrei Novokreshchennykh](#) in Krasnoyarsk, and [Vyacheslav Gertsberg](#) in Syktyvkar.^[12]

We know that Kalinychev, Startsev, and Kovrik were remanded in custody. There is no public information about the pre-trial conditions of the other accused. In 2022 Gleb Kalinychev and his brother Dmitry had searches conducted on the pretext that Gleb was a witness in the case of another Nizhny Novgorod resident, Ilya Myaskovsky, for repeated discreditation of the army (**Art. 280.3, Part 1, CC RF**).

In November 2023, information [appeared](#) about a criminal case against Petersburg programmer [Anton Ziderer](#), who had sent 2,000 roubles to the Anti-Corruption Foundation's American account. He has been released under travel restrictions pending trial.

Thus, as of the end of 2023, we know of 11 Russians who became defendants on charges of financing of the Anti-Corruption Foundation and three have been remanded in custody on this charge alone. However, there may be more, including some who have been taken into custody, since public information on these cases is lacking.

The 'Political Prisoners. Memorial' human rights project considers it impermissible to prosecute people for participation in opposition politics, including protest demonstrations and conducting research into crimes committed by representatives of the highest echelons of government – which is exactly what Aleksei Navalny's structures were doing and continue to do. We consider all administrative and criminal prosecutions for such activities or their financing to constitute illegal political repression.

4.1.4. Other prosecutions of Navalny supporters

As before, several former employees and activists of Navalny structures are being prosecuted on charges not directly linked to involvement in these organisations.

In 2022, [Ruslan Akhmetshin](#), a former photographer at the Navalny headquarters in Arkhangelsk, was sentenced to two years and six months in a low-security penal colony under the article on rehabilitating Nazism (**Art. 354.1, Part 2 and Part 4, CC RF**^[13]). According to the investigators, in comments on VK, he called the Victory Day celebration in Russia a 'vulgar carnival' and also wrote that

12 In February 2024, Gertsberg was [sentenced](#) to a 300,000 rouble fine, and Kamkin was given a three-year [suspended sentence](#). In April 2024, Startsev was [fined](#) 400,000 roubles.

13 **Art. 354.1, Part 2, CC RF** – the denial of facts established by a verdict of the International War Tribunal . . . approval of the crimes established by said verdict, as well as the dissemination of information known to be false about the activities of the Soviet Union during World War II . . . involving use of the Internet; **Art. 354.1, Part 4, CC RF** – the dissemination of information expressing clear disrespect for society about Russia's days of glory and memorable days connected with the defence of the Fatherland . . . involving use of the Internet.

the Soviet Union and Germany had been allies for two years and had occupied Poland together. In 2023, the verdict was confirmed, after which Akhmetshin was taken to a penal colony, from which he was [released](#) in December upon completion of his sentence (counting each day spent in the remand centre as two in the low-security penal colony). He had been incarcerated since May 2022.

Former Moscow headquarters photographer [Aleksandr Strukov](#) was arrested in January 2022 on charges of making calls to engage in terrorism (**Art. 205.2, Part 2, CC RF**), inciting hatred on the Internet (**Art. 282, Part 2, CC RF**), and offending the feelings of believers (**Art. 148, Part 1, CC RF**). Strukov was accused in connection with comments on Telegram, including some beginning with the words ‘Glory to Ukraine!’, ‘Down with the Chekists . . .’, ‘Good morning everyone, down with Putin!’. He was [sentenced](#) to eight years in a general-regime penal colony and fined 200,000 roubles.^[14]

Former head of Navalny’s Dagestan headquarters [Eduard Ataev](#) has been held on remand since March 2022. In November 2023, he was sentenced to six years and five months in a general-regime penal colony, having been convicted of possessing weapons (**Art. 222, Part 1, CC RF**), explosives (**Art. 222.1, Part 1, CC RF**), and narcotics (**Art. 228, Part 1, CC RF**). Ataev [recounted](#) in court that when he was detained, law enforcement officers put a bag over his head, wound it with tape, and then forced objects resembling a pistol handle and a grenade into his hands. During the search at his house in Endirei, Khasavyurtovsky district, they planted a gun, a grenade, and narcotics on him, Ataev said. The activist [links](#) his prosecution to his civil society activity.

In 2023, [Yury Zhdanov](#), father of former Anti-Corruption Foundation director Ivan Zhdanov, was [released](#) from a penal colony. Meanwhile, over the previous six months the colony administration had been putting pressure on him and had sent him to a punishment cell and harshened his living conditions, and after his release he was given three years’ probation. Zhdanov, who at that time was already 66, had been detained in March 2021 and remanded in custody on the accusation that he had illegally facilitated giving a subsidised apartment to a resident of the Arctic settlement in whose administration he worked. In December 2021, he was [given](#) a suspended sentence and released from custody, but soon after was [arrested once again](#), charged with violating imposed travel restrictions. In February 2022, his suspended sentence was [changed](#) to three years’ imprisonment, which he eventually served.

Memorial Human Rights Centre recognised Yury Zhdanov as a political prisoner. In our opinion, the accusations brought against him are invalid ([more detail about the case here](#)), and the motive for his criminal prosecution is to put pressure on his son in retribution for his public activity.

14 On 30 January 2024, on appeal the court reduced the sentence by two months and the fine to 180,000 roubles.

4.2. Other prosecutions for infringing on freedom of association

4.2.1. Designation of organisations as ‘undesirable’ and related prosecutions

Over the course of the year, the General Prosecutor’s Office designated 58 organisations as ‘undesirable’ (two of them were added to the [Justice Ministry register](#) in 2024).

Among them are more than 10 human rights organisations, including the Andrei Sakharov Foundation and CrimeaSOS, an initiative shedding light on Russia’s repressive policy against inhabitants of the peninsula and advocating Crimea’s return to Ukraine, the Human Rights Houses group, which operates in post-Soviet republics, as well as Pravo-Sofia, which is registered in Bulgaria of which Agora International Human Rights Group, which operated in Russia, was a part.

Landing on the register were seven research organisations, among them, Conflict Intelligence Team (CIT), which studies and analyses military conflicts.^[15]

Deemed ‘undesirable’ were six organisations connected with independent media, including legal entities of those publications most influential among the oppositionally inclined Russian-language audience, *Meduza* and *Novaya Gazeta Evropa*, as well as the *Rain television* channel and Support Service, which, apart from its media activities on its Telegram channel, renders assistance to people who find themselves in various complicated situations connected with the war. This means that it is impossible for people in Russia not only to donate money to these publications but also, for example, to refer to their materials on social networks, inasmuch as this could be classified as participating in the activities of an undesirable organisation. Among those organisations included in the register, we should note as well:

- five environmental organisations, including the foremost respected international organisations Greenpeace International and the World Wildlife Fund;
- four political associations, including the Free Russia Forum founded by Garry Kasparov in 2016, the Congress of People’s Deputies created by former Duma deputy and Ukrainian politician Ilya Ponomaryov in 2022, and Committee-2024, which was founded by its delegates.
- four ethnically-based associations, including the League of Free Nations, the Forum of Free Peoples of Post-Russia, and the Free Buryatia Fund, all created in 2022.

You can read about religious organisations deemed ‘undesirable’ in 2023 in [Section 4.8.3](#).

15 In August 2023, CIT founder Ruslan Leviev was [sentenced in absentia](#) to 11 years’ imprisonment on a charge of spreading information known to be false about the Russian armed forces (Art. 207.3, Part 2, CC RF).

Over the course of 2023, various courts issued more than 50 decisions on administrative punishments under **Art. 20.33 CAO RF** in connection with the activities of various undesirable organisations. Among the grounds were reposts of publications of undesirable media, symbolism of religious organisations, and participation in the initiatives of political associations.

Thirteen of the 14 sentences we know of in 2023 under **Art. 284.1 CC RF** were issued against representatives of religious organisations. On this, also see [Section 4.8.3](#). In addition, on 17 April 2023, opposition politician [Vladimir Kara-Murza](#) was also sentenced to 25 years in a strict-regime penal colony, charged with disseminating information known to be false about the armed forces (**Art. 207.3, Part 2, CC RF**) and with treason (**Art. 275 CC RF**).

We know of two new criminal cases opened in 2023, not connected to religious organisations, under **Art. 284.1 CC RF**. Searches were [conducted](#) related to the first of them in at least six regions at the homes of people connected to the Golos movement, which monitors elections in Russia. That same day, a report appeared saying that a case on organising the activity of an undesirable organisation (**Art. 284.1, Part 3, CC RF**) had been opened against movement co-chair [Grigory Melkonyants](#). The next day, he was taken into custody.

The grounds for opening the case was the supposed connection to ENEMO (European Network of Election Monitoring organisations), which was added to the register of undesirable organisations in September 2021, after which Golos ended its membership in the network. The investigators asserted that specifically *'while continuing to organise its activities on the territory of the Russian Federation, Golos, which is a part of ENEMO,'* Melkonyants on 7 June 2022 *'spoke at a roundtable on issues of using long-distance electronic voting on a single voting day'* on 11 September of that year.

By way of proof of Melkonyants's guilt, the investigation also cited the results of forensic expertise carried out in January 2022 in connection with an administrative case opened in Nizhny Novgorod against Golos observer Yevgeny Dolgoplov involving the fact, that on 2 October 2021, he participated in monitoring the Tbilisi mayoral election. The expert stated that Golos was a member and founder of ENEMO and Dolgoplov, as a Golos observer, had on his Twitter account criticised the election system and election monitoring in Russia, which *'correlates with the position and opinions of other representatives'* of the Golos movement, and also with ENEMO's official position.

The second case was that against the above-mentioned [Ilya Ponomaryov](#), information about which [appeared](#) in September 2023. Presumably, the pretext was his founding of the Congress of People's Deputies, which was added to the register of undesirable organisations in April 2023.

4.2.2. Designation of associations as extremist

The [list](#) of public associations and religious organisations deemed extremist and banned published with updates on the Justice Ministry website had three groups added to it in 2023. These were:

- Vesna, an oppositionist youth movement, the ban on which was approved by a court back in December 2022 but only went into effect in May 2023;
- The Supreme Soviet of the Tatar Autonomous Soviet Socialist Republic – one of the associations of so-called ‘citizens of the USSR’ (activists who do not recognise the breakup of the Soviet Union);
- The Congress of the Oyrat-Kalmyk People.

Moreover, in December 2023, Krasnoyarsk Krai Court banned as an extremist organisation the Executive Committee of the Council of People’s Deputies of Krasnoyarsk Krai, yet another ‘citizens of the Soviet Union’ association. A corresponding entry appeared in the Justice Ministry registry in 2024.

Finally, on 30 November 2023, the Russian Supreme Court [designated](#) the ‘International Public LGBT Movement’ as an extremist organisation. For more detail about this and about LGBTQ persecution in general, see [Section 5.3](#).

Soon after the decision banning Vesna as an extremist group went into effect, a criminal case was opened against its participants and those whom the investigators also believe complicit in the movement’s activities under several articles, including the article on activities of an extremist group ([Art. 282.1 CC RF](#)), that is, about facts that occurred before Vesna was deemed an extremist organisation. For more detail about the case, see [Section 2.1.7](#).

Detained no later than April 2023, in Karachaevo-Cherkesia, was 60-year-old [Irina Baskaeva](#), a supporter of ‘citizens of the Soviet Union,’ who was convicted of participating and inciting participation in the activities of an extremist organisation ([Art. 282.2, Parts 1.1 and 2, CC RF](#)) the Union of Slavic Forces of Rus. She was taken into custody, and in late October the court [sentenced](#) her to four and a half years in a general-regime penal colony.

4.2.3. Prosecutions of ‘foreign agents’

Over the course of 2023, the Justice Ministry [designated](#) as ‘foreign agents’ 47 organisations and associations (not counting limited liability companies specially created by people added to the register for reporting purposes) and 172 individuals.

Among the organisations and associations were 18 connected with the media, including *Agentsvo*, *Advokatskaya ulitsa*, *Taiga.Info*, *Proekt*, *Yarnovosti*, *Sota.vision*, *Bumaga*, *7x7*, *Dovod*, *Groza*, *Kedr*, *The Moscow Times*, *Verstka*, the new legal entity *Rain television*, and also the *We Can*

Explain Telegram channel. *Advokatskaya ulitsa* and *Kedr* stopped their activities. Moreover, landing in the register were seven initiatives to support LGBTQ people, three organisations aiding conscripts and military service personnel, the new legal entity Committee Against Torture, Kovcheg, which helps Russians who have left the country since the war began, three anti-war ethnic associations (Free Buryatia, Free Yakutia, New Tyva), the Carnegie Endowment for International Peace, and the Russian branch of the World Wildlife Fund (which cut its ties with the Fund after the Justice Ministry decision).

Of the 172 people deemed ‘foreign agents’ in 2023, 61 are journalists, commentators, and bloggers. Also added to the register were 31 politicians, 22 researchers, and 21 arts figures. As of year’s end, 29 people added to the register in 2023 were being prosecuted in criminal cases, 28 were located outside Russia, and one – a blogger from Gelendzhik, Vadim Kharchenko – was under house arrest in a case on discrediting the armed forces (**Art. 280.3, Part 1, CC RF**), offending the feelings of believers (**Art. 148, Part 1, CC RF**), slander connected with a charge of sexual assault (**Art. 128.1, Part 5, CC RF**), and calls for extremism (**Art. 280, Part 2, CC RF**).

In the first half of 2023, courts examined 72 cases under the new **Art. 19.34 CAO RF** on violating the rules on ‘foreign agent’ activity introduced at the very end of 2022. Decisions were issued on fines totalling 6.8 million roubles. For 2023 altogether, [according to OVD-Info](#) reports, no fewer than 412 cases have gone to trial under **Art. 19.34 CAO RF**.

Finally, in February 2023, we [learned](#) about the first criminal case opened under **Art. 330.1, Part 2, CC RF** – on repeated violation of the regulations governing foreign agents. The defendant was [Artyom Vazhenkov](#), the former Golos coordinator in Tver Oblast. He is now located outside Russia. He was declared wanted and arrested in absentia. On 18 October 2023, information appeared saying that the case against Vazhenkov had been suspended while he was on the wanted list.^[16]

4.3. Other prosecutions of activists

The hostage-taking of Zarema Musaeva

In 2023, a verdict was issued against [Zarema Musaeva](#), the mother of Chechen opposition activists and wife of a disgraced retired judge who was being held on remand. In July, she was sentenced to five and a half years in a general-regime penal colony. In September, her sentence was reduced to five years in a low security penal colony. She was transported to Low Security Penal Colony No. 3 in Argun, Chechnya. In December 2023 Musaeva was denied parole.

Chechen law enforcement officers had kidnapped Musaeva on 20 January 2022 from the apartment in Nizhny Novgorod where she was with her husband, retired federal judge Saidi Yangulbaev, and her daughter. Initially the officers had tried to detain both spouses, having as formal

16 In early 2024, we also learned about a number of criminal cases on this charge opened against people who had left Russia.

grounds an order for the compulsory detention of both for questioning as witnesses in a fraud case. However, investigative actions cannot be conducted against a federal judge (even if retired) without the sanction of the General Prosecutor's Office and the Higher Qualification Board of Judges. The officers took only Musaeva to Chechnya, using violence in the process, and she lost consciousness. 'She was dragged down the stairs like a sack of potatoes, wearing a light dress and slippers on her bare feet. Her medicines were left at home, as were her documents,' Novaya gazeta [quoted](#) the testimony of lawyer Natalya Dobronravova, who was present in the apartment.

In Chechnya, Musaeva was remanded in custody charged with major fraud committed by a group of people in collusion (**Art. 159, Part 3, CC RF**) and using violence injurious to health against a police officer (**Art. 318, Part 2, CC RF**).

— The essence of the fraud case is set out in more detail in the [verdict](#). According to the investigation, a certain Azimova, introducing herself as a bank employee, persuaded nine customers at the Eldorado store to take out a consumer loan for 100,000 roubles to purchase appliances; in doing so she promised that she herself would repay the loan, and their credit history would improve. The malefactor bought the appliances through loan agreements and then resold them and in this way incurred damage to OTP Bank in the amount of 991,000 roubles. As indicated in the verdict, Musaeva had come up with this scheme in 2017. In 2018 she allegedly proposed that her accomplice carry it out, for which that person eventually handed over to her 200,000 roubles of the 600,000 received from the resale of the goods.

Musaeva's complicity in this crime is proven only by the statements of Azimova, who made a deal with the investigative authorities. After giving this testimony, Azimova was [released](#) from the remand centre and placed under house arrest, which points to her self-interest in the false accusation.

Moreover, Musaeva was accused of grabbing a police officer by the cheek while at the police station and inflicting eight scratches and one superficial skin wound. According to the investigators, this happened when the officer was writing up a police charge regarding her alleged use of obscene language in the station. Lawyers for Musaeva [pointed](#) to signs that the evidence had been falsified. For example, the case materials do not show the connection between the scratches of the defendant's nails and the cuts by a nail under which they allegedly found traces of the victim's blood. There is no video from the department, which is equipped with video cameras, although according to information from the state purchasing website, recordings are supposed to be kept for at least 14 days. At trial, the expert Maskhud Chumakov [explained](#) that eight scratches were made by five fingers because the victim 'Abdulhamidov turned his head during the attack,' although this version of his appeared only during oral questioning and was not in the written statement. In Chumakov's statement, the lawyers found the phrase 'discuss in the forum,' which speaks to the fact that some of the document was carelessly copied off the Internet. Finally, the Health Ministry answered the question from lawyer Aleksandr Savin, saying that wounds and abrasions in and of themselves do not cause harm to health unless they are inflamed or festering, and this means that the imagined violence on the part of Musaeva cannot be classified as dangerous in any case. Nonetheless, the expert felt that the very fact of the bandage attested to infliction of harm to health.

The ‘Political Prisoners. Memorial’ human rights project has [no doubt](#) that all the charges against Musaeva have been fabricated in order to put pressure on the Yangulbaev family and take revenge on its members. The Chechen authorities have been persecuting this family for many years. The eldest son, Abubakar, worked for the Committee Against Torture, his brothers Ibragim and Baisangur are involved in running various oppositionist public pages, including the 1ADAT Telegram channel,^[17] which in 2022 was deemed the resource of an extremist organisation. At the present time, all three brothers are wanted by the federal authorities on various charges of extremist activity and justification of terrorism.

[Ibragim Yangulbaev](#) [said](#) that in 2015 he, his father, and his brother Abubakar were tortured at the Kadyrov residence, after which they were held in the basement for half a year. In 2017 he was officially remanded in custody on a charge of inciting hatred for the social group ‘Russian soldiers’ ([Art. 282 CC RF](#)), and he remained in custody until the partial decriminalisation of this article in 2019. In late 2021, a search was conducted of [Abubakar Yangulbaev’s](#) apartment in Pyatigorsk. It was around that time that he [reported](#) the abduction of his relatives in Chechnya. In early 2022, his relatives publicly [disavowed](#) the Yangulbaevs.

Over the course of 2023, hostage Zarema Musaeva’s state of health deteriorated and remains grave. She suffers from insulin-dependent type 2 diabetes, which causes serious complications, and several other chronic illnesses. For example, she reported that she was losing her vision in the remand prison; her lawyers said Musaeva had been suffering acute hypertensive crises periodically accompanied by loss of consciousness. In June, her eldest son Abubakar Yangulbaev [wrote](#): ‘...basically she can’t move around due to progressive back pain. She’s taken around in a wheelchair, she cannot take part in exercise periods...’ A little later the defence lawyer who visited Musaeva [reported](#): ‘At the present time, she has lost almost all sensation in her feet, and two toes on her left foot have turned blue, which testifies to atrophy of her affected extremities,’ and in July we [learned](#) she is having nosebleeds several times a week. Only on 31 July was Musaeva hospitalised for two weeks, after which she was returned to the remand prison. In the penal colony, due to back pain, she [had](#) to start using a cane when walking.

Prosecutions of leftist activists

In 2023 a [sentence](#) in the case of Darya Polyudova, creator of Leftist Resistance, was confirmed. Polyudova was sentenced to nine years in a penal colony. In 2022, she had been convicted of creating an extremist group ([Art. 282.1, Part 1, CC RF](#)), which is basically what the court considered Leftist Resistance to be, and of calling for and justifying terrorism ([Art. 205.2, Part 2, CC RF](#)) over posts on VK and picketing in support of those prosecuted on the charge of belonging to the Islamic party Hizb-ut-Tahrir. According to the indictment, the group’s extremist activity consisted in particular of the fact that its participants tried to get consent to hold protests from the Moscow authorities, and when they were refused, they held the pickets without permission.

The Leftist Resistance case has five other defendants accused of participating in an extremist group ([Art. 282.1, Part 2, CC RF](#)):

- [Kirill Kotov](#) was given a three-year suspended sentence;

17 In 2020, Chechen law enforcement officers [abducted](#) tortured, and killed 19-year-old [Salman Tepsurkaev](#), who was accused of ties to this channel.

- [Andrei Romanov](#) is located outside Russia;
- [Sergei Kirsanov](#) in October 2023 was sent for compulsory psychiatric treatment;
- At the time [Igor Kuznetsov](#) became a figure in the Leftist Resistance case, he was already in a remand prison in the What Is to Be Done! Telegram channel case;^[18]
- On 4 June 2023, [Alena Krylova](#) was detained in Kyrgyzstan at the request of Russia, held in a Bishkek remand prison for a time, and then, [according](#) to her former colleague, was released but soon after found herself in a Moscow remand prison. Under what circumstances she returned to Russia and whether willingly or not is unknown. In December 2023, Krylova was [sentenced](#) to two years in a penal colony.

In early 2023, we learned that [Lev Skoryakin](#) and [Ruslan Abasov](#), defendants in the Leftist Bloc case, accused of group hooliganism (**Art. 213, Part 2, CC RF**) over the ‘Day of the Chekist’ protest, had left Russia. They had held the protest on 20 December 2021, Russian Security Workers Day. Activists stood up with a banner and lit flares next to the FSB building in Moscow’s Southern District, thereby [expressing](#) their protest against political repression. Both were remanded in custody, and in summer 2022 they were released under a ban on specific actions pending trial.

In June 2023, Skoryakin was detained in Kyrgyzstan at Russia’s request, and for about three months he was held in a Bishkek remand prison and then released. After his release from the remand prison, Skoryakin prepared travel documents, was given humanitarian protection by Germany, and was ready to go there, but on 16 October he was detained and taken to Russia.

Later Skoryakin [told](#) his attorney that he had been beaten at Moscow’s Domodedovo airport by FSB officers. The activist was remanded in custody until the verdict in his trial. On 13 December 2023, he was [fined](#) 500,000 roubles and released, taking into consideration the time he had spent in custody.

In 2023, the six-year imprisonment of anarchist and mathematician Azat Miftakhov, convicted of attacking a United Russia office in Khovrino, ended. During this attack a window had been broken and a smoke bomb had been tossed inside, though there is no reliable proof of Miftakhov’s involvement even in this minor attack. You can read about this case in more detail on the website of the ‘Political Prisoners. Memorial’ human rights project.

In August 2023, we learned that a new criminal case had been opened against Miftakhov for justifying terrorism (**Art. 205.2, Part 1, CC RF**). According to the prosecution, while watching television programmes with other prisoners he had expressed approval of Mikhail Zhlobitsky’s suicide bombing.^[19] Miftakhov later [told](#) the court that he had discussed inconsistencies in the television segment about the capture of Bakhmut, but there had been no discussion of Zhlobitsky at all.

18 On 20 March 2024, Kuznetsov was given a three-year [suspended sentence](#) in the Leftist Resistance case. The Prosecutor’s Office appealed the verdict, demanding a term of imprisonment.

19 On 31 October 2018, Mikhail Zhlobitsky detonated a bomb in the Arkhangelsk FSB building. Three employees were injured, and the young man himself died. A few minutes before the incident, in the *Speeches of a Rebel* open chat on Telegram, a statement appeared about the explosion where Zhlobitsky explained his actions as a protest against torture and repression. Law enforcement organs opened dozens of criminal cases on justifying terrorism in connection with the discussion of Zhlobitsky’s suicide bombing.

On 4 September 2023, Miftakhov was detained as he left the penal colony and the next day was remanded in custody in the context of the new case.

Performance artist [Pavel Krisevich](#), sentenced in 2022 to five years in a general-regime penal colony for a performance on Red Square, at first had his sentence quashed and was then given an analogous one. In 2021, Krisevich put on a performance, firing two blanks in the air and one at his head. In this way he was trying to draw attention to Russian political prisoners and state terror. In October 2022 the performance artist was given five years in a penal colony, and in June 2023 Moscow City Court sent his case to the prosecutor's office for further investigation. After a few formulations in the accusation were changed, Krisevich was sentenced in December 2022 to the same term.

Prosecutions of cases connected with Artpodgotovka^[20]

In October 2023, Yekaterinburg activist [Rafail Shepelev](#), who had previously taken part in Artpodgotovka actions, among other things, went missing in Georgia. In December, Pervy Otdel [reported](#) that he had been found in the Nizhny Tagil remand prison.

As became clear, the Russian authorities had lured Shepelev by deceit to the Russian-occupied Tskhinvali region/South Ossetia and from there taken him to Vladikavkaz. He was jailed for 15 days on an administrative-law charge, and after that he was charged with justifying terrorism (**Art. 205.2, Part 2, CC RF**) and participating in a terrorist group (**Art. 205.5, Part 2, CC RF**) and was transported to Nizhny Tagil. As yet there is no public information as to whether he stands accused of participating in Artpodgotovka (the so-called 'Maltsev terrorist group,' named after its founder) or some other organisation.

In Chuvashia, [Yelena Blinova](#) was [sentenced](#) to two years of compulsory work in a correctional centre with a deduction of 10% of her pay in favour of the state on a charge of participating in an extremist group (**Art. 282.2, Part 2, CC RF**). The evidence of her alleged crime included her participation in broadcasts with Artpodgotovka's leader Vyacheslav Maltsev, reposts of the movement's publications, and birthday greetings to Vyacheslav Maltsev, among others. Later Blinova was able to leave Russia.

On 5 November 2017, several hundred people gathered in the centre of Moscow, and protests were held in a few other cities of Russia as well, though significantly fewer people attended those. There were no mass riots, clashes with the police, or seizures of administrative buildings that day. The authorities then conducted a repressive campaign. More than 20 criminal cases were opened against the 'revolution's' putative participants.

In 2021, the FSB added to the [list](#) of terrorist organisations the 'Terrorist Group created by V. V. Maltsev from among participants in the Artpodgotovka international public movement.'

20 In 2016, Saratov blogger and politician [Vyacheslav Maltsev](#) became widely known in opposition circles. Simultaneously, the popularity of *Artpodgotovka*, his YouTube channel, grew. In his video blog, Maltsev was constantly saying that on 5 November 2017 he and his supporters would start a revolution in Russia. In the summer of 2017, Maltsev left Russia in connection with criminal cases opened against him on charges of creating an extremist group (**Art. 282.1, Part 1, CC RF**) and making calls to engage in extremism (**Art. 280, Part 1, CC RF**). In October 2017, Artpodgotovka was deemed an extremist organisation.

In 2023, law enforcement organs continued to open cases and conduct searches in connection with Artpodgotovka. In particular, searches were conducted in [Saratov](#), [Yekaterinburg](#), and [Naberezhnye Chelny](#).

Prosecutions of Bashkir national movement activists

Throughout 2023, increased pressure was observed on representatives of the Bashkir national movement. One of the movement's central figures, [Ruslan Gabbasov](#), who has been outside Russia since 2021, had multiple criminal cases opened against him, their precise number being unknown. In April 2023, yet another case was [opened](#) against Gabbasov for public justification of terrorism (**Art. 205.2 CC RF**). Presumably, this is about Gabbasov's speech at the Forum of Free Peoples of Post-Russia in January 2023. There the activist proposed that the Russian opposition 'conclude an alliance,' 'create an armed force,' and 'invade Russian territory and bring about its total elimination.' In November, within the framework of a prosecution for aiding terrorist activity (**Art. 205.1, Part 1, CC RF**), a case was [opened](#) against Gabbasov's brother, [Rustam Fararitdinov](#). Nothing was seized by law enforcement agents during a search of his home. According to Gabbasov, they told his brother they would let him go if Gabbasov returned to Russia. Fararitdinov was taken into custody.

In addition, a criminal case for inciting hatred (**Art. 282, Part 1, CC RF**) was opened against [Fail Alsynov](#), the former head of Bashkort, a Bashkir national movement. On 12 October 2023, searches were conducted at his home and that of his parents. The activist was released under travel restrictions pending trial. Later, Alsynov said on his Telegram channel that his near and dear, as well as people who had reposted his publications on VK concerning the details of the case, had started to receive threats from specially created accounts. Previously, Alsynov had published a letter from Rady Khabirov, head of the Bashkortostan administration, to the Investigative Committee, as well as an earlier letter from Khabirov to the republic's prosecutor. He believes that from these letters it follows that the case against him was made to order. The grounds for opening the case [was](#) Alsynov's speech in the Bashkir language at a gathering of Baimaksky district residents against gold miners. In his speech, the activist criticised the mobilisation carried out in the republic and local residents' lack of access to the region's natural resources. According to the case materials, Alsynov, *'for the purpose of demeaning the dignity of a group of people based on racial characteristics, nationality, language, and origin ... posted on the page of the Overheard by Askarovo and Abzeliliovsky District community video material in Bashkir containing statements in which groups of people – "inhabitants of the Caucasus or Central Asia," and "Armenians" – were spoken of in a negative manner.'* The activist himself explained that law enforcement officers did not like his statement *'about migrants who come to the republic and, among other things, engage in the illegal mining of minerals.'*^[21]

21 On 17 January 2024, Alsynov was sentenced to four years in a general regime penal colony. The popular gathering near the court in Baimak that day was grounds for opening a criminal case for riots (**Art. 212, Parts 1 and 2, CC RF**) and the use of violence against government officials (**Art. 318, Part 1, CC RF**). Dozens of people were taken into custody. The investigation considered Ruslan Gabbasov to be the organiser of the riots for allegedly spreading calls on Telegram channels to interfere with the work of the court, block roads, and refuse to carry out the demands of the police.

Other civil society activists

In October 2023, [Vladimir Vorontsov](#) – a retired police major who had created the VK group *Police Ombudsman* devoted to discussing problems in the work of law enforcement agencies – was released. In August 2022, he had been [sentenced](#) to five years in a general-regime penal colony; he had been in custody since May 2020. Vorontsov was convicted of extorting 300,000 roubles from former policeman Rasim Kurbanov in August 2022 in exchange for not publishing his naked photographs (**Art. 163, Part 2 [d], CC RF**), distributing pornographic materials for their subsequent publication (**Art. 242, Part 3 [a, b], CC RF**), publishing pornographic photographs of G. Danshina (**Art. 242, Part 3 [b], CC RF**), and insulting FSB officer Sergei Kobelev (**Art. 319 CC RF**). At the time of sentencing, the statute of limitations had expired on the last charge. The case had 14 charges, but in court the prosecutor withdrew nine of them.

In October 2023, [sentences were handed down](#) in the case of Vorontsov's associates charged with making false denunciations combined with the artificial manufacture of proof of the accusation (**Art. 306, Part 3, CC RF**) – [Irina Andina](#) (three years in a penal colony) and former police officers [Vasily Fedorov](#) and [Yevgeny Moiseev](#) (four years in a penal colony each). In January 2022, the defendants had made a film proving the fabrication of the case against Vorontsov. For this, Andina initially had to give testimony against him and then during the course of the trial report on the facts they had collected to show the human rights activist's prosecution was unlawful. They were able to draw attention to the falsification of evidence, which evidently became grounds for the prosecutor to strike a significant number of the prosecution's charges.

In May 2023, a human rights activist and civic activist from Komi, [Andrei Ivashev](#), a well-known critic of abuses on the part of Vladimir Uiba, the republic's head, was [sentenced](#) to six years in a general-regime penal colony and fined 100,000 roubles. He was ruled guilty of publicly justifying terrorism (**Art. 205.2, Part 2, CC RF**) over three comments supposedly calling for the murder of Vladimir Uiba and Komi State Council deputy Oleg Mikhailov, of calling for extremism on the Internet (**Art. 280, Part 2, CC RF**) over comments where he spoke about the need to execute Uiba and the director of the local Academic Opera and Ballet Theatre, of inciting hatred (**Art. 282, Part 1, CC RF**) over nine comments where, among other things, there were discussions of Russians, and of insulting a judge (**Art. 297, Part 2, CC RF**), over comments on a video where there was a clip from a hearing with Syktyvkar City Court judge Ekaterina Nikitenkova.

In our assessment, the opposition activist's statements with regard to government officials – the region's leader and a deputy in the regional parliament, who possessed real power in the region – were made in the context of the suppression of oppositionist activity, the ban on open political and public discussion, and the development of the state's repressive practices. Public activists and critics of the regime were and are now deprived of any opportunity for open discussion with government officials and the expression of their position through the media (inasmuch as there is basically no opposition media in Russia). There are serious grounds for believing that it is the context of the suppression of public discussion and the impossibility of bringing one's voice to government officials that provoked the harsh and emotional tone of the statements, which did not have any significant consequences but became the grounds for prosecuting Ivashev.

In August, Kemerovo activist and videoblogger [Mikhail Alferov](#) was [put under house arrest](#). The following charges were brought against him:

- inciting hatred (**Art. 282, Part 1, CC RF**) over a video on the blogger's YouTube channel entitled 'General Kornienko refuses to see a citizen for the third time';
- slander against a judge (**Art. 298.1, Part 1, CC RF**) over a suit and a video about Novokuznetsk central district court judge Mariya Evdokimova, who heard the suit of traffic police inspector Aleksandr Plaksin against Alferov on defending his honour and dignity: Alferov said that the judge had taken a bribe from Plaksin and had promised to decide in his favour;
- use of force against a government official (**Art. 318, Part 1, CC RF**) – according to the investigation, Alferov grabbed the arm of investigator Gutova, who had worked on his case on inciting hatred and who, as indicated in the case materials, had demanded that he 'cease his unlawful actions connected with the illegal collection of her personal data' (more than likely she had in mind that he had videoed her) and 'pulled [her arm] across the door of the indicated office, causing an abrasion on the latter's right hand,' after which he fled.

This is now the fifth case opened against Alferov. In 2019, cases were opened against him for inflicting moderate harm to health with the use of a weapon (**Art. 112 CC RF**) on an employee of a management company, and on insulting a judge (**Art. 297, Part 2, CC RF**). In November 2021, the blogger was sentenced to 470 hours of compulsory work (in his own free time) in a case for insulting government officials (**Art. 319 CC RF**) over 1) videos with statements addressed to police officer N. Evdokimova, who previously had written up administrative charges against him, and also, he thinks, prepared materials for the criminal case on insulting a judge, and 2) the rehabilitation of Nazism (**Art. 354.1, Part 3, CC RF**) over a video where Alferov discusses the use of 9 May symbols in contemporary Russia. Yet another case was opened on a charge of inciting hatred (**Art. 282, Part 1, CC RF**) over a video that the blogger recorded in connection with Aleksei Navalny's return to Russia. In 2021, he was placed under house arrest in the context of this case. In March 2023, the court returned his case to the prosecutor's office.^[22]

Yakut shaman [Aleksandr Gabyshev](#), detained in January 2021 after he announced his next march to Moscow to drive out Putin and sent for compulsory psychiatric treatment after a case was opened on using force against a government official (**Art. 318, Part 2, CC RF**), remained in the psychiatric hospital throughout 2023. In June his type of treatment was [reduced](#), but a month later this decision was [rescinded](#).

22 [According to unconfirmed reports](#), in April 2024, presumably under pressure from the investigation, he went to fight against Ukraine.

4.4 Prosecutions of human rights activists and lawyers

A considerable number of cases described in other sections of this report would not have received proper publicity, or their defendants at least basic assistance, had it not been for the activity of lawyers and human rights activists continuing their work in Russia. Unfortunately, it must be stated that in 2023 a lamentable trend was maintained and deepened in creating a maximally unfavourable atmosphere with regard to their work. Lawyers and human rights activists have encountered threats, detentions, searches, criminal cases, and torture.

Giving rise to particular alarm is the fact that the lawyers' and human rights activists' work has become the immediate grounds and basis for criminal charges, although, undoubtedly, there have still been prosecutions under general criminal and other broader political articles.

Some of the prosecutions described in this section are undoubtedly linked to the general campaign by security forces against any unfavourable statements and actions regarding the Russian army in Ukraine. The anti-war repression is reflected in detail in other sections, however we mention them here as well since we have no way to determine whether the anti-war statements of specific human rights activists drew the authorities' attention in themselves (apart from any link to the activists' work), or whether the prosecutions in question were retribution for, and an attempt to restrict, the activists' work.

4.4.1. Prosecutions of Memorial members and associates

Since the Memorial Human Rights Centre was [dissolved](#) in 2022, the Russian authorities have continued to find new points of pressure on the movement. The regime has prosecuted both historians trying to preserve the memory of the repressions of the past and human rights activists defending present-day political prisoners.

Persecution of Memorial participants was not a new phenomenon in 2023, but it does represent a growing tendency. Back in 2016, prosecution began on a fabricated charge of producing child pornography against [Yury Dmitriev](#), chair of Memorial's Karelian office, who was studying the burial sites of victims of political repression. In 2021 he was sentenced to 15 years' imprisonment in a strict-regime penal colony after the charge was toughened to assault of a sexual nature against minors, and in 2023 the sentence was [upheld](#) in the court of cassation. Memorial Human Rights Centre [recognised](#) Yury Dmitriev as a political prisoner persecuted for his human rights activity.

Bakhrom Khamroev

Back before 2023 (that is, before the organisation was dissolved), persecution began of a member of Memorial Human Rights Centre, the director of Erdam, a legal and social support fund for migrants, [Bakhrom Khamroev](#). On 24 February 2022, a search was conducted of his apartment in a case on making public calls to engage in terrorism on the Internet (**Art. 205.2, Part 2, CC RF**). The grounds for the accusation were six posts on the human rights activist's personal Facebook page allegedly linked to the Hizb-ut-Tahrir Islamist party. The next day, he was remanded in custody. In October 2022, Khamroev was also accused of organising the activities of a terrorist organisation (**Art. 205.5, Part 1, CC RF**), an accusation subsequently reclassified as participating in the organisation's activities (**Art. 205.5, Part 2, CC RF**). According to the investigators, the evidence of the human rights activist's involvement in Hizb-ut-Tahrir was that he *'represented the interests of supporters of the terrorist organisation before law enforcement bodies and the courts, including the European Court of Human Rights.'*

On 23 May 2023, the Second Western District Military Court [sentenced](#) Bakhrom Khamroev to 14 years' imprisonment, the first three years of which were to be served in a cell-type prison and the remainder of the sentence in a strict-regime penal colony. On 10 October the sentence was [reduced](#) on appeal by three months.

The 'Political Prisoners. Memorial' human rights project [considers](#) Khamroev a political prisoner persecuted for his political and religious convictions and his human rights work.

Searches in Moscow. The Oleg Orlov case

In early March 2023, we [learned](#) that a criminal case had been opened in connection with Memorial's activities for rehabilitation of Nazism on the Internet (**Art. 354.1, Part 2 [c], CC RF**). On 21 March, law enforcement officers [arrived](#) to conduct searches at 11 addresses in Moscow: the apartments of [Yan Rachinsky](#), chair of the board of the dissolved International Memorial; cochairs of the Memorial Human Rights Defence Centre [Oleg Orlov](#), [Aleksandra Polivanova](#), her mother [Marina Polivanova](#), [Nikita Petrov](#), [Galina Iordanskaya](#), [Alena Kozlova](#), [Irina Ostrovskaya](#), and [Aleksandr Guryanov](#), as well as the Memorial building on Karetny Row and the office of Moscow Memorial on Maly Karetny Lane. During the searches, law enforcement officers also confiscated electronic equipment and items with the 'Memorial' logo. They were taking away boxes of documents from the offices all day.

According to the investigative authorities, Memorial associates, 'disregarding the historical truth,' had published on their 'List of Victims of Political Terror of the Soviet Union,' the names of three men who might have participated in Nazi crimes on the territory of the Soviet Union: Petr Dvoinykh, Petr Dolzhenkov, and Rudolf Naimiller. Meanwhile, Dvoinykh and Dolzhenkov were included in Memorial's database on the basis of the *Book of Memory of the Republic of Tatarstan*, which was published under the editorship of the region's official authorities. Memorial itself did not have access to their case materials. With respect to Naimiller, he figured on Memorial's list as a 'special settler'^[23] deported from Odessa Oblast as part of a nationwide

23 A 'special settler' is a special category of a repressed population of the Soviet Union: an individual deported from their place of residence, primarily to remote regions of the country without legal procedure.

operation against ethnic Germans. In 1954, he was convicted of collaborating with the Nazis during the Occupation; however, when he was included on the list, Memorial did not have that information.

The majority of those whose homes and premises law enforcement officers searched were detained that same day and taken in for questioning but then released as witnesses. Nothing is known about the progress of the case's investigation or any changes in procedural statuses since then.

However, that same day we learned that a [criminal case](#) had been opened against Oleg Orlov on a charge of repeated discrediting of the Russian army (**Art. 280.3, Part 1, CC RF**). In 2022, he was fined under the administrative article on discrediting the army (**Art. 20.3.3, Part 1, CAO RF**), and law enforcement officers [considered](#) the repeat violation, that became the formal grounds for opening the criminal case, to be Orlov's publication on his personal Facebook page of the Russian [translation](#) of his article on the situation in Russia since the start of the full-scale of invasion of Ukraine for the French magazine *Mediapart*, 'They wanted fascism. They got it.'

'The bloody war unleashed by Putin's regime in Ukraine is not only the mass murder of people and the destruction of the infrastructure, economy, and cultural sites of this marvellous country. Not only the destruction of the foundations of international law. It is also the gravest blow to Russia's future. [...] The country that thirty years ago moved away from Communist totalitarianism has slid back into totalitarianism, only now it is fascist,' the article states.

On 11 October 2023, Moscow's Golovinsky district court [fined](#) Orlov 150,000 roubles. Both the defence and the prosecution [appealed](#) this verdict; moreover, the prosecutor's office in its appeal declared aggravating circumstances in the form of the motive of political hatred and asked the punishment be changed to three years' imprisonment. On 14 December, Moscow City Court, at the prosecution's request, [quashed](#) the conviction and returned the case to the prosecutor's office to establish a motive for the act; the prosecutor's office in turn [returned](#) the case for further investigation.^[24]

The case against Perm Memorial associates

A separate lever of pressure on Memorial activists in 2023 was Perm. The Perm regional office of Memorial was [forcibly](#) dissolved in 2022 allegedly for being a structural subdivision of International Memorial. Its legal successor was Perm's Centre for Historical Memory.

On 11 March 2023, one of the organisation's volunteers was [detained](#) by police officers from the anti-extremism department and taken away for an interview. The law enforcement officers were interested in the dispatch of the Perm Memorial archive to Moscow for safekeeping after the organisation's dissolution. The volunteer was forced to write several messages in her name with questions about this archive to the organisation's former director, **Robert Latypov**, who by then had left the country.

The volunteer was kept in a cell until 13 March, after which she was charged with failing to obey a police officer's lawful demand (**Art. 19.3 CAO RF**) and fined 3,000 roubles. After the trial, she

24 On 27 February 2024, Oleg Orlov was [sentenced](#) to two and a half years in a general regime penal colony.

was taken to her home, where Memorial property was being kept temporarily after the dissolution. The police confiscated the volunteer's personal data storage devices, as well as anything that might be connected with Memorial: books, including Books of Memory, documents, and a few portable exhibits.

On 11 March, anti-extremism officers also detained and questioned [Aleksandr Chernyshov](#), chair of the Perm Centre for Historical Memory, and then searched his apartment, where they confiscated all his electronic and data storage devices. The next day, a search was conducted at the Centre for Historical Memory itself.

In May we learned that a case had been [opened](#) against Robert Latypov and Aleksandr Chernyshov on a charge of attempting to steal cultural treasures ([Art. 226.1, Part 2 \[c\], CC RF](#), in conjunction with [Art. 30, Part 3, CC RF](#)). According to the investigation, the two had attempted to 'take Memorial documents that represent cultural and historical value from Russia to Germany.' On 5 May, Chernyshov was stopped at Sheremetyevo airport and [jailed](#) for 15 days on a charge of petty hooliganism ([Art. 20.1 CAO RF](#)). At the end of this sentence he was detained and transferred as a suspect to Perm, where the court [remanded](#) him in custody. Robert Latypov was subsequently [declared](#) wanted.

On 19 May in Perm, searches were also [conducted](#) at the homes of human rights activists and local Memorial members [Tatyana Margolina](#), [Svetlana Makovetskaya](#), and [Igor Averkiev](#), of [board members](#) of the Centre for Historical Memory [Vera Sedinina](#), [Tatyana Cherepanova](#), and [Nadezhda Agisheva](#), of an associate of the Centre's human rights intake office [Oksana Asaulenko](#), and also of [lawyers](#) [Sergei Trutnev](#) and [Sergei Maksimov](#), who collaborated with the Centre. The next day a search was [conducted](#) within the context of the same case of the home of Public Verdict's director of legal practice on basic freedoms [Yelena Pershakova](#).^[25]

4.4.2. Prosecutions of lawyers

In 2023, the authorities continued to persecute lawyers working on political cases, both masking these prosecutions with legal procedures and using extralegal methods of intimidation. This section does not try to describe all instances of pressure on lawyers; however, by using the descriptions of events that have received publicity, we try to indicate important tendencies and the methods used.

The most high-profile instance of unconcealed extra-legal intimidation of lawyers was the [attack](#) in Chechnya on attorney [Aleksandr Nemov](#) and *Novaya Gazeta* journalist [Yelena Milashina](#), who were on their way on 4 July 2023 to hear the verdict in the trial of [Zarema Musaeva](#), the mother of local activists. Nemov was representing Musaeva's interests in court, and Milashina was covering the trial on assignment from her publication. On the way from Grozny airport, their car was stopped by armed men who dragged them both out, beat them, and took their electronic devices, documents, and money. Nemov received a knife wound and multiple contusions. 'When they were beating [Nemov], they said outright that you are defending too many people here, there's no need to defend anyone here,' Milashina [recounted](#).

25 On 4 April 2024, Chernyshov was given a three-year [suspended sentence](#).

Memorial Human Rights Defence Centre [indicated](#) in its statement about the attack: ‘There is no doubt that the attack on Milashina and Nemov was committed by agents of the regime in order to prevent them attending the trial of Zarema Musaeva and, more broadly, to intimidate the journalist, lawyer, and human rights communities.’ Therefore it is no surprise that despite public statements by Tatyana Moskalkova, Aleksandr Bastrykin, and Ramzan Kadyrov about the need to investigate the events and a [criminal case](#) opened under six articles of the Criminal Code, including impeding the work of a lawyer (**Art. 296, Part 4, CC RF**), Nemov and Milashina’s attackers never were found.

As for prosecutions supposedly carried out in accordance with the law, the most dangerous and outrageous instances of persecution of lawyers in 2023 were the criminal accusations brought directly in connection with lawyers’ activities. Three lawyers for [Aleksei Navalny](#) encountered accusations like these: [Vadim Kobzev](#), [Aleksei Liptser](#), and [Igor Sergunin](#). The three were [remanded](#) in custody after detentions and searches on 13 October 2023 on a charge of participating in an extremist group (**Art. 282.1, Part 2, CC RF**). [According to the investigators](#), by carrying out their lawyerly duties and visiting Navalny in penal colonies, his lawyers insured a regular exchange of information between Navalny and Anti-Corruption Foundation participants, which allowed the politician to continue to ‘perform the functions of leader and director of an extremist group in the planning, preparation, and creation of conditions and commission of crimes of an extremist nature.’

The ‘Political Prisoners. Memorial’ human rights project [considers](#) Kobzev, Liptser, and Sergunin to be political prisoners. One other lawyer who acted for Navalny, Aleksandr Fedulov, [left Russia](#), and Olga Mikhailov, who was abroad the day her colleagues’ persecution began, did not return.^[26]

On 12 April 2023, a search was [conducted](#) of the home of human rights lawyer [Timur Idalov](#) in a case on the threat of the use of force against a government official (**Art. 318, Part 1, CC RF**). The next day he was [remanded](#) in custody, however on 5 July he was [released](#) under a ban on specific actions pending trial. The grounds for opening the case were what Idalov had said to the prosecutor during a trial in Moscow’s Nikulinsky district court on 3 October 2022: ‘Who are you, Commissar Cattani?^[27] He got executed.’ According to Idalov himself, he said this in the heat of emotion, and it should not have been taken as a real threat. He is convinced that the case against him is an attempt at revenge by law enforcement officers for his professional activities. In the press it was [suggested](#) that the case might have been opened because Idalov had assisted Andrei Medvedev, a former Wagner private military company commander who had fled to Norway, after which Medvedev had [told](#) *The Insider* about instances of extrajudicial executions by Wagner fighters. Previously, Idalov had also collaborated with Lev Ponomaryov’s For Human Rights, specialising in cases connected with terrorism.

In 2023, the persecution of lawyers continued, with those representing the journalist [Ivan Safronov](#) in a case on treason being targeted. In summer 2022, [Dmitry Talantov](#) was accused of spreading information known to be false about the Russian army and was remanded in custody; in January 2023 he [lost](#) his post as president of the Udmurtia bar. In 2021, another lawyer acting for Safronov, [Ivan Pavlov](#), a founder of the Pervy Otdel initiative, was forced to [leave](#)

26 In 2024, we learned that both were defendants in the case. Both were [arrested in absentia](#).

27 Corrado Cattani is a fictional police inspector, one of the main heroes of the multi-part Italian film about the mafia, *The Octopus*, which came out in the years 1984–1989.

Russia after a criminal case was opened against him on divulging facts of a preliminary investigation (Art. 310 CC RF) on account of his communication with journalists regarding facts in the Safronov case.

Threats of a lawyer's possible prosecution can come directly from other participants in a political trial. For example, the lawyer [Vadim Prokhorov](#), who was representing politician [Vladimir Kara-Murza](#), had to [leave](#) Russia in April 2023, a few days before the verdict on his defendant. According to the lawyer, the prosecutor and judge had stated during the trial that it was worth considering the question of opening a criminal case against him.

In October 2023, [Aleksei Ladin](#), a lawyer from Sevastopol who defends Crimean political prisoners and Ukrainian prisoners of war, was also the object of a [search](#) in which digital equipment was confiscated, after which he was jailed for 14 days on a charge of displaying banned symbolism (Art. 20.3 CAO RF) for a post on Facebook depicting the Ukrainian seal and Crimean Tatar emblem *tarak-tamga*. He was also fined 45,000 roubles for discrediting the Russian army (Art. 20.3.3 CAO RF).

Finally, a further instrument of pressure on lawyers is the possibility of disciplinary proceedings. An example of the use of this method for depriving a lawyer of the possibility of offering professional services is the [stripping](#) of status from Krasnodar lawyer [Mikhail Benyash](#) for three years on the Justice Ministry's recommendation. According to officials, on his Telegram channel he allowed '*statements incompatible with a lawyer's status that diminished the authority of the Russian bar and statements aimed at destabilising the civil and political situation.*' At the time the Justice Ministry's recommendation was issued, Benyash was [working](#) on the case of National Guard officers who had refused to go to Ukraine to fight.

On 30 May, the Council of the Moscow Bar [stripped Ilya Novikov](#) of his status as lawyer for an interview on the *Populyarnaya Politika* YouTube channel where he spoke out against the war and Putin. Novikov himself actually stated that he had ceased his practice in Russia since the start of the full-scale invasion of Ukraine.

4.4.3. Prosecutions of other human rights activists

The dissolution of organisations, undesirable organisations, and 'foreign agents'

In 2023, there was a significant uptick in the closing down of institutionalised human rights work. In 2022, the authorities completed legal procedures to dissolve the key organisations of Memorial and launched the dissolution of the Moscow Helsinki Group. In 2023, at the Justice Ministry's request, courts dissolved such key organisations as the [Moscow Helsinki Group](#), the [Sakharov Centre](#), and the [Sova Centre for Information and Analysis](#), as well as the oldest human rights centre in the Republic of Mary-El, [Man and Law](#).

The formal basis for the majority of suits on dissolving organisations was violation of the principle of territoriality: human rights activists participated in undertakings outside the regions where their NGOs were registered. Representatives of the organisations noted that in their years of practice the Justice Ministry had never made claims against work travel by NGO associates outside their own region. Moreover, restriction on such travel would in essence render human rights activity impossible. *‘For us, the court might be in one region, the appeal court in another region, the Constitutional Court in a third, and the Supreme Court in a fourth. Therefore, what the Justice Ministry is saying, that we must first register an office in that region and then go there and defend people, is absolutely incomprehensible,’* [said](#) Sakharov Centre lawyer Marina Agaltsova.

In 2023, the designation of human rights organisations as ‘undesirable’ continued, making virtually any collaboration with them illegal (the application of the law on undesirable organisations is examined in more detail in [Section 4.2.1](#)). A serious blow to the human rights sphere was the [designation](#) of Agora in June 2023 as an undesirable organisation (in formal terms this came about when the Pravo-Sofia Fund, registered in Bulgaria, was added to the list). Justifying the decision, the General Prosecutor’s Office [stated](#) that Agora’s activities *‘represent a threat to the foundations of the constitutional order and security of the Russian Federation.’* Proceeding from this official statement, standard human rights work represents a threat to Russia’s security: *‘In its activities, the organisation stresses illuminating and disseminating facts of alleged infringement of the rights and freedoms of citizens in Russia and the rendering of legal assistance to oppositionists with an expressed anti-Russian position, including supporters of organisations designated as extremist.’*

Also recognised as undesirable in 2023 were American nongovernmental organisations – the Andrei Sakharov Foundation and the Foundation for Democratic Development – as well as the Norwegian nonprofit organisation [Human Rights House Foundation](#) and its branches in Belarus, Georgia, Ukraine, and Armenia. It is necessary to note separately the [addition](#) to the register of undesirable organisations of CrimeaSOS, which monitors human rights violations on the peninsula – yet another element of pressure on Crimean human rights activists, which is examined in more detail in [Section 3.2](#).

Also ongoing is the designation of human rights organisations and their participants as ‘foreign agents.’ In 2023, this [affected, in particular](#), such spheres as:

- broad-profile rights defence – the lawyer [Pavel Chikov](#) and [Robert Latypov](#), the former head of Perm Memorial;
- defence of the rights of LGBTQ people – the North Caucasus SOS Crisis Group;
- defence of prisoners’ rights – [Vladimir Osechkin](#), founder of the Gulagu.net project, and [Olga Romanova](#), executive director of the Russia Behind Bars movement;
- defence of victims of domestic violence – [Anna Rivina](#), the creator of the Abuse.No centre;
- help for a drug users – Each Person’s Right;
- projects connected with the defence of conscripts and military service personnel, including rights to alternative civilian service – School of the Conscript, the Movement of Conscientious Objectors and its coordinator [Sasha Belik](#); the Council of Mothers and Wives and its founder [Olga Tsukanova](#); cofounder of Take to the Woods and Shelter

former director [Grigory Sverdlin](#); and head of the Citizen. Army. Law public movement [Sergei Krivenko](#);

- aid for Russian anti-war emigrants – the Kovcheg project and its founder [Anastasia Burakova](#).

The barriers raised for organisations and physical persons by the foreign agent status are examined in the corresponding section. Separately, we would like to point out that in 2023, foreign agent status [became](#) the formal grounds for evicting the Sakharov Centre from all the organisation's offices in Moscow.

Pressure on Golos

A symptomatic example of the use of the legislation on undesirable organisations and foreign agents is the continuing attack on participants in the Golos movement to protect voters' rights. Founded in 2000, the Golos Association of Nonprofit organisations in the Defence of Voters' Rights became the country's main organiser of independent election monitoring and defender of voters' rights. In 2011, Golos launched a [Map of Violations](#) – a resource through which voters and observers can report violations and falsifications during elections. At the time, evidence of mass violations in the State Duma elections and, the next year, in the Russian presidential elections, catalysed protest Russia-wide.

Against this backdrop it may not be so surprising that in 2013 it was Golos that [became](#) the first 'foreign agent,' and in 2016 Moscow's Presnensky district court [dissolved](#) the association on the basis of a Justice Ministry suit. The Golos team continued its work without registering a new legal entity – within the framework of a civil society movement by the same name. Over the next few years, the authorities worked out a few paths for persecuting the movement: nothing fundamentally new came up in 2023, but the old methods have been used more and more.

Thus, in 2021, the General Prosecutor's Office [designated](#) ENEMO, the European Network of Election Monitoring organisations, as undesirable. Immediately after the ban on having connections with ENEMO, Golos [ended](#) its membership in the organisation. Despite this, in the autumn of that year, police officers [drew up](#) administrative charges against at least three observers collaborating with Golos for participating in the activities of an undesirable organisation.

On 17 August 2023, searches were [conducted](#) in the homes of 14 Golos participants in eight regions within the framework of a criminal case on organising the activity of an undesirable organisation ([Art. 284.1, Part 3, CC RF](#)). Law enforcement officers went to the homes of the movement's co-chair [Grigory Melkonyants](#), coordinator [Vladimir Yegorov](#), and Golos participant [Vladimir Zhilkin](#) in Moscow, coordinator [Polina Kostyleva](#) in Petersburg, [Kseniya Cherepanova](#), who had previously collaborated with Golos in Veliky Novgorod, former movement participant [Vladislav Khodakovsky](#) and activist [Pavel Sychev](#) in Voronezh, coordinator [Sofiya Ivanova](#) in Ryazan, and movement board member [Denis Shadrin](#) in Kirov. After the searches, nearly everyone was taken away for questioning and then released with the status of witness. However, Grigory Melkonyants was detained as a suspect in the organisation of ENEMO's work in Russia and the next day was [remanded](#) in custody. The 'Political Prisoners. Memorial' human rights project [considers](#) Grigory Melkonyants a political prisoner.

After the search, Vladimir Yegorov was taken to Moscow's Dorogomilovsky district court and jailed for 15 days for failing to obey police officers (**Art. 19.3 CAO RF**) for alleged resistance during the search. The search had been conducted in the presence of a REN-TV film crew, which, [according](#) to Yegorov himself, was filming as he lay on the floor to the shouts of the special ops team.

On 5 September 2023, Saratov journalist [Aleksandr Nikishin](#) was [fined](#) 5,000 roubles for the administrative-law offence of participating in the activities of an undesirable organisation (**Art. 20.33 CAO RF**) over his collaboration with Golos.

Apart from the declared ties to an undesirable organisation, in August 2021, the Justice Ministry [added](#) Golos to the list of unregistered public associations designated as foreign agents, and a little more than a month later [designated](#) as foreign agents 18 Golos regional coordinators and one member of the movement's Council. That same year the authorities [began](#) to fine them under administrative law for failing to add the foreign agent designation to their online posts (**Art. 19.34 Part 1, CAO RF**). In 2023, a criminal case was [opened](#) against the movement's Tver coordinator [Artyom Vazhenkov](#), for failing to carry out the obligations of a foreign agent (**Art. 330.1, Part 2, CC RF**). At the time the case was opened, Vazhenkov himself was not in Russia.

The case against Artyom Vazhenkov was the first criminal case under the new version of the article on failure to carry out a foreign agent's obligations, which assumed the presence of a previous conviction under the analogous administrative article (Vazhenkov was fined twice in 2022). In 2016, a case had been [opened](#) under this article, before its amendment, against [Valentina Cherevatenko](#), director of Union of the Don Women, a Novocherkassk human rights organisation, but later it was [dropped](#) due to the absence of evidence of a crime.

In 2023, the authorities also continued to use criminal cases in the framework of the campaign against anti-war statements to intimidate Golos activists as a whole. In October 2022, searches were [conducted](#) at 10 addresses in several regions, including the home of Grigory Melkonyants and the Moscow office of Golos, within the context of a criminal case on discrediting the Russian army (**Art. 280.3, Part 1, CC RF**) against election observer [Mikhail Gusev](#), who himself had left Russia by that time. The case concerned publications on Gusev's Telegram channel. It is unclear what connection there was with other Golos activists. At the time, Golos board member Vitaly Averin linked the searches to a broader campaign against the movement: *'By all accounts, the Gusev case is merely a pretext, and the searches themselves were conducted with just one goal: to punish Golos participants for their intransigency in the fight for honest elections and a rule-of-law and humane state.'*

Law enforcement officers continued to use the case against Gusev to put pressure on Golos participants in 2023 as well. On 7 March, a search was [conducted](#) in connection with this case in the Tambov apartment of Vladimir Zhilkin. In December 2023, Gusev was [declared](#) wanted.

On 17 August 2023, a day of large-scale searches in the undesirable organisation case, a search was also conducted at the home of [Natalya Guseva](#), chair of Chelyabinsk Golos. A case was opened against her concerning 'fake news' about the war (**Art. 207.3, Part 1, CC RF**) over posts on Odnoklassniki about the murders of Ukrainian civilians by the Russian army. The case has already [gone](#) to trial.

Other pressure on human rights activists

Like the pressure on Golos, other examples of persecution of human rights activists in 2023 show, on the one hand, just how much the state has perceived the most varied civil society activity as a threat and, on the other, the variety of methods and charges that can be used to apply pressure: criminal cases, administrative prosecutions, searches, beatings, and threats.

In March 2023, we [learned](#) of a sixth criminal case against Obninsk human rights activist [Tatyana Kotlyar](#). Yet again she was accused of using her own residence for the fictive permanent and temporary registration of Russian citizens ([Art. 322.2 CC RF](#)). For many years, Kotlyar has openly registered at her apartment Russians, foreigners, and refugees, who have no other way to obtain residence registration, and has tried to draw the authorities' attention to the problem of restrictions on the rights of citizens and migrants due to the outdated and ineffective residency permit system. In June 2023, she was ruled guilty and [fined](#) 650,000 roubles; later, the fine was [reduced](#) on appeal to 50,000 roubles.^[28]

In May we [learned](#) of a criminal case against Buryat human rights activist [Nadezhda Nizovkina](#) for her refusal to give testimony as a witness ([Art. 308 CC RF](#)). The case was opened after she refused to give testimony against her client [Natalya Filonova](#), who was accused of using violence against a police officer during a rally against mobilisation ([Art. 318, Parts 1 and 2, CC RF](#); for more detail about Filonova's case, see [Section 2.1.6](#)).

'Article 308 CC RF is a dormant norm since it never happens that anyone refuses to give witness testimony. For most people it's easier, either to cite Article 51 of the Constitution, or else to say that the witness, unfortunately, saw and remembers nothing. In my case this was an obvious bringing to account for a single goal: to keep me from speaking as a legal representative in Filonova's case, and my refusal was itself agreed as part of the legal defence,' the movement Soft Power, quoted Nizovkina's words.

In late summer the case was [closed](#), but Nizovkina herself did not learn about this until December 2023. At the time, she was [fined](#) 5,000 roubles for the administrative-law offence of participating in the activity of an undesirable organisation ([Art. 20.33 CAO RF](#)) over her speech in Tokyo at the Forum of Free Peoples of Post-Russia. Nizovkina is concerned the administrative fine could mean preparation for a new criminal prosecution.

In April and May 2023, searches were conducted of the offices and apartments of associates of the Committee Against Torture in [Pyatigorsk](#), [Nizhny Novgorod](#), and [Krasnodar](#). As the Committee reported, the searches were connected with the criminal case opened in North Ossetia against one of their principals who had talked about torture.

On 25 April 2023, in Belogorsk, a search was [conducted](#) of the apartment of Crimean Tatar human rights activist [Abdureshit Dzhepparov](#). After the search, he was detained and jailed for 15 days for failing to obey the police ([Art. 19.3 CAO RF](#)) on account of his alleged resistance to the confiscation of his computer. In May we [learned](#) that other administrative-law charges had also been drawn up against him for discrediting the Russian army ([Art. 20.3.3 CAO RF](#)) and abusing

28 In 2023, a seventh analogous case was opened against Kotlyar, and on 18 March 2024 she was [fined](#) 450,000 roubles.

the freedom of information (**Art.13.15 CAO RF**) over materials from the organisation Qyrim Gayesi (Crimean Idea) that shed light on human rights violations on the peninsula. According to the official version, Dzhepparov ran the project's Facebook page, although the human rights activist himself denied it. In June, Qyrim Gayesi [announced](#) it was shutting down in order not to subject Dzhepparov to additional risks of prosecution.

On 11 October 2023, Yekaterinburg's Leninsky district court [jailed](#) local human rights activist [Aleksi Sokolov](#) for five days for displaying the symbolism of an extremist organisation (**Art. 20.3, Part 1, CAO RF**). The grounds for the charge was the fact that on the Human Rights Activists of the Urals website, which is run by Sokolov, among others, there was a button with the Facebook logo, which has been designated as extremist, a button that leads to the organisation's page on the social network.

In addition to direct prosecutions by law enforcement bodies within the framework of current legislation in separate regions, such as the Chechen Republic, human rights activists might encounter threats from defendants' relatives or even with the indirect or direct participation and encouragement of law enforcement officers. For example, lawyer [Tatyana Solomina](#), who helped a man from Chechnya who had encountered violence and death threats in his family, [said](#) she had received threats from his mother. She stated that she knew her name and place of residence, as well as her son's age and place of study. *'We have hired the most hard-core gangsters and paid them money to execute this woman and her child. You can tell her: the cut-throats are going to get her. [...] Now, when he goes to school starting 1 September, they will be lying in wait and this punishment will be carried out. Nothing just happens like that,'* the defendant's mother said in a telephone conversation. Solomina wrote a statement to the Investigative Committee about threats to life and health, including of a minor, but no one there even tried to question her.

Committee Against Torture lawyer [Magomed Alamov](#) [encountered](#) a similar situation. On 5 October 2023, at the request of the North Caucasus SOS Crisis Group, which helps LGBTQ people and members of their families in the North Caucasus, he gave a lift to 27-year-old Marina Yandieva, who had fled her home in Ingushetia due to domestic violence. Her family holds quite an influential position in the region: the young woman's aunt, Zarema Antoshkueva, is the republic's acting healthcare minister, and her uncle works in Ingushetia's Interior Ministry.

On 11 October, Alamov received a call from Ingushetia's Anti-Extremism Centre demanding he appear to discuss the young woman's disappearance. The lawyer was in a different region and replied that he had simply given Yandieva a ride and was not up to date on her situation. Three days later, Chechen police officers took his brother by force to Kadyrov's regiment, where they threatened him and demanded that the human rights activist himself return to Chechnya. Alamov himself was taken to the home of Yandieva's family, where they threatened to kill him and his relatives if the young woman did not return home.

As noted above, human rights activists are also being persecuted within the context of the general campaign against those who oppose the war. In some instances, we cannot say with confidence whether their persecution is connected to an attempt to take revenge for their human rights activity or their publications themselves have drawn the attention of law enforcement officers. Thus, in April the Investigative Committee [opened](#) a criminal case concerning 'fake news' about the war (**Art.207.3, Part 1, CC RF**) against [Svetlana Anokhina](#), a feminist and

founder of Marem, a human rights defence group, over a few posts on Instagram. On 14 August, her home in Dagestan was [searched](#). Meanwhile, the human rights activist herself has been living in emigration for more than two years. At home during the search were her 93-year-old mother, her older daughter, and her three granddaughters.

In addition, in 2023, the trial [began](#) of [Gregori Vinter](#), a Cherepovets human rights activist and long-time coordinator of the Vologda branch of For the Human Rights, on charges of disseminating information about the military known to be false for motives of hatred (**Art. 207.3, Part 2 [e], CC RF**). The case had been [initiated](#) in September 2022 over comments he made about the civilians killed in Bucha and eight reposts about the strike on the Mariupol dramatic theatre.

We should note separately the practice of using charges against human rights activists that discredit the defendants, as in the above-mentioned case of Yury Dmitriev. We have grounds for thinking that this practice may be being used consciously to reduce potential public support in comparison with the obviously politically motivated prosecutions for statements and participation in oppositionist activity.

For example, on 29 May 2022, Kemerovo Oblast Court [sentenced](#) [Dmitry Kamynin](#), coordinator of A Legal Siberia, a project to assist prisoners and oppose torture in penitentiary institutions, to 18 years in a strict-regime penal colony on a charge of distributing narcotics in large and especially large quantity (**Art. 228.1, Part 4, [d] CC RF** and **Art. 228.1, Part 5, CC RF**). The Kirovsky district court is also [continuing](#) to hear the case against Kamynin on a charge of extortion (**Art. 163, Part 1, CC RF** and **Art. 163, Part 2 [a, c], CC RF**). The investigators allege he extorted 20,000 roubles from a Kemerovo resident.

In September, *Sibir. Realii* reported that Kamynin [had told](#) about intimidation and torture in Kemerovo's Remand Prison No. 1 in a letter written from a punishment cell. According to Kamynin, one Alyuskin, the duty assistant of the head of the remand prison, frequently ordered his subordinates to beat the human rights activist with electric shockers and to drag him around the cell by his hair. In at least one instance, the grounds for this treatment were Kamynin's refusal to hand over to the remand centre officers some legal literature that he had before being put in his cell. Kamynin's mother also said then that Federal Penitentiary Service officers had refused to accept her packages for three months.

[Vladimir Taranenko](#), another coordinator of A Legal Siberia, was [given](#) a suspended sentence on a charge of extortion and belonging to the AUE criminal organisation. An anonymous source from *Sibir. Realii* asserted that Taranenko had admitted his guilt under pressure. Previously, he had called the accusations fabricated, had [reported](#) torture and intolerable conditions in the remand prison, and had even opened his veins as a sign of protest.

In May we [learned](#) about a case against [Svetlana Arshavskaya](#), an associate of Everyone's Right, an Orenburg human rights organisation, on a charge of distributing narcotics. In a published video of her interrogation, we hear that almost all the questions concern not her personal relations with narcotics but the activities of Everyone's Right, which assists people with AIDS and also the rehabilitation of drug users and former prisoners. Moreover, Russia Today reported that law enforcement officers had discovered on Arshavskaya's telephone materials in support of Ukraine and discrediting the Russian armed forces. On 19 April 2023, she was [fined](#) 15,000 roubles for the administrative-law offence of discrediting the army (**Art. 20.3.3, Part 1, CAO RF**).

Aidana Fedosik, founder of Everyone's Right, [stated](#) she considers the criminal case fabricated: *'The point of all this is not narcotics and not even support for Ukraine but recognising our activities as undesirable or banning them somehow.'*

On 18 April 2023, the Bykovsky district court in Volgograd Oblast [sentenced](#) local human rights activist [Igor Nagavkin](#) to six years in a general-regime penal colony on a charge of theft of valuables from a pawnshop (**Art. 158, Part 4 [b], CC RF** and **Art. 158, Part 3 [c], CC RF** in conjunction with **Art. 30, Part 3, CC RF**). Later this sentence was [reduced](#) by two months on appeal.^[29] The lawyers declared the case had been falsified and the witnesses declared the defendant had an alibi. Nagavkin himself denies his guilt and believes the prosecution to be revenge for his attempts to expose the narco-mafia in law enforcement structures. In June 2021, the ECtHR [recognised](#) Nagavkin's detention in a punishment cell in the years 2016-2018 in the course of this prosecution to be a violation of his right to freedom and inviolability and required the Russian authorities to pay him compensation in the amount of 2,700 euros.

For more than 10 years, Igor Nagavkin collaborated with human rights activist Lev Ponomaryov and For Human Rights, which Ponomaryov founded. *'During this time, Igor was working as an expert for the Federal Human Rights Ombudsman in Russia. He saw to it that for a while there were no instances of torture in the penal colonies of Volgograd Oblast. He fought drug dealers in his city. A true defender of the people. A man who caused a lot of trouble for some in Kalach-na-Donu. All the branches of power lined up against him,'* Ponomaryov [told](#) Kavkazsky uzel.

After the verdict was issued in the theft case, yet another case was opened against Nagavkin: on disrupting the work of the institutions ensuring his isolation from society (**Art. 321, Part 2, CC RF**). [According](#) to the human rights activist, on 15 May 2023, remand prison officers announced plans to put him in a cell with rapists and paedophiles. The man threatened to complain to the prosecutor's office, and they recorded him on video and handed it over to the Investigative Committee. At the moment of this report's writing the case was being [considered](#) in Leninsky district court, Volgograd Oblast.

On 22 November 2023, at a court hearing, Nagavkin [talked](#) about how he had been threatened by the deputy head of the Leninsk remand prison, Sergei Kravchuk. According to Nagavkin, this officer of the Federal Penitentiary Service officer beat him badly, and the prosecutor's assistant who visits the remand prison refused to stop the beatings. The director of the punishment cell also threatened Nagavkin, saying he would *'push a telephone up his ass and pull it out with a stick'* if he did not stop writing complaints about his conditions of custody. Then Nagavkin was put in a punishment cell, following which he declared a hunger strike. It lasted three days, until the prisoner was told that Kravchuk had been moved to be director of another punishment cell.

29 On 27 February 2024, the court of cassation rescinded the verdict and [returned](#) Nagavkin's case to the appeal court.

4.5. Cases infringing on freedom of association

Since the suppression of anti-war protests in March 2022, there have been almost no major protests. Nonetheless, in 2023 OVD-Info [counted](#) more than 800 arrests, as well as more than 100 refusals to permit actions. Most often, arrests occurred at events connected with protests against the war in Ukraine, the expression of grief for the dead, and support for political prisoners and social problems. The three themes for which the authorities refused most often to give permission^[30] for public assemblies were social issues, the environment, and memorial actions.

On 24 February, the anniversary of Russia's full-scale invasion of Ukraine, Muscovites [began](#) bringing flowers to the Lesya Ukrainka monument, after which they encountered mass detentions. Nonetheless, this action was [repeated](#) in April, after the rocket strike on Uman.

Detentions frequently took place at protests in support of political prisoners (people convicted for anti-war views such as [Sasha Skolichenko](#), [Igor Baryshnikov](#), [Maria Ponomarenko](#), [Nikita Zhuravel](#), and the defendants in the 'theatre case' [Zhenya Berkovich](#) and [Svetlana Petriychuk](#)). More than 130 people were [detained](#) on 4 June at a protest in solidarity with Aleksei Navalny, whose birthday it then was. Also encountering detentions were people who went to the courts to support defendants in politically motivated cases.

Even though, as far as human rights activists know, no criminal cases were opened in 2023 on charges of multiple violations of the regulations for conduct for public events (**Art. 212.1 CC RF**), activists who announced similar actions or regularly participated in them encountered pressure under other articles of the Criminal Code. For example, 18-year-old Muscovite activist [Maksim Lypkan](#) tried consistently (and unsuccessfully) to get permission for a Year of Hell protest on the anniversary of the full-scale invasion. On 21 February 2023, the young man's home was [searched](#), and he wound up in a remand prison as a suspect in a case of 'fake news' about the army (**Art. 207.3, Part 2 [e], CC RF**).^[31] You can read in more detail about other cases connected to pressure on people due to their anti-war position in [Section 2.1.1](#).

At the same time, prosecutions continued in 2023 on previously opened cases concerning freedom of assembly. Thus, in February 2023, a verdict was announced against [Kirill Ukraintsev](#), the head of the Courier trade union. Ukraintsev was [sentenced](#) to a year and four months in a low security penal colony on a charge of violating the regulations governing public events (**Art. 212.1 CC RF**). He was freed in the courtroom, taking into consideration the time he had spent on remand. Ukraintsev was detained as a suspect in April 2022, when his associates came to the office of Delivery Club protesting a salary reduction, and after this he was [remanded](#) in custody.

30 It is worth noting that we are talking about actions whose organisers applied for permission to hold them and not about spontaneous gatherings.

31 In February 2024, by decision of the court, Lypkan was [sent](#) for compulsory psychiatric treatment.

In September 2023, [Ibragim Kartoev](#) [surrendered](#) to the police. In March 2019 he had taken part in protests^[32] by Ingush activists against changes in the region's borders. Kartoev was charged with using life-threatening violence against a police officer (**Art. 318, Part 2, CC RF**). Law enforcement officers say he had been wanted for several years, but his lawyer stated that there had never been any corresponding documents.

The spouses [Vadim Motovilov](#) and [Natalya Garyaeva](#) who actively participated in protests against the landfill in Poltavskaya (Krasnodar Krai), [became](#) defendants in a criminal case on a charge of destroying vehicle licence plates (**Art. 326 CC RF**). Law enforcement officers used a van parked on a street in the town in which local residents were sheltering from the rain as a pretext for conducting searches at activists' homes. Smola wrote that Motovilov was included in the case as a witness.

4.6. Infringements of freedom of expression and the media: criminal cases and other types of pressure

In 2023, Russian law enforcement officers continued to persecute journalists, bloggers, and others who criticised the regime on social networks. To suppress free speech, they used the impressive arsenal of Criminal Code articles (from 'justification of terrorism' to 'espionage'), the conclusions of experts (whose qualifications not infrequently gave rise to doubt), and well-oiled legal practice, as well as extrajudicial pressure.

Among notable trends of recent years has been the prosecution of journalists under the criminal article on extortion. In autumn 2023, the Lyuberetsky court (Moscow Oblast) [sentenced](#) Rosderzhava journalists [Yan Katelevsky](#) and [Aleksandr Dorogov](#) to long terms of imprisonment. According to the court, they had extorted money from a traffic police officer to kill negative publications about him. At the same time [Aleksandr Bayazitov](#), administrator of the *Adskie Babki* ['Cash from Hell'] Telegram channel, and media manager [Olga Arkharova](#), were [sentenced](#) to five years and four and a half years in a penal colony, respectively. They were accused of extorting a large sum from the vice-president of Promsvyazbank in exchange for a 'block on negative coverage.' Since

32 In connection with these protests, more than fifty people were [subjected](#) to criminal prosecution; charges against three were dropped. In March 2019, 41 inhabitants of Ingushetia were convicted of using force against law enforcement officers (**Art. 318, Part 1, CC RF**). In 2022, seven leaders of the local opposition were [sentenced](#) to terms of imprisonment in a penal colony ranging from seven and a half years to nine years on charges of organising the protests. Thirteen police officers who had attempted to defend the protesters were convicted of failure to carry out an order as a group (**Art. 286.1, Part 2, CC RF**). They were all given suspended sentences.

autumn 2022, [Arian Romanovsky](#) and [Tamerlan Bigaev](#), authors of the *Tushite svet* ['Put out the Light'] Telegram channel, have been held on remand, as has [Kirill Sukhanov](#), commercial director of *Ostorozno, Media* ['Warning, Media']. In early 2024, they were sentenced to terms of imprisonment of seven years and upwards.

Prosecutions of journalists continued, too, under other articles of the Criminal Code. For example, in September 2023, in Dagestan, local journalist [Abdulmumin Gadzhiev](#), convicted of participating in the activity of terrorist organisations as well as of organising the financing of terrorism, was [sentenced](#) by the court to 17 years' imprisonment. The grounds, in particular, were articles he wrote on the activity of a philanthropic fund (which, according to law enforcement officers, is connected with ISIS), as well as the fact that Gadzhiev allegedly took part in the work of two organisations that the Russian Supreme Court had previously designated as terrorist.

The 'terrorist' offence most widely used to infringe freedom of expression remains Article 205.2 of the Criminal Code (justifying terrorism or making calls to engage in terrorist activity). According to OVD-Info, in 2023 at least 126 new politically motivated criminal cases were opened under this article, which is being used to prosecute opponents of the war in Ukraine, activists, journalists, and theatrical figures. For example, [Mikhail Kriger](#), founder of the Union of Solidarity with Political Prisoners, was [sentenced](#) to seven years in a penal colony for justifying terrorism and making calls to engage in extremism for publications on Facebook. In particular, Kriger was accused in connection with a post about Mikhail Zhlobitsky.^[33] Due to imputed statements about him, a new criminal case was opened against anarchist and political prisoner [Azat Miftakhov](#): the young man was detained as he was exiting the penal colony where he had completed his sentence on a previous conviction. In March 2024 he was [sentenced](#) to serve four years in a penal colony.

In 2023, a performance of *Finist Yasnyi Sokol* ['Finist, Brave Falcon'], about enlisting women into ISIS, was grounds for prosecution under this same article. [Svetlana Petriyчук](#), the playwright, and [Yevgeniya Berkovich](#), the director, were [remanded](#) in custody in May 2023. Originally the charge was built on a 'destructological analysis' – based on the theory of its main author Roman Silantiev, who had come up with the pseudoscience of destructology. Later the Justice Ministry deemed the analysis worthless, however a new one appeared, drawn up by an FSB officer. Petriyчук and Berkovich were kept in custody.

Apart from legal pressure, journalists and critics of the regime have also, as before, encountered violence. In July, *Novaya gazeta* journalist [Yelena Milashina](#) and lawyer [Aleksandr Nemov](#) were attacked in Chechnya as they were headed to attend the announcement of the verdict in the trial of [Zarema Musaeva](#), the mother of local activists. Both sustained multiple traumas, unidentified persons threatened to shoot them, and the electronic devices they had with them were smashed. Milashina [said](#) the attackers had tried to break her fingers. The Investigative Committee [announced](#) the opening of a criminal case on the fact of the attack.

Former *Novaya Gazeta* journalist Yelena Kostyuchenko, who had reported on the start of the full-scale invasion of Ukraine and the Russian army's crimes, [talked about](#) how she had survived a poisoning by an unknown neurotoxin after her emigration to Germany. As a result of this, she

33 In October 2018, anarchist Mikhail Zhlobitsky [detonated](#) a bomb in the Arkhangelsk regional FSB building. Zhlobitsky himself died as a result of the explosion, and three FSB staff were injured. OVD-Info has [recorded](#) more than fifty criminal cases connected to statements about this event.

virtually lost her ability to work temporarily. [Irina Babloyan](#), another *Ekho Moskvy* journalist who emigrated, and [Natalya Arno](#), head of Free Russia, also reported symptoms similar to those described by Kostyuchenko. *The Insider* [thinks](#) that the Russian special services may be behind the attacks on the journalists and the activist.

4.7. Cases concerning ‘attacks on the sacred’

In 2023, repressions continued in Russia on charges of ‘attacks on the sacred.’ We are talking about repressions under articles of the Criminal Code that are intended to defend what conservatives call traditional values. In addition to the religious feelings of representatives of the major confessions, this also means the memory of the Great Patriotic War.

In the 2010s, legislators fostered a number of instruments for repressive measures of this kind. In 2013, after the high-profile [trial](#) about the punk service in Christ the Saviour Cathedral, the article on violating the right to freedom of religion (**Art. 148 CC RF**) was supplemented by a provision on offending the feelings of believers. In May 2014, Vladimir Putin [signed](#) a law that added to the Criminal Code an article on the rehabilitation of Nazism (**Art. 354.1 CC RF**), which at the present time [includes](#) two main provisions:

- public denial of crimes established by the Nuremberg Tribunal, or the dissemination of information known to be false about the Soviet Union’s actions during World War II (**Art. 354.1, Parts 1 and 2, CC RF**);
- public dissemination of information disrespectful to the defenders of the Fatherland, desecration of symbols of military glory and the associated public holidays and memorial dates, as well as desecration of symbols of military glory (**Art. 354.1, Parts 3, and 4, CC RF**).

We should note that there is no specific list of the symbols of military glory in Russia. At the very end of 2022, the St. George ribbon was [given](#) this status, and over the course of 2023, human rights activists [learned](#) of at least five cases connected with their desecration.

4.7.1. Cases concerning offending the feelings of believers

Prosecutions for offending the feelings of believers are usually concerned not with intentional actions to influence representatives of one confession or another but with petty pranks or minor incidents that law enforcement considers an encroachment on public morality.

In 2023, cases on these charges were opened, among others, against bloggers who used religious emblems (figures in such cases were [Yury Kravtsov](#) from Volgodonsk, who put on a per-

formance during which he hung on a cross during a party, and [Olesya Pavlova](#), who also during a performance lay down in a coffin and then rose from it with the words ‘Christ is risen,’ as well as the trash-streamer [Stasik Kudryavy](#), a participant in drunken stunts in churches (in [St. Petersburg](#) and [Kansk](#)). In several instances we know that Orthodox activists from the Forty Forties movement called for these people who allegedly offended the feelings of believers to be brought to account. In particular, after their complaints, a criminal case was [opened](#) against Mordovan artist [Veronika Polonskaya](#), who drew on religious themes in particular.

Another defendant in a case under **Art. 148 CC RF** was [Nadezhda Tolokonnikova](#), a participant in the Pussy Riot punk service who now lives in emigration and speaks out actively against the war with Ukraine. It was reported that the formal grounds for opening the case against the activist were her publications on social networks. However, it was later [learned](#) that the case was opened over the digitalised NFT picture ‘The Virgin Mary and Vagina’ (according to her, the actual grounds may also have been the ‘Putin’s Ashes’ performance). A case was also [opened](#)^[34] against singer [Sharlot](#) under this article because of a video in which he nailed a photograph of Patriarch Kirill to a tree.

In 2023, the most high-profile story concerning application of the article on offending the feelings of believers was the case against the Volgograd student [Nikita Zhuravel](#). In May, a video appeared on the *Utro Dagestana* [‘Morning in Dagestan’]^[35] Telegram channel with a burning Quran on the backdrop of a mosque. A few days later, a video was published on the Internet in which a young man in handcuffs (Zhuravel himself) says that he burned the Quran on assignment from Ukraine for 10,000 roubles. A criminal case was opened against the student that was subsequently transferred to Chechnya. Originally a case was opened only under the article on offending the feelings of believers; later the article on hooliganism for motives of religious enmity (**Art. 213, Part 2, CC RF**) was also added. Adam Kadyrov, the 15-year-old son of the head of the republic, assaulted Zhuravel in the remand prison; later his father published a video of this event, adding that he was proud of what Adam had done.

The public burning of a Quran is unquestionably provocative and merits condemnation. However, the statement that it was Nikita Zhuravel who burned the Quran raises serious doubts. This does not follow from the video, and there were no direct witnesses. The defendant’s admission is insufficient to establish the fact, and given the use of force, evokes no trust whatsoever. Additional suspicions arise because Zhuravel was arrested the day after the scandalous video appeared, moreover there are no obvious indications of authorship.

In democratic countries, public actions involving despoiling sacred religious symbols are usually not punishable in principle; they are considered legal within the framework of freedom of speech and the right to express an opinion, although there is discussion underway about the permissibility of that kind of punishment. The transfer of the investigation and trial from the

34 After his return to Russia from emigration, Eduard Sharlot [became](#) a defendant in four criminal cases. Two of them were opened under articles on offending the feelings of believers and on damaging documents over burning his passport (**Art. 325 CC RF**) and another two under the article on the rehabilitation of Nazism (over a video where he sang about the fall of the rouble to the theme of the song ‘Victory Day’ and a video in which Sharlot tears a St. Geroge ribbon). The ‘Political Prisoners. Memorial’ human rights project has recognised the singer as a political prisoner.

35 On 30 October 2023, Telegram’s management [blocked](#) *Utro Dagestana* after calls were published on the channel for a pogrom at the Makhachkala airport.

region where the event took place to another in connection with the residency there of the alleged victims (i.e., simply Muslims) and Nikita Zhuravel's transfer to Chechnya's remand prison are illegal. They contradict **Art. 152 CPC RF** ('The preliminary investigation shall be conducted according to the place where the act was committed') and **Art. 32 CPC RF** ('A criminal case shall be subject to examination in court according to the place where the crime was committed'). Given the prisoner's transference to Grozny, we can say with confidence that his constitutional rights were violated, as were those principles provided for by the Russian Constitution and the standards of international law such as legality, justice, the presumption of innocence, equality of all citizens before the law, the principle of humanism, and respect for human dignity.

The defendant's transference to a remand prison in Chechnya, together with the campaign organised by the authorities to harass him in that republic and the Russian president's statement that the person who burned the Quran would serve his sentence in a Muslim region, the assault on Zhuravel and its public approval by highly placed officials, accompanied by hints as to his possible murder, attest without a doubt to a political motive and the impropriety of Nikita Zhuravel's prosecution.

The fact that Zhuravel allegedly burned a Quran on instruction from the Ukrainian special services and also carried out their assignment to observe military sites (in connection with the latter, no charges were even brought against him) gives us additional serious grounds for believing that his confession was made under pressure from law enforcement officers and does not correspond to reality. We think that he was forced to make this confession, which is absurd in its essence, to support the anti-Ukraine hysteria needed for society to support the regime, especially during the current war.^[36]

4.7.2. Cases concerning offending the 'memory of the war' and veterans

In 2023, human rights activists [learned](#) that 45 politically motivated criminal cases had been opened under the article on rehabilitating Nazism. Seventeen of them are connected with defiling symbols of military glory (the Eternal Flame or the St. George ribbon), seven with discussions or publications on historical themes, and 11 with statements on the war in Ukraine.

Those prosecuted under this article were, in particular, associates of International Memorial. In early spring, searches were conducted in their homes. The formal grounds [were](#) the inclusion of three people in the Political Terror Database. Two of them had been refused rehabilitation as accomplices of Nazism after they were included in the Book of Memory of the Republic of Tatarstan, from which Memorial took the information about them. Information about the third person's collaboration with the Nazis was not declassified by the FSB until 2022.

Previously, Veterans of Russia had [tried](#) to get a criminal case opened against Memorial over disputed names in the Database. '[The facts of people's biography] *in no way negates the fact*

36 On 27 February 2024, Zhuravel was [sentenced](#) to three and a half years in a general regime penal colony.

of illegal repression and rehabilitation. In exactly the same way, there are no grounds for excluding from the Justice Ministry database the names of Chekists who were entirely justly convicted for torturing arrestees and falsifying cases but were released early during the Great Patriotic War and fought the fascists. Illegal repression, crimes, and heroic deeds are different facts that do not negate each other,' Memorial participants [commented](#) on these accusations in an interview with OVD-Info.

Unlike previous years, in 2023 law enforcement officers all but stopped opening criminal cases regarding attempts to upload photographs of Nazis to the Immortal Regiment^[37] website, but human rights activists know of at least two such cases. For example, [Sergei Sosov](#) from Tula was [sentenced](#) to three years of compulsory work in a correctional centre for a collage showing march participants together with Hitler, and a schoolboy from Mariinsk (Kemerovo Oblast) [became](#) a defendant in a case about the rehabilitation of Nazism for a video criticising the Immortal Regiment.

At least 14 criminal cases have been [opened](#) for various incidents at Eternal Flame monuments that the guardians of the law and public morality considered unseemly. These included pouring [lemonade](#) or water on the flame, [lighting cigarettes from it](#), [eating sunflower seeds](#), [dancing the lezginka](#) and 'drifting' in a car near the monument. At the end of the year, a court in St. Petersburg [decreed](#) to deport several citizens of Uzbekistan – the families of seven schoolchildren who had thrown snowballs at a monument of this kind.

One of the most high-impact precedents [was](#) the prosecution of the blogger [Alyona Agafonova](#), who became a defendant in a case on defiling a burial site over a video in which she recorded the movement of her finger pretending to fondle the breast of the Motherland monument. The young woman left Russia but later returned and [ended up](#) on remand. It was then learned that the charge had been reclassified as rehabilitation of Nazism.^[38]

4.7.3. Prosecutions for dishonouring other military-patriotic symbols

One of the 'military-patriotic symbols' given the highest status was the letter Z, which Russian propagandists were using actively at the beginning of the full-scale invasion. We know of at least two verdicts (in [St. Petersburg](#) and [Yekaterinburg](#)) related to conflicts over patches with this letter sewn onto people's clothing. Furthermore, [Oleg Borisenko](#), a former soldier from Tambov who poured paint on a Z-poster, was sentenced to a major fine; Yaroslavl resident Vladimir Kalinin was given a suspended [sentence](#) for setting fire to a Z-banner; and Ukhta resident [Vladislav Kraval](#) was [sentenced](#) to six years and three months over damaging a Z-banner and making a false report by phone about an arson attempt on a military recruitment centre.

37 The Immortal Regiment is an annual event in memory of World War II participants that has been held since 2012. In 2020, due to the coronavirus epidemic, the event began to be held online, after which people from all over Russia were charged with having tried to upload photographs of Nazis to the project's website.

38 On 5 April 2024, Agafonova was [sentenced](#) to 10 months' compulsory work in a correctional centre.

Setting fire to a Z-banner was also one of the charges on which Krasnodar resident [Igor Paskar](#) was convicted. Protesting the war in Ukraine, the man attempted at first to set fire to a street sign with the letter and the inscription ‘We do not abandon our own,’ and later threw a Molotov cocktail into the region’s FSB building in Volgograd.

4.8 Prosecutions in connection with the right to freedom of worship and religious affiliation

4.8.1 Prosecution of Jehovah’s Witnesses

The large-scale campaign of persecution against Jehovah’s Witnesses unleashed by Russian authorities since 2017 continued in 2023 as well. At the time the information in this section was updated (25 January 2024), the ‘Political Prisoners. Memorial’ human rights project [knew](#) of at least 130 believers who were held on remand or were serving time in penal colonies or correctional institutions. Another 16 people at least were awaiting a verdict under house arrest. Over the course of 2023, verdicts were issued against at least 147 believers, and 47 of these were sentenced to actual imprisonment.

Overall context and statistics of prosecutions of Jehovah’s Witnesses in Russia

We wrote in detail about the history of prosecutions of Jehovah’s Witnesses^[39] inside Russia in our 2022 [report](#) ([Section 4.8.1](#)). Before 2017, the persecution amounted to bans on and closings of individual regional groups and the designation of the confession’s literature as extremist. A truly broad campaign of persecution against them began after 2017, when the Russian Supreme Court [designated](#) the Administrative Centre of the Jehovah’s Witnesses in Russia an extremist organisation, after which all the believers’ organisations still maintained in the country were added to the list of banned organisations.

Since then, hundreds of believers have encountered persecution. In the great majority of instances, they have been charged with the peaceful profession of their own faith: holding closed worship services in private spaces, discussing religious issues, possessing Bibles in the confes-

39 An international religious organisation that dates its history from the time the Bible Study circle was founded in the second half of the nineteenth century in the United States. Its followers are united by an understanding of Christianity that differs from the classic understanding – in particular, their rejection of the Holy Trinity.

sion's translation. The majority have been charged with organising the activity of an extremist organisation (**Art. 282.2, Part 1, CC RF**) or participating in it (**Art. 282.2, Part 2, CC RF**); other charges used have been those of recruiting for an extremist organisation (**Art. 282.2, Part 1.1, CC RF**) or its financing (**Art. 282.3, Part 1, CC RF**). We know of instances of cases being opened on a charge of inducing a minor into a criminal group (**Art. 150, Part 4, CC RF**). As a rule, in these instances it is a matter of children in Jehovah's Witnesses families. More than 500 Russian Jehovah's Witnesses have also [landed](#) on Rosfinmonitoring's list of extremists and terrorists (72 of them were added in 2023).

The charges brought against Jehovah's Witnesses frequently allow the organisation of prosecutions of entire communities and families for the joint discussion of religious themes and performance of rituals. *'Other family members who are not under investigation are frequently subjected to direct or indirect pressure. After searches, law enforcement officers question them and threaten to imprison their relative or even themselves if the person being questioned does not start to give the testimony the investigators need against their relative and fellow believers. More simply put, they are proposing that they become embedded agents, make hidden audio and video recordings of how believers discuss biblical teachings, pray together, and sing religious songs, so as later to call this the "activity of a banned religious organisation",'* [says](#) Yaroslav Sivulsky, a representative of the European Association of Jehovah's Witnesses.

In October 2021, the Plenum of the Supreme Court [explained](#) that actions *'consisting exclusively of exercising the right to freedom of conscience and freedom of confession, including by means of individual or joint profession of a religion and holding of services or other religious rites and ceremonies, do not in and of themselves constitute the crime provided for by Art. 282.2, Part 2, CC RF.'* Despite the clarification, law enforcement officers all over the country continue to persecute Jehovah's Witnesses exclusively for participation in religious assemblies, classifying them as *'holding conversations for the purpose of propaganda for the activities of a banned organisation and direct participation in events held [by the banned organisation].'* It is these kinds of actions that the Plenum's decision proposes classifying as participation in the activities of an extremist organisation.

In 2022, the European Court of Human Rights [recognised](#) the ban on Jehovah's Witnesses organisations in Russia and the pursuant prosecution of believers as unlawful and in violation of the rights to freedom of conscience, expression of opinion, and association, and also personal inviolability and respect for private property. However, this decision appeared after Russia refused to observe ECtHR resolutions. On 31 January 2023, the ECtHR [considered](#) seven more applications from Jehovah's Witnesses on the undermining of religious gatherings, searches, and detentions between 2010 and 2014. Once again, the court ruled the persecution of believers illegal and ordered they be paid compensation.

The 'Political Prisoners. Memorial' human rights project [recognises](#) those imprisoned on a charge of belonging to the Jehovah's Witnesses as political prisoners.

Gathering data gathering on the precise number of people prosecuted in Jehovah's Witnesses cases is complicated by the fact that the sole source of information exclusively dedicated to this issue is the website, [Jehovah's Witnesses. The Legal Situation in Russia](#), which includes in its statistics only those who continue to call themselves believers of this confession after the criminal case has been brought. The site's statistics do not include people who have renounced

their faith during interrogation, left the country, or been declared wanted, as well as other defendants such as, for example, believers' relatives.

The 'Political Prisoners. Memorial' human rights project is seeking to gather statistics on these defendants as well, however this is only possible if the names of the accused and the circumstances of their cases are made public, which does not always happen.^[40] At the same time, our information on several cases might be updated more slowly and less accurately than that of the website, [Jehovah's Witnesses. The Legal Situation in Russia](#). Therefore, here we shall also cite statistics from the latter source. It should be borne in mind, however, that these statistics constitute a minimal estimate. According to [data](#) gathered by the 'Political Prisoners. Memorial' human rights project, at least 837 Jehovah's Witnesses have been subjected to criminal prosecution under so-called anti-extremist articles in Russia (792, according to [Jehovah's Witnesses. The Legal Situation in Russia](#)). Of these, at the time this report was written (the figures are separated by a slash: first our data, then that from [Jehovah's Witnesses. The Legal Situation in Russia](#)):

- 385/325 people are awaiting sentencing (22/20 are held on remand, 16/14 are under house arrest);
- 108/112 people are in places of incarceration after their verdict or are performing compulsory work in correctional centres;
- 194/233 people were given a suspended sentence;
- 52/57 people were fined;
- 69/34 people were released after completing their sentence;
- criminal prosecutions were dropped against 20/22 people;
- 9/11 people died before the verdict was issued.

Prosecutions in 2023

According to the [Jehovah's Witnesses. The Legal Situation in Russia](#) website, in 2023, law enforcement officers conducted searches against the confession within the framework of cases at a minimum of 183 addresses and detained 43 people. The geography of the prosecutions continues to expand: in 2023 the first searches were recorded in [Leningrad Oblast](#), St. Petersburg, and [Kalmykia](#). As of the beginning of 2024, believers had encountered prosecutions in 73 regions of Russia, as well as in annexed Crimea and Sevastopol. Moreover, Russian state organs have been extending the repression to Ukrainian territory occupied since February 2022. In February we [learned](#) of the closure of the Jehovah's Witnesses centre in Kherson Oblast, which had been operating freely within the framework of Ukrainian legislation, and related searches.

We know of at least 105 new defendants in Jehovah's Witnesses cases in 2023. Of them, at the time this report was being written, four are being held on remand and 12 are under house ar-

40 As a rule, the websites of Russian courts, in providing information about prosecutions under [Art.282.2 CC RF](#) and [Art.282.3 CC RF](#), conceal the names of defendants.

rest. [Yury Terebilov](#) is serving three years in a strict-regime penal colony. He was convicted on a charge of participating in an extremist organisation (**Art. 282.2, Part 2, CC RF**) back in 2021, and in April 2023 a new charge was [brought](#) against him of recruitment into an extremist organisation (**Art. 282.2, Part 1.1, CC RF**) for conversations he had about his faith with his cellmate.

Defendants in new cases currently held on remand (at the time of the report's writing):

- in Kursk Oblast, [Dmitry Chausov](#);
- in Primorsky Krai, [Yury Byche](#), [Sergei Novosyolov](#)^[41], and [Kirill Chekolaev](#);

Defendants in new cases currently under house arrest (at the time of the report's writing):

- in Altai Krai, [Valery Klokov](#);
- in Kursk Oblast, [Nikolai Kupriyansky](#), [Oksana Chausova](#);
- in Leningrad Oblast, [Kirill Khabrik](#);
- in St. Petersburg, [Viktor Lapitsky](#);
- in Saratov Oblast, [Anton Bashabaev](#), [Aleksei Vasiliev](#), [Aleksei Yefremov](#);
- in occupied Crimea and Sevastopol, [Dmitry Zakharevich](#), [Maksim Zinchenko](#), [Aleksandr Kopylets](#), [Viktor Ursu](#).

As a rule, the prosecution requests a term of imprisonment for Jehovah's Witnesses. As we already noted in our 2022 report, the reasoning according to which courts issue their verdicts is unclear. However, there have been more than a few instances when judges have not followed the prosecutor's request and have sentenced believers to a milder punishment in the form of a suspended sentence or fines. Those charged with participating in an extremist organisation (**Art. 282.2, Part 2, CC RF**) without additional charges have not been sentenced to imprisonment, as a rule. Instances have been recorded, however, of harsher punishments being handed down than those requested by the prosecutor. Thus, in Chelyabinsk, [Yevgeny Bushev](#) was [sentenced](#) to seven years' imprisonment when the prosecution had asked for six.

In 2023, according to the statistics on the [Jehovah's Witnesses. The Legal Situation in Russia](#) website, verdicts were issued against 147 Jehovah's Witnesses. Of them, 47 individuals within the framework of 27 cases were sentenced to terms of imprisonment, a significant number of them to six years and more.

The harshest sentence was issued in Primorsky Krai against [Dmitry Barmakin](#): eight years in a penal colony under **Art. 282.2, Part 1, CC RF**. The persecution of the believer began back in 2018, when he was sent to a remand centre after a search. On the first hearing of the case, the judge returned the material to the prosecutor on account of the vagueness of the charge. The Prosecutor's Office had this decision dismissed on appeal, but in November 2021 the Pervorechensky district court wholly vindicated Barmakin. The Primorsky Krai Court then dismissed this verdict and sent the case for a new trial, as a result of which, in April 2023, Barmakin was sentenced to eight years in a penal colony. In August 2023, this sentence was dismissed on appeal and the case returned for a third hearing to the court of first instance. In December, the court of cassation, based on a complaint from the prosecutor, dismissed the decision to return

41 On 22 February 2024, Byche and Novosyolov were released from custody and placed under a ban on specific activities pending trial.

the case to the court of first instance and sent the case for a new hearing in the court of appeal, which in February 2024 confirmed the guilty verdict. Over six years of persecution, Barmakin had spent more than 500 days in all in a remand prison.

Other sentences to terms of imprisonment in Jehovah's Witnesses cases known to us in 2023:

- in Moscow, [Aleksandr Rumyantsev](#) was [sentenced](#) to seven and a half years in a general-regime penal colony, [Sean Pike](#) to seven years, and [Eduard Sviridov](#) to six and a half years in a penal colony under [Art. 282.2, Part 1, CC RF](#);
- also in Moscow in another case, [Anatoly Marunov](#) was [sentenced](#) to six and a half years in a general-regime penal colony under [Art. 282.2, Part 1, CC RF](#), [Sergei Tolokonnikov](#) to five years under [Art. 282.2, Part 1, CC RF](#) and [Art. 282.2, Part 1.1, CC RF](#), and [Roman Mareev](#) to four and a half years under [Art. 282.2, Part 1.1, CC RF](#);
- in yet another case in Moscow, [Ivan Chaikovskiy](#), [Vitaly Komarov](#), [Yury Chernyshyov](#), and [Sergei Shatalov](#) were [sentenced](#) to six years and three months in a penal colony under [Art. 282.2, Part 1, CC RF](#), and [Vardan Zakaryan](#) to four years and 3 months;
- in Chelyabinsk, [Yevgeny Bushev](#) was sentenced to seven years' imprisonment under [Art. 282.2, Part 1, CC RF](#);
- in Akhtubinsk (Astrakhan Oblast), [Rinat Kiramov](#), [Sergei Korolyov](#), and [Sergei Kosyanenko](#) were [sentenced](#) to seven years in a penal colony under [Art. 282.2, Part 1, CC RF](#) and [Art. 282.3, Part 1, CC RF](#);
- in Spassk-Dalny (Primorsky Krai), [Dmitry Malyovany](#) was [sentenced](#) to seven years in a penal colony, which an appeal later [reduced](#) by two months;
- in Taganrog, [Aleksandr Skvortsov](#) was [sentenced](#) to seven years in a penal colony and [Vladimir Moiseenko](#) to six years in a penal colony under [Art. 282.2, Part 1, CC RF](#); Skvortsov had previously fully served a suspended sentence of five and a half years, to which he had been [sentenced](#) in a Jehovah's Witnesses case in 2015;
- in Yalta in annexed Crimea, [Taras Kuzyo](#) was [sentenced](#) to six and a half years in a penal colony under [Art. 282.2, Part 1, CC RF](#) and [Art. 282.3, Part 1, CC RF](#), [Petr Zhiltsov](#) to six years and one month in a penal colony under the same articles, and [Sergei Lyulin](#) to six years under [Art. 282.2, Part 1, CC RF](#);
- in Kazan, [Konstantin Sannikov](#) was sentenced to six and a half years in a penal colony under [Art. 282.2, Part 1, CC RF](#) and [Art. 282.3, Part 1, CC RF](#);
- also in Kazan, sentenced to six years' imprisonment was [Aleksei Gerasimov](#) under [Art. 282.2, Part 1, CC RF](#);
- also sentenced to six years' imprisonment in Kazan was [Sergei Gromov](#) under [Art. 282.2, Part 1, CC RF](#) and [Art. 282.3, Part 1, CC RF](#);
- in Sovetsksaya Gavan (Khabarovsk Krai), [Aleksei Ukhov](#) was sentenced to six and a half years in a general-regime penal colony, but later on appeal the punishment was changed to an analogous suspended sentence;
- in Novosibirsk, [Valery Maletskov](#) was [sentenced](#) to six years in a penal colony under [Art. 282.2, Part 1, CC RF](#), [Marina Chaplykina](#) to four years under [Art. 282.2, Part 2, CC RF](#) and [Art. 282.3, Part 1, CC RF](#);

- in Tynda (Amur Oblast), [Vladimir Bukin](#), [Valery Slashchyov](#), and [Sergei Yuferov](#) were [sentenced](#) to six years and four months in a penal colony under **Art. 282.2, Part 1, CC RF** and **Art. 282.2, Part 1.1, CC RF**, [Mikhail Burkov](#) to six years and two months under just the first of those articles;
- in Sosnovoborsk (Krasnoyarsk Krai), [Yury Yakovlev](#) was sentenced to six years and two months in a penal colony under **Art. 282.2, Part 1, CC RF**;
- in Belov (Kemerovo Oblast), [Sergei Ananin](#) was sentenced to six years' imprisonment under **Art. 282.2, Part 1, CC RF**;
- in Oryol, [Vladimir Melnik](#), [Vladimir Piskaryov](#), and [Artur Putintsev](#) were [sentenced](#) to six years in a penal colony under **Art. 282.2, Part 1, CC RF** and **Art. 282, Part 2, CC RF**;
- In Sochi, [Danil Suvorov](#) was also sentenced to six years' imprisonment under **Art. 282.2, Part 1.1, CC RF** and **Art. 282.2, Part 2, CC RF**;
- In Belogorsk (Amur Oblast), 71-year-old [Vladimir Balabkin](#) was sentenced to four years in a penal colony despite the grave state of his health. Later, though, the appellate court [reclassified](#) Balabkin's actions from 'organising' an extremist organisation to 'participating' in it and reduced the sentence to one year suspended;
- In Maikop, [Nikolai Voishchev](#) was sentenced to three years in a penal colony under **Art. 282.1, Part 1, CC RF**;
- In Pskov, previously acquitted [Aleksei Khabarov](#) was sentenced to two years in a penal colony under **Art. 282.2, Part 2, CC RF**, and on appeal the sentence was reduced by two months;

A few people sentenced to terms of imprisonment were able to complete it in the time they were held on remand or under house arrest before the verdict was issued:

- [Andrei Bochkaryov](#) in Kazan, sentenced to three years and one month's imprisonment under **Art. 282.1, Part 1, CC RF**;
- [Maksim Morozov](#) and [Yury Usanov](#) in Taiga (Kemerovo region), [sentenced](#) to three years' imprisonment under **Art. 282.2, Part 2, CC RF**;
- [Boris Simonenko](#) in Kovrov (Vladimir Oblast), sentenced to two years and seven months' imprisonment under **Art. 282.2, Part 1, CC RF**;
- Also in Kovrov, [Roman Adestov](#) sentenced to one year and eleven months' imprisonment under **Art. 282.2, Part 2, CC RF**;
- In the same city, [Aleksei Kupriyanov](#) sentenced to one year's imprisonment under **Art. 282.2, Part 2, CC RF**.

At least two people charged under **Art. 282.2, Part 2, CC RF** were sentenced to compulsory work in a correctional centre in 2023: [Dmitry Dolzhikov](#) from Novosibirsk, sentenced to two years, and [Yury Chernykh](#) from Prokopievsk to three years.

As a rule, sentences against believers are confirmed in both appellate court and the court of cassation. However, in August 2023 the Altai Krai Court, on an appeal against the May sentence imposed on [Pavel Kazadaev](#) and at the prosecutor's request, [changed](#) a three-year suspended sentence to an analogous term in a general-regime penal colony. He had been accused

of participating in an extremist organisation (**Art. 282.2, Part 2, CC RF**). We do not know what guided the court in assigning a term of imprisonment under the same article under which many Jehovah's Witnesses are given a fine.

In November, on appeal the sole acquittal of which we know for Jehovah's Witnesses in 2023 was dismissed: the case against **Ivan Sorokin** and **Andrei Zhukov** from the Khanty-Mansi autonomous district was sent for a retrial. At the prosecutor's representation, also sent for a retrial was the case of **Lyubov Kocherova** and **Lyubov Ovchinnikova** from Khabarovsk Krai, who had previously been given a six-year suspended sentence. The prosecution is asking that they be sentenced to a term of imprisonment.

In March 2023, the Russian Supreme Court dismissed the 2022 acquittal of **Aleksandr Pryanikov** and **Venera** and **Darya Dulova** and sent the case for a retrial at the appellate court. The Sverdlovsk Oblast Court returned the criminal case to the prosecutor, but the court of cassation dismissed this decision and returned the case to the court of second instance, where its examination is now ongoing.

We noted above a number of instances of reductions in sentences in which believers had been sentenced to terms of imprisonment. Also in March 2023, the Stavropol Krai Court reduced the sentence against two believers: **Viktor Zimovsky** and **Anatoly Gezik** had their sentences of six years and two months in a general-regime penal colony and four years and two months of compulsory work (not in custody), respectively, changed to suspended sentences of the same duration. The latter's spouse, **Irina Gezik**, had her suspended sentence of four years and two months left unchanged. After the decision was issued, Zimovsky was released from the remand prison where he had been since the court of first instance issued its decision in November 2022.

Quite often, the [Jehovah's Witnesses. The Legal Situation in Russia](#) website notes a positive attitude among Federal Penitentiary Service officers and other prisoners toward believers. However, these instances are not to be found everywhere. We know that in some penal colonies prisoners encounter penalties, placement in punishment cells, and other measures of pressure. For example, **Yevgeny Zinich**, a Jehovah's Witness from Krasnoyarsk, who in 2022 was sentenced to six years in a general-regime penal colony under **Art. 282.2, Part 1, CC RF**, found himself in such a situation. In March 2023, he was transported to Penal Colony No. 15 in Nizhnevartovsk, where over the course of five months he was sent to the punishment cell four times and then transferred to a prison-type isolation cell, and then to strict conditions of custody. Zinich also reported that he had not been given all his letters from relatives. In July, Zinich was transferred to Strict-regime Penal Colony No. 11 in Surgut, where he was sent to the 'strict conditions of custody' barracks and then also moved to a prison-type isolation cell. As [Jehovah's Witnesses. The Legal Situation in Russia](#) reported, Zinich was held continuously in a solitary cell and also regularly sent to the punishment cell.

An unusual instance of the violation of prisoners' rights is the situation at Penal Colony No. 5 in Rubtsovsk (Altai Krai). Being held there at the present time are four men convicted in various cases: **Aleksandr Putintsev**, **Pavel Kazadaev**, **Anton Olshevsky**, and **Aleksandr Seryodkin**. Putintsev was sent to a punishment cell and then to the 'strict conditions of custody' barracks *even after his transfer in 2022, which was explained by the fact that 'he was put under observation as inclined to spread extremist ideology.'* The remaining believers who landed in a penal colony

in 2023, also immediately after their arrival were sent to the punishment cell or placed under 'strict conditions of custody.' According to a report by [Jehovah's Witnesses. The Legal Situation in Russia](#), this is related to the fact that, by the internal rules of the penal colony, Jehovah's Witnesses are forbidden to interact with each other, therefore they cannot be sent among the general population of prisoners.

Among other groups of people persecuted for political motives, the Jehovah's Witnesses stand out due to their higher average age. According to [statistics](#), since 2017, 205 believers subjected to criminal prosecution were over 60 years old. This is more than a quarter of all prosecuted Jehovah's Witnesses. Problems with rendering medical assistance in penitentiary institutions affects all prisoners, but for this category they can often be more acute due to [hypertension](#) and other problems connected with advanced age. Due to their political status, the prisoners also may find themselves in the even harsher conditions of punishment cells. Thus, in October 2023, 60-year-old [Alam Aliev spent](#) ten days in a punishment cell in a pre-infarction condition, after which he was finally [hospitalised](#). Sixty-seven-year-old [Nikolai Voishchev](#) from Adygea was [refused](#) release from the punishment cell even though doctors had stated the necessity for urgent examination and treatment due to discovery of a tumour.

The investigator [refused](#) 60-year-old [Viktor Chernov](#) from Primorsky Krai permission to leave the settlement, which Chernov could not leave under a ban on specific actions pending trial, though in the settlement itself Chernov could not get essential medical assistance. He had been diagnosed with type 2 diabetes and a tumour in his abdominal cavity, and also during the investigation he had injured his knee. Often for defendants in criminal cases, receiving additional medical assistance on the outside is limited by their financial situation. Thus, after Chernov was added to the Rosfinmonitoring register, all his credit cards were blocked, and his job search in these circumstances has been seriously limited due to employers' attitudes.

In August 2023, 61-year-old [Sergei Ushakhin](#) from Syktyvkar, who suffered from insulin-dependent type 2 diabetes, [passed away](#) after an abrupt deterioration in his health. After a search at his home in March 2021, he was detained but then released under travel restrictions. At the time of death, his trial was underway. At his spouse's request, the case was not dropped due to the defendant's death so as to maintain the possibility for his acquittal and rehabilitation.

Pressure on the Jehovah's Witnesses continues even after the main punishment has been served. Apart from the fact that additional restrictions on their freedom are tacked on for the majority of believers, some of them may also encounter loss of citizenship and deportation. For example, in September 2023, Federal Migration Service officers [deported Rustam Seidkuliev](#) to Turkmenistan. While he was serving his sentence, the Russian citizenship he had acquired was annulled on the initiative of the FSB. Seidkuliev had come to Russia more than 20 years ago, after his stepfather had been deported from Turkmenistan to Russia on account of his religion.

4.8.2 Prosecutions for involvement in Hizb-ut-Tahrir

- The Sunni political party Hizb-ut-Tahrir was founded in 1953 by Takuddin an-Nabhani, a judge in the Shariat appellate court in Jerusalem. The organisation's goal is to facilitate Muslims' return to the Islamic way of life, which is founded on the rules of Shariat, and on spreading the Islamic faith in the world by means of jihad. According to the party's philosophy, this will be possible with the rebuilding of the caliphate (a theocratic state that unites all Islamic countries).

People do not know the timeframe for the caliphate's reconstruction, nor do they know the place that will be the 'point for the dissemination of the Islamic call.' Until the caliphate's resurrection, the organisation rejects violent methods of struggle and engages only in spreading their ideas among Muslims. If an Islamic state does appear, it is assumed that it will wage war as the 'practical method of calling.'

In Europe, Hizb-ut-Tahrir is banned only in Germany (due to its rejection of the right of the State of Israel to exist). As it says in the 2012 ECtHR decision in the 'Hizb-ut-Tahrir case and others against Germany,' in Germany, participation in the banned organisation can lead to a year's imprisonment.^[42]

In 2003, the Russian Supreme Court banned Hizb-ut-Tahrir and designated it as a terrorist organisation, citing the fact that it engages in 'militant Islamist propaganda in conjunction with intolerance for other religions.' The decision does not mention terrorist acts, attacks, or violent crimes. The 'Political Prisoners. Memorial' human rights project considers this Supreme Court decision unfounded.

In the years 2004-2013, Hizb-ut-Tahrir participants were prosecuted primarily on a charge of belonging to a banned organisation (**Art. 282.2 CC RF**). The maximum sentence given was eight years in a penal colony. Many defendants received suspended sentences.

After the end of 2013, an article was introduced into the Russian Criminal Code on belonging to a terrorist organisation (**Art. 205.5, Parts 1 and 2, CC RF**) that substantially harshened the punishments and increased the scale of the prosecutions as well. Under this article, it is impossible at present to be given a punishment of less than 10 years in a penal colony and especially one not connected to imprisonment. Meanwhile, in all the cases known to us, the defendants are accused merely of studying the philosophy of political Islam, participating in meetings, and agitating for other people to join them.

Often apart from the 'terrorist organisation' charge, defendants are accused of planning a violent seizure of power (**Art. 30, Part 1, CC RF, and Art. 278 CC RF**), based merely on the fact that one of the organisation's hypothetical goals is to come to power someday in some country; as well as aiding terrorism (**Art. 205.1 CC RF**) in connection with attracting new support or collecting funds to print brochures.

42 In January 2024, Hizb-ut-Tahrir was [banned](#) in Great Britain as a terrorist organisation.

In late 2018, a provision was [added](#) to Art. 58 CC RF that prescribes courts to sentence people convicted including under Art. 205.5 CC RF to serve a portion of their term of imprisonment, not less than one year, in a cell-type prison. A cell-type prison is the harshest possible type of correctional institution in which prisoners are held in closed cells with maximum restrictions on visits and packages.

According to incomplete data from the 'Political Prisoners. Memorial' human rights project, as of the end of 2023, no fewer than 310 individuals had been imprisoned on charges of involvement in Hizb-ut-Tahrir (as of the end of 2022, at least 302). Of these 310, 271 were convicted (in 2022, there were 247), at least 141 to terms of 10-15 years' imprisonment, and 101 to terms of more than 15 years. At least 29 people were under investigation, or their trials were on-going. Of these, two were under house arrest (Crimea residents [Aleksandr Sizikov](#) and [Seityaag Abbozov](#)), and the rest had been taken into custody. The defendants under house arrest during the investigation are people with a disability or serious illnesses (Sizikov, for instance, is blind), meanwhile many other defendants with disabilities or in need of treatment are held on remand or in penal colonies. One of those convicted, [Amet Suleimanov](#), who when the verdict went into effect was under house arrest, was taken into custody in 2023 and sent to a penal colony despite his disability and heart disease, which requires an operation.

Crimean Tatar [Dzhemil Gafarov](#), who suffered from kidney insufficiency, died on remand in February 2023. A month before this he was sentenced to 13 years in a strict-regime penal colony. While in detention his health deteriorated significantly (before arrest he was in disability group III, but in detention he was assigned to group II). His legal defence was never able to obtain hospitalisation for Gafarov in a civilian hospital, and the medical staff at the remand prison never gave him a thorough examination or treatment.

For at least three months over the course of 2023, [Timur Yalkabov](#), sentenced to 17 years, was in a [punishment cell](#) despite his disability (group III). Sentenced to 12 years, [Eldar Kantimirov](#) spent at least two months in a punishment cell, where he [began](#) to have pains in his lower back and spine. Sentenced to 17 years, [Rustem Emiruseinov](#) was hospitalised, where they discovered symptoms of type 2 diabetes. Sentenced to 12 years, [Seiran Khairedinov](#) was hospitalised in a critical condition, presumably with a rare skin disease. Human rights activist [Emir-Usein Kuku](#), sentenced to 12 years, was [taken to hospital](#) due to an attack of kidney pain. [Abdukakhor Mumindzhanov](#), who despite his illnesses – hypertension, epilepsy, and problems with his heart and vision – was sent to a [punishment cell](#), and several diseases were removed from his medical chart, as if he had been cured in the penal colony, but he was still [transferred to the prison hospital](#). They [discovered cataracts](#) in both of [Rustem Seitmemov's](#) eyes. [Timur Ibragimov](#) [required](#) an ocular implant replacement. Apart from those named, at least nine people convicted of involvement in Hizb-ut-Tahrir complained during 2023 of deteriorating health and a lack of treatment.

Over the course of 2023, verdicts were issued against at least 20 defendants for belonging to Hizb-ut-Tahrir (in 2022, at least 45). One of them, [Murat Mustafaev](#), was given an atypically short sentence for such cases of four years in a strict-regime penal colony. This is explained by the fact that he admitted his guilt and agreed to a plea bargain. The others were given from nine and a half to 20 years in a strict-regime penal colony, with the majority of them to serve between two and five years in a cell-type prison.

Verdicts for three people ([Radik Talipov](#), [Timur Khabibullin](#), and [Farit Kharisov](#) – 12, 11, and 16 years' imprisonment in a strict-regime penal colony, respectively) were issued within the framework of a case opened in Ufa. All the other cases that reached verdicts in 2023 were opened in annexed Crimea or Sevastopol. In addition to the above-mentioned Mustafaev, convicted were:

- Figures in the biggest Hizb ut-Tahrir case, the '[second Simferopol](#)' – [Servet Gaziev](#), [Dzhemil Gafarov](#), [Alim Karimov](#), [Seiran Murtakh](#), and [Erfan Osmanov](#) (13 years apiece; Gafarov, as was stated above, died a month after the verdict);^[43]
- imam [Raif Fevziev](#) (17 years);
- [Ametkhan Abdulvapov](#) (10 and a half years);
- [Aleksandr Sizikov](#) (17 years), [Alim Sufyanov](#) and [Seiran Khairedinov](#) (12 years each);
- [Ernes Seitosmanov](#) (17 years);
- [Zavur Abdullaev](#), [Dzhebbbar Bekirov](#), and [Rustem Murasov](#) (12 years each), and [Rustem Tairov](#) (17 years);
- [Ansar Osmanov](#) (20 years).

In addition, in late April in Nizhnevartovsk, [Eduard Khusainov](#), who had been convicted but went into hiding for several years, was detained. In 2017, the Privolzhsky District Military Court had [sentenced](#) him and three other Nizhnevartovsk residents – [Ruslan Shamsutdinov](#), [Rinat Bagaveev](#), and [Ildar Gabdrakipov](#) – to suspended sentences and fines on charges of participating in the activity of a terrorist organisation and inciting hatred (**Art.205.5, Part 2, CC RF** and **Art.282, Part 1, CC RF**). The Prosecutor's Office appealed this decision, and in July 2017 the Supreme Court [assigned](#) all the defendants to terms of imprisonment without fines. Khusainov was sentenced to six and a half years in a strict-regime penal colony. At the time, all those convicted had been able to go into hiding. The three other convicted men are still wanted.

The 'Political Prisoners. Memorial' human rights project knows of 12 new detainees in 2023 on charges of participation in Hizb ut-Tahrir. All the arrests occurred in Crimea (in 2022, at least 11 new defendants were arrested, of them, 10 in Crimea) six of them in Dzhankoi ([Osman Abdurazakov](#), [Aider Asanov](#), [Leman Zekeryaev](#), [Ekrem Krosh](#), [Khalil Mambetov](#), and [Refat Seidametov](#)) and six in Bakhchisaray ([Ruslan Asanov](#), [Seidamet Mustafaev](#), [Remzi Nimetulaev](#), [Abdulmezhit Seitumerov](#), [Ametkhan Umerov](#), and [Eldar Yakubov](#)).

In 2023, we also learned about a new case against the previously convicted [Azat Gataullin](#) from Kazan, who was [sentenced](#) in 2020 to 19 years in a strict-regime penal colony on a charge of belonging to Hizb ut-Tahrir. This time he was accused of public justification of terrorism and inducement to engage in terrorist activity – evidently on the basis of conversations with other prisoners.

Overall, it is in annexed Crimea that Russian authorities have been carrying out the most wide-scale repression in cases connected with Hizb-ut-Tahrir. As of the end of 2023, 97 local supposed supporters of the banned organisation had been imprisoned (as of the end of 2022, 94).

43 The rest of the 20 defendants in the case, those law enforcement officers were able to detain, were sentenced in 2022.

In second place is Tatarstan; at least 60 people from that region were imprisoned. In third place is Bashkortostan: at least 47 imprisoned.

Also accused of organising the activity of Hizb ut-Tahrir was [Bakhrom Khamroev](#), a human rights activist and member of the dissolved Memorial Human Rights Centre who on 9 June 2023 was sentenced to 14 years in a strict-regime penal colony. For more detail about his case, see [Section 4.4.1](#).

4.8.3 Prosecutions of other religious communities

In 2023, as in previous years, followers of the Turkish theologian Said Nursi were prosecuted for belonging to an extremist organisation ([Art. 282.2 CC RF](#)). The Russian authorities consider them participants in the Nurcular organisation, which has never existed in Russia.

We know of verdicts issued in 2023 against nine supposed followers of Nursi. On 13 March, in Naberezhnye Chelny, [Khunar Agaev](#) and [Aidar Sageev](#), accused of organising the activity of an extremist organisation ([Art. 282.2, Part 1, CC RF](#)), were [sentenced](#) to two and a half years in a general-regime penal colony apiece, and [Amrakh Akhmedov](#), convicted of participating in the activity of an extremist organisation ([Art. 282.2, Part 2, CC RF](#)) was given an 18-month suspended sentence. Agaev and Sageev, who had been in custody since autumn 2023, were evidently released before the end of 2023. [Sentenced](#) on 27 June in Moscow to six and a half years in a general-regime penal colony were [Mukazhan Ksyupov](#), [Yevgeny Tarasov](#), [Parviz Zeinalov](#), and [Urdash Abdullaev](#), whom the court considered organisers of the activities of an extremist organisation, while [Ilmir Abdullin](#) and [Nikolai Nesterovich](#), who were accused of participating in such activities, were given two years and seven months in a penal colony (the last two were evidently released before the end of 2023).

Moreover, in the summer in Moscow two people were detained: Dagestan resident [Zurab Dzhabrailov](#), whom the investigation considered organiser of the activities of a Nurcular cell, and [Dzheikhun Rustamov](#), a supposed participant in the cell's activities. Both were [taken into custody](#), and their case is already being heard by the court. The Investigative Committee has reported that to detain them law enforcement officers conducted a raid on a fight club in the southeast of the capital and verified that more than 100 people from Central Asia were there.

On 24 August, a verdict was issued in the [St. Petersburg Scientologists case](#). All five were convicted of organising an extremist group ([Art. 282.1, Part 1, CC RF](#)), of demeaning human dignity as part of an organised group ([Art. 282, Part 2 \[c\], CC RF](#)), and of illegal business as part of an organised group yielding income in an especially large amount ([Art. 171, Part 2 \[a, b\], CC RF](#)). [Ivan Matsitsky](#) was sentenced to six and a half years in a general-regime penal colony and the rest were fined: [Galina Shurinova](#) 1.3m roubles, [Anastasia Terentieva](#) 1.2m roubles, [Sakhiliev](#) 1m roubles, [Konstantsia Yesaulkova](#) 600,000 roubles. They were all released from their punishments because the statute of limitations had run out. Memorial had previously recognised that Scientologists were being persecuted for the peaceful exercise of their right to freedom of conscience and association. The investigation considers demeaning human dignity to mean

the internal restrictions on parishioners who violate the Church of Scientology's activities, extremism to mean activities based on the books of Ron Hubbard, which have been designated as extremist, and illegal business to mean the unofficial rendering of paid services (meanwhile, the state does not let Scientologists register a legal entity).

Also used actively against representatives of religious organisations in 2023 was the article in the Russian Criminal Code on the activities of an 'undesirable organisation' (**Art. 284.1 CC RF**). Verdicts have been handed down in the cases of at least five people for belonging to New Generation, an evangelical Christian church (four organisations connected with it were designated undesirable in 2021). On 4 April 2023, [Nikolai Bogoslavsky](#), a pastor from Anapa, was [sentenced](#) to a year in a low security penal colony, and on 15 June on appeal he was also banned from engaging in civic and political activities, including with the help of the Internet, for seven years. On 5 May 2023, Novorossiisk resident [Boris Goncharenko](#) was [given](#) a two-year suspended sentence. On 18 July 2023, Ramensky district court outside Moscow [sentenced](#) pastors [Nikolai Ulitin](#) and [Svyatoslav Yugov](#) to six months in a general-regime penal colony. Ulitin was taken into custody in 2022, a search was conducted of Yugov's home in 2022, and in 2023 he was taken into custody. Another verdict also connected with New Generation, evidently, was [issued](#) in the same Ramensky court on 29 September 2023 against an unidentified person; the details are also unknown.

Bogoslavsky and Goncharenko were charged under **Art. 284.1, Part 1, CC RF** with participating in the activity of an undesirable organisation. Prosecution on this charge is possible given at least one previous conviction that has entered into force under the analogous administrative article, **Article 20.33 CAO RF**. The pretext for the administrative prosecution of both, as well as of Yugov and dozens of other people (in particular, Ulitin's two children), was a conference of New Generation pastors that took place in Ramenskoye in December 2021. Ulitin, Yugov, and the unknown person were accused of organising the activity of an undesirable organisation (**Art. 282.1, Part 3, CC RF**). Prosecution under this part of the article does not require a preceding administrative conviction. Yet another case on participating in the activity of an undesirable organisation in connection with involvement in New Generation was opened against Barnaul resident [Aleksei Moiseev](#)^[44] and in late 2023 two cases went to trial – in Prokopyevsk (Kemerovo Oblast) against [Sergei Mikhalyov](#)^[45] and [Oleg Sharin](#).

[Denis Shibankov](#), president of the Mixed Martial Arts Federation of Yaroslavl Oblast, was [sentenced](#) on 28 July 2023 to 300 hours of compulsory work in his free time on a charge of disseminating information about organisations of the Falun Gong religious movement, which have been designated undesirable. Before this, in 2010, he was convicted of the analogous administrative-law offence.

In October 2023 in Moscow, three people were [detained](#) on a charge of organising the activity of Rebirth, a Ukrainian church. The religious organisation itself, as well as the philanthropic fund set up by its founder, were designated undesirable in 2022. Citing case materials, TASS [reported](#) that *'in the course of surveying adepts of the sect and their close relatives, numerous facts were established of harm to participants' health, facts were recorded of their referrals to medical*

44 On 30 January 2024, [sentenced](#) to a year and half suspended.

45 In February 2024, evidently, [sentenced](#) to a year of compulsory work.

institutions with the presentations of conclusions about psychological disorders' as a result of visiting the meetings and that 'at the present time, Russian cells are acting as an instrument for the formation of a protest electorate in the country.' [Mikhail Koval](#) was remanded in custody and [I. Nagornov](#) and [N. Ukhov](#) were placed under house arrest.

Furthermore, in 2023, five religious organisations were deemed undesirable: the Covenant of Churches of the Transformation Centre Covenant Network, which was founded in the United States; the Allatra international civil society movement, founded in Ukraine; and three organisations connected with the Jehovah's Witnesses.

4.9. Cases on terrorism

In this section we are concerned with politically motivated prosecutions based on accusations of terrorist activity, with the exception of cases opened in response to conscious anti-war protests (these are considered in [Section 2.3](#)).

The Tyumen case

In 2023, the prosecution of defendants in the 'Tyumen case' [continued](#). We learned about the case in late August 2022, when mass searches were conducted in Tyumen, Yekaterinburg, and Surgut at the homes of local anti-fascists. At the time, law enforcement officers detained six people: [Kirill Brik](#) and [Deniz Aidyn](#) in Tyumen, [Yury Neznamov](#) and [Danil Chertykov](#) in Yekaterinburg, [Nikita Oleinik](#) and [Roman Paklin](#) in Surgut. Their locations were unknown for almost a month. Only on 4 September did Neznamov manage to make contact and report that the detainees were in Tyumen.

Nikita Oleinik was charged with creating a terrorist group ([Art. 205.4, Part 1, CC RF](#)) and all the others with participating in it ([Art. 205.4, Part 2, CC RF](#)). Originally, Brik and Aidyn were also charged with manufacturing an improvised explosive device ([Art. 223.1, Part 2, CC RF](#)).

In July 2023, a new [charge](#) of planning an act of terrorism was brought against all six defendants ([Art. 205, Part 2, CC RF](#) in conjunction with [Art. 30, Part 1, CC RF](#)). In December, a further charge was [added](#) against them all of illegal manufacture of explosive substances as part of an organised criminal group ([Art. 223.1, Part 3, CC RF](#)) and the illegal possession of explosive substances or explosive devices as part of such a group ([Art. 222.1, Part 4, CC RF](#)).

[According to the investigators](#), out of 'his hatred for the present state regime,' Oleinik 'created a terrorist group.' Over the course of a year, as the prosecution asserts, he drew his friends into this group in order 'to carry out terrorist activity' in Tyumen and Sverdlovsk Oblasts and the Khanty-Mansi autonomous district, including terrorist acts on rail lines carrying Russian military equipment.

In the course of a search at Oleinik's home, pellet guns and smooth-bore guns were seized. Oleinik asserted he had permission to have the weapons. Electronic devices and books were also seized and, by all accounts, a packet of saltpetre was planted.

The investigators consider Brik and Aidyn to be manufacturers of explosives. During the search, the authorities allegedly found an improvised explosive device at the young men's home. The law enforcement officers believe the anti-fascists were planning to test it in the vicinity of the Tyumen thermal power station.

Chertykov, a veterinarian from Yekaterinburg, was allegedly the group's doctor and supplied participants with various materials.

All six anti-fascists [stated](#) they had been tortured, after which they had given confessions. In the summer of 2023, the Leninsky district court upheld the Investigative Committee's refusal to investigate the allegations of torture used against [Deniz Aidyn](#) and [Yury Neznamov](#).

In this case the defendants and their lawyers have frequently reported pressure. We know that back in 2022, law enforcement officers put pressure on Paklin to get him to reject his independently contracted defence lawyer. In December of the same year, nondisclosure agreements were [taken](#) from four lawyers. They were forbidden to report information from the preliminary investigation, although no new materials whatsoever had appeared in the case since the moment it was opened. The lawyers believe that in this way the investigation hopes to conceal evidence of torture as well as the absence of evidence in the case.

Friends and supporters of those prosecuted consider the case fabricated. By all accounts, it can be considered in the same category as other cases against Russian anti-fascists and anarchists ([Azat Miftakhov](#), [the Network group](#)), which by force of their known and emphatic hostility toward the state have been accused, or attempted to have been accused, without grounds of involvement in dangerous activity. These cases have been accompanied by the use of force by law enforcement agencies.

In February 2023, Kirill Brik [rejected](#) the lawyer a support group had found for him. Activists assisting the defendants in the case believe that Brik made that decision under pressure from law enforcement officers. Later, Brik [reached](#) a plea bargain with the investigation, and it was reported that they may have tortured him. Law enforcement officers offered to reach the same kind of agreement with Roman Paklin^[46] and Deniz Aidyn.

Acquaintances of the defendants in the case have also come under pressure, too. In May, several people in Yekaterinburg and Surgut were [summoned](#) for questioning and interviews. In August, the home of [Leonid Bondarenko](#), a friend of Nikita Oleinik, was [searched](#). Bondarenko was detained and questioned for about four hours. During the search, force was used against him, and during the interrogation they threatened that *'they would cripple him, declare a counter-terrorist operation, and kill him.'* In addition, they sought to intimidate Bondarenko for having collected money to pay for lawyers for the defendants in the case. In October, Bondarenko [left](#) Russia after threats were made to charge him with financing terrorism ([Art. 205.1 CC RF](#)).

Prosecutions for financing terrorism

You can read about the prosecution of Dagestan journalist [Abdulmumin Gadzhiev](#) in [Section 4.6](#). In September 2023, Rostov District Military Court [sentenced](#) him to 17 years' imprisonment,

46 In 2024 we learned that Paklin had been deemed incompetent. His prosecution was halted.

and lawyer [Abubakar Rizvanov](#) and businessman [Kamil Tembaev](#), as part of the same case, to 18 and 17 and a half years, respectively. All three were convicted of participating in the activity of a terrorist organisation ([Art. 205.5, Part 2, CC RF](#)), organising its financing ([Art. 205.1, Part 4, CC RF](#)), and participating in an extremist organisation ([Art. 282.2, Part 2, CC RF](#)). Memorial has [recognised](#) all three as political prisoners. The case has also drawn attention because Gadzhiev is being prosecuted for his professional activity, but his case also makes sense to consider in the context of the years-long history of persecution of Muslims.

In February 2023, [Aslambek Ezhaev](#), the head of Umma, a Russian publisher of Islamic literature, was [sentenced](#) to 17 years in a penal colony. He was also convicted of organising the financing of terrorist activity ([Art. 205.1, Part 4, CC RF](#)). According to the investigators, for nearly 10 years Ezhaev had been taking money from Russia to Turkey to hand over to the terrorist organisation ISIS. Ezhaev did not admit his guilt and called the case fabricated. The verdict was based on the testimony of 15 witnesses, 12 of whom were classified. Memorial [found](#) evidence of political motivation in the case against Ezhaev.

Prosecutions of migrant workers for terrorism

In 2023, we learned of at least two prosecutions for terrorist offences of migrant workers residing in Russia.

In early November 2023, the Second Western District Military Court [sentenced](#) Tajikistan citizen [Merob Khaitov](#) to 12 years' imprisonment on charges of planning a terrorist act, organising a terrorist group, organising the activity of a terrorist organisation, and the illegal manufacture of explosive substances. According to the FSB, he and six other people allegedly were planning to bomb the FSB building on the Lubyanka in 2020, *'to shoot visitors and passers-by, and also to demand the withdrawal of Russian troops from Syria.'* The investigators believe they are ISIS supporters.

The case against Khaitov was put into a separate proceeding since he had entered into a plea bargain and *'wholly admitted his guilt, effectively helped uncover a crime, and gave testimony against the remaining six figures.'*

The other defendants in the case were detained on 5 April. Five of them are also natives of Tajikistan. These are [Manuchekhr](#) and [Razhabali Buriev](#), [Abdumalik Samiev](#), [Samandar Toshmurodov](#), and [Abdukodir Toirov](#). The sixth defendant in the case, [Gadzhimurad Gasanaliev](#), was born in Dagestan and has a previous record. They were all given prison terms ranging from 19 to 25 years. Before being detained the men were working as labourers on construction sites and as couriers in Moscow. Five of them [did not admit](#) their guilt, and another admitted his guilt partially.

The defendants' lawyers insist that the case is politicised and the crimes themselves were provoked by the Russian special services. There were no reports of torture against the defendants in the case.

In December 2023, the Second Western District Military Court [issued](#) verdicts against the defendants, who were given the following sentences: Manuchekhr Buriev, 22 years' imprisonment; Samandar Toshmurodov, 20 years' imprisonment; Gadzhimurad Gasanaliev, 19 years' impris-

onment; Abdukodir Toirov and Abdumalik Samiev, 17 years' imprisonment each; and Radzhabali Buriev, 16 years' imprisonment.

Another similar case was opened in Yekaterinburg. The FSB [detained](#) 15 citizens of Tajikistan in September 2021. The men were tortured, human rights activist Valentina Chupik [reported](#).

'They went into the apartment, frightening and hitting the children, put bags over their heads, and blindfolded them. They took them to different police stations,' Azizmurod Musofirov, the uncle of one of the detainees, told Valentina Chupik.

Ten of those detained were deported and five were remanded in custody on suspicion of organising a terrorist group. In February 2023, their case [went](#) to the Central Military District Court.

The FSB asserts that [Abubakr Sangcharov](#), [Sanginmurod Musofirov](#), [Shakhromdzhon Musofirov](#), [Anvarsho Avezov](#), and [Nurali Dustov](#) were planning to create a Taliban cell in Yekaterinburg and had recruited other members. The security services said the goal of the detainees was to commit terrorist acts against non-believers. The defendants in the case are charged with attempting to commit a terrorist act by a group of individuals by preliminary agreement (**Art. 205, Part 2 [a], CC RF** in conjunction with **Art. 30, Part 1, CC RF**), holding training for the purpose of carrying out terrorist activity (**Art. 205.3 CC RF**), the illegal manufacture of explosive substances (**Art. 223.1, Part 3, CC RF** in conjunction with **Art. 30, Part 1, CC RF**), organising a terrorist group (**Art. 205.4, Part 1, CC RF**), organising the activity of an organisation that, according to Russian legislation, has been designated as terrorist (**Art. 205.5, Part 1, CC RF**), and facilitating terrorist activity (**Art. 205.1, Part 1.1, CC RF**).

The relatives of the defendants believe the charges are fabricated and unfounded. They state that the defendants are not terrorists, but had come to Russia to earn money. According to their relatives, the detained men were not allowed to telephone, were not allowed to hire a lawyer and interpreter, and were forced to sign documents whose meaning they did not understand, as well as being subjected to torture.

The 'Political Prisoners. Memorial' human rights project is not familiar with the details of the case and cannot draw conclusions as to its political nature.

The case of the Ufa Marxists

The prosecution of the Ufa Marxists continued. Five participants in the Marxist circle – [Yury Yefimov](#), [Pavel Matisov](#), [Rinat Burkeev](#), and [Aleksei Dmitriev](#), and [Dmitry Chuvilin](#), a deputy in the Legislative Assembly of the Republic of Bashkortostan – were [detained](#) in March 2022 after searches at at least 12 addresses of Ufa activists. In late March 2022 they were [taken](#) into custody.

According to the investigation, members of the Ufa Marxist circle were studying the works of Karl Marx, Friedrich Engels, and Vladimir Lenin and, as a result, had concluded that a revolution was needed. The prosecution believes that the group's participants were planning an attack on law enforcement bodies and military units, the seizure of military weapons, the commission of terrorist acts, and a seizure of power.

The investigators believe Pavel Matisov, a member of the circle who in 2014 fought as a volunteer in one of the battalions of the so-called Luhansk People's Republic, is the organiser of the terrorist group. He is charged with organising the activity of a terrorist group (**Art. 205.4, Part 1, CC RF**), while the others are charged with participating in it (**Art. 205.4, Part 2, CC RF**). In addition, Efimov and Dmitriev were charged with making public calls to engage in terrorist activity (**Art. 205.2, Part 2, CC RF**). In March they were all [presented](#) with the indictment in its final version. However, the trial has yet to begin: the first hearing was twice [postponed](#).^[47]

Subsequently, the defendants in the case were also charged with planning a violent seizure of power (**Art. 278 CC RF** in conjunction with **Art. 30, Part 1, CC RF**) and planning to steal weapons (**Art. 226, Part 4 [a], CC RF** in conjunction with **Art. 30, Part 1, CC RF**). Besides this, Matisov was additionally charged with inducing and recruiting people for a violent seizure of power (**Art. 205.1, Part 1, CC RF**) and illegally acquiring and possessing explosive substances (**Art. 222.1, Part 1, CC RF**). Burkeev, Chuvilin, Dmitriev, and Efimov were also incriminated with training for the purpose of carrying out terrorist activity (**Art. 205.3 CC RF**).

The investigation believes that evidence that circle participants were planning an armed seizure of power is contained in three texts and video recordings published on the circle's VK group in the years 2019-2021. In one of the videos, the circle's proclaimed programme is read out loud, and in the second an activist states that Russia has been occupied by capitalists and calls for an overthrow of capitalism.

In November 2022, Chuvilin [talked](#) about threats from an FSB colonel who promised to 'create problems in custody' for him. In March 2023, Chuvilin said that law enforcement officers had used force against him and other circle members. In June he wrote a letter from the remand prison saying that he and the others accused had been [forced](#) to familiarise themselves with the case materials at an accelerated pace. 'The investigation led by Captain Kolpakov is obviously overdoing its methods of putting pressure on us so that the defendants in the case are unable to find out what they were actually accused of,' Chuvilin wrote.

— Below we discuss cases connected with the bombing of the Crimean Bridge, as well as the murder or attempted murder of well-known Russian public figures. The obvious political motive of the crimes themselves engenders a political motivation for prosecuting the individuals accused of committing them. At the same time, we know that during the investigation of real and supposed politically motivated crimes the rights of the accused have been crudely violated, torture has been frequently used, and suspects have been presumed to be guilty. Moreover, as we have seen before, for example in the [case of the St. Petersburg metro bombing](#) in 2017, it is often random people who are accused, and proof of their guilt is frankly falsified. All these features are to be seen especially vividly in the investigation and prosecution of high-profile crimes that obviously throw down a challenge to the state and its policy.

In this connection, we believe it is important to pay special attention to the cases of high-profile political crimes, seeing in them significant threats of serious politically motivated violations of the rule of law and the rights of the accused.

47 In 2024, the judicial hearings were restarted.

Prosecutions related to the terrorist act on the Crimean Bridge

On 8 October, there was an explosion on the Crimean Bridge which connects the peninsula to Krasnodar Krai. Early that morning, a truck blew up on the bridge. According to official reports, three people died, two spans of highway collapsed, and the tank cars of a passing train caught fire. A few hours after this, we learned that the Investigative Committee had opened a case under the article on ‘terrorism’ (**Art. 205, Part 2, CC RF**). The head of the Investigative Committee, Aleksandr Bastrykin, stated that the Ukrainian security services had been involved in the explosion.

On 12 October, the FSB [reported](#) the detention of five Russians and three citizens of Ukraine and Armenia involved, according to the security services, in planning the terrorist act. In turn, the Investigative Committee [reported](#) that 12 people had been identified ‘*who have a direct connection to the commission of the terrorist act.*’

According to the investigation, ‘*the organiser of the terrorist act on the Crimean Bridge was the Main Intelligence Administration of the Ukrainian Ministry of Defence, its director Kirill Budanov and his associates and agents.*’

On 13 October, Russian citizens [Artyom](#) and [Grigory Azatyan](#), Ukrainian citizens [Roman Solomko](#) and [Volodymyr Zloba](#), and also Armenian citizen [Artur Terchanyan](#) were arrested on charges of committing a terrorist act.

None of them admitted guilt, and at one hearing on extending pre-trial detention Azatyan [stated](#): ‘*Our arrest is a response to society’s need to catch someone. They surrounded us in a net as people who were in the wrong place at the wrong time. According to the investigation, we entered into a plot with someone, at the same time were doing our jobs, and at the same time a terrorist act took place, but we didn’t go into hiding, we came in for questioning, and then they detain us.*’

A few days after the five suspects in the case were arrested, on 17 October, three more suspects were arrested: [Aleksandr Bylin](#), [Oleg Antipov](#), and [Dmitry Tyazhyolykh](#).

As Irina Antipov, wife of Oleg Antipov, [told](#) journalists, Antipov himself had contacted the Petersburg FSB in order to tell them what he knew about the shipment, but he was detained. ‘*That’s what he told them: I have very important information that may help find the criminals,*’ Irina said.

In October, Antipov went on [hunger strike](#) in the remand prison, insisting on his innocence and demanding the charges against him be dropped. In an [open letter](#) written in detention, Antipov declared his non-involvement in the explosion. ‘*I was moved solely by the desire to help and do a good deed. And this is how it turned out!*’ he wrote.

In February, lawyers for the arrested men [told](#) the BBC that they are trying to prosecute ‘*an array of random people.*’

On 17 July 2023, there was a second explosion on the bridge. According to reports from the Russian authorities, two people died and a female minor was injured. The Investigative Committee opened yet another investigation into an act of terrorism, reporting on the Ukrainian security services’ involvement in what happened. We do not know about the suspects in the case.

The case regarding the murder of war correspondent Vladlen Tatarsky

On 2 April 2023, during a performance by propagandist Vladlen Tatarsky (real name, Maksim Fomin) at Street Food Bar No. 1, there was an [explosion](#). The blogger died and more than fifty people were injured.

The explosive device had been in a statuette that Tatarsky was given by Petersburg [Darya Trepova](#). The next day she was arrested. The young woman is accused of committing a terrorist act ([Art.205, Part 3 \[b\], CC RF](#)), illegal trade in explosive devices ([Art.222.1 CC RF](#)), and document forgery ([Art. 327 CC RF](#)). On 4 April, the court [remanded](#) her in custody. The investigation believes she was carrying out ‘the instructions of individuals acting from Ukrainian territory.’ The National Anti-Terrorism Committee also [stated](#) that the Anti-Corruption Foundation founded by Aleksei Navalny, of which Trepova is allegedly a supporter, was involved in the murder.

Also under investigation in the case is Trepova’s acquaintance [Dmitry Kasintsev](#), in whose apartment the young woman hid after the explosion. Originally, he was charged with failure to report a crime to the official bodies ([Art.205.6 CC RF](#)) and was placed under house arrest. Later his charge was made [harsher](#) and he was accused of concealing an especially serious crime ([Art.316, Part 2, CC RF](#)).

Furthermore, other persons suspected of organising the explosion were declared wanted: Ukrainian citizen [Yury Denisov](#) and Ukrainian resident and journalist [Roman Popkov](#). Popkov has [denied](#) involvement.

In October 2023, the Investigative Committee [completed](#) its investigation and handed the Trepova and Kasintsev case over to the court. The two did [not admit](#) their guilt on the charges. Trepova noted that she had not known there was a bomb in the statuette and stated she had been an unwitting accomplice in the war correspondent’s murder but had not committed a terrorist act. Kasintsev admitted his guilt in failure to report a crime but not of concealment.^[48]

The case of the attempted murder of Solovyov

In mid-April 2022, the Investigative Committee [reported](#) it had averted a murder attempt on the pro-regime journalist Vladimir Solovyov and arrested members of National Socialism/White Power (NS/WP) who had planned it. According to official reports, they had been planning to bomb Solovyov’s car, for which purpose they were following him.

In a video distributed on the day the suspects were detained, one of them says that attacks on Dmitry Kiselyov, Olga Skabeeva, Yevgeny Popov, Tigran Keosayan, and RT editor-in-chief Margarita Simonyan had been discussed.

Those under investigation in this criminal case are: [Andrei Pronsky](#), [Timofei Moky](#), [Vladimir Belyakov](#), [Vladimir Stepanov](#), [Maksim Druzhinin](#), [Andrei Volkov](#), [Vasily Strizhakov](#), and

48 On 25 January 2024, Trepova was [sentenced](#) to 27 years in a general regime penal colony and Kasintsev to a year and nine months in a general regime penal colony.

Denis Abrarov. With the exception of Druzhinin, all have criminal records, including for racist violence. Druzhinin related that at the time of his arrest, special ops officers [beat](#) him, including with brass knuckles, demanding that he confess *'to the acts he committed,'* and also tossed toward him *'bottles with a clear liquid and an object that looked like a grenade.'*

Depending on their role and degree of participation, the seven figures were charged under 12 articles of the Criminal Code, including organising a terrorist organisation (**Art. 205.5 CC RF**), inciting hatred or hostility (**Art. 282 CC RF**), illegal trade in weapons and explosives (**Art. 222.1 CC RF**), a terrorist act (**Art. 205 CC RF**), and planning to murder (Art. 105 CC RF in conjunction with **Art. 30, Part 1, CC RF**). Besides the attempted murder, they have also been accused of setting fire to military recruitment offices and vehicles with pro-war symbols.

On 6 December, the investigation into the case was [completed](#) and the materials sent to court. While the defendants made confessions, they [denied](#) the involvement of Strizhakov, who is being tried separately from the other defendants, in planning the attempted assassination. At one of the first legal hearings, the prosecutor's office asked that Strizhakov be sent for compulsory psychiatric treatment. On 16 November, the Second Western District Military Court released him from punishment but [sent](#) him to a psychiatric hospital for compulsory treatment.

The case on the attempted murder of Simonyan and Sobchak

In mid-July 2023, the FSB [reported](#) that it had averted a murder attempt on RT editor-in-chief Margarita Simonyan and journalist Kseniya Sobchak. In Moscow and Ryazan Oblast they detained eight *'neo-Nazis from the Paragraph-88 group'* who, the law enforcement officers say, *'on assignment from the Ukrainian Security Service carried out reconnaissance at the women's places of work and residence.'*

Originally, Moscow's Basmanny district court had [remanded](#) the eight individuals in custody on a charge of beating individuals of Asian origin motivated by hooliganism (**Art. 213, Part 2, CC RF**). The detainees are connected with NS/WP, whose members are accused of yet another murder attempt – on television presenter Vladimir Solovyov.

Of the eight people under investigation for the attempted murder of the journalists, the oldest, **Yegor Saveliev**, is 22 years old. The investigators consider 18-year-old **Mikhail Balashov** to be the *'creator of the Paraph 88 neo-Nazi group.'* In September 2023, he and Balashov were [charged](#) with planning to murder Simonyan (Art. 105, Part 2 [g, h, l], CC RF in conjunction with **Art. 30, Part 1, CC RF**). The other detainees are **Nikita Novik** (18 years), **Daniil Gusev** (17 years), **Vyacheslav Yemelyanov** (17 years), **Maksim Zakharov** (16 years), **Maksim Solomatov** (16 years), and **Artyom Ryzhenko** (15 years). Witnesses of their arrest told *Mediazona* that the law enforcement officers tortured and brutally beat the detainees in order to get confessions.

4.10 Prosecutions for treason and espionage in cases unrelated to the war

In 2023 the number of people convicted of treason in Russia (**Art. 275 CC RF**) was 39, as follows from the [reports](#) of the Supreme Court's Judicial Department. In 2020, 16 verdicts were issued.

At least 63 prosecutions for treason went to trial over the course of the year. In the [opinion](#) of lawyer Yevgeny Smirnov, who regularly represents defendants' interests on this charge, in 2023 at least 100 cases of this kind were initiated. Pervy Otdel, a project to help those prosecuted on charges of treason, believes that such an impressive number of cases is largely explained by the fact that they are often opened as a result of provocations on the part of FSB officers, who, passing themselves off as representatives of the Ukrainian security services, or representatives of volunteer units fighting on Ukraine's side, attempt to recruit Russians on Telegram channels.

It should be kept in mind that prosecutions for treason, as well as for similar charges, are classified and therefore the actual number of cases could be substantially higher.

According to [Siber. Realii](#), in 2023 a total of 31 cases were opened under the article on espionage (**Art. 276 CC RF**) and 19 under that on collusion with foreigners (**Art. 275.1 CC RF**^[49]). Also growing is the number of cases that have reached the court (18 for espionage, seven for collusion with foreigners) and the number of verdicts (nine for espionage according to data from the Supreme Court's Judicial Department, in 2022 just one; under the new article on collusion with foreigners, two verdicts were issued in 2023).

We can judge the growth in spymania from the news headlines. For example, in early June 2023, Moscow's Lefortovsky district court [gave permission](#) to conduct six searches in one day related to treason cases (**Art. 275 CC RF**). In March, the FSB [reported](#) on three Russians detained in one morning who were allegedly colluding with Ukraine. And over the course of six days in April, they [arrested](#) five people suspected on this charge in Moscow alone.

Most 'espionage' cases are connected with accusations of passing information to Ukraine and collaborating with Ukrainian security services and military. You can read about these cases in Chapter 3 of the present report. In this section we examine the large number of prosecutions of scientists as well as other well-known prosecutions for treason and espionage.

49 This article was added to the Criminal Code in 2022.

4.10.1. Prosecutions of scientists

According to *Novaya gazeta*'s [calculations](#), of all the treason cases from 2000 to 2020, one fifth have been against scientists, primarily those connected with arms development. In 2023, the total share of such cases in the mass of prosecutions under **Art. 275 CC RF** dropped. However, we cannot talk about a cessation of these kinds of prosecutions. We know of two new arrests and two verdicts (compared to four arrests in 2022). Meanwhile, it is highly likely that the real statistic of 'spy' cases against scientists in 2023 is higher, but due to official secrecy it is impossible to speak of a precise number.

Even though we cannot, for the same reason, analyse the circumstances and evidence base of the majority of cases considered in this section, there are weighty reasons for doubting the substance of these prosecutions. For example, Dmitry Zair-Bek, head of the Pervy Otdel human rights project, [calls](#) the cases against scientists a tried-and-true scheme that allows the FSB to find so-called traitors in one and the same institution on a mass scale through relatively little effort. He also believes that the very existence of such cases is strengthened, as he notes, by Putin's paranoia over the theft of secret weapons plans, which FSB officers can exploit in order to prove the importance of their work.

'For the FSB, scientists are easy prey. They are mainly older people who break the first day, all you have to do is shout at them and they do everything they're told to, they do as they're told. [...] It doesn't matter where the scientists live and work, in any event all their cases are run out of the FSB's Central Apparatus, this is not a regional level,' Pervy Otdel founder Ivan Pavlov [told](#) T-Invariant.

In November we learned that the Defence Research Ministry had begun to gather the personal data of university students and teachers participating in international scientific events. Employees of institutes and universities must now fill out and send to the Ministry forms with detailed information about the contingent of participants, their surnames, first names, and patronymics, and their status and to indicate the countries they come from. In a conversation with the 'We Can Explain' project, an anonymous Ministry employee [stated](#) that the decision was instigated by spymania and meant a serious increase in monitoring of scientists and in the future might serve as a basis for verifying 'inappropriate contacts' and introducing travel restrictions. Similar circumstances have raised concern about a possible future large-scale expansion of the campaign of 'spy' prosecutions against Russian scientists.

Well-known instances of prosecutions in 2023

On 23 May, Nizhny Novgorod Oblast Court [sentenced Viktor Ilin](#) to nine years in a strict-regime penal colony. According to *Kommersant*'s information, he had been working at the Federal Nuclear Centre in Sarov (Nizhny Novgorod Oblast). The investigation stated that he attempted out of motives of greed to hand over information about the latest scientific developments to the security services of Ukraine, the United States, and Great Britain.

The remaining instances known to us of prosecutions of scientists in 2023 relate to research into hypersonic technologies. Dmitry Zair-Bek thinks that this is connected to President Putin's

special love for hypersonic missiles. For example, 70-year-old [Valery Golubkin](#) and 66-year-old [Anatoly Gubanov](#) were both sentenced to 12 years in a strict-regime penal colony. The two scientists participated in a joint project with the EU, Russia, and Australia to create the HEXAFly-INT, a hypersonic passenger plane, in their capacity as employees of the department of aerodynamics of airplanes and missiles at the Moscow-area Zhukovsky Central Aerohydrodynamic Institute (TsAGI). According to the investigation, Golubkin, on Gubanov's instruction, gave colleagues from the Netherlands reports that contained a state secret. Meanwhile, [according to information](#) from Pervy Otdel, all reports sent to international partners had to be approved by three separate commissions.

'Valery Nikolaevich, born 1952, has undergone an oncological operation. For him, 12 years in a strict penal colony is basically life imprisonment,' Golubkin's lawyer Mariya Eismont said.

Prosecution continues of the Novosibirsk aerodynamic physicists from the Institute of Theoretical and Applied Mechanics (ITAM) of the Russian Academy of Sciences. Arrests there began back in June 2022, when [Anatoly Maslov](#), ITAM's chief scientific associate, was detained. In May 2023, his case [went](#) to trial at the St. Petersburg City Court. The investigation [believes](#) he passed on to China information about hypersonic research. In August 2022 they also detained [Aleksandr Shipliyuk](#), the institute's 56-year-old director and the head of the Hypersonic Technology laboratory; right now he is on remand in Moscow's Lefortovo prison. According to Reuters, the case concerns the [divulging](#) of information about hypersonics at a scientific conference in China in 2017. Meanwhile, Shipliyuk himself insists that the information was not classified and was freely accessible on the Internet.

On 7 April 2023, Novosibirsk's Sovetsky district court [arrested](#) yet another ITAM employee, 79-year-old [Valery Zvegintsev](#), a specialist in hypersonic aerodynamics. The grounds for opening the case were a scientific article in an Iranian journal. On 16 December we [learned](#) of the arrest of Zvegintsev's co-author from Tomsk Polytechnic University, [Vladislav Galkin](#), a specialist in hypersonic technologies.

4.10.2. Other new instances of prosecutions for espionage

Among other instances of the application of 'spy' articles are cases against journalists, politicians, activists, students, and businessmen.

On 3 July 2023, Tver Oblast Court [sentenced](#) 33-year-old businessman [Sergei Kabanov](#) to twelve and a half years' imprisonment on a charge of treason (Art. 275 CC RF). [According to the investigation](#), Kabanov sent items used in the Russian army's rocket technology via Latvia 'in the interests of an American firm, Victory Procurement Services (Alabama), which is controlled by the U.S. Department of Defence.' Before his arrest, he was the general director of TTK SODRUZHESTVO, which is in the fuel business.

One of the youngest people accused, about whom there is information in the public realm, was [Gleb Verdiyán](#), a 21-year-old student. In September, he was [sentenced](#) to six years in a strict-

regime penal colony, having been convicted of planning treason (**Art. 275 CC RF** in conjunction with **Art. 30, Part 1, CC RF**). He was studying in his second year at the Economics Department of Astrakhan State Architecture and Construction University (AGASU). His case was heard in camera, and the details of the accusation are not known.

The case of Evan Gershkovich

In late March FSB officers [arrested Evan Gershkovich](#), a journalist with the Moscow bureau of *The Wall Street Journal*, in Yekaterinburg in an espionage case (**Art. 276 CC RF**). According to the investigators, the journalist was *'gathering information about an enterprise of the Russian military-industrial complex.'* After his arrest, the journalist was taken to Moscow, where the Lefortovo district court remanded him in custody in the Lefortovo remand prison.

Shortly before his arrest, Gershkovich had met with Urals journalists and politicians whom he asked about recruitment to the Wagner private military company and their attitude toward it. During his travels around Russia, he also visited Nizhny Tagil, where the Uralvagonzavod defence enterprise is located, and Pskov, where he noticed he had a tail. *The Wall Street Journal* [wrote](#) that he was being followed by FSB officers.

The Gershkovich case was the first instance of prosecution of a foreign journalist for espionage. *'There had never been such a thing in practice in Russia before. There had been two instances of charges of treason against Russian journalists – [Grigory Pasko](#) and [Ivan Safronov](#). But for [them to open an espionage case] against a foreign journalist and for espionage, I think this is a new line,'* [noted](#) Pervy Otdel lawyer Yevgeny Smirnov.

A few days after Gershkovich's arrest, a [search was conducted](#) at the home of Yekaterinburg public relations expert [Yaroslav Shirshikov](#), who had met with the journalist and was the first to report his disappearance. During questioning, Shirshikov was asked about the circumstances of his meeting with Gershkovich. A case was opened against him on a charge of justifying terrorism (**Art. 205.2, Part 2, CC RF**) for his publication about the death of war correspondent Vladlen Tatarsky.^[50]

4.11. Prosecutions of members of the elite where there is evidence of political motivation

Prosecution of representatives of the Russian elite, which was discussed in the context of purging the political field up until 2021 and which now can be interpreted as part of the lead-in to the war, had no new upticks in 2023. We only registered a continuation or conclusion of re-

50 On 27 February 2024, Shirshikov was [sentenced](#) to two years of general regime penal colony.

pressive measures against specific individuals who could be considered representatives of the political class.

In 2023, a verdict was handed down in the case of [Sergei Furgal](#), the former governor of Khabarovsk Krai, and other defendants charged with organising contract killings in the years 2004–2005. On 2 February, the jury issued a verdict in the ex-governor’s case, according to which Furgal and his co-defendants were guilty of the 2004 attempted murder of businessman Aleksandr Smolsky (**Art.105, Part 2 [b, g, h], CC RF** in conjunction with Art.30, Part 3, and **Art. 33, Part 3, CC RF**) and there were no mitigating circumstances. The jury issued the same decision in connection with the 2004 murder of businessman Yevgeny Zori and the 2005 killing of the region’s former head Oleg Bulatov (**Art.105, Part 2 [a, b, g, h, k], CC RF** in conjunction with **Art. 33, Part 3, CC RF**). The prosecutor asked that Furgal be sentenced to 23 years’ imprisonment.

On 10 February, Lyuberetsky City Court sitting in a circuit session [sentenced](#) Furgal to 22 years in a strict-regime penal colony; [Andrei Karepov](#) was given 21 years’ imprisonment; [Andrei Palei](#) 17 years; and [Marat Kadyrov](#) nine and a half years.

There is every reason to believe that the prosecution of Furgal and the other defendants in this case was politically motivated. Furgal had unexpectedly won the gubernatorial election over the United Russia candidate, he had gained great popularity among the public, and the region had shown one of the lowest results in voting for the amendments to the Constitution. The accusation appeared five years later and is based on a [weak](#) evidentiary base.

Furgal’s popularity in Khabarovsk Krai led in 2020 to a regional political crisis and months-long mass protests, after which a number of activists were prosecuted on administrative and criminal [charges](#). You can read in more detail about the protests in Khabarovsk in the [OVD-Info report](#).

In 2023 yet another former governor, Nikita Belykh, was convicted and sentenced. Belykh had headed Kirov Oblast from 2009 to 2016. On 26 December 2023, Kirov’s Oktyabrsky district court [sentenced](#) him to two and a half years’ imprisonment in a case on abuse of power (**Art.285, Part 2, CC RF**). He was released from punishment because the statute of limitations had expired. He was also acquitted of a charge of exceeding his official powers (**Art.286, Part 3 [c], CC RF**) for lack of evidence of a crime. The state prosecution had asked that he be given 12 years’ imprisonment.

The charge against the ex-governor was brought in July 2021. According to the investigators, in 2015 Belykh, acting out of personal interest, had helped bring about a major deal in which the Kirovskaya Regionalnaya Investitsionnaya Korporatiya (KRIK) lent 320m roubles to a private company in Kirov Oblast.

The first [criminal case](#) against Belykh had been brought back in 2016. In 2018, Moscow’s Presnensky district court ruled that the former governor was guilty of taking a large bribe (**Art.290, Part 6, CC RF**) and [sentenced](#) him to eight years in a strict-regime penal colony, as well as a fine of 48.2m roubles.

Yet another verdict was handed down against politician and former Yekaterinburg mayor [Yevgeny Roizman](#) for discrediting the Russian army (**Art.280.3, Part 1, CC RF**). On 19 May 2023, Yekaterinburg’s Oktyabrsky district court [fined](#) him 260,000 roubles. It is worth emphasising

that, at the moment the criminal case was opened, Roizman was no longer mayor and was not taking an active part in politics, so that he should probably be included among former representatives of the elite.

The former Yekaterinburg mayor had been detained back in August 2022. Searches were conducted of the politician's apartment and at organisations connected with him. Later Roizman was banned from specific actions pending trial. In November of that year he was added to the register of 'foreign agents.'

In 2023, with respect to the elites, we can point out both restrictions and warning signs as well as, on the contrary, preferential terms compared with other categories of the populace. On one hand, *Kommersant* [wrote](#) in January that regional officials and deputies had been unofficially forbidden to take vacations abroad. According to the newspaper, similar recommendations were received by officials in Mari El, Chuvashia, North Ossetia, and Vologda, Ulyanovsk, Tambov, Sverdlovsk, Bryansk, and Novgorod Oblasts. And back in December 2022, *Verstka*, citing its own sources, [reported](#) on a similar ban for employees of Gazprom and Rosneft, the state oil and gas companies.

Meanwhile, in 2023, in Russia, additional opportunities appeared for the elites to enrich themselves. In January, the State Duma committee on state construction [approved](#) an amendment to the law on public authorities according to which declarations of income and property by members of the Federal Assembly would no longer be made public. Starting 1 March, only summarised information about parliamentarians' declarations would be published, without information on the income of deputies and senators, or their property and that of the members of their families. And in February, State Duma deputies [passed](#) a law on Russia's denunciation of the Criminal Law Convention on Corruption, which had been ratified in 2006.

In 2023, show business representatives and popular bloggers were also subjected to pressure by the authorities. An obvious signal for the elites and media personalities concerning the ban on amoral conduct was the public scandal around what journalists christened the 'almost naked' party of Anastasia Ivleeva, which took place in December 2023. After the event, some Russian stars, including Kseniya Sobchak and Filipp Kirkorov, had to apologise to the public. Also because of the party, several [administrative charges](#) were drawn up and party guests started having their concerts cancelled and publicity contracts taken away in favour of pro-regime artists. We assume that pressure on artists and bloggers will continue in 2024.

Yet another lever of pressure on Russian elites might be considered to be the Supreme Court's ruling [designating](#) the 'international LGBT movement' as an extremist organisation, since there are representatives of the LGBTQ community among both the political elites and Russian show business stars.

4.12 Persecution of the LGBTQ community and the trend to enforce an obligatory ideology

For the LGBTQ community, 2023 was one of the years of greatest persecution by the Russian state. It was marked above all by the consequences of a law passed in November 2022 on the total ban on so-called LGBT propaganda (previously, LGBT propaganda had been banned only among minors) and on disseminating information capable of giving rise to the desire among adolescents to change gender. It is a law that substantially expands the opportunities for persecuting the LGBTQ community. The year 2023 ended with the passage of an even harsher measure signifying a basic ban on its existence, specifically designating the ‘LGBT international civil society movement’ as extremist in Russia.

4.12.1. The activation of administrative prosecutions against the propaganda and display of same-sex relationships; the expansion and reinforcement of censorship practices

On the official level, state pressure on LGBTQ people in Russia began much earlier, back in 2013, when the State Duma passed a law banning so-called LGBT propaganda among minors, introducing administrative liability for actions that might be considered propaganda of this kind. In subsequent years, this pressure only intensified. In December 2022, Putin signed a law on the total ban of LGBT propaganda. For more detail about the essence of the ban, see [Section 5.3](#). We will discuss its consequences below.

Censorship

Immediately after passage of the propaganda law, there was a wave of seizures of LGBTQ content, moreover in some instances these were acts of self-censorship. The media removed materials about LGBTQ heroes, and book fairs did not allow stands of books with LGBTQ themes. But the campaign to censor the LGBTQ community began in earnest in 2023.

In early January 2023, we learned that Roskomnadzor was blocking LGBTQ content. As of 16 January, the oversight agency had [reported](#) that it had blocked more than 300 online publications during December 2022. True, it was later revealed that 216 of those pages were on the

Sex Change and Gay Sex Are Cool website, which published satirical texts and anti-war statements. Nevertheless, the blocking of portals truly aimed at helping the LGBTQ community was also going full steam ahead. In February, Roskomnadzor [blocked](#) a series of LGBTQ-oriented sites: the groups Vykhod, Gaypress, and Parni PLYuS, as well as six podcasts on Yandex.Music devoted to the queer experience. In practice, the reason for the blocks may have [been](#) the massive denunciations by homophobic groups on Russian social networks. A little before this, the websites of the literary [queer-zine Na Sebya](#) and [Raduzhny Mir](#), a Perm assistance group for LGBTQ people, were blocked (the site was on the Tilda server).

In March 2023, the Kazakhstan writer Margo Ervand reported that she was withdrawing her book, *Temptations of Solitude*, from sale in Russia: according to her, an online programme had identified LGBT propaganda in the work, and Ridero, a Russian online book-reading service, had suggested she withdraw her book from sale in order to make corrections and change the character it was about. Ervand refused and decided not to sell her book in Russia. Later, Ridero also removed Masha Pushkina's documentary book *Bipolars: Without Masks* over an excerpt about a young woman who was a defendant in an 'anti-war' case, [Sasha Skochilenko](#).

Similar problems were arising in parallel in the film industry. In December 2022, Russian streaming services [began to cut](#) from films and series scenes and entire plotlines that mentioned LGBTQ characters or relationships. In addition to cutting out scenes, the streaming services also started editing the scenes themselves, manipulating the film's sound (for example, in *White Lotus*, 'gays' was translated as 'men').

Censorship and blocking have affected nearly all cultural spheres of life, from ballet to fan fiction. In April 2023, the Bolshoi Theatre removed the ballet *Nureyev* from its repertoire. The theatre's general director, Vladimir Urin, made it clear that the performance's removal was connected with the law on LGBT propaganda. According to him, the new law is talking absolutely unambiguously about issues connected with the issues of the propaganda of nontraditional values. The performance's premiere (the authors are Kirill Serebrennikov and Yury Posokhov; the composer, Ilya Demutsky) took place in 2017. The ballet told the story of the life of Rudolph Nureyev, one of the most famous ballet artists of the second half of the twentieth century, and his relationship with the Danish dancer Erik Bruhn.

That same month, *Archive of Our Own*, an international portal for the publication and reading of fan fiction, was [blocked](#) inside Russia. After the new law banning LGBT propaganda was passed, many fan fiction authors from Russia writing on LGBTQ themes had [moved](#) their works to this portal.

Censorship and self-censorship also affected sporting events outside Russia. Several NHL hockey teams simultaneously [refused](#) to use LGBTQ symbols in support of LGBTQ people during Pride events for fear that players with Russian citizenship (about 5% of the entire US hockey league) might be persecuted by the Russian government when they returned home.

In all, according to [Roskomnadzor](#), more than 19,000 pages with LGBT propaganda were removed and blocked. Unfortunately, it is difficult to evaluate the influence this law has had on the increase in acts of self-censorship, but undoubtedly in 2023 this trend was one of the leading ones in putting pressure on the LGBTQ community.

Administrative prosecution of organisations

Among human rights activists and the LGBTQ community itself, [there is the opinion](#) that before 2022, enforcement of the law on LGBT propaganda was rare and selective and not blanket in nature. When the law on the total ban on such propaganda went into force, the situation, by all accounts, changed. A great number of administrative fines were applied not only to various support organisations but also to widely known publishing houses, streaming platforms, stores, and other businesses. Many of these cases were also widely covered in the media. But in 2023 these prosecutions stopped being isolated and selective; they became systematic, forming a new trend: the mass administrative prosecution of companies and organisations working with the LGBTQ community.

For example, in January 2023, two administrative cases were [opened](#) against Popcorn Books, which puts out queer literature, for LGBT propaganda and hooliganism (**20.1 CAO RF**). The cases were opened after a request from State Duma deputy Aleksandr Khinshtein, who complained that after the law totally banning LGBT propaganda was passed, the publisher labelled books the law affected with quotations from Article 29 of the Russian Constitution guaranteeing freedom of expression and a ban on censorship. Later, Khinshtein [stated](#) that he had met with the publishing house's owner Denis Kotov, who had purchased it in 2022, and Kotov promised to make a cardinal change in Popcorn Books' policy. In parallel, Kotov started looking for someone to buy the publishing house.

Besides publishers, streaming services were also subjected to prosecutions. Thus the first instances of fines for audiovisual materials appeared in April 2023: administrative charges were [brought](#) against Movix and Peers.TV for LGBT propaganda among minors (**Art. 6.21.2 CAO RF**). That same month, Roskomnadzor uncovered 15 similar violations among a dozen other streaming services but did not announce exactly which ones. Later, the following also received administrative charges and fines under the same article:

- Film distributor Russian Reportage (for its series *Made in Italy*);
- Online film theatres [PREMIER](#) and [START](#) (at START they said that the reason for the fine was the Italian film *Perfect Strangers*, PREMIER refused to comment on the situation), [Kinopoisk](#) (the films *Diary of Bridget Jones*, *Blow Dry*, *Perfect Strangers*, and others), [Okko](#) (a number of films), [IVI](#), the legal entity of the online film theatre [Tricolor Cinema and TV](#) (over the film *Blow Dry*);
- Mobile communications operators [Megafon](#) (the company said that the reason was the incorrect labelling of content) and [Beeline](#);
- The provider [Rostelekom](#) (the reason was the film *Life Like* on a platform belonging to the company);
- Fonbet TV, the [owner of THT Music](#) (for a clip of the singer Alma);
- The television channel [Evrokino](#) and others.

A similar wave of prosecutions, albeit on a lesser scale, has affected the book business. A charge for propaganda among minors was brought against the Chitai-gorod store in Nizhny Novgorod (later the case was [dropped](#)), and also under the law on LGBT propaganda (**Art. 6.21 CAO RF**) the Eksmo publishing house was [fined](#) 900,000 roubles. In the latter instance, the charge against

the publishing house was brought after a denunciation by State Duma deputy Aleksandr Khinshtein, who saw propaganda in the *Gennady the Pigeon* comics by Ukrainian artist Koro.

In some instances, fines reached 4m roubles (for example, [Premier](#) and television channel [TV3](#)). In separate instances, an administrative case was opened against physical persons performing their duties in these organisations. For example, Yandex general director Artyom Savinovsky was [fined](#) 200,000 roubles for displaying an LGBTQ relationship among minors on the Internet ([Art. 6.21.2, Part 2, CAO RF](#)) over a small number of films on Kinopoisk. The same fine was [given](#) later to Sergei Katyshev, editor-in-chief of the Kino TV television channel, over the broadcast of *V for Vendetta*. The case against the television channel itself was [dropped](#), the reason being the absence of the label that is usually added by the Ministry of Culture, although in this case it had not done so.

Administrative prosecutions and deportations of LGBTQ people

The year 2023 was also characterised by an increase in the number of administrative cases against physical persons under the LGBT propaganda law ([Art. 6.21 CAO RF](#)). According to OVD-Info reports, over the course of the year 41 administrative cases under this article went to trial. Meanwhile, in 2022, there were just 16 cases under this article in the courts.

In 2023, administrative prosecutions under this article were opened on various grounds: the publication of a questionnaire on dating sites or ads for sex work, rainbow tattoos, and many other things.

One of the noticeable trends after the passage of the November law on the total ban on LGBT propaganda was the increasingly frequent deportation of LGBTQ people with non-Russian citizenship from the country. For example, in February 2023, a Moscow court [ordered](#) the deportation from Russia of at least four transgender sex workers who had published advertisements online. They were all charged under [Art. 6.21, Part 7, CAO RF](#). According to materials from the trial, the police officer who drew up the charges did this based on the results of monitoring the Internet for prophylactic purposes, discovering and curtailing propaganda of nontraditional relationships.

Later, in June 2023, charges for LGBT propaganda on the Internet ([Art. 6.21, Part 4, CAO RF](#)) were [drawn up](#) against four more transgender sex workers, this time in Krasnodar. Among the young women there were two citizens of Russia, a citizen of Ukraine registered to reside in one of the Russian-occupied territories, and a citizen of Kyrgyzstan. The latter was also deported from the country. As in the above-mentioned instance in Moscow, operatives identified the young women while monitoring the Internet. In the case materials, the police officers described them as people who have undergone surgery to change their appearance and have come to look like women.

The detention in Kazan of a pair of bloggers — Gela Gogishvili and Haoyang Xu — received broad publicity. The [arrest](#) occurred in April 2023. Chinese citizen Haoyang Xu was stopped in a Burger King to verify his passport and registration, which he did not have with him. Xu asked his partner Gogishvili to bring his passport, and once he arrived the police detained them both.

After this, Gogishvili was released from the police station with an undertaking to appear when summoned, and Xu was kept at the station overnight and later jailed for seven days, after which it was resolved to deport him from Russia. Both bloggers were [accused](#) of LGBT propaganda among minors over posts on the Internet (**Art. 6.21.2, Part 4, CAO RF**). While he was in the Temporary Detention Centre for Foreign Citizens (TsVSiG) before his deportation, Xu was [not given](#) any food and was refused clean water. Both bloggers later left Russia.

At least one other foreigner, German citizen Aleksander Roth, was [deported](#) from Russia after a charge was drawn up for LGBT propaganda. In April 2023, Roth was convicted under **Art. 6.21, Part 7, CAO RF** because he allegedly suggested that a Kamchatka resident have intimate relations with him in a hotel room. Before his deportation, Roth was fined 150,000 roubles.

As in previous years, many of the charges brought under the article on LGBT propaganda in 2023 concerned publications on the Internet. For example, in January 2023, after State Duma deputy Yana Lantratova wrote statements against the transgender blogger Dasha Koreika and the drag blogger Khilma Forks, both were [charged](#) with LGBT propaganda (**Art. 6.21 CAO RF**).

In 2023, under the LGBT propaganda law, Yakutsk resident Mikhail Ivanov was [fined](#) 100,000 roubles for his answer to a question about his orientation on live Instagram. The blogger Stasik Kudryavy (Stanislav Bazarov), who was then held on remand in connection with a criminal charge for offending the feelings of believers (**Art. 148 CC RF**) and disseminating pornographic materials (**Art. 242 CC RF**) was [fined](#) the same amount because he had published a recording while in female makeup and clothing. The same 100,000-rouble fine was given to a [Volgograd resident](#) for publication of a questionnaire on a dating site and to an underage [Surgut resident](#) for publication of pictures (we do not know what they depicted). An administrative charge was [drawn up](#) against transgender sex worker Yeva from Krasnodar under the LGBT propaganda law (**Art. 6.12, Part 4, CAO RF**) after she tried to report having been beaten up by a client. Another Krasnodar resident, Sasha, was [given](#) an administrative charge under the same article for publication of a photograph of her tattoo depicting a dog wearing a rainbow scarf and the words 'gay dog.' [Sergei Veselov](#), a blogger from Shuya being prosecuted on several criminal charges for anti-war statements, was [charged](#) with LGBT propaganda for a post in support of the LGBTQ community. The beauty blogger Igor Sinyak was also [fined](#) for LGBT propaganda after a post in support of Haoyang Xu, the formal reason being his publication about the jacket of Oleg Gazmanov with the Prada logo. Why this post was treated as LGBT propaganda was not made clear in the court materials.

In at least two instances in 2023, charges for LGBT propaganda were initiated over people's actions on the street. In Primorsky Krai a charge was [drawn up](#) against a 49-year-old resident of Varfolomeevka for taking a walk in a dress and wig; police were called in by local residents. In Sochi, two tourists were [detained](#) over a kiss on a park bench one night. They spent the night at the police station and both were charged with LGBT propaganda; one of the young women was jailed for three days for failure to obey police officers (**Art. 19.3 CAO RF**). Meanwhile, the tourists stated they were not a couple but just friends and, as they reported, 'had kissed just for kicks.'

4.12.2. Ban on transgender transitioning for creating conditions for the annihilation of a group of people

One of the main events affecting the LGBTQ community in Russia in 2023 was the passage of a law banning transgender transitioning (also known as the ‘law on the ban on sex change’).

First to state their intention to introduce legislative amendments in the sphere of transgender transition, speaking at the St. Petersburg Judicial Forum in April 2023, were Justice Minister Konstantin Chuichenko and Investigative Committee head Aleksandr Bastrykin. The Investigative Committee director compared gender transition to a legal loophole that could be used to obtain a certificate of being transgender and in this way avoid conscription or mobilisation. He accused trans-people of fraud and of destroying Russia’s defence capability. Chuichenko stated that trans-people should be sent for treatment and a ban should be placed on altering documents without prior operations.

The law, whose authors were virtually all the Duma deputies, was passed on 14 July and went into effect on 24 July. It places a ban directly on medical help for trans-people and on changing the gender marker in documents. It also assumes annulment of a marriage in the event that one or both spouses change their sex, and deprives those who have undergone a sex change of the right to adopt children and take custody of them. For more detail about the essence of the law, see [Section 5.3](#).

During the discussion and passage of the new law, Russian residents speaking out against it were predictably detained. For example, in St. Petersburg, two people who went out to picket in protest were detained.

On 15 June, Aleksandr Sinko went to Gostiny Dvor with a placard that, against the background of the trans community flag, read, ‘*Save the rate [sic] to be myself*’ [in the original English]. He was [detained](#) and [charged](#) in the police station under the LGBT propaganda law (**Art. 6.21, Part 1, CAO RF**). Later, a philologist invited to the trial as a specialist did not find the inscription to be LGBT propaganda, and the offence was [reclassified](#) as a violation of Covid restrictions (**Art. 8.6.1 CAO SPb**). Sinko was fined 4,000 roubles.

The next day, 16 June, the activist Yelena Ioffe was [detained](#). Ioffe was picketing alone with a sign that said, ‘Let people be themselves. No to the ban on sex change. No to the law on “LGBT propaganda”.’ Like Sinko, she was taken to the police station, where she was charged with LGBT propaganda. After a while, the case against her was [dropped](#) for lack of evidence of a crime.

Although the passage of the law banning sex changes seriously aggravated the persecution of transgender people, they had been persecuted back before July 2023 as part of the LGBTQ community.

Most notable was the prosecution of Yan Dvorkin, a psychologist and the director of Centre T, an initiative group to assist transgender and nonbinary people. He has guardianship over a dis-

abled child, and he was charged with an administrative-law offence following a denunciation by the guardianship authorities. As OVD-Info writes, the reason for this was a joke he made on his personal Telegram channel. In response to a statement by Deputy Vitaly Milonov that everyone who has left Russia is an active homosexual, Dvorkin suggested that those who remained in Russia were 'passive homosexuals [...] without partners or sex.' In addition, law enforcement officers' attention was also drawn by a publication by Dvorkin about his personal life with his partner. Dvorkin was [fined](#) 100,000 roubles for LGBT propaganda.

Centre T, which Dvorkin runs, has also suffered. After the law's passage, Moscow's Ostankinsky district court, in response to a suit by the prosecutor's office, [ordered](#) the group's website blocked. During the days of the court sessions, LGBTQ activists who had come to support the centre were twice attacked with pepper spray by unknown persons, and as a result several people were injured, including a child who was passing by the courthouse with their mother.

4.12.3. Designation of the 'international LGBT movement' as an extremist organisation

Persecution of LGBTQ people in Russia reached its apogee after the Justice Ministry brought a suit to designate the 'international LGBT movement' as an extremist organisation. The ruling in favour of the suit led to a mass shutdown of the LGBTQ space, the emigration of activists, and the tightening of censorship. We talk more about the suit and the Russian Supreme Court's ruling in its favour in [Section 5.3](#).

Predictably, the decision led to the start of a massive shutdown of organisations and spaces helping the LGBTQ community. At the end of 2023, in connection with satisfaction of the suit, the organisations that ceased their work included the [Federation of Russian LGBT Athletics](#), the Petersburg LGBTQ club [Central Station](#), the Perm queer movement [Rainbow World](#), and others. In the first half of 2024, even more LGBTQ spaces and organisations took the same decision.

In December 2023, mass raids began against LGBTQ events and parties, and they have been continuing in 2024. For example, on 2 December, police [raided](#) a Moscow club on Malaya Yakimanka where there was a party for about three hundred people from the LGBTQ community. During the raid, the customers had their documents checked and passports photographed before everyone was let go. That same night, law enforcement officers visited a club near the Avtozavodskaya metro station and a themed strip club for young men near the Polyanka metro station. On 10 December, OMON [went](#) to Fame, a Yekaterinburg gay club, on a pre-emptive raid. City administration staff said the raid was conducted following reports from concerned citizens. As in Moscow, the customers had their documents checked and their personal information recorded. Raids were also [conducted](#) at Elton, a Krasnoyarsk club, where on 30 December 2023 about 20 men were detained and their further fate is unknown. They were probably released. In February 2024, the club was [charged](#) with LGBT propaganda.

The raids did not stop with the end of 2023 but actively continued in various cities during the first few days of January and to this day. They are becoming increasingly brutal, and in some

cases the police humiliate and beat people. It is obvious that the harshening of the manner of conducting the raids is connected with the Supreme Court's decision to designate the LGBT movement as an extremist organisation. That decision not only allows them to discriminate against LGBTQ people on a legislative level, censoring their statements, and restricting their rights to adopt children, get married, and so on, but also unties the hands of law enforcement officers and government officials, basically allowing them to use force and demean the human dignity of these people.

Moreover, the existing laws and practices on persecuting LGBTQ people are gradually [becoming](#) a one-size-fits-all tool for persecuting any Russian who does not conform to the unofficial, but now seen as mandatory, ideology of traditional values.

The illustrative conclusion of 2023 from the standpoint of the persecution of LGBTQ individuals was the 'almost naked' party with an 'almost naked' dress code organised by Anastasia Ivleeva, an actress and blogger, in December at Mutabor, a Moscow club. Although it was not organised for the LGBTQ community and none of the people present at the party publicly identified themselves as such, the authorities and representatives of various pro-state structures felt that the customers' frank outfits violated traditional values. In January 2024, organised slander began against Ivleeva and her guests; their celebrity status did not save them. Many of them after this had to apologise publicly, and others to go to the occupied territories and put on concerts and events. Some of them [landed](#) on the unofficial list of artists forbidden to perform in Russia, and charges were [drawn up](#) against some of them for LGBT propaganda. Ivleeva herself was [fined](#) 100,000 roubles for organising the mass arrival of citizens at a public place causing a violation of public order (**Art. 20.2.2, Part 1, CAO RF**). Later, she faced other charges under the Russian Code of Administrative Offences and, in addition, was subjected to an inspection for possible tax evasion.

The year 2023 in Russia was marked not only by an intensification and toughening of the persecution of LGBTQ people but also, through the practice of these prosecutions, by an even greater strengthening of the official rhetoric and practice of 'traditional values.' The ban on the 'international LGBT movement' marked the start of much harsher, than previously, and virtually uninhibited slander of LGBTQ people that unfolded in earnest in 2024. In addition, the ban untied the hands of law enforcement officers for the mass use of censorship, administrative and criminal law, and also violence and cruelty, and the demeaning of the dignity of persecuted LGBTQ people.

The direct and gravest consequence of designating the LGBT movement as an extremist organisation was the [criminal case](#) opened in March 2024 in Orenburg against three people connected with Pose, a local club. As of the time of this report's publication, this has been the sole criminal prosecution for belonging to an allegedly extremist LGBT organisation, but the threat of criminal prosecution after the ban went into effect became real for essentially all LGBTQ people engaged in public activism in Russia.

New developments in repressive legislation and en- forcement

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5.1. New developments in repressive legislation related to the war

5.1.1. Legislation enabling military censorship

The change in norms that established de facto censorship in Russia in 2023 was characterised by a broadening in application of the articles of the Code of Administrative Offences (CAO) and the Criminal Code (CC) on discrediting the Russian army (**Art. 20.3.3 CAO RF** and **Art. 280.3 CC RF**) and ‘fake news’ about the same (**Art. 207.3 CC RF**),^[1] as well as a toughening in the severity of respective punishments. On 18 March 2023, Vladimir Putin [signed](#) into force a law that extended application of these articles beyond the regular army, to include ‘volunteer groups, organisations, and individuals who are assisting in tasks with which the Russian armed forces has been charged.’ Yevgeny Prigozhin, head of the Wagner private military company, [appealed](#) at an earlier point to the Speaker of the State Duma, Vyacheslav Volodin, with a similar request. In December, these laws were also [extended](#) to include ‘National Guard troops.’ According to State Duma deputy Aleksandr Khinshtein, this was necessary because National Guard officers are involved in the invasion of Ukraine and carry out tasks ‘similar to those of the Defence Ministry.’

These amendments have not prompted substantial changes to how the laws are enforced. The number of cases related directly and exclusively to statements about ‘volunteer groups’ or the National Guard and not involving the regular army is insignificant compared to the total number of prosecutions under these articles. Moreover, these cases were [initiated](#) before the amendments took effect. [According](#) to Zhargal Budaev, a lawyer with Memorial, the adoption of the amendments in March was ‘just one of the first steps taken to formally legitimise the activities of the Wagner private military company.’

In addition, under the law signed in March, **Art. 207.3, Part 1, CC RF** (disseminating ‘fake news’ without aggravating circumstances) and **Art. 280.3, Part 1, CC RF** (repeated discrediting without aggravating circumstances) were moved into the ‘moderately severe’ category of crimes, and the maximum punishment was increased from three years’ imprisonment to five. The change in category means that in practice, being remanded in custody pending trial is not only possible in extreme instances, as before, but in any instance where these articles are involved. Moreover, the statute of limitations was increased to six years. The maximum prison sentence under **Art. 280.3, Part 2, CC RF** (aggravated discrediting) was increased from five years’ imprisonment to seven.

We cannot speak of any significant toughening of pre-trial conditions or sentences under these articles following the adoption of the amendments. As before, being remanded in custody is most commonly imposed as a pre-trial condition under these articles when other circum-

1 For the full details of how these articles were introduced and have been applied, see Chapter 2.1. Here, we shall limit ourselves to an overview of new developments in 2023.

stances – typically other offences – are involved. Terms of imprisonment of over three years have not yet been handed down in cases where an individual has been charged under only one of the three articles mentioned above. The application of these articles is discussed in more detail in [Sections 2.1](#) and [2.2](#).

In April 2023, Vladimir Putin also [signed](#) into force a new law ‘On Citizenship,’ replacing a previous law with the same name. This law expanded the list of crimes that could serve as grounds for terminating an acquired Russian citizenship to include the article on repeated discrediting of the Russian armed forces (**Art. 280.3 CC RF**).

There are currently no known instances of this new norm being applied, but its introduction is cause for concern.

Another legislative [update](#) in 2023 concerned **Art. 284.3 CC RF**, on assisting in the decision-making of an international organisation of which the Russian Federation is not a member, or of foreign government bodies regarding criminal prosecution of Russian officials, military personnel, National Guard members, or members of volunteer groups, related to their official duties. The punishments under the article call for a fine from 300,000 to 1m roubles, or imprisonment for up to five years, with subsequent loss of rights to take up certain employments or engage in certain activities for the same period.

Moreover, even calls to commit crimes stipulated in **Art. 284.3 CC RF** come under the article on public calls to carry out activities against national security (**Art. 280.4 CC RF**), which can result in up to seven years’ imprisonment.

It is not known how **Art. 284.3 CC RF** will work in practice: it is unclear how exactly it will be applied. However, experts have raised concerns that it could be used against individuals who document the war crimes of the Russian army, among others. [According](#) to Darya Korolenko, a lawyer with OVD-Info, the text of this article is open to very broad interpretation, but *‘judging by the comments of pro-government media, it will imply punishment both for assisting in judicial decision-making and for assisting in the investigation of war crimes. It is not yet clear whether this will affect [filing complaints with] the ECtHR.’*

In addition to administrative or criminal prosecution of those who speak out against the war, legislation is also developing in a way that expands the potential for extrajudicial blocking of websites. According to a law [signed in November](#), the Prosecutor General’s Office is now able to block resources that suggest financially supporting the Ukrainian armed forces or provide instructions on how to transfer money to Ukrainian organisations and funds. Although the Prosecutor General’s Office was previously able to block anti-war materials (according to *Roskomsvoboda*, as of November 2023 over 15,000 web pages and sites were [subject to military censorship](#)) such legal initiatives further formalise government censorship.

5.1.2. Increased penalties for treason

In April 2023, Vladimir Putin [signed](#) into force amendments that introduce life imprisonment as the maximum punishment for treason (**Art. 275 CC RF**). Previously, the maximum penalty on such a charge had been 20 years in a penal colony, with a possible fine of up to 500,000 roubles.

At the time of writing, we are not aware of any instances of a sentence of life imprisonment being handed down in line with the amendment. However, the sharp increase in the number of new prosecutions and convictions for treason related to the war in Ukraine noted in [Sections 2.5](#) and [4.10](#) gives reason to anticipate a toughening of the penalties imposed as the situation develops.

The new approach of the courts and investigators to treason charges is to be seen in the [sentence](#) given to politician Vladimir Kara-Murza on 17 April. Kara-Murza was sentenced to 25 years' imprisonment on charges of treason and disseminating 'fake news' about the army (**Art. 207.3, Part 2, CC RF**) and cooperating with an undesirable organisation (**Art. 284.1, Part 1, CC RF**). To date this is the only case of which we are aware where a charge of treason was brought in connection with public criticism of the government.

5.1.3. Increased penalties for sabotage

In 2022, the Duma introduced a series of new elements into the article of the Criminal Code on 'sabotage,' which now can be seen as being structured in a manner very similar to **Art. 205 CC RF** on terrorism:

- **Art. 281.1 CC RF** – aiding in sabotage;
- **Art. 281.2 CC RF** – training for the purposes of sabotage;
- **Art. 282.3 CC RF** – organising or participating in a sabotage group.

Life imprisonment can be imposed for these acts, with the exception of participating in a sabotage group (**Art. 281.3, Part 2, CC RF**). Under **Art. 281.3, Part 2, CC RF** the maximum penalty is 10 years in a penal colony. In 2023, there was no public information indicating that these articles had begun to be applied.

Unlike 'justifying terrorism,' justification of sabotage has not yet been outright criminalised. However, the designation 'sabotage group' is not reserved for groups of individuals who carry out or plan sabotage; it also includes groups that come together for other crimes, for the purpose of propagandising, justifying, or supporting sabotage. Moreover, 'committing a crime for the purpose of propagandising, justifying, or supporting sabotage' has been added to the list of aggravating circumstances for any crime (**Art. 63 CC RF**).

In 2023, the article on sabotage (**Art. 281 CC RF**) was itself modified. Previously, **Art. 281 CC RF** listed the following entities as potential objects of sabotage: enterprises, buildings/constructions, transportation infrastructure, means of transportation, means of communication, and vital supply facilities. Now, the following have been added to the definition of sabotage:

- actions intended to cause harm to human health and/or the natural environment (**Art. 281, Part 1, CC RF**);
- encroachment on facilities of a federal defence agency, the Russian armed forces, the Russian National Guard, or state entities engaged in certain defence-related tasks; as well as on facilities related to the fuel and energy industry and defence contractors (**Art. 281, Part 2 [c], CC RF**);

- encroachment on nuclear facilities or other dangerous facilities, for which life imprisonment may be imposed (**Art. 281, Part 3 [a], CC RF**).

A few additional changes were also made. First, the maximum term of imprisonment for ‘simple’ sabotage without aggravating circumstances (**Art. 281, Part 1, CC RF**) was increased from 15 to 20 years. Second, a new aggravating circumstance was added. In addition to carrying out sabotage as part of an organised group, sabotage as part of a group that has conspired to commit a crime (**Art. 281, Part 2 [a], CC RF**) is now included. This item can now be applied to spontaneously organised groups as well as established groups. Third, while previously life imprisonment could be imposed only for sabotage that intentionally caused the death of an individual, now the death need not be intentional. Sabotage that causes the death of an individual through negligence is now punishable by life imprisonment as well.

These changes have made the description of what constitutes sabotage even more similar to the description of what constitutes a terrorist act.

5.1.4. Laws that make it more difficult to evade participation in war

In 2023, the government continued its attempts to create more obstacles to evading participation in the war against Ukraine. This applies to mobilised individuals and draftees, as well as career officers and National Guard officers. These efforts were aimed at combating evasion of participation in the war not only for reasons of ideology, but also for other grounds that had allowed some people of draft age to avoid serving in the army before 2022. The toughening of government policy regarding so-called ‘evaders’ since the beginning of the full-scale invasion is discussed in detail in [Section 2.6](#). Here, we outline the key trends of 2023.

On 14 April 2023, Vladimir Putin [signed](#) into force a law on serving summonses electronically, through the Gosuslugi [government services] portal, as well as by mail. Under this law, the electronic summonses are to be recorded in a Unified Register of Military Registration. Seven days after a letter has been sent or information has been posted to Gosuslugi, recipients are considered notified. They must then report to the military recruitment office within 20 days, whether or not they have physically received the summons. Moreover, once a person has been deemed notified, they are banned from leaving Russia. In the event of failure to report to the recruitment office within the designated time period, they may also lose the right to drive a car, register real estate, or take out loans. Additional temporary restrictions may also be enforced.

[According](#) to a lawyer from Call to Conscience, a coalition supporting conscientious objectors to military service, the amendments create ‘a digital concentration camp that gives entirely unprecedented power to the military recruitment officers.’ The lawyer continued: ‘The decision was made to restrict the rights of citizens who do not respond to these electronic summonses, but it is indicated that this restriction happens automatically. [...] When decisions are made to restrict the rights of citizens automatically, without assessing the necessity or prudence of such measures in each specific case, we are witnessing absolutely draconian, unprecedented measures.’

In addition, the laws passed in the summer of 2023 [raising](#) the age limit for compulsory conscription from 27 to 30 years and [raising](#) the age of people in military reserve went into effect on 1 January 2024. The maximum age of first class soldiers, seamen, sergeants, sergeant majors, warrant officers, and midshipmen increased from 35 to 40 years; from 45 to 50 for second class; from 50 to 55 for third class; to 60 for junior officers; and to 65 for senior officers. In this way, for those wishing to avoid conscription and mobilisation, the ‘danger zone’ has increased in extent.

All these measures have significantly increased and facilitated repression against evaders. Failure to report on a summons itself is liable to result in prosecution under **Art. 21.5 CAO RF**, but repeated failure to do so is cause for criminal prosecution under **Art. 328 CC RF**. Therefore, these latest amendments to the legislation mean an increased threat of criminal punishment for those who violate the new requirements and conditions. For information on the extent of prosecutions of those who refuse to participate in military activity, see [Section 2.6.2](#).

The authorities also appear to support, rather than oppose, illegal pressure on military service personnel and conscripts that includes extrajudicial imprisonment. In March 2023, the State Duma [passed](#) in first reading a bill that would allow military service personnel to be subject to detention on disciplinary grounds by decision of a military unit commander or garrison military commandant. Currently, only a court can officially impose such punishment. Legalising informal prisons for military service personnel in the occupied territory of Ukraine and a sense of impunity among commanders may lead to an increase in the use of torturous conditions of detention, as described in [Section 2.6.4](#), to force participation in the war.

5.1.5. Effecting Russian criminal jurisdiction in annexed territories

Specific instances of prosecution of residents of occupied Ukrainian territory in 2023 are described in [Section 3.3](#).

After the referendums held in September 2022, the Russian government announced the annexation of four occupied Ukrainian Oblasts: Luhansk, Donetsk, Zaporizhzhia, and Kherson.^[2] After the occupying powers officially declared these territories to be Russian regions, they announced a period of integration into the judicial system. This period officially ended on [21 September 2023](#). By ruling of the Russian Supreme Court, on that day all levels of criminal and commercial courts, and four garrison military courts, began operations in the four regions. Judges and lawyers who previously worked in the Ukrainian system had one year to submit their documents to the qualifications commission and retrain for work under Russian law, and then be appointed or reappointed by a decree from Putin.

At the same time, it is difficult to speak about how Russian jurisdiction has been systematically applied in the occupied regions, given that some of the territory in these regions is not under permanent Russian control. Less than a month after the transition period ended, the Supreme

2 This section does not discuss occupied Crimea or Sevastopol, because these regions were annexed and placed under de facto control of the Russian justice system in 2014.

Court [proclaimed](#) that cases under the jurisdiction of Avdiivka City Court would be overseen by Yasynuvata City Court, with the latter now operating in Makiivka. Other changes to jurisdictions were also announced. Since the courts in the four regions are not linked to the Russian governmental automated online reporting system, *Justice*, it is currently difficult to get a feel for the statistics of cases heard. The courts in Kherson and Zaporizhzhia Oblasts do not even have websites, and despite [isolated](#) news stories about verdicts handed down there, we have not been able to access information that would allow us to discuss all aspects of their operation.

It should be noted that Ukrainian citizens detained in these territories may be taken to other regions, most notably to Rostov-on-Don, where the Southern District Military Court is located, the destination for cases prosecuted under the so-called ‘terrorism articles.’ Prosecutions of imprisoned Ukrainian military personnel are often classified under these articles. One such example is the [trial](#) of 24 members (past and present) of the Azov Regiment, which has been in progress since June 2023. The Russian authorities are charging them with involvement in the activities of a terrorist organisation ([Art. 205.5 CC RF](#)) and violent seizure and retention of power ([Art. 278 CC RF](#)). As noted in [Section 3.3](#), Russian courts consider it possible to prosecute Ukrainian citizens under Russian law for events that took place in Ukrainian territories during the time when the DPR and LPR were not even recognised by the Russian authorities as independent states.

In general, despite difficulties the courts face in their operations, as of 2023 we can say with certainty that the general system of political repression has been expanded into the occupied territories. Now, it is not just Ukrainian citizens who explicitly oppose the occupation who are subject to criminal prosecution; it is also Ukrainian citizens who are members of groups that are classic targets of persecution, such as [Jehovah’s Witnesses](#), whom security forces prosecute under Russian law as extremists, despite the fact that under Ukrainian law they enjoy full freedom of religion.

5.2. New developments in repression not directly related to the war

5.2.1. Toughening the ‘foreign agent’ law and banning participation in unregistered international NGOs

In 2023, the trend towards toughening legislation continued. In January, the government [adopted](#) its latest [law](#) on oversight of the activity of ‘foreign agents,’ according to which the Ministry of Justice is now authorized to conduct regular yearly inspections and, if necessary, unscheduled inspections. During these inspections, the Ministry can collect any documents

related to foreign agents, including documents containing legally protected secrets, such as trade secrets. If violations are found during an inspection, the legal entity of the foreign agent can be liquidated.

In April, a bill with amendments to **Art. 19.34 CAO RF** was [submitted](#) to the State Duma. It was proposed to impose additional liability on foreign agents for violating laws and circumventing restrictions. As per the amendments, failure to comply with the instructions of the body authorised to conduct oversight of foreign agents when required to do so will result in the following fines: from 30,000 to 50,000 roubles for individuals, from 70,000 to 100,000 roubles for officials, and from 200,000 to 300,000 roubles for legal entities. Officials could also be suspended for up to two years.

In addition, the bill [introduces](#) liability for cooperation with foreign agents and for providing assistance to persons or organisations on the foreign agent register. Individuals and legal entities not on the register, as well as government bodies, are obligated to ensure that foreign agents comply with the restrictions established for them in the legislation. The government is now empowered to conduct unscheduled inspections of organisations and individuals assisting foreign agents, in the event that they *'by their actions (or lack thereof) have contributed to the violation by foreign agents of the Russian Federation's legislation on foreign agents.'* Warnings will be issued for any violations observed, and if the violations are not corrected, fines will be issued: up to 50,000 roubles for citizens, up to 100,000 roubles for officials, and up to 300,000 roubles for legal entities. When announcing the bill, Deputy Minister of Justice Oleg Sviridenko [said](#) that it targets third parties who are not foreign agents and have no affiliation with them, but *'are able to exert a certain influence, willingly or unwillingly, and help foreign agents break the law.'* Deputy Vasily Piskaryov, one of the authors of the bill, [explained](#) in a conversation with *Mediazona* the types of assistance to which the bill refers, citing as an example *'someone, acting out of corrupt or other selfish or personal motives, helping a foreign agent get a job as a teacher' or 'a publisher publishing a book by a foreign agent without the appropriate labelling.'*

Moreover, the amendments also deprive foreign agents of material support from the state, not just financial support. Foreign agents are now subject to a [new form of penalty](#): *'For failure to comply within the designated time period to a legal order or warning to eliminate violations, issued by the government body conducting oversight of compliance with the Russian Federation's legislation on foreign agents' (Art. 19.5, Part 42, CAO RF)*, individuals can be fined from 30,000 to 50,000 roubles, officials can be fined from 70,000 to 100,000 roubles, and legal entities can be fined from 200,000 to 300,000 roubles.

Two criminal cases were initiated in 2023 for failure to fulfil the duties of a foreign agent (**Art. 330.1 CC RF**), a law which had not been applied for several years. In February, a case was [brought](#) against [Artyom Vazhenkov](#), coordinator of Golos, a movement for free and fair elections, who was charged with repeated violation of foreign agent legislation (**Art. 330.1, Part 2, CC RF**). Vazhenkov, who is located outside Russia, was remanded in custody in absentia. As of October, the investigation into the case has been suspended until he is located.

In October, news emerged about a case against [Alsu Kurmasheva](#), editor with *Radio Liberty's* Tatar-Bashkir Service. She was charged with failure to submit documents to the Ministry of Justice to be included in the foreign agent register (**Art. 330.1, Part 3, CC RF**).

In 2023, 285 individuals and organisations were added to the foreign agent register.

In June, three more bills limiting the activities of NGOs were submitted to the State Duma. One of them amends the federal law '[On non-profit organizations](#)' (Federal Law No. 7). The two other related bills impose administrative and criminal liability for participation in foreign or international non-governmental organisations not listed in a special register.

An addition to the law on non-profit organisations was proposed that would ban participation by Russian non-profits in foreign or international non-profit, non-governmental organisations that had not been entered in the Ministry of Justice's register. According to the new article, **Art.19.34.2 CAO RF**, in the event of a violation, participants in such organisations could face fines of up to 5,000 roubles for citizens; up to 50,000 roubles for stateless individuals, foreign citizens, and officials; and up to 100,000 roubles for legal entities. Criminal liability is possible in the event of repeat violations or if an individual has a criminal record for evading the duties of a foreign agent (**Art.330.1 CC RF**) or carrying out the activities of an undesirable organisation (**Art.284.1 CC RF**). The newly introduced criminal article, **Art.330.3 CC RF**, carries a maximum penalty of two years' imprisonment for participants and up to three years for organisers. All three bills were passed within a month of introduction, simultaneously in second and third readings.

In December 2023, a bill was [passed](#) prohibiting representatives of undesirable organisations from founding, joining, or participating in non-profit organisations.

5.2.2. Withdrawal from the Convention on Human Rights and other treaties, and introduction of penalties for assisting in the implementation of decisions of international organisations

After launching its full-scale invasion of Ukraine, the Russian government began systematically to isolate itself from international institutions and withdraw from international agreements. On 25 February 2022, the day immediately after the hostilities broke out, the Council of Europe condemned the aggression and suspended Russia's membership. On 15 March, the Russian Federation notified the Secretary General of the Council of Europe of its own independent withdrawal from the organisation and its denunciation of the European Convention on Human Rights.

That same day, the Committee of Ministers of the Council of Europe adopted a [resolution](#) excluding Russia from the organisation. This made Russia the first country to be excluded from the Council of Europe. In June, President Vladimir Putin signed [laws](#) stating that ECtHR rulings issued after 15 March 2022, would not be enforced.

Russia's trend towards isolation from European institutions continued in 2023. In January, Putin [introduced](#) a bill to the State Duma that would terminate Russia's participation in 21 Council of Europe treaties, including the European Convention on Human Rights, the Statute of the Council of Europe, the Convention on the Prevention of Terrorism, and the European Social Charter. In February, the law was [passed](#) and went into effect.

In April, a [bill](#) introducing stricter penalties for sabotage of up to life imprisonment, which had already passed its first reading, was amended with the addition of **Art. 284.3 CC RF**. This article punishes 'assisting in the implementation of decisions by international organisations in which the Russian Federation does not participate, or by bodies of foreign states.' The maximum punishment is imprisonment for five years with subsequent restrictions on holding certain positions and engaging in certain activities for the same period. Nine days after the amendments were introduced, the president signed the bill into law.

'I think that we all understand the importance of passing these amendments. This allows us to defend our country from actions that are unlawful and unfriendly towards Russia, taken by international organisations whose legitimacy our country does not recognize,' [said](#) Pavel Krasheninnikov.

To date, we have no information about any criminal cases brought under this article.

5.2.3. New norms and bills concerning anti-extremism legislation

In May 2023, the State Duma passed a law in second and third readings that significantly expands the application of **Art. 20.29 CAO RF**, and in June Vladimir Putin [signed](#) it. Whereas **Art. 20.29 CAO RF** previously specified administrative liability for the manufacture or distribution of materials included in a Federal List, the new law introduces liability for the manufacture or distribution of any materials that courts may deem as extremist ad hoc.

There were 5,345 items [on the list](#) when the law was signed. Among them, alongside items promoting violence, are the song 'Last Call' by the popular rapper Oxxxymiron, and a video about United Russia's election promises called 'Let's remind the crooks and thieves.' Items were added to the list by court decision. The law that was passed also allows Russian law enforcement officials to prosecute people for items not on the list.

The new law defines 'extremist materials' in a vague manner. For example, this could be un-specific calls to engage in extremist activity (which of course is how criticism of the authorities is often described) and images of the leaders of groups, organisations, and associations deemed criminal by the Nuremberg Tribunal. Considering how the law on [display of prohibited symbols](#) has previously been applied, it is fair to assume that the new law may also be used against the publication of photos of Nazis for educational purposes.

In addition, a bill criminalising the justification and promotion of extremism was [introduced](#) in the State Duma in the summer of 2023. This bill also contains vague language that, if adopted, could put a wide range of individuals at risk of criminal prosecution. The bill was passed in first reading in September.

5.3. New developments in law enforcement affecting the LGBTQ community

For details about how LGBTQ individuals and initiatives faced pressure and repression of all kinds during 2023, see [Section 4.12](#). Here, we briefly list a few key aspects directly related to legislation and enforcement of laws that largely determined the nature and extent of this repression.

A significant number of incidents of harassment against the LGBTQ community can be attributed to a law adopted in November 2022 that made such harassment substantially easier. This law completely banned so-called LGBT propaganda, which had previously only been banned for minors, and the dissemination of information that could influence teenagers to consider gender transition. The law, [signed](#) by Vladimir Putin in December 2022, significantly expanded the applicability of the administrative-law article on ‘propaganda promoting non-traditional sexual preferences’ ([Art. 6.21 CAO RF](#)), which took effect at the beginning of 2014. In addition to expanding the target audience of so-called LGBT propaganda’ to include all Russians, the new law allows for stricter censorship. So-called LGBT propaganda has been banned in just about every arena of life – Internet resources, films, literature, advertisements, and the media. Under the new law, films that depict the experiences of the LGBTQ community should no longer receive distribution certificates, and goods such as books that are found to contain LGBTQ propaganda can now be banned from sale. Violations will result in fines for individual citizens, larger fines for organisations, and expulsion from Russia for foreigners and individuals without citizenship. In addition, the law creates a special body to identify and block LGBTQ content.

One of the major events affecting the LGBTQ community in Russia in 2023 was the passing of a law that banned gender transition (also known as the ‘law banning sex change’). The bill was [introduced](#) in the State Duma on 30 May 2023. Nearly every Duma deputy was involved in its [drafting](#) (369 out of 386 deputies). The first version of the bill proposed a complete ban on medical interventions related to gender transition (including ‘*those intended to form in a person primary and (or) secondary sex characteristics of the opposite sex*’) and a ban on ‘*government registration of a sex change without an operation*,’ i.e. a ban on changing a person’s gender in terms of identity documents. Exceptions were to be made only in the case of congenital anomalies in children, a presumed reference to intersex people. However, even in these cases, only a ‘*medical panel at a federal state health care institution*’ could approve medical intervention. The exceptions were to be determined by the government.

An explanatory note to the bill [stated](#) that the Russian Constitution ‘*does not provide for sex change*’ or ‘*neutral gender options such as Parent #1 and Parent #2*’ – language that President Vladimir Putin has used repeatedly when denouncing Western values. The note also stated that the bill is intended to strengthen Russia’s national security strategy and uphold Russia’s traditional values. Significantly, when the law on the full ban of so-called LGBT propaganda was

being discussed at the end of 2022, lawmakers did not hide the link between its passing and the war in Ukraine. Indeed, deputies and government officials have spoken many times about Russia's '*spiritual war against the West*,' and the ban on so-called LGBT propaganda and gender transition propaganda would help Russia win the war against the new world order.

The State Duma [passed](#) the law unanimously. On 14 July 2023, 386 deputies voted to pass the bill in third reading, with no votes against or abstentions (in first and second reading all deputies present also voted in favour). In addition to the bans on medical care for trans people and gender changes on documents, the State Duma approved other restrictive measures. Marriages are now considered immediately annulled if one or both spouses change their sex, while previously the prosecutor's office had to initiate proceedings for each individual case. Additionally, individuals who have undergone gender transition are now prohibited from adopting children and becoming guardians. Moreover, if someone has already had gender surgery but did not change their passport, once the law went into effect they lost the ability to have their passport changed. On 19 July 2023 the law was approved by the Federation Council, and it went into effect on 24 July 2023, after being signed by President Vladimir Putin.

Finally, nearer the end of 2023, another event effectively outlawed a significant part of the LGBTQ community in Russia. Although it did not concern a law, the Criminal Code, or the Code of Administrative Offences, but a court decision that, formally, had bearing on one organisation, we feel it necessary to mention it here.

On 17 November 2023, it emerged that the Ministry of Justice had filed a suit to designate the 'international LGBT movement' as an extremist organisation. A press release published on the Ministry's website [stated](#) that within the movement's activities '*were detected evidence and various manifestations of extremist orientation, including incitement of social and religious discord*.' Seven human rights organisations [submitted](#) a third-party intervention to the Russian Supreme Court outlining the unlawful nature of the Ministry of Justice's lawsuit. These organisations were Memorial Human Rights Centre, the LGBTQ group Coming Out, the Civic Assistance Committee, Citizens' Watch, OVD-Info, Public Verdict, and the Alliance of Straights and LGBT for Equality. In the intervention, the activists noted that the 'international LGBT movement' does not exist, and that designating it as extremist and banning it in Russia would be discriminatory. They also stated that a Supreme Court ruling in favour of the Ministry of Justice's suit would violate their rights to freedom of assembly, association, thought, speech, and belief, and would also violate the constitutional prohibition on establishing an obligatory political ideology. Separately, the day before the lawsuit was to be heard, five LGBTQ activists [attempted](#) to join the case as an interested party by creating an organisation called the 'international LGBT movement.'

Despite the protests by human rights defenders and activists, the court hearing was held in camera on 30 November 2023 and lasted four hours. Only Ministry of Justice representatives were allowed into the courtroom, with journalists only present when the verdict was read. Judge Oleg Nefyodov ruled that the 'international LGBT movement' be designated an extremist organisation. The decision went into effect immediately, and liability for violations was imposed at the start of 2024.

The judge's reasoning was made public in January 2024 and was [obtained](#) by Svobodnye novosti. According to the journalists, law enforcement officers were using the document to prepare

materials for an administrative prosecution, and participants in the trial had been able to obtain a copy of it.

The 19-page document of the ruling suggests that the ‘international LGBT movement,’ which originated in the United States, has existed in Russia since 1984 and is part of ‘a policy to limit the birth rate that, among other things, promotes non-traditional family relationships.’

The document states the following: ‘By publicly declaring its objectives as the fight for LGBT rights, the fight against discrimination and violence against LGBT individuals, and the prevention of HIV/AIDS and other illnesses, the Movement is in fact promoting an ideology that destroys traditional family and marital values by establishing untraditional sexual relationships as morally equivalent to traditional ones, legalizing same-sex marriage, and allowing same-sex couples to adopt and raise children. The Movement seeks to strengthen their ideology in the public consciousness and at the legislative level by means of specific laws and freedoms for its participants.’

In his ruling, Judge Nefyodov noted that participants in the movement were allegedly united by certain moral views, common interests, preferences in sexual partners, as well as ‘the use of would-be feminine-gender words, such as *rukovoditelnitsa* [female leader], *direktorka* [female director], *avtorka* [female author], *psikhologinya* [female psychologist].’

In addition, the court ruling stated that ‘281 individuals have been identified who promote LGBT ideology and participate in the Movement’s activities. These individuals are not only active as members of the LGBT movement, distributing materials supporting their cause, but they are also receiving significant funding, in part from foreign organisations.’ Moreover, in the judge’s view, the appeals to the Supreme Court made by citizens and organisations that ‘identify as LGBT’ imply that they plan on continuing their activities.

‘The international LGBT movement is by nature a destructive ideological mechanism for influencing citizens, including minors. It threatens the demographic situation in the country, contributes to the self-destruction of society, weakens family ties, harms moral health, and imposes ideas that imply a denial of human dignity and the value of human life,’ the judge’s decision reads.

We discuss the potential consequences, both short-term and long-term, of this decision in detail in [Section 4.12](#). Here, we note only that the Supreme Court’s granting of the Ministry of Justice’s lawsuit led to the mass closure of LGBTQ spaces, emigration of activists, and stricter censorship – and in 2024 it has led to administrative-law prosecutions, as well as one criminal prosecution.

Conclusion

In this final section we review the general trends of political repression carried out by the Russian authorities in 2023.

06.

Prosecutions for anti-war statements

If 2022 saw the evolution of a system of wartime censorship, when key provisions of administrative and criminal law aimed at prosecuting anti-war statements appeared and were put into practice, then 2023 was a year in which this system was scaled up.

There have been no fundamental changes to legislation or its application. The laws governing discrediting (Art. 20.3.3 CAO RF and Art. 280.3 CC RF) and ‘fake news’ (Art. 207.3 CC RF) in relation to the Russian army were expanded and now include, ‘volunteer groups, organisations, and persons who assist in carrying out duties assigned to Russia’s armed forces’ as well as National Guard troops. Yet we do not yet know how the new norms are being applied. In addition, the maximum punishment under Part 1 of both criminal articles was increased from three to five years.

The number of sentences handed down under the criminal articles on ‘fake news’ and discrediting the army increased severalfold. Courts in Russia and on the territory of annexed Crimea imposed almost seven times more such sentences in 2023 than in 2022 (115 versus 17). Thirty-two people were sentenced to terms of imprisonment in penal colonies of up to eight and a half years. Another common tool used against those accused of making anti-war statements was forced psychiatric treatment – the courts handed down such sentences to nine individuals. Since January 2023, 19 sentences under the article on ‘fake news’ have been rendered in absentia, on emigrants or Ukrainian journalists.

The number of known cases opened under the article on ‘fake news’ has decreased: there were at least 104 in 2023, and at least 156 in 2022. In contrast, more than 90 cases have been brought since the start of 2023 under the criminal article on discrediting, against more than 50 cases in 2022. Twenty-two people were remanded in custody under this article.

Another new article has entered common use: Art. 280.4 CC RF on ‘calls to engage in activities against the security of the state’, which was included in the Criminal Code in the summer of 2022 and is primarily aimed at prosecuting people for anti-war statements. It is often applied regarding statements arguing the need to sabotage mobilisation or desert the army. Over the year, more than 30 people had cases brought against them under this article, 17 were remanded in custody, six sentences involving imprisonment were handed down, and one person was sent for forced psychiatric treatment.

The article governing the public justification of terrorism and calls to engage in terrorist activities (Art. 205.2 CC RF) was used extensively regarding statements against the war. According to statistics from the Judicial Department of Russia’s Supreme Court, a total of 345 people were convicted under this article in 2023 (in 2022, that number was 318), 310 of them for online posts (versus 264 in 2022). According to OVD-Info, at least 103 people that year faced prosecution for anti-war statements under this article. However, that number could be far higher, because often the substance of the charges is not known. As in 2022, ‘justification of terrorism’ and ‘calls for terrorism’ are often terms used by investigators and courts in relation to favourable comments about Ukrainian acts of sabotage, including the bombing of the Crimean Bridge, the arson of military recruitment offices, and saying that Vladimir Putin should be killed.

Prosecutions on charges of treason, espionage, and similar charges

A key outcome of 2023 was an explosion in prosecutions for alleged treason and espionage. The number of sentences under Art. 275 CC RF and Art. 276 CC RF increased from 17 in 2022 to 48 in 2023. Also in 2023, the first two sentences were passed under a new article on collusion with a foreign state (Art. 275.1 CC RF), dubbed ‘treason light’ in the media. But the number of convictions has fallen far short of the number of cases initiated; although there is a lack of accurate data, journalists and human rights defenders variously estimate that in 2023 over 100 people probably had legal proceedings brought against them under these three articles.

A clear trend in 2023 was the regional diversification of treason cases; the vast majority are now initiated not in Moscow, as before, but in other regions. At the same time, the powers of regional FSB offices have expanded, allowing them to significantly step up their efforts to identify ‘enemies of the country’.

The sharp increase in prosecutions was undoubtedly a direct consequence of the war. From 2023, people were prosecuted for treason for making donations to the Ukrainian army. Working about ‘going over to the enemy’s side’, introduced in the CC in 2022, came into full force – it is applied against people accused of trying to join the AFU or Russian volunteer units fighting on the side of Ukraine. Finally, the number of prosecutions for passing information to Ukrainian intelligence has risen. In these situations, Russians face treason charges, while foreigners face espionage charges. Espionage cases have emerged as an instrument of terror used against Ukrainian civilians in the territories occupied in 2022.

There is reason to believe that many treason cases follow on from acts of provocation by the FSB, whose officers and agents pose as Ukrainian security forces or members of volunteer groups fighting on the side of Ukraine, or, conversely, gain people’s trust and ask for help in joining such a group.

The toughest sentence we know of in a treason case was handed down to the opposition politician Vladimir Kara-Murza: 25 years in a penal colony. The article on treason was not the only one to feature among the charges against him, but it was the most serious. It is worth noting that his prosecution was exclusively for peaceful and public activities, namely, speeches at international forums.

In 2023, as part of continuing efforts to ramp up repression against the ‘enemies of Russia’, the State Duma toughened the maximum punishment for treason from 20 years to life imprisonment.

The so-called ‘spy’ cases remain completely closed to the public. They are further shielded from oversight by what is known as the ‘jail merry-go-round’, the use of a series of successive administrative-law jail terms on spurious grounds each lasting 10–15 days before a criminal case is filed. On 14 June, during his third administrative jail term in a row, **Anatoly Berezikov** died in a special detention centre in Rostov. According to unconfirmed reports, he was to be prosecuted for treason.

Prosecutions for radical protests

There has been a growing trend in 2023 to treat minor arson attacks on military recruitment offices, other public buildings, and railway equipment, as acts of terrorism. Late in the year, we learned that the article governing acts of terrorism (**Art. 205 CC RF**) had been used to convict 21 arsonists who had protested against the war through direct action. They were all given real terms of imprisonment, 11 of them for upwards of 10 years. One teenager was sent for forced psychiatric treatment. To enhance the punishment, investigators would sometimes add additional charges to this especially grave crime. One example of this is Vladimir Zolotaryov, who set fire to the entranceway of a National Guard building and was sentenced to 18 years' imprisonment, having also been accused of preparing further arson attacks. Another example is the case of Aleksei Nuriev and Roman Nasryev, who threw a pair of Molotov cocktails at the window of a military registration office and were each sentenced to 19 years. They were additionally found guilty of terrorist training.

Another law widely used regarding the arson of relay boxes and other parts of railway infrastructure, is the article on acts of sabotage (**Art. 281 CC RF**). This article was greatly expanded in 2023, and the maximum prison term increased, from 15 to 20 years under **Art. 281, Part 1, CC RF**, and from 20 years to life imprisonment under **Art. 281, Part 3, CC RF**. Furthermore, the Criminal Code was amended to include the option of sentencing a person found guilty of sabotage to life imprisonment, even in cases of involuntary manslaughter.

In 2022, just one person was convicted under the article on sabotage, whereas in 2023, it was 12. Under the article on terrorism, which saw extensive use even before the full-scale war with Ukraine, and not only in connection with it, the number of people convicted increased from 44 to 73 (a factor of 1.7). Often, those prosecuted under these articles are being accused of planning arson; there is far greater scope to fabricate evidence in these circumstances than there is where an act has already been carried out.

A key finding for 2023 was that among those detained on charges of setting fire to military recruitment offices and other acts of sabotage, a significant proportion of them, the available information suggests, did it for money or even fell victim to telephone pranks. Countering Russian aggression is no longer the only motive driving people to commit minor arson. And yet, the regime uses the article on acts of terrorism against people who patently had no intention of undermining Russia's defence capability or destabilising the work of government, which indicates that it has a political interest in raising the number of such prosecutions.

Prosecutions of Ukrainian nationals, both civilians and prisoners of war

According to Ukrainian human rights defenders, as of early 2024, at least 7,000 Ukrainian citizens are being illegally held on the internationally recognised territory of Russia and the occupied territories for their opposition to the Special Military Operation. Many were detained or captured in February–March 2022 in the subsequently liberated territories of Kyiv, Sumy, Kharkiv, Kherson, and Chernihiv Oblasts of Ukraine. However, only around 1,600 Ukrainian citizens have had their whereabouts confirmed. They were detained for, among other things,

taking part in demonstrations against Russian aggression, other forms of active opposition to the presence of the Russian army, and assisting the Ukrainian army.

In the Ukrainian territories under Russian control since 2014 (annexed Crimea and parts of Luhansk and Donetsk Oblasts that have been unofficially occupied since the hybrid war), on the other hand, political terror took root long before the full-scale invasion in 2022 and intensified after it began. In Crimea, total surveillance of posts and comments by local residents on social media is, to a considerable degree, associated with the Telegram channel SMERSH ('Death to Spies'), run by a pro-Kremlin blogger who evidently works closely with the Russian security forces. The channel constantly reports on the identities of Crimeans who are disloyal to the occupiers and publishes videos with forced apologies by those detained.

After Vladimir Putin announced the annexation of the so-called DPR and LPR into Russia, criminal cases filed thus far by the authorities of those republics came under the jurisdiction of Russian agencies and courts. They began to impose sentences for actions carried out by Ukrainian citizens on the territory of Ukraine during the time when, even from a Russian official standpoint, Ukrainian law applied. These were often prosecutions for real or perceived opposition to the authorities of the people's republics, which Russia did not even recognise as independent entities until 2022.

Particularly notable are prosecutions of Ukrainian prisoners of war that feature the article governing the violent seizure and retention of power (**Art. 278 CC RF**). **The violent seizure and retention of power in the Ukrainian regions was carried out, as the investigators would have it, not by the administrations of the self-proclaimed people's republics, but by Ukrainian military service personnel and others connected to the Ukrainian army and volunteer battalions.** The said article covers prosecutions of multiple defendants brought against combatants and employed civilian personnel who were captured in the spring of 2022 and found to be involved with military units formed out of the Azov and Aidar volunteer battalions. The prisoners are additionally being tried for membership of a terrorist organisation (**Art. 205.5 CC RF**), even though 'Azov' and 'Aidar' were only designated as terrorist organisations in Russia long after the suspects were detained.

Prosecutions for refusing to fight in the Russian army

In 2023, Russian courts constantly passed sentences on military service personnel who had left the front or refused to go to war. **The courts received over 5,500 cases of absence without leave, failure to comply with orders, and desertion.** According to *Mediazona's* calculations, every week since May, **around 100 or so sentences for absence without leave have been handed down in Russia.** Criminal legislation allowing for harsher punishments for crimes against military service was adopted in 2022 and has yet to undergo any significant changes. At the same time, the government introduced new tools for pressuring conscripts and potential reservists who might be employed in the next waves of mass mobilisation.

Official figures for criminal prosecutions do not tell the whole story of repression against conscientious objectors: unofficial imprisonments and torture of military service personnel who for whatever reason did not wish to fight (known as being 'put in the basement') became commonplace in 2022, and this practice continued in 2023.

The prosecution of Aleksei Navalny and his supporters and lawyers

At the time of reporting, we already know that in February 2024, the years-long reprisals against leading Russian opposition politician Aleksei Navalny concluded with his murder. In 2023, Navalny was sentenced in yet another prosecution to 19 years in a strict regime penal colony and went on to have further criminal proceedings brought against him. As in 2022, he was repeatedly despatched to a punishment cell where the conditions amounted to torture. As a result, according to calculations by Navalny himself, he spent 266 days in a punishment cell out of around a year and a half at the penal colony in Melekhovo. In December 2023, Navalny was finally transferred to the Arctic Circle, where he was once again locked up in a punishment cell. Navalny died in a penal colony in the Yamalo–Nenets Autonomous Okrug.

Verdicts were handed down in legal proceedings involving Navalny's associates, **with former coordinators of his regional headquarters receiving up to nine years' imprisonment** in the framework of a case filed against an 'extremist group' in 2021.

New defendants appeared in the above case when the investigation cast Navalny's lawyers as members of his 'extremist group', and three of them were taken into custody. This was a novel repressive move in Russia, to not only exert pressure on lawyers but literally equate their professional activities with complicity in the alleged crimes of their client, and it was clearly intended to further isolate Navalny when he was alive. However, it will most likely have adverse consequences for the defence of other political prisoners, as, given the high risks involved, lawyers may well decline to work on their cases.

A further five individuals were remanded in custody, charged with involvement in Navalny's local headquarters after these had been banned. Among other things, the charges related to street graffiti made in support of the opposition figure. In addition, people are increasingly being prosecuted for financing extremist activities, after making donations to the Anti-Corruption Foundation – at least three people have been placed in custody for this reason. At the end of 2023, 11 Russians in total are known to have been accused of financing the Anti-Corruption Foundation.

Prosecutions of LGBTQ people and state oversight of people's private lives and moral character

In late 2022, legislation banning so-called LGBT propaganda was greatly expanded, suggesting that pressure on the LGBTQ community would build in 2023. We expected to see a growth in the number of heavy administrative fines, and that is precisely what happened. Authors of online dating profiles and adverts for sex work, for instance, were found guilty of spreading such propaganda, while publishing houses, bookshops, streaming services, and TV channels incurred particularly heavy fines and were forced to remove books and films containing topics on LGBTQ from sale or screening.

Nonetheless, we would never have imagined that by the end of 2023 we would be entering what is essentially a dystopia. Following a complete ban on gender reassignment operations,

the amendment of gender markers in documents, and the adoption of children by transgender people, **the authorities designated the (in fact non-existent) ‘international LGBT movement’ an extremist organisation**, one that had supposedly operated in Russia since 1984 as an agent of Western birth control policy. This created the conditions for the criminalisation of anything that the state might find associated with the ‘LGBT movement’. Moreover, it gave the green light to violence against people, and from December we witnessed raids on LGBTQ events and social gatherings.

The fight for so-called traditional values did not stop there but extended to repressive measures against popular entertainers of all sexual orientations attending social events dressed in, according to the authorities and members of pro-government organisations, overly revealing outfits. To be clear, **the Russian state is setting its sights on totalitarian ideological control over the private lives of its citizens, including their sex lives.**

Prosecutions for attacks on ‘sacred objects’

The new Russian ideology is not based on a foundation of compulsory heterosexuality alone. **It is not the first year in which the authorities have exploited the hallowed memory of the Soviet Union’s victory in WWII and used it to justify both military aggression against Ukraine and brutal internal repression.**

In 2023, at least 45 cases were initiated for the rehabilitation of Nazism (Art. 354.1 CC RF). These related, among other things, to any form of disrespectful behaviour towards symbols of military glory, such as monuments, the Eternal Flame, the ribbon of St George, and so on. At least 14 cases were initiated for actions involving the Eternal Flame. Often, the people targeted by this campaign are not even making any political statements or speaking out against the authorities. For the most part, they have had too much to drink and are urinating on the Eternal Flame, lighting a cigarette from it, dancing on it, throwing snowballs at it, or committing some other act that, while indecent, clearly does not merit a draconian measure like being taken into custody or given an actual prison term.

Prosecutions under the article on insulting the feelings of believers of traditional faiths (**Art. 148 CC RF**) have continued. Prominent among these cases is that of **Nikita Zhuravel**, who was accused of burning the Quran on orders from Ukraine. Despite the fact that, according to investigators, the accused carried out the stunt in Volgograd, the case was transferred to Chechnya. There, Zhuravel was personally interrogated by the head of the republic, Ramzan Kadyrov. Furthermore, the son of the head of the republic, Adam Kadyrov, beat Zhuravel while being recorded on video. This act was publicly approved by high-ranking figures in Chechnya, including Kadyrov senior. The state is sending clear signals here: firstly, **Ramzan Kadyrov does not consider there to be any checks on his behaviour, and, secondly, even a formal legal framework can be brushed aside when it comes to the desecration of a sacred object, whatever that may refer to.**

Overall backdrop of repression in 2023

In many ways, the repressive measures seen in 2023 were a continuation, growth, and consolidation of earlier trends.

1. **The register of ‘foreign agents’ increased by almost 150% in 2023.** In that year alone, 47 organisations and associations (not counting limited companies specially created for purposes of reporting by those on the register) and 172 individuals were designated as ‘foreign agents’, and the authorities continued to increase the number of restrictions on people with that label.
2. In 2023, the first case was brought under a new, tougher drafting of the criminal article on evading the duties of a ‘foreign agent’ – the defendant was the émigré former co-ordinator of the Golos movement in Tver Oblast, **Artyom Vazhenkov**. In addition, *Radio Svoboda* journalist **Alsu Kurmasheva** was remanded in custody. Kurmasheva was not even on the register of ‘foreign agents’ but, according to the investigators, if she wished to gather information about conscripted lecturers at a university, she should have been proactive and applied to have herself included in the register.
3. **The Prosecutor General’s Office recognised 58 organisations as ‘undesirable’ in 2023, almost doubling the listed numbers of such organisations.** Those named as ‘undesirable’ included major media outlets (*Meduza*, *Dozhd*, and *Novaya gazeta Europa*), educational institutions (Free University and Central European University), and a great many émigré organisations and religious communities in various countries. In 2023, several environmental groups were entered in the register of ‘undesirables’ for the first time, including Greenpeace.
4. **Grigory Melkonyants**, co-chair of the Golos movement, which monitors elections in Russia, was taken into custody on a charge of involvement in an ‘undesirable’ organisation (**Art. 284.1 CC RF**). That same article is being applied to members of various religious movements.
5. Another instrument for suppressing freedom of association was introduced into legislation: **a ban on participation in the activities of foreign or international non-profit organisations whose local offices are not entered in the appropriate register or registered with the Ministry of Justice, plus administrative and criminal liability for any violations.**
6. **In 2023, there was growing pressure on human rights defenders, especially those associated with Memorial.** In Perm, the chair of the Centre of Historical Memory, **Aleksandr Chernyshov**, was taken into custody in connection with the attempted smuggling of items of cultural value. According to investigators, he was trying to transport Memorial’s archival records from Russia to Germany. In Moscow, a member of the now-liquidated Memorial Human Rights Centre, **Bakhrom Khamroev**, received 14 years in a strict regime penal colony. The court ruled that he not only defended people prosecuted in Hizb ut-Tahrir cases but was himself a member of this organisation. In 2023, the co-chair of the Memorial Human Rights Centre, **Oleg Orlov**, was fined for an anti-war article he had written. This penalty was later increased, and Orlov was sentenced in 2024 to two and a half years’ imprisonment and taken into custody. The homes of many Memorial employees and members in Perm and Moscow were subjected to searches.

7. **The moves to shut down human rights and research organisations continued.** The Moscow Helsinki Group, the Sakharov Centre, the SOVA Centre for Information and Analysis, and the oldest human rights organisation in the Mari El Republic, Man and the Law, were all shut down.
8. Just as the Russian state protects certain religious confessions through abuse of the legal system and violence, so it persecutes others in the same way. **Overall, the scale of persecution of Jehovah's Witnesses and members of the Islamist political party Hizb ut-Tahrir remains the same.** Annexed Crimea still holds the record for the number of prosecutions for alleged involvement in Hizb ut-Tahrir. Starting in 2023, there were prosecutions of Jehovah's Witnesses in Ukraine's territories occupied in 2022, in Kherson Oblast. Both religious organisations operate legally in Ukraine, and their prosecution by the occupying authorities is unacceptable in terms of international law.
9. In prosecutions for involvement in the Jehovah's Witnesses and Hizb ut-Tahrir, older people and people with disabilities are constantly being remanded in custody or sent to serve sentences in penal colonies, and they do not receive adequate treatment in these places of detention. On 10 February 2023, 60-year-old **Dzhemil Gafarov**, who suffered from kidney failure and needed dialysis, died in a remand prison in Novocheboksarsk after prolonged suffering.
10. In penal colonies, forms of pressure such as regular incarceration in a punishment cell were far from just used against Aleksei Navalny; they were standard means of treatment of political prisoners. **In 2023, defendants held in penal colonies in politically motivated cases were increasingly served with fresh charges to extend their prison terms.** They have been accused of 'seditious talk' with other prisoners or of conflicting with Penitentiary Service officers. This is what happened, for example, in the cases of **Maria Ponomarenko** and **Aleksei Gorinov**, while **Azat Miftakhov** was arrested on a new charge immediately on his release from a penal colony.
11. **Russia continued to isolate itself from the Western world.** Whereas in 2022, the government refused to carry out the decisions of the European Court of Human Rights, in 2023, it de-ratified the Convention for the Protection of Human Rights and Fundamental Freedoms, as well as several other international treaties. A new article appeared in the Criminal Code (**Art. 284.3 CC RF**), penalising provision of assistance in the implementation of decisions of international organisations or foreign state bodies relating to the criminal prosecution of Russian officials, military service personnel, or those of equivalent status.
12. At the same time, **Russian security forces moved towards closer cooperation regarding extradition of political refugees and conscientious objectors with their counterparts from a number of neighbouring countries**, not only Belarus, but also Kazakhstan, Kyrgyzstan, and Armenia. For instance, several activists hiding in Kyrgyzstan were removed from the country.
13. **There is reason to believe that the Russian authorities are using cross-border repressive measures in Europe, too.** The journalist **Yelena Kostyuchenko** survived a poisoning attempt in Germany and **Leonid Volkov**, one of the late Navalny's closest associates, has now been attacked in Lithuania in 2024.

Criminal political repression in Russia in 2023 was broadly characterised by:

- a continued growth in the number and severity of punishments;
- a reduced tolerance among the authorities for any deviation from the standard set by the state;
- an increasing disregard for even the semblance of compliance with legal standards and principles;
- the increasingly important role of direct violence, whether in the form of literal torture of suspects and alleged offenders or torturous conditions of detention for victims of political repression, or of a kind unconnected to criminal proceedings;
- a rejection of the generally softer stance towards women, children, and the elderly that had been characteristic of the authorities in previous years and probably stemmed from their patriarchal attitudes. In 2023, members of these groups made up an increasing proportion of the victims of political repression;
- repression continues, in many respects, to be demonstrative and selective in nature, rather than pervasive. Despite the above-mentioned increase in repression, the scale of politically motivated criminal prosecutions in Russia has remained at a much lower level than in Belarus, after adjusting for the difference in population size.

The trends and characteristics of the political repression we have described give grounds to predict that it will continue to build in both scale and severity, the greater the challenges faced by the ruling regime.



Independent human rights project “Political Prisoners Support. Memorial”

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