**COI QUERY**

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<thead>
<tr>
<th>Country of Origin</th>
<th>THE RUSSIAN FEDERATION</th>
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<tbody>
<tr>
<td><strong>Title</strong></td>
<td>Major developments in the Russian Federation in relation to the treatment of political opposition and dissent</td>
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<tr>
<td><strong>Reference period</strong></td>
<td>15 February 2023 to 25 September 2023</td>
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<tr>
<td><strong>Topics</strong></td>
<td>1. General developments</td>
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<td>3 October 2023</td>
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<td><strong>Query Code</strong></td>
<td>Q46-2023</td>
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<tr>
<td><strong>Contributing EU+ COI units (if applicable)</strong></td>
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All sources used are referenced and cited in the bibliography section. A quality review has been performed in line with the above mentioned COI methodology. This document does not claim to be exhaustive or conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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COI QUERY RESPONSE – The Russian Federation

Major developments in the Russian Federation in relation to political opposition

1. General developments

Following the full-scale invasion in Ukraine on 24 February 2022, there has been a noticeable surge in the authoritarian tendencies of the regime established under the President Vladimir Putin. In their efforts to suppress any opposition to the war and domestic dissent, the authorities have further restricted rights and individual freedoms. As noted by the Russia-based SOVA Research Centre, all three branches of the government – the legislative, the executive, and the judiciary – were actively involved in suppressing the anti-war protest. As a result, thousands of persons found themselves facing charges in both criminal and administrative proceedings based on ‘the old anti-extremist legal norms’ and ‘the newly adopted legislation restricting civil liberties’.

The Russian authorities enforce strict information control, deeming any dissenting accounts on the war in Ukraine as unlawful. In the Reporters without Borders (RSF) 2023 index, Russia was ranked 164th out of 180 countries, representing a 10-point drop from the RSF’s 2022 index. RSF noted that nearly all independent media outlets in the country have been either banned, blocked, or labelled as ‘foreign agents’ or ‘undesirable organisations,’ while others grapple with military censorship. Following a law signed by President Putin on 14 June 2022, the Prosecutor General’s Office gained ‘the total control’ over the media activities in the country. This includes the expanded authority to block information resources and terminate registration and broadcasting licenses of the Russia-based media for spreading “inaccurate information”, “discrediting” the actions of the Russian army and officials abroad, “disrespecting the authorities”, advocating for sanctions, calling for demonstrations, as well as engaging in “the propaganda, rationalization and (or) justification of extremism.” In consultation with the Ministry of the Foreign Affairs, the Prosecutor General’s Office has an authority to revoke registration and broadcasting licenses of foreign media outlets in response to closure of

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1 Freedom House, Freedom in the World 2023 – Russia, n.d., url; Domariska, M., Putin’s neo-totalitarian project: the current political situation in Russia, 17 February 2023, url
2 Domariska, M., Putin’s neo-totalitarian project: the current political situation in Russia, 17 February 2023, url
4 SOVA Research Centre is a group of researchers emerged in August 2023 after the liquidation under a court decision of the 2002-established SOVA Center for Information and Analysis. Similar with its predecessor, the group publishes its research on such topics as nationalism, xenophobia, and anti-extremist legislation. See, SOVA Research Centre, About us, 8 September 2023, url
5 SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, url
6 Domariska, M., Putin’s neo-totalitarian project: the current political situation in Russia, 17 February 2023, url
7 RSF, Russia, n.d., url
Russian media outlets by other countries. As of the end of December 2022, more than 9,000 websites were blocked at the request of the Prosecutor General’s Office.

In 2022, there was an increase in criminal prosecutions targeting supporters of Alexei Navalny, while members of opposition faced various administrative and criminal charges. As of February 2023, at least 23 people were investigated for their contacts with Navalny’s ‘extremist organisations’. In June 2023, a court sentenced the former head of the headquarters of Navalny foundation in the Ufa city to seven-and-a-half years in a penal colony on two extremism-related charges and accusations of working for an NGO that infringes on individuals and their rights. The same month, a former coordinator of Navalny’s headquarters in Lipetsk faced criminal charges for involvement in an extremist organisation for alleged participation in Navalny’s organisation after it was banned in 2021. Charges for participation in an extremist organisation were also filed against a resident of Rybinsk for drawing graffiti on buildings and bus stops during a rally in support of Alexei Navalny. Rallies in support of Navalny were held across Russia on 4 June 2023.

In the period between 24 February 2022 and 20 August 2023, the human rights group OVD-Info, recorded 19,786 detentions for ‘anti-war stance’. Of these, nearly 19,100 took place during protests and around 330 detentions were conducted after the protests. More than 360 detentions were linked to activities such as social media posts, private conversations, and use of symbols. Furthermore, in the same period, OVD-Info registered 525 instances of extra-judicial pressure on persons involved in anti-war activities, including workplace harassment (155 instances), threats (129 instances), cancelation of events (69 instances), damage to property (64 instances), expulsion from a place of studies (61 instances), and attacks (22 instances).

In addition to the censorship and repression, secret services carry out large-scale surveillance of the population, with facial-recognition system installed in the metro being used to detain protestors. On 4 July 2023, the European Court of Human Rights (ECHR) noted in a case regarding an arrest of a solo protestor identified through social media and closed-circuit

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8 SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, url
9 Roskomsvoboda, В 2022 году власти заблокировали более 247 тысяч интернет-ресурсов [In 2022, the authorities blocked more than 247,000 internet resources], 28 December 2022, url
10 SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, url
11 Domariska, M., Putin’s neo-totalitarian project: the current political situation in Russia, 17 February 2023, url
13 OVD-Info, В Липецке на эк-координатора местного штаба Навального завели новое уголовное дело [A new criminal case has been opened against the ex-coordinator of Navalny’s local headquarters in Lipetsk], 2 July 2023, url
14 OVD-Info, На жителя Рыбинска возбудили уголовное дело об участии в экстремистских «Штабах Навального» и ФБК [A resident of Rybinsk was prosecuted for participation in extremist "Navalny Headquarters" and FBK], 8 June 2023, url
15 OVD-Info is an independent human rights group which works on the ground in Russia, collecting data about political repressions in the country, see OVD-Info, About us, n.d., url
16 OVD-Info, Wartime Repressions Report. August 2023, 30 August 2023, url
18 Domariska, M., Putin’s neo-totalitarian project: the current political situation in Russia, 17 February 2023, url
19 Reuters, Facial recognition is helping Putin curb dissent with the aid of U.S. tech, 28 March 2023, url
television surveillance cameras (CCTV) in the Moscow underground that facial-recognition technology installed in Moscow violated Article 8 (right to respect for private life) of the European Convention of Human Rights and Article 10 (freedom of expression) of the European Convention. ECHR also noted that between 2017 and 2022, more than 220,000 CCTV cameras were installed across Moscow.20

Sources noted that Russian citizens were encouraged to report those whom they suspect of wrongdoing,21 with persons being reported to police or the Federal Security Service (FSB) because of their conversations in restaurants, trains, or classrooms, wearing of symbols in the support of Ukraine in subways, as well as for activities on social media.22 Patriotic and militarised education curriculum has been introduced in schools,23 severely restricting freedom of teachers critical to the authorities.24

In Chechnya, reports indicate instances of torture, extrajudicial killings, enforced disappearances, and arbitrary detentions. This occurs in the environment of severe restrictions over freedoms of expression, association, and peaceful assembly, with instances of violence against journalists remaining unsolved due to the lack of adequate investigation.25

On 4 July 2023, investigative journalist working with Novaya Gazeta, Elena Milashina, who had previously received death threats from Ramzan Kadyrov, and a lawyer Alexander Nemov were assaulted and severely injured during their visit in Grozny, the capital of Chechnya,26 where they planned to attend a court verdict for Zarema Musayeva.27 Zarema Musayeva, a mother of Chechen activist Abubakar Yangulbaev, detained by Chechen law enforcement officers in Nizhny Novgorod in January 2022, was sentenced to 5-and-a-half years in prison on the charges of fraud and assaulting the authorities.28

2. Law enforcement

As noted by the Freedom House, autonomy of the judiciary from the executive branch in Russia is remarkably compromised, with judges’ career advancement being closely linked to their adherence to Kremlin preferences. The appointment of judges is controlled by the Presidential Personnel Commission and court chairpersons, who tend to favour internal promotions within the judicial system. With the constitutional amendments of 2020, the

20 ECHR, Use of facial-recognition technology breached rights of Moscow underground protestor, 4 July 2023, url
21 Domańska, M., Putin’s neo-totalitarian project: the current political situation in Russia, 17 February 2023, url; Mediziona. The dark underbelly of a nation at war. Mediziona interviews Russian police informants who denounce their fellow citizens, 19 April 2023, url; Schmies, O., Russia’s Denunciation Epidemic, CEPA, 22 May 2023, url; Le Monde, Russia’s surging denunciation culture, 6 September 2023, url
22 Washington Post (The), Russians snitch on Russians who oppose war with Soviet-style denunciations, 30 May 2023, url
23 France 24, Russian parents send children for patriotic school year, 1 September 2023, url
24 McGlynn, Russia is Preparing the Next Generation to Die for Their Country, The Moscow Times, 22 September 2023, url
26 HRW, Journalist, Rights Lawyer Brutally Attacked in Chechnya, 4 July 2023, url
27 BBC News, Chechnya Milashina attack: Armed thugs beat up Russian journalist and lawyer, 4 July 2023, url
28 Moscow Times (The), Chechen Court Sentences Mother of Prominent Activist to 5.5 Years in Prison, 4 July 2023, url
president, with the support of the Federal Council, has the authority to remove judges from the Constitutional Court and the Supreme Court, which has further reduced the independence of the judiciary.\textsuperscript{29}

As noted by Amnesty International (AI), the right to a fair trial is frequently violated and is ‘even more ephemeral in administrative cases than in criminal proceedings,’ pointing out further that:

 [...] people accused of an administrative offence have no automatic right to a lawyer. In these proceedings there is also no prosecutor, which means the process is not adversarial and the judge decides whether and how thoroughly to scrutinize the evidence. When the defendant is able to bring a lawyer (typically a challenge because of the short or no-notice, as well as cost), the judge often effectively acts as their adversary. The standard of proof is very low, if applicable in earnest. Evidence in administrative cases often consists of just one or two similarly-worded police reports and a “protocol of administrative offence” — a one-page document summarizing the accusations. Judges in administrative proceedings frequently refuse to summon key witnesses or request additional information and typically dismiss evidence presented by the defence as “a means of avoiding the punishment” while accepting police reports unquestionably. There have been numerous instances, including documented by Amnesty International, in which the judge’s ruling directly contravened the facts fully captured on camera and presented in the hearing.\textsuperscript{30}

Regarding criminal proceedings, AI noted that:

Although in theory, the standard of proof of alleged crimes is much higher than of administrative offences, and procedural rights of defendants are more extensive and clearly defined in domestic law, in practice criminal justice is just as flawed in Russia. Courts are biased against defendants even in non-political cases. In 2022, only 0.4% of defendants in courts were either acquitted or had criminal proceeding against them terminated on rehabilitating grounds (for example, because the fact of the crime was not proven), a figure that has not increased in the past two decades. While merely 0.2% of appeals have resulted in acquittal or termination of the proceedings, by contrast, 45% of acquittals challenged by the prosecution were overturned following its appeal.\textsuperscript{31}

Due process rights, including safeguards against arbitrary arrest, were reported to have been routinely disregarded, particularly for persons opposing the authorities or perceived as such.\textsuperscript{32}

Numerous instances of the use of excessive force by police officers, ill-treatment during arrest

\textsuperscript{29} Freedom House, Freedom in the World 2023 – Russia, n.d., url
\textsuperscript{30} AI, Russia: Under the “Eye of Sauron”: Persecution of Critics of the Aggression against Ukraine, 20 July 2023, url, p. 1
\textsuperscript{31} AI, Russia: Under the “Eye of Sauron”: Persecution of Critics of the Aggression against Ukraine, 20 July 2023, url, p. 3
\textsuperscript{32} Freedom House, Freedom in the World 2023 – Russia, n.d., url
and detention, including the instances of torture in detention centres have been reported. As noted by the UN Special Rapporteur on the situation of human rights in the Russian Federation,

> Administrative sentencing is often the beginning of a so-called “carousel”: a series of arbitrary detentions until a fabricated criminal charge is raised against the victim, frequently through the use of torture or other coercive practices, to obtain a “confession”. The lack of independent oversight, reporting and investigation mechanisms perpetuates impunity for such serious crimes.

Within this context, in June 2023, a 40-year-old activist died in a detention centre where he was placed on administrative charges for displaying anti-war posters in Rostov-on Don in mid-May, which ‘considered the first recorded cases of an anti-war activist’s death while in custody.’ While the detention centre claimed the reason of death as suicide, the activist’s lawyer stated the person ‘died while being tortured.’

In terms of conditions in prison facilities the country reportedly faced such issues as overcrowding, unsanitary conditions, lack of adequate healthcare, ill-treatment by prison officials, including arbitrary placement in isolation cells. In August 2023, the Civic Assistance Committee reported on degrading treatment of Muslim detainees in a prison in Dimitrovgrad town in the Ulyanovsk region. The detainees recounted abuse, insults on religious grounds, deprivation of personal belongings, arbitrary searches and placement in isolation cells, and other forms of ill-treatment as well as unsanitary environment.

As noted by a project NC SOS Rights Group, law enforcement agencies in the North Caucasus regularly neglected claims of torture, kidnapping, honour killing, and conversion lodged by LGBTIQ persons. The situation was reported to have worsened with the enactment

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33 BBC News, Moscow police officers who abused women sanctioned, 8 March 2023, [url](#)
34 Rights in Russia, ‘Political Prisoners. Memorial’: Crimean activist Irina Danilovich is a political prisoner, 17 February 2023, [url](#); OVD-Info, Repressions Report. June 2023, 20 July 2023, [url](#)
36 New York Times (The), A Russian antiwar activist dies in custody after claiming he had been tortured, 15 June 2023, [url](#)
37 Meduza, Unknown Petersburg resident arrested in Moscow, charged with treason, 30 July 2023, [url](#)
38 New York Times (The), A Russian antiwar activist dies in custody after claiming he had been tortured, 15 June 2023, [url](#)
39 Meduza, Unknown Petersburg resident arrested in Moscow, charged with treason, 30 July 2023, [url](#)
40 Freedom House, Freedom in the World 2023 – Russia, n.d., [url](#)
41 AP, Inside Russia’s penal colonies: A look at life for political prisoners caught in Putin’s crackdowns, 2 June 2023, [url](#); Mediazona, endless SHIZO, Have a look at the conditions of Alexei Navalny’s solitary confinement, 2 June 2023, [url](#)
42 The Civic Assistance Committee (Комитет гражданское содействие) is a Russia-based NGO which primarily aids refugees and migrants in Russia, see, The Civic Assistance Committee, About us, n.d., [url](#)
43 Komitet “Grazhdansko sodejstvie”, Тараканы, рентген и исламофобия: как издеваются над заключенными в тюрьме в ульяновской области [Cockroaches, x-rays, and islamophobia: how prisoners are abused in a prison in the Ulyanovsk region], 9 August 2023, [url](#)
44 NC SOS Crisis Group is a project led by human rights activists aimed at helping LGBTIQ community members in the North Caucasus, see NC SOS, About, n.d., [url](#)
of the so-called ‘gay propaganda’ law, under which persons seeking justice might be held accountable rather than the actual perpetrators of violence. Additionally, as noted by the source, both public coverage of such crimes and support for the victims may now be subject to punishment.\textsuperscript{45} According to the Special Rapporteur on the situation of human rights in the Russian Federation, there have been allegations against police and security forces in Chechnya for their purported involvement in blackmailing, abduction, and torture of LGBTIQ persons.\textsuperscript{46}

3. ‘Foreign agents’ law

The regulations concerning ‘foreign agents’ are outlined by the law On the control over activities carried out by persons under the foreign influence, which entered into force on 1 December 2022.\textsuperscript{47} According to the law, ‘foreign influence’ covers receiving support in the form of financial, organisational, methodological, scientific, and technical assistance as well as any other type of influence, “including through coercion, persuasion, and (or) other means.”\textsuperscript{48}

As explained by SOVA Research Centre, the law defines a ‘foreign agent’ as a status that can be attributed to a Russian or foreign national, legal entity, or a group of persons, who are engaged in political activity, gathering of information on Russia’s army and military technology, “dissemination of messages and materials intended for an unlimited circle of people, and (or) participation in the creation of such messages and materials,” and financing any activity mentioned above. As per the law, activities in areas such as science, culture, art, healthcare, social services, and environmental protection are not initially considered as “political activity.” However, they might be categorised as such if they are found to “contradict the national interests,” “the foundations of the public order,” “and other values protected by the Constitution.”\textsuperscript{49}

Persons designated as ‘foreign agents’ are subject to a range of restrictions,\textsuperscript{50} which exclude them ‘from key aspects of public life.’\textsuperscript{51} These restrictions include prohibition on holding official positions, serving in governmental entities, participating in election campaigns and referendums (including nominating or supporting candidates), organising or sponsoring public events, conducting educational activities and producing information materials for minors, and teaching minors in state and municipal educational institutions.\textsuperscript{52} Besides the obligation to tag their published materials with a ‘foreign agent’ label, ‘foreign agents’ and organisations related

\textsuperscript{45} NC SOS Crisis Group, NC SOS Crisis group yearly report, n.d., \url{url}, p. 40
\textsuperscript{47} Mediazona, “Foreign agents” everywhere. New rules for labelling persons and organisations enacted in Russia, 2 December 2022, \url{url}; HRW, Russia: New Restrictions for ‘Foreign Agents’, 1 December 2022, \url{url}
\textsuperscript{48} SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, \url{url}
\textsuperscript{49} SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, \url{url}
\textsuperscript{50} Freedom House, Freedom in the World 2023 – Russia, n.d., \url{url}; RFE/RL, New Law Broadens The Net For ‘Foreign Agents’ in Russia, 1 December 2022, \url{url}
\textsuperscript{51} HRW, Russia: New restrictions for ‘Foreign Agents’, 1 December 2022, \url{url}
\textsuperscript{52} SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, \url{url}
to them face additional scrutiny from the authorities,\textsuperscript{53} including police searches,\textsuperscript{54} and many organisations had to close down to avoid the pressure.\textsuperscript{55}

As noted by AI, ‘[m]any of the “foreign agent” designations were made explicitly as a punishment for their public anti-war position.’ Thus, 64 out of 85 ‘foreign agent’ designations of individuals by the end of June 2023 included, as an explanation for the designations, ‘direct references to these people’s anti-war opinions or criticism of the Russian Armed Forces’, including speaking out against the Russia’s aggression in Ukraine or raising funds in support of Ukraine.\textsuperscript{56} In September 2023, editor of independent newspaper Novaya Gazeta and co-laureate of the 2021 Nobel Peace Prize, Dmitry Muratov, was designated as a ‘foreign agent’.\textsuperscript{57}

The register of ‘foreign agents’ is published online by the Ministry of Justice and provides such information as full name, date of birth, address, primary state registration number, taxpayer identification number, individual insurance account number, information resource, the reason for inclusion in the register, the date of the decision to add an entry of inclusion to the register and the date of the decision to remove it.\textsuperscript{58} As of 8 September 2023, the register contained 680 names of individuals and organisations, out of whom 180 were indicated as being removed from the register.\textsuperscript{59}

While the law allows to appeal against inclusion in the register, in practice, this proves to be ineffective.\textsuperscript{60} The first court decision to remove an organisation from the ‘foreign agents’ register was issued in February 2022 in a relation to St-Petersburg-based NGO Humanitarian action (Gumanitarnoe deystvie), which helps drug users and HIV-positive people, which was included in the register in 2020.\textsuperscript{61} In July 2023, a court in Vladivostok overturned the inclusion in the ‘foreign agents’ register of a journalist Daniil Gubarev, who was added in the register in March 2023 for distributing materials produced by ‘foreign agents’ in his blogs.\textsuperscript{62} As of 16 September 2023, his name was still found in the register without an indication of the exclusion decision.\textsuperscript{63}

\textsuperscript{53} HRW, Russia: New restrictions for ‘Foreign Agents’, 1 December 2022, url; \textsuperscript{54} AP, Putin signs bill allowing electronic conscription notices, 14 April 2023, url; \textsuperscript{55} Moscow Times (The), Russian Police Search Pskov Yabloko Office, 6 July 2023, url; Reuters, Russia labels Nobel-winning journalist ‘foreign agent’, 2 September 2023, url; \textsuperscript{56} AI, Russia: Under the “Eye of Sauron”: Persecution of Critics of the Aggression against Ukraine, 20 July 2023, url, p. 7; \textsuperscript{57} Reuters, Russia labels Nobel-winning journalist ‘foreign agent’, 2 September 2023, url; \textsuperscript{58} GOGOV, Реестр иностранных агентов в России [Register of foreign agents in Russia], 16 September 2023, url; \textsuperscript{59} TASS, Иностранные агенты в российском законодательстве. История статуса и его применение [Foreign agents in Russian legislation. History of the status and its application], 12 September 2023, url; \textsuperscript{60} AI, Russia: Under the “Eye of Sauron”: Persecution of Critics of the Aggression against Ukraine, 20 July 2023, url, p. 6; \textsuperscript{61} HIV Justice Network, Russia: Court overturns decision of the Ministry of Justice to include NGO in “foreign agents” registry for commenting on HIV criminalisation law, 18 February 2022, url; \textsuperscript{62} Sibir.Realii, Суд впервые отменил решение о признании журналиста "иноагентом" [The court for the first time cancelled the decision to recognise a journalist as a "foreign agent"], 18 July 2023, url; Free Russia Forum, Court for the first time recognized the inclusion of a journalist in the register of “foreign agents” as illegal, 19 July 2023, url; \textsuperscript{63} GOGOV, Реестр иностранных агентов в России [Register of foreign agents in Russia], 16 September 2023, url
4. Laws used to penalise political dissent and opposition and their implementation in practice

Instances of politically motivated repression in Russia include a wide range of administrative and criminal charges, such as pertaining to extremism and terrorism, financial misappropriation, and disturbance of public order.\textsuperscript{64}

In 2022, the number of persons convicted for justifying terrorism increased by 35\% (264 persons convicted) and those convicted for incitement to extremism (334 persons convicted) by 20\% compared to 2021.\textsuperscript{65} It is also noticeable that out of 65 charges brought for ‘incitement to hatred or enmity or humiliation of human dignity based on belonging to a particular group’ in 2022, 63 cases were initiated against Internet users for criticising the authorities and law enforcement agencies, including on COVID-19 restrictions and the war in Ukraine.\textsuperscript{66}

In April 2023, the State Duma adopted a law enabling the revocation of acquired citizenship\textsuperscript{67} in cases where persons who have acquired Russian citizenship commit acts deemed as a threat to national security.\textsuperscript{68} The list encompasses a range of offenses of the Criminal Code, including violation of the country’s territorial integrity, sabotage-related offences, desertion, public incitement for aggressive warfare, creating a non-profit organisation infringing on citizens’ rights, damage of military graves, attempts on the lives of state or public figures, advocacy for sanctions, rehabilitation of Nazism, discreditation of the Russian armed forces, as well as crimes related to drug trafficking.\textsuperscript{69} The law will come into effect on 26 October 2023.\textsuperscript{70}

In July 2023, a group of MPs from the Russia-occupied Crimea, Sevastopol, and the Luhansk region proposed a bill to the lower chamber of parliament, the State Duma, to allow for a revocation of citizenship of persons engaged in a crime or an act that “threatens Russia’s national security,” even if the citizenship was acquired by birth.\textsuperscript{71} As noted by OVD-Info, “[t]he list of such crimes includes, for example, desertion, discreditation of the Military Forces of the Russian Federation, and calls for extremism.”\textsuperscript{72} Information on the bill’s status could not be found among the sources consulted by the EUAA within the time constraints of this query.

\begin{itemize}
  \item \textsuperscript{64} Domańska, M., Putin’s neo-totalitarian project: the current political situation in Russia, 17 February 2023, \url{url}
  \item \textsuperscript{65} Setevye svobody, Telegram, 17 April 2023, \url{url}
  \item \textsuperscript{66} SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, \url{url}
  \item \textsuperscript{67} TASS, State Duma adopts basic Russian citizenship law, 18 April 2023, \url{url}; Fragomen, Russia: New Law to Improve Citizenship Application Routes and Processes, 15 September 2023, \url{url}
  \item \textsuperscript{68} Asia-Plus, Russia will deprive citizenship for those who criticize the Army, 19 April 2023, \url{url}
  \item \textsuperscript{69} OVD-Info, Wartime Repressions Report. July 2023, 2 August 2023, \url{url}
  \item \textsuperscript{70} Fragomen, Russia: New Law to Improve Citizenship Application Routes and Processes, 15 September 2023, \url{url}
  \item \textsuperscript{71} Novaya Gazeta Europe, Bill allowing termination of citizenship for people born in Russia introduced to State Duma, 21 July 2023, \url{url}
  \item \textsuperscript{72} OVD-Info, Wartime Repressions Report. July 2023, 2 August 2023, \url{url}
\end{itemize}
According to OVD-Info, 713 persons were facing charges in criminal lawsuits in relation to their anti-war activities as of 25 September 2023. According to OVD-Info, criminal cases were opened in 78 regions and 229 persons were subjected to deprivation of liberty, including in pre-trial detention centres, penal colonies, and undergoing compulsory medical treatment.

Based on the data of OVD-Info, the chart below displays the number of persons prosecuted under various articles of the Criminal Code for anti-war activities in the period between 24 February 2022 to 23 August 2023. In cases when a person has been prosecuted under different articles of the Criminal Code, each offense is recorded separately.

**Chart 1. Number of persons prosecuted under the Criminal Code for anti-war activities**

<table>
<thead>
<tr>
<th>Article</th>
<th>Number of Persons Prosecuted</th>
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<tr>
<td>Art 207.3 Dissemination of the &quot;false&quot; information</td>
<td>192</td>
</tr>
<tr>
<td>Art 208.3 Discreditation of the use of the Russian Armed Forces</td>
<td>110</td>
</tr>
<tr>
<td>Art 205.2 Justifying, promoting, or inciting terrorism</td>
<td>83</td>
</tr>
<tr>
<td>Art 214 Vandalism</td>
<td>82</td>
</tr>
<tr>
<td>Art 280 Public appeals for the performance of extremist activity</td>
<td>38</td>
</tr>
<tr>
<td>Art 205 Terrorism</td>
<td>37</td>
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<tr>
<td>Art 207 False communication about an act of terrorism</td>
<td>30</td>
</tr>
<tr>
<td>Art 318 Use of violence against a representative of the authority</td>
<td>25</td>
</tr>
<tr>
<td>Other articles of the Criminal Code</td>
<td>183</td>
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Source: OVD-Info

**4.1. ‘War censorship’ laws**

**4.1.1. Dissemination of ‘false’ information**

On 18 March 2023, Article 207.3 of the Criminal Code on the dissemination of knowingly false information about the Russian Armed Forces and Russian state institutions was amended to encompass liability for spreading false information regarding the support provided by

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73 OVD-Info, Infographic of criminal prosecutions for anti-war stance, n.d., url, accessed 25 September
74 The data collected by OVD-Info contains information on persons facing charges for anti-war activities, which is constantly updated. Some persons face charges under various articles. The full dataset is to be found at OVD-Info, Ikonografika [Iconographics], n.d., url.
75 OVD-Info, Infographic of criminal prosecutions for anti-war stance, n.d., url, accessed 25 September
76 OVD-Info, Wartime Repressions Report. August 2023, 30 August 2023, url
volunteer formations, organisations, or individuals to the Russian Armed Forces.\textsuperscript{77} Dependent on specific circumstances of the case, the severity of punishment under Article 207.3 can lead to a maximum sentence of 15 years in prison.\textsuperscript{78} For instance, the maximum penalty of 15 years’ imprisonment is applicable when the offense is committed because of political, ideological, racial, national, or religious hatred or due to hatred towards a particular social group.\textsuperscript{79}

In June 2023, a human rights group Setevye Svobody (Net Freedoms Project)\textsuperscript{80} reported that 56 persons were sentenced under the Article 207.3, including when combined with other articles.\textsuperscript{81} The range of punishments administered by courts under Article 207.3 can be demonstrated by the following cases. In March 2023, a Moscow district court sentenced a retired person to seven years in prison for two comments made on Russian social media VKontakte citing political hatred as a basis for the conviction.\textsuperscript{82} In June 2023, a blogger received an eight-year prison sentence for his comments on Telegram. In addition to the charges under Article 207.3, he was also convicted of offenses related to rehabilitation of Nazism and incitement of hatred.\textsuperscript{83} The same month, a court in Kostroma handed down a five-year sentence in absentia\textsuperscript{84} to a former coordinator of the Kostroma headquarters of Alexei Navalny\textsuperscript{85} for six social media posts related to anti-war demonstrations abroad, civilian casualties in Ukraine, and the criminal case initiated against him.\textsuperscript{86} In July 2023, a school psychologist received a nine-month sentence of corrected labour for a comment posted on social media in March 2022.\textsuperscript{87} In August 2023, an architect, artist and political activist, who had been in detention since May 2022, was sentenced to 6 years in prison for her March 2022 posts on VKontakte about civilian casualties in Ukraine resulting from the Russian attacks.\textsuperscript{88}

In March 2023, a freelance journalist, Andrei Novashov, was sentenced under Article 207.3 to eight months of correctional labour for social media posts and reposting an article about the shelling of Mariupol by the Russian military forces.\textsuperscript{89} In September 2023, journalist and editor of the Novy Fokus news website in Khakassia, Mikhail Afanasyev, was handed a five-and-a-half-years prison term for an article on members of the Khakassia riot police refusing to go to

\begin{itemize}
\item[\textsuperscript{78}] AI, Russia: Under the “Eye of Sauron”: Persecution of Critics of the Aggression against Ukraine, 20 July 2023, url
\item[\textsuperscript{79}] Russian Federation (The), Уголовный кодекс Российской Федерации от 13.06.1996 N 63-ФЗ (ред. от 04.08.2023) [Criminal Code of the Russian Federation of 13.06.1996 N 63-FZ (version 04.08.2023)], 4 August 2023, url, Art. 207.2, part 2
\item[\textsuperscript{80}] Setevye Svobody (Net Freedoms Project) is a human rights project created to provide legal support for matters concerning freedom of expression, See, Setevye Svobody, Telegram, n.d., url
\item[\textsuperscript{81}] Setevye Svobody, Telegram, 9 June 2023, url
\item[\textsuperscript{82}] Setevye Svobody, Telegram, 30 March 2023, url
\item[\textsuperscript{83}] RFE/RL, Russian Blogger Gets Eight Years In Prison for Online Comments On War In Ukraine, 29 June 2023, url
\item[\textsuperscript{84}] Setevye Svobody, Telegram, 22 June 2023, url
\item[\textsuperscript{85}] Nastoyaschee vremya, В России экс-главу штаба Навального в Костроме заочно приговорили к пяти годам колонии по делу о “фейках” про армию РФ [In Russia, ex-head of Navalny's headquarters in Kostroma sentenced in absentia to five years in prison in the case of “fakes” about the Russian army], 22 June 2023, url
\item[\textsuperscript{86}] Setevye Svobody, Telegram, 22 June 2023, url
\item[\textsuperscript{87}] Setevye Svobody, Telegram, 6 July 2023, url
\item[\textsuperscript{88}] Setevye Svobody, Telegram, 30 August 2023, url
\item[\textsuperscript{89}] Reuters, Russian journalist handed corrective labour for 'fake news' about army, 6 March 2023, url
\end{itemize}
fight in Ukraine. Both journalists were among the first media workers charged under Article 207.3 after it was introduced in the country’s Criminal Code in March 2022.

4.1.2. Discreditation of the Russian military and state institutions

Article 20.3.3 of the Code of Administrative Offences and Article 280.3 of the Criminal Code on the discreditation of the use of the Russian Armed Forces and state institutions was amended in March 2023 to punish the actions aimed at discreditation of volunteer formations, organisations, or individuals supporting the Russian Armed Forces. While the Article 20.3.3 of the Code of Administrative Offenses stipulates a fine ranging from 30 000 to 1 000 000 roubles [approximately 300 – 10 045 euros], the severity of punishment under Article 280.3 of the Criminal Code ranges from a fine of 100 000 roubles [approximately 1 005 euros] to a maximum of seven years in prison, depending on the gravity of the offense. Criminal liability under Article 280.3 arises in case of a repeated violation within a year after being charged under Article 20.3.3.

As noted by OVD-Info, Article 20.3.3. of the Code of Administrative Offences is used as ‘the most popular tool for persecution of anti-war expression,’ with people being fined for such actions as participating in anti-war gatherings and staging solitary protests, distributing anti-war leaflets, wearing clothes and accessories in the colours of the Ukrainian flag, sharing information about attacks on civilians. Between March 2022 and August 2023, OVD-Info recorded 7 683 instances of charges under Article 20.3.3. In August 2023, 149 cases were recorded, which is the lowest since March 2022. In comparison, the highest number of cases were recorded in March, April, and May of 2022 (916, 949, and 800 cases respectively).

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90 RSF, Russian news site editor get long jail term for story about Russo-Ukrainian war, 7 September 2023, url
91 EUAA, Treatment of protestors, journalists, and human rights defenders since the Ukraine invasion, 2 June 2022, url
94 The calculation was made using the exchange rates for August 2023 as per the conversion rate provided by the European Commission. See, EC, Exchange rate (InforEuro), n.d., url
95 The calculation was made using the exchange rates for August 2023 as per the conversion rate provided by the European Commission. See, EC, Exchange rate (InforEuro), n.d., url
96 Russian Federation (The), Уголовный кодекс Российской Федерации от 13.06.1996 N 63-ФЗ (ред. от 04.08.2023) [Criminal Code of the Russian Federation of 13.06.1996 N 63-FZ (version 04.08.2023)], 4 August 2023, url, Art. 280.3
97 SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, url
98 Human Rights House Foundation, OVD-Info: Russian Civil Society Demands an End to Prosecution of Anti-War Protests, 25 April 2023, url
99 OVD-Info, Wartime Repressions Report. August 2023, 30 August 2023, url
In April 2023, human rights groups OVD-Info, Memorial, and Russia Behind Bars together with lawyers working with OVD-Info filed complaints with the Constitutional Court of the Russian Federation arguing that Article 20.3.3. of the Code of Administrative Offences, which punishes expression of anti-war positions, was violating freedom of expression and assembly as well as freedom of conscience. In June 2023, the Constitutional Court has found that the abovementioned legal provision was compliant with the country’s Constitution and therefore ‘the judges refused to consider’ the complaints.

As noted by SOVA Research Centre, in 2022, criminal prosecution under Article 280.3 for repeated discreditation of the actions of the Russian authorities and the Russian Armed Forces was largely prompted by content disseminated on social media. However, the criminal proceedings were also initiated for such activities as distributing leaflets, engaging in pacifist actions, and defacing banners to promote the ‘special operation’ in Ukraine. In March 2023, a single father from the town of Efremov, the Tula region, was sentenced to two years in prison because of an anti-war drawing by his 12-year-old daughter.

In May 2023, a former teacher in Syktyvkar was handed a five-and-a-half-year prison term for a post on VKontakte related to the explosion on the Kerch Strait Bridge, being simultaneously charged under Article 205.2 on ‘public calls for carrying out terrorist activities, public justification of terrorism, or the propagation of terrorism.’ In June 2023, one of the most prominent Russian human rights defenders and co-chair of Memorial Human Rights Defence Centre, Oleg Orlov, was charged under Article 280.3 for ‘repeatedly discrediting’ the Russian Armed Forces, facing up to three years in a penal colony, for an article he had published in November 2022. The trial was ongoing at the time of the drafting of this query.

4.2. Terrorism and extremism laws

In its report on 2022 and published in May 2023, SOVA Centre for Research noted that:

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100 Human Rights House Foundation, OVD-Info: Russian Civil Society Demands an End to Prosecution of Anti-War Protests, 25 April 2023, url

101 Memorial Human Rights Defence Centre was established by supporters of Memorial Human Rights Centre, liquidated with a court decision in January 2022, see Memorial, n.d., url

102 Russia Behind Bars (Rus’ Sidyashchaya) is a Russia-based public organisation which supports prisoners. See, Russia Behind Bars, About us, n.d., url

103 Human Rights House Foundation, OVD-Info: Russian Civil Society Demands an End to Prosecution of Anti-War Protests, 25 April 2023, url


105 Reuters, Top Russian court rejects bid to strike down war protest law, 21 June 2023, url


107 SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, url

108 Rights Groups in Russia, “Political Prisoners. Memorial”: Aleksei Moskalev, whose daughter drew an anti-war picture in a lesson at school, is a political prisoner’, 28 March 2023, url

109 Setevye Svodody, Telegram, 11 May 2023, url

110 AI, Russia: Renowned human rights defender Oleg Orlov on trial for “discrediting” Russian Army, 8 June 2023, url; Fidh, Russia: Upcoming trial against HRDC Memorial co-chair Oleg Orlov, 7 June 2023, url

111 Caucasian Knot, Rights defenders’ opinion included into Oleg Orlov case files, 22 September 2023, url
The fight against extremism fits quite organically with the general repressive policy of the state. In many ways, the anti-extremist norms form the core, the basis of legislation on ideological and political control as well as its enforcement. This legislation has been expanding, and many new restrictions apply to acts that were not classified as “crimes of an extremist nature” in the Law on Counteracting Extremist Activity.\footnote{SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, \url{url}}

In 2022, the Ministry of Internal Affairs recorded 1 566 extremism-related crimes, representing a 48\% increase compared to 2021. Out of these cases, 494 were categorised under Article 280 (‘public calls for engaging in extremist activities’), part 2 ‘public calls to extremism made on the Internet’,\footnote{SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, \url{url}} carrying a potential prison sentence of up to five years, according to the Criminal Code.\footnote{Russian Federation (The), Уголовный кодекс Российской Федерации от 13.06.1996 N 63-ФЗ (ред. от 04.08.2023) [Criminal Code of the Russian Federation of 13.06.1996 N 63-FZ (version 04.08.2023)], 4 August 2023, \url{url}, Art. 280, part 2}

Additionally, 2 233 terrorism-related crimes were recorded, representing a 4.5\% increase when compared to 2021. Within this figure, 490 cases – a nearly 56\% surge from 2021 – were related to charges under Article 205.2 (‘public calls for terrorist activities, public justification of terrorism, or propaganda of terrorism’), part 2 ‘public justification of terrorism committed on the Internet’,\footnote{SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, \url{url}} punishable under the Criminal Code with a prison sentence from five to seven years.\footnote{Russian Federation (The), Уголовный кодекс Российской Федерации от 13.06.1996 N 63-ФЗ (ред. от 04.08.2023) [Criminal Code of the Russian Federation of 13.06.1996 N 63-FZ (version 04.08.2023)], 4 August 2023, \url{url}, Art. 205.2, part 2; Generico.ru, A pediatrician from Blagoveshchensk said that she was charged with justifying terrorism because of her comment about the death of Z-blogger Vladlen Tatarsky, 29 June 2023, \url{url}} As noted by SOVA Research Centre, as only a fraction of these cases reached courts in 2022, the abovementioned increase would likely impact the number of sentences handed down in 2023 and 2024.\footnote{SOVA, Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022, 20 May 2023, \url{url}}

In June 2023, OVD-Info reported on 11 new criminal proceedings related to calls for terrorism and extremism, which had been initiated in relation to negative remarks about the authorities.\footnote{OVD-Info, Repressions Report. June 2023, 20 July 2023, \url{url}} In one of these criminal cases, a paediatrician from Blagoveshchensk was charged under Article 205.2, part 2 because of her comment about the death of Z-blogger Vladlen Tatarsky.\footnote{Generico.ru, A pediatrician from Blagoveshchensk said that she was charged with justifying terrorism because of a comment about the death of Vladlen Tatarsky, 29 June 2023, \url{url}} In September 2023, a mathematician and graduate student, convicted for six years’ imprisonment for an alleged arson attack, was detained upon his release from a prison colony on charges of ‘justifying of terrorism’ for comments he made while watching TV with fellow inmates.\footnote{Meduza, Russian mathematician and anarchist Azat Miftakhov arrested on new charges immediately after release from prison, 5 September 2023, \url{url}}
4.3. **Treason**

On 28 April 2023, President Putin signed amendments to the Criminal Code which introduced life imprisonment as the maximum penalty for treason (Article 275 of the Criminal Code), replacing the previous maximum sentence of 20 years’ imprisonment.\(^{121}\)

Sources noted that more than 24 criminal proceedings related to treason were initiated in 2022.\(^{122}\) In July 2023, UN experts stated that 16 persons were convicted on treason-related charges in 2022 and noted on reports that at least 43 persons were charged in relation to treason in the first six months of 2023.\(^{123}\) According to independent media outlet Holod, at least 82 criminal proceedings were initiated between 1 January 2023 and 31 July 2023 under provisions of the Criminal Code on treason (Article 275), espionage (Article 267), and “confidential” cooperation with a foreign state or an international or foreign organisation (Article 275.1). Reportedly, 59 of these cases were initiated against persons acting in favour of Ukraine.\(^{124}\) The geographical distribution of treason cases has reportedly shifted from Moscow, which previously accounted for 90% of such cases, to regions. Thus, aside from 17 cases initiated in Moscow, 51 were opened in Russia’s 28 regions. In addition, 12 treason-related cases were initiated in the Russia-occupied Crimea, Sevastopol, the Zaporizhzhia region (3 in each), and the Kherson region (2 cases).\(^{125}\) A lawyer from human rights project Department One (Pervy otdel),\(^{126}\) as quoted by Holod, reported that the number of the cases on treason might reach 250 by the end of 2023.\(^{127}\)

Sources noted an increased role of FSB in the country\(^{128}\) and its employees in the regions across the country, who use treason cases to advance their careers\(^{129}\) amid the surge of criminal proceedings related to treason. The people charged under treason in 2023 included scientists,\(^{130}\) persons who allegedly made monetary transfers to assist the Ukrainian Armed

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\(^{121}\) Reuters, Putin signs decree introducing life sentences for treason, 28 April 2023, [url](https://reuters.com/article/us-russia-putin-treason-idUSKBN2VF1H8)

\(^{122}\) Pervy otdel, Twitter, 18 April 2023, [url](https://twitter.com/Pervyotdel/status/1643948569719853248); UN OHCHR, Russia: Gershkovich’s arbitrary detention is an attack against independent journalism, say UN experts, 17 July 2023, [url](https://www.unohchr.org/en/pressrelease/Pages/Russia-GershkovichArbitraryDetention-Attack-against-Independent-Journalism.aspx)

\(^{123}\) UN OHCHR, Russia: Gershkovich’s arbitrary detention is an attack against independent journalism, say UN experts, 17 July 2023, [url](https://www.unohchr.org/en/pressrelease/Pages/Russia-GershkovichArbitraryDetention-Attack-against-Independent-Journalism.aspx)

\(^{124}\) Holod, За полгода ФСБ возбудила рекордное количество дел о «госизмене» [FSB opened a record number of "state treason" cases in six months], 7 August 2023, [url](https://holod.su/news/2023/08/07/735194600759999520); Meduza, Russian FSB reportedly opened record number of treason cases in first seven months of 2023, 7 August 2023, [url](https://meduza.io/en/news/russia-news/fsb-opened-record-number-of-treason-cases-from-january-to-july-2023)

\(^{125}\) Holod, По предателю в день [One traitor a day], 7 August 2023, [url](https://holod.su/news/2023/08/07/735194600759999520); Moscow Times (The), Russia Opens Record Number of Treason Cases in 2023 – Holod, 7 August 2023, [url](https://mth.ru/2023/08/07/735194600759999500)

\(^{126}\) Pervy otdel is a network of lawyers and human rights lawyers, who help defendants in court cases, collect and analyse information on closed trials, and retrieving illegally classified data from archives. See, Pervy otdel, Kto my? [Who are we?], n.d., [url](http://pervyotdel.narod.ru/)

\(^{127}\) Holod, За полгода ФСБ возбудила рекордное количество дел о «госизмене» [FSB opened a record number of "state treason" cases in six months], 7 August 2023, [url](https://holod.su/news/2023/08/07/735194600759999520)

\(^{128}\) RFE/RL, 'The State Will Eat You': Russia Enters The Era Of The Treason Verdict, 17 April 2023, [url](https://www.rferl.org/a/russia-enters-era-of-treason-verdict/30687210.html)

\(^{129}\) Holod, За полгода ФСБ возбудила рекордное количество дел о «госизмене» [FSB opened a record number of "state treason" cases in six months], 7 August 2023, [url](https://holod.su/news/2023/08/07/735194600759999520)

\(^{130}\) Meduza, Open letter reveals fourth Novosibirsk scientist hit with treason charges in last year, 16 May 2023, [url](https://meduza.io/en/news/2023/05/16/735194600759999510)
Forces, and persons suspected in the attempts to join Ukrainian military, spying in favour of Ukraine.

In April 2023, political activist Vladimir Kara-Murza was sentenced in a closed-doors trial to 25 years in a strict-regime penal colony, after being found guilty of treason, spreading ‘false’ information about the Russian military, and being affiliated with an ‘undesirable organisation’. In July 2023, the sentence was upheld by an appeal court in Moscow. In August 2023, the Supreme Court of the Russian Federation, which is the highest instance for appeal for criminal cases, rejected an apply filed by former journalist Ivan Safronov, who had been sentenced on treason charges to 22 years in prison. As reported by independent news outlet Meduza, the court hearing was conducted behind closed doors and Safronov did not take part in person nor remotely.

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