

2.1.1. Trials in absentia

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Numerous politically motivated court proceedings, including against opposition politicians[138] and journalists[139] as well as for violations of ‘foreign agents’ or ‘undesirable organisations’ legislation have been conducted in absentia.[140] In 2024, over a third of criminal cases related to ‘foreign agent’ laws and spreading of ‘false’ information about the Russian army and government were reportedly initiated against people who had already left Russia.[141]

According to Ivan Pavlov, the legislation has been amended to expand the range of offences allowing for trials in absentia. While previously trials in absentia were limited to grave and especially grave crimes punishable with prison sentences of over six years, the law now allows such trials for ‘political crimes’ – the crimes of non-grave and moderate severity – such as failure to fulfil the duties of a ‘foreign agent.’ At the same time, the source noted that trials in absentia for treason remain rare.[142] According to a human rights lawyer, Russian authorities use criminal cases in absentia – along with other means, such as confiscations of assets, blocking sources of income in Russia, or accumulating debts arising from fines due to various bans, such as restrictions on advertising – against Russian nationals living outside the country but remaining engaged ‘in some kind of public activity.’ [143]

According to OVD-Info, the cases against individuals abroad are often initiated because of their social media posts, leading to charges for discrediting the Russian army or extremism, such as glorifying terrorism. Exiled individuals designated as ‘foreign agents’ may also face prosecution for non-compliance with ‘foreign agents’ obligations. The source also noted that surveillance efforts particularly concern high-profile individuals.[144] Sources interviewed by EUAA also noted that there have been cases where individual persons with a pending criminal case have had their passport applications denied at Russian consulates abroad.[145]

- [138]

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