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Notice: Undefined index: et_template in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1216

RUSSIA: First jail term for religious-based opposition to war

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By Victoria Arnold

Forum 18 (05.04.2023) – On 30 March, a Moscow court jailed 63-year-old Orthodox Christian Mikhail Simonov for 7 years for disseminating “false information” about the Russian armed

forces on the basis of “political hatred”. He had made two short social media posts condemning Russia’s war against Ukraine, including: “We, Russia, have become godless. Forgive us, Lord!” The Investigative Committee and Prosecutor’s Office did not respond on why they sought a long jail term for Simonov, who suffers from health problems. A Krasnodar Region court fined 86-year-old independent Orthodox Archbishop Viktor Pivovarov two months’ average pension for a sermon.

A 63-year-old Russian Orthodox Christian has become the first person to be sentenced to imprisonment for expressing his opposition to Russia’s war in Ukraine in religious terms. Investigators accused Mikhail Simonov of disseminating “false information” about the Russian armed forces on the basis of “political hatred”, because of two social media posts in which he condemned Russian attacks on the Ukrainian cities of Kyiv and Mariupol.

“Killing children and women, on Channel One [television] we sing songs. We, Russia, have become godless [bezbozhniki]. Forgive us, Lord!” Simonov wrote on social media in a March 2022 post which would form the basis for his prosecution (see below)

On 30 March 2023, a Moscow court handed Simonov a 7-year prison term, to be followed by a 4-year ban on specific activities related to internet use. At present, he remains in custody at a Moscow detention centre awaiting a possible appeal (see below).

Simonov was prosecuted under Criminal Code Article 207.3, which President Vladimir Putin signed into law in March 2022, shortly after the Russian invasion of Ukraine. On 28 March 2023, amendments to the Criminal Code increased maximum penalties under this Article and under Article 280.3 (repeat “discreditation” of the Russian armed forces, adopted at the

same time) (see below).

Forum 18 asked the Federal Investigative Committee and its Moscow branch, as well as Moscow City Prosecutor's Office, in what way Simonov's comments could be construed as motivated by hatred of a political or social group, and why it was necessary to have a 63-year-old man with health problems placed in detention. Forum 18 also asked Moscow City Prosecutor's Office why prosecutors had requested such a long prison sentence. Forum 18 received no reply from any of these agencies (see below).

Simonov has been in Investigation Prison No. 5 in Moscow since November 2022. He told the court that he has suffered from sharply fluctuating blood pressure and headaches, and has lost consciousness on several occasions during his time in detention. According to his lawyer, Simonov is suffering from coronary heart disease and hypertension. Forum 18 asked the Investigation Prison whether it is keeping him under medical supervision and whether he had access to all necessary medications. Forum 18 received no reply (see below).

Two other individuals – both Orthodox Christians – are on trial for their religious-based opposition to Russia's renewed war against Ukraine (see below).

Russians who object to the war – including small numbers who do so on religious grounds or who express their opposition in religious terms – also continue to face prosecution under Administrative Code Article 20.3.3 (“Public actions aimed at discrediting the use of the Armed Forces of the Russian Federation”).

Recently, these have included 86-year-old Viktor Pivovarov, an Archbishop in an independent Orthodox church not affiliated with the Moscow Patriarchate. A court in Krasnodar Region fined him one month's average local wage or more than two months' average local pension on 24 March for an anti-war

sermon in his church (see below).

Forum 18 asked the Krasnodar Region branch of the Interior Ministry and the joint court press service for Krasnodar Region to clarify which statements of Pivovarov's could be considered "discreditation" of the Russian armed forces and why. The Interior Ministry press office refused to answer Forum 18's questions as "the case is with the court". Forum 18 received no reply from the court (see below).

Two criminal trials continue

Two other people are currently on trial on criminal charges for opposing the war from a religious perspective, both Orthodox Christians:

– Father Ioann Kurmoyarov is in custody at St Petersburg's Kresty-2 prison. He belongs to a branch of the Russian Orthodox Church Outside Russia which is not in communion with the Moscow Patriarchate, and has also been charged under Article 207.3 – his next hearing is due to take place on 10 April at the city's Kalinin District Court;

– Musician and teacher Anna Chagina's trial under Article 280.3 is due to resume on 11 April at Soviet District Court in Tomsk. Chagina's first (administrative) conviction was for displaying a poster reading "Blessed are the peacemakers (Matthew 5:9)" at an anti-war protest in Tomsk in March 2022, just two days after the new offence of "discreditation" came into force. "Many times after [the arrest for the poster], I inwardly turned to these words of Christ and realised that peacemaking begins with what is in a person's heart," Chagina told Forum 18. "Happiness is when you become one who can reconcile those who are warring. One who has come to terms with oneself, with people, with Life. When you carry light and joy in yourself, which spread to other people" Chagina remains at home under specific restrictions, including a night-time

curfew, and must wear an electronic tag.

The first person to be criminally convicted for opposing the war on religious grounds was Fr Nikandr Pinchuk (a member of the same branch of ROCOR as Fr Ioann Kurmoyarov). A Sverdlovsk Region court found him guilty in October 2022 under Article 280.3 for a social media post from March 2022 which described Russian troops as “the horde of the Antichrist”, and Ukrainians as “the Christian army which .. will not allow it to capture the south of Ukraine”, while praising the defenders who had been “holding the city of Mary, Mariupol, for more than a month”. The court fined him 100,000 Roubles, two months’ average local wage.

READ MORE

Photo: Mikhail Simonov being led into Moscow’s Timiryazevsky District Court, 30 March 2023 (Antonina Favorskaya/SOTAvision)

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content/plugins/pdf-print/pdf-print.php on line **1268**

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