



Opposition in Russia:

The Trials of Alexei Navalny

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N: And on which piece of cloth was your focus on? Which garment had the highest risk factor?

K: The underpants.

N: The underpants.

K: A risk factor in what sense?

N: Where the concentration [of novichok] could be highest?

K: Well, the underpants.

N: Do you mean from the inner side or from the outer?..

K: Well, we were processing the inner side. This is what we were doing.

N: Well, imagine some underpants in front of you, which part did you process?

K: The inner, where the groin is.

N: The groin?

K: Well, the crotch, as they call it. There is some sort of seams there, by the seams.







Article 7 of the Convention: "1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed."

Judgment in *Navalny v Russia*, at [54]: "The Court reiterates that the guarantee enshrined in Article 7 of the Convention is an essential element of the rule of law. It should be construed and applied, as follows from its object and purpose, in such a way as to provide effective safeguards against arbitrary prosecution, conviction and punishment...Article 7 of the Convention is not confined to prohibiting the retroactive application of criminal law to the disadvantage of an accused. It also embodies, more generally, the principle that only the law can define a crime and prescribe a penalty...and the principle that criminal law must not be extensively construed to the detriment of an accused, for instance by analogy. From these principles it follows that an offence must be clearly defined in law."



"You have got a man there called Mr Navalny. The criminal case, why have you terminated it without asking the Investigative Committee superiors? Today the whole country is discussing [this fraud], the talks [between Mr Navalny and Mr Belykh] have been published, and we cannot hear anything except grunting. You had a criminal file against this man, and you have quietly closed it. I am warning you, there will be no mercy, no forgiveness if such things happen again. If you have grounds to close it, report it. Feeling weak, afraid, under pressure – report! We will help, support you, take over the file, but quietly, like that – no ..."



Judgment in *Navalny and Ofitserov v Russia*: “[115] As such, the courts found the second applicant [Navalny’s co-accused] guilty of acts indistinguishable from regular commercial middleman activities, and the first applicant [i.e. Navalny] for fostering them. The Court considers that in the present case the questions of interpretation and application of national law go beyond a regular assessment of the applicants’ individual criminal responsibility or the establishment of *corpus delicti*, matters which are primarily within the domestic courts’ domain. It is confronted with a situation where the acts described as criminal fell entirely outside the scope of the provision under which the applicants were convicted and were not concordant with its intended aim. In other words, the criminal law was arbitrarily and unforeseeably construed to the detriment of the applicants, leading to a manifestly unreasonable outcome of the trial.”





Article 243 of the Criminal Code:

"Destruction or damage of monuments of history, culture, natural monuments, or facilities protected by the State, and also of objects or documents of historical or cultural value, shall be punishable by a fine in the amount of 200 to 500 minimum wages, or in the amount of the wage or salary, or any other income of the convicted person for a period of two to five months, or by deprivation of liberty for a term of up to two years."

Law Against Rehabilitation of Nazism

It is a crime:

- (1) "to deny facts recognized by the international military tribunal that judged and punished the major war criminals of the European Axis countries" – i.e. the Nuremberg Tribunal;
- (2) to approve of the crimes the Nuremberg tribunal judged;
- (3) "to spread intentionally false information about the Soviet Union's activities during World War II";
- (4) To spread "information on military and memorial commemorative dates related to Russia's defense that is clearly disrespectful of society, and to publicly desecrate symbols of Russia's military glory."





A man with grey hair, wearing a blue and white plaid shirt, stands in a room with wood-paneled walls and glass doors. He is holding a white sign with blue handwritten text. Behind him, several people are taking photos with their smartphones and cameras. The room has fluorescent lights on the ceiling and a person in a light blue shirt is visible in the background through the glass.

ВАМ ЕЩЁ
НУЖНА ЭТА
ВОЙНА ?