

Introduction

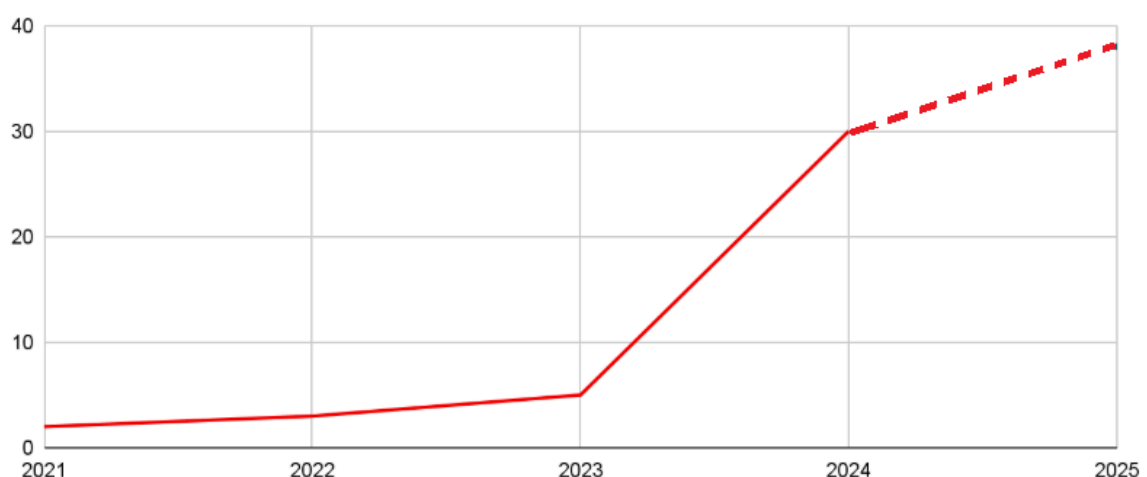
The abnormal increase in the number of criminal proceedings on charges of high treason is one of the key changes in the activities of judicial authorities in the occupied territory of Crimea after the full-scale invasion. If we compare the number of treason cases heard in Crimean courts during the eight years of occupation prior to the full-scale invasion with the number of similar cases after the start of military aggression, we can see that the number of prosecutions has increased 28-fold in a short period of time.

However, given the fact that until 2021, no criminal cases of treason were considered in the occupied territory at all, experts from the Crimean Process have formulated a hypothesis that this trend should be analysed not from the perspective of two stages – pre-war and military – but as a pre-emptive testing of instruments before a full-scale invasion. The hypothesis suggests that the new instrument of repression was included in the judicial practice of the occupying ‘judicial authorities’ in advance, so to speak, for the familiarisation and adaptation of judges.

This hypothesis is supported not only by the above-mentioned fact that there was no practice in cases of high treason until 2021 (with active use of the article in Russian courts since the late [1990s](#)), but also by the steady increase in the number of such criminal proceedings over the four years since the first precedent. At the same time, two periods can be distinguished in the presented graph:

- a kind of ‘test period’ when Crimean courts considered 2-5 criminal cases of this type per year
- a period of scaling up, which began in 2024 at a rate of 30 criminal cases and clearly increased this dynamic in 2025 (19 criminal cases in the first half of the year).

The number of cases that have been referred to the courts in Crimea



Since we are talking about accusations of treason, it seems unlikely that in the period between 2022 and 2023, some foreign states were able to so quickly and dramatically (at

least sixfold) increase their intelligence activities directly in Crimea. And this despite the total restriction of the rights and freedoms of the inhabitants of the occupied territory.

The absence in the public sphere of an explanation of the reasons for such a sharp increase in the number of 'traitors to the state' that is adequate to the realities may also serve as an indirect argument confirming the hypothesis that accusations of treason are used preventively as a method of repression against the population of the occupied territory in order to prevent the intelligence activities of foreign special services.

In addition, other arguments supporting this hypothesis include the results of observations of violations of the right to a fair trial, which are presented in detail in the next part of the study. In general, the logic behind this argument is based on the fact that if there is convincing evidence of treason, the court is not interested in substantially, let alone systematically, violating the rights of the defendant. Conversely, in a situation where the court acts as a body for the 'legalisation' of terror, it will be least interested in strictly adhering to principles such as openness, presumption of innocence, equality of the parties and independence of the court.

The results of a study of the informational context of court proceedings related to charges of treason (presented in detail in the third chapter of the study) were also included as evidence for the proposed hypothesis. The Russian media's unwavering interest in court proceedings, which have become routine, the noticeable synchronisation in the coverage of events, and the uniform emphasis in the presentation of material clearly demonstrate the interaction between the judicial authorities and the media in the policy of intimidating the civilian population in the occupied territories.

Standards of access to fair justice in treason cases

Standards of fair trial are established in Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and are also disclosed in the practice of the European Court of Human Rights. The Russian Federation denounced its signature under the ECHR on 16 September 2022. However, attention to compliance with existing international standards of fair trial is appropriate, as their observance is also provided for by the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 5 of which stipulates that civilians shall not be deprived of their rights to a fair and regular trial in the event of prosecution.

Openness and publicity of court proceedings

Both the ECHR and Russian legislation allow for the possibility of closed court proceedings. 'For reasons of national security' (Article 6 of the ECHR) or because the openness of the proceedings 'may lead to the disclosure of state or other secrets protected by law' (Article 241 of the Criminal Procedure Code of the Russian Federation). At the same time, Russian legislation, in line with European standards, recognises that 'a court verdict or other decision rendered as a result of a trial shall be announced in open court'. In general, it is believed that the public nature of hearings protects the parties from the administration of justice without public scrutiny and thus openness is one of the means of maintaining trust in the court.

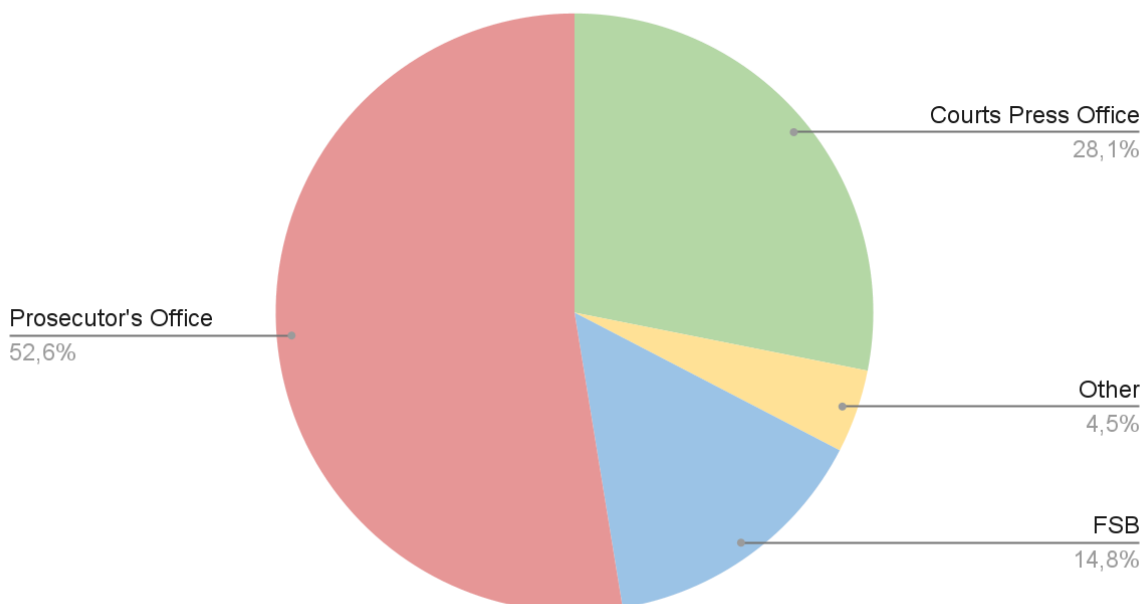
Absolutely all court proceedings in cases of high treason heard in Crimea were held in closed session. Given the number of such cases, this can be regarded as a sign of abuse of the judges' right to impose restrictions. However, from a formal point of view, this is not a violation of standards, but only one of the facts characterising the overall situation.

At the same time, the pronouncement of verdicts in closed sessions is a violation of the standards of openness and transparency of the judicial process. Back in 2021, in the case against Ivan Yatskin, the Crimean Process [recorded](#) the court's refusal to announce the verdict publicly. Then, between 2022 and 2024, 13 monitoring visits were made on the dates of the expected pronouncement of verdicts in other cases of high treason, and in all cases, access to the pronouncement of the verdict was denied.

Indirect confirmation of the closed nature of court proceedings during the pronouncement of verdicts is provided by the results of an analysis of media reports on the sentences handed down by courts for 'treason.' In particular, this analysis focused on the sources of information cited by Russian media outlets when publishing their reports on court verdicts.

Of the 466 recorded news reports on verdicts, in 131 cases journalists referred to the court's press service, in 245 cases to reports from the prosecutor's office, and in 69 cases to information from FSB departments. Other 'newsmakers' included an "interlocutor" and a 'source in law enforcement agencies' (one case each). In addition, 15 publications did not indicate the source of information (however, three of them included illustrations from the press services of state agencies), and in six cases it was indicated that the information was obtained from other media outlets.

Where the media find out about the verdicts



No other sources of information about the announced court decision, including reports from correspondents in the courtroom, were recorded. The situation is similar with photo and

video content from the court. Of the 17 trials with photo or video recording in the courtroom, in 15 cases the recordings have logos of state institution or references in the media that the content was provided by these authorities.

Another important aspect of the violation of the openness of court proceedings in cases of high treason is the total restriction of access to information about the trial. In all cases, the official websites of the court hide information containing the personal data of the defendants, and there is no information about the parties to the case or the full composition of the court (in cases where the case is heard by a panel).

Also, in all trials for 'treason,' there is no access to court verdicts, although the publication of the introductory and operative parts of the decisions in no way leads to the disclosure of state or other secrets protected by law. Apparently, this practice is part of a broader policy aimed at reducing opportunities for analysing trends and hindering the proper documentation of acts that may constitute war crimes, including by concealing the names of lawyers as potential witnesses.

In addition, it is noted that in at least 7 cases (15%), information about the pronouncement of the verdict was not posted on the court's website in a timely manner.

Наименование события	Дата	Время	Место проведения	Результат события	Основание для выбранного результата события	Примечание	Дата размещения ?
Регистрация поступившего в суд дела	21.03.2024	14:47					21.03.2024
Передача материалов дела судье	21.03.2024	15:50					21.03.2024
Решение в отношении поступившего уголовного дела	01.04.2024	15:12		Назначено судебное заседание		Закрытое судебное заседание	02.04.2024
Судебное заседание	11.04.2024	10:00		Заседание отложено	ДРУГИЕ ОСНОВАНИЯ ДЛЯ ОТЛОЖЕНИЯ ДЕЛА		02.04.2024
Судебное заседание	22.04.2024	10:00		Объявлен перерыв			11.04.2024
Судебное заседание	22.04.2024	13:00		Заседание отложено	ДРУГИЕ ОСНОВАНИЯ ДЛЯ ОТЛОЖЕНИЯ ДЕЛА		22.04.2024
Судебное заседание	02.05.2024	10:00		Заседание отложено	ДРУГИЕ ОСНОВАНИЯ ДЛЯ ОТЛОЖЕНИЯ ДЕЛА		22.04.2024
Судебное заседание	15.05.2024	10:00		Заседание отложено	ДРУГИЕ ОСНОВАНИЯ ДЛЯ ОТЛОЖЕНИЯ ДЕЛА		02.05.2024
Судебное заседание	27.05.2024	10:00		Заседание отложено	ДРУГИЕ ОСНОВАНИЯ ДЛЯ ОТЛОЖЕНИЯ ДЕЛА		15.05.2024
Судебное заседание	10.06.2024	14:00		Суд удалился в совещательную комнату для постановления приговора			28.05.2024
Судебное заседание	11.06.2024	14:30		Постановление приговора			13.06.2024
Провозглашение приговора	11.06.2024	14:45		Провозглашение приговора окончено			13.06.2024

Independence and impartiality of the court

Article 6 of the ECHR states that everyone has the right to a fair trial within a reasonable time by an independent and impartial court. The Russian Code of Criminal Procedure also states that 'judges shall hear and decide criminal cases in conditions that exclude outside influence on them. Interference by state bodies, local government bodies, other bodies, organisations, officials or citizens in the activities of judges in the administration of justice is

prohibited' (Article 8.1 of the Code of Criminal Procedure). The Russian Code of Judicial Ethics declares that 'the objectivity and impartiality of judges are mandatory conditions for the proper administration of justice' (Article 9 of the Code).

The aforementioned closed nature of court proceedings precludes a full analysis of both the independence of judges and their impartiality in cases of high treason. At the same time, there are a number of indirect signs that cast serious doubt on both the absence of influence on judges by the FSB and their personal impartiality in cases related to 'treason.'

When discussing signs of judicial dependence, one can refer to the results of observations in open politically motivated trials involving the same judges who hear criminal cases on charges of treason.

For example, **Judge Alla Khinevich**, who at the time of writing had presided over 13 trials on charges of treason, was previously the chair of the panel during the high-profile [trial](#) of the 'organiser' of the Crimean energy blockade and Crimean Tatar politician Lenur Islyamov. During the trial, the court ignored reports of the beating of a prosecution witness and his refusal to testify, given at the preliminary investigation stage, and also denied the defence the opportunity to question another prosecution witness and present a number of its own pieces of evidence. The time disproportion in the presentation of evidence was nine times greater for the prosecution, which took 18 court hearings, while the defence was given only two hearings by the court.

Judge Serhiy Pohrebnyak, who has participated in the consideration of seven cases on charges of high treason to date, was a member of the panel of judges in the criminal case against Islyamov. This judge also participated in the well-known politically motivated trial known as the 'gas pipeline sabotage' case, aimed at arresting the first deputy chairman of the Mejlis of the Crimean Tatar people, Nariman Dzhelial. During this trial, 15 types of violations of fair trial standards were [recorded](#), including ignoring allegations of torture by two prosecution witnesses, prompting during interrogations by FSB officers, unjustified removal of questions from the defence to FSB officers, and ignoring the insolent behaviour of witnesses who were FSB officers.

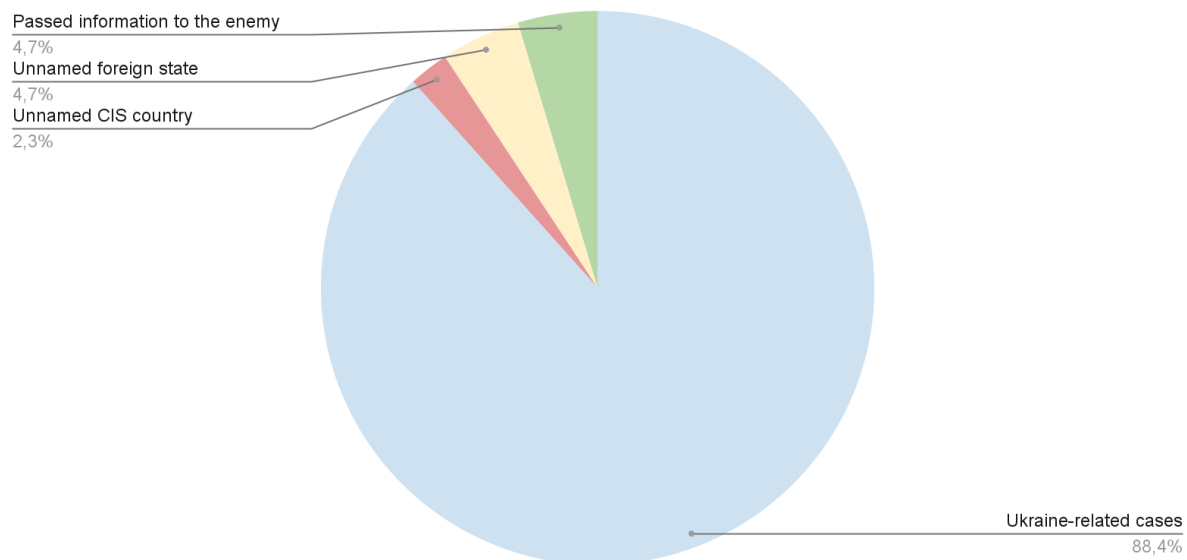
Judge Natalia Kulinska, who has presided over two treason cases, previously presided over a politically motivated [trial](#) against journalist and human rights activist Irina Danilovich, who was abducted and tortured by FSB officers. During the trial, at least eight violations were recorded that indicated the judge's dependence on the interests of the prosecution. For example, the judge ignored the established fact that one of the prosecution witnesses had given false testimony, refused to take action against two prosecution witnesses (FSB officers), interrupted the questioning of a prosecution witness (an FSB officer), ignored the unlawful refusal of prosecution witnesses to answer questions from the defence, and refused to question 15 of the 16 defence witnesses. In addition, in at least 5 of the 7 hearings, the judge repeatedly and unreasonably interfered in the questioning of witnesses or demonstrated emotional restraint towards the defendant and the defence.

Speaking of the lack of impartiality, it is worth mentioning the [conclusions](#) of the human rights project 'Team 29', which, based on an analysis of previous experience of Russian courts in treason cases, concluded that there is a direct correlation between the content of

criminal cases and the political context (a large number of accusations of working for the Georgian special services during the war in Georgia, an increase in criminal cases for cooperation with Ukrainian intelligence after the start of the war in Ukraine). The Kholod project comes to the same conclusions, analysing data for the period 2022-2023: "The tendency of the security forces to initiate criminal cases strictly in accordance with the country's foreign policy has not changed. After the invasion of Ukraine, 'state traitors' and "spies", according to the investigation, carried out their actions almost exclusively 'for the benefit' of Ukraine – 59 people; in addition, 3 people – for the benefit of China, 2 – for the benefit of the United States, and one each – for the benefit of Great Britain and Germany."

In the temporarily occupied territory of Crimea, according to published data, out of 44 convictions for which minimal details of the charges are available, 38 are related to alleged work for the Ukrainian special services. The share of 'Ukrainian' cases in the total number of prosecutions is as follows:

With whom the accused co-operated, according to the FSB



At the same time, it is particularly noteworthy that of the 23 defendants established by the Crimean trial defendants established by the 'Crimean Process', at least seven had an obvious and undisguised pro-Ukrainian position or family ties in Ukraine, which, in the absence of control over the judicial process, could serve as a decisive factor in the accusation of 'treason'.

In addition, the defendants' obvious or perceived connection to Ukraine could have served as an additional factor influencing the impartiality of judges in cases of 'treason,' since most of them are themselves suspects or have been convicted in absentia for treason in Ukraine in connection with violating their oath of office as judges.

Thus, in 2023, the Solomyansky District Court of Kyiv handed down a verdict to a former judge of the Simferopol District Court of the Autonomous Republic of Crimea, who, after the occupation of the peninsula began, transferred to the service of the occupiers. Alla Khinevich [was found guilty](#) of treason and sentenced to 14 years' imprisonment with confiscation of property.

Other judges of the 'Supreme Court of Crimea' involved in cases on charges of 'treason' — Viktor Sklyarov, Sergei Pogrebnyak and Natalia Kulinska — have not yet been convicted, but criminal cases have been opened against them on charges of treason. The SBU has also charged Judge Kulinska with collaboration.

Equality of the parties

The aforementioned closed nature of the trials precludes a full analysis of compliance with the right to defence and the principle of equality of the parties in treason cases.

Given the high likelihood of bias and dependence on the part of the judges, the defence may have had difficulty presenting evidence. This is indicated by the above-mentioned experience of these judges in other politically motivated cases, during which numerous and gross violations against the defence were recorded, especially with regard to the presentation of evidence.

In addition, it should be noted that in 11 cases, the defendants were held in aquarium-like boxes during the trial, the design of which could have prevented normal communication between the lawyer and his client, including violating the confidentiality of communication.



There are also several informal testimonies from persons involved in the consideration of such cases that judges, abusing the lack of publicity and audio recording of the proceedings, as well as the fact that the parties sign a non-disclosure agreement, allowed themselves to behave arrogantly, including using profanity and threats against defence representatives.

In addition, in at least nine cases involving charges of 'treason,' the proceedings were conducted in absentia. Due to the closed nature of these proceedings, it is impossible to accurately assess the court's compliance with requirements such as informing the defendant in a language he understands about the nature and basis of the charges against him. Given the lack of postal communication between Ukraine and the Russian Federation, as well as

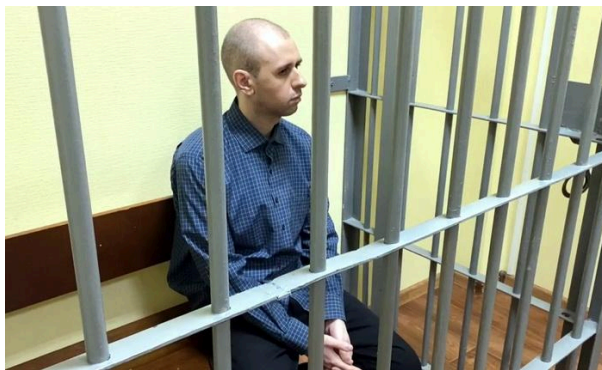
the lack of evidence of public notification of the charges, compliance with this standard in all trials in absentia is questionable.

In view of the above-mentioned difficulties in notifying defendants of criminal proceedings against them in absentia, there are also reasonable doubts as to whether defendants have the opportunity to exercise their right to defend themselves in person or through a defence counsel of their choice, to examine witnesses testifying against them or to have these witnesses examined, and to have the right to call and examine witnesses in their favour.

Presumption of innocence

‘Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law,’ states Article 6 of the European Convention on the Right to a Fair Trial. The Russian Code of Criminal Procedure specifies that guilt can only be established by a court decision that has entered into force.

The closed nature of court proceedings in cases of treason makes it impossible to assess the behaviour of judges during the trial and to confidently rule out suspicions that during the judicial investigation, the judges did not treat the accused as a guilty person.



Despite the lack of a consensus on the violation of the presumption of innocence in situations where the defendant is placed in a cage or an aquarium box, it should be noted that in 11 cases it was possible to establish that the defendants were kept in aquarium boxes, and in at least 7 cases the defendants were kept in cages during the trial. Detention in a cage is considered by the European Court to be a violation of

Article 3 of the European Convention on Human Rights in terms of degrading treatment.

Separately, it is worth highlighting the unrestrained campaign in the press, the features and patterns of which are presented in the third section of the study. Here, we will only note that a significant number of reports were recorded in which the guilt of the person was asserted before the verdict came into force. At the same time, most media outlets, including major Russian publications, did not indicate in their publications that the court's decision had not yet come into force.

Features of the consideration of appeals against convictions under the article on high treason

According to Articles 64 and 66 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, in situations where there is a threat to the normal administration of the territory and the safety of the personnel and property of the occupying forces, the occupying country may impose criminal liability for violations of the rules and regulations it has imposed on the civilian population of the occupied territories. However, even if the article of the criminal code on treason is interpreted as a separate provision for the civilian population of the occupied territories, in this case the occupying country is

obliged to properly establish non-political military courts in the occupied territory, as well as to ensure that cases are primarily considered by the court of appeal also in the occupied territory.

Since 2018, the procedure for considering appeals against convictions for treason has provided for judicial review in separate, so-called 'appeal courts'. For residents of Crimea, in accordance with the established territorial jurisdiction, appeals are sent to the Third Court of Appeal, located in Sochi, Krasnodar Krai. Thus, the provision of Article 66 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War on the preferential consideration of cases in the appellate instance in the occupied territory is completely ignored.

Of the 47 verdicts for high treason handed down at the time of the study, 37 were appealed to the Third Court of Appeal. In 23 cases (62%), following consideration of the appeals, the court ruled to leave the first instance verdict unchanged, in 11 cases it partially changed the content of the verdict (no changes to the terms of punishment were established), in one case it overturned the verdict and issued a new one (also guilty), and in two cases, it terminated the proceedings without issuing a decision on the verdict. There were no cases of decisions to return the case for a new trial, to return it to the body that drew up the indictment, or to acquit the convicted person.

Other notable features of the appeal process include the closed nature of the proceedings, the lack of public information about the names of the defendants and parties on the judicial authority's website, and the failure to provide timely notification of the date and place of the appeal hearing, which reduced the possibility of the audience being present at the stage of the court's decision.

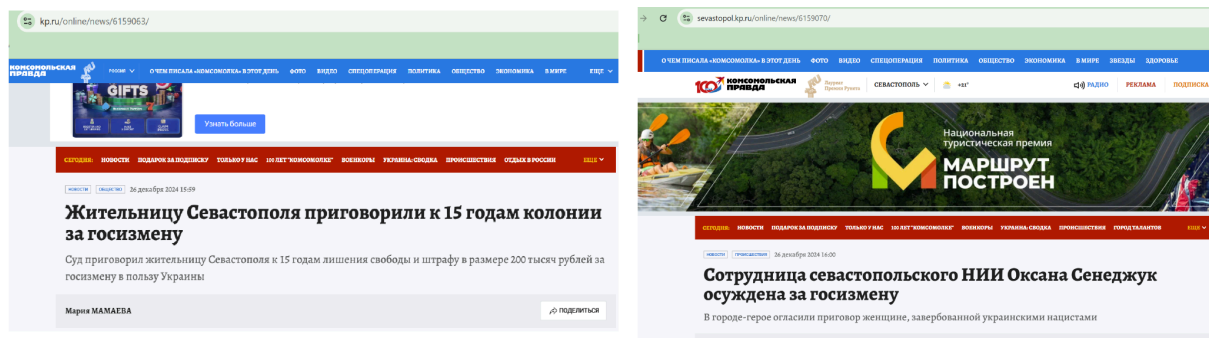
Features of media coverage of court proceedings

The research 'Denial of the right to a fair trial as an international crime during Russia's war against Ukraine: context, practice, law and prospects' notes that the role of the media in Russia goes far beyond their traditional function of informing the public. They act as a controlled instrument in a broader state strategy of judicial persecution, spreading narratives that undermine the presumption of innocence and justify punitive actions against dissidents or those perceived by the Russian authorities as a potential threat, in particular a threat to the establishment of the occupation regime and the unfolding of aggression against Ukraine.

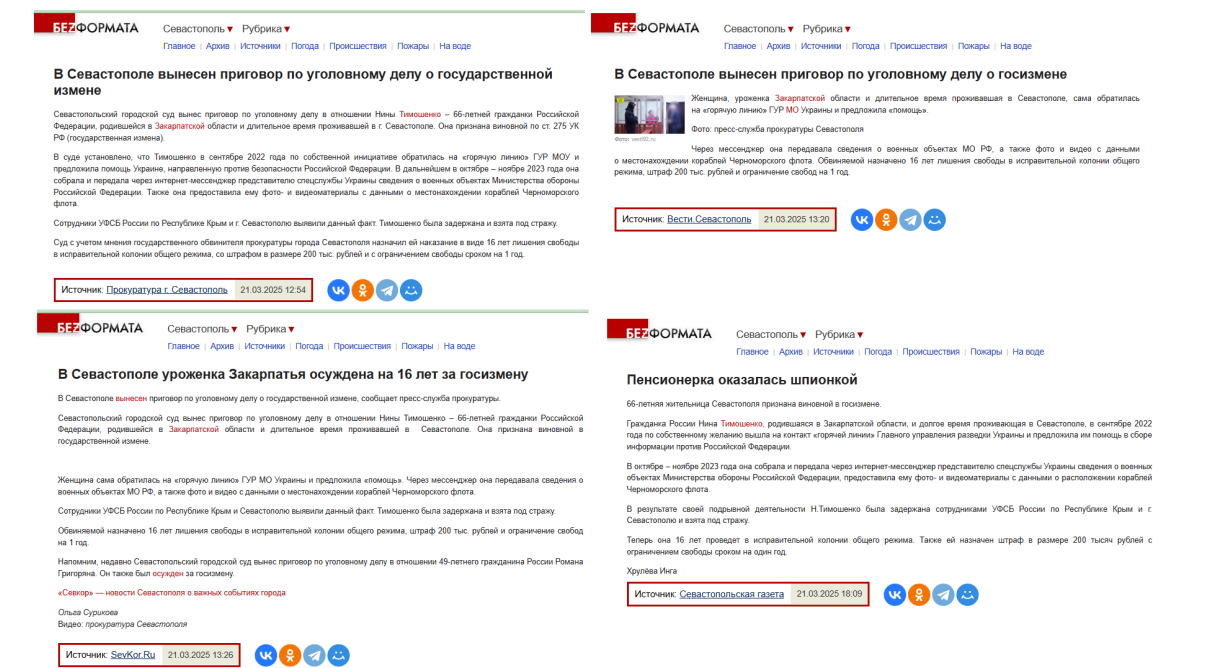
Developing this thesis using the examples of the trials included in this study, we can conclude that this statement is absolutely applicable to the information policy regarding the coverage of cases of 'treason.' Moreover, when conducting content analysis, the key participants, emphases, and basic 'newsmakers' of the Russian media are clearly evident.

One example is the coverage of the trial of Sevastopol resident Yevgeny Petrushin on charges of treason. No media outlet reported that the case had gone to court or that he had been sentenced (probably because they did not have access to such information). However, six months later, at least 25 publications, ranging from national television companies to the Sevastopol Guide website, reported that the sentence had become final. All of them referred to a statement by the FSB's Public Relations Centre.

Particularly noteworthy is the practice of repeatedly posting information about the same verdict at short intervals on the website of the same media outlet or on its subsidiary resources. For example, the Komsomolskaya Pravda newspaper published an article about Oksana Sinezhuk's sentence on its main website and, one minute later, on the website of its regional branch in Sevastopol.



And the popular Crimean news aggregator BezFormata, after the verdict was announced, published at least four different news items about it in its feed — three of them within 32 minutes and another one a few hours later.



A notable feature that attracts attention during content analysis of publications is the emphasis on ties with Ukraine. Of the 39 conditionally ‘Ukrainian’ cases covered in the press, only three headlines do not mention ties with Ukraine. In all other cases, one way or another, emphasis was placed on cooperation with Ukrainian special services or other connections with Ukraine. For example, the headlines use phrases



such as 'worked for Kyiv,' 'for transfer to Ukraine,' 'Ukrainian spy,' 'for treason in favour of the Armed Forces of Ukraine,' 'SBU agent,' etc.

In addition, it should be noted that quite often in the text, and sometimes in the headlines, a neutral tone was not maintained, and events were presented in terms that had negative or offensive connotations. This approach is likely used by propaganda to shape an extremely negative attitude towards the defendants on the part of society and, as a result, an approving perception of the court's guilty verdicts. For example, 'Betrayed his homeland and joined the Armed Forces of Ukraine,' 'Traded his homeland for Zelensky's praise,' 'Major SBU agent received a harsh sentence,' 'accomplice of Ukrainian militants,' etc.



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В Крыму вынесли приговор пособнику украинских боевиков

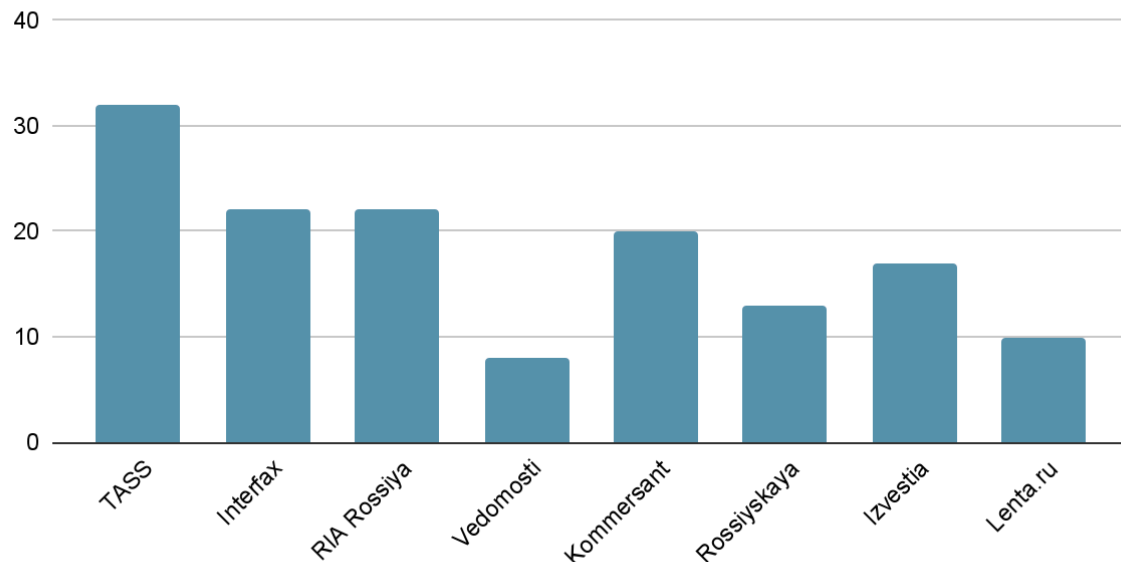
Смотреть сюжет

At the same time, the scale and systematic nature of the Russian media's coverage of this type of trial should be taken into account. For example, out of 44 cases that were covered in the media to one degree or another, the Russian state news agency TASS published at least 32 news items about verdicts in Crimea and Sevastopol, which is more than 72% of cases. The state news agency Rossiya Segodnya published at least 22 articles on its main website, with most of them duplicated on its subsidiary website RIA-Krym.

Although formally many media outlets in Russia are private and supposedly independent, they are closely linked to the Russian authorities through ownership or regulatory dependence. Platforms such as Izvestia (owned by Gazprom-Media), Vedomosti (ultimately owned by Rosneft) and Kommersant (ultimately owned by oligarch Alisher Usmanov) are prime examples. Their coverage often duplicates state media reports, but with the appearance of editorial independence in order to appeal to a wider audience, ensuring that state messages reach different demographic groups without overt state branding.

Overall, the coverage of treason verdicts in Crimea and Sevastopol by major Russian media outlets looks like this:

Publications about Crimean verdicts in federal media



Such intensive information support does not seem justified by public demand and often does not carry any truly meaningful information. For the most part, the news reports consist of 2-3 paragraphs providing minimal information about the verdict and the circumstances incriminating the defendant, whose name is often not disclosed.

The systematic manner in which major Russian publications publish routine, insubstantial information, even at the regional level, may indicate that editorial offices are strictly following a general policy of providing information support and justifying repression.

Conclusions:

- 1) The occupying authorities have sharply increased the practice of trials on charges of treason after a test phase that lasted from 2021 to 2023. The current number of trials indicates a continued increase in the number of prosecutions.
- 2) Standards of access to fair justice in cases of treason charges are systematically violated. Trials and sentencing take place in closed sessions, with the participation of judges who have a reputation for being dependent and biased, as well as in the context of a negative information campaign by local media.
- 3) The procedure for appealing verdicts does not take into account the requirements of international humanitarian law and does not guarantee those convicted of treason in the occupied territories the right to a fair trial.

4) Media coverage of treason cases in the local media is completely controlled by law enforcement agencies (mainly the prosecution), the number of publications does not seem justified in terms of public demand, and often the reports do not contain complete or truly meaningful information. In most cases, the presentation of the material is not neutral, but aimed at creating a negative attitude towards Ukraine and the people who support it.