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Russia: Human Rights Defender Oleg Orlov faces criminal charges on “discreditation of the Russian army”

On 21 March 2023, Russian law enforcement authorities launched a criminal case against human rights defender **Oleg Orlov** for repeated “public actions aimed at discrediting the use of Russian Federation armed forces to protect the interests of the Russian Federation” a criminal offence, envisioned by the Article 280.3, Part 1 of the Criminal Code of the Russian Federation. The latest targetting of the human rights defender is in relation to his Facebook post from November 2022. The maximum penalty for a repeated offence is a prison sentence up to 3 years. The authorities placed the human rights defender under a travel restriction for unidentified period of time.

[Oleg Orlov](#) is a human rights defender and council member of Human Rights Defence Centre “Memorial” (HRDC “Memorial”) that was established after the Russian authorities shut down Human Rights Centre “Memorial.” The human rights defender is also the head of the HRDC “Memorial” “Hot Spots” programme, that was established by the Human Rights Centre “Memorial” in 1990, which works in zones of mass conflict that may escalate into armed conflict, as well as in post-conflict situations, researching the observance of human rights and international humanitarian law. In 2009, he was awarded the Sakharov Prize in the category of “For Freedom of Thought” and in 2012, the award of the Moscow Helsinki Group in the category “For historical contribution into the protection of human rights and human rights movement.”

On 23 March 2023 at approximately 7am Moscow time, Oleg Orlov’s apartment was raided by law enforcement, and he was brought in for questioning. The raids and questionings are sanctioned in the framework of an investigation against “unidentified staff members” of “Memorial” – concerning the “revival of Nazism” a criminal offence envisioned under Article 354.1 Part 2.B of the Criminal Code of the Russian Federation. At least eight other former representatives of [International “Memorial”](#) and [Human Right Centre “Memorial”](#) were targeted with raids and questionings. During the raid, the law enforcement authorities seized Oleg Orlov’s laptop, 3 hard drives, a number of falsh drives, a phone, “Memorial” branded stickers, a pin badge with “No War” sign, and a book on Crimes committed during the first Chechen War.

On the same day, after the raid, the representatives of the Investigative Committee brought human rights defender Oleg Orlov the Investigative Department in the Tverskoy District in Moscow. Russian law enforcement authorities launched a criminal case against human rights defender Oleg Orlov for repeated “public actions aimed at discreditation of the use of Russian Federation armed forces to protect the interests of the Russian Federation” a criminal offence envisioned by the Article 280.3, Part 1 of the Criminal Code of the Russian Federation. The human rights defender is being charged for his Facebook post dated 14 November 2022, for a translation of an article titled “They Wanted Facism – They Got It” published in the French media outlet “Mediapart.” The article discussed Russia’s full-scale invasion of Ukraine. Oleg Orlov’s colleagues reported that he was released from the interrogation but he will remain a witness in the investigation concerning the “revival of Nazism” – which was the initial reason why he was brought into questioning on 21 March 2023.

The investigation stated that the human rights defender had a “criminal intent” when he published the Facebook post. Moreover, according to the study made by the Forensic Expertise Centre (ECC) of the Main Directorate of the Ministry of Internal Affairs on 9 December 2022, Oleg Orlov in

his Facebook post described the activities of Russian military forces as “related to genocide, killings, destruction of economy and infrastructure” and “directed at existing Constitutional order.” During the questioning, the human rights defender stated that he published his own opinion about the events in the Russian Federation and the world. He refused to provide further details to the investigation, citing Article 51 of the Constitution of the Russian Federation, which sets out that no one shall be forced to testify against themselves.

Since the introduction of the discreditation laws, Oleg Orlov has been charged two times. On 30 March 2022, the Tverskoy City Court charged Oleg Orlov with “discreditation” for protesting against the war. The human rights defender held a picket in Moscow city centre with a poster saying “Crazy Putin pushes the world into a nuclear war.” He was convicted on 17 May 2022, after Oleg Orlov appealed it in the Moscow City Court. On 12 May 2022, the Tverskoy City Court once again charged Oleg Orlov with “discreditation” for his anti-war protests; this time the human rights defender was arrested with a poster saying “USSR 1945 – a country that combated facism. Russia 2022 – a country where facism won.” Oleg Orlov was charged under Article 20.3.3 of the Code of Administrative Offences of the Russian Federation. He was officially convicted on 28 June 2022, after Oleg Orlov appealed it in the Moscow City Court.

Front Line Defenders condemns the continued persecution of human rights defender Oleg Orlov, for his peaceful and legitimate human rights work. Front Line Defenders urges that the expansion of the Russian Federation’s Criminal Code with a set of articles against “discreditation” and “fakes” against the Russian military fosters censorship in the country and is being disproportionately used to target human rights defenders and journalists.

Front Line Defenders calls upon the Russian authorities to:

1. Cease all persecution of human rights defender Oleg Orlov for his legitimate and peaceful human rights work;
2. Repeal the set of Articles of the Criminal Code and the Code of Administrative Offences of the Russian Federation that are designed to target so-called “discreditation” and “fakes” against the actions of the Russian military as they limit freedom of speech and are being used by the authorities to disproportionately target human rights defenders and journalists;
3. Cease targeting all human rights defenders in Russia and guarantee in all circumstances that they can carry out their legitimate human rights activities without fear of reprisals.