

Report

Oppositional Online Activity: Prosecutions and Its Consequences

Abstract

Even before the outbreak of the full-scale aggression of Russia against Ukraine, the Russian law enforcement deployed an unheard-of crackdown on free speech, in particular online. Not only a posting on social media, but a mere comment can lead to a prison sentence for its author.

We analysed 861 cases of politically motivated prosecutions for online activity in Russia since October 2021. Of these, 236 individuals are currently imprisoned, some serving sentences of up to 15 years.

Our analysis highlights the randomness of these prosecutions. No clear correlation was found between the nature of the incriminated action and the gravity of the verdict. Timelines between the action and the start of prosecution vary widely. Consequently, nobody can feel safe even if no legal action against him or her were performed for several months. The same is true for the time between the start of the prosecution and the verdict, demonstrating the arbitrariness of the repressions. We propose that certain criminal cases get shelved for some time to be re-opened later.

The scale and arbitrariness of repressions indicate that anyone who expressed dissent with the Russian aggression – no matter how significant that utterance was or how long ago it happened – runs a real risk of a prison sentence in Russia.

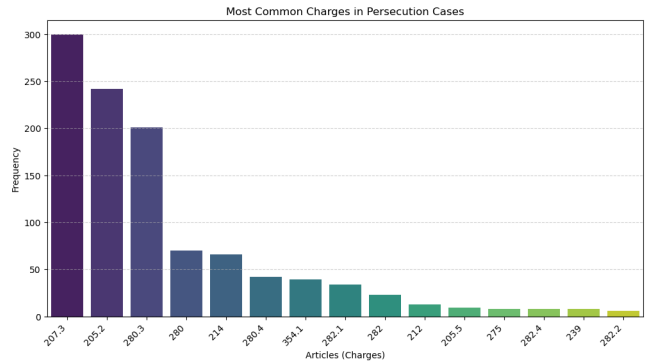


Figure 1: *Distribution of most used articles.*

Data Overview

Russian human rights defence and media group OVD Info has been collecting data on politically motivated criminal prosecutions since 2012¹. In this research we are only focusing on the subset that covers cases related to the online activity². Data was gathered for the past 4 years, with the earliest cases dating back to October 2021, and the base continues to be updated to the present day.

In total, there are 861 registered cases of people being persecuted for online activity. 236 people are currently imprisoned, with some of the sentences going up to 15 years of confinement. Arrests are not specific to big cities or particular areas: people got persecuted in 84 Russian regions. The articles that people got prosecuted for range widely (see Figure 1), however, the three most popular ones are directly related to the distribution of "fake information" online³.

Results

As the formulation of the laws is not clearly defined, people in Russia are facing the un-

¹*Data on politically motivated criminal prosecutions in Russia.* (n.d.). OVD Info. Retrieved 3 March 2025, from <https://ovd.info/en/politpressing>.

²Data can be accessed here (*in Russian): <https://shorturl.at/IC8aL>.

³Public dissemination of knowingly false information on the use of the Armed Forces of the Russian Federation; Public calls to carry out terrorist activities and; Public actions aimed at discrediting the use of the Armed Forces of the Russian Federation, respectively.

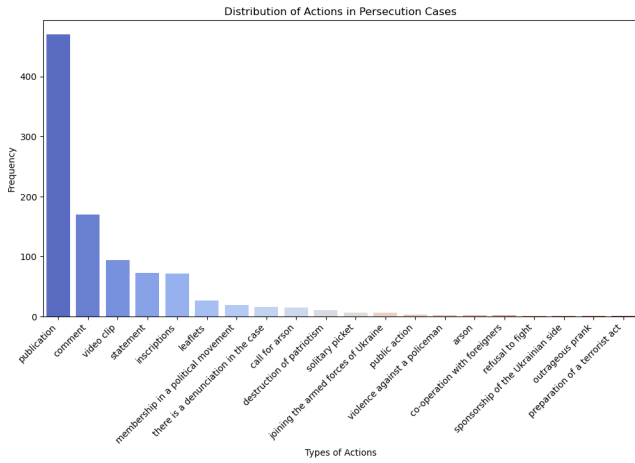


Figure 2: *Distribution of activity types.*

certainty of the legal implications of anti-war activity. Here we tried to identify possible criteria for the start of the prosecution and different aspects that go into the decision. At the very least, this analysis showcases the broad scale of the variety of cases and a disturbing inconsistency in authorities' decisions.

First, we would like to draw attention to the starting point of the prosecutions – the type of activity that lead to the opening the case. On the distribution we can see that most of the prosecutions were initiated after the instance of posting something online (see Figure 2). However, commenting apparently is also an evidence strong enough for the initiation of the case. In addition, other types demonstrate the scope of the cases and the diversity of it.

Secondly, we attempted to trace the correlation between the article number and the verdict to get an understanding of the consequences people face. However, correlation analysis (including Chi-squared value) showed no direct dependency between two variables. This only exacerbates the level of uncertainty and pressure of the charges for online activity.

Lastly, we explored the chronological aspect of the prosecutions. We calculated both the time between the start of the prosecution and the final verdict, and between the instance of posting and the start of the

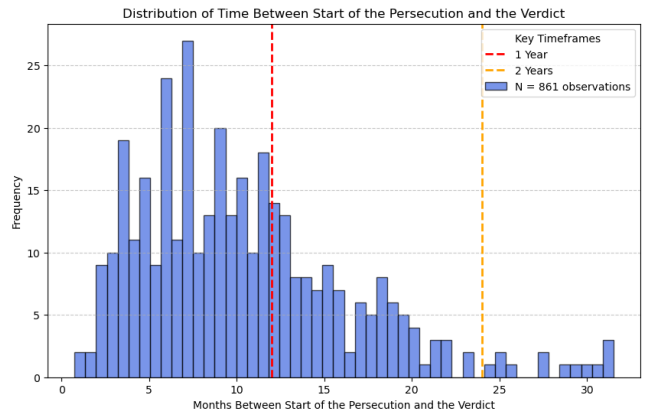


Figure 3: *Distribution of time difference between the start of the prosecution and the final verdict.*

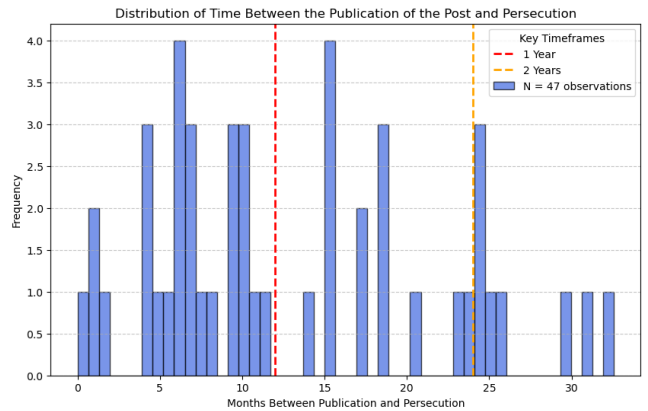


Figure 4: *Distribution of time difference between the instance of posting and the start of the prosecution.*

prosecution (see Figures 3, 4). Unfortunately, for the latter we do not have information about all the dates, hence the limited number of observations. However, for both distributions we can see the large variance in the time difference, which, once again, creates a troubling lack of consistency in authorities' actions.

Discussion

By conducting the analysis, we confirmed the severity of the online activity prosecution. The geographical scope of arrests is not limited to particular regions, therefore, people are not safe in any part of Russia. Considering the short period of time since the corresponding laws were introduced, the number of prosecutions based solely on

such activities is tremendous. Moreover, the frequency of arrests is not declining: even in two months of 2025 seven more people got prosecuted. This signifies the intensity of Russian judicial system in regards to online activity.

The most disturbing observation is the inconsistency in the prosecutions and verdicts. The consequences of the same type of activity can be drastically different, without clear dissimilarities in the aspects of the case. The variance of the time difference between the instances of activity and the prosecution is also unsettling: verdict can be given out years after the actual publication. Same logic applies to the period between the start of the prosecution and the final verdict: the investigation might last for longer than two years and still result in a severe sentence. For this reason, we believe that the urgency of the particular case cannot be judged based on the chronological proximity to the present day; all anti-war online activity can be considered as reason for the start of the prosecution.

Further Research and Limitations

The analysis is limited to the data present in the base, therefore the amount of missing data largely affects the scale and definiteness of the research. Data is also only collected for the open cases, which weakens the predicative analysis.

In future research, we are planning to investigate the cases more closely to find missing information. For instance, identifying the date of the instance of posting will help augmenting the time difference distribution which can provide more insights into the chronology of such cases. We also intend to perform a deeper correlation analysis to recognize possible catalysts of the investigative process.