

Documents: More and more russian refuse to fight in Ukraine

Russian authorities have involved a variety of forces in the war on Ukraine: the regular contract army, young men who are on active duty, Rosgvardiya [militarized force separate from the army that was established in 2016 to maintain public order and fight crime – note by FT] units, and many others. Every day more and more people in Russia refuse to go to war and sacrifice their lives. According to lawyer Pavel Chikov, he and his colleagues receive hundreds of appeals from various Russian cities with requests for legal assistance in refusals to participate in the hostilities, and the total number of refusers may run into thousands (Mediazona, Apr 7). Conflict Intelligence Team estimated that about 20–40% of the Russian servicemen withdrawn from the Kyiv, Chernihiv, and Sumy directions of the front as part of the redeployment of troops in the first half of April tried to refuse to participate further in the war (CIT, Apr 14). BBC Russian Service reports on thousands of new vacancies for contract servicemen on job search websites popular in Russia (BBC, Apr 14). In this document, we collect evidence of such refusals. It is far from comprehensive: this is only a small portion of such cases that have come to the attention of the media. Many servicemen, especially conscripts, face coercion and violence and are afraid to openly declare their unwillingness to fight.

Media outlets that publish information about refuses to go to war are being censored, and journalists may become subjects of criminal proceedings for ‘fakes’ about the actions of the Russian military – this is how any information whose sources are not affiliated with the Russian authorities can be qualified. For example, a criminal case under this article was opened against the editor-in-chief of the Abakan magazine Novy

Fokus, who published an article about OMON [unit of Rosgavrdiya] fighters who had refused to participate in the war (Mediazona, Apr 15). Roskomnadzor blocked The Moscow Times for publishing another such case (Mediazona, Apr 15).

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- The Ukrainian newspaper Grati reported about at least 80 marines who refused to participate in the war in Ukraine. After they were brought by ship from Crimea to the Kherson region of Ukraine, they realized that what was awaiting for them were not exercises but military actions against Ukrainian troops. The outlet learned this from a source in the Russian Defense Ministry's agencies in Crimea. Among those who refused were conscripts who had served no more than a few months. The servicemen then were returned to Crimea, where they wrote reports on their refusal to participate in the military actions. In spite of that, the contract servicemen were allegedly forced to take part in the war. The military prosecutor's office was forcing conscripts to withdraw the report, threatening to initiate a criminal case. The pressure ceased after Vladimir Putin's speech on March 5, where he stated that the participation of conscripts in the war was not planned and that those of them involved in combat operations would be withdrawn from Ukraine (Grati, Mar 12). Nevertheless, it is difficult to assess the implementation of this statement. For example, a month later journalists found out that there were conscripts on the sunken missile cruiser Moskva, some of them died (Meduza, Apr 20). In addition, according to an investigation by Mediazona, at least several conscripts have died in the hostilities about a month after claims that conscripts would be removed (Mediazona, Apr 25).

- On February 25, several Rosgvardiya fighters from Krasnodar, who were at the military exercises in Crimea, were ordered to leave for the military actions in Ukraine, but refused to do so. They are the commander of the platoon of the OMON [unit of Rosgavrdiya] operational company 'Plastun' Farid Chitav and

the soldiers from his company. They explained that they considered the order to cross the border with another state illegal, as their authority was limited to the territory of the Russian Federation. On March 1, they learned that their contract had been terminated due to non-compliance with the order. The 12 dismissed fighters (only a fraction of all who had refused to fight) have decided to go to court. Their case is being led by lawyer Mikhail Benyash. Pavel Chikov, a lawyer from the Agora international human rights group, drew attention to the incident (Meduza, Mar 24 / Mar 26). According to Benyash, after the story was made public, more than a thousand servicepeople from Rosgvardiya and Defense Ministry units across the country have appealed to him to help them legally refuse to take part in the war (FT, Apr 1). Nine of the 12 Rosgvardiya fighters later withdrew the lawsuit (Mediazona, Mar 29). The reason for that, according to Chikov, was that they were subjected to pressure: they were summoned to the Center for Counteraction to Extremism and threatened with criminal prosecution (Mediazona, Apr 7).

I want other fighters to know that to refuse to kill people is not a crime. It's not shameful. It's normal. If a person says 'no' to an order that forces them to kill, they can count on our protection. The Agora lawyers and me, we will provide it – lawyer Mikhail Benyash

- Meduza told the story of contract serviceman Albert Sakhibgareyev, who had deserted from the war. According to him, in early February his brigade was sent to an exercise in Belgorod region [of Russia], on the border with Ukraine. On February 24, the brigade was ordered to shoot at targets, which were unknown to the soldiers, from the territory of the Belgorod region. When it became clear that a return fire was taking place, the soldiers started to doubt that they were really in a military exercise. Sakhibgareyev and his fellow servicemen were 'shocked' when they found out about the beginning of the invasion of Ukraine in the news. In his own words, he left the unit after being beaten by a senior warrant officer (Meduza, Mar 23).

- Several contract servicemen from the 4th Guards base in self-proclaimed Republic of South Ossetia refused to fight in Ukraine and returned home on their own. According to Mediazona, the soldiers had a conflict with their commanding officer, who refused to take and send home the body of their slain soldier (Mediazona, Mar 31).

From what I understand, the problem arose when one of the soldiers blew himself up on a mine. And they [soldiers] wanted to take his body to send it home. It's just that for us, Ossetians, the body of a dead friend is sacred. But their chief told them: what body are you talking about, we'll just send them an empty coffin. They say: 'We are warriors, we are not cowards, but to send you to be killed and then not take away your body— hell, we do not need this.' So they left. And yesterday they returned to South Ossetia – Mediazona's source

- According to journalist Roman Tsimbalyuk, 58 contract servicemen from the Kaliningrad region [of Russia] refused to participate in the war in Ukraine. They had arrived in Belgorod region, from where they were supposed to be transferred to the war zone. There they managed to talk to soldiers from another division who had just returned from there, after which they refused to go any further. There are no other sources confirming this information (Sever.Realii, Mar 29).

- According to the outlet Novy Fokus, 11 OMON fighters from the Republic of Khakassia [a region of Russia] refused to participate in the military actions. According to the newspaper's journalists, shortly after the start of the invasion, the fighters were in a combat camp in Belarus, where they learned about the destruction of a column of SOBR [unit of Rosgvardiya] members from Khakassia and Kemerovo region, which was on its way to Kyiv, by the Ukrainian army. The military leadership allegedly forbade the survivors to tell their families about the incident. The OMON fighters who had refused to fight after these news were sent home and 'tried to be fired' (Meduza, Apr 4).

- According to the outlet Pskovskaya Guberniya, about 60

servicemen from the Pskov region refused to go to fight in Ukraine. They were taken to Belarus in the first days of the war and then returned home. The outlet reports that most of them have been dismissed and some are threatened with criminal charges (Pskovskaya Guberniya, Apr 6).

- Lawyer Maxim Grebenyuk, author of the 'Military Ombudsman' group in [a Russian social network] VK, told Mediazona that he received about 40 appeals from employees of various units with requests for legal assistance to refuse to participate in the hostilities. For example, one of the applicants who had worked in the combat zone as a driver said in his report that a few days before the war he had been sent on a business trip 'to perform special tasks,' had come under fire, 'saw losses of military equipment and personnel' and 'concluded that personnel were sent to the front line of combat operations to face imminent death' and in this connection he considered his participation 'inexpedient' and 'does not wish to return to the front line after the retreat.' According to the information which Grebenyuk receives from his acquaintances, in prosecutor's offices and offices of investigators in regions bordering on Ukraine there are a lot of reports about refusals, and nothing is done about these orders. Since the beginning of the war, not a single criminal case has been filed under Article 332 of the Criminal Code for 'failure to carry out an order which [failure] caused substantial harm to the interests of the service.' The reason for that is, Russia has not formally declared war with Ukraine and has not introduced martial law, so there are no orders for participation of servicemen in the territory of another state. Rosgvardiya fighters and servicemen are simply dismissed for persistent refusal. In one unit, more than 500 Rosgvardiya fighters allegedly refused to go to war, and their commanders threatened them with dismissal orders (Mediazona, Apr 6).

Prosecutors and investigators do not know what to do with them [the reports of refusals]. It is impossible to initiate a case, it is also impossible not to send the materials anywhere, so they just do nothing. They only participate in

the intimidation of servicemen: if you don't go, we'll initiate a case – lawyer Maksim Grebenyuk

Later Grebenyuk commented on such cases in more detail in an interview with Meduza (Meduza, Apr 27):

Meduza: Do people often come to you with such cases?

Grebenyuk: No, this is rather a personal initiative of some commanders. Recently, another person showed me their military ID card, which said that the serviceman refused to take part in a 'special military operation', so he is dismissed 'due to failure to fulfill the terms of his contract.' Same thing, but in soft form. They make such an entry in the military ID or in the service record in order to ruin the life of the serviceman. This record is not envisaged by anything, it is illegal, and you can demand that it be canceled. That's what I'm going to do.

M: How would it ruin a serviceman's life?

G: This record will influence the future employment of a serviceman, when he tries to get a job in another military unit, or in the police, or in the Federal Penitentiary Service, or in any other law-enforcement agencies. The commanders have no other levers, except for shouting and threatening with criminal cases, and, in reality, only to fire them.

- There is information about a case when the head of the brigade's personnel department put a non-statutory stamp with the words 'Prone to betrayal, lies, and deception. Refused to participate in the special military operation on the territory of the LNR, DNR, and Ukraine' on the service record of a contract serviceman who had refused to participate in the war and was fired. According to the soldier himself, after a long deployment to Syria he was entitled to a vacation, but instead his superiors decided to send him to Ukraine. A photo of the stamp was published by lawyer Maxim Grebenyuk (Mediazona, Apr 13). Conflict Intelligence Team expressed the opinion that such a seal was a local initiative (CIT, Apr 14).

A record like this is not stipulated by anything, it is aimed solely at insulting and humiliating a serviceman, and making

an example for others, to complicate his life in civilian employment or in law-enforcement authorities. <...> Because they can't do anything else, they can't initiate a criminal case, they can't even put him in the brig, so they did this disgusting thing – lawyer Maksim Grebenyuk

- Human rights activists report a case in which a conscript serving in one of the regions on the border with Ukraine managed to refuse to participate in the military actions. He filed a report stating that he could not participate in the 'special operation' due to his 'conscience', namely his religious beliefs, and his family appealed to the Ministry of Defense and other officials about this issue. The unit promised him not to send him to the combat operations. We do not report the identity of the conscript or the sources of information on the case for security reasons.

- According to the Main Directorate of Intelligence of the Ministry of Defense of Ukraine, the 64th Motorized Rifle Brigade of the 35th Army of the Russian Federation, whose soldiers were allegedly in Bucha and may be involved in war crimes in that city, will be redeployed to the combat zone again. One of the purposes of their return is allegedly the 'quick disposal of unnecessary witnesses, i.e. redeployment to such areas of the front where they will have no chance of surviving to prevent the provision of evidence in future trials.' According to the report, soldiers are refusing en masse to return to the war, but the leadership threatens them with tribunals and does not accept resignation reports. This information is not corroborated independently (MDI, Apr 5).

- Conflict Intelligence Team reports that a photograph of a report circulating in Dagestan residents' WhatsApp chats shows that the 136th Motorized Rifle Brigade, operating in Zaporizhzhya Oblast of Ukraine, did not arrive in the battalion formation as planned on March 25 and actually deserted, abandoning the military equipment. The photo shows the first sheet of the report with a list of about 30 people, the total number of sheets is unknown. CIT warns that this information is unconfirmed and may be a fake. The organization

also mentions evidence that groups of Russian Rosgvardiya fighters were recently looking for deserters in Kherson, which had been seized by Russian troops (CIT, Apr 16).

- In Ufa, a military commissar wrote a denunciation against a conscript, who in his application for alternative civilian service indicated that he did not support the war in Ukraine and that participation in the war contradicted his beliefs. The commissar filed a complaint about the violation of the article on 'public defamation of the Russian Armed Forces.' However, the police officer did not find any violation of the law in the conscript's application (Movement of Conscientious Objectors, Apr 17).

- During the first two months of the war so far, Russian journalists have reported at least five cases of arson in military commissariats: in the Republic of Mordovia, in Ivanovo, Sverdlovsk, and Moscow regions, and in the city of Voronezh. This way people protest against the war and the mobilization of conscripts. For example, on the night of April 17–18, unknown people threw Molotov cocktails at the building of the military commissariat in the village of Zubova Polyana in Mordovia. The rooms where the conscripts' data were kept caught fire, thus the conscription campaign was stopped in several districts of the republic (Important Stories, Apr 21). In May, such cases became more frequent: journalists reported arson attacks on military commissariats in Nizhnevartovsk, Cherepovets, Omsk (Mediazona, May 13), and Balashikha (Baza, May 10). Another group of activists who tried to set fire to another military commissariat in Cherepovets was detained (Novaya Gazeta. Europe, May 12). On May 15 journalists reported three new cases at once: in the Ryazan and Rostov regions and in Volgograd (DOXA, May 15: 1, 2, 3). According to Conflict Intelligence Team, these cases do not represent an organized movement and are rather local initiatives of individual activists (CIT, Apr 22); an anti-fascist activist and political prisoner Vlad Barabanov agrees. Political technologist Abbas Galiamov noted in an interview with 'Novaya Gazeta. Europe' that military commissariats are

disproportionately often set on fire in small towns: they are poorer than Moscow, and are also less equipped with means of surveillance of their residents. Journalists note that in most cases, the fire is promptly extinguished and the military commissariat building is not seriously damaged by such arson attempts. Many activists have been found and detained (Novaya Gazeta. Europe, May 13).

- On April 22, Mediazona published a big article about servicemen who refuse to fight. The journalists have talked to several contract servicemen who are forced to take part in the hostilities. For example, an engineer of one of the military units in Siberia said that many of his comrades-in-arms, like himself, gave a negative answer to the commander's question about their desire to participate in the 'special operation.' After that, they were repeatedly forced to write reports on the reasons of refusal and subjected to psychological pressure. In the end, despite three reports of refusal, by an order of the higher headquarters the engineer was sent to the war.

Of course, there [at the border with Ukraine] I will also refuse, and there it won't be long until there's a criminal case for desertion...

Another serviceman, dislocated from the combat zone, had refused to return there. The commander responded with insults and threats.

[to another serviceman] Comrade Colonel, load him up in the APC tomorrow and take him out, got it? Load him up and take him out tomorrow, and report back to me! You can tie him the fuck up, you can— shit, you can stuff him in there like a fucking pile! Fucking take him out there!

Sometimes relatives of a serviceman are sent letters saying that the serviceman has 'disgraced' them by refusing to take part in the war. Some superiors try to persuade servicemen by using propaganda clichés. Others fire them, including those who were willing to go but could not because of health problems. Then there are some who directly threaten the military with criminal prosecution. At the time of

publication, however, not a single criminal case for refusing to participate in the war is known (Mediazona, Apr 22).

- Conflict Intelligence Team also reports on a case where a contract serviceman who had been withdrawn from Ukraine was forcibly sent back to the war despite his refusal (CIT, Apr 22).

- Lawyer Maxim Grebenyuk, who works with servicemen who refuse to participate in the war in Ukraine, gave an interview to Meduza. Here are some excerpts from this material (Meduza, Apr 27):

M: Did any of the conscripts who were sent to Ukraine contact you?

G: Recently, I went to the Bryansk region. There a mother [of a conscript] got scared that her son would be sent to Ukraine. Their unit is near the border. I visited this serviceman together with his mother in the unit and had a conversation with the commander about the decree of the Supreme Commander-in-Chief not to allow conscripts to participate in the 'special operation' in Ukraine. He heard me. The conscript remained at the permanent deployment point of the military unit. So, it's possible to do some work and wrest single servicemen from the clinging hands of the motherland.

M: Can the military be actually prosecuted for refusing to participate in the war?

G: ...Not a single criminal case has been initiated yet. And I think I know why. <...> Because it will all end up in the media. If a criminal case is opened for the failure of some task, it will mean that something in the army did not go according to plan. According to the norms of criminal procedure, if a criminal case is opened against a serviceman, he must be given a copy of the order to initiate the case. And they'll have to write what significant harm he has done to the interests of the service. Everybody will know that a particular combat mission has been disrupted. What will be written there will undermine the authority of the command if the case becomes public. The soldier will be able to give interviews to journalists and can tell a lot of interesting things. And

there will be a very strong internal resistance among ordinary servicemen if criminal cases are initiated against them. So, for the time being our state does not go for this. But I explain to everyone that theoretically it is possible.

M: Many Russian prisoners of war said that on February 24 they were told they were going to a training exercise and then ordered to participate in a 'military operation.' Is this true? Have you been approached by such people?

G: Yes, of course. That's exactly who I'm working with right now. They were told it was just a drill. But it turned out to be a 'special military operation.' Among them there are those who refused to enter [Ukraine] at all, and those who had entered, stayed there for a while and left. <...> Many refused already after the start of the special operation, when their comrades began to die. Although the 'refusers' were very much threatened with criminal charges; the commanders shouted, stomped their feet, and called the military prosecutor.

M: And what happens to those who refuse?

G: The vast majority are dismissed. Some are sent on leave, because according to the law, before being dismissed, servicemen must be given all their vacations and only then they can be excluded from the unit lists. That is why many of the discharged are still on leave. But not everybody is fired: the percentage of vacations in some units is so high that if all of them are fired, there would be nobody left to serve. That's why they demonstratively fire only some of the refusers. And I also have those who weren't fired at all after they had refused. One FSB serviceman, a driver from the military counterintelligence service, was brought back. They were intimidating him and shouting at him, and nothing happened to him, he still drives people around.

<...> Many commissariats are now recruiting for short-term contracts. I can't say anything about the influx. But the outflow from the service, in my opinion, is very large. <...> When the military personnel understand that the reality is that you can be killed at any time, for many it becomes a sobering factor. Many begin to rethink the necessity of their

participation. Because Ukrainians know what they are dying for, and the fearlessness of a soldier is based on this. When our grandfathers fought [in the World War II], they knew what they were dying for. And our servicemen do not all understand the necessity of their deaths.

The human rights organization Conscript's School by Alexei Tabalov tells the story of two contract soldiers from the Chelyabinsk region who refused to return to the war. According to them, the leadership deceived them twice: first they were told that they would go to the exercises near the border, then that they would take part in the defense of Luhansk [of Luhansk People's Republic, Russian puppet state in the eastern Ukraine]. In reality, they were sent to war as part of a group that unsuccessfully tried to take Chernihiv. The servicemen were able to terminate their contracts and go home, despite the fact that the leadership threatened them with criminal prosecution (Conscript's School, Apr 29).