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RUSSIA: Criminal prosecution to follow fine for anti-war post?

By Victoria Arnold, Forum 18 (<https://www.forum18.org>)

Police prosecuted Apostolic Orthodox Church Archbishop Grigory Mikhnov-Vaytenko for allegedly "discrediting" Russia's Armed Forces in a 2022 online video. On 1 April, a St Petersburg court fined him a week's average wages. He quoted in court Jesus' words "blessed are the peacemakers", adding "the Church is obliged to voice precisely this position". A court spokesperson explained his conviction: "He uploaded a video in which it was said that Russia groundlessly invaded Ukraine. What other reasoning do you need?" Archbishop Grigory expects a second "discreditation" accusation and criminal prosecution.

Police in St Petersburg have prosecuted another Orthodox priest for opposing Russia's invasion of Ukraine from a religious perspective. On 1 April, a court fined Archbishop Grigory Mikhnov-Vaytenko a week's average local wages for allegedly "discrediting" the Russian Armed Forces in an online video more than three years earlier. He now expects a second accusation of "discreditation" and criminal prosecution, he told supporters after his court hearing.

The 57-year-old Mikhnov-Vaytenko is Archbishop of the Apostolic Orthodox Church (which is not part of the Moscow Patriarchate).

In the video he posted on his Telegram channel in March 2022, Archbishop Grigory describes the Russian invasion of Ukraine as "unmotivated, aggressive armed actions" and draws an analogy with the Biblical parable of the Gadarene swine (see below).

Archbishop Grigory quoted in court Jesus' words "blessed are the peacemakers", adding: "And the Church is obliged to voice precisely this position" (see below).

Asked by Forum 18 for the reasons for Mikhnov-Vaytenko's conviction, a court spokesperson said "He uploaded a video in which it was said that Russia groundlessly invaded Ukraine. What other reasoning do you need?" (see below).

St Petersburg police did not respond to Forum 18's questions as to why expressing religious views on the war in Ukraine was considered "discreditation" of the Armed Forces, and why it had opened an administrative case three years after the video had appeared (see below).

Criminal cases are continuing against three other religious leaders who have condemned Russia's invasion of Ukraine on religious grounds and criticised Russia's conduct of its war.

The trial of independent Christian preacher Eduard Charov for repeat "discreditation" of the Armed Forces began in April at a military court in Yekaterinburg (https://www.forum18.org/archive.php?article_id=2971). Charov also stands accused of "public calls to commit terrorist activities, public justification of terrorism or propaganda of terrorism, using the internet" for what his wife Inna called a "sarcastic comment" on another user's post on the VKontakte social network.

Zen Buddhist leader Ilya Vasilyev is still on trial in Moscow (https://www.forum18.org/archive.php?article_id=2971) on charges of disseminating "false information" about the Russian Armed Forces "for reasons of political, ideological, racial, national or religious hatred or enmity, or for reasons of hatred or enmity against any social group". He spent 15 days in solitary confinement from mid-February for allegedly not walking with his hands behind his back in his detention centre. Vasilyev is being prosecuted for an English-language Facebook post about Russian rocket attacks on Ukrainian cities, which he made "solely out of religious conviction", his lawyer told Forum 18.

Protestant pastor Nikolay Romanyuk remains under investigation (https://www.forum18.org/archive.php?article_id=2971) on charges of "Public calls to implement activities directed against the security of the Russian Federation, or to obstruct the exercise by government bodies and their officials of their powers to ensure the security of the Russian Federation", using the media, or internet. He is being investigated for preaching a sermon in which he explicitly stated that, "on the basis of Holy Scripture", Christians should not go to fight in Ukraine. A court extended his pre-trial detention period for a third time on 15 April until 17 June.

Charges and punishments

Soon after Russia launched its renewed invasion of Ukraine in February 2022, Vladimir Putin introduced new offences in order to prosecute those opposing the war for any reason, including on religious grounds.

These included – but were not limited to – Administrative Code Article 20.3.3

(https://www.forum18.org/archive.php?article_id=2897) and the associated Criminal Code Article 280.3

(https://www.forum18.org/archive.php?article_id=2897) introduced on 4 March 2022 to punish alleged "discreditation" of the Armed Forces. Amendments to the law on 25 March 2022 expanded the definition of this offence to include "discreditation" of "the execution by state bodies of the Russian Federation of their powers for the specified purposes", ie. protecting Russian interests and "maintaining international peace and security".

The government has used a range of tactics (https://www.forum18.org/archive.php?article_id=2897) to pressure religious leaders into supporting the renewed invasion of Ukraine. These tactics include warnings to senior and local religious leaders, and prosecuting and fining religious believers and clergy who have publicly opposed the war. Similar warnings and prosecutions have been used against many Russians who express opposition to the war for any reason.

Since February 2022, courts have jailed two and fined three (https://www.forum18.org/archive.php?article_id=2904) on criminal charges for opposing Russia's war against Ukraine on religious grounds. Investigators have also opened three criminal cases (https://www.forum18.org/archive.php?article_id=2904) against people who have left Russia, and have placed them on the Federal Wanted List (https://www.forum18.org/archive.php?article_id=2897).

One of those sentenced to imprisonment, Fr Ioann Kurmoyarov, who was released in August 2024

(https://www.forum18.org/archive.php?article_id=2925), has now left Russia. He says he pleaded guilty only under pressure, and is now preparing a cassational appeal against his conviction.

Many others who publicly or online protested against the war (https://www.forum18.org/archive.php?article_id=2835) have been fined under the Administrative Code (https://www.forum18.org/archive.php?article_id=2897). Repeat anti-war "offences" can lead to prosecution under the Criminal Code (https://www.forum18.org/archive.php?article_id=2897), which brings the possibility of jail terms.

Ever-increasing internet censorship has seen websites and materials blocked

(https://www.forum18.org/archive.php?article_id=2934) for: "extremist" content; opposition to Russia's war against Ukraine from a religious perspective; material supporting LGBT+ people in religious communities; Ukraine-based religious websites; social media of prosecuted individuals; and news and NGO sites which include coverage of freedom of religion or belief violations.

St Petersburg: Another priest fined

On 1 April 2025, St Petersburg's Nevsky District Court convicted Archbishop Grigory Mikhnov-Vaytenko of "discrediting" the Russian Armed Forces in a video he had posted on Telegram more than three years before. Judge Anna Volgina fined him 30,000 Roubles (a week's average local wages) under Administrative Code Article 20.3.3 Part 1. He intends to appeal, he told Forum 18 on 14 April.

After the court hearing, Archbishop Grigory commented to supporters (https://en.zona.media/article/2025/04/01/orthodox_fined) that he expects police to prosecute him again on a similar charge, since "without a second charge, there is no criminal case". (This was a reference to Criminal Code Article 280.3, which punishes "discrediting" the Armed Forces more than once in a year.) His administrative prosecution, he added to Forum 18 on 14 April, was "not a surprise".

In the seven-and-a-half-minute video (https://t.me/turma_i_vera/947), Archbishop Grigory describes the Russian invasion of Ukraine as "unmotivated, aggressive armed actions" and draws an analogy with the Biblical parable of the Gadarene swine. Judge Volgina concluded that this was "aimed at undermining confidence in the Armed Forces of the Russian Federation, at forming a negative attitude towards the special military operation", according to the written decision, seen by Forum 18.

Forum 18 asked the St Petersburg court system press service on 10 April why the judge had found the Archbishop guilty. "He uploaded a video in which it was said that Russia groundlessly invaded Ukraine. What other reasoning do you need?", spokesperson Darya Lebedeva responded.

Forum 18 also asked St Petersburg police on 10 April why expressing religious views on the war in Ukraine was considered "discreditation" of the Armed Forces, and why it had opened an administrative case three years after the video had appeared. Forum 18 had received no response by the middle of the working day in St Petersburg of 17 April.

Three-year-old video

Archbishop Grigory uploaded the video to his own Telegram channel, "Prison, War and Faith" (https://t.me/turma_i_vera/), on 11

March 2022, shortly after Russia began its full-scale invasion of Ukraine. According to the court decision, police in St Petersburg came across it on 20 February 2025.

The statute of limitations on offences under Administrative Code Article 20.3.3 is 90 calendar days. According to the Administrative Code, this period is usually counted from the date the offence was committed, but if the offence is considered to be "ongoing", it is counted from the date it was detected. The Archbishop's lawyer argued in court that the statute of limitations had long expired in his case. Nevertheless, the judge decided that his alleged offence could be deemed "ongoing" because the video had continued to be accessible for three years.

The court decision notes that the Archbishop said: "My Country, the Country that I am accustomed to calling my Motherland, has started unmotivated, aggressive, armed actions, has started a war against a neighbouring state .. A person has no right, simply on the basis of geography, to accuse another person of a criminal offence and say, I will kill you, and go to kill, this is what the army of the Russian Federation is doing today, it is striking at [public] squares, it is trying to destroy the resistance that the courageous Ukrainian people are putting up .. We are going to have to suffer, I do not doubt this for a second, we, I mean all citizens of the Russian Federation, the most severe defeat in history, military, economic, but most importantly moral, we will all bear responsibility .." [capitalisation as in written decision].

In the video, Archbishop Grigory also draws an analogy between the Russian invasion of Ukraine and the Biblical story of the Gadarene swine, in which a herd of pigs, possessed by demons which Jesus has banished from a man, rush over a cliff to their deaths.

"Let's be people. Let's not be like the pigs. What I am calling for is this – don't be pigs, even if a demon comes to you. Let's stop. Let's not let it in, because of course, that monstrous – I repeat, monstrous – face of the beast, which looks at us from the abyss, it is in us too .. The herd is destined to fall into the sea, the herd is destined to die. Unfortunately it is so. The Lord allows this in order to free us from that very demon, the name of which is Legion."

After noting that Russia will have to suffer defeat, the Archbishop says that responsibility is on everyone "who has lived here all these years, no matter what we did – protested or not, occupied ourselves with family matters or went out to meetings. Regardless, it will lie with you, and already today you bear responsibility for atonement for this guilt, for ensuring that our country, our people, will rise from those ruins in which they now lie, and so that we, or at least our grandchildren, can be forgiven by people in other countries."

Archbishop Grigory concludes: "The last thing we see is the last element of this agony, when the pig throws itself off the cliff into the sea. The demon has already left. It is not actually possessing the man. The Lord will not abandon those who open their hearts to him."

"Explaining that peace is better than war is my direct duty"

In court, Archbishop Grigory argued (https://en.zona.media/article/2025/04/01/orthodox_fined) that "The Russian Orthodox Church - any Christian church - strives to carry out a peacemaking ministry both nationally and internationally.. The Church also opposes the propaganda of war and violence, as well as various manifestations of hatred capable of provoking fratricidal clashes. This is fundamentally important because it reflects the meaning of what I am talking about in this seven-minute video".

Archbishop Grigory quoted from the Bases of the Social Concept of the Russian Orthodox Church (adopted in 2000) and the canon of Basil the Great to argue that, in war, even a person carrying out orders to kill needs "spiritual healing", and "there is no justification for murder", and that therefore "it was essential for me to express precisely the Church's attitude towards the ongoing events. To explain why in this case the use of armed forces - regardless of the country - represents an extreme danger".

Judge Volgina rejected this argument, claiming that if the exercise of rights and freedoms violates the rights and freedoms of others and such a violation is "socially dangerous and unlawful", prosecution of the perpetrator protects the public interest.

Archbishop Grigory denied intending to "discredit" the Armed Forces. "But what I really would like to discredit - and will continue to do so as long as, forgive me, I live - is the very idea of resolving interstate problems by force, as well as the ailments of the state."

The Archbishop noted that he opposed all combat actions, regardless of who carried them out, "based on the fact that - excuse me, one more quote from Holy Scripture - 'blessed are the peacemakers'. And the Church is obliged to voice precisely this position. This does not cancel our work with members of the armed forces, with employees of the very same detention centres, and with anyone else. You see, we do not turn anyone away.

"But explaining that peace is better than war is my direct duty."

Archbishop Grigory's lawyer argued that the parts of the video cited in the police protocol had been taken out of their textual and religious context and that the Archbishop had had no intention of "discrediting" the Armed Forces.

Judge Volgina dismissed these arguments, however, concluding that "the fact that the protocol contains only part of the text (one sixth of the full text of the speech) does not affect the qualification of the [Archbishop's] actions, since the statements contained in the protocol, including taking into account the full text of the video message examined in the court hearing, indicate [his] intention to discredit the use of the Armed Forces .. there are no grounds to believe otherwise."

Judge Volgina added: "Public actions, including speeches and statements, which deliberately carry a negative assessment of activities protecting the interests of the Russian Federation and its citizens and maintaining international peace and security, may, especially given their cumulative effect, have a negative impact on the implementation of relevant measures and decisions, reduce the decisiveness and effectiveness of the implementation of assigned tasks by the Armed Forces of the Russian Federation and other state bodies [and] the motivation of military personnel and other persons directly involved in this, and thereby in fact – even without directly pursuing this very goal – assist forces that oppose the interests of the Russian Federation and its citizens."

Consistent opposition to Russia's war against Ukraine

Grigory Aleksandrovich Mikhnov-Vaytenko (born 3 September 1967) is an Archbishop and, since March 2022, leader of the Apostolic Orthodox Church, which was founded in 2000 by Gleb Yakunin (whom the Moscow Patriarchate had defrocked and excommunicated after he published information on the Soviet-era links between it and the KGB). It is not in communion with the Moscow Patriarchate.

Archbishop Grigory has consistently opposed Russia's war against Ukraine and helped Ukrainian refugees inside Russia. In July 2024, the Justice Ministry named him a "foreign agent" (https://www.forum18.org/archive.php?article_id=2950).

On 17 February 2024, police detained Archbishop Grigory on his way to conduct a requiem service (panikhida) for opposition leader Aleksey Navalny, who had died in prison the day before. He was taken ill at the police station, and so the case against him (under Administrative Code Article 20.2.2 Part 1, "Organisation of a mass presence of citizens in a public place .. if [this] resulted in violation of public order or sanitary norms") was delayed and eventually halted as time for prosecution had run out. (END)

More reports on freedom of thought, conscience and belief in Russia (<https://www.forum18.org/archive.php?country=10>)

For background information see Forum 18's Russia religious freedom survey (https://www.forum18.org/archive.php?article_id=2897)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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