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# Russia charges Memorial head with 'justifying terrorism' for calling persecuted Ukrainian POWs political prisoners

Monday 24 February 2025, by [COYNASH Halya](#) (Date first published: 22 January 2025).

**Russia first claimed that Ukrainians defending their country were 'terrorists' trying to 'violently seize power', and is now bringing 'terrorism' charges against Sergei Davidis for rightly calling the POWs political prisoners**

**Sergei Davidis**, Head of the authoritative Memorial Support for Political Prisoners Project, is facing criminal charges over his Facebook reposting of the human rights group's statement declaring 24 Ukrainian POWs on 'trial' in Russia to be political prisoners. Russia is violating international law by bringing extraordinary 'terrorism' charges against Ukrainians defending their country and has now accused Davidis of 'justifying terrorism' essentially for saying so.

Memorial reported on 21 January 2025 that charges have been laid against Davidis under Article 205.2 § 2 of Russia's criminal code. This prosecutes for something claimed to be 'public calls to carry out terrorist activities; or public justification or propaganda of terrorism', with paragraph two used if the alleged action were via the Internet. The charge carries anything from a very steep fine to a term of imprisonment from 3-7 years.

The charge against Davidis is over his Facebook repost of the Memorial Support for Political Prisoners Project post declaring 24 Ukrainians to be political prisoners. Davidis himself wrote only "*Ukrainians persecuted for serving in Azov' are political prisoners.*", with the Memorial text setting out in detail why the 24 Ukrainian men and women who were either soldiers of the Azov Regiment or people serving in it should be considered political prisoners. Before considering the reasons for that assessment, it is worth noting that both the post and repost are over a year old and the present charges are not the first attack on Davidis. It was learned on 28 November 2024 that he had been to Russia's notorious 'Register of extremists and terrorists'. Just as there were no grounds for that decision, there are none for the criminal charges, and both look like a dangerous new attack on Memorial and its activists Russia has already brought criminal charges and imprisoned one prominent Memorial head, [Oleg Orlov](#), with the charges against him over opposition to Russia's war of aggression against Ukraine. The Memorial Support for Political Prisoners Project, which Davidis heads, emerged after the Russian prosecutor managed [to get the Memorial Society and the Memorial Human Rights Centre outlawed](#), not least because of their firm position over Russia's aggression against Ukraine. It seems clear from the indictment against Davidis that this new offensive is over Davidis' general position, and that of Memorial.

The prosecution claims that Davidis "*being an adherent of an anti-Russian position, demonstrated a contemptuous, hostile-aggressive attitude to the current bodies of executive and legislative power in the Russian Federation, in view of the state's armed forces carrying out the special military operation for the demilitarization and denazification of Ukraine...*". He purportedly understood and

accepted *“terrorism as an instrument for destabilizing the activities of the RF authorities”* and sought to circulate such *“criminal views”* to an indefinite number of people by posting material on Facebook, with his *“intention aimed at the justification of terrorism and the carrying out of terrorist acts on the territory of the Russian Federation.”*

The above opus was written by ‘investigator’ **V.V. Timofeyev** about Davidis’ caption *“Ukrainians persecuting for serving in Azov are political prisoners”*.

Sergei Davidis himself dismisses the charges and any suggestion that his statement about people serving in Azov and *“defending their country against military aggression”* constitutes justification of terrorism.

The charge in this case of ‘justifying terrorism’ is, presumably, linked with the extraordinary charges that Russia laid against 24 Ukrainians serving in the Azov Regiment and taken captive while defending Mariupol or helping those defending the city. All 24 Ukrainian men and women had become prisoners of war between April and May 2022, yet Russia has used a politically motivated ruling by the Supreme court from 2 August 2022, declaring the Azov Regiment to be ‘terrorist’, as excuse for surreal ‘terrorism’ charges. The charges against the Ukrainian POWs were, firstly, of involvement in an organization recognized in Russia (and nowhere else) as ‘terrorist, under Article 205.5 of Russia’s criminal code. The second charge was even more staggering in its cynicism. All were accused of ‘actions aimed at violent seizure of power or violent retention of power and violation of Russia’s constitution’. Even if, as is possible, the Russian Investigative Committee is claiming that the Ukrainians were seeking ‘to overthrow’ Russia’s proxy ‘Donetsk people’s republic’, this could still not begin to justify such a charge since Mariupol was not within this pseudo formation until Russia bombed and destroyed around 90% of Mariupol’s infrastructure in order to gain control of it.

It had been reported that 24 Azov members were to go ‘on trial’, however the first hearing at the notorious Southern District Military Court in Rostov in June 2023 proved to have 22 defendants. It was learned then that two POWs - **David Kasatkin and Dmytro Lablinsky** - had been released in an exchange of prisoners.

The women prisoners were freed in a later exchange of prisoners although only after another male POW, [55-year-old Oleksandr Ishchenko](#) died of injuries, probably inflicted while he was being subjected to torture. The forensic examination found that he had died on 22 July 2024 from a “closed wound to the chest caused by contact with a blunt item”, as well as multiple rib fractures and shock.” He had been in Russian captivity for over two years at that stage.

The ‘trial’ against those remaining is continuing, and Russia [has also brought identical charges](#) against other Azov defenders. A number have already received horrific sentences, up to life imprisonment, although the charges are not just in breach of international norms on the treatment of prisoners of war, but also defy fundamental principles of law (namely that the law does not apply retroactively).

In the Memorial statement which Davidis reposted, the human rights group pointed out that not one of the defendants was accused of any war crime. The charges pertained solely to their serving in the Azov Regiment. Memorial viewed the Supreme Court ruling (declaring Azov ‘terrorist’) to be wrongful, with this therefore invalidating all of the charges against the defendants. There was, furthermore, no justification in the charges as the ruling had declared Azov ‘terrorist’ long after all of the defendants had fallen into Russian captivity.

The statement concluded that Russia is violating international law, and specifically the Geneva

Convention Relative to the Treatment of Prisoners of War through its use of criminal prosecution. It warned that *“from the point of view of international law, Russia’s violation of the Geneva Convention with respect to prisoners of war from the Azov Regiment can be viewed as a war crime.”*

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