

Unofficial English Translation of the Judgment of the Basmanny District Court of Moscow of 29 July 2025 in the Case of Sharofiddin Gadoev.

JUDGMENT

IN THE NAME OF THE RUSSIAN FEDERATION

Moscow, 29 July 2025

The Basmanny District Court of the City of Moscow, composed of Presiding Judge Safarin B.M., with the assistance of Judge's Assistant Mekhodzhan K.S., and with the participation of:

- the public prosecutor — Assistant to the Basmanny Interdistrict Prosecutor of the City of Moscow, Khudyakova D.S.,
- the defence counsel — Attorney Gilfanova G.Yu., acting in the interests of the accused, Gadoev Sh.M., having presented her certificate and warrant,

having examined, in an open court hearing in the procedure provided for by Part 5 of Article 247 of the Criminal Procedure Code of the Russian Federation, in the absence of the defendant, Gadoev Sh.M., the materials of the criminal case No. 1-315/2025 in respect of:

Gadoev, Sharofiddin Mirzoalievich, born on 19 May 1985, a native of the town of Farkhor, Farkhor District, Kulyab Region, Tajik SSR, citizen of the Republic of Tajikistan, with higher education, married, father of three minor children, registered at: Republic of Tajikistan, Khatlon Region, Settlement Jamoat Farkhor, Rumi Street, House 2, employed, with no prior criminal record, accused of committing a criminal offence provided for under subparagraphs "b", "d" of Part 2 of Article 207.3 of the Criminal Code of the Russian Federation (as amended by Federal Law No. 63-FZ of 25.03.2022),

ESTABLISHED:

Gadoev, Sharofiddin Mirzoalievich, committed the public dissemination, under the guise of reliable reports, of knowingly false information containing data regarding the use of the Armed Forces of the Russian Federation for the purpose of protecting the interests of the Russian Federation and its citizens, maintaining international peace and security, committed by a group of persons by prior conspiracy, motivated by national enmity.

Pursuant to Article 4 of the Treaty on Friendship, Cooperation, and Mutual Assistance between the Russian Federation and the Donetsk People's Republic of 21.02.2022, ratified by Federal Law No. 15-FZ of 22.02.2022, and Article 4 of the Treaty on Friendship, Cooperation, and Mutual Assistance between the Russian Federation and the Lugansk People's Republic of 21.02.2022, ratified by Federal Law No. 16-FZ of 22.02.2022, the Contracting Parties shall jointly take all available measures to eliminate threats to peace, breaches of peace, as well as to counteract acts of aggression against them by any state or group of states, and to render each other the necessary assistance, including military assistance, in the exercise of the right to individual and collective self-defence in accordance with Article 51 of the Charter of the United Nations.

In accordance with Article 10.1 of the Federal Law "On Defence" of 31.05.1996 No. 61-FZ, for the purposes of countering systematic acts of armed aggression on the part of Ukraine against the Donetsk People's Republic (hereinafter — DPR) and the Lugansk People's Republic (hereinafter — LPR), directed against the civilian population and objects of civil infrastructure, as well as for the protection of the interests of the Russian Federation and its citizens, and the

maintenance of international peace and security, as of 24.02.2022, a special military operation is being conducted on the territory of the DPR, the LPR, and Ukraine with the use of the Armed Forces of the Russian Federation.

In accordance with Articles 2, 15, 17, and 79.1 of the Constitution of the Russian Federation, man, his rights and freedoms, are the highest value; universally recognized principles and norms of international law and international treaties of the Russian Federation constitute an integral part of its legal system; in the Russian Federation, human and civil rights and freedoms are recognized and guaranteed in accordance with universally recognized principles and norms of international law; the Russian Federation takes measures to maintain and strengthen international peace and security, ensuring the peaceful coexistence of states and peoples.

Pursuant to paragraph 6 of Article 3 and paragraph 1 of Part 4 of Article 6 of the Federal Law of 27.07.2006 "On Information, Information Technologies, and Protection of Information" No. 149-FZ, relations arising in the sphere of information, information technologies, and protection of information are based on the principles of reliability of information; the holder of information, when exercising his rights, is obliged to respect the rights and lawful interests of other persons.

In accordance with Article 51 ("Protection of the Civilian Population") of Additional Protocol I to the Geneva Conventions of 12.08.1949 (Chapter III. Civilians and the Civilian Population), relating to the protection of victims of international armed conflicts, the civilian population as such, as well as individual civilians, shall not be the object of attack. Acts of violence or threats of violence, the primary purpose of which is to spread terror among the civilian population, are prohibited.

Indiscriminate attacks are prohibited. Indiscriminate attacks are to be understood as: attacks which are not directed at specific military objectives; attacks which employ a method or means of combat which cannot be directed at a specific military objective; or attacks which employ a method or means of combat, the effects of which cannot be limited as required by this Protocol; and which, in each such case, strike military objectives and civilians or civilian objects without distinction.

In the period from 30.03.2022 to 24.11.2022, at a more precise time not established, being at an unidentified location outside the territory of the Russian Federation, with the purpose of creating a negative image of the Russian Federation and the Armed Forces of the Russian Federation, forming a false opinion about the goals and objectives of the special military operation, and increasing tension within the social sphere of society, citizens of the Republic of Tajikistan — Gadoev Sh.M. and an identified individual No. 1 — entered into a criminal conspiracy to produce a video recording containing knowingly false information about the use of the Armed Forces of the Russian Federation in the course of the special military operation on the territory of the Donetsk and Lugansk People's Republics and Ukraine, and its subsequent placement for the acquaintance of an unlimited number of persons in open sources of information and telecommunication networks, including the Internet.

According to the roles distributed in advance, Gadoev Sh.M. was assigned the production of a video recording containing footage with images of damaged Russian military equipment, as well as the delivery of a pre-prepared text containing data regarding the use of the Armed Forces of the Russian Federation, while the identified individual No. 1 was assigned the task of uploading the produced video recording for the acquaintance of an unlimited number of persons to the channel "ISLOH TV" created by him on the "YouTube" video-hosting platform, having the electronic address <https://www.youtube.com/@ISLOHTV/>.

Gadoev Sh.M. and the identified individual No. 1 were reliably aware that the circumstances of the conduct of the special military operation are of exceptional public significance, including beyond the borders of the Russian Federation, and therefore the dissemination of information about alleged violations by the Armed Forces of the Russian Federation of the aforementioned universally recognized norms and principles of international humanitarian law would cause wide public

resonance, create negative public opinion about the fulfilment of tasks and the exercise of powers by the Armed Forces of the Russian Federation, and entail the formation of negative public opinion and hostile attitudes towards Russian servicemen, and they desired the occurrence of such consequences.

Gadoev Sh.M., acting jointly with the identified individual No. 1, as a group of persons by prior conspiracy, on 24.11.2022, at a more precise time not established, being at an unidentified location outside the territory of the Russian Federation, guided by the motive of national enmity towards Russians, intentionally, being aware of the public danger of his actions, foreseeing the onset of socially dangerous consequences in the form of the disruption of public relations ensuring public security and desiring their occurrence, acting with the aim of forming within society a false opinion regarding the goals and objectives of the special military operation conducted by the Russian Federation, of causing harm to the constitutional order, the political system, security and public interests of the Russian Federation, of provoking social tension within society, using unidentified technical devices, recorded and edited, for the purposes of further public dissemination, an informational material — a video recording with his participation entitled:

“Sharofiddin Gadoev in Ukraine, the situation, the war — be sure to watch and stay informed!”

(«Шарофиддин Гадоев дар Укройна қарор дорад, вазъият, чанг ва... хатман бубинед ва огоҳ шавед!»),

containing, under the guise of reliable reports, knowingly false information about the use of the Armed Forces of the Russian Federation for the purposes of protecting the interests of the Russian Federation and its citizens, and maintaining international peace and security, namely, regarding the commission by servicemen of the Armed Forces of the Russian Federation of killings of peaceful residents of Ukraine, including women, children, and elderly persons, in the cities of Odessa, Kharkov, Irpin, Gostomel, and Bucha, Ukraine; the rapes of women and children; and the shelling of the civilian population, including through the use of the “Tochka-U” tactical missile system.

The identified individual No. 1, being at an unidentified location outside the territory of the Russian Federation, in the implementation of the criminal intent, acting as a group of persons by prior conspiracy with Gadoev Sh.M., in accordance with the roles distributed in advance, on 24.11.2022 at 18 hours 00 minutes, being guided by the motive of national enmity towards Russians, intentionally, being aware of the public danger of his actions, foreseeing the onset of socially dangerous consequences in the form of disruption of public relations ensuring public security and desiring their occurrence, acting with the purpose of forming in society a false opinion about the goals and objectives of the special military operation conducted by the Russian Federation, of causing harm to the constitutional order, political system, security, and public interests of the Russian Federation, of inciting social tension in society, publicly disseminated the video recording produced by Gadoev Sh.M. under the title:

“Sharofiddin Gadoev in Ukraine, the situation, the war — be sure to watch and stay informed!”

(«Шарофиддин Гадоев дар Укройна қарор дорад, вазъият, чанг ва ... хатман бубинед ва огоҳ шав!»)

on the page of the channel “ISLOH TV” of the “YouTube” video-hosting platform at the electronic address: <https://www.youtube.com/watch?v=pViww0p-clo&t=696s> containing, under the guise of reliable reports, knowingly false information about the use of the Armed Forces of the Russian Federation for the purposes of protecting the interests of the Russian Federation and its citizens, maintaining international peace and security, namely, about the commission by servicemen of the Armed Forces of the Russian Federation of killings of peaceful residents of Ukraine, including

women, children, and elderly persons, in the cities of Odessa, Kharkov, Irpin, Gostomel, and Bucha, Ukraine; the rapes of women and children; and the shelling of the civilian population, including with the use of the "Tochka-U" tactical missile system.

At the same time, according to the official information of the Ministry of Defence of the Russian Federation, the civilian population of Ukraine has not been and is not an object of attacks by servicemen of the Armed Forces of the Russian Federation. Any acts of violence or threats of violence against such persons are not permitted. No attacks upon the civilian population on the territory of Ukraine have been committed by servicemen of the Armed Forces of the Russian Federation.

By their joint actions, Gadoev Sh.M. and the identified individual No. 1 created a real threat of the formation among citizens of a false opinion about the goals and objectives of the special military operation and of an inducement to actions involving further dissemination of information not corresponding to reality about the use of the Armed Forces of the Russian Federation, capable of entailing an unfounded increase in social tension, thereby causing harm to the interests of the Russian Federation.

In accordance with Part 3 of Article 12 of the Criminal Code of the Russian Federation, foreign citizens not permanently residing in the Russian Federation who have committed a crime outside the borders of the Russian Federation are subject to criminal liability under the Criminal Code of the Russian Federation in cases where the crime is directed against the interests of the Russian Federation or a citizen of the Russian Federation, as well as in cases provided for by an international treaty of the Russian Federation or other international instrument containing obligations recognized by the Russian Federation, in the sphere of relations regulated by the Criminal Code of the Russian Federation, provided that such foreign citizens not permanently residing in the Russian Federation have not been convicted in a foreign state and are prosecuted under criminal law on the territory of the Russian Federation.

The Court, having conducted the judicial investigation, having examined the written materials of the case, and having heard the judicial arguments, considers that the guilt of the defendant, Gadoev Sh.M., in the commission of the crime imputed to him has been fully established in the court hearing.

The guilt of Gadoev Sh.M. in the commission of the crime provided for under subparagraphs "b" and "d" of Part 2 of Article 207.3 of the Criminal Code of the Russian Federation is fully confirmed by the evidence examined in court:

- the testimony of witness Dostakov Kh.A., questioned in the court hearing, who explained that approximately at the end of 2022 he saw on the video platform on the Internet, on the channel "ISLOH TV", a video recording of Gadoev Sh.M., in which he stated that he was in Ukraine, showed how, allegedly, the Russian army was killing peaceful residents of Ukraine, carrying out bombings. The video was approximately 20–25 minutes in duration, in which Gadoev Sh.M. also showed tanks, the war, as well as his speeches against the Russian Federation and Tajikistan. In his speech, Gadoev Sh.M. spoke in the Tajik language, presenting the information from a political point of view. He (Dostakov Kh.A.), comparing the information presented by Gadoev Sh.M. with the information reflected in the official mass media of the Russian Federation, understood that the information reported by Gadoev Sh.M. was false, propaganda, and aimed at discrediting the Armed Forces of the Russian Federation, since the information reported by Gadoev Sh.M. was refuted by reasoned and evidence-supported information communicated by official sources of information of the Russian mass media.

On the basis of Part 3 of Article 281 of the Code of Criminal Procedure of the Russian Federation, the testimony of witness Dostakov Kh.A. was read out in the court hearing, which the latter confirmed in full, according to which until the age of 18 he resided at his place of birth in the

Republic of Tajikistan, where he learned the Tajik and Russian languages. In 2001, he moved to the Russian Federation; however, he maintains relations with relatives and acquaintances residing in the Republic of Tajikistan.

Concerning the organization “Islamic Renaissance Party of Tajikistan” he knows that it appeared after the collapse of the Soviet Union and promoted radical Islamic ideas, as well as conducted opposition activity to overthrow the current government. After organizing mass riots, attacks on police officers and military personnel, the said organization in 2015 was recognized as a terrorist organization. Its activity is prohibited in the Republic of Tajikistan. Subsequently, information was published in the mass media that all leaders and most prominent members of the “Islamic Renaissance Party of Tajikistan” are abroad, where they continue their activity. All information about the activity of the “Islamic Renaissance Party of Tajikistan” is known to him only from the mass media. He does not support the ideas of the said organization, is not a member of any political or public organizations. Since he is a native of the Republic of Tajikistan, he periodically follows the news about what happens there.

At the end of 2022, he does not remember the exact date, but it seemed to him it was December, he was watching video clips on the “YouTube” video-hosting platform. Scrolling through the feed, he saw among the suggested videos a video in the Tajik language about the special military operation in Ukraine. He became interested and opened the said video. The video was of short duration, about 20 minutes or perhaps a little longer. He remembered that it was filmed in Ukraine. This was clear from the footage, as well as from the presenter, who introduced himself as Sharofiddin Gadoev and stated that he had arrived in Ukraine.

Gadoev was previously known to him as a Tajik oppositionist from the mass media. He is a participant in the opposition organization “Group 24”. This organization is prohibited in the Republic of Tajikistan, since it has been recognized as extremist and its activity banned. The said organization, just as the “Islamic Renaissance Party of Tajikistan”, sets as its aim the overthrow of the current government in the Republic of Tajikistan.

In the video clip, Gadoev, showing damaged military equipment, stated in the Tajik language that the said military equipment was being used by the Russian army to commit killings of the peaceful population of Ukraine, and he also recalled that Gadoev said that Russian military forces were bombing Ukrainian cities with heavy weapons. He was bewildered by the information that Gadoev was communicating, because at the beginning of the special military operation statements were disseminated in all mass media by the Ministry of Defence of the Russian Federation that the peaceful population is not a target of the Russian army. He also saw reports in the mass media that the Russian Federation was constantly opening humanitarian corridors for the civilian population. In addition, residing for a long time in the Russian Federation, he had not encountered any national discrimination or hostility on national grounds.

Accordingly, based on the information of Gadoev from the video recording, it appeared that Russian servicemen are murderers of the civilian population who did not participate in hostilities. He did not know how to react to the said video recording but did not write any comments, put any “Like” marks, or forward it to anyone. At the same time, in December 2022, this video recording was viewed by no fewer than 1000 users, such a conclusion he made from the view counter under the video recording. Then he looked at which channel had posted this video recording and saw that the channel was called “ISLOH TV” and was run by Sadurdinov Mukhamadikbol. He watched several video recordings on the channel. The video recordings that he watched were devoted to opposition activity aimed at overthrowing the President of the Republic of Tajikistan and to the interpretation of the Quran.

Sadurdinov is known to him as an Islamic preacher. Personally, he does not know him, but information about him is published in the Tajik mass media. He is aware that he is a propagandist and participant of the “Islamic Renaissance Party of Tajikistan.” His father, whose name and patronymic he does not presently remember, was one of the founders and leaders of the “Islamic

Renaissance Party of Tajikistan.” Sadurdinov is considered a very popular person among radical-minded adherents of Islam. He also knows that many members of the “Islamic Renaissance Party of Tajikistan” participated in combat actions in the Syrian Arab Republic on the side of ISIS. He understood the orientation of the video recordings on this channel and ceased to watch them, since it was not of interest to him.

Subsequently, he understood the reason why the said video recording with the participation of Gadoev was placed on the said channel. Sadurdinov and Gadoev are oppositionists in the Republic of Tajikistan, conducting their activities aimed at inciting civil war between supporters of the current government and opposition-minded persons. He thinks that they want to organize a coup d'état, as it was in Ukraine in 2013. However, at the same time, they know that in the event of the organization of such a coup, the Tajik authorities, for its suppression, may appeal for assistance to the President of the Russian Federation. Therefore, they need to convince the Tajiks that Russian citizens are murderers and rapists.

At present, between the Russian Federation and the Republic of Tajikistan, there exist normal diplomatic relations, they cooperate in various spheres, and many Tajiks work in the Russian Federation. The video recordings of Sadurdinov and Gadoev are directed at persuading Tajiks of the negative and expansionist character of the policy of the Russian Federation. If it may be said so, these video recordings are directed at increasing social tension and distrust towards Russian servicemen and citizens, since they depict them as murderers, rapists, and destroyers who want to seize foreign countries. He does not support such activity and considers that for the dissemination of such video recordings it is necessary to bring to criminal liability (Vol. 1, pp. 188–195).

- by the testimony of witness Ishanov S.U., questioned in the court hearing, who explained that approximately a year ago on the Internet he came across a video in which Gadoev Sh.M. was speaking about the war in Ukraine, stating that Russia was bombing the civilian population of Ukraine. In his video recording, Gadoev Sh.M. spoke in the Tajik language, stating that he was in Kyiv. He (Ishanov S.U.) does not agree with the statements of Gadoev Sh.M., since he knows that the latter reports information not corresponding to reality.

On the basis of Part 3 of Article 281 of the Criminal Procedure Code of the Russian Federation, the testimony of witness Ishanov S.U. was read out in the court hearing, which the latter confirmed in full, according to which he, from birth, resided in the Republic of Tajikistan, and in 2015 moved to the Russian Federation, where he resides to the present time. Since February 2022, that is, since the beginning of the special military operation, he has periodically followed the development of the situation in the Russian Federation and in the world by viewing news in the messenger “Telegram,” where he is subscribed to certain news groups. Since he knows both Russian and Tajik languages, he views news in the said languages.

In November 2022, he cannot specify the exact date, while viewing recommended video recordings on the page of the “YouTube” video-hosting platform, he saw a video recording posted by the channel “ISLOH TV.” The video recording proposed by the video-hosting platform was of about 23 minutes’ duration. He decided to watch it, because in the title it was stated that it covered the situation in Ukraine. On the Internet, in general, he has access only to materials either of the Russian or of the Ukrainian side, which are also sometimes posted in the Russian language. Materials in English or other languages are not accessible to him, because he does not know other foreign languages.

When he started the video recording, he saw that the presenter was Sharofiddin Gadoev, who introduced himself and stated that he was in Ukraine and would tell about the situation there. In the course of the video recording, Gadoev showed on screen damaged Russian military equipment, which, as he understood, was being exhibited in some square as captured trophy equipment. He also stated that by means of such equipment the Russian troops commit killings of peaceful residents of Ukrainian cities, bomb Ukrainian cities, and commit other crimes. At the same time, he

never mentioned what crimes the Ukrainian army committed, although there is much material about this in the mass media. That is, the video recording was devoted only to the Russian army, which shows the position that Gadoev occupies.

He did not watch other video recordings on the channel, since it was not of interest to him. He does not remember how many views and comments there were under the said video recording, since he did not pay attention to this. However, in the channel description he saw that the channel is administered by Sadurdinov Mukhamadikbol. Gadoev and Sadurdinov were not previously known to him. He was not interested in their activity. About the organization “Islamic Renaissance Party of Tajikistan” nothing is known to him. About the organization “Group 24” he read in the mass media, and he knows that this organization is an opposition one. But he did not inquire into the details of the activity of this organization. He is not interested in political life and therefore does not know about such organizations.

Returning to the described video recording, he considers that it was posted by Sadurdinov and Gadoev in order to persuade the Tajiks that the Russian Federation is an aggressor state seeking to seize other countries. In this way, they create a negative image of Russian citizens and servicemen. He understands that in the conduct of hostilities, losses among the civilian population are possible; however, he is convinced that the Russian Federation does not deliver deliberate strikes against houses, schools, and other objects of civilian infrastructure with the aim of killing as many people as possible. He considers that for the dissemination of video recordings, in which their authors distort actual information and also falsify certain data, it is necessary to bring them to criminal liability (Vol. 1, pp. 196–202).

- by the inspection protocol of objects dated 15.07.2023, according to which a video recording posted on the page of the channel “Islokh” of the video-hosting platform “YouTube” at the electronic address: <https://www.youtube.com/watch?v=pViww0p-clo&t=696s>, was inspected, where the video recording is posted under the title:

«Шарофиддин Гадоев дар Украйна қарор дорад, вазъият, чанг ва... хатман бубинед ва огоҳ шав!» –

“Sharofiddin Gadoev in Ukraine, the situation, the war — be sure to watch and stay informed!”.

At the time of inspection, the video recording had 70,523 views and 364 comments. The video recording has a duration of 23 minutes and 1 second. The interpreter participating in the inspection performed translation from Tajik into Russian.

From 00:00:08 to 00:11:08, the frame of the video recording shows the image of a man wearing a white shirt, a black jacket with a hood, with short dark hair. The described man is standing against the background of an urban landscape resembling Independence Square in Kyiv.

In the specified time interval, the described man delivers a text in a foreign language, which is translated by the interpreter as follows:

“In the name of the Almighty, the Merciful, the Compassionate!

Greetings to you, my dear compatriots. With you am I — Sharofiddin Gadoev.

At present I am in Kyiv, the capital of Ukraine. Today is 24 November 2022.

For already nine months the Ukrainians, in order to defend the sovereignty and integrity of their country, have been fighting with Russia. Russia has declared war on the Ukrainian people. The destruction of residential houses. The bombing of schools and educational institutions, the bombing of maternity hospitals and hospitals, as well as the destruction of other vital infrastructure, such as heating and power plants, is a clear sign that Russia is waging war against the Ukrainian people.

Not against the government of Ukraine, not against Nazism. All this is deceit and propaganda. Nobody in Ukraine wishes to rid themselves of the current government, because they have aversion only to the Russian government. Today the Ukrainian people have united in the struggle against fascism, the fascism of Putin.

The tactics and methods of today's war which Russia is waging against Ukraine are terrorist. In this connection, many countries have recognized Russia as a terrorist state. Indeed, if you look at Bucha, Irpin, and other Ukrainian cities, as well as the killings by Russian troops of peaceful residents, including children, women, elderly persons, the rapes of women and even of children, then today's Russian government can in full measure be called terrorist. And it may be said that Putin today in Russia is the leader of terrorists. The violence which Russia is committing against Ukraine is analogous to the actions of terrorists. They destroy vital objects solely in order that Ukraine abandon one part of its country.

As you know, in 2014 Russia unlawfully seized Crimea, one of the regions of Ukraine. And in 2014 in the cities of Luhansk and Donetsk, it began a treacherous and covert war against Ukraine. For eight years Ukrainians tried by diplomatic means to recover their lands from Russia. All of Ukraine's efforts in the search for a diplomatic solution enraged the dictator Putin, and on 24 February 2022 he attacked Ukraine. In this war Ukraine must achieve victory.

The victory of Ukraine is the victory of Tajiks, the victory of Kazakhs, Kyrgyz, and other countries which in the future may be deprived of their independence. In matters of prosperity and the development of democracy, Ukraine has advanced forward. In matters of democratic values and the observance of human rights, Ukraine, in contrast to other countries of the post-Soviet space, is more developed. Only two revolutions, which took place in Ukraine — one the "colour revolution," and the second the "Euromaidan revolution," which took place on this very square — were the reason for greater flourishing of democracy and the freedom of citizens.

The development and flourishing of democracy in Ukraine did not please Putin and his like-minded persons. The flourishing of democracy could have moved into Russia and other countries. It could have served as good practice, and Russians could have taken advantage of it so as not to allow the further existence of dictatorship in their country.

Russia has become accustomed to interfering in the system of state power of other countries. And if you look at the system of state power of Tajikistan, at the structure of state administration of the country, you will see that all institutions of civil society have been destroyed. Russia needs dictatorships. Dictatorships are needed in order to destroy institutions of state power, and in order easily to turn these countries into its colony or one of its provinces.

That is, the goals of Russia are the weakening of the state foundations of the countries of Central Asia and of other countries, which Russia wishes to turn into its colonies, creating its own empire. In this connection Russia protects dictatorships, interferes in the state structure of our country. Dozens and hundreds of citizens of Tajikistan have been abducted. Hundreds of citizens of Tajikistan, whose ideas and views did not coincide with the ideas and views of the authorities of Tajikistan, were abducted by Russia and secretly handed over to the Tajik authorities. Even Tajiks who had Russian citizenship were abducted and handed over to the dictatorial authorities of Tajikistan. That is, the civil institutions in Tajikistan with the assistance of Russia were completely destroyed.

The presence of Russia's 201st division on the territory of Tajikistan played a major role in the establishment of the dictatorial power of Tajikistan. It is precisely these interventions of Russia that do not allow the countries of Central Asia to develop. In these countries dictatorship will remain forever. Only with the departure of Russia's dictatorial power will these countries be able to breathe freely. Civil society in these countries will be able to flourish.

The victory of Ukraine is the victory of the world community. Since Russia has violated the rights of all humanity. The existing legal mechanisms which could protect the integrity of the state have been destroyed. The laws establishing the independence and equality of each state have been violated. Instability has been created in this region. In this connection, Ukrainians, in their confrontation with Russia, fascist Russia, must prevail.”

Citizens of Tajikistan, the civil society of Tajikistan, my dear compatriots must stand on the side of Ukraine. Why?! Ukraine in this war is the oppressed. Ukraine did not attack Russia. It is Russia that attacked Ukraine. It is Russia that kills the Ukrainian people. It is Russia that mercilessly kills the citizens of Ukraine. Some citizens of Tajikistan, deceived by Russian propaganda, alongside Russian troops, are fighting against Ukraine. In this connection, I especially request and demand of migrants and citizens of Tajikistan never to take part in this war. Everyone who will take part with the Russians in this war will betray the independence and integrity of Tajikistan. Because the defeat of Ukraine is the defeat of Tajikistan, the defeat of the future independence of Tajikistan.

For this reason, the entire people, the peoples of the whole world, must be for the victory of Ukraine. The victory of Ukraine will assist the prosperity of democracy in other countries. I have been in many cities of Ukraine — in Odessa, Kharkov, Irpin, Gostomel, Bucha, and other cities where there were Russian soldiers. With my own eyes I saw this destruction, how mercilessly, using the tactics of terrorists, the civilian population was killed. In this connection, in many regions Ukraine is achieving victory. Some settlements which had been seized by Russia have been returned.

Regardless of whether you, citizens of Tajikistan, participate or do not participate in this war, the Ukrainians will achieve victory. Be on the side of the victory of the oppressed in this war. Be on the side of those on whose side the truth stands. Today truth and justice are on the side of the Ukrainians. In this war, be on the side of the defenders of Ukraine. If you are handed a summons or forced to fight, find a way not to participate in this war, because you will perish. In this war you will perish. For Putin you have no value, for Putin even the citizens of Russia have no value. Hundreds of thousands of citizens of Russia have perished in this war, have been killed, have become victims. I call them victims, because they became victims of Putin’s deceit. For this reason, you, citizens of Tajikistan, do not become victims of propaganda. In the near future you will see Putin in the dock for those crimes which he and his entourage have committed. The propagandists who committed crimes will be in the dock as terrorists and murderers. And you must not stand beside them (Vol. 1, pp. 91–109);

- by the inspection protocol of objects dated 20.02.2025, according to which the page of the video-hosting platform “YouTube” at the electronic address: <https://www.youtube.com/watch?v=pViww0p-clo&t=696s> was inspected.

In the course of the inspection, it was established that on this page, by the YouTube channel “ISLOH TV” on 24.11.2022, a video recording of total duration 23 minutes and 11 seconds was posted under the title translated as: “Sharofiddin Gadoev in Ukraine, the situation, the war — be sure to watch and stay informed!”, which had earlier been examined in detail within the framework of the inspection protocol of objects dated 15.07.2023.

Further it was established that at the time of the inspection the video recording was also in open access, had 71,247 views and 370 comments. The comments are presented in Russian and in foreign languages. In the comments in Russian there are both approving comments supportive of the activity of the Armed Forces of Ukraine, and those supporting the Russian Federation. The main corpus of comments is presented in the presumed Tajik language (Vol. 1, pp. 116–161);

- by the translation of Appendix No. 1 to the inspection protocol of objects dated 20.02.2025, performed by the interpreter, according to which into Russian were translated comments presented in the Tajik language, including:

— comment of user @КкЯя-уш: “Russia will never win, I know this very well. Personally, there were some things I did not very well understand, but I received accurate information from Sharofiddin Gadoev. Many thanks, Sharofiddin Gadoev.”

— comment of user @aminbafo1225: “Russia is the enemy of humanity.”

— comment of user @УткамИсломов: “Sharofiddin, thank you very much for the video.”

— comment of user user-hx2jm672L: “I am surprised, do you not have other work, what have you done for Tajikistan, that you came to Ukraine, and without your presence, there are provocateurs in Europe and the USA, I, of course, am not a supporter of the war, and I can say with inspiration that our citizens will not go to Ukraine to fight, therefore buy a ticket and return to Europe...”

— comment of user @братвсем-е7ь: “Sharofiddin, if you speak the truth, go at least once to Donetsk, record a video from there and post it, then we will believe that you are speaking the truth...”

— comment of user @ТохириАбдувосеъ: “Man, in the end you even went to Ukraine, fearless.”

— comment of user @amirkadirov8695: “You should go to Donbass and Lugansk to tell the truth. The truth about Bucha and others has also come out!”

— comment of user @vsgshwhwhhwhhsjsjsjs5235: “Brother, you say that you are an American journalist. You are spreading propaganda. Do not speak one-sidedly. 2 million Tajiks are working in Russia. Russia forward.”

— comment of user @b.o.s.s.s: “This is a one-sided assessment, if you had also visited the DPR and Lugansk, then subsequently an accurate conclusion would have been made.”

— comment of user @эшматбой: “Be ashamed, friend, do not chatter, the people will no longer believe you.”

— comment of user @Сиявуш-ш3т: “Brother, you do not understand the politics of Ukraine and Russia. What are you doing? Crimea earlier was part of Russia, read history how Crimea became Ukrainian. Why were you silent for 8 years when Ukraine was bombing Donetsk. Your actions are mistaken. This war was started by the Western countries and their main goal was to destroy Russia and to build a military base in Ukraine.”

— comment of user @АмонуллоМеликов: “Greetings Sharofiddin Gadoev, I am a citizen of Tajikistan and Russia, but these your words are incorrect, and you do not understand politics. And judging by your words, you are uneducated.”

— comment of user @МахмудРахимов-л3и: “In the LPR and DPR in Ukraine for 8 years little children have been killed, you yourself speak about Tajikistan.”

— comment of user @ЯкубовМаруфжон-ыбж: “You are saying incorrect things, do you have some problems with your head?”

— comment of user @СафедорФарков-б1ш: “You are a fool, if the Russian division were not in Tajikistan, the Taliban would capture Tajikistan in one day.”

— comment of user @КоляКамилов-изф: “I have just come to the conclusion that you are lying devils, Sharofiddin, Muhiddin, Mukhamadikbol Khuseyn, why do you all weave intrigues and spread propaganda among people under any pretext. Today, when your elders send you anywhere, you stop and humiliate each other. May Allah the Merciful never allow these evildoers to achieve their impure goals.”

— comment of user @Бехруз-я4ы: “Everything you say is untrue. Why do you lie, and everyone believes you? For 8 years Ukraine has been killing its citizens in the DPR and LPR. Why has not one democratic European country said anything to the Ukro-fascists? And Ukraine helps the European countries, America helps them, and one fine day it will seize Ukraine, and do not lie about the budget, do not speak of this, you devils, the Russians did everything correctly, they are defending their own, they are not traitors. In Europe, you are a dirty people, you are inciting war, and you will achieve nothing, devils. On the other side they say that they expelled Russia from Ukraine, they say that you are lying, devils. In Ukraine one cannot celebrate 9 May, veterans of the Second World War cannot, because fascists are in power, giving money for freedom to gays and prohibiting veterans. Do you want this freedom in Tajikistan? You have done great work with all your freedoms, you devils, if you were men you would not have fled from your homeland, if you can talk with me, call me, I will speak with you, you traitors of the Motherland.” (Vol. 1, pp. 167–187).

- by the inspection protocol of objects dated 04.11.2023, according to which was inspected the page of the channel of the video-hosting platform “YouTube” under the name “ИСЛОХ ТВ” (“USLOH TV”) and electronic address: <https://www.youtube.com/channel/UCFH2U8qlth0C8r2DnKlfr4w>

In the course of the inspection, it was established that the channel was created on 07.06.2018 in France, at the time of inspection had 213 thousand subscribers, 1282 posted videos, and more than 161 million views. The channel is public and was created for the publication of video recordings and sermons of the teacher Muhammad Kufi Sadriddin (Vol. 1, pp. 110–115);

- by the inspection protocol of objects dated 26.09.2023, according to which were inspected open resources of the information and telecommunication network “Internet,” containing information about Gadoev Sh.M. On the page of the Internet edition “Fergana” an interview of Gadoev Sh.M. was discovered, posted on 19.03.2015, in which Gadoev Sh.M. confirmed his involvement in the activity of the organization “Group 24” (Vol. 2, pp. 47–60);
- by the inspection protocol of objects dated 10.12.2023, according to which were inspected open sources of the information and telecommunication network “Internet,” containing data about the organization “Group 24.” According to the information provided on the page of the electronic encyclopedia “Wikipedia,” the organization “Group 24” is a political movement created in 2012 by the Tajik oppositionist Umarali Kuvvatov. After the killing of Kuvvatov in 2015, Gadoev Sh.M. was elected head of the organization. The main tasks and goals of the movement are considered: change of the composition of the government, release of political prisoners, observance of human rights and freedoms, repeal of the law “On the Leader of the Nation,” creation of a democratic state, eradication of corruption, and stimulation of the economy of Tajikistan. On 09.10.2014, the organization “Group 24” was recognized as extremist and its activity was prohibited on the territory of the Republic of Tajikistan.

Also, on Tajik information resources information was found that Gadoev Sh.M. is the leader of the movement “Reforms and Development of Tajikistan,” which since 2018 is part of the organization “National Alliance of Tajikistan,” where Gadoev Sh.M. participates. On 15.08.2019, the

organization “National Alliance of Tajikistan” was recognized as a terrorist-extremist association and its activity was prohibited on the territory of the Republic of Tajikistan (Vol. 2, pp. 1–18);

- by the inspection protocol of objects dated 23.08.2024, according to which was inspected the page of Gadoev Sh.M. on the social network “Facebook” at the electronic address: <https://www.facebook.com/sharofiddin.gadoev.18/>

In the course of the inspection, photographs uploaded by Gadoev Sh.M. on 24.11.2022 were discovered, including: a photograph of a young man with short dark hair, dressed in an elongated black jacket with beige lining, blue jeans, and black boots. The described man is captured against the background of a church bell tower with a blue-colored façade and military equipment, presumably a tank; a photograph of a young man with short dark hair, dressed in a black jacket with beige lining, a blue shirt. The described man is captured against the background of buildings with façades of yellow and grey colors. On the building with the grey façade there is a flag consisting of two stripes, blue and yellow, resembling the State flag of Ukraine. Also, behind the man, military equipment is captured; a photograph of a young man with short dark hair, dressed in a black jacket with beige lining, a white shirt. The described man is captured against the background of buildings with façades of yellow and grey colors. The area behind the man resembles Independence Square in Kyiv, Ukraine (Vol. 2, pp. 136–150);

- by the inspection protocol of objects dated 17.02.2025, according to which was inspected the official website of the Ministry of Defence of the Russian Federation at the electronic address: <https://mil.ru/>.

In the course of the inspection, official information of the Ministry of Defence of the Russian Federation was obtained to the effect that, in the period from 05.03.2022 to 24.11.2022, during the conduct of the special military operation by the Armed Forces of the Russian Federation, no strikes were carried out against civilian objects, including religious, medical, and educational facilities. It is precisely the Kyiv regime which, in violation of international humanitarian law and norms of morality, uses such objects as points for the gathering and transfer of weapons and Nazis for participation in combat actions. The unconditional priority of the actions of the Russian Armed Forces during the operation is the exclusion of unnecessary casualties among the civilian population. By means of high-precision weapons, selectively and carefully, objects of the military infrastructure of Ukraine, its weaponry, ammunition depots, and material assets of troops are destroyed.

From the first days of the operation, in planning any actions, special attention is paid to the preservation of civilian infrastructure and peaceful residents of Ukraine. By the Russian side, during attacks on objects of military infrastructure, in the course of briefings by the official representative, information is communicated about the intention of the Armed Forces of the Russian Federation to carry out missile launches, which allows peaceful residents to evacuate from potentially dangerous areas and to avoid casualties among the civilian population. Also, by the Armed Forces of the Russian Federation, humanitarian corridors are opened daily for the evacuation of the civilian population from areas of combat actions, both in the direction of the Russian Federation and in the direction of Ukraine and foreign states. At the same time, by official representatives of the Ukrainian side, in violation of the provisions of international humanitarian law, the opening of humanitarian corridors was not confirmed, redeployment of servicemen and equipment was carried out, supply of ammunition and other activity for the continuation of combat actions, thereby obstructing the evacuation of civilians (Vol. 2, pp. 156–197);

- by the informational letter of the General Staff of the Armed Forces of the Russian Federation No. 312/5/4232dsp dated 16.05.2024, according to which the information disseminated by Gadoev Sh.M. is false (Vol. 2, p. 155);
- by the conclusion of the specialist No. 3/68 dated 17.02.2023, according to the findings of which, from the standpoint of linguistic qualification, in the translation presented for examination of the oral statement of Sharofiddin Gadoev, delivered originally in the Tajik language, the following information was transmitted in the form of assertions: facts of the use

of the Armed Forces of the Russian Federation (Russian military) and their actions (the correspondence to reality of which can be verified) on the territory of another state, namely on the territory of Ukraine: destruction of residential houses, schools, educational institutions, maternity homes, hospitals, infrastructure, in particular heating and power plants; destruction of cities, killings of civilians, including children, women, and elderly persons; rapes of women and children; as well as destruction of vital objects; killings of people (including the “population of Bucha”); attack upon Ukraine, killings of citizens; killings of civilians in Odessa, Kharkov, Irpin, Gostomel, Bucha, and other cities; causing destruction in these cities; use in populated areas against the civilian population of “Tochka-U” missiles, killings of civilians in populated areas by “Tochka-U” missiles at bus stops and railway stations (Vol. 1, pp. 71–86);

- by the conclusion of the expert No. 5407/33-1-23, 5408/24-1-23 dated 29.02.2024, according to the findings of which, the principal communicative orientation of the statements of Gadoev Sh.M., recorded on the video “Sharofiddin Gadoev in Ukraine — situation, war — be sure to watch and stay informed,” and presented in translation, is the persuasion of the addressee in the negative character of the purposes of the use of the Armed Forces of Russia and the formation of a negative emotional-semantic attitude toward their activity (as criminal, terrorist, directed toward the seizure of territories and the destruction of the Ukrainian people), the inducement of the addressee to refuse to participate in the special military operation and to evade military service.

In the statements (actions) of Gadoev Sh.M., recorded on the video “Sharofiddin Gadoev in Ukraine — situation, war — be sure to watch and stay informed,” and presented in translation, there are contained assertions of facts of the use of the Armed Forces of the Russian Federation:

1. Russian soldiers, being on the territory of Ukraine during the conduct of the special military operation, kill civilians, rape women and children. This information is contained in the following fragments of the translation:

- “Indeed, if you look <...> at the killings by Russian troops of peaceful residents, including children, women, elderly persons, the rapes of women and even children, then today’s Russian government may in full measure be called terrorist”;
- “I have been in many cities of Ukraine — in Odessa, Kharkov, Irpin, Gostomel, Bucha, and other cities where there were Russian soldiers. With my own eyes I saw these destructions, how mercilessly, using the tactics of terrorists, the civilian population was killed”;
- “I think this bridge is in Irpin. And these places in Bucha, the population of which was killed — a large number of people were brutally killed. Even terrorists do not kill people in such a way as was done by Russian servicemen.”

2. During the conduct of the special military operation, the Armed Forces of Russia use military equipment against the civilian population. This information is contained in the following fragments of the translation:

- “And this is a ‘Tochka-U’ missile, one of those missiles which the Russian troops use in populated areas, that is, mainly used against the civilian population. A large number of civilians were killed by this missile at bus stops and railway stations”;
- “People come here to look at these tanks and equipment which the Russians used against the civilian population. All these missiles were likewise used against the civilian population”;
- “Undoubtedly, if one looks at the tactics of Russia, using missiles against peaceful people, one may say that it is using the tactics of terrorists.” (Vol. 2, pp. 207–219).

- by the expert conclusion No. 1944/33-1-24, 1945/24-1-24 dated 15.04.2024, according to the findings of which, in the statements (actions) of Gadoev Sh.M., recorded on the video

“Sharofiddin Gadoev in Ukraine — situation, war — be sure to watch and stay informed,” a negative, hostile attitude is expressed towards a group distinguished by a national attribute — towards Russians/Russian nationals. Such an attitude is expressed through the communication that “Russians/Russian nationals” kill peaceful Ukrainians, destroy vital Ukrainian infrastructure, and also commit this with cruelty. In the words of Gadoev Sh.M. no contemptuous attitude towards any group of persons is expressed. In the statements (actions) of Gadoev Sh.M., recorded on the video “Sharofiddin Gadoev in Ukraine — situation, war — be sure to watch and stay informed,” there are no references to any source of information about facts of the use of the Armed Forces of the Russian Federation or about their actions (Vol. 2, pp. 230–235);

- by the expert conclusion No. 12/17-156 dated 30.09.2024, according to the findings of which, in the frames of the video recording “Sharofiddin Gadoev in Ukraine — situation, war — be sure to watch and stay informed,” recorded on the optical disc — annex to expert conclusion No. 1944/33-1-24, No. 1945/24-1-24 dated 15.04.2024, with the image of a man dressed in a white shirt, a black jacket with hood, with short dark hair, during the time periods from 00:00:08 to 00:11:08, from 00:18:38 to 00:18:52, from 00:22:27 to 00:22:52, and in the frames of the video recording “Tajik dissident — about abduction by special services,” recorded on the optical disc — annex to the inspection protocol of objects dated 23.08.2024, during the time periods from 00:25 to 00:49, from 01:24 to 01:38, from 02:06 to 02:24, from 02:26 to 02:54, the same person is depicted. In the photographs entitled “001 gadoev fb,” “002 gadoev fb,” “003 gadoev fb,” “004 gadoev fb,” “005 gadoev fb,” “006 gadoev fb,” contained on the optical disc — annex to the inspection protocol of objects dated 23.08.2024, and in the frames of the video recording “Tajik dissident — about abduction by special services,” recorded on the optical disc — annex to the inspection protocol of objects dated 23.08.2024 during the time periods from 00:25 to 00:49, from 01:24 to 01:38, from 02:06 to 02:24, from 02:26 to 02:54, the same person is depicted (Vol. 3, pp. 6–35).

Having evaluated all the evidence presented by the prosecution from the standpoint of relevance, admissibility, and reliability, the Court has come to the conviction that in their totality they are sufficient for the conclusion as to the guilt of the defendant, Gadoev Sh.M., in the commission of the crime imputed to him.

All the evidence set forth above the Court recognizes as obtained in strict conformity with the requirements of the criminal-procedural law. The operative-search measures were conducted with observance of the provisions of the Federal Law “On Operative-Search Activity,” their results were presented to the investigator in accordance with the “Instruction on the provision of results of operative-search activity to the inquiry body, investigator, and to the court,” and objectively fix the data reflected therein.

Evaluating the evidence set forth above and examined in the court hearing in accordance with the requirements of Articles 87, 88 of the Code of Criminal Procedure of the Russian Federation, the Court recognizes them as reliable, admissible, and relevant, and in their totality sufficient, in connection with which it bases on them the conviction.

The testimony of the prosecution witnesses questioned in the court hearing the Court finds objective and reliable, since they are logical, consistent, have no substantial contradictions, and also correspond both with one another and with other evidence in the case, while the Court discerns no grounds for false accusation of the defendant by the said witnesses, as no hostile relations between them were established by the Court, they were not previously acquainted with the defendant, were not in any relations, including debt obligations, with him or between themselves.

The Court has no grounds not to trust the testimony of the said witnesses, in connection with which the Court considers it possible to lay them at the basis of the conviction.

The expert conclusions set forth above the Court considers well-founded, and the findings — convincing, in connection with which the Court has no grounds not to trust them, since the expert

examinations were conducted in accordance with the requirements of the criminal-procedural law, fully correspond to the requirements of the Federal Law "On State Forensic Expert Activity in the Russian Federation," were performed by a specialist whose qualification raises no doubts with the Court.

The expert conclusions were carried out by a duly authorized person having significant experience in his specialty, who was warned of criminal liability for giving a knowingly false conclusion, after conducting examinations of material evidence, in accordance with methodological recommendations.

The expert conclusions are properly drawn up, correspond to the requirements of Article 204 of the Code of Criminal Procedure of the Russian Federation, are scientifically substantiated, their findings are clear and comprehensible to the Court. Any violations of the requirements of Articles 198, 206 of the Code of Criminal Procedure of the Russian Federation were not established by the Court.

The material evidence, which was inspected during the preliminary investigation, as a result of which corresponding protocols were drawn up, were likewise obtained with observance of the requirements of the Code of Criminal Procedure of the Russian Federation, recognized as material evidence in the case, with respect to which the investigator issued corresponding rulings.

Any data indicating the existence for officials of any necessity for artificially creating evidence of the accusation of Gadoev Sh.M. are not contained in the materials of the criminal case and were not presented to the Court.

Violations of the criminal-procedural law during the preliminary investigation in the collection of evidence in the criminal case, as well as in the conduct of investigative and procedural actions which could give grounds for recognition of them as inadmissible, are not discerned by the Court.

The Court considers the evidence presented by the prosecution relevant, admissible, and reliable, based in law, and in their totality sufficient for the resolution of the present criminal case, and therefore considers it possible to lay them at the basis of the judgment.

In view of the foregoing, grounds for the recognition of the inspection protocols and expert conclusions as inadmissible evidence the Court does not discern.

As follows from the materials of the criminal case, all investigative actions were conducted in strict accordance with the norms of the criminal-procedural law, the bill of indictment sets forth all necessary information in accordance with the requirements of Articles 73, 220 of the Code of Criminal Procedure of the Russian Federation, which has been confirmed by the written evidence, in connection with which the Court comes to the conclusion that no violations indicating the presence of obstacles for rendering the final decision, nor violations of the right to defense of the defendant, have been admitted.

Also, the Court has no doubts as to the correctness of the identification of the person of Gadoev Sh.M., which is confirmed by the data on the identity of the defendant.

The right to defense of Gadoev Sh.M. during the preliminary investigation has not been violated, since the materials of the criminal case contain information about the impossibility of resolving the issue of extradition of Gadoev Sh.M. to the territory of the Russian Federation for bringing him to criminal liability, which indicates the adoption by the investigator of exhaustive measures for ensuring the right of Gadoev Sh.M. to his direct participation in the consideration of the present criminal case.

At the same time, it must be noted that the provisions of Part 3 of Article 12 of the Criminal Code of the Russian Federation apply to Gadoev Sh.M., according to which foreign citizens not permanently residing in the Russian Federation who commit a crime outside the territory of the

Russian Federation shall be subject to criminal liability under the Criminal Code of the Russian Federation in cases where the crime is directed against the interests of the Russian Federation or a citizen of the Russian Federation, as well as in cases provided for by an international treaty of the Russian Federation or another instrument of an international character containing obligations recognized by the Russian Federation in the sphere of relations regulated by the Criminal Code of the Russian Federation, if foreign citizens not permanently residing in the Russian Federation have not been convicted in a foreign state and are brought to criminal liability on the territory of the Russian Federation.

As established by the Court, the investigative authorities, in the course of investigating the criminal case, did not allow any violations of the law and of the principles of criminal proceedings, including violations of the right of Gadoev Sh.M. to defense, since the defense of the interests of the accused during the preliminary investigation and in court was carried out by a professional defense counsel.

The Court established that the position and opinion of Gadoev Sh.M., expressed by him in the video recording, contain statements aimed at forming in society a false opinion about the goals and objectives of the special military operation conducted by the Russian Federation, at causing harm to the constitutional order, the political system, the security, and the public interests of the Russian Federation, at inciting social tension in society, and containing, under the guise of reliable reports, knowingly false information about the use of the Armed Forces of the Russian Federation for the purpose of protecting the interests of the Russian Federation and its citizens, maintaining international peace and security, namely about the commission by servicemen of the Armed Forces of the Russian Federation of killings of peaceful residents of Ukraine, including women, children, and elderly persons, in the cities of Odessa, Kharkov, Irpin, Gostomel, and Bucha of Ukraine; rapes of women and children; shelling of civilians, including through the use of the tactical missile system "Tochka-U."

The expression of one's opinion within the framework of the right to freedom of speech and expression is not absolute in itself and may be restricted under certain circumstances. In accordance with paragraph 1 of Article 29 of the Constitution of the Russian Federation, everyone is guaranteed freedom of thought and speech.

At the same time, paragraph 3 of Article 55 of the Constitution of the Russian Federation provides that the rights and freedoms of man and citizen may be restricted by federal law only to the extent that is necessary for the purposes of protecting the foundations of the constitutional order, morality, health, the rights and lawful interests of other persons, ensuring the defense of the country and the security of the state. By virtue of Part 3 of Article 17 of the Constitution of the Russian Federation, the exercise of the rights and freedoms of man and citizen shall not violate the rights and freedoms of other persons.

Thus, the legislator has availed itself of the provisions of paragraph 3 of Article 55 of the Constitution of the Russian Federation regarding the restriction of rights and freedoms of man and citizen for the purposes specified therein.

Accordingly, the Court has established that Gadoev Sh.M. committed the public dissemination, under the guise of reliable reports, of knowingly false information containing data on the use of the Armed Forces of the Russian Federation for the purpose of protecting the interests of the Russian Federation and its citizens, maintaining international peace and security, by a group of persons by prior conspiracy, motivated by national enmity, namely, he recorded and edited, for subsequent public dissemination, informational material — a video recording with his participation entitled: "Sharofiddin Gadoev in Ukraine, situation, war, and... be sure to watch and stay informed!" ("Шарофиддин Гадов в Украйна карор дорад, вазъият, чанг ва... хатман бубину огох шав!"), containing, under the guise of reliable reports, knowingly false information about the use of the Armed Forces of the Russian Federation for the purpose of protecting the interests of the Russian Federation and its citizens, maintaining international peace and security, namely about the

commission by servicemen of the Armed Forces of the Russian Federation of killings of peaceful residents of Ukraine, including women, children, and elderly persons in the cities of Odessa, Kharkov, Irpin, Gostomel, and Bucha of Ukraine; rapes of women and children; shelling of civilians, including with the use of the tactical missile system “Tochka-U.”

At the same time, the position of the President of the Russian Federation regarding the goals and objectives of the special military operation since 24 February 2022 was officially communicated to the citizens of the Russian Federation not only through the mass media, by way of the Address of the President of the Russian Federation to the nation, but was also officially published on the official Kremlin website, as well as covered by foreign mass media both within the territory of the Russian Federation and beyond its borders.

The existence of intent on the part of Gadoev Sh.M. to commit the crime provided for under subparagraphs “b,” “d” of Part 2 of Article 207.3 of the Criminal Code of the Russian Federation is evidenced by his actual actions in recording and editing, for subsequent public dissemination, informational material — a video recording with his participation containing, in the form of assertion, knowingly false information about facts of the use of the Armed Forces of the Russian Federation (Russian military) and about their actions (the veracity of which can be verified) on the territory of another state, namely the territory of Ukraine: destruction of residential houses, schools, educational institutions, maternity hospitals, hospitals, infrastructure, in particular heating and power stations; destruction of cities; killings of peaceful residents, including children, women, and elderly persons; rapes of women and children; as well as destruction of vital facilities; killings of people (including “the population of Bucha”); attack on Ukraine; killings of civilians; killings of peaceful civilians in Odessa, Kharkov, Irpin, Gostomel, Bucha and other cities; infliction of destruction in those cities; use in populated areas against civilians of “Tochka-U” missiles; killings of peaceful people in populated areas by “Tochka-U” missiles at bus stops and railway stations.

The existence of a motive of national enmity on the part of Gadoev Sh.M. is evidenced by the fact that he deliberately, being aware of the public danger and unlawfulness of his actions, expressed in his statements a negative, hostile attitude towards a group distinguished by a national attribute — “Russians/Russian nationals” — through the communication that “Russians/Russian nationals” kill peaceful Ukrainians, destroy vital Ukrainian infrastructure, and also commit this with cruelty.

The existence in the actions of Gadoev Sh.M. of the qualifying element “committed by a group of persons by prior conspiracy” is evidenced by the coordinated actions of Gadoev Sh.M. and the identified person No. 1, aimed at achieving a single criminal intent, expressed in the recording, editing, and subsequent dissemination on the Internet of a video clip containing, under the guise of reliable reports, knowingly false information containing data on the use of the Armed Forces of the Russian Federation for the purpose of protecting the interests of the Russian Federation and its citizens, maintaining international peace and security.

Taking into account the foregoing and the above-cited evidence, the Court finds the guilt of Gadoev Sh.M. proven and qualifies his actions under subparagraphs “b,” “d” of Part 2 of Article 207.3 of the Criminal Code of the Russian Federation (as amended by Federal Law No. 63-FZ of 25.03.2022), since he committed the public dissemination, under the guise of reliable reports, of knowingly false information containing data on the use of the Armed Forces of the Russian Federation for the purpose of protecting the interests of the Russian Federation and its citizens, maintaining international peace and security, committed by a group of persons by prior conspiracy, motivated by national enmity.

Having analyzed the arguments of the defense, the Court considers that none of them, either individually or in their totality, refute the conclusions of the Court regarding the guilt of the defendant, Gadoev Sh.M., to which the Court arrived taking into account the evaluation of the evidence set forth above in the judgment.

When determining the punishment of the defendant, Gadoev Sh.M., the Court, in accordance with Articles 6, 7, and Part 3 of Article 60 of the Criminal Code of the Russian Federation, takes into account the nature and degree of public danger of the committed act, the personality of the defendant, and the influence of the imposed punishment on the correction of the convicted person and on the living conditions of his family.

As circumstances mitigating the punishment of Gadoev Sh.M., the Court takes into account the presence of a minor child (subparagraph "g" of Part 1 of Article 61 of the Criminal Code of the Russian Federation), as well as the presence of two other minor children dependent on him.

No circumstances aggravating the punishment have been established by the Court.

Taking into consideration the factual circumstances of the committed crime and the degree of its public danger, the Court does not find grounds for altering the category of crimes to a less serious one in accordance with Part 6 of Article 15 of the Criminal Code of the Russian Federation.

Taking into account the gravity of the committed act, considering the impact of the imposed punishment on the correction of the convicted person, Gadoev Sh.M., and the living conditions of his family, proceeding from the purposes of punishment provided for by Article 43 of the Criminal Code of the Russian Federation, primarily the restoration of social justice, as well as the correction of the defendant and the prevention of the commission by him of new crimes, taking into account the circumstances of the case and the personality of the defendant, the Court comes to the conclusion that the correction of Gadoev Sh.M. is possible only under conditions of his isolation from society, by the imposition of punishment in the form of deprivation of liberty for the crime provided for by subparagraphs "b," "d" of Part 2 of Article 207.3 of the Criminal Code of the Russian Federation, at the same time the Court finds no grounds for the imposition of other types of punishment provided for by the sanction of Part 2 of Article 207.3 of the Criminal Code of the Russian Federation, nor for the application to the defendant of the provisions of Articles 64 and 73 of the Criminal Code of the Russian Federation.

The imposition of additional punishments in the form of deprivation of the right to hold certain positions and in the form of deprivation of the right to engage in certain activities, in accordance with the sanction of Part 2 of Article 207.3 of the Criminal Code of the Russian Federation, is mandatory.

Taking into account the nature and circumstances of the crime committed by Gadoev Sh.M., the consequences that ensued, as well as the nature and degree of its public danger, and also the personality of the guilty person, the Court imposes upon Gadoev Sh.M. an additional punishment in the form of deprivation of the right to engage in activities connected with the administration of websites using electronic or information and telecommunication networks, including the Internet.

Since Gadoev Sh.M. is sentenced to an actual deprivation of liberty, for the purposes of execution of the sentence, the Court comes to the conclusion on the necessity of leaving unchanged the previously chosen measure of restraint against Gadoev Sh.M. at the pre-trial stage of proceedings in the form of detention in custody, and considers it necessary to calculate the term from the moment of extradition of Gadoev Sh.M. to the territory of the Russian Federation, or from the moment of his detention on the territory of the Russian Federation.

In accordance with subparagraph "b" of Part 1 of Article 58 of the Criminal Code of the Russian Federation, the Court deems it necessary to designate for Gadoev Sh.M. the type of correctional facility — a general regime correctional colony.

In accordance with Article 81 of the Criminal Procedure Code of the Russian Federation, the Court resolves the issue of physical evidence in the criminal case.

On the basis of the foregoing, guided by Articles 307, 308, 309, 310 of the Criminal Procedure Code of the Russian Federation, the Court

S E N T E N C E D:

To find Gadoev Sharofiddin Mirzoalievich guilty of committing a crime provided for by subparagraphs “b,” “d” of Part 2 of Article 207.3 of the Criminal Code of the Russian Federation (as amended by Federal Law No. 63-FZ of 25.03.2022) and to impose upon him a punishment in the form of deprivation of liberty for a term of 8 (eight) years and 6 (six) months, with the serving of the punishment in a general regime correctional colony, with deprivation of the right to engage in activities connected with the administration of websites using electronic or information and telecommunication networks, including the Internet, for a term of 4 (four) years.

On the basis of Part 4 of Article 47 of the Criminal Code of the Russian Federation, the additional punishment imposed upon Gadoev Sh.M. in the form of deprivation of the right to engage in activities connected with the administration of websites using electronic or information and telecommunication networks, including the Internet, extends for the entire period of serving the punishment in the form of deprivation of liberty, and shall be calculated from the moment of serving the principal punishment in the form of deprivation of liberty.

To leave unchanged the measure of restraint applied to Gadoev Sh.M. in the form of detention in custody.

To calculate the term of serving the punishment in the form of deprivation of liberty from the moment of extradition of Gadoev Sharofiddin Mirzoalievich to the territory of the Russian Federation, or from the moment of his detention on the territory of the Russian Federation.

To recover from Gadoev Sharofiddin Mirzoalievich court costs in the amount of remuneration of labor: translator Saidbekov F.Z. in the sum of 2,100 rubles (two thousand one hundred rubles); translator Subhonkulov S.A. in the sum of 446 rubles (four hundred forty-six rubles); translator Putorkina Yu.A. in the sum of 6,046 rubles (six thousand forty-six rubles); translator Pshenichny D.V. in the sum of 10,422 rubles (ten thousand four hundred twenty-two rubles); defense counsel Gilfanova G.Yu. in the sum of 19,602 rubles (nineteen thousand six hundred and two rubles), in favor of the Federal Budget of the Russian Federation.

Physical evidence: optical discs — to be retained with the criminal case.

The sentence may be appealed in appellate procedure to the Moscow City Court within fifteen days from the date of its pronouncement.

In the event of elimination of the circumstances specified in Part 5 of Article 247 of the Criminal Procedure Code of the Russian Federation, the sentence rendered in absentia shall, upon the motion of the convicted person or his defense counsel, be annulled in the procedure provided for by Chapter 47.1 of the Criminal Procedure Code of the Russian Federation.

Judge

Safarin B.M.