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# Russia

*An update on military service  
since July 2022*



Ministry of Immigration  
and Integration

The Danish  
Immigration Service

This brief report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed. It should thus be weighed against other country of origin information available on the topic.

The brief report at hand does not include any policy recommendations. The information does not necessarily reflect the opinion of the Danish Immigration Service.

Furthermore, this brief report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

The brief report is a synthesis of information gathered from different sources, and it brings together condensed information in a relevant manner for the reader's COI needs and it organises information together thematically to form a coherent whole of the topic in question, instead of listing or quoting information source by source.

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## Executive summary

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On 20 September 2022, the Russian State Duma approved several amendments to the Russian Criminal Code, regarding criminal liability for offences regarding the Russian Armed Forces. Penalties were toughened for voluntary surrender to enemy forces, desertion and refusal to fight. The following day, President Putin ordered a partial mobilisation of 300,000 men.

Some of the mobilised men had not previously performed military service, nor did they receive adequate training prior to deployment to the frontlines. Others were previously exempted from military service due to health reasons but were mobilised anyway.

Men in the military age have tried to evade mobilisation by leaving the country or hiding internally; by breaking their own arms or legs; or by obtaining forged health documents. If a person refuses to receive a military summons or repeatedly fails to show up at the military enlistment office after receiving a summons, the military enlistment office can initiate an administrative case against the person in question, punishable with a fine from 500-3,000 rubles (8-50 euros). The Russian Supreme Court has emphasised that article 328 in the Russian Criminal Code regarding draft evasion solely applies to conscripts between 18-27 years and not mobilised persons.

In the meantime, Russian authorities have initiated the first cases on desertion and non-execution of an order in connection with the mobilisation. Experts assessed that a growing number of such cases is expected.

With the introduction of the partial mobilisation and the enforcement so far, experts argued that a kind of forceful mobilisation has taken place in the whole of Russia, and especially in the Republic of Chechnya. In some cases, the authorities have used the summons to mobilisation as a reprisal against critics. In connection with the demonstrations against the mobilisation in Russia, arrested male demonstrators and their lawyers received summons. As a result, many men fled Russia, including Chechnya, while others ignored the summons. In the Republic of Chechnya, the recruitment has since the start of the war been forceful.

On 28 October, the Russian Minister of Defence announced that Russia had mobilised the required soldiers, and President Putin declared the completion of the partial mobilisation on 31 October. Kremlin stated that a decree to end the mobilisation was unnecessary. This caused human rights advocates to speculate that President Putin's decree on mobilisation is still valid and ongoing. As the number of persons to be mobilised is clandestine, the mobilisation could restart any day.

Military officers are pressuring or persuading conscripts from all over Russia into signing contracts with the military, which would allow them to the front.

For contract soldiers, it is currently not possible to cancel a contract. The exception is in case of dismissal from military service: persons reaching the age limit for military service; persons deemed unfit because of health reasons recognised by the military medical commission; and finally, persons convicted of a felony.

The Russian military and private military companies have been trying to recruit soldiers among foreigners and convicts due to severe manpower shortages. In some cases, the Russian military has tried to enlist homeless people and people trying to leave the country.

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# 1. Introduction

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The intention with this brief report is to provide updated background information for use in asylum processing related to Russian military service in light of Russia's invasion of Ukraine, which began on 24 February 2022.

The brief report is a continuation on the development of the Russian military service. So far, the report *Rusland: Militærtjeneste* (July 2022) has been published.

The brief report is based on written public sources supplemented with information collected through interviews with five sources with expertise on the topic. Four interviews were online, while one interview was conducted at the Royal Danish Defence College. Additionally, a contribution by a human rights lawyer is included. The consulted sources were briefed about the purpose of the brief report and that their statements would be included in a publicly available report. The minutes were written for each interview and forwarded to the sources for approval, giving them the possibility to amend, comment or correct their statements. All sources approved their statements, which can be found in Annex 1.

The sources were asked how reference might be made to them in this brief report. All sources are thus referenced according to their own request.

For the sake of reader-friendliness, transparency and accuracy, paragraphs in the minutes of the interviews in Annex 1 have consecutive numbers, which are used in the report when referring to the statements of the sources in the footnotes. The Terms of Reference (ToR) are included in Annex 2.

During the interview, the sources may have highlighted issues not addressed in the ToR. As these issues could be relevant to refugee status determination, they are included in the minutes in Annex 1, although not included in the brief report.

Given the changeable situation in Russia, the information provided may quickly become outdated. The research and editing of this brief report was finalised in December 2022.

The report has been externally peer reviewed by the Norwegian COI unit, Landinfo, in accordance with the EASO COI Report Methodology.<sup>1</sup>

The brief report is available on the website of the Danish Immigration Service (DIS) [www.us.dk](http://www.us.dk) and thus is available to all stakeholders in the refugee status determination process as well as to the public.

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<sup>1</sup> EASO (EUAA), *EASO Country of Origin Information Report Methodology*, June 2019, [url](http://www.easo.europa.eu/easo-portal)

## 2. Abbreviations

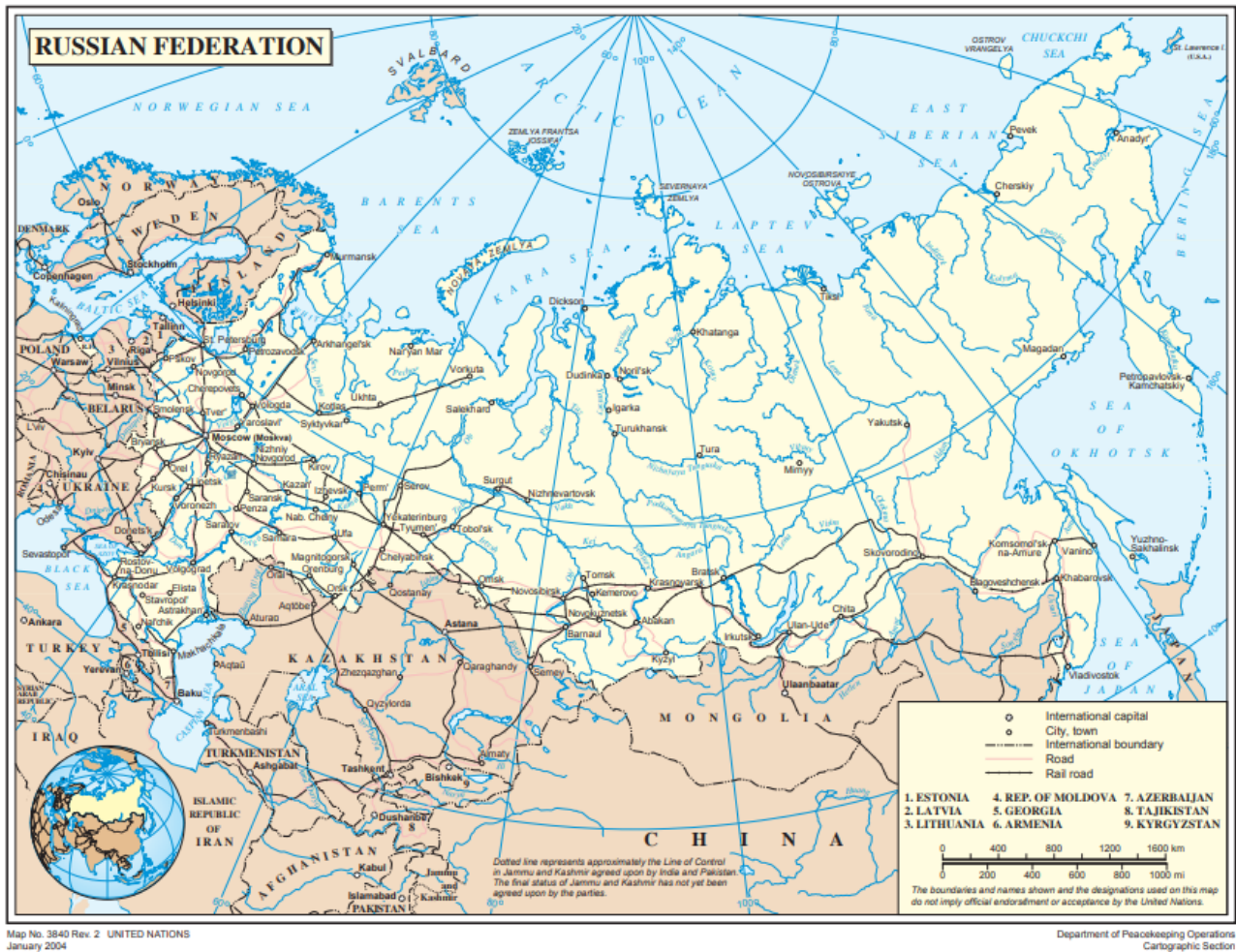
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|               |                                                                 |
|---------------|-----------------------------------------------------------------|
| <b>COI</b>    | Country of Origin Information                                   |
| <b>DIS</b>    | Danish Immigration Service                                      |
| <b>EASO</b>   | European Asylum Support Office                                  |
| <b>EUAA</b>   | European Union Agency for Asylum                                |
| <b>HRW</b>    | Human Rights Watch                                              |
| <b>ISW</b>    | Institute for the Study of War                                  |
| <b>IWPR</b>   | Institute for War and Peace Reporting                           |
| <b>NGO</b>    | Non-governmental organisation                                   |
| <b>OHCHR</b>  | Office of the United Nations High Commissioner for Human Rights |
| <b>PMC</b>    | Private Military Company                                        |
| <b>RFE/RL</b> | Radio Free Europe/Radio Liberty                                 |

## 2.1 Glossary

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Conscientious objector</b> | Person who has claimed the right to refuse to perform military service on the grounds of freedom of thought, conscience, or religion.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Conscript</b>              | Person required for military service.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Contract soldier</b>       | Person who has signed a contract with the military.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Deserter</b>               | Soldier who has left her/his post without permission and is thus no longer in active military service.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Draft evader</b>           | Person required to perform military service, who has not enlisted in due time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Reservist</b>              | A person who can be included in a mobilisation such as: person who has completed military service; a contract soldier whose contract has ended; graduates of military university departments; person who has completed alternative civil service; men older than 27 years who have not performed military service due to delays in studies, health, or without legal grounds; doctors, orderlies, or other representatives of military registration specialties, including women; representatives of some professions such as communications, optics, and computer technology. |

### 3. Map of the Russian Federation



Source: United Nations, *Russian Federation, Map No. 3840 Rev. 2*, January 2004, [url](#)

## 4. New legislation related to military service in Russia

On 28 May 2022, the Russian president, Vladimir Putin, signed a new law that allowed people older than 40 years to sign a contract with the Russian Armed Forces. The focus of the legislation was to increase the number of specialists such as doctors and engineers in the military.<sup>2</sup>

Besides the abovementioned, no new legislation regarding military service was announced since the start of the war in February 2022.<sup>3</sup>

### 4.1 Amendments to the Criminal Code regarding the military

On 20 September 2022, the Russian State Duma<sup>4</sup> approved, in three fast readings, several amendments to the Russian Criminal Code, on criminal liability for offences in the Russian Armed Forces.<sup>5</sup> Both the Federation Council<sup>6</sup> and the president approved the amendments later the same day.<sup>7</sup>

The amended articles to the Criminal Code are the following:<sup>8</sup>

- Article 332, 2.1; 2.2 regarding failure to execute an order during martial law, in times of war or in conditions of an armed conflict as well as refusal to participate in military or combat actions will be punished with two to three years imprisonment. If the consequences are assessed as serious, the prison term can be from three to 10 years;
- Article 333, 3 regarding resisting or forcing a superior to violate the duties of military service during mobilisation, martial law, in time of war or in conditions of an armed conflict can be punished with imprisonment from five to 15 years;
- Article 334, 3 regarding violent acts against a superior during mobilisation, martial law, in time of war or in conditions of an armed conflict can be punished with imprisonment from five to 15 years;
- Article 337, 2.1; 3.1; 5 regarding unauthorised abandonment of a unit or place of service committed by a service member performing military service under conscription or under contract, during mobilisation or martial law, in time of war or in conditions of armed conflict or hostilities. The punishment is up to five years imprisonment for absence up to 10 days; up to seven years imprisonment for absence up to a month and five to 10 years imprisonment for absence more than a month;
- Article 338, 3 regarding desertion during mobilisation, martial law, in time of war or conditions of an armed conflict. The punishment is now imprisonment from five to 15 years;

<sup>2</sup> Business Insider, *Putin signs law scrapping military age limit in Russia, allowing over-40s to join and fight in Ukraine*, 29. maj 2022, [url](#); The New York Times, *Russia Hustles to Recruit Soldiers and Halts Gas Supplies to Finland*, 20 May 2022, [url](#)

<sup>3</sup> Sergey Krivenko: 1; Claus Mathiesen: 28

<sup>4</sup> The State Duma is the Lower House of the Russian Federal Assembly

<sup>5</sup> Sergey Krivenko: 2-6; Huseyn Aliyev: 1; Claus Mathisen: 24-27; Daria Korolenko: 4; Meduza, *A new Russian law suggests the country is preparing for mobilization. Here's what it says*, 20 September 2022, [url](#); RFE/RL, *Russia Toughens Penalty For Voluntary Surrender, Refusal To Fight*, 24 September 2022, [url](#); Russia, Государственная Дума [State Duma], *Усиливается ответственность за преступления против военной службы [Increased responsibility for crimes against military service]*, 20 September 2022, [url](#)

<sup>6</sup> The Federation Council is the Upper House of the Russian Federal Assembly

<sup>7</sup> Sergey Krivenko: 2; Daria Korolenko: 4; RFE/RL, *Russia Toughens Penalty For Voluntary Surrender, Refusal To Fight*, 24 September 2022, [url](#)

<sup>8</sup> КонсультантПлюс [ConsultantPlus], *Уголовный кодекс Российской Федерации от 13.06.1996 N 63-ФЗ (ред. от 24.09.2022) [Criminal Code of the Russian Federation from 13 June 1996, No. 63-F3 (edited 24 September 2022)]*, [url](#)

- Article 339, 3 regarding evasion of military service by faking illness or other means will be punished with deprivation of liberty for five to 10 years during mobilisation, martial law, in time of war or conditions of an armed conflict;
- Article 340, 4; 5 regarding violation of the rules of combat duty where the punishment during mobilisation, martial law, war or armed conflict have been raised to five to ten years imprisonment for serious violations that threaten the security of the state, and up to five years imprisonment for actions caused by negligence or dishonesty;
- Article 347 regarding destruction or damage to military property by negligence will be punished with imprisonment up to five years when committed during mobilisation, martial law, war or armed conflict;
- Article 348 regarding loss of military equipment will be punished with prison up to seven years when committed during mobilisation, martial law, war or armed conflict;
- Article 352 regarding voluntary surrender is a new article introduced. The punishment is imprisonment between 3 and 10 years.

According to a Meduza article, the amendments were clearly linked to the mobilisation that was announced the next day, 21 September 2022. It was the first time that mobilisation was introduced to the Criminal Code.<sup>9</sup> According to Claus Mathiesen, an associate professor in Russian at the Royal Danish Defence College, the enhanced legislation was introduced to avoid people trying to evade the mobilisation, as the Russian military had not been successful in mobilising volunteers.<sup>10</sup> Claus Mathiesen noted that since the beginning of September, it was obvious that the Russian government had planned a mobilisation as the legislation also criminalises, among other things, attempts to escape mobilisation.<sup>11</sup>

According to Sergey Krivenko, the head of the Russian NGO, “Citizen, Army, Law,” that specialises in the situation for Russian military personnel, the amendments changed the situation for military conscripts and contract soldiers to the worse. It is no longer possible for them to refuse to participate in combat operations, and the consequences now will be criminal prosecution and not, as previous, the termination of a contract.<sup>12</sup>

Furthermore, the president signed a separate law on 24 September 2022, allowing a simpler access to Russian citizenship for foreigners who enlist in the Russian military.<sup>13</sup>

## 4.2 Martial law

On 19 October 2022, president Putin declared martial law in the four occupied territories of Ukraine, Luhansk, Donetsk, Kherson and Zaporizhzhia. The reasoning behind the declaration for the Russian leadership was that the territories, that Russia in September 2022 unlawfully annexed, already had a state of martial law before Russia declared their annexation, while the declaration from the Russian president was a legal step to put the occupied territories under Russian legislation.<sup>14</sup>

<sup>9</sup> Meduza, *A new Russian law suggests the country is preparing for mobilization. Here's what it says*, 20 September 2022, [url](#)

<sup>10</sup> Claus Mathiesen: 24

<sup>11</sup> Daria Korolenko: 4

<sup>12</sup> Sergey Krivenko: 6

<sup>13</sup> RFE/RL, *Russia Toughens Penalty For Voluntary Surrender, Refusal To Fight*, 24 September 2022, [url](#)

<sup>14</sup> Huseyn Aliyev: 12; Meduza, *Putin declares martial law in annexed Ukrainian regions*, 19 October 2022, [url](#); Новая Газета Европа [Novaya Gazeta Europa], *Путин ввел военное положение на оккупированных территориях* [Putin

In the Russian understanding, the annexation allowed Russia to impose their legislation to the four territories. Furthermore, the Russian-installed governments in the occupied territories already had declared martial law and mobilisation.<sup>15</sup>

Martial law should theoretically facilitate an unlimited mobilisation in those territories and the processes of mobilisation would be under the formal control of the Russian armed forces.<sup>16</sup>

The decree on martial law also sets the framework for the creation of a territorial defence in the four territories. However, it is still unclear what such a defence force comprises.<sup>17</sup>

Finally, the declaration of martial law affected all parts of Russia as well.<sup>18</sup>

All regions increased the state of readiness, however, in the Central and Southern Federal District the level increased even further to “*high alert*”. While martial law does not have direct implications for military service in Russia, it affects the possibilities for the political leadership to suppress opposition internally in Russia.<sup>19</sup> For instance, the introduction of martial law will allow military administrations almost unlimited control over civilian offices in all Russian regions covered by martial law.<sup>20</sup> It also opens up for banning citizens to leave a region and restricts freedom of movement; banning any public event; confiscate property and force people to work for “*defence needs*.”<sup>21</sup>

### 4.3 Recruitment of convicts

On 4 November 2022, the Russian president approved that people with criminal records can be part of the mobilisation. This means that at the military commander’s initiative, Russian courts will be able to clear the criminal records or reduce the sentence for convicts, thus making them available for the military.<sup>22</sup>

According to Novaya Gazeta, the aim of the amendments to the law on mobilisation are legalising the presence of thousands of convicts that already have been recruited and sent to Ukraine, primarily for the private military companies (PMC). Most notorious is the Wagner Military Company, but also the group PMC Redoubt and the Storm Squadron have been recruiting among prisoners.<sup>23</sup>

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*imposes martial law in occupied territories*], 19 October 2022, [url](#); ISW, *Russian offensive campaign assessment*, 19 October 2022, [url](#)

<sup>15</sup> Huseyn Aliyev: 12; ISW, *Russian offensive campaign assessment*, 19 October 2022, [url](#)

<sup>16</sup> Huseyn Aliyev: 11

<sup>17</sup> Новая Газета Европа [Novaya Gazeta Europa], *Путин ввел военное положение на оккупированных территориях* [Putin imposes martial law in occupied territories], 19 October 2022, [url](#); Meduza, *Putin declares martial law in annexed Ukrainian regions*, 19 October 2022, [url](#); ISW, *Russian offensive campaign assessment*, 19 October 2022, [url](#)

<sup>18</sup> Huseyn Aliyev: 13; Meduza, *Putin declares martial law in annexed Ukrainian regions*, 19 October 2022, [url](#)

<sup>19</sup> ISW, *Russian offensive campaign assessment*, 19 October 2022, [url](#); Meduza, *Putin declares martial law in annexed Ukrainian regions*, 19 October 2022, [url](#); Meduza, *Forced labor, property seizures, and travel restrictions What Putin's martial law decrees really mean — and how they violate existing legislation*, 20 October 2022, [url](#)

<sup>20</sup> Huseyn Aliyev: 13; Meduza, *Putin declares martial law in annexed Ukrainian regions*, 19 October 2022, [url](#)

<sup>21</sup> Meduza, *Forced labor, property seizures, and travel restrictions What Putin's martial law decrees really mean — and how they violate existing legislation*, 20 October 2022, [url](#)

<sup>22</sup> Human rights lawyer: 9; Novaya Gazeta Europe, *Convicts in arms*, 12 November 2022, [url](#); Russia, Президент России [President of Russia], *В закон о мобилизационной подготовке и мобилизации внесены изменения* [The law on mobilisation preparation and mobilisation has been amended], 4 November 2022, [url](#)

<sup>23</sup> Novaya Gazeta Europe, *Convicts in arms*, 12 November 2022, [url](#)

Instead of fighting for the private companies where the conditions for recruited convicts often are cruel and lethal, the new law will make them able to join the regular Russian military.<sup>24</sup>

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<sup>24</sup> Novaya Gazeta Europe, *Convicts in arms*, 12 November 2022, [url](#)

## 5. Partial mobilisation

On 21 September 2022, President Putin ordered a partial mobilisation - the first Russian mobilisation since World War II.<sup>25</sup> The president's decree on the partial mobilisation did not mention the number and categories of those who would be mobilised.<sup>26</sup> Top officials of the constituent entities of Russia were in charge of arranging conscription of citizens in the number and within the time limits set by the Ministry of Defence.<sup>27</sup> According to the Ministry of Defence, 300,000 men have been drafted, incl. 87,000 who has been sent to the frontlines.<sup>28</sup>

Three interviewed sources informed the Danish Immigration Service that the partial mobilisation could be regarded as a full mobilisation.<sup>29</sup> Huseyn Aliyev, Lecturer in Security Studies at University of Glasgow, asserted that the decree on mobilisation was basic and allowed the government to twist it in various directions.<sup>30</sup>

Sources opined that Russian authorities did not prepare for a mobilisation<sup>31</sup>, and the mobilisation efforts depended on the social situation of each region. For example, the number of drafted men in Tatarstan did not match the announced quota.<sup>32</sup> Russia has been unable to provide necessary conditions such as logistics, infrastructure and military personnel such as trainers. In some cases, trainers taught soldiers how to use firearms and hand grenades. In most cases, soldiers were not provided with the adequate training.<sup>33</sup> Reports from Ukraine stated that such persons have been taken prisoner or killed.<sup>34</sup> According to Claus Mathiesen, corruption affected the mobilisation efforts.<sup>35</sup>

Sources expect there would be a second, and possibly, third, wave of mobilisation to replace killed, wounded, deserted and captured men.<sup>36</sup> According to two sources, the second wave was expected to begin in late winter 2022 or in the beginning of 2023.<sup>37</sup>

When a person received a call-up notice for mobilisation, they had to show up at the military enlistment office where a medical check-up would take place to determine if the person in question was fit for military service.<sup>38</sup> In regions such as Belgorod, there has not been medical check-ups in connection with the call-ups

<sup>25</sup> Reuters, *Explainer: What does Vladimir Putin's 'partial' mobilisation mean for Russia's military machine?*, 21 September 2022, [url](#)

<sup>26</sup> Huseyn Aliyev: 2; Sergey Krivenko: 22; Human rights lawyer: 3; Gregory Shvedov: 3

<sup>27</sup> Huseyn Aliyev: 3, 16; Russia, Президент России [President of Russia], Указ «Об объявлении частичной мобилизации в Российской Федерации» [Decree "On the announcement of partial mobilisation in the Russian Federation"], 21 September 2022, [url](#); Meduza, *Все, что вам нужно знать, если мобилизация касается вас или ваших близких* [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#)

<sup>28</sup> Novaya Gazeta, *Russia's Defence Minister Shoigu: 87,000 draftees out of 300,000 deployed to combat zones*, 1 November 2022, [url](#); Human rights lawyer: 3

<sup>29</sup> Claus Mathiesen: 15; Huseyn Aliyev: 2; Sergey Krivenko: 21-22

<sup>30</sup> Huseyn Aliyev: 4-5

<sup>31</sup> Huseyn Aliyev: 5, 19, 23, Claus Mathiesen 2; Human rights lawyer: 6

<sup>32</sup> Human rights lawyer: 3; Huseyn Aliyev: 26

<sup>33</sup> Huseyn Aliyev: 25; Claus Mathiesen: 7

<sup>34</sup> Huseyn Aliyev: 25

<sup>35</sup> Claus Mathiesen: 20

<sup>36</sup> Huseyn Aliyev: 6; Human rights lawyer: 15; Gregory Shvedov: 9

<sup>37</sup> Human rights lawyer: 15; Sergey Krivenko: 22

<sup>38</sup> Huseyn Aliyev: 28; Claus Mathiesen: 8

in most cases. Regions bordering Ukraine have allegedly been less selective in their mobilisation efforts than in the rest of Russia.<sup>39</sup>

On 28 October 2022, Sergey Shoigu, the Russian Minister of Defence, announced that Russia had conscripted the required soldiers, and President Putin declared the completion of the partial mobilisation on 31 October 2022. Additionally, the Ministry of Defence announced that it would no longer issue military summons. Kremlin later stated that a decree to end the mobilisation was unnecessary. This caused human rights advocates to speculate that President Putin's decree on mobilisation is still valid and ongoing.<sup>40</sup> As the number of persons to be mobilised is secret, the mobilisation could restart any day.<sup>41</sup>

## 5.1 Legislation

The Federal Law on Mobilisation Preparation and Mobilisation in the Russian Federation specify the regulations regarding mobilisation in Russia.<sup>42</sup> According to three sources, this law is unfinished and deficient. While it contains the framework for mobilisation, it does not describe the procedures and summons. Furthermore, contradicting actions and statements influence the mobilisation process or contradicts present legislation.

## 5.2 Persons eligible for drafting during mobilisation

Russian authorities stated that they would firstly call on persons who had served in the armed forces and those with military specialities and relevant experience.<sup>43</sup>

Sergey Shoigu advised that the Russian reserve consisted of 25 million persons.<sup>44</sup> Reservists are:

- Previous conscripts who have completed military service;
- Contract soldiers whose contract have ended<sup>45</sup>;
- Graduates of military university departments;
- Persons who have completed alternative civil service;
- Men older than 27 years who have not served due to delays in studies, health, or without legal grounds;
- Doctors, orderlies and other representatives of the so-called military registration specialties, including women;
- Representatives of some professions such as communications, optics and computer technology.<sup>46</sup>

<sup>39</sup> Huseyn Aliyev: 33-34

<sup>40</sup> Human rights lawyer: 3, 14; Sergey Krivenko: 22; Meduza, 'Partial mobilization is over, full stop,' says the Kremlin spokesman Dmitry Peskov. Why doesn't Putin sign a decree to make this official?, 1 November 2022, [url](#)

<sup>41</sup> Human rights lawyer: 14

<sup>42</sup> Consultant, Российская Федерация Федеральный закон о мобилизационной подготовке и мобилизации в Российской Федерации [Federal law on Mobilisation Preparation and Mobilisation in the Russian Federation], 26 February 1997, [url](#)

<sup>43</sup> Meduza, Все, что вам нужно знать, если мобилизация касается вас или ваших близких [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#); Huseyn Aliyev: 16

<sup>44</sup> Claus Mathiesen: 3

<sup>45</sup> Huseyn Aliyev: 36; Claus Mathiesen: 9

<sup>46</sup> Meduza, Все, что вам нужно знать, если мобилизация касается вас или ваших близких [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#); Consultant, Федеральный закон "О воинской обязанности и военной службе" от 28.03.1998 N 53-ФЗ [Federal Law On Military Duty and Military Service dated March 28, 1998 N 53-FZ], 28 March 1998, [url](#), article 52; Claus Mathiesen: 12

According to Huseyn Aliyev, medical doctors went to the frontlines to serve in their professional capacities rather than to participate in combat. This is because the Russian army experienced shortages of persons with experience in combat related injuries.<sup>47</sup> However, a human rights lawyer stated that medical doctors have been sent to the frontlines as soldiers or drafted as shooters.<sup>48</sup>

Call-ups take place in the first, second or third categories of the reserve in case of mobilisation. Categories can be found in [Annex 3](#). Depending on training backgrounds, the mobilised must undergo continuation training.<sup>49</sup>

### 5.2.1 Exemptions and deferments

During mobilisation, some medical diagnoses grant deferment or exemption from call-ups. Diagnoses are divided into two categories: G (unfit up to six months) and D (not fit at all). Category G includes:

- Visual and hearing disorders,
- Diseases of the respiratory and genitourinary systems,
- Damage to the gastrointestinal tract,
- Conditions after operations,
- Endocrine diseases,
- Some infectious and parasitic diseases,
- Some mental disorders.<sup>50</sup>

After six months, the person is required to attend another medical examination to clarify whether the health condition still does not allow the person to be called up. Some serious and incurable diagnoses can lead to a permanent exemption from military service, e.g. leprosy.<sup>51</sup>

The following groups obtain deferment during mobilisation:

- Citizens engaged in constant care of close relatives, on the condition that there is no one else to look after them. According to the law, it can be a biological or adoptive father and mother, wife, husband, brother or sister, grandfather or grandmother;
- Guardians or custodians of a minor sibling in the absence of other persons legally required to support these citizens;
- Mothers of a child under the age of 16;
- Pregnant women who are at least 22 weeks pregnant;
- Fathers or guardians of four or more children under the age of 16;
- Fathers of three children under the age of 16 with a wife who is more than 22 weeks pregnant;

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<sup>47</sup> Huseyn Aliyev: 21-22

<sup>48</sup> Human rights lawyer: 4

<sup>49</sup> Claus Mathiesen: 4

<sup>50</sup> Meduza, *Все, что вам нужно знать, если мобилизация касается вас или ваших близких* [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#); Consultant, *Постановление Правительства РФ от 04.07.2013 N 565 (ред. от 29.06.2022) "Об утверждении Положения о военно-врачебной экспертизе"* [Decree of the Government of the Russian Federation of July 4, 2013 N 565 (as amended on June 29, 2022) "On approval of the Regulations on military medical expertise", 4 July 2013, [url](#)

<sup>51</sup> Meduza, *Все, что вам нужно знать, если мобилизация касается вас или ваших близких* [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#)

- Fathers of one or more children who are raising them without a mother;
- Sons and daughters of single mothers raising four or more children under the age of eight;
- Members of the Federation Council and deputies of the State Duma;
- Citizens included in a decree signed by the President himself.<sup>52</sup>

In a decree from 24 September 2022, President Putin deferred conscription for full-time and part-time students enrolled in nationally accredited vocational training and higher education programmes at state educational organisations, research organisations and those enrolled in educational programmes of a corresponding level for the first time. On 6 October 2022, the president added graduate students and students of evening departments of educational institutions in a renewed decree. Deferment also applies to private universities with state accreditation.<sup>53</sup>

On 23 September 2022, the Ministry of Defence exempted some IT workers, telecommunications workers, finance professionals, some employees at mass media outlets deemed systemically important as well as interdependent suppliers such as registered media and broadcasters.<sup>54</sup> Persons considered valuable to Russia and specialists, such as employees in defence industry enterprises, protection of railway facilities and cargo transportation, are also exempted. In general, both authorities and organisations have the right to exempt employees.<sup>55</sup>

### 5.2.2 Persons drafted in reality

Three sources opined that any male could receive military summons for mobilisation.<sup>56</sup> Sources reported that persons without combat experience<sup>57</sup> received military summons, as well as elderly persons and fathers of many children. In the Siberian city of Ulan-Ude, students were grabbed from their classes.<sup>58</sup> In spite of the announcement of no drafting of persons working in the IT industry, such persons have been called up.<sup>59</sup> Reports mention that people with disabilities and various stages of cancer received call-ups and were forced to show up at military enlistment offices.<sup>60</sup> In Irkutsk in Siberia, men formerly exempted from the military

<sup>52</sup> Consultant, *Российская федерация федеральный закон о мобилизационной подготовке и мобилизации в российской федерации* [Federal law on Mobilisation Preparation and Mobilisation in the Russian Federation], 26 February 1997, [url](#), article 18

<sup>53</sup> Kremlin, *Executive Order On Deferment of Conscription for Military Service during Mobilisation*, 24 September 2022, [url](#); Kremlin, *Внесено изменение в Указ «О предоставлении отсрочки от призыва на военную службу по мобилизации»* [An amendment was made to the decree "On granting a deferment from conscription for military service for mobilization"], 6 October 2022, [url](#)

<sup>54</sup> Al Jazeera, *Russia announces exemptions from Ukraine war mobilisation*, 23 September 2022, [url](#)

<sup>55</sup> Meduza, *Все, что вам нужно знать, если мобилизация касается вас или ваших близких* [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#)

<sup>56</sup> Claus Mathiesen: 13, 15-16; Huseyn Aliyev: 3; Human rights lawyer: 4

<sup>57</sup> Huseyn Aliyev: 10; Meduza, *Все, что вам нужно знать, если мобилизация касается вас или ваших близких* [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#)

<sup>58</sup> Meduza, *Все, что вам нужно знать, если мобилизация касается вас или ваших близких* [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#)

<sup>59</sup> Huseyn Aliyev: 17

<sup>60</sup> Huseyn Aliyev: 18

due to health reasons received summons.<sup>61</sup> Relatives of deceased individuals received call-up papers on their behalf.<sup>62</sup>

In an article published by Meduza, Russian men in the military age informed about cases of drafting in spite of illnesses such as HIV. Although most Russians suffering from HIV or AIDS are exempt from military service, the military offices did not take such persons' medical history or documents into account in some cases.<sup>63</sup>

Three sources noted a relatively limited number of mobilised persons from large cities. Much of the mobilisation effort has occurred in remote and poor regions in the Russian Far East, Siberia, and Caucasus.<sup>64</sup> This was in part to avoid demonstrations in larger cities. In general, contracts have been more attractive to people from poor regions.<sup>65</sup>

In the end of September 2022, President Putin and military officials declared that persons had been mobilised by mistake and sent back home.<sup>66</sup> Huseyn Aliyev opined that persons who could prove they have been mobilised by mistake with documentation or evidence, possibly could be released.<sup>67</sup> However, according to Gregory Shvedov, some of the men drafted by mistake, were probably sent to fight in Ukraine.<sup>68</sup>

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<sup>61</sup> BBC, *Ukraine war: Russia reveals exemptions as men flee call-up*, 23 September 2022, [url](#)

<sup>62</sup> Huseyn Aliyev: 62

<sup>63</sup> Meduza, *Fight or flight Russians living with HIV navigate mobilization and emigration*, 14 November 2022, [url](#)

<sup>64</sup> Huseyn Aliyev: 27; Claus Mathiesen: 17; Human rights lawyer: 5

<sup>65</sup> Claus Mathiesen: 18-19

<sup>66</sup> The New York Times, *Putin concedes that some men were wrongly drafted.*, 29 September 2022, [url](#); Huseyn Aliyev: 31-32; Gregory Shvedov: 4-5

<sup>67</sup> Huseyn Aliyev: 31-32

<sup>68</sup> Gregory Shvedov: 4-5

## 6. Conscription

Conscription takes place twice a year in Russia for men between 18 and 27 years; the spring draft runs from 1 April to 15 July and the fall draft runs from 1 October to 31 December. The conscription pool per year of Russian military-aged men is around 1.2 million people. Half of these will be required to show up at military enlistment offices. New conscripts complete 1-2 months of basic training followed by 3-6 months of advanced training before deployment to their respective units. Usually, the conscription period is one year.<sup>69</sup> In 2022, the fall draft was delayed a month due to the ongoing mobilisation. The latest conscription in Russia began on 1 November 2022 for 120,000 new conscripts.<sup>70</sup>

When conscripts complete the conscription period, they will automatically be transferred to the Russian reserve. From the reserve, they could potentially be mobilised, possibly by force, according to Claus Mathiesen.<sup>71</sup>

### 6.1 The situation for conscripts after the declaration of martial law

Pursuant to Russian law, it is illegal to deploy conscripts to combat areas abroad if the conscripts have less than four months of training.<sup>72</sup> War and martial law, however, allow Russia to send conscripts to combat zones before the conscripts have completed four months of training. Given that president Putin declared martial law of varying degrees of urgency in Russia, authorities can use conscripts in the war in Ukraine without the otherwise mandatory four months of training.<sup>73</sup> The annexation of four Ukrainian regions also means that conscripts can participate in the war<sup>74</sup>, as Russian law does not prohibit the use of conscripts on Russian territory. In this situation, it does not matter how many months of training the conscripts have completed.<sup>75</sup>

After the declaration of the partial mobilisation and the annexation of Ukrainian territories, there have not been reports of conscripts deployed to the frontlines in big numbers, albeit individual cases could be happening.<sup>76</sup> Conscripts are sent to Russian border regions to Ukraine, such as Belgorod, Kursk, Bryansk, Rostov, Krasnodar and the annexed Ukrainian region of Crimea. There are no indications that they are sent to frontlines or the occupied territories, according to a human rights lawyer.<sup>77</sup>

Two sources noted that military enlistment offices pressure or persuade conscripts into signing military contracts before the end of the conscription. If conscripts sign contracts, they can legally participate in the war

<sup>69</sup> ISW, *Explainer on Russian Conscription, Reserve, and Mobilization*, 5 March 2022, [url](#)

<sup>70</sup> Human rights lawyer: 16; Sergey Krivenko: 11; ISW, *Russian Offensive Campaign Assessment*, 30 October 2022, [url](#)

<sup>71</sup> Claus Mathiesen: 1, 31

<sup>72</sup> Kremlin, *Федеральный закон от 23.06.1995 г. № 93-ФЗ О порядке предоставления Российской Федерацией военного и гражданского персонала для участия в деятельности по поддержанию или восстановлению международного мира и безопасности* [Federal Law of June 23, 1995 No. 93-FZ On the procedure for the provision by the Russian Federation of military and civilian personnel for participation in activities to maintain or restore international peace and security], 23 June 1995, [url](#), article 8; Sergey Krivenko: 9; ISW, *Russian Offensive Campaign Assessment*, 31 March 2022, [url](#), p. 3

<sup>73</sup> ISW, *Russian Offensive Campaign Assessment*, 30 October 2022, [url](#); Huseyn Aliyev: 8

<sup>74</sup> Huseyn Aliyev: 7

<sup>75</sup> ISW, *Russian Offensive Campaign Assessment*, 30 October 2022, [url](#)

<sup>76</sup> Sergey Krivenko: 9-10; Huseyn Aliyev: 14

<sup>77</sup> Human rights lawyer: 10

as a contract soldiers. Claus Mathiesen further stated that pressure on the conscripts to sign a military contract undoubtedly has increased.<sup>78</sup> According to Sergey Krivenko, contracts are in a few cases signed by another person on behalf of the conscript himself. This happens due to a lack of monitoring.<sup>79</sup>

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<sup>78</sup> Claus Mathiesen: 29-30; Sergey Krivenko: 13, 15-16

<sup>79</sup> Sergey Krivenko: 14

## 7. Contract soldiers

### 7.1 Recruitment of contract soldiers

According to several sources, the Russian army is experiencing shortages in soldiers in Ukraine.<sup>80</sup> Therefore, Russia is trying to recruit contract soldiers from different layers of society including homeless people in shelters. For example, officials in St. Petersburg visited a shelter in August 2022, spoke to people about signing up for the war, and handed out leaflets about contract service.<sup>81</sup>

Prior to the announcement of the partial mobilisation, the Russian army used mobile recruiting trucks to attract volunteers. In the city of Rostov, the Russian army offered a monthly salary of USD 2,700, which is close to three times the national average, while handing out brochures with the headline “*Military service on a contract – the choice of a real man*”.<sup>82</sup>

In September 2022, the Ministry of Defence started recruiting soldiers among inmates in Russia’s penal colonies. Here, inmates who previously worked in law enforcement and state security were offered six-month contracts to serve in a new battalion called “*Storm*”. Supposedly, 60 volunteers were recruited in one of the colonies. Allegedly, the ministry offered the same terms as the PMC Wagner Group: pardon and money. Thereafter, the prison administration reportedly pressured inmates to enlist.<sup>83</sup> For further information about Wagner Group’s recruitment of prisoners, [see section 8.2.](#)

### 7.2 The situation for contract soldiers after 21 September 2022

President Putin’s decree on partial mobilisation added that military personnel with military contracts would remain on active duty until the end of the mobilisation. Therefore, it is currently close to impossible to cancel a contract.<sup>84</sup> This is also the case for contractors who signed a contract before the mobilisation.<sup>85</sup>

Contracts can be cancelled during mobilisation in case of dismissal from military service on the grounds established by President Putin’s decree:

- If a person reaches the age limit for military service;
- Persons deemed unfit because of health reasons recognised by the military medical commission;
- If the soldier is sentenced to imprisonment.<sup>86</sup>

<sup>80</sup> Reuters, *Russia's military suffering manpower shortages -U.S. intelligence*, 31 August 2022, [url](#); Business Insider, *Russia's soldier shortage is so severe that it is recruiting in homeless shelters and considering pardons to criminals to fight in Ukraine, reports say*, 4 September 2022, [url](#); The Moscow Times, *Russia Scrambles for Soldiers Amid Ukraine War Manpower Shortage*, 23 May 2022, [url](#)

<sup>81</sup> Business Insider, *Russia's soldier shortage is so severe that it is recruiting in homeless shelters and considering pardons to criminals to fight in Ukraine, reports say*, 4 September 2022, [url](#)

<sup>82</sup> Al Jazeera, *Russia turns to trucks and big wages to woo volunteer soldiers*, 18 September 2022, [url](#)

<sup>83</sup> Meduza, *The Wagner Group's 'best practices' go mainstream Following Prigozhin's example, Defense Minister Sergey Shoigu has begun recruiting soldiers among Russia's inmates*, 11 October 2022, [url](#)

<sup>84</sup> Sergey Krivenko: 18; CSIS, *What Does Russia's 'Partial Mobilization' Mean?*, 26 September 2022, [url](#); Reuters, *Explainer: What does Vladimir Putin's 'partial' mobilisation mean for Russia's military machine?*, 21 September 2022, [url](#); Kremlin, *Указ «Об объявлении частичной мобилизации в Российской Федерации» [Decree "On the announcement of partial mobilisation in the Russian Federation"]*, 21 September 2022, [url](#); Claus Mathiesen: 35; Huseyn Aliyev: 35; Sergey Krivenko: 17

<sup>85</sup> Caucasian Knot, *Mobilization limits possibility of dismissal for contractors*, 22 September 2022, [url](#)

<sup>86</sup> Kremlin, *Указ «Об объявлении частичной мобилизации в Российской Федерации» [Decree "On the announcement of partial mobilisation in the Russian Federation"]*, 21 September 2022, [url](#); Sergey Krivenko: 17

### 7.2.1 Contract soldiers who refuse to fight in Ukraine

Contract soldiers cannot refuse to participate in the war without facing punishment.<sup>87</sup> Refusal to participate in the military or hostilities is criminalised by the new paragraph 2.1 of article 332 of the Criminal Code.<sup>88</sup>

Mobilised soldiers have reportedly been detained in the Luhansk region for refusing to fight in Ukraine. Reports describe unsanitary conditions and psychological pressure in detention camps. A soldier claimed that meals are served once a day, and sometimes soldiers were not fed for several days. The officers tried to persuade soldiers to return to the front. They were threatened to join Wagner Group if they refused.<sup>89</sup> Furthermore, the soldiers were allegedly threatened with long prison sentences because they refused to return to the frontlines. One detainee claimed that the captors beat some of the soldiers severely. Moreover, other soldiers were returned to the front by force, according to Meduza.<sup>90</sup> A similar situation took place in the Donetsk region, where soldiers refusing to fight were threatened with execution by a firing squad.<sup>91</sup>

Before the partial mobilisation, a significant number of contract soldiers refused to go to Ukraine for a second period. They did not face criminal charges but were, however, dismissed from the military.<sup>92</sup> If a soldier terminated their contract in this manner, they received a stamp in their military papers stating that they left the military in disgrace, which amounts to being labelled a coward or traitor, according to Gregory Shvedov. With this stamp, a person would not be able to find employment in Russia, as government employers and most private companies would not hire that person.<sup>93</sup> Reports emerged that such persons tried to leave Russia, as there is no legal option for them to refuse to go to Ukraine at this point.<sup>94</sup>

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<sup>87</sup> Claus Mathiesen: 36; Sergey Krivenko: 6

<sup>88</sup> Sergey Krivenko: 4

<sup>89</sup> Mediazona, «Предлагают обратно вернуться на убой». Лагерь для отказников в ЛНР снова работает — теперь там держат мобилизованных ["They recommend to return to the slaughter." The camp for refuseniks in the LPR is working again - now they are holding mobilised people there], 1 November 2022, [url](#)

<sup>90</sup> Meduza, 'Like Wagner's meat' In the occupied Luhansk region, Russian soldiers who refuse to fight are imprisoned without a trial and pressured back to the frontline, 1 November 2022, [url](#); ISW, Russian Offensive Campaign Assessment, 10 November 2022, [url](#), p. 11

<sup>91</sup> Meduza, 'Lena, I might be executed by our own today.' 21 Russian conscientious objectors are held captive in a base-ment in the Donetsk region. Their wives and mothers plead desperately for help., 7 November 2022, [url](#)

<sup>92</sup> Gregory Shvedov: 15; Human rights lawyer: 1

<sup>93</sup> Gregory Shvedov: 15

<sup>94</sup> Huseyn Aliyev: 37

## 8. Recruitment to private military companies

### 8.1 The Wagner Group

The PMC Wagner Group is a Russian mercenary group founded in 2014. The purpose of the group was to support Ukrainian separatists. Officially, it does not exist, as private military companies are illegal in Russia.<sup>95</sup> Wagner Group is the most dominant private military actor in Russia.<sup>96</sup> Yevgeny Prigozhin is currently the de facto leader, albeit he previously denied links to the group.<sup>97</sup> Since 2014, Wagner Group has represented Russian interests in locations in Africa and the Middle East.<sup>98</sup> According to Russian military expert Pavel Luzin, Wagner Group was never a private or autonomous group, as it has always been a part of Russian military intelligence or the special operation forces.<sup>99</sup>

Wagner Group usually recruits among soldiers with experience from the Special Forces (*Spetsnaz*).<sup>100</sup> Two sources advised that Wagner Group and other private military actors have been recruiting actively for the war, especially among prisoners, immigrants and foreigners.<sup>101</sup>

Gregory Shvedov, editor-in-chief at Caucasian Knot, stressed that in parts of Russia, there are broad and visible attempts to recruit to private military companies. In Rostov, there are clear advertising on the streets from Wagner Group. The source explained that high level of advertising clearly indicates that parts of the regional leadership gave their permission or acceptance, even though it is illegal for such actors to advertise according to Russian legislation.<sup>102</sup>

In November 2022, Wagner Group opened a defence tech centre in St. Petersburg.<sup>103</sup>

### 8.2 Recruitment of prisoners

Since June 2022, there have been reports that Wagner Group has recruited Russian inmates illegally in an attempt to cover Russian shortages in troops. Recruited inmates reportedly include murderers, rapists and a convicted cannibal. According to the NGO *Russia Behind Bars*, which monitors Russian prisons, Wagner Group as of 27 October 2022 has recruited 20,000 inmates in Russia.<sup>104</sup>

Huseyn Aliyev reported that inmates from different prisons volunteered to participate in the military campaign as a part of Wagner Group. Reports stress that Wagner Group created a separate battalion consisting

<sup>95</sup> Al Jazeera, *Shrouded in secrecy for years, Russia's Wagner Group opens up*, 10 August 2022, [url](#); Sergey Krivenko: 48

<sup>96</sup> Gregory Shvedov: 12

<sup>97</sup> The New York Times, *Video Reveals How Russian Mercenaries Recruit Inmates for Ukraine War*, 16 September 2022, [url](#)

<sup>98</sup> Al Jazeera, *Shrouded in secrecy for years, Russia's Wagner Group opens up*, 10 August 2022, [url](#)

<sup>99</sup> Al Jazeera, *Shrouded in secrecy for years, Russia's Wagner Group opens up*, 10 August 2022, [url](#)

<sup>100</sup> Claus Mathiesen: 43

<sup>101</sup> Claus Mathiesen: 46; Human rights lawyer: 9

<sup>102</sup> Gregory Shvedov: 12

<sup>103</sup> The Guardian, *Russia's Wagner Group opens defence tech centre in St Petersburg*, 4 November 2022, [url](#)

<sup>104</sup> The Moscow Times, *'There's No Way Back': Wagner Group Looks to Russia's Jails to Bolster Ukraine Force*, 27 October 2022, [url](#); Huseyn Aliyev: 40

exclusively of inmates.<sup>105</sup> According to Claus Mathiesen, profiles recruited in this manner are unfit, and their recruitment is part of a Russian scare campaign.<sup>106</sup>

In September 2022, a video went viral as it reportedly showed Yevgeny Prigozhin addressing a crowd of Russian inmates in a prison yard.<sup>107</sup> In the video, the man identified as Prigozhin presents the inmates an offer; they can choose to go to Ukraine and fight, and in return receive pardons if they make it back alive. According to Prigozhin's pitch, the men would have to serve for six months. If, on the other hand, they arrive in Ukraine and change their minds, they could face execution.<sup>108</sup>

Prigozhin listed conditions for inmates willing to go to Ukraine. Firstly, the inmates had to be willing to abstain from drugs and alcohol as well as from looting and sexual contact with locals. Persons suffering from addictions and sex offenders would be able to join, but they would be under additional monitoring. Secondly, Prigozhin welcomed men between 22 and 50 years. He would accept younger men if they provided consent from their families.<sup>109</sup>

Previously, Russian law did not allow releasing prisoners from prison if they serve in the military or in other military companies.<sup>110</sup> However, in October 2022, Russian lawmakers proposed a bill making it possible to grant pardons to prisoners enlisting to fight in Ukraine. Senator Olga Kovitidi stated that prisoners performing military duty might receive pardon or a milder commute of the remaining sentence. Kovitidi stressed that the offer did not include people recently convicted of discrediting or spreading false information about the war and the armed forces.<sup>111</sup> In November 2022, President Putin signed the law.<sup>112</sup>

Although the law allows persons with felony records to enlist, some convicted persons would not be able to sign up. Inmates convicted of the following crimes are excluded:

- Crimes against the sexual inviolability of an underage person;
- Terrorist acts;
- Taking a hostage;
- Organising an illegal armed formation;
- Treason;
- Attempted murder of a state official;
- Public calls to extremism;
- Organising and financing an extremist organisation.<sup>113</sup>

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<sup>105</sup> Huseyn Aliyev: 39-41

<sup>106</sup> Claus Mathiesen: 41-42, 44

<sup>107</sup> Sergey Krivenko: 47; Huseyn Aliyev: 38; Business Insider, *Video shows the head of a shadowy mercenary group recruiting at a Russian prison, offering inmates freedom if they fight in Ukraine but death if they run*, 14 September 2022, [url](#)

<sup>108</sup> Business Insider, *Video shows the head of a shadowy mercenary group recruiting at a Russian prison, offering inmates freedom if they fight in Ukraine but death if they run*, 14 September 2022, [url](#)

<sup>109</sup> Business Insider, *Video shows the head of a shadowy mercenary group recruiting at a Russian prison, offering inmates freedom if they fight in Ukraine but death if they run*, 14 September 2022, [url](#)

<sup>110</sup> Sergey Krivenko: 48; Huseyn Aliyev: 42; BBC, *Russia's Wagner boss: It's prisoners fighting in Ukraine, or your children*, 16 September 2022, [url](#); The Moscow Times, *'There's No Way Back': Wagner Group Looks to Russia's Jails to Bolster Ukraine Force*, 27 October 2022, [url](#)

<sup>111</sup> The Moscow Times, *Russian Lawmakers Propose Granting Prisoners Amnesty for Enlisting*, 13 October 2022, [url](#)

<sup>112</sup> Human rights lawyer: 9

<sup>113</sup> Meduza, *State Duma legalizes conscripting convicted felons into Russian military*, 26 October 2022, [url](#)

Enlisted inmates would also be looking at payments ranging from 100,000 to 200,000 rubles per month, amounting to around 1,600-3,200 euros.<sup>114</sup>

Wagner Group is mostly based around the Ukrainian held cities of Bakhmut and Avdiivka, where they spear-head Russian offensives, primarily because they are more flexible in terms of military command. According to Huseyn Aliyev, Wagner Group takes no value in the lives of inmates or recruits who join them.<sup>115</sup>

Ukraine reported that Russian inmates were among prisoners in Ukraine, and that they eagerly surrendered when Ukrainian forces faced them.<sup>116</sup>

Although Wagner Group's official recruitment routes are still open for individuals with military experience, Huseyn Aliyev has not seen reports that the group has visited prisons after the announcement of the partial mobilisation. Wagner Group allegedly lowered its standards, which means that anyone could join. They offer attractive salaries to persons who join them voluntarily, but this does not include inmates, according to the source.<sup>117</sup>

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<sup>114</sup> The Moscow Times, *'There's No Way Back': Wagner Group Looks to Russia's Jails to Bolster Ukraine Force*, 27 October 2022, [url](#); Claus Mathiesen: 47

<sup>115</sup> Huseyn Aliyev: 45

<sup>116</sup> Huseyn Aliyev: 43

<sup>117</sup> Huseyn Aliyev: 44, 46

## 9. Draft evaders

Article 328 of the Russian Criminal Code criminalises evasion or refusal of participation in military service or alternative civil service. Such offenses are punishable with fines of up to 200,000 rubles (3,200 euros), confiscation of income for 18 months, community service for two years, arrest for up to six months or imprisonment for up to two years.<sup>118</sup> The Russian Supreme Court announced that the article solely applies to conscripts.<sup>119</sup>

In the event of mobilisation, punishment for evading military notices fall under article 21.5 of the Code of Administrative Offenses of the Russian Federation as a fine. If a person refuses to receive a summons, or repeatedly fails to show up at the military enlistment office after receiving a summons, the military enlistment office can initiate an administrative case against him.<sup>120</sup> The fine is 500 to 3,000 rubles (8-50 euros).<sup>121</sup> There have only been a few of such cases as military enlistment offices have been busy with the mobilisation.<sup>122</sup> As of November 2022, persons refusing to go to military enlistment offices are not targeted, according to the lawyer from OVD-Info Daria Korolenko.<sup>123</sup>

On 1 November 2022, reports emerged that the Russian State Duma deputies plan to submit a bill to criminalise draft evasion during mobilisation. Draft evaders, who received a military summons, could then face fines of up to 500,000 rubles (8,000 euros), forced labour or up to five years in prison. According to the deputies, the law would not apply to the most recent round of mobilisation.<sup>124</sup> However, later the same day, it was decided that the bill had lost its relevance.<sup>125</sup>

### 9.1 How military-aged Russians evade the draft

Sources interviewed for the report listed a number of ways to evade mobilisation. Called-up persons can try to escape Russia or hide internally in the country. A person could relocate to smaller mountain villages, where it is possible to live in a more unnoticed way.<sup>126</sup> By law, a Russian citizen can be prohibited from leaving the country unless he has a permission from the military enlistment office. During mobilisation, it is illegal to change address unless military enlistment offices allowed it.<sup>127</sup>

<sup>118</sup> Russia, *The Criminal Code of the Russian Federation no. 63-FZ of June 13, 1996*, n.d., [url](#), article 328

<sup>119</sup> Sergey Krivenko: 30; Human rights lawyer: 11; Supreme Court of The Russian Federation, *О практике рассмотрения судами уголовных дел об уклонении от призыва на военную службу и от прохождения военной или альтернативной гражданской службы* [On the Practice of Consideration by the Courts Criminal Cases on Military Service Avoidance and from the Passage of Military or Alternative Civil Service], 3 April 2008, [url](#); Meduza, *First criminal case for draft evasion launched in Russia since start of mobilization*, 5 October 2022, [url](#)

<sup>120</sup> Sergey Krivenko: 30-31; Human rights lawyer: 13

<sup>121</sup> Consultant, *КоАП РФ Статья 21.5. Неисполнение гражданами обязанностей по воинскому учету* [Code of Administrative Offenses of the Russian Federation Article 21.5. Non-fulfillment by citizens of duties on military registration], 30 December 2001, [url](#); Sergey Krivenko: 31; Human rights lawyer: 13

<sup>122</sup> Human rights lawyer: 13

<sup>123</sup> Daria Korolenko: 14

<sup>124</sup> Meduza, *Russian State Duma deputies to submit bill that would criminalize draft evasion*, 1 November 2022, [url](#)

<sup>125</sup> Novaya Gazeta, *Russia's State Duma will not consider bill on criminal liability for people dodging mobilisation*, 1 November 2022, [url](#)

<sup>126</sup> Gregory Shvedov: 13; Sergey Krivenko: 37; Huseyn Aliyev: 59; Claus Mathiesen: 59-60

<sup>127</sup> Sergey Krivenko: 38-39

It is also possible to try to pay bribes to avoid mobilisation. However, it is often people with resources who have the best options. For example, advertisements started to appear online with offers of help to cross the Russian border illegally and with formal hiring in the IT industry to receive exemption from summons. Other paid services included making someone check the military databases for a person's status regarding mobilisation or deleting a person's name from the database.<sup>128</sup> Furthermore, forged medical documents are reportedly on sale on the black market for people who want to evade the summons. Fake medical documents can contain chronic diseases such as HIV or hepatitis. Others have sought to document medical help for non-existing issues such as addiction or problems related to mental health.<sup>129</sup> According to Novaya Gazeta, the price for forged medical certificates is between 12,000 and 55,000 rubles (192-880 euros).<sup>130</sup>

Persons not able to flee tried to fit into one of the categories exempted from mobilisation, while some attempted to fake health documents. This led to persons allegedly breaking their own arms or legs, as Google searches for “*how to break an arm*,” “*how to break an arm at home*” or “*how to break a leg*” increased. Videos on the internet show men breaking their own bones and limbs with sledgehammers.<sup>131</sup>

In some instances, people burned military enlistment offices to the ground, as they tried to delete lists of names for call-ups. Some military enlistment offices outside larger cities are not digitalised. Therefore, there will be no record of those persons.<sup>132</sup>

Reports from October 2022 show that 400,000-700,000 Russians fled the country since the announcement of the partial mobilisation, most of whom are men in the military age. Kremlin, however, rejected this figure. Many Russians fled to neighbouring countries such as Kazakhstan, Georgia and Mongolia.<sup>133</sup> The line of people waiting to get into Georgia after 21 September 2022 grew by the hour, and men in the military age, who feared that the borders would close, crossed over on bikes, electric scooters and on foot.<sup>134</sup>

## 9.2 Russian authorities' reactions to draft evasion in connection with the partial mobilisation

After young men tried to escape across the border to Kazakhstan, Georgia and the EU, Russian officials installed military enlistment offices on the borders.<sup>135</sup> Huseyn Aliyev knew of cases where individuals received military summons at the border to Georgia. These persons showed up at the military enlistment offices, as they feared legal consequences for not showing up.<sup>136</sup>

<sup>128</sup> Novaya Gazeta, *Mobilisation gets dodgy*, 14 October 2022, [url](#)

<sup>129</sup> Forbes, *Russians Use Drastic Measures To Avoid Putin's Military Draft—Including Self-Mutilation*, 4 October 2022, [url](#)

<sup>130</sup> Novaya Gazeta, *Mobilisation gets dodgy*, 14 October 2022, [url](#)

<sup>131</sup> Claus Mathiesen: 60; Forbes, *Russians Use Drastic Measures To Avoid Putin's Military Draft—Including Self-Mutilation*, 4 October 2022, [url](#)

<sup>132</sup> Claus Mathiesen: 62-63; Huseyn Aliyev: 63; Daria Korolenko: 9

<sup>133</sup> Reuters, *Kremlin rejects reports that 700,000 have fled Russia*, 6 October 2022, [url](#); IWPR, *New Wave of Russians Head to Georgia*, 30 September 2022, [url](#); IPS, *How Should Europe Respond to Russians Fleeing the Military Mobilisation?*, 12 October 2022, [url](#); Huseyn Aliyev: 57-58; Human rights lawyer: 2

<sup>134</sup> EurasiaNet, *Russian draft dodgers queue at Georgian border*, 26 September 2022, [url](#)

<sup>135</sup> Huseyn Aliyev: 20

<sup>136</sup> Huseyn Aliyev: 59

State Duma speaker Vyacheslav Volodin advised that Russian border authorities listed the names of citizens leaving Russia.<sup>137</sup> According to Sergey Krivenko, theoretically it is possible for the military enlistment offices to provide a list of people included in the mobilisation to border authorities. However, the Russian system is not, in practice, built for sharing this kind of information. At some border crossings, men in the military age crossed without difficulties, while other border crossings tried to prevent men from crossing.<sup>138</sup>

In St. Petersburg, Russian police reportedly waited inside apartment buildings for men, who did not meet at military enlistment offices after receiving summons. Officers then issued summons for the men there.<sup>139</sup>

Russian authorities reportedly tracked down and detained at least seven men pointed out as draft evaders by the facial recognition system in Moscow. Subsequently, the men were taken to a police station and later to a military enlistment office. Some of the men were subsequently released because they did not meet the requirements for conscription. At least two men were, however, sent to the frontline.<sup>140</sup>

Daria Korolenko noted that employees at military enlistment offices or law enforcement threatened men who did not show up for mobilisation.<sup>141</sup>

Russian senator Andrey Klimov, the head of Federation Council Committee for the Defence of State Sovereignty, stated that Russian citizens who left the country could be considered foreign agents. According to two sources, Klimov directed his comment at Russians who left the country during the invasion of Ukraine and after the beginning of the partial mobilisation.<sup>142</sup>

### 9.2.1 Criminal cases related to draft evasion

According to two interviewed sources, the risk of a criminal or administrative case is one of the main threats the government uses to drive people to military enlistment offices.<sup>143</sup> Huseyn Aliyev stated that a person leaving Russia without having received a call-up notice, is not subjected to criminal prosecution.<sup>144</sup>

According to estimates from the Russian media RBC, the number of criminal cases initiated after the start of the spring conscription in 2022 until 20 September 2022 reached 410. On 5 October 2022, the first verdict in a criminal case on draft evasion as part of the partial mobilisation was settled. The defendant was a 32-year-old man, Maxim Moiseyev, who refused to sign his call-up papers and subsequently failed to appear at the military enlistment office. The case was initiated under Article 328 of the Criminal Code. However, the case was later dropped.<sup>145</sup>

<sup>137</sup> Meduza, *Russian State Duma Speaker says border guards keeping lists of draft evaders*, 28 September 2022, [url](#)

<sup>138</sup> Sergey Krivenko: 40-41

<sup>139</sup> Meduza, *St. Petersburg police staking out draft evaders at apartment entrances*, 14 October 2022, [url](#)

<sup>140</sup> HRW, *Russia Uses Facial Recognition to Hunt Down Draft Evaders*, 26 October 2022, [url](#)

<sup>141</sup> Daria Korolenko: 17

<sup>142</sup> Meduza, *Russians who left the country can be designated 'foreign agents,' says Senator Andrey Klimov*, 27 October 2022, [url](#)

<sup>143</sup> Gregory Shvedov: 14; Daria Korolenko: 17

<sup>144</sup> Huseyn Aliyev: 29

<sup>145</sup> Forbes, *Чиков сообщил о наказании главы СК Пензы из-за дела об уклонение от мобилизации [Chikov has announced the punishment of the head of the Penza Investigative Committee due to the case of evasion of mobilisation]*, 23 October 2022, [url](#)

## 10. Conscientious objectors

Pursuant to article 59, subsection 3 of the Russian Constitution, Russian citizens have a right to replace military service with alternative civil service if their moral, religious or secular convictions conflict with military service.<sup>146</sup> Before 24 February 2022, close to 2,000 persons applied for alternative civil service each year, according to the Ministry of Defence. Of these, around 1,000 applications were approved.<sup>147</sup>

Russian authorities recognise three reasons for civil service:

- Persons whose religious beliefs conflict with the performance of military service;
- Persons whose convictions conflict with military service;
- Persons belonging to indigenous peoples who lead a traditional lifestyle and engage in traditional agriculture or traditional crafts.<sup>148</sup>

While the regular conscription period lasts 12 months, civil service in a military agency lasts 18 months or 21 months in an agency outside the defence area. Positions could be jobs in nursing, cleaning and the postal service.<sup>149</sup>

According to three interviewed sources, there has not been legal provisions to enable the alternative civil service for potential conscripts or reservists.<sup>150</sup> Although one source was unaware of the extent it is respected and implemented in practice during mobilisation, he expected it to be ignored in most cases.<sup>151</sup> Sergey Krivenko noted that many have applied for alternative civil service during the mobilisation.<sup>152</sup> Claus Mathiesen opined that it is difficult to obtain alternative civil service.<sup>153</sup> Two sourced stated that the official position is that alternative civil service is not provided during mobilisation.<sup>154</sup>

In May 2022, Sergey Krivenko stated that the law on alternative civil service does not apply to military personnel. Krivenko further explained that in the event of mobilisation, every citizen in the reserve has the right to demand a replacement of his military duties by civilian service. However, as mobilisation never had been announced in the Russian Federation until 21 September 2022, it was unclear how the process would happen.<sup>155</sup> In an interview with the Danish Immigration Service, Sergey Krivenko stated that it is not possible to prosecute a person who applies for alternative civil service.<sup>156</sup>

According to a military attorney from the Russian Human Rights Defenders' Coalition, it is constitutionally legal to apply for alternative civil service. The attorney elaborated that pacifists and individuals with anti-war beliefs could be called up for mobilisation. Under normal circumstances, these individuals should be able to

<sup>146</sup> Russia, *The Constitution of the Russian Federation*, n.d., [url](#), article 59; Sergey Krivenko: 20; Human rights lawyer: 6

<sup>147</sup> Open Democracy, *Is Russia forcing people to fight in Ukraine?*, 25 May 2022, [url](#)

<sup>148</sup> OHCHR, *Approaches and challenges with regard to application procedures for obtaining the status of conscientious objector to military service in accordance with human rights standards*, 24 June 2019, [url](#), p. 8

<sup>149</sup> Al Jazeera, *Explainer: How does conscription work in Russia?*, 5 May 2022, [url](#)

<sup>150</sup> Huseyn Aliyev: 61, 64; Sergey Krivenko: 42; Human rights lawyer: 6

<sup>151</sup> Huseyn Aliyev: 61

<sup>152</sup> Sergey Krivenko: 44

<sup>153</sup> Claus Mathiesen: 56

<sup>154</sup> Human rights lawyer: 6; Sergey Krivenko: 44

<sup>155</sup> Open Democracy, *Is Russia forcing people to fight in Ukraine?*, 25 May 2022, [url](#); Sergey Krivenko: 44

<sup>156</sup> Sergey Krivenko: 45

profess their personal convictions with the military enlistment office. If the military enlistment office denied the request, the individual would have the possibility to appeal the decision in court. However, due to the mobilisation, these kinds of guarantees have allegedly ceased to exist. If an application for alternative civil service is rejected and disputed in court, the person in question could end up in their unit before the ruling.<sup>157</sup>

After the announcement of mobilisation, Kirill Berezin, a 27 year-old male from St. Petersburg, received a call-up notice. Berezin performed military service in 2014 and was called up from the reserve. He went to his local military enlistment office to fill out an application for alternative civil service, but was allegedly sent to a military unit close to the Ukrainian border. A court in St. Petersburg later rejected his lawsuit. The court reportedly ruled that alternative civil service is for regular conscripts under the age of 27.<sup>158</sup>

In October 2022, the State Duma passed draft legislation stating that during mobilisation, persons performing alternative civil service can be relocated to civilian personnel positions within the Russian armed forces.<sup>159</sup> On 4 November 2022, the president signed the bill.<sup>160</sup>

Social movements and human rights organisations provide legal assistance and help people who want to apply for alternative civil service. These include Movement of Deliberate Refuseniks<sup>161</sup> from Military Service, Conscript's School and Call to Conscience.<sup>162</sup>

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<sup>157</sup> Meduza, 'Prepare to stand up for your convictions' During mobilization, escaping the draft is a legal problem for many Russians. Here's a military lawyer's advice for those who don't want to fight, 22 September 2022, [url](#)

<sup>158</sup> The Washington Post, Russia's chaotic draft leaves some out in cold, without gear, 26 October 2022, [url](#); Meduzona, "I refuse to fulfill everything listed in the oath". A mobilised St. Petersburg resident refuses to take up arms, from within his military unit, 17 October 2022, [url](#)

<sup>159</sup> Meduza, State Duma legalizes conscripting convicted felons into Russian military, 26 October 2022, [url](#)

<sup>160</sup> Президент России [President of Russia], В закон о мобилизационной подготовке и мобилизации внесены изменения [Amendments have been made to the law on mobilization training and mobilization], 4 November 2022, [url](#)

<sup>161</sup> Conscientious objectors

<sup>162</sup> Novaya Gazeta, Putin calls Russia to arms, 23 September 2022, [url](#)

## 11. Deserters

Russian authorities introduced new legislation related to desertion in September 2022. For more information on this, [see chapter 4. New legislation related to military service in Russia](#).

Articles 337 and 338 of the Criminal Code state that a soldier, in some cases, can be exempted from criminal liability if it was the first time they committed desertion and if the desertion occurred under unusual circumstances.<sup>163</sup>

### 11.1 Desertion in connection with the partial mobilisation

Huseyn Aliyev opined that desertion only legally classifies as such if the person in question received a summons from the military enlistment office.<sup>164</sup> The source noted that some individuals risked facing criminal charges rather than serving in the military. This includes persons who previously served in the Ukrainian campaign.<sup>165</sup>

According to a human rights lawyer, Russian authorities recently initiated some cases on desertion and non-execution of an order. However, the source expected a growing number of such cases.<sup>166</sup>

In October 2022, the first criminal case opened against a mobilised man in the Siberian city of Ulan-Ude for unauthorised abandonment of a military unit. The man reportedly refused to go to Ukraine. After receiving threats of a criminal case, the man escaped his military unit through a hole in a fence. Initially, the man was accused of leaving his military unit between two to ten days during mobilisation and was, subsequently, charged under the newly introduced section 3.1 of article 337.<sup>167</sup>

According to the Ukrainian General Staff, some Russian military units in Donetsk suffer from high rates of desertion.<sup>168</sup> Two sources claimed that Russian authorities hide cases of desertion from the public.<sup>169</sup> Practice regarding criminal cases differ from place to place depending on the judge's moral constitution.<sup>170</sup>

Prior to the war, contract soldiers had the option to desert and return to their military base in Russia within 10 days. In Russia, they had to file a report describing why they did not want to serve anymore. If they completed this procedure, they would not be criminally liable. It is unclear how this practice currently takes place.<sup>171</sup> According to Sergey Krivenko, it is now only possible to leave Ukraine and return to Russia within 2 days without facing a criminal case. However, contracts cannot be terminated during mobilisation. Furthermore, potentially the soldier could be held accountable pursuant to article 337 of the Criminal Code concerning unauthorised abandonment of a unit.<sup>172</sup>

<sup>163</sup> Russia, *The Criminal Code of the Russian Federation no. 63-FZ of June 13, 1996*, n.d., [url](#), articles 337 and 338

<sup>164</sup> Huseyn Aliyev: 56

<sup>165</sup> Huseyn Aliyev: 60

<sup>166</sup> Human rights lawyer: 12

<sup>167</sup> Daria Korolenko: 18; OVD-Info, *В Бурятии возбудили уголовное дело о самовольном оставлении части мобилизованным* [In Buryatia, a criminal case was opened on the unauthorized leaving of the unit to the mobilized], 26 October 2022, [url](#)

<sup>168</sup> ISW, *Russian Offensive Campaign Assessment*, 13 October 2022, [url](#)

<sup>169</sup> Claus Mathiesen: 58; Human rights lawyer: 1

<sup>170</sup> Claus Mathiesen: 58

<sup>171</sup> Huseyn Aliyev: 30; Claus Mathiesen: 37; Sergey Krivenko: 19

<sup>172</sup> Sergey Krivenko: 19

## 12. Methods of recruitment

### 12.1 Recruitment methods in the Russian Federation

With the introduction of the mobilisation and the way it has been enforced so far, two experts argue that a kind of forceful recruitment has taken place in Russia.<sup>173</sup>

The mobilisation process is thoroughly described in [chapter 5](#).

However, as described previously, the mobilisation was not a partial mobilisation as the president announced, but more like a full-scale mobilisation, where the lack of updated and precise legislation meant that almost everyone could be summoned to the military enlistment offices. The criteria and the amount of people that the military authorities needed to mobilise were kept secret.<sup>174</sup>

Even though the president assured that the authorities firstly would mobilise people who served in the armed forces and those with military specialties and relevant experience<sup>175</sup>, the reality showed otherwise. There have been reports that people were taken from the street, especially in bigger cities such as Moscow and St. Petersburg.<sup>176</sup> This has also included homeless people and illegal immigrants who were grabbed at charity shelters or hostels.<sup>177</sup>

There have also been reports that people who, according to the law on mobilisation, would be exempted from service, still received summons and ultimately ended up in the combat operation in Ukraine. According to the Institute for the Study of War, Russian enlistment officers have been issuing wrongful mobilisation summons knowingly and have been attempting physically or mentally to coerce the men to accept these notices.<sup>178</sup>

Furthermore, Russian officials were using the mobilisation as a form of punishment against individuals who refused the mobilisation orders. Institute for the Study of War reported that the governor of Magadan region demanded that a mobilisation order was sent to a manager of a gold mining company who refused to administer mobilisation summons to his employees. Moreover, the same source reported that business managers allegedly were extorted in exempting them instead of the lower employees.<sup>179</sup>

The methods of punishment have also been used in some South Russian republics. The Caucasian Knot reported that the method has been widely used in Chechnya and has spread to Southern Russian regions. The source reported that a resident from the city of Novocherkassk in Rostov region was sent to the front after he damaged a number of patriotic banners.<sup>180</sup>

<sup>173</sup> Sergey Krivenko: 46; Huseyn Aliyev: 47

<sup>174</sup> Huseyn Aliyev: 2; Sergey Krivenko: 22; Human rights lawyer: 3

<sup>175</sup> Huseyn Aliyev: 16; Meduza, *Все, что вам нужно знать, если мобилизация касается вас или ваших близких* [Everything you need to know if the mobilisation concerns you or your loved ones], 23 September 2022, [url](#)

<sup>176</sup> Human rights lawyer: 5

<sup>177</sup> Jerusalem Post, *Russia forcibly enlisting the homeless, illegal migrant workers – report*, 15 October 2022, [url](#)

<sup>178</sup> ISW, *Russian Offensive Campaign Assessment*, 11 October 2022, [url](#)

<sup>179</sup> ISW, *Russian Offensive Campaign Assessment*, 11 October 2022, [url](#)

<sup>180</sup> Caucasian Knot, *Practice of punishment by sending to front spreads beyond Chechnya*, 9 October 2022, [url](#)

### *12.1.1 Recruitment among anti-war demonstrators and civilians on the street*

When president Putin announced the partial mobilisation on 21 September 2022, demonstrations broke out in many cities across Russia. The authorities reacted more violently than in previous anti-war demonstrations. The police detained more people and in a more violent way. Furthermore, many people received threats, among others to be sent to fight in Ukraine.<sup>181</sup>

During the first days of the demonstrations, the police arrested at least 2,400 people. In 31 police departments in at least eight cities, the police handed out summons to detained men. According to OVD-Info, more than 100 men received notices of mobilisation.<sup>182</sup>

The summons ordered the men to the military enlistment offices the next day. Some of the men fled Russia immediately, while others ignored the summons. However, according to OVD-Info, at least one person showed up at the military enlistment office, where the response from the military officers was that the person was actually not welcome there and told to go home.<sup>183</sup>

There were also some cases where lawyers, who arrived at the police stations to defend the detained people, received summons themselves.<sup>184</sup>

According to three interviewed sources, the handout of summons is a part of a scare tactic from the side of the authorities. Firstly, they want to scare people not to participate in demonstrations, and secondly, they want to scare people to show up at the military enlistment offices “voluntarily”.<sup>185</sup>

According to Sergey Krivenko, there have been cases, where people have been taken from the street, transferred to the military, and sent to Ukraine. The source, however, noted that this only concerned a few cases.<sup>186</sup>

Handing out summons on the street, in the metro and other public places occurred on a mass scale. The police had empty summons in which they filled in the names of the people they checked. Sergey Krivenko stated that this procedure was against the law, but the authorities are using people’s fear of the government to make them comply.<sup>187</sup>

According to Russian legislation, the police cannot hand out summons on their own or detain people on the streets and take them to the military enlistment offices. The military can give the police a list of people and ask them to search for them.<sup>188</sup>

Even though there apparently are no criminal consequences of avoiding the summons except administrative fines, there exists, however, a constant threat that a criminal case could be opened for not showing up at the military enlistment offices.<sup>189</sup>

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<sup>181</sup> Daria Korolenko: 8; Huseyn Aliyev: 50

<sup>182</sup> Daria Korolenko: 10

<sup>183</sup> Daria Korolenko: 11

<sup>184</sup> Daria Korolenko: 15; Sergey Krivenko: 34

<sup>185</sup> Daria Korolenko: 12; Huseyn Aliyev: 50; Sergey Krivenko: 35

<sup>186</sup> Sergey Krivenko: 31-32

<sup>187</sup> Sergey Krivenko: 33

<sup>188</sup> Daria Korolenko: 12; Sergey Krivenko: 31

<sup>189</sup> Sergey Krivenko: 35; Daria Korolenko: 17

### 12.1.2 Threats of expulsion from universities

The authorities are using higher educational institutions such as universities to threaten students not to participate in demonstrations or otherwise show dissent with the war in Ukraine.<sup>190</sup>

The students are not directly being expelled for dissent or anti-war actions. The educational institutions invent reasons for expulsion such as disturbing behaviour in classes, lack of attendance or failure to pass exams etc.<sup>191</sup>

This constitutes a problem for male students, because attending studies exempt them from military service. If expelled, they risk either drafting for regular military service or summoning for mobilisation.<sup>192</sup>

According to sources, the same pattern of pressure applies towards students not to be active against the authorities. Even though none of the sources interviewed for this report were aware of cases where students were expelled and sent to war in Ukraine, there have, however, been cases of expulsion of students, and this has probably made some refrain from participating in the protests.<sup>193</sup> According to an article published by Newsweek, some Russian students from the city of Belgorod were mobilised by mistake in the first days after the partial mobilisation order.<sup>194</sup>

## 12.2 Forced recruitment in Chechnya

Regarding the Republic of Chechnya, the drafting of men has been different from the rest of Russia since the start of the full-scale invasion of Ukraine.<sup>195</sup>

When Russia invaded Ukraine, Chechnya was practically the only place in the Russian Federation where forced recruitment took place. Shortly after the invasion, the Chechen authorities began what they called “self-recruitment.” This was the Chechen government’s way to pressure people to join the forces in Ukraine, because the head of the republic, Ramzan Kadyrov, had promised to deliver “volunteers” that would be sent to Ukraine.<sup>196</sup> In June 2022, as claimed by the speaker of the Chechen regional parliament, at least 1,360 Chechen residents had “volunteered.” However, the methods of recruitment consisted of blackmail and threats. Some officials were reported to kidnap potential soldiers and extort money from their families or threaten to rape or torture family members, if they did not sign up for the army.<sup>197</sup> By the end of August, the number of “volunteers” increased to 5,000, according to the speaker of the regional parliament.<sup>198</sup>

<sup>190</sup> Daria Korolenko: 21; Sergey Krivenko: 36

<sup>191</sup> Sergey Krivenko: 36

<sup>192</sup> Daria Korolenko: 21

<sup>193</sup> Daria Korolenko: 22; Sergey Krivenko: 36

<sup>194</sup> Newsweek, *Russian Students Mobilized by Mistake, Governor Says*, 28 September 2022, [url](#)

<sup>195</sup> Claus Mathiesen: 49

<sup>196</sup> Gregory Shvedov: 16

<sup>197</sup> The Moscow Times, *Chechen Authorities Using Threats and Blackmail to Recruit Soldiers for Ukraine – Investigation*, 16 June 2022, [url](#)

<sup>198</sup> Кавказский Узел [Caucasian Knot], *Даудов назвал численность добровольцев из Чечни на Украине [Daudov named the number of volunteers from Chechnya in Ukraine]*, 31 августа 2022, [url](#)

However, the number of volunteers was not sufficient. Thus, the Chechen government and Kadyrov himself threatened with depriving people, who did not want to join the military, of social benefits such as unemployment benefits for low-income families among other things.<sup>199</sup>

According to two sources, this is happening because the Chechen authorities can commit any violation of human rights without any liability.<sup>200</sup>

Many of those who were “self-recruited” and sent to Ukraine in the beginning of the war did not want to return a second time to fight in Ukraine. However, the Chechen leadership continued to pressure them to return. The official argument was that since they already had experience from the war, they had a special obligation to go again.<sup>201</sup>

### 12.2.1 Mobilisation in Chechnya

When the Russian president announced the partial mobilisation in September, Kadyrov relatively quickly stated that Chechnya already had fulfilled its quotas, probably because he did not want to be pressured by the federal government.<sup>202</sup>

However, despite this statement, the Chechen authorities continued to mobilise individuals to the war. The authorities primarily targeted people who showed discontent either with the local government itself or with the war in Ukraine, or people that the authorities somehow disliked.<sup>203</sup>

According to Huseyn Aliyev, there are cases of men targeted by the Chechen authorities, taken directly from homes and brought to detention facilities, where they were beaten and tortured. Afterwards, they are sent directly to the front in Ukraine.<sup>204</sup>

The day of announcing the mobilisation, a group of women announced they would protest against sending their husbands and sons to war. The reaction from the authorities was very strong and minutes after the women assembled, the police detained all of them. Furthermore, the security forces apprehended their male relatives and sent them to Ukraine. The fate of the women themselves was unknown at the time of writing of this report.<sup>205</sup>

On 1 November 2022, according to Caucasian Knot, Kadyrov threatened to continue the mobilisation effort in Chechnya, even though president Putin and the Minister of Defence Shoigu had declared the end of the mobilisation. Kadyrov stated that Chechens should hurry to sign up if they wanted to fight along with fellow Chechens, because otherwise they would end up in units with Russians.<sup>206</sup>

<sup>199</sup> Gregory Shvedov: 17; Кавказский Узел [Caucasian Knot], *Угрозы лишением соцпомощи стали методом рекрутинга в Чечне* [Threats of deprivation of social assistance have become a method of recruiting in Chechnya], 27 August 2022, [url](#)

<sup>200</sup> Claus Mathiesen: 49; Gregory Shvedov: 18

<sup>201</sup> Gregory Shvedov: 19

<sup>202</sup> Huseyn Aliyev: 54-55

<sup>203</sup> Huseyn Aliyev: 54; Gregory Shvedov: 21-22

<sup>204</sup> Huseyn Aliyev: 54

<sup>205</sup> Gregory Shvedov: 20; Caucasian Knot, *Practice of punishment by sending to front spreads beyond Chechnya*, 9 October 2022, [url](#)

<sup>206</sup> Кавказский Узел [Caucasian Knot], *Угроза Кадырова продолжить мобилизацию стала частью кампании по рекрутингу в Чечне* [Kadyrov's threat to continue mobilization became part of a recruitment campaign in Chechnya], 1 November 2022, [url](#)

### 12.2.2 Exodus from Chechnya

According to Gregory Shvedov, editor-in-chief of Caucasian Knot, the number of people who left Chechnya has been steadily high in the past years. However, since the start of the Russian invasion of Ukraine, the number increased significantly.<sup>207</sup> Caucasian Knot reported on 14 October, that according to Chechenstat, the Chechen Branch of the Russian Federal State Statistics Service, 948 persons left Chechnya from January to August 2022, out of which 838 left for neighbouring countries, while 110 left beyond former Soviet republics. For the same period in 2021, the number was 325.<sup>208</sup> However, according to several human rights activists and Shvedov himself, the real number of people who left the republic is probably much higher.<sup>209</sup>

The individuals who leave are from families supported by more than one individual, so the families would not suffer from that person leaving the republic. Furthermore, people who are convinced that they were next in line for mobilisation also fled the republic.<sup>210</sup>

According to Gregory Shvedov, if the Chechen authorities want a person, no place in Russia would be safe, since the local Chechen government can easily target a person outside the republic. In addition, in some instances, it would likely be easier for the Chechen authorities, if the person relocated to one of the bigger cities in Russia.<sup>211</sup>

## 12.3 Ukraine - Occupied territories

In general, there is very little reliable information available about the situation in the territories of Ukraine occupied by Russia.<sup>212</sup>

### 12.3.1 Crimea

Russian military forces occupied the Crimea peninsula in March 2014. Within a couple of months, the Russian authorities held an internationally non-recognised referendum that in a Russian view formally annexed the peninsula. Since then, from a Russian perspective, Crimea is considered as an integrated part of the Russian Federation, even though the annexation has not been internationally recognised and has been condemned.<sup>213</sup>

Regular military service and the countrywide mobilisation also covered Crimea in Russian legislation.<sup>214</sup> However, according to Human Rights Watch, the recruitment of young men from Crimea violates international

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<sup>207</sup> Gregory Shvedov: 21

<sup>208</sup> Caucasian Knot, *Amid mobilization, number of those who leave Chechnya increase significantly*, 14 October 2022, [url](#)

<sup>209</sup> Caucasian Knot, *Amid mobilization, number of those who leave Chechnya increase significantly*, 14 October 2022, [url](#); Gregory Shvedov: 21

<sup>210</sup> Gregory Shvedov: 22-23

<sup>211</sup> Gregory Shvedov: 24

<sup>212</sup> Sergey Krivenko: 46

<sup>213</sup> EEAS, *Seven years since Russia's illegal annexation of Crimea*, 25 February 2021, [url](#); HRW, *Crimea: Conscription Violates International Law*, 1 November 2019, [url](#)

<sup>214</sup> Claus Mathiesen: 52

law, including the Fourth Geneva Convention<sup>215</sup>, which explicitly forbids an occupying force to draft occupants in its armed forces. From 2015 to 2019, almost 20,000 young men from Crimea were drafted to Russian military service.<sup>216</sup>

### 12.3.2 Donbas and occupied territories

Already before the Russian invasion, the breakaway governments in occupied territories of Ukraine's Donetsk and Luhansk regions initiated a full mobilisation for men between the age of 18 and 55. However, it was reported that soldiers from pro-Russian armed groups were sweeping the streets in raids for potential conscripts.<sup>217</sup>

When Russia carried out the unrecognised annexation of four Ukrainian territories on 30 September 2022, these regions in a Russian perspective became part of the Russian Federation. Furthermore, Russian conscription was introduced in these areas. The inhabitants also became part of the Russian mobilisation.<sup>218</sup>

In the Kherson and Zaporizhzhia regions, there were separate efforts of mobilising individuals holding Russian passports before the annexation. Currently, there are reports that a significant number of people with Russian passports in these territories are being mobilised into the Russian armed forces. According to Huseyn Aliyev, anyone that the military officials can get a hold of will be sent straight to the frontlines, because there is a lack of people who are able to serve in the military.<sup>219</sup>

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<sup>215</sup> Russia is a party of the Fourth Geneva Convention

<sup>216</sup> HRW, *Crimea: Conscription Violates International Law*, 1 November 2019, [url](#)

<sup>217</sup> Meduza, *Stay hidden or get drafted*, 26 February 2022, [url](#); OHCHR, HRMMU, *The situation of human rights in Ukraine in the context of the armed attack by the Russian Federation*, 29 June 2022, [url](#), p. 36-37

<sup>218</sup> Claus Mathiesen: 51; Huseyn Aliyev: 47-48

<sup>219</sup> Huseyn Aliyev: 47-48

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## Annex 1: Interviewed sources

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### Claus Mathiesen, Associate professor in Russian, Royal Danish Defence College

Interview, 12 October 2022

#### **Mobilisation and reservists**

1. In the 2000's, Russia refrained from having a mobilisation army. Instead, Russia preferred powerful, standing forces in a high state of readiness. Nevertheless, the idea of mobilisation was there, and Russia has built reserves. The purpose of conscripts is to transfer them to the reserves after completion of the conscription period. In case of war, the conscripts can be mobilised.
2. Mobilisation is usually done before a war. Russia's challenge is trying to wage a war while mobilising at the same time.
3. At first, there was talk of mobilisation of 300.000 men. Sergei Shoigu, the Russian minister of defence, stated that Russia has 25 million men in the reserves. In theory, that is correct. However, it is vital to look into what the reserves consist of. Firstly, they consist of conscripts who have been trained the past couple of years. In some countries, conscripts who have been trained during the past 8 years are included. The source was not sure if this applies to Russia.
4. Depending partly on their training background and the role given to them in the military, and partly on how long ago it was, it will be required for them to undergo continuation training to some extent before they can be sent into war.
5. When the conscription period in Russia was shortened from 2 years to 1 year in 2008, the conscripts lacked half of their training and are in need of comprehensive continuation training, before they can be sent to war. Because of the shorter training period, there are things they never learn.
6. This is a challenge for Russia now. The military officers and military units, who are in charge of training them, have already been sent to Ukraine.
7. The source believes that the mobilisation effort has been careless and chaotic, and that soldiers have been sent to Ukraine without enough training and attire.
8. During conscription examinations, the conscripts will be categorised into one of five categories in regards to their eligibility. Only persons who have been categorised as unconditionally suited and suited with limited restrictions will be summonsed for conscription during peacetime. Persons categorised as suited with limitations, however, will not be summonsed for conscription during peace-

time. However, they will automatically be transferred to the reserves. Naturally, all of these persons cannot be sent directly to Ukraine as they have no training.

9. Military officers, who resign before they are entitled to retirement, are also transferred to the reserves. The same applies for contract soldiers who have completed their contracts. These could also be women. The abovementioned groups are those who could be sent into war fastest, as they have a military background.
10. The source believed that persons who are mobilised from the reserves are forced to sign a contract. The source believed that is the only way to mobilise these people legally, as wartime has not been implemented.
11. The age limit for mobilisation is 50 years for privates and commanders, 60 for officers up to and including captains, and 65 for older officers. The age limit can be increased if a person is of higher ranks. In the case of partial mobilisation, however, the age limit is 35 years for privates and commanders, 50 years for officers up to and including captains, 55 for majors and above – that is also a justification for calling the mobilisation "partial" - you do not go to the extreme age limits.
12. Nurses, doctors and people educated in IT can be part of the mobilised reserves as well in the capacity of their civilian educations, even though they have not completed military service.
13. There has been confusion about exemptions from the mobilisation in regards to people who have not previously completed military service and people, who have been categorised as suited with limitations, but the source opined that the law allows for these people to be summonsed.
14. Whether students will be exempt from mobilisation remains to be seen. The source opined that this group could be affected by carelessness. The source believed that students, who participate in demonstrations, could be threatened with expulsion from their schools and universities as part of a scare campaign. If they were expelled, they can either be drafted for conscription or summonsed for mobilisation.
15. The source believed that the ongoing partial mobilisation could be regarded as a full mobilisation, where Russia can mobilise whoever they want. The Russian law regarding conscription deals with all of the previous mentioned groups.
16. The source opined that no group per definition has been granted exemption from the mobilisation.
17. The weight of the reservists is still coming from the poorer regions that traditionally have been providing soldiers for the Russian military. A lot of people from larger cities, who are highly educated, have been able to avoid conscription.
18. Young persons from Moscow and St. Petersburg are also being summonsed now, which was not seen as much previously. This is due to the fact that Russia tried to avoid demonstrations in the

larger cities. However, there still is an imbalance in regards to where the reservists are being summonsed from.

19. Contracts have been more attractive to people from the poor regions, which is why there are more people from these regions in the reserves as well.
20. In practice, the mobilisation depends a lot on the regions. In some regions, there is lack of uniforms, military boots, weapons and other equipment. The source opined that scam and carelessness is connected to the mobilisation efforts. Corruption plays a large role in this area.
21. The source did not have information about people being mobilised by mistake and returned to Russia.
22. The source opined that the partial mobilisation would prolong the war. It will not turn the tide of war in Russia's favour in the short run.
23. Asked if members of the security forces could be mobilised for the war, the source replied that nothing hinders that as long as the persons are in the reserves. By virtue of their employment in the security sector, their jobs there could be more important.

#### **Legislation**

24. The enhanced legislation was connected with the mobilisation in order to avoid people trying to evade mobilisation. This happened as Russia had not been successful in mobilising volunteers.
25. The punishment for simulating at conscription examinations, e.g. pretending to be blind or to suffer from mental illnesses, has been increased.
26. The punishment for desertion has been increased as well. It is difficult to establish when desertion has taken place compared to when a person leaves the military service. The source opined that desertion only can take place after a soldier has sworn an oath of allegiance and completed the initial recruitment course. Before these things have been completed, the recruit has no rank in the military.
27. The punishment for military evasion has been increased.
28. The source was not aware of any other new legislation in connection with the partial mobilisation.

#### **Conscripts**

29. The source believed that military offices have induced conscripts into signing military contracts with pressure. In that way, Russia is able to state that conscripts will not be sent into the war. If conscripts are pressured into signing contracts, they can legally be sent into war.

30. Asked if there has been any changes in regards to the situation for conscripts, the source stated that the pressure on the conscripts to sign a military contract undoubtedly has increased.
31. When the conscripts complete the conscription period, they are transferred to the reserves, from where they potentially could be forcibly mobilised by signing a contract.
32. The conscription period has been affected by the war in the sense that the officers in charge of training the conscripts have been sent to Ukraine.
33. The source believed that it is still illegal to deploy conscripts to war zones. The conscripts, who are doing their military service at the moment, will not be deployed to the war. The source again stressed that the pressure for the conscripts to sign contracts undoubtedly has been increased.
34. When Russia drafts conscripts twice each year, conscripts are not only used in the armed forces. Conscripts can also be used in the National Guard and in the Ministry of Emergency Situations.

#### **Contract soldiers**

35. The source believed that it could be true that contracts no longer have an expiration date.
36. As a rule, contract soldiers cannot refuse to participate in the war without being punished somehow. They can try to cancel their contracts, but as they have been contract soldiers, they will be transferred to the reserves, from which they can be forced to sign a contract again.
37. Asked about the possibility to leave Ukraine and return to Russia to fill in a form within 10 days, the source replied that he has read about it, but he does not believe that it happens often in practice.
38. Russia has not imposed wartime. If wartime is imposed, a wide range of administrative initiatives follows. The police would be able to widen their authority, curfews can be implemented, and checkpoints and roadblocks could be introduced. Instead, Russia still refers to the war as a special operation. Therefore, they do not have these possibilities. Because wartime has not been implemented, a lot of things do not add up in a legal sense.
39. The source believed that it is possible that Russia will declare wartime sometime in the future, e.g. with reference to NATO's engagement in Ukraine. Already at this point, the Russian media does not refer to the war as a special operation anymore.
40. Wartime can be implemented in parts of the territory of Russia, not necessarily in all of Russia.

#### **Private military actors**

41. The source believes that recruitment to private military actors, such as Wagner Group, has taken place in Russian prisons. However, in 9 out of 10 instances, the profiles recruited in this manner will be unfit persons. This kind of recruitment is part of a Russian scare campaign.

42. The scare campaign had the purpose of showing that there are Russian units in Ukraine consisting of people with criminal records, who are ready to kill ruthlessly.
43. Wagner Group usually recruits among soldiers with experiences from the Special Forces (Spetsnaz).
44. The source has noticed a pattern of circulation. If a person has been a part of the Special Forces, it is likely that this person will later become a member of Wagner Group, and vice-versa. It is the same kind of people. The profile of the classic Russian prisoner is far from the usual Wagner profile.
45. Asked if it would be legally possible to remove or cancel the remainder of a prisoner's sentence in exchange for that person signing a contract with the Wagner Group, the source found that it would be possible in some way. A court decision would likely be necessary.
46. Wagner Group and other private military actors have been very active in recruiting, also outside of prisons. The source was not aware of how many have been recruited this way. This is due to the fact that these military actors have a high level of requirements. Recruits should preferably have military backgrounds.
47. One of the most attracting things for recruits joining these groups, especially recruits from the poorer regions, are the salaries.

#### **Forced recruitment**

48. There has been attempts to have Russian regions offer volunteer units for the war. In this regard, it is necessary to consider the degree of the term "volunteer". The source was not aware whether these volunteers were required to sign contracts.
49. When it comes to Chechnya, it is a different story. The source opined that rules were not always followed in Chechnya. In Chechnya, people do as Kadyrov commands. Therefore, a notice of military exemption will not suffice, and the person in question would be told that. Kadyrov has revoked all rules in Chechnya.
50. The source found it unclear where Kadyrov units fight, but he was under the impression that they fight alongside the National Guard, and that their purpose is to secure rear areas. With the current development, Kadyrov units are more like occupational forces rather than frontline fighters.
51. When the four Ukrainian regions from a Russian perspective became a part of the territory of the Russian Federation, Russian conscription was introduced in these areas. Conscripts in these areas cannot be sent to the front, unless they sign a military contract, which is highly incited – in accordance with the situation in the rest of Russia.
52. In Crimea, the whole system has become Russian since 2014. However, that is after 8 years. The situation in the newly annexed areas is not as developed yet.

- 53. The source has not heard reports about young men being mobilised in the streets in the annexed areas.
- 54. Asked if a person with a Ukrainian passport in the annexed areas would be able to avoid being sent to the frontlines, the source replied that it would not be a hindrance. Persons with Ukrainian passports in these areas would be considered persons without passports at all. They would not be able to travel anywhere with the Ukrainian passport. They would be considered Russian citizens regardless of whether they have a Russian passport or not. This would mean that they could be forcibly summonsed to military offices.

#### **Conscientious objectors**

- 55. Alternative civil service has never been very popular in Russia.
- 56. The source opined that in order to be granted alternative civil service under the current circumstances, a person would be required to have very strong arguments.
- 57. The source did not believe that people, who have completed alternative civil service, are transferred to the reserves.

#### **Deserters and draft evaders**

- 58. The source has not heard of any cases regarding deserters. The source believed that cases of desertion would be hidden from the public, if they take place. Certainly, practice differs from place to place depending on the judge's moral constitution.
- 59. Persons who have been summonsed can either escape Russia or hide internally. There is also the option of trying to bribe their way out of mobilisation.
- 60. Others try to fit into one of the categories that are legally exempted from mobilisation.
- 61. The source believed that a person could try to fake another identity in the military offices.
- 62. There has been attacks on military offices. For example, some military offices have been burned to the ground. People have tried to delete the lists of names, as some of the military offices outside of the larger cities are not digitalised. In this way, there will be no record of those persons.
- 63. Besides leaving the country, people try with all means to avoid being mobilised. Someone may know someone who can be paid, and health documents can be swindled with. There are a lot of loopholes in the system. People with resources have the most options to avoid mobilisation.

## Huseyn Aliyev, Lecturer in Security Studies at University of Glasgow

Skype interview, 4 October 2022

### New legislation

1. The changes to the criminal code are straightforward and fairly clear. The increase in prison terms and the number of years people will get for desertion and service evasion was expected.
2. The decree on the partial mobilisation is a much more questionable document, because it has very few details. The expected partial mobilisation has never occurred. Instead, a nearly full mobilisation has taken place. As far as the source knows, the document announcing the partial mobilisation does not specifically mention which categories of reservists will be called up for military service.
3. The minister of defence, Sergei Shoigu, mentioned that only individuals with combat or military experience and individuals, who have specific military professions, will be drafted, as these are currently required by the Russian army. In certain Russian regions, some military officers in charge of mobilisation have applied certain criteria, but these were very few cases. In most cases, anyone who could have been drafted was forcibly given a notice and taken to a military office. In many cases, these persons were sent to training areas. In some cases, they were sent to the areas of military conflict in Ukraine.
4. The document regarding partial mobilisation is very basic and therefore allows the Russian government opportunities to twist it in different directions, which they have done quite effectively.
5. This has not been a partial mobilisation as prescribed in the document. Russia has already attempted to conduct a full mobilisation disguised as a partial mobilisation. Russia was unable to provide conditions for the mobilisation. There were no logistics, no infrastructure and no military personnel to implement the partial mobilisation. The source would not expect that a full mobilisation will be called soon. On the other hand, the source opined that the partial mobilisation will occur in waves.
6. A few Russian regions have already declared that they have fulfilled their quotas in the partial mobilisation. This could therefore be expected as the end of the first wave of the mobilisation. Certainly, there will be a second, and possibly a third, wave of mobilisation until the end of this year or until the end of the war.
7. Until now, there has been no information regarding whether or not conscripts will participate in the special operation. As Russia unilaterally has declared that it has annexed Ukrainian territories, the Russian leadership has the opportunity to declare war on Ukraine. In this case, conscripts would be sent to participate in the war. As of now, the source was not aware of a situation in which it has been declared that conscripts will be sent to participate in military activities. The situation, both legally and officially, remains the same as during the time of the special operation, when conscripts

legally could be sent to the frontlines. According to statements at that time from president Putin and the Ministry of Defence, conscripts were officially not sent, but there were multiple cases where conscripts actually were sent.

8. Officially, the situation of conscripts has not changed. The source opined that the situation could change significantly, possible within days, because of the efficient Ukrainian counter offensive. Ukraine is taking significant territory from Russia – territory which Russia now claims is part of their state. Most likely, there will be a declaration of war and some kind of military, martial state in Russia. In this case, Russian conscripts will be included.
9. The source informed that he has not seen any new legislation regarding military and recruitment recently. The source expects that the Russian parliament will come up with other pieces of legislation to solidify the mobilisation, and add more details, which could enable them to recruit larger categories of individuals, including people with no military experience and those who are not army reservists. As Russia is already recruiting these persons, they would need to legalise it.
10. Individuals, who have not previously served in the army, have been drafted as part of the mobilisation and sent to the frontlines. Something will likely be released to provide the Russian government with more mechanisms to legalise the situation.

#### **Martial law**

11. According to the source, martial law theoretically should facilitate unlimited mobilisation in those regions where it was declared. Mobilisation/recruitment processes should then be under the control of military administrations established in these regions.
12. It will make little change to the annexed regions as DNR/LNR have already been under martial law, total mobilisation and military administration before the annexation. Occupied Kherson and Zaporizhya regions experienced similar conditions before the annexation.
13. In Russian regions covered by the law, the act will allow military administrations almost unlimited control over civilian offices.

#### **Recruitment to the Russian military**

##### **Conscripts**

14. After the declaration of the partial mobilisation and the annexation of territories, the source has not seen reports of conscripts being sent in large numbers to the frontlines. It is possible that there still are some individual cases happening as they have throughout the military campaign.
15. Since 21 September 2022, when the mobilisation was called, there has been multiple reports that individuals have been mobilised and already sent to frontlines in the Lyman area. According to the source, it is a peculiar situation as those individuals have much less training than conscripts. It

would be expected that conscripts would fill the gaps rather than persons who were just mobilised, but this has not happened so far.

### **Draftees**

16. The decree on the partial mobilisation does not provide any specific details on who should be included in the mobilisation. According to the minister of defence and other government officials, only persons with military and combat experience inside and outside Russia will be drafted.
17. There are reports that persons working in the IT industry will not be drafted, but there are cases where this has happened.
18. There were claims that people who have a large number of children will not be drafted, as well as people with disabilities. There have been reports that people with disabilities, including people not able to walk and people with various stages of cancer, have received military notices and were forced to show up at the military offices.
19. The partial mobilisation has been chaotic. Infrastructure needs to be created, logistics need to be established, training facilities must be prepared, and military personnel in charge of training and conducting the mobilisation is needed. None of this has been created. The source is convinced that Russia did not prepare for a partial mobilisation. There is no level of organisation.
20. When young men tried to escape across the border to Kazakhstan, Georgia, Finland and the EU, Russian military officials installed military recruitment offices on the borders.
21. There were a number of reports that medical doctors and personnel have been mobilised and sent to the frontlines. The source opined that these persons would be expected to perform their jobs rather than serve in the army and participate in combat.
22. The Russian army has for several months been experiencing an extreme shortage of particularly military medics and individuals with experience in dealing with bullet injuries and other combat related injuries. Therefore, Russia has been drafting civilian medics in order to fill the gaps. Some of these have been sent to Ukraine, mostly in their professional capacities. The source was not aware of situations where medical personnel was required to participate in military combat.
23. There has been no standard across Russian regions and districts in regards to the general conditions for the training facilities. Most reports indicate that after people have been drafted by the military offices, they are sent to a temporary holding area. These are various gyms, sports facilities and entertainment venues, which have been reconstructed to house large numbers of people. Bunk beds have been installed.
24. There are videos and reports of people being left outside in forests to camp on the bare ground until they could be moved to another place.

25. There are very few reports of training being provided. In some cases, people have been shown how to use firearms and hand grenades. In most cases, people have not been provided with any training at all. Instead, they were sent straight to Ukraine provided with a uniform and some basic weapons. There were reports on the Ukrainian side that these persons have been taken prisoner or killed.
26. The conditions are dependent from region to region. In most cases, they were chaotic. The source opined that conditions would be better for persons mobilised from larger cities such as Moscow and St. Petersburg. The larger cities have better military facilities and more military personnel to organise the facilities.
27. As far as the source knows, there is a relatively limited number of people who are mobilised and who showed up at the military offices from large cities. A large number of people from large cities have tried to escape Russia. Much of the mobilisation has occurred in the remoter regions in the Russian Far East, Siberia, and Caucasus.
28. If you receive a military notice, you have to show up at the military office. Legally, it needs to be established whether you belong to a category that could be mobilised. Secondly, there is a medical check-up. Following the check-up, it can be established whether a person is fit for military service. As far as the source was aware, the vast majority of those who receive notices, show up at the military offices.
29. Under the current circumstances, it is not possible to refuse to show up without facing legal prosecution. If the person leaves the country and deserts, there will be legal prosecution and possibly criminal charges. As long as a person leaves Russia without having received the notice, there will be no criminal prosecution.
30. The legal window of 10 days to leave Ukraine and return to the home base in Russia, where a report should be filled in, could potentially apply to people who already have been drafted. The source was not sure whether this opportunity was still legally available.
31. President Putin himself and other military officials have spoken about mistaken mobilisation. It was stated that thousands have been sent back home because they were not supposed to be mobilised. According to the source, this probably is the case. People who work in IT, who were called to be mobilised, were released because, for now, it is forbidden to mobilise people working in the IT industry and a few other professions. People of old age, over 60 years old, or even 80 years old according to anecdotal reports, were called up. This happened due to lack of infrastructure and databases.
32. The source opined that a possible significant number of people who can prove that they should not be sent to serve in the military, or who can provide evidence or documentation for this, could be released and returned.

33. It also depends on the regions. Some of the regions have been more responsible and efficient during this campaign. In the Belgorod region, which is on the border with Ukraine, a lot were sent straight to Ukraine. In most cases, medical check-ups did not take place to determine whether a person had any significant illnesses.
34. Regions bordering Ukraine were less selective and more indiscriminate in their mobilisation efforts.

#### **Contract soldiers**

35. Contract personnel are no longer allowed to leave their jobs. They are no longer allowed to write a notice stating that they are no longer willing to serve. They can no longer cancel their contracts.
36. Individuals who have recently retired from military service or who have withdrawn from their contracts with the Ministry of Defence are being called up as part of the mobilisation, since they are a group of persons with military experience and possibly combat experience. They have to return to military service.
37. There are reports that a lot of persons, who have tried to leave the country, are people who have already served in the Russian military forces and participated in the Ukrainian campaign. It is not legally possible for them to refuse to go to Ukraine. They can try to avoid the military notice or leave the country, but there is no legal option to avoid service.

#### **Private military actors**

38. Until recently, there had been rumours about the Wagner Group's attempt to mobilise inmates in Russian prisons. Some weeks ago, a video was released which showed the leader of the Wagner Group Yevgeny Prigozhin visiting one of the prisons in Russia. He was talking in front of the inmates and tried to recruit them to the Wagner Group.
39. Human rights organisations that focus on the rights of inmates in Russia reported that hundreds of inmates from different prisons have volunteered to participate in the military campaign as a part of Wagner Group.
40. Inmates who are in prison for murder or rape, or others with long prison sentences, are those who normally volunteer for serving. The source opined that everyone who volunteers would be accepted into Wagner Group. There is no certain categories that would be selected.
41. There are reports that Wagner Group created a separate battalion consisting exclusively of inmates.
42. The inmates have been offered that their prison sentence will be cancelled if they join. The source informed that there are no legal provisions allowing this in Russia. According to the source, it is widely believed that this promise will not be fulfilled. The inmates might get paid, but release from prison is highly unlikely.

43. From the Ukrainian side, there were reports that Russian inmates had been taking prisoner in Ukraine, and that they eagerly surrender when faced by Ukrainian forces. The inmates do not have any military training.
44. The source has not heard reports that Wagner Group has been visiting Russian prisons after the partial mobilisation was called.
45. Wagner Group is mostly based around Bakhmut and Avdiivka, where they have been spearheading Russian offensives, primarily because Wagner Group is more flexible in terms of military command. According to the source, Wagner Group takes no value in the lives of inmates or recruits who join them.
46. Wagner Group's official recruitment routes are still open for individuals with military experience. They have lowered their standards, so that anyone who is willing to join Wagner Group is able to do so. They still offer attractive salaries to persons who join them voluntarily, not to inmates. So far, the recruitment has not been efficient.

#### **Forceful recruitment**

47. What is happening in Russia now, is what has been happening in Donetsk and Luhansk since the start of the war, which is basically a full mobilisation. It can be called a forced mobilisation, according to the source. The mobilisation efforts in the annexed territories have never stopped. In the Kherson and Zaporizhzhia regions, there has been separate efforts of mobilising individuals holding Russian passports before the annexation. Now, there are reports that a significant number of people with Russian passports in these territories are being mobilised into the Russian armed forces.
48. The situation in the Donetsk and Luhansk regions have not changed significantly. Mobilisation continues like it used to. Anyone that the military officials can get a hold of, will be sent straight to the frontlines. There is a lack of people who are able to serve in the military.
49. Persons in these territories, who state that they are Ukrainian, risk being taken to an underground filtration facility, where they will be tortured and held in detention indefinitely. So far, the source has not heard about individuals with Ukrainian passports being mobilised in those territories, but the source expects it will happen soon, as Russia legally will consider this area a part of the Russian Federation now. There will be a pressure for people to take Russian passports. The source believes this could happen forcibly. If that happens, these people could be sent to serve in the Russian armed forces.
50. One of the strategies of the Russian law enforcement has been to issue military notices to people that have been arrested for protesting the mobilisation. The source opined that this has happened regardless of whether that person was fit to serve in the army.
51. According to the Russian law enforcement, the fitness and suitability for service in the army is something that will be determined after the people have been mobilised and sent to the medical

check-up. There is no barrier to distribute the military notices – similarly to how it was done in Donetsk and Luhansk since the start of the war.

52. There were more protests in the Republic of Dagestan in the North Caucasus, but also quite a few protests in Russia in larger cities. They have been on the same level in terms of attendance. They were not massive protests, but there were hundreds of people participating. In Dagestan, the protests turned violent, and there has been a lot of police violence against the protesters, including women.
53. There are unofficial reports that military officials in Dagestan are not trying to recruit as many individuals as before. They are more selective and only try to recruit reservists or people with military experience. They are not doing a massive, indiscriminate mobilisation, similarly to other Russian regions after the protests. This is unofficial as there is no official statement that the mobilisation in Dagestan will be of a different nature.
54. In Chechnya, there is still mobilisation. Individuals are still being grabbed and mobilised, but Ramzan Kadyrov, the head of Chechnya, has declared that Chechnya has already fulfilled its quota on mobilisation, even before the start of the partial mobilisation. Even so, Chechnya is still mobilising individuals, especially persons who protest and persons who, for various reasons, are disliked by the government. It could be persons belonging to a potentially hostile clan. There is still mobilisation going on, but it is mostly hidden, violent and forceful. Individuals are grabbed from their homes and taken to detention facilities where they are being tortured and beaten. Afterwards, they are sent straight to the front. This is nothing new for Chechnya, as a similar mobilisation has been taking place since the start of the war.
55. The source assumed that the reason why Kadyrov has claimed that Chechnya has fulfilled its quota and is not going to call up additional reservists, primarily is because he does not want to be pressured.

#### **Desertion and conscientious objection**

56. Desertion can only legally be classified as desertion if the person in question was issued a notice from the military office. There is no information about whether the people, who have attempted to leave Russia, are potentially fit for military or not. There could potentially be cases of desertion if these people potentially fit into categories that could be called up for mobilisation.
57. Different numbers have been going around in regards to how many people have left Russia. The source has heard that around 250 and 300 thousands have already left Russia. The number could be higher by now.
58. Young people in mobilisation age have left the country. Hundreds of people are still lining up on the border between Russia and Georgia. There were also huge lines of individuals and cars stranded on the border to Kazakhstan.

59. Persons, who have already been issued notices to show up at military offices, nevertheless have tried to leave Russia or hide in Russia. The source knew of a few cases where individuals have been issued military notices at the border to Georgia. These people showed up at the military offices, as they did not want to face the legal consequences of not showing up.
60. Others have risked facing criminal charges rather than serving in the military. This includes persons who had already served in the Ukrainian campaign. The source assumes that these are a few cases.
61. The source has not seen legal provisions that disable the alternative civil service for potential conscripts or reservists. The source assumes that it still legally exists. Unless there has been a legal provision that changed the opportunity, it should still be available. To what extent it has been respected and implemented in practice, is a different matter. The source expects that it is ignored in most cases. There has been reports that people with religious, moral or ethical grounds will be ignored. People with disabilities, who cannot walk or lack limbs, have still been issued notices.
62. There are anecdotal cases where relatives of individuals who passed away years ago have received notices on their behalf. This is another indication of how unprepared the military offices were for the mobilisation.
63. Most military recruitment offices, with the exception of some in the large cities, do not have digital databases. They only have data on paper. They use paper databases to call up people for mobilisation. Because of this, there has been arsons on military recruitment offices. The number of arson attacks have increased since the start of the partial mobilisation. People want to remove the data on individuals who could be called up for military service.
64. Under these circumstances, the source does not believe that people who apply for conscientious objection would be respected in reality, even though they legally should be.
65. Asked about people who declare that they have a Ukrainian passport, the source replied that he had not heard about such cases. The source would expect that such persons would hide that they have a Ukrainian passport to avoid facing potential prosecution. The reality might be different according to the source. The situation in the annexed territories will be different, especially in Kherson and Zaporizhzhia, where the majority of the population has Ukrainian passports.
66. There were hundreds of thousands of individuals, who had Ukrainian passports in Russia before the war, and a significant number of these have probably already left Russia. There does not seem to be any reliable statistics on how many people that had Ukrainian passport in Russia before the war, but figures of up to 1 million people or more are provided.

## Daria Korolenko, OVD-Info

Online interview, 10 October 2022

### Presentation

1. OVD-Info is a Russian non-governmental human rights media organisation that began its work more than 10 years ago. The organisation mostly focused on documenting and publishing information on freedom of assembly, but in the latest years, the organisation started monitoring political persecutions in all forms. Presently, the majority of the work of the organisation are with anti-war cases, such as anti-war oppressions, freedom of expression, anti-war protests etc.
2. The organisation has a telephone 24/7 hotline and a Telegram bot where people affected by human rights violations by the authorities can call.
3. The organisation publishes reports, data and news stories on its website. The information origins, among others, from information gathered of the complaints to the hotlines that the staff of OVD-Info verifies before publication. Furthermore, the legal staff and other independent lawyers working the organisation also gather information from the courts and police departments.

### Demonstrations against mobilisation

4. According to the source, it was obvious that the government from the first half of September was planning something regarding mobilising the military. The government quickly implemented legislation that would criminalise, among other things, attempts to escape from mobilisation.
5. When the Russian president announced the mobilisation on 21 September 2022, OVD-Info already expected some kind of protests against the mobilisation. However, the demonstrations differed from the ones that were at the start of the war in February and March 2022. Many other types of people participated in the demonstrations in September. For instance, in Dagestan and Yakutia the demonstrations were more original and women-led.
6. In general, the number of women who were detained on September 21st were 51%, and on September 24th — 71 %. OVD-Info had never before detected so many women in the demonstrations before.
7. The women were protesting because their loved ones, i.e. their husbands, their sons were going to be conscripted. Furthermore, the men feared that they would be conscripted if they went out to the streets to demonstrate, why many stayed home. The fear turned out to be real, since in at least eight cities the police handed out call-up papers for the army to men, who were arrested for protesting.
8. The demonstrations against the mobilisation also differed in the way in which the authorities responded to them. The protests in September were met with considerably more violence from the state than the anti-war protests in February and March. The police was arresting more people and in a more violent way. The violence was more visible than before and the police beat many people.

The police also used threats more openly, and many arrested men were threatened with being sent to fight in Donbas.

9. The response from some of the protesters also became violent. All over the country, there were cases of military recruiting offices that were set on fire. Furthermore, in a few cases, military officers were shot at.

#### **Summons among detainees**

10. During the first days, the police arrested at least 2 400 people. In 31 police departments in at least eight cities the police handed out summons to the men who was arrested. The source assessed that more than 100 men received a paper for call-up for the army by the police.
11. The paper said that the men were ordered to come to the military offices the next day. Some of the men immediately fled Russia in order not to be forced in to the army. Some ignored the call-up. However, the source knew of at least one person who showed up at the military office. The response from the military officers were that he was not welcome and should go home.
12. According to the source, the police wrote the summons in order to scare people not to demonstrate. The legislation does not give the police any justification to hand out the summons.
13. OVD did not count men specifically. As far as OVD is aware, none of the men who were handed a call-up paper went to military offices. They either ignored the summons or fled the country.
14. In general, if they show up themselves, they will be mobilised, but if they refuse to go, they are not followed as of now.
15. Furthermore, there were some cases of lawyers, who came to either the police departments or the courts in some districts in Moscow to defend the apprehended people, who also were given summons. According to the source, the lawyers ignored the call and did not show up at the military barracks.
16. Even some local politicians who wrote anti-war letters were given the summons for the mobilisation.
17. As of the middle of October, no criminal cases have been opened against people who did not show up at the military recruitment offices. However, there exists a constant threat that either an administrative case or a criminal case could emerge for not showing up. The source noted that there are reports that people are threatened by guys from the military or the law enforcement or civilian state employees when they do not show up for the mobilisation. The situation is chaotic for the moment, since no one was ready for the mobilisation.
18. There is, however, a criminal case because one of the mobilised men tried to escape the military training in Buryatia. The investigation is conducting a pre-investigation check under the new (adopted on September 20) Part 2.1 of Article 332 of the Criminal Code of the Russian Federation: Failure to comply with the order of the chief in the conditions of an armed conflict. There is also a

case regarding refusal to participate in hostilities due to the refusal of two evangelists to participate in hostilities.

19. According to the source, no high profile dissident has yet been sent to the war.
20. However, a judge from the constitutional court, Anatoly Nogovitsyn, resigned in protest of the unrecognized annexation of Ukrainian territories. A deputy from Yakutsk posted a video against the mobilisation and the police initiated a criminal case against him. An investigation is underway. He is now under a preventive measure in view of the prohibition of certain actions and is waiting for the results of the investigation and trial.

#### **Expulsion from universities**

21. The source highlighted that the universities were beginning to expel or threaten to expel students who show dissent with the mobilisation or the war itself. For male students this means that they do not have a reason not to go to the army anymore. They risk being drafted for regular military service or for mobilisation.
22. The source has not yet heard of cases of people being expelled for then to be sent to the army. However, there are cases of people being expelled and this has probably made some people refrain from participating in the protests.

## Human rights lawyer

Presentation, 3 November 2022

### Military service and mobilisation

#### Desertion and refusal to fight February – August 2022

1. Before the mobilisation in September 2022, there were thousands of contract soldiers, who refused to fight in the war in Ukraine. None of them have been criminally prosecuted, even though the risk was high. The only consequence was that they were dismissed from the military. Some of them tried to challenge the dismissal in the courts, because there were economic consequences with the salaries etc. However, they all lost the cases in the courts, but that was part of a compromise in order to avoid criminal prosecution. The Ministry of Defence and the Rosgvardiya did not want to show the numbers of people deserting or refusing to fight, why they did not want to put the people, who deserted or refused in the spring 2022, to court.

#### Waves of emigration 2022

2. There has been two waves of emigration from Russia in 2022. The first wave took place from February 2022 right after the Russian invasion of Ukraine. It consisted mainly of people from the middle class, business people, political activists, staff from NGOs and the media and IT specialists. The second wave took place after the announcement of the mobilisation in September 2022. It consists mostly of a broader lay of men in the age from 30 to 50 years.

#### Mobilisation

3. According to the official information from the Ministry of Defence, 300,000 men have been drafted. 87,000 of them have been moved directly to the frontline. However, no one knows the official number. The source doubted that the mobilisation is over as was stated by the official authorities. There has been a lot of confusion and altering of plans in the regions. It has depended on the social situation in the regions. For instance, the source mentioned that in the republic of Tatarstan, the first number of drafted was 10,000 people. When the demonstrations came, the number was lowered to 3,000. Finally, when the regional authorities stated that the mobilisation in Tatarstan was completed, the number was 8,000.
4. There are no profiles of people being mobilised. The military offices drafted everyone who showed up. There were reports that doctors were drafted as shooters or sent to the frontline.
5. In some regions, it was not complicated drafting men for the mobilisation, while especially in the bigger cities such as Moscow and St. Petersburg, the police needed to stop and take people in public places.

6. When the mobilisation was announced, no one was prepared for its implementation on any level; the rules and regulations and the law itself were contradictory and deficient. For instance, alternative non-military service should have been provided to every man in any situation of possible military service, because it is stated in the constitution. However, the official position of the Ministry of Defence is that alternative non-military service is not provided during mobilisation.
7. Furthermore, all the regulations on the mobilisation was informal. No normative acts guiding the mobilisation were published; the process was characterised by a level of secrecy and non-transparency. It has created confusion and panic in the population, and the process continues to be a mess with contradicting actions and statements that often are not in the legislation at all or it contradicts present legislation.
8. According to the law, women and medical staff can also be drafted. However, the Ministry of Defence commented that women are not drafted.

#### Recruiting to private military companies

9. Private military companies, first of all Wagner, is recruiting among prisoners, immigrants and foreigners. On 4 November 2022, Putin signed the law allowing the recruitment of prisoners.

#### Conscripts

10. Conscripts can be used on the frontline. There are certain conditions, but they can be moved to combat zones. However, there have not been any indications that conscripts were sent to the frontline. The conscripts are sent to the border regions to Ukraine, such as Belgorod, Kursk, Bryansk, Rostov, Krasnodar and Crimea. There are no sign that they are sent to the occupied territories, though.

#### Deserters during mobilisation

11. Immediately after the mobilisation was announced, the first criminal cases against deserters were opened. One case (from Penza?) was opened on draft evasion. However, this case could not be initiated at all, because the Russian Supreme Court already stated that article 328 in the criminal code only covers conscripts under regular military service and not during mobilisation. With the help of the lawyers from Agora, the case is terminated, and most likely it stopped hundreds of similar cases around the country.
12. There are some cases on desertion and non-execution of an order that have just been initiated. However, the source expects a growing number of such cases.
13. The punishment of refusing to receive a draft letter is administrative, and the fine is 3,000 roubles (50 euros). There has been few cases, because it is only the military commissariats that can initiate them, and they have been busy.

End of mobilisation

14. The Minister of Defence and the President have announced the end of the mobilisation. However, there is no presidential decree on that, which means that legally it is still ongoing. It can be re-started any day. The number of persons who must be mobilised is secret. Therefore, it could be more than 300,000 men.
15. Nobody knows for how long the mobilised men will stay in the army. The end date is not clear at all. Furthermore, the men who have been mobilised will need to be replaced at some point, because people will be killed, wounded, sick, captured, run away etc. Therefore, it is the assessment that there will be a second wave of mobilisation, most likely in January or February, because the military offices are now busy with the conscription for regular military service.

Conscription to regular military service

16. From 1 November to end of December, the military will gather 120,000 new conscripts in the age of 18 to 27 years.

## Sergey Krivenko, director HR NGO, Citizen, Army, Law

Zoom interview, 11 October 2022

### About the source

Mr. Sergey Krivenko is the president of the Russian non-governmental organization “*Citizen, Army Law*”. He has worked for more than 20 years with the protection of the rights of the conscripts, military servants and the ones who are sent to alternative military service.

### Update on legislation

1. According to the source, there were no new legislation introduced regarding the Russian war in Ukraine or the Russian Armed Forces.
2. On 20 September 2022, the Russian State Duma approved in three fast readings several amendments to the criminal code regarding criminal liability for offences regarding the military. Later the same day, the Federation Council and the president approved and signed the amendments.
3. The amendments harshly increases the punishment for certain crimes regarding the military. For instance, unauthorised abandonment of a unit during mobilisation or martial law, during wartime or in conditions of armed conflict or warfare is punishable from five to 10 years of imprisonment. Desertion during mobilisation, wartimes or conditions of armed conflict is punishable up to 15 years of imprisonment. Failure of a subordinate to execute the orders of the chief during martial law, wartimes or in conditions of armed conflict as well as refusal to participate in military or combat operations will be punishable from three and up to 10 years of imprisonment.
4. Previously, there were no cases of criminal prosecution of military personnel only for refusing to participate in hostilities until 21 September 2022. Now this act “*Refusal to participate in military or combat actions*” is criminalised by the new paragraph 2.1 of article 332 of the Criminal Code of the Russian Federation.
5. The amendments also introduced two articles regarding looting and voluntary surrender. Looting in wartime conditions will now be punishable with up to six years imprisonment. Voluntary surrender in punishable with imprisonment for three to 10 years.
6. According to the source, these amendments have changed the situation for military conscripts and contract soldiers to the worse. It is no longer possible to refuse to participate in combat operations, and the consequences will be a criminal prosecution.
7. Furthermore, on the next day, 21 September 2022, the president announced a decree on mobilisation. A separate part of the decree prohibits contract soldiers from leaving the military until the end of the mobilisation with the exception of three situation: i) for health reasons; ii) for the length of

service (retirement) and iii) if a court has sentenced the person with imprisonment. Conscripted military personnel are not affected by this decree.

### **Situation for conscript soldiers**

8. According to the source, there have not been any major legal or procedural changes for conscript soldiers, before the mobilisation.
9. The source noted that, according to the law, conscripts could still be sent to combat zones after four months of sufficient training. If they have received training, the speciality will appear in the military book. However, according to the source, there are several problematic issues with this. First, sending conscripts to war has for a long time been very unpopular in Russia. So far, the Ministry of Defence has tried to avoid sending conscripts to fight in the war in Ukraine – at least in big numbers. Second, if a conscript crosses the border, he formally needs a foreign passport. The army is responsible for making the passport, but it is not clear whether the army does that or not.
10. In September, there were reports that conscripts were sent to the western regions that border to Ukraine, such as Rostov Oblast and Krasnodar Kray. However, the source assessed so far that the conscripts are not sent to conflict zones.
11. When the president announced the mobilisation, the beginning of the autumn conscription session was postponed a month from 1 October to 1 November 2022, because the military enlistment and registration offices were busy with the mobilisation.
12. Most of the amendments and the announcement of mobilisation do not affect conscripts directly. However, the amendments in the criminal code do also apply to conscripts.
13. The source described that the military authorities continue to persuade or pressure the conscripts to make them sign a contract, because this means that the army can send them to the war. For the conscripts it is more favourable to sign a contract. Conscripts do not receive any money except for some small allowances, while a contract soldier received a relatively good salary.
14. It also happens that the conscripts are manipulated into a contract. For instance, a contract can be signed on behalf of the conscript without their knowledge. It can happen, because there is no monitoring or control. However, according to the source, there are not many of such cases.
15. The military authorities also sometimes tell the conscripts that they can always terminate a contract. However, many conscripts do not comprehend the understanding of the president's decree on mobilisation, stating that a military contract cannot be terminated during mobilisation.
16. Furthermore, the conscripts are persuaded to sign a contract. They are told that they will still get into military service. After all, after being discharged from military service by conscription, they will be called up as part of mobilisation.

## Contract soldiers

17. The situation for contract soldiers changed radically when the president announced the mobilisation 22 September 2022. In the decree, it is stated that contract soldiers cannot terminate their contract while the mobilisation is active. Previously, it was possible to terminate a contract in the same way as a contract between a civilian employer and employee. For the moment, there are only three valid reasons to terminate a contract:
  - First, when the person reaches the maximum age of service
  - Second, if there are health issues that makes the person unfit to serve, or
  - Third, if the soldier is sentenced to any form of imprisonment.
18. According to the source, it was complicated to terminate a contract before the mobilisation, but now it became practically impossible. The change has caused concern among the contract soldiers. They do not know what it means and for how long it will last. There is a feeling that the contract soldiers together with the conscripts have become slaves of the president. It falls into the same feeling regarding the harsher punishments amended to the criminal code, punishing refusal to go to war with 10-15 years of imprisonment.
19. Previously, contract soldiers could leave their military unit and return to their military base of origin within 10 days and filed a report, there would not be a punishment. Now there are no punishment, if the contract soldier return within only two days. According to the source, this system, which has served as a protection of the soldiers, is not functioning anymore. It works in theory, because it is possible to leave the post and return to the base within 10 days without a criminal case is opened. However, the soldier cannot terminate his contract, why there is no sense leaving in the first place. Furthermore, it is not quite possible returning from the conflict zone in Ukraine to Russia. The soldier will face a huge risk of being held accountable in regards to the article of unauthorised abandonment of a unit.
20. The source stated that, according to the constitution, any citizen, including soldiers, may be exempted from military service and transferred to alternative civil service, if they have an anti-military belief. The source's organisation Citizen, Army, Law has advised military personnel, who had this belief, not to leave their unit, desert or refuse to obey orders. Thereby, it would not be possible to prosecute them. This mechanism worked until 20 September 2022, and a couple thousands soldiers have declared the anti-military beliefs in that way. However, after the mobilisation there are no longer valid reasons for terminating a contract. The organisation has advised people either to be transferred to non-combat activities or to become a civil employee of the armed forces. The source stated though that this action in the new context could possibly be seen as a refusal to participate in military or combat operations. Right now, the organisation does not know, how the military will react, but so far, there has been no criminal cases on this ground.

## Reservists

21. The source acknowledged that it is not a partial, but more likely a full mobilisation that the president announced. The source explained that the law on mobilisation is relatively new; it was drafted 10-12 years ago. The law is very unfinished and deficient. Furthermore, it only gives the framework for a mobilisation; it does not describe the procedures. There are no descriptions of the summons, where to go, what to do. This is contrary to the law on military service where every procedure is comprehensively described.
22. Furthermore, the decree of the president does not give any more clarity. The decree does not mention any number or categories to summons. It does not explicit a deadline of the mobilisation. That is why in reality it is not a partial mobilisation, but just an ordinary mobilisation in accordance with the law. The result is that the military registration and enlistment offices, who obey the normative documents and not the statements of the political leadership, can summons any person who is in the reserves, which consist of almost every male in the country until 50 years if the military rank is private, and until 60 years for junior officers. The Russian leadership has announced that the mobilisation has ended. However, according to the source, the mobilisation continues and many experts expect a second wave of mobilisation in the late winter or early spring 2023.

#### Delay

23. There are very few reasons for delay. The source mentioned three categories of exemptions: First, people working in some companies, which are categorised as important during the mobilisation, can be exempted from the mobilisation. Second, there are a few so-called social exemptions, such as men with four or more children. Women with just one child is exempted. Finally, third, there are exemptions for students.

#### Health procedures

24. The law on mobilisation does not provide a description on medical checks or other health procedures in connection with the mobilisation.
25. According to the source, this results in that there are no medical categorisation of people who are summonsed, which means that the military recruitment and enlistment offices can summons any person, according to the law. There are also no medical exams at the military offices, which is why people with serious medical conditions have been summonsed and even sent to the war.

#### Quantity

26. The number of reservists that will be summonsed is hidden, so it can be 300.000 or much higher, no one outside the inner circles really knows.
27. Even though the minister of defence has stated that the military will only summons people with combat experiences, who has served recently and people in good health, this is empty words, because the military officers work with other instructions, where the abovementioned categories are not mentioned.

28. Furthermore, the Ministry of Defence implements the plan in the regions, but the criteria are different from region to region. Moscow, for instance, is a political active city, so the numbers summonsed are lower, than, for instance, Siberia, where the political consequences of the mobilisation apparently would not be that high. The differences of the regions are secret, and only because local officials revealed it, the public know about it.
29. However, when the procedures are placed at local military registration and enlistment offices, the situation escalates. The offices outside the big cities are old-fashioned without electronic databases. So when people changes addresses, have changes in their health situation etc., the military offices do not know about it. The lists they have are maybe 5-10 years old. For the officials it causes a problem because they have to summons a certain amount of people, which is why they send out summons in large numbers. The ones, who get scared or have high belief in the authorities, are the ones who are drafted. This is also, why people who are sick or who have not completed military service are being summonsed and drafted. The source noted that the offices are simply following the law when they do that.

#### Avoidance

30. According to the source, it is possible to ignore the summons, because the situation is contradictory. On one side, when people are summonsed based on the decree on mobilisation, they are only covered by the new amendments after they have arrived to the military barracks. On the other side, there are no criminal responsibility for a person who avoids the summons because he is still considered a civilian. Even though article 328 in the criminal code explains about evasion of military or alternative service, the Russian Supreme Court has stated that this article only concerns conscripts. The punishment for evading summons for mobilisation is covered by administrative laws, and the punishment is a fine.
31. There have been cases when the police took people from the streets and brought them to the military enlistment and registration offices, even though they do not have right to do this, according to the law. The military authorities can give a list of people to the police and ask their help to search for them. The police can hand people summons. If a person repeatedly does not show up at the military after been giving a notice, the enlistment officer can open an administrative case. The case can be transferred to the police, who can look through the case and give a fine, which is 3.000 roubles (approx. 50 euros).
32. The source further confirmed that there has been cases of people that have been taken by the police and brought to the military offices. Some have been taken to Ukraine to fight in the army. However, it was only a few cases. The source explained that the army as such should not be a prison, and the idea is that people voluntarily joins the army.
33. However, what is happening in a mass scale is that everybody are given summons on the street and in the metro or other public places to go to the military offices. The police go around with empty

summons, where they fill in the name of the person they check. According to the source, this procedure is against the law, but the authorities are using people's fear of the regime to make them comply.

34. The same thing applies when the police gave summons to men, who were detained during the demonstrations against the mobilisation, and to some lawyers who met up at the police stations or courts to defend the detained.
35. According to the source, it is part of the same fear strategy that the authorities use against the population. There are no consequences of the summons except administrative fines.
36. The source also confirmed that students at higher educational places were threatened with expulsion if they attend anti-government demonstrations. The source explained that they were not expelled directly because of the protests, but the management of the universities would invent reasons such as disturbance in classes, lack of attendance or failure to pass an exam. It is the same pattern of pressure towards the student not to be active against the authorities.

#### Leaving the country

37. The source noted that it is possible to avoid mobilisation by leaving the country. If a person in the military age leaves Russia, he formally has to withdraw from the military registration. Then he would not be included in neither military service nor the mobilisation.
38. According to the source, there are two subtleties in the law on mobilisation. First, the law states that during a mobilisation, it is prohibited to change address, unless the military enlistment and registration office gives a permission. This is also, why some regions have banned people from leaving the region. However, the ban was cancelled after a while.
39. Second, there is a law on entry and exit of Russia. According to this law, a person can be prohibited from leaving Russia, unless he has a permission from the military enlistment and registration office. This regards both conscription and mobilisation.
40. On a theoretical level, it is possible for the military enlistment and registration offices to give a list of people included in the mobilisation to the border service, but this is technically difficult in Russia, because the system is not built to share this kind of information.
41. The source explained that there are some border crossings, who tried to prevent men in the military age from leaving the country. On the other side, other border crossings let men leave without any problems.

#### **Alternative service**

42. According to the source, the possibility of alternative civil service still exists. So far, there have been no changes. On 1 November 2022, the autumn round of conscripts will begin, and any conscript can change military service to alternative.
43. The source noted that the number of people applying for alternative civil service has increased.
44. The right to choose alternative civil service exist during the mobilisation, and there has already been many applications during the mobilisation. However, the organisation of the source, Citizen, Army, Law has received different replies from military officials on this regards. One official replied that there the people who are mobilised do not have the right to choose alternative service. Another told the organisation that they would then just wait until the laws have changed and then summons the people again. One deputy of the State Duma has already put forward a suggestion for legislation about alternative service during mobilisation. At the time of the writing of this report, the legislation has not yet been approved.
45. According to the source, it is not possible to prosecute a person that applies for alternative civil service.

### **Forceful recruitment**

46. The source stated that forceful recruitment is still taking place in Russia. However, there are very little information about how the situation is in the areas of Ukraine that are controlled by Russian forces.

### **Recruitment to private companies**

47. The campaign of recruiting people to private military companies continues. Most famous is the company Wagner who are recruiting all over Russia. There are several videos of the leader of the group talking to inmates in Russian prisons.
48. However, this contradicts Russian legislation, because, according to the law, private military companies are not allowed to operate in Russia, it is not possible to release prisoners to private companies and prisoners cannot be sent to combat zones.

## Gregory Shvedov, journalist & editor-in-chief [Caucasian Knot](#)

**Online meeting, 19 October 2022**

### About the source

Gregory Shvedov is a journalist & editor-in-chief of the online news site Caucasian Knot. The source have extensive experience of covering the human rights situation in the Russian part of the Caucasus and six independent countries and regions of South Caucasus.<sup>220</sup>

### Impact of the Ukraine-conflict in North Caucasus

1. According to the source, there has traditionally been a strong intention to serve in the Russian armed forces in most regions of the North Caucasus. People have also been ready to pay bribes for admission to the army. A strong incentive has been that the salaries were relatively good when compared to other work opportunities in the region. Furthermore, it has also been a sign of force and power for the male population.
2. However, the new legislation and the mobilisation that the Russian president called on 21 September 2022 has changed the discourse. It became clear that many people wanted to avoid being mobilised.
3. The insecurity surrounding the mobilisation has made people nervous. According to the source, there has been too many criteria announced and not all of them matched others. The people saw the contradictions and, together with the low level of trust to the state, it has made the situation worse. People did not know the rules or regulations and the process itself has been obscure. This resulted in a lot of rumours and calculations and talk about when the mobilisation would end.
4. Furthermore, the population could hear the top leadership, even the president, admitting that there has been mistakes, but when it came to the practical handling, they could see that the local military leadership suffered no consequences and continued the same way as before.
5. The result was that those who had been recruited by “mistake” were still recruited, probably sent to fight in Ukraine. Some were sent back though.

### Protests

6. There were several protests in the region after the call of mobilisation. Most reported were the protests in Dagestan, but there were also protests in other regions. The local authorities met the demonstrators with different approaches. The most brutal crackdown was in Chechnya as described later in this note, but the authorities also used violence against the protesters in Dagestan. In Kabardino-Balkaria, there were some kind of dialogue in the beginning, which prevented a violent reaction from the authorities.

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<sup>220</sup> [About Caucasian Knot](#)

7. However, the continuing protests in Dagestan resulted in that the local leadership more or less changed the ways of implementing the mobilisation.
8. Not only protesters suffered during the demonstrations. The security forces targeted journalists as well. A journalist from the media site, Caucasian Knot, was reporting from the protests in Dagestan. The police simply confiscated his official accreditation as a journalist and treated him as a protester, detaining him for the whole night in the police station. However, the court released the journalist and stated that the police could not treat him as a demonstrator. Other journalists were not only detained but also formally arrested with the approval of the courts. The source mentioned for instance a journalist from Radio Liberty that was arrested. This is a clear indication that the local authorities do not need to uphold European standards, nor Russian legislation.
9. However, the insecurity in the population has also had an impact in the authorities' response. The source noted that, for instance, the governor of Rostov was stating that the oblast had fulfilled its mission of the mobilisation. The same was the case with the governor of Moscow. The governors seemed to understand that the population was nervous and wanted to give some clarity that the mobilisation was finished in their particular region. However, the military officials continued to make contrary statements, saying a number of times that the mobilisation had not reached its end goal yet. As for now, the mobilisation has officially stopped, but since there was lack of trust to the government in Russia, not only in the Caucasus, not too many people have not lost a fear of the new mobilisation. Many would say that a new wave of mobilisation would come soon. New amendments of the laws are giving some argument to those, who is sharing these arguments.

#### **Situation on the streets**

10. In general, the source described the situation for young men in North Caucasus as calmer than in other parts of Russia. Checks of identity in public places is not happening as much as elsewhere in Russia. The source implied that maybe it is even less frequent than normal for the region. The source did not have any information about incidents on public places where every person is checked. In addition, people are not grabbed forcefully on the streets, as it was reported in big cities, like Moscow.
11. Meanwhile, there has been an expectation that something like the above-mentioned could happen in the near future. Many people have received notices to the mobilisation. However, many people have ignored those notices. The source gave an example from Ingushetia, which has a population of approx. 500.000. A high-level state official criticised the public administration, because they were only able to draft 12 persons, according to the Caucasian Knot. This example showed clearly that there has been a strong reluctance to join the Russian army.

#### **Recruitment to private military companies**

12. In many parts of Russia, there has been broad and visible attempts to recruit to private military companies. For instance, the Caucasian Knot described in an article, that in Rostov there are clear

advertising on the streets from the Wagner Group, the most dominant private military actor in Russia.<sup>221</sup> According to the source, this high level of advertising clearly indicates that some people from the regional leadership gave their permission or acceptance, even though it is illegal for such actors to advertise, according to Russian legislation.

### Criminal cases

13. The source noted that some people tried to avoid the mobilisation. Some people have fled the region. However, for a person to flee, it would require significant resources to be able to leave. In these cases, the most likely choice would be to relocate to smaller mountain villages, where the mobilisation was not organised.
14. When asked, the source did not have information about any cases where the authorities initiated a criminal case against people trying to avoid mobilisation. However, the risk of a criminal case is one of the main threats that the government uses to drive people to the mobilisation offices.

### Termination of contract

15. Before the president announced the mobilisation on 21 September 2022, a significant number of contracts soldiers would refuse to go a second term to Ukraine without risking a criminal case. However, the army would most certainly fire them. Furthermore, the source emphasised that there was another more indirect punishment for doing so. When a soldier terminated his contract in that manner, he would get a stamp in his military papers that stated that the person left the military in disgrace. For many people in Russia, it was equivalent to have a stamp saying you were a coward and a traitor. With this term in your papers, the person would not be able to find employment in the governmental sector Russia afterwards.

### Chechnya

16. The source noted that there had been a kind of forceful recruitment in Chechnya since the start of the war in Ukraine in February 2022. The Chechen authorities began early what they called “self-recruitment,” which was the regime’s way to pressure people to join. The leader of the republic, Ramzan Kadyrov, had put pressure on the population since he was eager to fulfil a quota of so-called “volunteers” that would be sent to Ukraine.
17. However, apparently the number of volunteers was not enough, because representatives of the Chechen government, including Kadyrov, have been threatening the people who did not want to join by, among others, to take social privileges from the whole family.
18. The lack of volunteers continued to form the basis for human rights violations committed by the Chechen authorities. The perpetrators were free from liability of their actions, since no one from the security forces was prosecuted.

<sup>221</sup> Кавказский Узел [Caucasian Knot], *На улицах городов Ростовской области появилась реклама ЧВК* [Advertising of PMCs appeared on the streets of the cities of the Rostov region], 19 September 2022, [url](#)

19. The source highlighted that when the people who were “self-recruited” returned home after doing a tour in Ukraine; they did not want to go back to Ukraine for a second time. However, the Chechen leadership did not perceive this positively, and the authorities pressured them to go to Ukraine for the second time. The authorities said that once these persons already went to Ukraine, they had a special obligation to go again.
20. Already the day before the Russian president announced the call for mobilisation, there was a group of women who announced that they would protest against sending their husbands and sons to war. The reaction from the Chechen authorities was very strong, and within minutes after the women went to the streets, the police detained the women. At the time of this interview, the source did still not know what happened to most of the women. Furthermore, the security forces went by the relatives of the detained protesters and in a violent way forced the husbands and sons of the women and sent them to the military to fight in Ukraine. A husband of one of the women died, and there were some media stories about the cases.
21. In the past years, there has been a relatively high number of people, who had left the republic. However, since the war in Ukraine from February 2022 the number of people leaving Chechnya has increased significantly. Even an official statement from the authorities suggests that the exodus has increased three times. The source pointed out that the number is probably much higher than the official number.
22. The men who are leaving are those, which families can survive without them providing for them. Furthermore, many of the people who believe that the authorities will send them to the Ukraine will also most probably try to leave. However, there are also other men, who want to join the special operation in Ukraine.
23. However, many people cannot leave. Firstly, because their families are economically dependent of the person’s income. Secondly, for many people it is impossible to obtain a foreign passport, which would allow them to leave the country.
24. The source noted that it is not safe for people who are wanted by the Chechen authorities to relocate to another part of Russia. Especially, in the last years, new technologies of joint databases, facial ID-recognition etc. is more widespread. According to the source, it would be even easier for the authorities to apprehend the person if he relocates to other parts of Russia.

#### **Lack of information**

25. The source noted that it is still possible to work as a journalist for most part of the North Caucasus, but it has become more complicated to find information. However, for Chechnya, the source emphasized that it has become extremely complicated to work for both journalists and other actors such as human rights defenders or similar. It is almost impossible to double check data of officials on Ukraine. The development to the worse has happened especially in the last five years.

## Annex 2: Terms of Reference (ToR)

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### **Russia: Military service**

#### **Legislation**

- New legislation/decrees in connection with the 2022 war
- Legislation regarding partial mobilisation
  - The situation after a possible annexation

#### **Recruitment to the Russian military**

- The situation for conscripts after 24 February 2022
- The situation for reservists after 24 February 2022
  - The situation after 21 September 2022
- The situation for contract soldiers after 24 February 2022
  - The situation after 21 September 2022
- Recruitment to private military actors
- Forced recruitment after 24 February 2022
  - In Russia
    - In Chechnya
    - Persons demonstrating and other coercive measures
  - In Russian-controlled areas (Crimea, Donbas, the rest of Ukraine (e.g. Kherson))

#### **Desertion and draft evasion**

- The situation for deserters after 24 February 2022
  - The situation after 21 September 2022
- The situation for draft evaders after 24 February 2022
  - The situation after 21 September 2022

## Annex 3: Military ranks in Russia

### Статья 53. Состав запаса

1. Граждане, пребывающие в запасе, подразделяются на три разряда:

| Составы запаса (воинские звания)                           | Возраст граждан, пребывающих в запасе |               |               |
|------------------------------------------------------------|---------------------------------------|---------------|---------------|
|                                                            | Первый разряд                         | Второй разряд | Третий разряд |
| Солдаты, матросы, сержанты, старшины, прапорщики и мичманы | до 35 лет                             | до 45 лет     | до 50 лет     |
| Младшие офицеры                                            | до 50 лет                             | до 55 лет     | до 60 лет     |
| Майоры, капитаны 3 ранга, подполковники, капитаны 2 ранга  | до 55 лет                             | до 60 лет     | до 65 лет     |
| Полковники, капитаны 1 ранга                               | до 60 лет                             | до 65 лет     |               |
| Высшие офицеры                                             | до 65 лет                             | до 70 лет     |               |

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Article 53. Composition of the reserve

1. Citizens in the reserve are divided into three categories

| Composition of the reserve (military ranks)                                                                                             | Age of citizens in the reserve |                 |                |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------|----------------|
|                                                                                                                                         | First category                 | Second category | Third category |
| Soldiers, seamen, sergeants, starshiny [eq. to sergeant major], praporoshchiki [warrant officer] and Michmany [warrant officer class 2] | Up to 35 years                 | Up to 45 years  | Up to 50 years |
| Junior officers                                                                                                                         | Up to 50 years                 | Up to 55 years  | Up to 60 years |
| Majors, captains of 3 <sup>rd</sup> rank, lieutenant-colonels, captains of 2 <sup>nd</sup> rank                                         | Up to 55 years                 | Up to 60 years  | Up to 65 years |
| Colonels, captain of 1 <sup>st</sup> rank                                                                                               | Up to 60 years                 | Up to 65 years  |                |
| Senior officers                                                                                                                         | Up to 65 years                 | Up to 70 years  |                |

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<sup>222</sup> Russia, *Федеральный закон "О воинской обязанности и военной службе" от 28.03.1998 N 53-ФЗ [Federal Law On Military Duty and Military Service dated March 28, 1998 N 53-FZ]*, 28 March 1998, [url](#), article 53

<sup>223</sup> Translation of article 53 of the Federal Law On Military Duty and Military Service dated March 28, 1998 N 53-FZ