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Prohibition of War Propaganda in International and Russian Law

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Abstract
Introduction: the article examines the content of the international prohibition of propaganda for war, the procedure for fixing the prohibition in Russian law, as well as the imperfection of criminal legislation, including liability for public calls to unleash a war of aggression. *Purpose:* to analyze history of the formation of the international prohibition of war propaganda and its content, compare it with the regulation of this prohibition in Russian law, especially in criminal legislation, and suggest ways to improve the latter. *Methods:* historical and systematic methods, as well as comparative legal and formal legal methods, were used to solve the tasks. *Results:* the article shows the work of international conferences on the unification of criminal law, launched in the first half of the 20th century, and the activity of the League of Nations that adopted an important international document in the field of prohibition of propaganda for war in peacetime in 1936, namely, the International Convention Concerning the Use of Broadcasting in the Cause of Peace. After the establishment of the United Nations, the prohibition of war propaganda was finally fixed in the International Covenant on Civil and Political Rights of 1966, developed by the Human Rights Committee. The analysis of Russian legislation shows that such a prohibition is contained in various branches of law, for example, in constitutional law. Moreover, Article 354 of the Criminal Code contains crime elements of public calls for unleashing a war of aggression. *Conclusion:* despite this prohibition is present in various branches of Russian law, we have identified the imperfection of this criminal law ban. The domestic legislator has formulated crime elements of public calls for unleashing a war of aggression too narrowly; the author of the article suggests ways to eliminate this shortcoming through additional criminalization of propaganda for aggression against states.

Keywords: a war of aggression; propaganda for war; propaganda for aggression; public calls; unleashing a war of aggression; criminal liability; crime elements.

5.1.4. Criminal law sciences.

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Introduction

The prohibition of encroachments on international peace and security is enshrined both in numerous documents issued by United Nations (UN) bodies and in domestic regulations. According to paragraph 2 of Article 15 of the Foreign Policy Concept of the Russian Federation, approved by the President on March 3, 2023, maintaining strategic stability and strengthening international peace and security are recognized

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as the national interests of the Russian Federation. At the same time, international peace may be threatened not only by interstate aggression, but also by the propaganda for such aggression.

The public danger of war propaganda is not in doubt. According to A.N. Trainin, a Soviet expert in the field of international criminal law, propaganda for war is part of military-technical training and its purpose is to convince its own people of the need for this war [1, p. 5, 7].

The entire international community established the prohibition of propaganda for aggression at the international level in the second half of the 20th century. However, the question arises, whether such regulation can be considered sufficient and effective. With the emergence and development of international criminal law and the adoption of the Rome Statute of 1998, it became possible to provide for criminal liability for propaganda for aggression. However, to date, such a crime is not provided for in the Rome Statute. At the same time, national jurisdictions of most states prohibit propaganda for aggression or war in various branches of law, including criminal law.

It is important to note that different terminology is used to denote the content of the prohibition under study. Thus, in the process of drafting various international resolutions and treaties before the adoption of the UN Charter in 1945, both terms "war" and "aggression" were used to establish a ban on the use of force. It is worth noting that the term "war" was contained in the Preamble of the Covenant of the League of Nations. At the same time, there was no definition of this term, and based on the context of the document, it could be concluded that we are talking about a war of aggression, and not of defense, for example. Therefore, when mentioning this term in the article, it will be about a war of aggression.

The UN Charter provides for the prohibition of the use of force or the threat of such use, but it does not contain terms "aggression" or "war". The United Nations General Assembly Resolution 3314 (XXIX) adopted on December 12, 1974 (hereinafter – the 1974 Resolution), which became another document prohibiting the use of force, defines aggression as the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, and types of acts of aggression. This indicates that the international community has refused to use the term "war" in favor of the broader concept of "aggression".

However, since the prohibition of propaganda for "war" has been finally established at the international level, despite the fact that the concept "act of aggression" is still used to define the term "war", the corresponding terminology will be used in the article to describe the history of the formation of this prohibition.

To prohibit propaganda for aggression and criminalize these actions in Russian legislation, the terms "war" and "war of aggression" are used, which are not different in their content. Besides, the Russian legal doctrine uses the term "aggression". At the same time, it should be understood that the terms "war" and "aggression" are not identical, although there is no unity of opinion on this issue in the legal doctrine.

It is interesting, however, that, for example, the expression "war propaganda" is used in constitutional law of Russia, in contrast to criminal law, which prescribes liability for public calls to unleash a war of aggression. This discrepancy of interest because Soviet criminal legislation used the term "propaganda for war".

In this regard, it is important to analyze the formation of an international prohibition of war propaganda and domestic legislation that prohibits war propaganda and criminalizes public calls for a war of aggression.

The core

Prohibition of war propaganda in international law.

The process of establishing a prohibition of war propaganda at the international level can be divided into periods before and after 1945.

The need to prohibit war propaganda had been recognized by the international community since the middle of the 19th century. During this period, the first international conferences and congresses were focused on preserving peace; therefore, activities of these organizations were mainly aimed at establishing a legal prohibition to resort to a war of aggression. The issue of prohibiting propaganda for war at the international level was addressed only in the 20th century. At that time, it was considered at various international conferences and congresses, including by the League of Nations, the first international organization established in 1919 and aimed to develop cooperation between peoples and ensure international peace and security.

The need to establish criminal liability for war propaganda and work out draft resolutions that would provide for such liability was discussed at several international conferences and congresses held in the first half of the 20th century. They were devoted to the unification of criminal legislation (the so-called unification conferences), promoting the idea "to include similar, if not identical, definitions into codes of the

member states in such a way that it would be possible to provide for similar punishments as easily as possible and ensure the effectiveness of international prosecution" [2, p. 63]. At the first Conference on the Unification of Criminal Law, held in Warsaw (Poland) in 1927, S. Rappaport, at that time a judge of the Supreme Court of Poland, suggested developing a draft criminal law that would include "incitement to a war of aggression" in the list of crimes against the general rule of law of all nations (i.e. crimes juris gentium, among which was, for example, piracy). S. Rappaport noted that it had already been included in the draft Criminal Code of Poland (paragraphs "b" of articles 8 and 108) [3, p. 60]. Participants of the next unification conference, held in Brussels (Belgium) in 1930, adopted a resolution declaring "propaganda for public calls for war" [1, p. 18] punishable.

As for activities of the League of Nations in this direction, the International Convention Concerning the Use of Broadcasting in the Cause of Peace, the first multilateral legal act prohibiting propaganda in peacetime, was adopted on September 23, 1936 [4, p. 343]. Article 2 imposes on the Contracting Parties the obligation to ensure that the transmissions of stations located on their territories do not constitute incitement to war against another Contracting Party or actions that may lead to it [war]. It is required to immediately stop any transmissions that may damage good international understanding as a result of communications whose inaccuracy is known or should be known to the persons responsible for the transmission. At the same time, the Convention does not contain measures to ensure the fulfillment of the obligations imposed on States. The legal doctrine notes that the purpose of this Convention was to stop the aggression of Italy and Germany, whose radio stations inspired the population with the idea of the superiority of the Aryan race, but "it did not achieve its noble goals" [5, p. 219].

In the 20th century, many states concluded bilateral agreements prohibiting propaganda against each other. Thus, on April 22, 1926, the Treaty of Friendship and Security was concluded between Persia and Turkey, Article 5 of which prohibited the presence of individuals or organizations that spread propaganda or try to take other military actions against the other side.

After the Second World War, the ideas of prohibiting war propaganda became clearly outlined. Although there were various international conferences and organizations (for example, the World Peace Movement, first convened in 1946, contributed to the anti-war movement in many states), the function of developing international documents that would contain a prohibition of propaganda for war was transferred to the UN.

An important document of that period is Resolution 110 (II) "Measures to be taken against propaganda and the inciters of a new war.", adopted at the 108th plenary session of the UN General Assembly in 1947 (hereinafter – Resolution 110 (II)), which condemned "all forms of propaganda, in whatsoever country conducted, which is designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression» (paragraph 1) and urged all UN members to adopt laws criminalizing propaganda (paragraph 2).

In contrast to the resolutions adopted at the unification conferences, the concept of propaganda is interpreted more broadly. Propaganda with the purpose of public calls had been prohibited up to 1947; then liability for any propaganda, regardless of its form, the sole purpose of which is a threat to the peace, was established.

After the adoption of Resolution 110 (II), two UN bodies were instructed to develop an international multilateral act that would contain a list of all rights and freedoms. These were the UN Economic and Social Council, the main UN body that, among other things, was engaged in making recommendations on respect for and observance of rights and fundamental freedoms and their promotion, and the Committee on Human Rights (since 2006 replaced by the UN Human Rights Council), which was established in 1946 to monitor the implementation of the international document being developed. The International Covenant on Civil and Political Rights, adopted by General Assembly resolution 2200A (XXI) of December 16, 1966 (hereinafter – the ICCPR), fixed the prohibition of war propaganda. Article 20 (1) of the ICCPR stipulates that "any propaganda for war shall be prohibited by law".

The final version of this article is the result of many-year discussion of the international community.

It is worth noting that the prohibition of war propaganda was initially considered only as a restriction of the right to freedom of speech, the press and freedom of expression. Thus, the UN Human Rights Committee at its second session on December 2, 1947 considered the need to include provisions on freedom of expression and freedom of information in the Universal Declaration of Human Rights, for which the UN Human Rights Committee requested the opinion of members of the Sub-Commission on Freedom of Information and of the Press and the International Conference on Freedom of Information.

At the same time, the Commission on Human Rights at its second meeting, held in December 2–17, 1947, asked to take into account "two resolutions of the UN General Assembly on this issue (Resolution 110 (II) and Resolution A/C.3/180/Rev.1 "False and distorted reports") when developing recommendations (emphasis added).

By 1948, a number of options proposed by delegations at the third meeting of the Human Rights Committee (May 24–June 18, 1948) already included a prohibition of war propaganda in the article enshrining the right to freedom of speech, the press or freedom of expression. The only difference was its wording. The delegation from the USSR, for example, proposed the following variant: "In accordance with the principles of democracy and in the interests of strengthening international cooperation and world peace, everyone should be guaranteed by law the right to freedom of expression, and, in particular, the right to freedom of speech and press, freedom of assembly and freedom of artistic representation. The use of freedom of speech and freedom of the press for the propaganda of fascism and aggression or the incitement of war between nations is prohibited".

France preferred not to explicitly prohibit propaganda for war, but to fix a separate paragraph with a general wording restricting the right to freedom of speech, expression and the press: "3. The freedoms specified in the previous paragraphs can only be subject to such restrictions, penalties or liability as are provided by law to protect public order, national security, morality, respect for the law and reputation or the rights of other people". The French version turned out to be more preferable for delegations at that time.

As M. Kearney, a lecturer in law at the University of Sussex, notes, only at the Sixth session of the Commission on Human Rights, held on April 28, 1950, the representative from Great Britain proposed to distinguish between the prohibition of propaganda for war and provisions relating to the right to freedom of expression, fixing them in different articles [6, p. 553].

The final version of Article 20 (1) of the ICCPR was approved by delegations in 1961 at the 16th session of the UN General Assembly. At the same time, the fact of the adoption of the ICCPR after the adoption of the UN Charter, but before the 1974 Resolution, may explain the terminology used: prohibition of propaganda for war, not aggression. Despite the fact that the draft was adopted, some UN member states did not find it important to consolidate the prohibition of war propaganda in the ICCPR. Thus, the delegation from Ecuador, according to Resolution A/C.3/SR.1084 of October 26, 1961, recognizing the public danger of military propaganda, nevertheless considered that "the cause of wars is not propaganda, but a conflict of interests", and military propaganda "or what is recognized as such" was carried out by the states themselves.

A group of Scandinavian countries also voted against the final version of Article 20 (1) of the ICCPR, justifying this with contradictory formulations and difficulties of law enforcement – "what can be recognized in one country as military propaganda can be approved and recognized as one of the means of positive policy in another". The absence of a definition of war propaganda was also referred to by the delegation from Australia. In addition to the above reason, Australia also noted that the prohibition of propaganda is not exactly the right of individuals, which should be enshrined in the ICCPR. In addition, the prohibition of propaganda "opened the way for severe restrictions on the right to freedom of speech".

As a result, such states as, for example, Australia, Italy, France, the United Kingdom, the United States, as well as Scandinavian countries voted against the draft Article 20 (1) of the ICCPR. Nevertheless, the majority of states backed it and Article 20 (1) was enshrined in the ICCPR in its modern version.

In the process of drafting the International Covenant on Civil and Political Rights, delegations did define the term "propaganda". As noted in the Commentary to the ICCPR, "the concept of propaganda is not provided in this document, due to the absence of any well-established interpretation of this term in various national legal systems» [7, p. 581].

According to the General Comment No. 11 on Article 20, developed by the UN Human Rights Committee for the purpose of interpreting the ICCPR, "propaganda for war" should be understood as all forms of propaganda threatening or resulting in an act of aggression or breach of the peace contrary to the Charter of the United Nations" [8]. The Center for Civil and Political Rights, an international non-governmental organization specializing in human rights, adds in the Guide to the International Covenant on Civil and Political Rights that any war propaganda includes intentional and purposeful influence on people to create or strengthen the desire to go to war, for example, through the dissemination or exaggeration of facts" [9, p. 37]. In this case, the provisions of Article 20 (1) of the ICCPR, as follows from the General Comment No. 11 on Article 20, does not prohibit the assertion of

the sovereign right to self-defense or the right of peoples to self-determination and independence in accordance with the UN Charter [8].

The foreign doctrine notes that the concepts "propaganda" and "war" can be attributed to problematic in terms of their definition [10, p. 272]. According to A. Richter, professor at the Central European University of Budapest, "the breadth of the concept does not necessarily entail a nebula" and the General Assembly has already given a fairly clear definition of war propaganda in its Resolution 110 (II) of November 3, 1947 [11, p. 113].

Thus, along with the recognition of the need to prohibit the use of force to resolve interethnic disputes, the international community has also recognized the public danger of war propaganda, which necessarily accompanies any war. Unification conferences and the League of Nations paved the way for further work of the UN Human Rights Committee, which adopted the ICCPR and fixed the prohibition of propaganda for war in Article 20 (1).

Prohibition of propaganda for war in Russian law

The Constitution of the Russian Federation includes a provision on one of the fundamental human rights, namely freedom of thought and speech. According to Article 29 of the Constitution, everyone is guaranteed freedom of thought and speech. At the same time, the Constitution provides for the restriction of this right, preventing propaganda or agitation that incites social, racial, national or religious hatred and enmity, as well as propaganda for social, racial, national, religious or linguistic superiority.

Despite the fact that the Constitution itself does not contain the prohibition of war propaganda, it is fixed in other normative legal acts of the Russian Federation. For example, the Federal Constitutional Law "On the referendum of the Russian Federation" No. 5-FKZ of June 28, 2004 allows campaigning on referendum issues (Article 60), but prohibits abuse of freedom of the media (Article 68). So, campaign materials of the initiative group to hold a referendum, initiative campaign groups, as well as speeches of initiative group members at meetings, rallies, and in the media, should not be aimed at propaganda of war. A similar prohibition is contained in other normative acts, for example, in Article 31 of the Fundamentals of Legislation on Culture No. 3612-1 of October 9, 1992. ("state authorities and management bodies, local self-government bodies do not interfere in creative activities of citizens and their associations, state and non-state cultural organizations, except in cases when such activities lead to propaganda for war") or Part 6 of Article 10 of the Federal Law "On Information, Information Technologies and Information Protection" No. 149-FZ of July 27, 2006 ("it is prohibited to disseminate information that is aimed at propaganda for war").

Unlike the above laws, the Criminal Code criminalizes not propaganda for war, but public calls for unleashing a war of aggression. It is worth noting that such regulation is a break with the Soviet tradition.

The Soviet delegation, which took an active part in the ICCPR elaboration, introduced crime elements of war propaganda into the Criminal Code of the RSFSR in 1960 by the 1962 Law of the RSFSR. It is worth mentioning that even before the adoption of the ICCPR, on March 12, 1951 the Supreme Soviet of the USSR adopted the Law on the Protection of the Peace stipulating that propaganda for war is the gravest crime against humanity, since it undermines the peace and creates the threat of a new war.

According to Article 71 of the 1960 Criminal Code, propaganda for war, in whatever form it was conducted, was punishable by imprisonment from three to eight years. War propaganda was clarified in the Soviet doctrine as the dissemination of views and ideas about the need to unleash war 1) against the USSR and other socialist countries; 2) between these countries; 3) wars of socialist countries against other countries – imperialist or third world countries, as well as 4) wars between imperialist states or third world countries [12, p. 159]. Since the 1960 Criminal Code did not limit forms of propaganda dissemination, the main emphasis was placed on its content: regardless of the form of dissemination, "if the content of views, ideas are aimed at the incitement of a new war, and therefore against the peaceful coexistence of states", they form an objective side of the crime – propaganda for war [13, p. 192].

Thus, Soviet criminal legislation criminalized a wide range of actions covered by the concept "propaganda for war".

At the same time, the current Criminal Code of the Russia contains only crime elements of public calls for a war of aggression, punishable by a fine or imprisonment (Part 1 of Article 354) and, additionally, deprivation of the right to hold certain positions or engage in certain activities for the same actions committed using the media or by a person holding a public position of the Russian Federation or the state position of the subject of the Russian Federation (Part 2 of Arti. 354).

The generic object of public calls for unleashing a war of aggression is the peace and security of mankind, while the immediate ob-

ject is the peace and peaceful coexistence of the state.

The objective side of crime elements of Part 1 of Article 354 of the Criminal Code consists in public calls to unleash a war of aggression.

The content of the concept "calls" is not disclosed in criminal law. Most Russian lawyers claim that they are certain statements [14, p. 54] or appeals [15, p. 599]. Some researchers consider only proclamations and slogans, i.e. appeals to other persons in an imperative form, thereby excluding appeals that show the desirability of action [16, p. 92]. As V.V. Kabolov rightly notes that calls are ambiguous in their content and functional plasticity and "can range from an invitation overflowing with pathos to fellow citizens to express their ideological agreement and unity with someone to a categorical, uncompromising and therefore threatening requirement to strictly pursue a specific goal" [17, p. 118]. And since "the call to any aggression is devoid of sentimental shades", the call fixed in Article 354 of the Criminal Code can be attributed to the second proposed category [17, p. 118].

Publicity is a mandatory feature of this crime element (both in Part 1 and Part 2 of Article 354 of the Criminal Code of the Russian Federation). At the same time, this concept is not disclosed in the article. Due to the lack of practice, the courts also did not clarify the meaning of this term. However, the content of the term "publicity" was developed for other crime elements provided for in the Criminal Code.

So, in 2020, articles 207.1 and 207.2 of the Criminal Code of the Russian Federation were adopted, which provide for liability for public dissemination under the guise of credible statements of deliberately false information about circumstances that pose a threat to the life and safety of citizens, and (or) about measures taken to ensure safety of the population and territories, techniques and methods of protection from these circumstances (Article 207.1 of the Criminal Code of the Russian Federation) and public dissemination of deliberately false socially significant information under the guise of credible statements, which inadvertently caused harm to human health, death of a person or other grave consequences (Article 207.2 of the Criminal Code of the Russian Federation). The Presidium of the Supreme Court, in its Review of certain issues of judicial practice related to the application of legislation and measures to counter the spread of a new coronavirus infection (COVID-19) on the territory of the Russian Federation, recognized such dissemination of false information about the circumstances provided for in Articles 207.1 and 207 of the Criminal Code of the Russian Federation offered the following clarification of public information: "it is addressed to a group or an unlimited number of people and is expressed in any form accessible to them (e.g. orally, in writing, using technical means)" In addition, to establish a publicity element, one should take into account the place, method, situation and other circumstances of information dissemination. Data may be considered as disseminated publicly when spread via mass media, information and telecommunication networks (including various messengers); in mass mailing of electronic messages to mobile subscribers; by speaking at a meeting, rally, distribution of leaflets, posters, etc. A similar explanation about the content of the term "publicity" was also proposed by the Plenum of the Supreme Court. So, the Resolution of the Plenum of the Supreme Court No. 14 of June 1, 2023 "On some issues of judicial practice in criminal cases of crimes provided for in Articles 317, 318, 319 of the Criminal Code of the Russian Federation" states that the issue of publicity of offensive actions against a representative of the authorities in the performance of his/her official duties or in connection with their execution should be resolved "taking into account the place, method, situation and other circumstances of the case (for example, uttering or otherwise expressing an insult in the presence of the victim and (or) other people, including in public places, during mass events, posting offensive information in the media, on the Internet on websites, forums or blogs open to a wide range of people, mass mailing of electronic messages" (paragraph 18).

Thus, illegal actions are deemed as public if they are carried out in the presence of two or more persons (in this case, the audience can be either personified or not personified [18, p. 822] and determined by the place (rallies or meetings) or the method (orally, in writing, on the Internet) of making calls.

According to the Russian legislator, public calls for unleashing a war of aggression, committed with the use of mass media or by a person holding a state position of the Russian Federation or a state position of a subject of the Russian Federation, have a greater public danger. Since the mass media, according to the Law of the Russian Federation "On Mass Media" No. 2124-1 of December 27, 1991, include a periodical printed publication, a network publication, a TV channel, a radio channel, a television, radio, video or newsreel program, as well as another

form of periodic dissemination of mass media under a permanent name or title (Article 2), a person who calls for a war of aggression in this way has the opportunity to convey his/her ideas to a large number of people, which is why there is an increased public danger.

According to Part 1 of Article 354 of the Criminal Code of the Russian Federation, any individual who has reached the age of sixteen and is sane can be brought to criminal liability for public calls for a war of aggression. As for persons holding public positions, the following should be noted. If public calls for unleashing of a war of aggression are carried out by a person who holds a public position, he/she may exert additional influence on individuals when making appeals due to his/her exclusive powers, "which he/she uses primarily to the detriment of the world community and, of course, his/her own people" [17, p. 121].

The actions provided for in Part 1 and Part 2 of Article 354 of the Criminal Code of the Russian Federation, according to the unanimous opinion of Russian lawyers, should be committed with direct intent, i.e. the subject is aware that he/she calls for a war of aggression, poses public danger, and also wants to commit these actions [19, p. 620].

There is no consensus among Russian researchers on the relationship between the concepts of "public calls" and "propaganda". N. Lopashenko equates these concepts [20, p. 642], while, for example, D. Lobach believes that nowadays, not only direct calls, but also latent forms of psychological influence on human consciousness are often used [21, p. 128].

In our opinion, propaganda differs from public calls in that it can be carried out not only in public. Moreover, latent forms of influence on human consciousness are more effective in achieving one of the goals of propaganda – imposing beliefs and views beneficial to the propagandist. In addition, propaganda is an activity [22, p. 88] that forms an idea of the permissibility and possibility of carrying out actions, the need for which is justified by propaganda [23, p. 83], in contrast to public calls, which can be expressed in a single action and which contain an incentive to certain actions, i.e. expressed in an imperative form.

In addition, despite the fact that the term "propaganda for war" is used in Article 20 (1) of the ICCPR and in Russian normative legal acts, in our opinion, Article 354 should criminalize public calls for aggression against another state, and not war or a war of aggression. As already noted, the General Comment No. 11 on Article 20 defines the term "war" through the concept of an act of aggression. This term is not defined in Russian legislation. The Military Doctrine of the Russian Federation approved by the Decree of the President of the Russian Federation No. Pr-2976 of December 25, 2014 presents definitions of three types of war: local, regional and large-scale (subparagraphs "e", "zh" and "z", paragraph 8), while there is no definition of the war itself. The concept "a war of aggression" has no legal meaning in relation to Article 354 of the Criminal Code of the Russian Federation, since none of the callers indicates in their speech that it will be aggressive, and the word "unleashing" itself means committing certain actions (inaction) in order to start something, i.e. the war will begin after this call and therefore will not be defensive [17, p. 120].

In connection with the above, it is necessary, in our opinion, to change the terminology used in Article 354 of the Criminal Code of the Russian Federation and establish criminal liability not only for public calls for aggression, but also for propaganda for aggression against a state or group of states. It is worth mentioning that, according to some Soviet scientists, propaganda for war could also cover calls aimed at unleashing a new war in general, and not only against a particular state or group of states [24, p. 192]. Others argued that calls for war against a particular state are not propaganda, but incitement to war, which means one of the forms of criminal complicity, while propaganda included only calls aimed at unleashing a new war in general [24, p. 192].

We back the stance of lawyers who understand propaganda for war as the dissemination of ideas and views aimed at provoking aggression of one country or group of countries against another country or group of countries [24, p. 154]. This point of view is also supported in the Russian doctrine [14, p. 54].

Conclusion

Thus, with the active participation of the entire international community, propaganda for war has received a fair legal assessment as socially dangerous and threatening the peace and stability in the world, as a result of which the ICCPR was explicitly banned.

Current criminal legislation of Russia, however, provides for criminal liability only for public calls for unleashing a war of aggression. However, taking into account the provisions of Article 20 (1) of the ICCPR, as well as the public danger of propaganda for aggression, it seems reasonable to fix liability for aggression propaganda, along with public calls for aggression, in the Criminal Code of the Russian Federation.

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