



# JUDGMENT

IN THE NAME OF THE REPUBLIC OF ESTONIA

**Court** Viru County Court

**Time and place of decision:** March 21, 2025, Narva Courthouse

**Criminal case number** 1-25-856 (24913000090)

**Judge** Olga Dorogan

**Court secretary** Ilona Pudova

**Translator** Alexander Minin

**Criminal matters** **Aleksandr Ivantsov is charged with Criminal Code § 93-1 (1), § 421-2 (2) (1) - § 25 (2), in settlement proceedings**

**Prosecutor** Economic and Corruption Crimes  
District Prosecutor Daniel Toom, District Prosecutor's Office

**Accused** **Alexander Ivantsov**  
  
personal identification code 37003252258; place of residence XXX; XXX; XXX;  
native language XXX; workplace XXX; no criminal record;  
No seal has been applied.

**Defender** Attorney at Law Küllike Namm

**Court hearing date** 21.03.2025

**RESOLUTION** Pursuant to § 248 (1) (5), § 249, § 306, § 311 and § 313, the county court decided:

- 1. To find Aleksandr Ivantsov guilty of a crime qualified under Section 93-1(1) of the Criminal Code. in committing a crime and sentenced him to 4 (four) months in prison.**
- 2. To find Aleksandr Ivantsov guilty pursuant to § 421-2 (2) (1) - § 25 (2) of the Criminal Code in committing a qualifying crime and sentenced him to 5 (five) years imprisonment.**
- 3. On the basis of Section 64(1) of the Criminal Code, Aleksandr Ivantsov is sentenced to a lighter sentence, would be subject to the most severe penalty, with a cumulative sentence of 5 (five) years in prison.**

4. On the basis of Section 68 (1) of the Penal Code, the time spent in pre-trial detention from 01.05.2023 to 03.05.2023, i.e. 3 days, shall be included in the sentence. The unserved sentence is 4 (four) years 11 (eleven) months and 27 (twenty-seven) days of imprisonment.

5. On the basis of § 74 (1), (3) of the Penal Code, to leave the unserved part of the sentence unenforced if Aleksandr Ivantsov does not commit a new crime during the 5 (five) year probation period and complies with the control requirements set out in § 75 (1) of the Penal Code, namely Aleksandr Ivantsov is obliged to:

- 1) reside at the place of residence determined by the court, i.e. at XXX; 2) appear for registration at the probation department time periods after designated by the probation officer;
- 3) submit to the supervision of a probation officer at his/her place of residence and provide him/her with information on the performance of his/her obligations and means of subsistence; 4) obtain prior permission from a probation officer to leave his/her place of residence within the territory of Estonia for more than fifteen days; 5) obtain prior permission from a probation officer to leave his/her place of residence, work or study for exchange;
- 6) obtain prior permission from a probation officer from the territory of Estonia for departure and stay outside the territory of Estonia.

6. The probationary period will begin from the date of the judgment, i.e. from 21.03.2025. The application of the behavioral control requirements will begin after the court decision enters into force.

#### Property subject to confiscation

7. Pursuant to Section 83-1(1) of the Criminal Code, to confiscate 70,550 Russian Federation rubles taken from Aleksandr Ivantsov during a search of the vehicle DAF XF 460 FT, registration number XXX, on 01.05.2023.

#### Data on evidence and other objects seized in criminal proceedings

8. Upon entry into force of the judgment pursuant to § 126 (3) (4) of the Criminal Code, destroy the digital copies stored on the file server of the Estonian Security Police Board.

9. Pursuant to § 126 (3) (2) of the Criminal Code, return to Aleksandr Ivantsov:

- items seized during the detention of Aleksandr Ivantsov as a suspect on 01.05.2023; - items seized during the search of the DAF vehicle with registration number XXX and the Krone trailer with registration number XXX on 01.05.2023, except for the optical devices and their packaging taken from the vehicle and trailer, and 70,550 rubles in cash.

#### Procedural costs

10. Order Aleksandr Ivantsov to pay a penalty of 2,215 euros in favor of the Republic of Estonia.

11. To apply § 180(1), (3) of the Criminal Code and to order that Aleksandr Ivantsov has the right to pay the state's claim in the form of a penalty payment in the amount of 2,215 euros from the date of this judgment.

**to the bank account indicated in the county court decision within 1 (one) year from the entry into force of the court decision.**

**The procedural costs** should be paid to the Tax and Customs Board's bank account no. EE351010052031000004 at SEB bank, to the bank account no. EE522200221013264447 at SWEDBANK bank or to the bank account no. EE401700017002872300 at LUMINOR BANK bank. On the payment order, indicate the reference number 99925700008980 and the explanation "name and surname of the accused - Aleksandr Ivantsov, criminal case number - 1-25-856, explanation - criminal proceedings costs".

If financial claims have not been paid in full on time, the claims will be referred to a bailiff for enforcement proceedings in accordance with the procedure provided for in the Enforcement Procedure Code.

### **Appeal procedure**

The court decision has the right to appeal to the Tartu Circuit Court within 15 days of the public announcement of the decision. An appeal may be filed only if the provisions of the settlement procedure have been violated (the provisions of Chapter 9, Section 2 of the Criminal Code) or if there has been a significant violation of criminal procedure law within the meaning of Section 339, Subsection 1 of the Criminal Code. The accused and the defense counsel may also file an appeal if the act described in the settlement is not a crime, it has been incorrectly qualified according to the Penal Code, or if the accused has been sentenced to a punishment for a crime that is not provided for by law.

### **ACCUSATION**

**1. Aleksandr Ivantsov** is accused of violating the prohibition set forth in the legislation implementing international sanctions by transporting goods subject to sanctions from the Republic of Estonia to the Russian Federation. On 23.04.2023, DI handed over 6 Pulsar Merger LRF XP50 binoculars to Aleksandr Ivantsov. A.

Ivantsov then hid the items in his truck with the DAF registration number XXX. On 24.04.2023, A. Ivantsov drove the aforementioned truck to the Narva border crossing point at Narva, Peterburi tee 1, where he crossed the Estonian-Russian border at 02:27 and thus transported the binoculars to the Russian Federation.

According to Article 3h(1) of Council Regulation No 833/2014 of the European Union of 31.07.2014, it is prohibited to sell, supply, transfer or export luxury goods listed in Annex XVIII, directly or indirectly, to any natural or legal person, entity or body in Russia or for use in Russia. Paragraph 23 of Annex XVIII to the Regulation includes optical products and equipment of any value, including night vision or thermal imaging equipment, binoculars, observation devices, optical weapon sights, thermal imaging sights. Paragraph 23 of Annex XVIII was added to the Regulation on 08.04.2022 by amending Regulation No 2022/576, which entered into force on 09.04.2022.

According to Article 3k(1) of Council Regulation No 833/2014 of the European Union of 31 July 2014, it is prohibited to sell, supply, transfer or export, directly or indirectly, to any natural or legal person, entity or body in Russia or for use in Russia, goods listed in Annex XXIII which could contribute to, in particular, the strengthening of Russia's industrial capacity.

Part C of Annex XXIII to the Regulation includes, among others, binoculars, spotting scopes, other optical telescopes and their tripods. Part C of Annex XXIII was added to the Regulation on 25.02.2023 by Amending Regulation No. 2023/427, which entered into force on 26.02.2023.

According to § 3(1) of the International Sanctions Act (RSanS), an international sanction is a foreign policy measure aimed at supporting the preservation or restoration of peace, international security, democracy and the rule of law, observance of human rights and international law, or the achievement of other objectives of the Charter of the United Nations or the common foreign and security policy of the European Union. According to § 6 of the RSanS, a violation of an international sanction is a breach of an obligation set out in the legislation implementing the international sanction.

failure to comply or violation of a prohibition. A legal act implementing an international sanction is, within the meaning of Section 9(1) of the RSanS, a regulation of the Council of the European Union or a law of the Republic of Estonia, on the basis of which the obligations and prohibitions prescribed in the legal act establishing the international sanction are applied. Therefore, Regulation No. 833/2014 of the Council of the European Union of 31.07.2014, as amended, is an international sanction.

**By such actions, Aleksandr Ivantsov committed a crime qualified under Section 93-1(1) of the Criminal Code, i.e. a violation of the prohibition provided for in the legislation implementing international sanctions.**

**Aleksandr Ivantsov** is accused of transporting prohibited strategic goods from the Republic of Estonia to the Russian Federation in a group with D I.

Between April 2022 and March 2023, D I repeatedly ordered firearm sights with electronic image processing function from Austrian and Portuguese companies to Estonia via the internet, worth at least 979,690 euros in total. D. I, together with Aleksandr Ivantsov, resold them to various persons in the Russian Federation. Since D. I did not have the means to deliver the sights to Russia himself, D. I agreed with A. Ivantsov that D. I would provide the sights to A.

Ivantsov, who delivers them from Estonia to Russia with his own truck and posts them there so that the sights reach the customers. A. Ivantsov received an unspecified amount of cash payment from D. I for his activities. On 30.04.2023, D. I handed over 5 Pulsar Thermion 2 LRF XP50 PRO electronic image processing sights with accessories and 1 Pulsar Talion XQ38 electronic image processing sight with accessories to Aleksandr Ivantsov at Mere pst 12 in Toila. A. Ivantsov hid the items in his truck with the DAF license plate XXX. On 01.05.2023, Aleksandr Ivantsov drove the aforementioned truck to the Narva border crossing point at Narva, Peterburi tee 1 in the outbound direction with the aim of crossing the border of the Republic of Estonia and delivering the goods to the Russian Federation. A. Ivantsov was detained by the Security Police at the Narva border crossing point after passing customs control, but before crossing the border at 10:18. During a search of the vehicle, the previously described 6 scopes along with accessories were found and seized, and he was unable to transport them across the border to the Russian Federation.

According to Section 2(1) of the Strategic Goods Act (hereinafter referred to as the StrKS), strategic goods are military goods, defence products, goods used to violate human rights and dual-use goods, the list of which is established by the Government of the Republic by its regulation in accordance with Section 2(10) of the StrKS. Annex 1 to the Regulation of the Government of the Republic No. 171 of 22.12.2011 "List of Strategic Goods" sets out a list of military goods. According to category ML1.d.5 of the List of Military Goods, such goods are optical sights with an electronic image processing function and designed for smooth-bore weapons with a calibre of less than 20 mm and other small arms and automatic weapons with a calibre of 12.7 mm or less. More specifically, rifles and combined arms, handguns, machine guns, submachine guns and full-bore weapons, smooth-bore weapons, weapons using caseless ammunition.

According to Section 3(1) of the Strategic Goods Act, the transport of strategic goods within the meaning of the Strategic Goods Act is the import, export, transit, transport of defence-related products within the European Union and the forwarding of dual-use goods. According to Section 3(3)(1) of the Strategic Goods Act, export is the transport of military goods and defence-related products out of Estonia.

According to Section 6(2) of the Strategic Goods Act, a valid special permit or right to use it is required for the transport of goods included in the list of strategic goods and goods considered to be strategic goods pursuant to Section 2(4) and (11) of the Strategic Goods Act, and for the provision of services, which must be acquired before the goods or services cross the state border.

According to Article 3h(1) of Council Regulation No 833/2014 of the European Union of 31.07.2014, it is prohibited to sell, supply, transfer or export luxury goods listed in Annex XVIII, directly or

indirectly to natural or legal persons, entities or bodies in Russia or for use in Russia. Paragraph 23 of Annex XVIII to the Regulation includes optical products and devices of any value, including night vision devices or thermal imaging devices, binoculars, observation devices, optical weapon sights, thermal imaging sights. Paragraph 23 of Annex XVIII was added to the Regulation on 08.04.2022 by Amending Regulation No 2022/576, which entered into force on 09.04.2022.

According to Article 3k(1) of Council Regulation No 833/2014 of the European Union of 31 July 2014, it is prohibited to sell, supply, transfer or export, directly or indirectly, to any natural or legal person, entity or body in Russia or for use in Russia, goods listed in Annex XXIII which could contribute to, in particular, the strengthening of Russia's industrial capacity.

Part C of Annex XXIII to the Regulation includes, among others, binoculars, spotting scopes, other optical telescopes and their tripods. Part C of Annex XXIII was added to the Regulation on 25.02.2023 by Amending Regulation No. 2023/427, which entered into force on 26.02.2023.

According to § 3(1) of the International Sanctions Act (RSanS), an international sanction is a foreign policy measure aimed at supporting the maintenance or restoration of peace, international security, democracy and the rule of law, respect for human rights and international law, or the achievement of other objectives of the Charter of the United Nations or the common foreign and security policy of the European Union. According to § 6 of the RSanS, a violation of an international sanction is a failure to fulfil an obligation or a violation of a prohibition provided for in the legal act implementing the international sanction. A legal act implementing an international sanction is, within the meaning of § 9(1) of the RSanS, a regulation of the Council of the European Union or a law of the Republic of Estonia, on the basis of which the obligations and prohibitions prescribed in the legal act establishing the international sanction are applied. Therefore, Regulation No 833/2014 of the Council of the European Union of 31.07.2014, as amended, is an international sanction.

**By such actions, Aleksandr Ivantsov committed a crime qualified under Section 421-2, Subsection 2, Clause 1 - Section 25, Subsection 2 of the Criminal Code, i.e. attempted group transport of prohibited strategic goods without the required valid special permit.**

## **CONTENT OF THE AGREEMENT AND POSITIONS OF THE PARTIES IN COURT**

2. In accordance with the agreement concluded between the accused Aleksandr Ivantsov, his defense counsel Küllike Nammi and prosecutor Daniel Toom, the prosecutor requests the court to convict and punish Aleksandr Ivantsov with imprisonment for 4 months pursuant to § 93-1 (1) of the Penal Code, and with imprisonment for 5 years pursuant to § 421-2 (2) (1) - § 25 (2) of the Penal Code. Pursuant to § 64 (1) of the Penal Code, Aleksandr Ivantsov shall be sentenced to a cumulative sentence of 5 years imprisonment, with the lighter sentence being considered to be covered by the heavier sentence. Pursuant to § 68 (1) of the Penal Code, the time spent in pre-trial detention from 01.05.2023 to 03.05.2023, i.e. 3 days during which Aleksandr Ivantsov was detained as a suspect, shall be included in the sentence. Thus, the unserved sentence is 4 years 11 months and 27 days of imprisonment. Pursuant to Section 74(1), (2) and (3) of the Penal Code, the sentence of imprisonment shall not be enforced if Aleksandr Ivantsov does not commit a new crime during the 5-year probationary period and complies with the control requirements set out in Section 75(1) of the Penal Code: 1) reside at the permanent place of residence determined by the court; 2) appear at the probation department for registration at intervals determined by the probation officer; 3) submit to the supervision of the probation officer at his place of residence and provide him with information on the performance of his obligations and means of subsistence; 4) obtain prior permission from the probation officer to leave his place of residence within the territory of Estonia for more than fifteen days; 5) obtain prior permission from the probation officer to change his place of residence, work or study; 6) obtain prior permission from the probation officer to leave the territory of Estonia and to stay outside the territory of Estonia. Based on the agreement, pursuant to Section 83-1(1) of the Criminal Code, 70,550 Russian Federation rubles seized from Aleksandr Ivantsov during his detention as a suspect on 01.05.2023 must be confiscated. The parties have also reached an agreement regarding the evidence and other objects seized in the criminal proceedings,

namely, the digital copies stored on the file server of the Security Police Board must be destroyed; the items seized during the detention of Aleksandr Ivantsov as a suspect on 01.05.2023, except for the cash of 70,550 rubles, and the items seized during the search of the vehicle DAF with registration number XXX and the trailer Krone with registration number XXX on 1.05.2023, except for the optical devices and their packaging taken from the vehicle and trailer, must be returned to Aleksandr Ivantsov on the basis of § 126 (3) (2) of the Criminal Code. The agreement also specifies the procedural costs to be paid by the accused. Aleksandr Ivantsov is to be ordered to pay a penalty of 2,215 euros in favor of the Republic of Estonia. According to the agreement, the accused, on the basis of § 180 (3) of the Criminal Code, shall compensate the procedural costs within 1 year from the entry into force of the judgment.

3. At the hearing on 21.03.2025, the accused stated that he understood the agreement concluded, agreed with it, had given his voluntary consent to the application of the settlement procedure, and when concluding the agreement, he had expressed his true will and agreed to all the legal consequences reflected in the agreement. The accused also confirmed that he understood the obligation to compensate the procedural costs (penalty money) and assumed a voluntary obligation to compensate the procedural costs (penalty money). He also understood that he had to pay the procedural costs (penalty money) within one year of the entry into force of the judgment. In addition, the accused agreed with the measures applied to the property subject to confiscation and the evidence. The prosecutor and the defense attorney supported the agreement concluded, requesting the court to confirm it with a judgment.

#### **POSITION AND REASONS OF THE COURT**

4. The court finds that Aleksandr Ivantsov must be found guilty under § 93-1 (1), § 421-2 (2) (1) - § 25 (2) of the Criminal Code and sentenced in accordance with the agreement. The procedural costs in the amount of 2,215 euros must be borne by Aleksandr Ivantsov. 70,550 Russian Federation rubles must be confiscated.

Having reviewed the materials of the criminal file and heard the opinions of the parties to the court proceedings, the court is of the opinion that the accused has understood the agreement and that the conclusion of the agreement corresponds to his true will. The court questioned the accused at the hearing regarding the content of the agreement and was satisfied that the accused had also signed it voluntarily, knowing the consequences. The act of the accused has been correctly qualified, therefore Aleksandr Ivantsov must be convicted and sentenced to the punishment agreed upon in the agreement pursuant to § 93-1 (1), § 421-2 (2) (1) - § 25 (2) of the Criminal Code. The requested punishment corresponds to the extent of the accused's guilt and the purpose of the punishment. In all other respects, the agreement exists and is lawful in all the elements required by law, and the court has no need or legal basis to form an additional position on the above. The court finds that the provisions of Chapter 9, Section 2 of the Criminal Code have not been violated in the agreement proceedings and that the regulation of the agreement proceedings has been followed in the criminal case proceedings.

6. Based on the foregoing, the court takes the view that the accused should be convicted of the charges brought against him and that he should be sentenced to the agreed sentence and ordered to pay the costs of the proceedings.

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Olga Dorogan  
Judge