

Xenophobia,  
Freedom of Conscience  
and Anti-Extremism  
in Russia in 2012

**A collection of annual reports  
by the SOVA Center for Information and Analysis**

**Moscow**

**2013**

UDC 323.1(470+571)(082.1)”2012”  
BBC 66.094я43+66.3(2Рос),54я43

X44 **Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2012: A collection of annual reports by the SOVA Center for Information and Analysis;** [Alperovich Vera, Sibireva Olga, Kravchenko Maria, Yudina Natalia / Ed. by Verkhovsky Alexander] – M.: SOVA Center, 2013. – 161 pp.: tables

ISBN 978-5-98418-029-0

This collection of reports summarizes all the major areas of work addressed by the SOVA Center for Information and Analysis in 2012, in a similar fashion to collections in previous years.

There are three reports on themes which have become traditional for the SOVA Center in this collection:

The first report addresses radical nationalism and hate crime, and the efforts of government and society to combat these phenomena. The second report addresses problems relating to freedom of conscience in contemporary Russia. The third report addresses the misuse and abuse of “anti-extremism” measures.

The reports are updated versions of original texts on the SOVA Center website.

The appendix provides details about hate crimes and the prosecution of such crimes.

All data were compiled at the middle of February 2013.

This translation of the published Russian text uses a modified Library of Congress system of transliteration for names and publications, except where there is an established alternative spelling (e.g. Yeltsin, not El'tsin, Yabloko, not Iabloko).

This collection was compiled and published with the support of the International Partnership for Human Rights (IPHR).

We are also grateful for support from the Open Society Foundation (OSF), Norwegian Helsinki Committee and “State Club” Foundation.

The SOVA Center website, which includes publications and news, can be found at <http://sova-center.ru>

Design, cover design – N. Vinnik  
Layout – M. Konkova

Подписано в печать 10 июня 2013 г. Формат 60x84/16 Гарнитура Таймс

Печать офсетная. Бумага офсетная. Уч.-изд. л. 9,3. Тираж – 300 экз. Заказ № .....

ООО Центр «Сова». Адрес для писем: 101000, Москва, Лучников пер., д.4, под.3, к.2.

Телефон/факс: (495) 517-92-30. E-mail: [mail@sova-center.ru](mailto:mail@sova-center.ru). Веб-сайт: <http://sova-center.ru>

Типография Россельхозакадемии. 115598, Москва, ул. Ягодная, 12.

ISBN 978-5-98418-029-0



9 785984 180290 >

© Authors, 2013 – report texts

© Vinnik N.V., 2013 – design

## Contents

*Vera Alperovich, Natalia Yudina*

The Ultra-Right on the Streets with a Pro-Democracy Poster in Their Hands or a Knife in Their Pocket: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2012 .....	5
Summary .....	5
Criminal Manifestations of Racism and Xenophobia .....	7
Systematic Racist and Neo-Nazi Violence .....	7
Violence Motivated by Religion .....	12
Racism and Soccer .....	13
Threats from the Ultra-Right .....	14
Grassroots Xenophobic Violence and Xenophobia in the Army ...	15
Vandalism .....	16
Public Activity of Ultra-Right Radicals .....	17
Nationalists at General Protest Actions .....	17
Independent Actions by Nationalists .....	27
“Kondopoga Technology” .....	31
Party Building .....	34
Other Areas of Nationalist Activity .....	39
Counter-action to Radical Nationalism and Xenophobia .....	41
Public Initiatives .....	41
Criminal Prosecution for Violence .....	43
Criminal Prosecution for Vandalism .....	48
Criminal Prosecution for Propaganda .....	49
Criminal Prosecution of Extremist Groups and Banned Organizations .....	54
The Federal List of Extremist Materials .....	55
The Banning of Organizations .....	58
Other Administrative Measures .....	59

*Olga Sibireva*

Freedom of conscience in Russia: Restrictions and challenges in 2012 .....	61
Summary .....	61
Legal regulations concerning religious organizations .....	62

*Vera Alperovich, Natalia Yudina*

## The Ultra-Right on the Streets with a Pro-Democracy Poster in Their Hands or a Knife in Their Pocket: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2012

### Summary

Considering the dynamics of radical nationalism and the state's and society's efforts to counteract it, 2012 became one of the most paradoxical years. It is difficult to make any predictions for the future based on this year's results.

Mass protest actions, a defining feature of the year 2012, became for the ultra-right movement an apple of discord. Key ultra-right organizations viewed the protests as an opportunity to overcome their marginal status, and enter "the big politics" as a part of the democratic opposition. However, the failure of this plan became evident as the year went on. First, the overall achievements of the opposition ended up being much more modest than initially expected. Second, nationalists were unable to recruit significant numbers of new supporters from among the protest participants. Third, their political leaders have been increasingly unable to bring their "old" guard out to the streets, since the majority of the existing ultra-right activists quickly denounced joint actions with despised liberals and leftists, and many of those, who remained, gradually abandoned the protest activity, upon realizing the futility of any attempts to influence the authorities via large protest marches and rallies.

These unsatisfactory results moved some nationalist organization to denounce the protest activity. Most of them, however, see making such a step back as unproductive, and continue to follow their adopted strategy of cultivating the image of "respectable nationalists" and hoping that new supporters appear eventually.

In addition to participation in the protest movement of 2012, the ultra-right attempted to use yet another method for potential political de-marginalization, that is, creation and registration of their own political parties. Despite the fact, that numerous ultra-right movements expressed their desire to register, earlier

Federal legislation .....	63
Regional initiatives.....	64
Initiatives not successfully progressed in 2012 .....	65
Problems relating to places of worship.....	68
Problems with the construction of religious buildings.....	68
Problems relating to existing religious buildings .....	70
Positive resolutions.....	72
Preferential treatment accorded certain religious organizations by the authorities.....	72
Financial and material help .....	74
The authorities and increased pro-Church activism .....	76
Other examples of discrimination and unwarranted interference .....	79
Liquidation of religious organizations and denial of registration .....	79
Discrimination against "non-traditional" religious organizations .....	81
Other cases.....	84
Insufficient protection from defamation and attacks.....	85

*Maria Kravchenko*

Inappropriate enforcement of anti-extremist legislation in Russia in 2012..	90
Summary .....	90
Creation of Regulatory Acts.....	92
Major trends in 2012.....	99
"Excessive Vigilance" .....	99
The Internet and Anti-Extremism .....	101
Incidental Victims of Inappropriate Anti-Extremism .....	105
Principal targets of persecution .....	107
Religious Groups .....	107
Political and Civic Activists .....	115
Media Topics .....	123
A bit of statistics .....	126
Appendix.	
Crime and punishment statistics .....	130

in the year, the only ones that have succeeded so far were two previously existing parties of Sergei Baburin and Dmitry Rogozin and a couple of minor groups.

Evidently, the majority of rank-and-file nationalists don't believe that ultra-right parties have much likelihood of getting registered, so they are in no hurry to join their regional party branches. Seeing no promising potential either in the general protest activity, or in party-building, they, once again, started talking about the "white" (in the racial sense) revolution, and violent methods of attaining power. Once again, various militarized sports events started to take place, the level of aggression went up, and many potentially violent ultra-right "raid" initiatives started to take place. The number of attacks against "political" adversaries increased as well.

Thus, the ultra-right movement in general is, likely, moving back toward a half-underground network of fighter cells, then toward forming a nationalist parliamentary opposition. However, the overall public support level for nationalist ideology has increased, due to significant support both from the authorities and from the opposition.

Criminal activity of the ultra-right in 2012 showed no decline, compared to the previous year. Their ideological opponents constituted the most significant group of their victims. However, ethnicity-based attacks were far from disappearing; apparently, the number of victims among "ethnic minorities" is the same this year as it was the year before. Ultra-right attackers frequently chose the most helpless and socially unprotected victims; in particular, we observed the growing number of attacks against the homeless. The number of attacks "by associations" increased as well.

We also observed the increase in grass-roots violence motivated by xenophobia, and greater number of mass conflicts between people, who belong to different ethnic groups. The radical right attempted to politicize these incidents as "ethnic conflicts" (so called "Kondopoga technology") but all their attempts failed.

Prosecution of the groups inclined to violence was less active in 2012, and the number of violence-related convictions dropped sharply. However, the punishments on average became more severe. During the review period, members of several neo-Nazi groups were convicted, including the Autonomous Military Terrorist Organization (*Avtonomnaia boevaia terroristicheskaia organizatsiia*, ABTO), the Orel Guerillas (*Orlovskie partizany*), and the gang of Yan Lyutik.

During the year, there were several convictions related to the Moscow Manezhnaya Square riots of December 11, 2010 or to the attacks that followed them. In fact, however, these cases are examples of poor investigative work. The same is also applicable to the court verdicts relating to the attacks against anti-fascists Ilya Dzhaparidze in Moscow and Nikita Kalin in Samara.

Throughout 2012, we recorded a rapid rise in xenophobic propaganda convictions. In many cases, the perpetrators present no significant danger; these

are often half-illiterate minors from the *Vkontakte* social network, who either posted links to racist videos on social networks or left intolerant comments on internet forums. Unfortunately, the law enforcement agencies often focus on perpetrators, who are easier to find, instead of perpetrators, who present a real danger. The fact that penalties were usually commensurate with actions needs to be pointed out as a positive development in this law enforcement area: courts (and, to some extent, prosecutors) have all but abandoned both the practice of incarceration for "mere words" and the practice of giving suspended sentences. The most common verdicts in 2012 were mandatory and correctional labor.

The situation with the monstrous Federal List of Extremist Materials – which continues its rapid growth, and increasingly becomes a target of indignant criticism and sarcastic articles – is even more troubling. This unwieldy instrument is almost impossible to use, while providing the widest opportunities for abuse.

The mechanism of banning organizations for extremism was utilized only on two occasions; the international network Blood and Honour / Combat 18) and the Northern Brotherhood (*Severnoe bratsvo*) were the only groups banned in 2012. These bans were largely symbolic, since both organizations were by that time practically non-existent. Obviously, the mechanism of prohibition, as it relates to organization, and further prosecution of its members requires some serious reassessment.

The "fight against extremism" on the Internet continued actively in 2012; there was a dramatic increase in requests that providers block specific sites or materials that had been legally recognized as extremist. The legitimacy and value of these demands is far from clear.

Thus, our overall impression is that, while large segment of ultra-right activists declares the primacy of street violence, and quantitative increase of such crime can already be observed, law enforcement agencies increasingly target social network users for re-publishing information, look for "extremist materials," and make demands on the Internet service providers. This discrepancy could be dangerous in its possible impact on the developing situation.

## Criminal Manifestations of Racism and Xenophobia

### Systematic Racist and Neo-Nazi Violence

In 2012, 19 people died and 187 received injuries as a result of racist and neo-Nazi violence; 2 people received credible murder threats. Please remember, that our calculations do not include victims of mass brawls, and the events in the republics of the North Caucasus. These numbers are practically identical to the

ones from 2011, for which we know of 25 murders, 195 injured victims, and 10 people who received murder threats.<sup>1</sup> Considering our annual data adjustments,<sup>2</sup> there is no evidence of any drop in racist crime rates; most likely, the level of violence has even increased.

In the past year, incidents of racist violence took place in 31 regions of the country (compared to 49 regions in 2011). As before, Moscow (4 killed, 65 injured), the Moscow Region (3 killed, 25 injured), and St. Petersburg (1 killed, 21 injured) top the list. They are followed by the Republic of Bashkortostan (19 injured), Primorye (4 killed, 2 injured), the Komi Republic (6 injured), the Samara Region (2 killed, 4 injured). The year before, a significant number of victims had been recorded in the Kaluga Region; however, the situation sufficiently improved there in 2012 (1 injured). The statistics for the other cities have remained practically unchanged for the past several years.

### Attacks against Political Adversaries

The most populous group of ultra-right violence victims in 2012 (1 killed, 54 injured) consisted of their political, ideological or “esthetic” opponents. The year before, this group occupied the second position on the list (1 killed, 35 injured).

This phenomenon can be partially explained by the fact that the entire year was marked by tumultuous political and public activity, and the ultra-right did not remain unaffected by this process. Certainly, we also tend to be better informed about such cases; the victims themselves or their associates are better aware of their rights and more often find opportunities to contact NGO’s and the media. This group of violence victims includes anti-fascists,<sup>3</sup> (or those, who were perceived as such), attendees of rock and hip-hop concerts and soccer matches, participants of the action in memory of Markelov and Baburova on January 19, left-wing activists, ecologists, fans of certain kinds of music (even anime fans), and members of various groups disfavored by the ultra-right.

<sup>1</sup> Statistics for 2012 and 2011 are given as of February 13, 2013. 2011 data has changed since your last annual report, where we gave the following numbers: 20 murders, 148 injuries, 10 murder threats. See: Alperovich, Vera, Yudina, Natalia, Verkhovsky, Alexander, ‘Between Manezhnaya and Bolotnaya: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2011’, in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2011* (Moscow: SOVA Center, 2012) p. 5-61.

<sup>2</sup> A year after our annual report our victim counts increase approximately 20 % due to receiving additional later information.

<sup>3</sup> Radical anti-fascists (known as “antifa”) tend to conceal their losses in street fights with the neo-Nazi (and vice versa). This tendency is unstable, and sharp changes in the number of victims for this group usually indicate changes in the “antifa” policies on providing information. It looks like currently the militant antifascists lean toward providing information on their victims.

### Attacks on Ethnic “Others”

Ethnically-based attacks continued without interruption in 2012. We need to emphasize that our classification of this group of victims is approximate – the report on the attack does not always reveal the victim’s ethnicity, and most crime victims prefer to avoid contacts with police, community organizations and the media. Of course, exceptions sometimes happen. For example an attack on Abdul Bekmamadov – an actor of Theater.doc in Moscow and a citizen of Tajikistan – in the fall of 2012 received noticeable public reaction and press coverage, probably, because the victim was well-known, and the theater’s artistic director made the incident public. However, such cases are exceedingly rare.

The second largest group of victims, the one topping the “ethnic” list, were migrants from Central Asia (7 killed, 35 injured). In 2009-2011, they were the largest victim group. The number of victims is close to the corresponding 2011 statistic, but 2011 showed more murders (10 killed, 35 injured). People from the Caucasus take the fourth position in our mournful rating, with 4 people killed and 14 injured (vs. 6 killed и 17 injured in 2011).

Formally, the third place is occupied by dark-skinned people (25 injured). Attacks on them have been systematically tracked by Moscow Protestant Chaplaincy. However, we also know of 15 additional victims (1 killed, 14 injured) of unspecified “non-Slavic” appearance, most often it was described as “Asian,” or “Caucasian” (i.e. from the Caucasus). For example, on Hitler’s birthday on April 20, the neo-Nazis conducted the White Car (Belyi vagon) operation on the Tver and Klin directions of Moscow commuter trains; as a result several people of “Asian appearance” were injured. Thus, it is difficult to determine, which group – migrants from the Caucasus or dark-skinned individuals – was a more frequent target of hate crimes

Attacks on other “ethnic others” under xenophobic slogans such as Malaysia natives in Volgograd or a resident of China in St. Petersburg, were also recorded (5 victims). Attack on ethnic Russians, motivated by ethnic hatred (7 victims), took place in Moscow and Syktyvkar.<sup>4</sup>

Notably, the attacks on Russians were initiated by lone perpetrators in all cases; we have no information on any violent racist groups of “migrants from the Caucasus” (along the lines of the Black Hawks, *Chernye iastreby*).<sup>5</sup> On the other hand, yet another organized racist ethnic minority group surfaced in 2012 – the Patriot (*Patriot*) gang of ethnic Kyrgyz. Unlike the “migrants from

<sup>4</sup> In both cases the prosecution confirmed the motive of hatred.

<sup>5</sup> For more on the Black Hawks see Kozhevnikova, Galina. Under the sign of political terror: ‘Radical nationalism and efforts to counteract it in 2009’, in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2009* (Moscow: SOVA Center, 2010), p. 5-43.

the Caucasus” groups, which attacked ethnic “others,” the Kyrgyz “Patriots” focused on women of their own tribe. They attacked girls for ostensibly dating non-Kyrgyz men (Tajik men, for example).<sup>6</sup> The gang became known after their incendiary videos appeared online (in March and May of 2012). The videos show young men, who insult and beat up young women, strip them naked in public, and demand that they answer questions on camera. One video clip shows a Kyrgyz girl, who looks no older than 20, first being savagely beaten, and then hit forcefully in the head with a piece of street curb. It is not known whether the girl survived. The exact number of victims is unknown. One of the Patriots victims committed suicide after returning home and not being able to handle the abuse from her fellow-villagers. Another girl was found in Kyrgyzstan, and it was eventually possible to convince her to go to court. As a result, the criminal investigation was opened. After this, another victim sent a letter to the Russian police and to the Kyrgyzstan Embassy in Moscow with her account of the attack.

In July 2012 it was reported that a criminal case was opened in Russia, and three people were detained. The 25-year-old leader of the gang was among the apprehended. Altogether, the gang included about 15 members, all from the same area of Kyrgyzstan, aged 20 to 35. The group has been active in Moscow and Yekaterinburg since 2006.

Total number of attacks, specifically based on ethnic criteria, remained the same as in the previous year; there were 122 attacks per year in both 2011 and 2012. Thus, in contrast with the trend of 2009–2011, the number of ethnically-motivated violent crimes is no longer decreasing.

We may want to contemplate the reason for such change, or at least the reason of this year’s exception to it. Sociological surveys indicated rising levels of ethnic xenophobia;<sup>7</sup> however, mass sentiments do not correlate that closely to activity levels of marginal radical groups. Another suggested explanation for the observed increase in violence, was that law enforcement agencies prosecuted xenophobic violence with less zeal, since their attention switched to the political opposition. This theory has merits, since there indeed were fewer prosecutions (see below), and, since the preceding drop in violence had been achieved exclusively via active law enforcement, the decrease in law enforcement necessarily led to losing previously attained results. However, considering that, on average, each court

<sup>6</sup> Kyrgyz “patriots” used the same rhetoric as Russian “patriotically inclined” youngsters, who criticize Russian women for “going out” with “non-Russians”.

<sup>7</sup> 47 % of Russian citizens have a negative attitude toward migrant workers // Levada Center. 2012. 16 October (<http://www.levada.ru/16-10-2012/47-rossiyan-otritsatelno-otnosyatsya-k-gastarbaiteram>).

case is initiated at least a year prior to its verdict, the shift must have occurred in 2011, and can’t be explained as a reaction to the protest movement. Some analysts surmise that young ultra-right activists became disappointed with the “peaceful protest,” and instead turned to violence. However, this explanation can be rejected outright; the protest movement gained strength only in December 2011, so its “appeal” and “disappointment,” (which are undeniable but also shouldn’t be overestimated) only pertain to 2012. More likely explanation is that the new generation of ultra-right militants, after the experience of mass arrests, takes the need for secrecy more seriously than their predecessors. At this time it is still impossible to construct the exhaustive explanation.

### Attacks on Members of LGBT Community

For the first time since the 2007 gay pride parade dispersal in Moscow<sup>8</sup> we recorded a significant number of ultra-right attacks against gay activists (12 injured), a 400 % increase since 2011. In general, the number of attacks on LGBT is much greater, but we cannot provide even a rough estimate, since the victims are extremely reluctant to report the incidents.<sup>9</sup>

Increase in number of attack can be partially attributed to increased visibility of the LGBT community, as its members were protesting against the notorious law banning “homosexual propaganda” adopted in St. Petersburg and several other regions in early March 2012.<sup>10</sup> Ultra-right radicals interpret the state’s position as a tacit approval of violence; therefore, all their groups – nationalists,<sup>11</sup> Cossacks, Russian Orthodox radicals – engage in violence more openly. Notably,

<sup>8</sup> See: Nationalists attack participants of the gay pride parade in Moscow // SOVA Center. 2007. 26 May (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2007/05/d10945/>).

<sup>9</sup> Human rights activists and LGBT organizations tried to monitor information on LGBT discrimination, but these attempts produced no significant results. Afraid of opening up about their sexual orientation, victims usually prefer not to interact with law enforcement agencies, community organizations and even LGBT activists.

<sup>10</sup> On March 7, 2012 the St. Petersburg city law “On administrative offenses in St. Petersburg” was amended to include new Article 7.1 “Public actions aimed at propaganda of sodomy, lesbianism, bisexuality, transgenderism amongst minors” and Article 7.2 (“Public actions aimed at propaganda of pedophilia”).

The law banning “propaganda of homosexuality among minors” passed the first reading in the State Duma on January 25, 2013, but the discussion around these amendments to the Administrative Code started in 2012.

<sup>11</sup> Ultra-nationalist constitute the core of the attackers. The St. Petersburg case, when, on May 17, they attacked participants of the Rainbow Flash Mob (Raduzhnyi fleshmob) event, and then attacked the buses with migrant workers (likely, due the fact, that buses with the event participants were protected by police).

the police officers on duty during the events often choose not to intervene<sup>12</sup> and make no attempt to stop an attack.

### Attacks against Homeless People

We also recorded a significant number of homeless victims in 2012: 6 killed and 2 injured.<sup>13</sup> Last year showed an increase in the number of attacks on these most socially isolated and helpless individuals, often balancing on a brink of survival. The ultra-right (particularly, members of the Nazi Straight-edge subculture) view them as “biological garbage” and call for “cleaning up the country” from this “scum” (the radical ultra-right blogs mentioned that, on occasions, municipal lower officials encouraged bullying the homeless and their ejection from basements)

Attack victims also include people, who, according to their attackers, “lead an unhealthy lifestyle,” as it happened in case of an inebriated woman on Moscow Metro train in early 2012.

### Other Attacks

A number of attack victims of ultra-right radicals in the past year can be classified as “victims by association,” that is, either the eyewitnesses of attacks, who tried to interfere in defense of people being attacked, or simply random passers-by. In addition, the list of victims includes people, who “dared” to show their disapproval of the ultra-right activists’ public behavior. In winter 2012 Dmitry Alyaev, a reporter from the *Novye Izvestia* newspaper, was beaten up for expressing his disagreement with nationalists, who shouted “Russia for Russians!” on board of a commuter train.

### Violence Motivated by Religion

In 2012, as in the preceding years, followers of the Jehovah’s Witnesses doctrine constituted the largest group among the victims of religion-based xenophobia; at least 8 people were injured during the attacks. This is, undoubtedly, the result of the repressive campaign against Jehovah’s Witnesses that have been going on for about four years. However, the number of such incidents dropped significantly compared to 2011, when we recorded 24 injured victims.

Attacks on members of other religious groups motivated specifically by religious hate remain uncommon. Besides Jehovah’s Witnesses, the victims in 2012 included only a pastor of a *Goodnews Mission Church* and his assistant.

<sup>12</sup> For example, in Novosibirsk during the May day “Monstration” on May 1, 2012.

<sup>13</sup> Only the attacks, where the prosecution confirmed the motive of hatred, are included.

Defenders of the Pussy Riot punk collective, who came out on pickets in a number of Russian cities, also became targets of religiously motivated attacks. For example, on March 14, April 19 and May 26, there were attacks on the picketers at the courthouse, where the band members were on trial for their “punk prayer.” A group of Orthodox activists in Moscow attacked people and organizations in some ways associated with the punk collective on several occasions in August. Attackers also included some activists of right-wing organizations.

The attack on journalist Sergey Aslanian that took place in Moscow on the night of May 29, 2012 was, likely, also motivated by religious reasons. While beating him up, an attacker shouted “You are an enemy of Allah.” Aslanian’s May 14 statement on *Mayak* radio station about the prophet Muhammad, which was found offensive by some Muslims, could be a possible motive for the attack.

### Racism and Soccer

Reports on manifestations of racism among soccer and hockey fans have become commonplace. It can partially be explained simply by the direct influence of the neo-Nazis, some of whom are also soccer fans. The fans’ behavior on Hitler’s birthday on April 20 provided an indirect confirmation of this effect. On this day in Ryazan during the match between Arsenal (Tula) and Zvezda (Ryazan) fans displayed a traditional banner “Happy Birthday, Grandpa!” Meanwhile, 50 soccer fans and participants of the Russian Runs<sup>14</sup> in Nizhny Tagil marched under imperial black-yellow-white flags and swastika-decorated banners.

Xenophobic soccer fans don’t particularly try to hide their views. For example, in December 2012, Zenit fans issued a manifesto “Selection-12” (*Selektsiya-12*), which expressly opposed any gay and black players at the club. Additionally, in September 2012, two fans of the same Zenit club, boarding the plane in the Finnish city of Vantaa en route to Spain for the game with Malaga, were taken off the plane by the police because of their racist remarks.

The fans and players of the Anzhi (Makhachkala) faced the greatest extent of racism in 2012. In different cities (Moscow, St. Petersburg, Kazan, Yekaterinburg), before nearly every soccer game throughout the year, ultra-right fans of other teams placed racist banners and streamers or drew swastikas, runes, SS signs and other such symbols near the stadiums. The games were accompanied

<sup>14</sup> The Russian Runs are a popular form of ultra-right street actions, pioneered by nationalists in 2012 (see: Alperovich, Yudina, Verkhovsky, *ibid.*).

with shouting of anti-Dagestani and anti-Caucasus slogans and throwing bananas at the team members. The situation even deteriorated into violence: in August, a group of Zenit fans in St. Petersburg attacked a group of Anzhi fans;<sup>15</sup> as a result, two residents of Dagestan suffered injuries (according to another account, there were three victims).

Part of the reason for all this attention to Anzhi is the fact, that dramatic quality improvement of the Dagestani players caused the envy of other clubs. Since billionaire businessman Suleiman Kerimov purchased the club in 2011, Anzhi acquired distinguished players and coach.<sup>16</sup> However the anti-Anzhi campaign is still primarily rooted in anti-Caucasian and, in particular, anti-Dagestani sentiment; it represents a new chapter in the ongoing history of mutual attacks between Anzhi fans and fans of central Russian clubs.

Racism is directed not only at the teams from the Caucasus region; it also takes a form of rejection of dark-skinned players. Presence of both factors increases the xenophobic reaction. For example, on the eve of the Alania – Torpedo game some ultra-right soccer fans pelted Alania players (including dark-skinned Akès da Costa Goore) with snowballs

The Russian fans' behavior have attracted attention of international soccer associations; in the summer of 2012, the Union of European Football Associations (UEFA) initiated disciplinary proceedings against the Russian Football Union (RFU) in connection with the Russian fans' behavior at the Russia – Czech Republic game of June 9. The fans threw fireworks on the field and displayed banners with “prohibited content.” Racist insults from Russian fans directed against Czech national team defender Theodore Gebreselassie during the match, also caused concern of the UEFA and of the Football against Racism in Europe (FARE) network.

### Threats from the Ultra-Right

Public officials and community activists, connected in any way with the issue of xenophobia, encountered numerous threats from the ultra-right in 2012. Law enforcement personnel continue to attract attention of ultra-right activists. In summer, a number of non-Slavic judges received threats from a so-called “Regional Branch of the Committee on Crimes Committed against the Russian People in *Southern Federal District*.” Personnel of six district courts in

<sup>15</sup> Unconfirmed data links this attack with “Snake City Firm,” a Zenith ultras group.

<sup>16</sup> Including Roberto Carlos, the 2002 world champion in the national team of Brazil, and Cameroonian Samuel Eto'o, one of the best strikers in the 2000s. Dutchman Guus Hiddink has become the head coach.

the Rostov Region “*were sentenced to the capital punishment*” for “*imposition of verdicts, known to be criminal and illegal, and conducting prosecution under Article 282 of the Criminal Code of Russia.*”<sup>17</sup>

Community activists constitute yet another vulnerable group. In November 2012, right after the Russian March in Voronezh, four young men, who raised their hands in a Nazi salute and carried an imperial flag, drove up to the Human Rights House Office in Voronezh. The young men introduced themselves (“*We are from “Format-18”*”) and said “*it took us a long time to get to you; we would like to ask a couple of questions.*”<sup>18</sup> The police was called and scared the Neo-Nazis away.

Members of Pussy Riot collective did not escape the ultra-right's attention, the right-wing Web sites published the young women's personal information, accompanied by threats of violence; members of the South-East Cossack society (*Iugo-Vostok*) suggested that Pussy Riot members be “*tried by the parishioners.*” Data that leaked online apparently came from the Kitay-Gorod Department of Internal Affairs, which had apprehended the Pussy Riot members after a different performance (therefore, not all band members, who received the threats, had participated in the notorious performance in Moscow's Cathedral of Christ the Savior).

### Grassroots Xenophobic Violence and Xenophobia in the Army

The dynamics of grassroots xenophobic violence remain difficult to trace, since law enforcement and mass media tend to qualify most episodes as locally-motivated incidents of hooliganism. Based on indirect data, the violence level has not changed. We still record at least ten violent incidents of this category each year.

Traditionally, many racially-charged brawls take place on August 2, when drunken troopers celebrate the Airborne Forces Day. On this day in 2012, racist incidents were reported in at least 4 regions of the country, and paratrooper's attacks injured at least 5 people were injured<sup>19</sup> (there were at least 7 victims in 2011).

Racial conflicts undeniably exist in the Army (the stories about ethnically-based “*fraternities*” (*zemlyachestva*) have been circulating for many years), however the army life is isolated from outside observers, so only a few incidents of racist violence became known to public in 2012. This summer, for example, ordinaries Teymur Mamedov i Elbrua Musayev woke up the squadron in one of

<sup>17</sup> Ex-federal judge was killed in Rostov-on-Don, where the court staff had received threats in the mail // *Gazeta.ru*. 2012. 3 October ([http://www.gazeta.ru/social/news/2012/10/03/n\\_2554821.shtml](http://www.gazeta.ru/social/news/2012/10/03/n_2554821.shtml)).

<sup>18</sup> Nationalists came to the Human Rights House Office in Voronezh with a Nazi greeting // *Article20*. 2012. 4 November (<http://article20.org/node/1300#.URiVWmdjOSo>).

<sup>19</sup> Not including the victims of a mass brawl in Astrakhan.



the military units stationed in the Sverdlovsk Region, took 16 soldiers from the line-up, used shaving foam to write “Dagestan,” “Azerbaijan,” etc., on their backs, and took pictures with their mobile phones. Meanwhile, in the winter of 2012, the corporal, who served under contract in the Pacific Fleet, insulted a medical officer, *“focusing on his nationality,”*<sup>20</sup> in the presence of other soldiers, and was subsequently prosecuted.

## Vandalism

In 2012 the occurrence of vandalism motivated by religious, ethnic or ideological hate, was not much different from the preceding year; at least 95 such incidents were recorded in 2012, compared to 94 incidents in 2011, and 178 cases in 2010.

This year the greatest number of attacks was made against sites belonging to the Russian Orthodox Church – 38, including 5 cases of arson (compared to 12 incidents total in 2011). Without a doubt, this change was due to increased media coverage of the Church-related scandals, the Pussy Riot case, and overall growth of anti-clerical sentiments in the society.

The second place belongs to ideologically motivated vandalism (24 cases). Monuments to Lenin and other leaders of the October Revolution, the Great Patriotic War memorials, memorials to victims of political repressions, and other such objects were desecrated in numbers, practically unchanged from the year before (28 cases in 2011).

As for the other kinds of vandalism motivated by religious hatred, its targets were distributed as follows:

- sites belonging to new religious movements – 13 incidents, of them Jehovah’s Witnesses – 12, including 1 explosion, 1 case of arson (16 cases in 2011);
- Jewish sites – 8 incidents, including 1 case of arson (14 cases in 2011);
- Muslim sites – 6 incidents, including 1 explosion (17 cases in 2011);
- Sites of various protestant denominations – 5 incidents, including 1 explosion (5 cases in 2011).

Thus, the number of attacks on Jehovah’s Witnesses (including the ones where explosives were involved) went down compared to 2011. The number of attacks on Muslim and Jewish sites decreased considerably. However, the numbers are not yet final and may need further corrections

<sup>20</sup> Pacific Fleet identifies cases of extremism // Komsomolskaya Pravda. 2012. 3 December.

We observed a moderate quantitative reduction for the most dangerous acts – explosions, gunfire and arson (11 out of 95 cases in 2012 vs. 13 out of 94 cases in 2011). However, the overall share of such acts still remains quite high.

Explosives and other similar devices get used for more than just vandalism. Thus, unknown young masked men threw Molotov cocktails at the Caucasian cuisine restaurant “Zhi Est” on Ordzhonikidze Street in Moscow; the restaurant’s administrator was injured. Unknown people threw an improvised explosive device inside the Uzbek-owned “Tashkent” store in St. Petersburg. In both cases, swastikas and unspecified “extremist” slogans had appeared on the walls prior to the incidents.

## Public Activity of Ultra-Right Radicals

### Nationalists at General Protest Actions

The year of 2012 was a very complicated year for the ultra-right movement, characterized, among other things, by its attempts to find its place with respect to general protest activity that emerged in late 2011.<sup>21</sup> Right radicals faced a choice, whether they should join the rest of the opposition, play against them, or maintain their independent existence.

Here, leaders of organizations should be considered separately from rank-and-file activists; as shown below, their self-identification process followed different trajectories and often produced dissimilar results.

### Rank-and File Nationalists

The majority of the rank-and-file ultra-right activists in Moscow immediately chose not to join forces with other, ideologically foreign, opposition groups in the protest movement. Nationalists insisted that they need to prepare for the “White revolution,”<sup>22</sup> rather than attend and bring their flags to “Jewish”

<sup>21</sup> This term denotes two phenomena, consecutive in time and hard to separate – a civic and not entirely political protest against falsifications during the December 2012 parliamentary elections, and the activity of the subsequent amorphous oppositional coalition, that stands against the current regime and for restoration of certain democratic procedures and institutions, but purposely ignores core differences among its members regarding the future path of development for the country. See for example the document, adopted by the OCC of Russia in February 2013 // Program statement: On the Aims and Objectives of Opposition Coordination Council // Blog of Andrei Illarionov. 2013. 16 February (<http://aillarionov.livejournal.com/505867.html>).

<sup>22</sup> In the ultra-right movement this color is not at all associated with “white ribbons.”

events, “sponsored by the US State Department.” This majority is comprised primarily of small neo-Nazi groups not connected to the high-profile political ultra-right organizations. Essentially, these small groups constitute the principal form of the ultra-right movement in Russia. It is in this environment that rank-and-file (and sometimes not only rank-and-file) members of aforementioned high-profile political organizations usually start out.

Only a small segment of the ultra-right movement disagreed with this stance. Subsequently, very few right radicals attended rallies of the opposition, and so they had to settle for supporting roles in the protests.

The greatest number of ultra-right participants showed up at the very first general protest of 2012 – the March for Fair Elections on Bolshaya Iakimanka Street in Moscow on February 4.<sup>23</sup> Total number of self-identified nationalists on the march reached 900. Considering the fact, the Russian March in Moscow can attract as many as 6 thousand people, 900 people should be viewed as a rather modest result.

Later, the number of ultra-right protest participants gradually shrunk, despite some situation-based fluctuations, and finally dwindled to almost zero by the end of the year.

No more than 100 nationalists attended the rally on Pushkinskaya Square<sup>24</sup> on March 5, and about 300 of them participated in the march on Novyi Arbat Street on March 10.<sup>25</sup> The Millions March on May 6 was, de facto, ignored by the majority of ultra-right activists – about 50 people marched under their flags; about 100 other activists of Andrey Savelyev’s party, the Great Russia (Velikaia Rossiia), who had never participated in such protests, showed up just so they could immediately and defiantly leave. In addition, a visibly small number of right radical activists without insignia took part in the march, and then engaged in clashes with the riot police.<sup>26</sup>

The clashes during the march of May 6 and the new amendments to the legislation on meetings provided additional motivation to all the opposition members, including right radicals, and the next Millions March, on June 12,

<sup>23</sup> For more details, see: Nationalist Participation in the March and Rally on February 4 // SOVA Center. 2012. 5 February (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/02/d23587/>).

<sup>24</sup> For more details, see: The ultra-right participation in protest activity on March 5 in Moscow // SOVA Center. 2012. 3 March (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/03/d23815/>).

<sup>25</sup> For more details, see: The ultra-right left the protest // SOVA Center. 2012. 11 March (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/03/d23835/>).

<sup>26</sup> For more details, see: Nationalist on the Millions March and During its Aftermath in Moscow // SOVA Center. 2012. 6 May (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/05/d24363/>).

attracted about 550 right-wing activists.<sup>27</sup> However, the effect proved to be short-lived, and at the rally in support of those arrested in Bolotnaya Square riot case the number of ultra-activists was small, and their role insignificant. The only major general protest of the fall, on September 15<sup>28</sup>, was attended by no more than 350 nationalists, and for the only winter event, the Freedom March on December 15, their numbers were down to single digits.

Thus, with the sole exception of the Iakimanka march, the participation of 300-500 nationalists in the protest action can constitute a good result in terms of attendance. This happens to be an approximate average number of attendees for a successful specifically nationalist meeting (except for the Russian March).

Three major factors are thought to have shaped the situation.

First, the known nationalist political leaders were extremely unpopular among the rank-and-file neo-Nazi even prior to December 2011. Predictably, underground radicals accused them of opportunism, in particular for their attempts to join forces with the democratic opposition. This constituency could not condone open collaboration with the liberals or even the left.

Second, many ultra-right activists (along with many other people) no longer believed in peaceful rallies and marches as an effective mechanism of political struggle. After the presidential elections in March, the slogan “For Fair Elections” lost its urgency, and many nationalists decided that it made no sense to continue their participation in street protests, particularly, alongside their ideological enemies. These disappointed activists have joined those, who believed from the very outset that the nationalist movement should wait for the most favorable moment to start their “White Revolution.”

The third and final reason for the nationalists’ reluctance to attend general oppositional rallies was their frustration with their assigned roles. Originally, the ultra-right intended not merely to participate, but to take the initiative away from the hated liberals and leftists who, in their opinion, “usurped the protest.” In practice, as was mentioned above, they had to settle for the role of extras, who, also, never received a particularly warm welcome from the rest of the opposition. In their attempt to reverse the situation, the right-wing radicals, who attended the rallies, tried to attract attention and express their view of the situation – they whistled and yelled at the speakers to show their disapproval, initiated clashes with anarchists, LGBT activists, and Pussy Riot advocates, and even repeatedly tried to take over the stage.

<sup>27</sup> For more details, see: Nationalist participation in the Millions March-2 in Moscow // SOVA Center. 2012. 12 June (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/06/d24629/>).

<sup>28</sup> For more details, see: Nationalist participation in the Millions March-3 in Moscow // SOVA Center. 2012. 15 September (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/09/d25323/>).

They certainly succeeded in attracting attention, but it did not lead to seizing the initiative. Instead, this behavior only caused irritation and resentment among other members of the opposition, who repeatedly accused nationalists of provocation.

The only action where ultra-right activists managed to gain some status was the May “Occupy” campaign, where young people wearing “imperial” ribbons were in charge of camp security. Then they tried to use the same strategy in order to take over the management of the camp kitchen and even the camp fundraising, but such an arrangement no longer seemed satisfactory to other participants, who made several attempts to ban nationalist propaganda and even to discuss the presence of nationalists and their status in the camp. However, before these attempts had a chance to bear fruit, the Occupy camp was cleared by the security forces.<sup>29</sup>

Thus, for those ordinary Moscow nationalists, who decided to take part in the protest movement, 2012 became a year of big disappointment. Its beginning was very optimistic, and, up to a certain point, the far-right still held hopes that the “angry city dwellers” protest could result in a “Russian revolt.” It quickly became clear that these expectations were unfounded. Nationalists blamed both liberals and their own leaders for this failure, arguing that they “betrayed the protest,” by preventing it from following the “proper” course.

The situation was somewhat different in St. Petersburg, where nationalists managed to play more than just supporting roles. Nevertheless, the final outcome was the same. The St. Petersburg protesters were far fewer in numbers than those in the capital; meanwhile the number of ultra-right participants did not differ much between the two cities. As a result, nationalists constituted a much larger and more visible segment of the protest movement.

The right radicals of St. Petersburg much more readily attended protest rallies and marches, usually contributing from 100 to 600 participants – a number, comparable to the St. Petersburg attendance of the Russian Marches (500 to 1000 people). Emboldened by this level of support, the local ultra-right leaders were much more straightforward and did not shy away from their traditional nationalist rhetoric during their stage time. In general, the St. Petersburg opposition took nationalists more seriously, they were even accused (and rightly so) of taking over the Civil Committee, the local protest government body.

Nevertheless, the number of right-wing activists, who attended general protests in St. Petersburg, also gradually declined and fell from 600 at the march of February 4 to 70 people at the Freedom March on December 15. Like their

<sup>29</sup> For more details, see: Alperovich, V., Yudina, N. Spring 2012: The Ultra-Right on the streets; the Law Enforcement Online // SOVA Center. 2012. 29 June (<http://www.sova-center.ru/racism-xenophobia/publications/2012/06/d24757/>).

Moscow counterparts, St. Petersburg activists shared a sense of disappointment in rallies and marches as a way to fight for power, exacerbated by the fact that they could not blame the liberals for this particular failure.

The far right presence during the protest actions in most other Russian cities was even less significant than in Moscow, and usually consisted of several people carrying the imperial flag. Nationalists sometimes managed to speak at the rallies; occasionally, they became co-organizers or even organizers, but their number never exceeded several dozen even in the cities, where the Russian March tended to attract hundreds of participants.

Thus, we can conclude that the majority of nationalists refused to participate in the “liberal rebellion,” and those, who had initially hoped that these events could become a prelude to the “White Revolution,” quickly became disillusioned. Ordinary nationalists started talking once again about the need to seize power by force; thus the year of peaceful demonstrations resulted in stronger emphasis on violence among the ultra-right.

### Ultra-Right Political Organizations

Unlike the rank-and-file activists, the largest ultra-right organizations – primarily “the Russians” (*Russkie*), led by Alexander Belov and Dmitry Dyomushkin, the Russian Social Movement (*Russkoe obshchestvennoe dvizhenie*, ROD), led by Konstantin Krylov, and the Russian Citizens Union (*Russkii grazhdanskii soyuz*, RGS) and its leader Anton Susov – initially were much more optimistic about general oppositional activity. They hoped to use it as a platform to increase the social base of their movements. Early in the year, it seemed that they followed a strategy, developed back in the fall of 2010, of progressing from their earlier status of “non-handshakable” radicals to an organic part of the democratic opposition.

Making their way into the protest movement’s coordinating bodies was the key element of this strategy. The greater part of the struggle took place in late 2011; the ultra-right and the ultra-left jointly promoted an idea of establishing ideology-based quotas in order to compensate for the outright dominance of the liberals. The Citizen’s Council (*Grazhdanskii Sovet*, GS) – the coordinating body of the protest movement – was formed accordingly, and consisted of 60 people from the four “curia”: 10 representatives for each of the three broad political affiliations (nationalists, liberals, leftists) and 30 representatives from the non-partisan citizen activists.

In late January, the nationalists announced that they were not selecting ten permanent members from their “curia” – instead, their four coordinators, namely A. Belov, D. Dyomushkin, K. Krylov and Vladimir Tor, were to select

them prior to each meeting. Thus, in fact, “the Russians” and the ROD decided who got to speak on behalf of the nationalists in the protest movement.

In addition, the nationalists received 5 out of 30 seats in the “Citizens Curia” (*Grazhdanskaia kuriia*). Three organizations – the supporters of National-Stalinist Yuri Mukhin, Valery Ganichev’s Russian Union of Writers, and the National News Service (*Natsional’naia sluzhba novostei*) of “the Russians” – scored the necessary number of votes in the elections, conducted via text messages. Attempts by the leftists to veto this decision and deny certain nationalists the right to represent “Citizens Curia” were met with opposition from Ilya Ponomaryov, the State Duma deputy from the Just Russia (*Spravedlivaia Rossia*) party, and the question was never put to a vote.

Even the “Liberal Curia” did not escape the nationalists’ attention; Iliia Lazarenko, a veteran of Russian neo-Nazi movement, the founder of the “Nav’ Church – the Gnostic Church of the White Race,” and, currently, the leader of the tiny National Democratic Alliance (*Natsional-demokraticheskii alians*) was elected to the Citizen’s Council from this curia.

In fact, this whole fight in the committees was important to nationalists primarily because it provided them with opportunities to get on stage and address the audience during rallies and marches, to recruit people to their side, and to demonstrate their status to other activists. Nationalists addressed the audience during general protests since the very first rally of December 5, 2011, but, nevertheless, failed to expand their presence.

The Pushkin Square rally on March 5, one of the least attended events (no more than 10 thousand people), was the only one that featured three speakers from the far-right. On that day, Sergei Baburin, the leader of Russian All-People’s Union (*Rossiiskii obshchenarodnyi soyuz*, ROS), and the ROD leaders V. Tor and K. Krylov got the floor. Two nationalists speakers, Natalia Kholmogorova (ROD Human Rights Center) and A. Belov (“the Russians”), participated in the rally on September 15; one (A. Belov) spoke on February 4; another one (Ivan Mironov of ROS) addressed the rally on June 12. During the March 10 rally not a single representative of the far right (or even ideologically close) was invited on stage; in protest, D. Dyomushkin defiantly led off about 200 of his supporters, who then proceeded to march along the Old Arbat Street carrying banners with xenophobic slogans.

The ultra-right movement leaders were clearly unhappy about the situation, but proceeded with their original course of participation in the oppositional activities despite the small number of followers and displeasure of most right-wing activists.

In the framework of this strategy, it was decided to conduct the traditional Russian May Day (*Russkii Pervomai*) not as a customary purely nationalist action, but as a large march of the general opposition. Eventually, they succeeded in convincing non-nationalist websites to promote the event, organized by nationalists, and the

Citizens Council declared it an event of the opposition. In their desire to conform to this status, the organizers even changed the event’s traditional name; in 2012, it was rebranded the “Citizen’s March.” The far right clearly expected to turn the Russian May Day into a large oppositional event, but the one with nationalists – not liberals – as primary moving force. However, these hopes were not fulfilled. The Citizen’s March was expected to attract 5,000 people, but, instead, it had even fewer participants than the year before – about 500, compared to 600 in 2011. Other opposition leaders essentially ignored the nationalists’ invitation.<sup>30</sup>

Thus, the Russian May Day demonstrated to the right-wing leaders the failure of their plans to expand their social base through recruiting general protest participants; meanwhile they were starting to lose their existing supporters, previously willing to attend nationalist events.

After the Russian May Day failure, the event’s main organizers, “the Russians,” apparently began to doubt the wisdom of their chosen strategy. They decided not to attend the Millions March on May 6, and, instead, to hold a separate rally on Manezhnaya Square. Nationalists clearly hoped that the breakthrough attempt near the Kremlin – especially given the fact that activists from For Fair Power (*Za chestnuyu vlast’*) paratroopers movement promised to show up (but didn’t) – will attract greater attention than just another peaceful demonstration, where the ultra-right, once again, were assigned the spectator role. Thus, the action on May 6 was planned in a more familiar independent format, including elements of forcible resistance to the authorities. However, the opposite happened – clashes with the police, so beloved by nationalist activists, took place during the Millions March, which became a major event, while A. Belov, D. Dyomushkin and Georgii Borovikov brought about 70 activists to the Revolution Square, but were unable to hold the event, since some attendees were almost immediately detained by the police, and the rest dispersed.

After this failure, nationalists once again returned to their course of participation in general opposition events. As mentioned above, they were active in the Occupy campaign, and showed up in greater numbers for the next march on June 12.

The ultra-right even sacrificed a traditional Moscow public action on the Day of Solidarity with Right-Wing Political Prisoners, observed by the right radicals on July 25 for the past few years. They hoped to bring their supporters to a general protest rally on July 26 in support of the prisoners in Bolotnaya Square riot case, but they didn’t have much impact. Leaders of the right-wing

<sup>30</sup> For more details, see: The Ultra-Right May Day 2012 in Moscow // SOVA Center. 2012. 1 May (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/05/d24320/>).

organizations were not invited on stage, the number of rank-and-file nationalists was small, and their role was negligible.

In summer 2012, the opposition leaders decided to form a real democratic governing body instead of the Citizens Council, which was almost forgotten by that time. During the march of June 12 they announced the new Opposition Coordination Council (*Koordinatsionnyi Sovet Oppositsii*), with elections scheduled for October 20. The nationalists were actively involved in the electoral process, especially since it involved public debates, which, by themselves, provided a platform for addressing a wider audience of potential supporters.

The Opposition Coordination Council was formed according to the same principle as the Citizens Council, that is, 5 people from each of the three ideological factions (nationalist, leftist and liberal) and 30 people from the “citizens’ faction.” The elections were conducted online, but were much better protected from fraudulent inflation of the results by the small subset of users than the preceding ones.

The nationalist curia candidates included Daniil Konstantinov from Moscow Defense League (*Liga oborony Moskvy*) Igor Artyomov from RONS (which after its ban, now stands for “*Rossia osvoboditsya nashimi silami*”, Russia Freed by Our Efforts), Nikolai Bondarik from the Russian Party (*Russkaia partia*), K. Krylov from National-Democratic Party (NDP), V. Tor (NDP), Alex Rezchikov (Abanin) (NDP), Vsevolod Radchenko (NDP), D. Dyomushkin (“the Russians”), A. Belov (“the Russians”), Vasily Drovetsky (independent), Andrey Tyurin (independent), Vadim Kolesnikov (independent), and Stanislav Vorobyev from Russian Imperial Movement (*Russkoe imperskoe dvizhenie*, RID). The voting results were surprising: the five winners were D. Konstantinov, I Artyomov, N. Bondarik, K. Krylov and V Tor. To everyone’s surprise, the most famous nationalists – A. Belov and D. Dyomushkin – received no mandates. Also, while the high voting results of Konstantinov,<sup>31</sup> who had been recognized as a political prisoner, and of two moderates Krylov and Tor are understandable, it is far less clear why so many votes were cast for little known Artyomov and Bondarik. We can offer two possible explanations for this outcome.

First, rank-and-file ultra-right activists largely ignored the elections, since they never approved of collaboration with the liberals in the first place. In addition, they were, likely, scared away by the requirement to show their passport in order to take part in the elections. On one hand the majority of voters in these elections were people who did not share nationalist ideology, for whom the known figures of A. Belov and D. Dyomushkin are extremely unattractive, while the surnames “Artyomov” and “Bondarik” (in the very beginning of the list) bring

<sup>31</sup> He is accused of murder. The opposition believes that the accusation is false.

up no associations. On the other hand, some voters were nationalists from the 1990s, to whom Artyomov and Bondarik as better known and more desirable than the 2000s crop of activists, such as Belov and Dyomushkin.

Second, fans of Sergei Mavrodi played a major role in this outcome. S. Mavrodi called on his fans to support three winners – D. Konstantinov, I. Artyomov, and N. Bondarik – for the nationalist curia. After the elections, the Coordination Council election committee was said to annul 9 thousand of these supposed “MMM votes.” However, according to some sources, it was done for all the factions; according to the other reports, it was true only for the liberal and the citizens’ factions. Thus, we can suspect that the many votes for Artyomov and Bondarik come from MMM voters.

We don’t have enough data to determine which of the versions is more accurate. However, the actual result is not too politically different from the expected one (Konstantinov, Krylov, Tor, Belov, Dyomushkin). Bondarik is on friendly terms with “the Russians,” and can easily replace Dyomushkin, while Belov participates in the work of the Opposition Coordination Council as a stand-in for Artyomov, who was in the United States hiding from the prosecution.

The nationalists, who ran as the citizens faction candidates, received no significant support, and none of them was elected to the Opposition Coordination Council.<sup>32</sup>

The ultra-right leaders were clearly disappointed with the results; they had been much better represented in the Citizen’s Council. Following the election loss and the lackluster Russian March in Moscow (see below) Dyomushkin made a sensational announcement that nationalists were not joining the Freedom March on December 15. “*While initially this was a kind of people’s movement, and there was hope that the organizers had the guts for some kind of action, now it turned*

<sup>32</sup> The nationalist candidates: Vladimir (Basmanov) Potkin, Sofia Budnikova, Vladislav Mitskevich, Maksim “Shinfein” Prokhorov, Dmitry Sukhorukov, Uliana Sporykhina, Vladimir Gluskin from “the Russians” coalition; Nadezhda Shalimova, Andrei Kuznetsov, Anatoly Poliakov, Vsevolod Radchenko from NDP and Natalia Kholmogorova, head of the affiliated ROD Human Rights Center; Vasily Kriukov from RONS, Kirill Barabash from For Responsible Power (Za otvetstvennuiu vlast) coalition; Artem Severskii Lazurenko from NDA; Maksim Brusilovskii, Mikhail Matveev i Dmitry Chervov as independent candidates. K. Barabash, Mukhin’s supporter, received the greatest number of votes (a little over 11 thousand), and Vladislav Mitskevich, “the Russians” activist was the least popular. V. Basmanov (c. 2700 votes) and N. Kholmogorova, though well-known in the ultra-right movement, received no substantial support.

It should be separately noted that, despite announcements about the annulment of the “MMM Votes”, the only three nationalists that were included on Mavrodi’s list of citizens curia voting recommendations – K. Barabash, U. Sporykhina, and V. Kriukov – were the one that received the most support, when compared to other nationalists, despite the fact that they were not exceptionally known or popular.

into these obviously pointless walks around Moscow.”<sup>33</sup> However, other leaders of “the Russians,” such as V. Basmanov, held an opposite opinion. As a result, “the Russians” promoted the march, but nationalists were barely visible there.

Thus, by the end of the year, the key ultra-right organizations, despite misgivings, continue to follow the course of cooperation with other oppositional groups, stubbornly ignoring their own activists’ lack of enthusiasm.

While some organizations remained committed to the general protest movement through the end of the year, there were also those who tried to earn political points from the lack of support for the protest among rank-and-file nationalists. In one particularly telling instance, the Russosvet coalition, the Right League (*Pravaia liga*) association and a few other groups decided to hold an alternative Russian May Day and built their advertising campaign on rejecting any cooperation with the liberals, or participation in their events. However, the efforts of these groups did not bear fruit, as only about 50 people attended the march, i.e. 10 fewer participants than the year before.<sup>34</sup>

The Great Russia party led by Andrey Savelyev achieved greater visibility in 2012. The party ignored a number of early protest actions, then showed up and demonstratively left from several of them. Moreover, Savelyev openly accused the ultra-right organizations that took part in the general opposition marches of “conspiring with the liberals.” In response, he was accused of being uncooperative, helping nobody but his own supporters, and discrediting nationalist activists by dressing up his activists in uniform resembling that of the Nazi SS troops. The demarches by the Great Russia spoiled its relations with other far-right political projects, but did not bring the sought-for approval among ordinary nationalists; most of them felt that A. Savelyev is no better than the others, because he, nevertheless, attended the general protest events.

The far-right milieu also included some activists who have changed their views regarding participation in protest activities in the course of the year. In the fall, Valery Solovey’s party refused to participate in further civic protest actions. On the eve of the Millions March on September 15 the New Force (*Novaya Sila*) party stated: “*While we share the democratic aspirations and civic impulse of the rank-and-file March participants, we see that this event has increasingly become an instrument for realizing personal ambitions of certain shady “lords” and “comrades.” Our political and moral disgust does not allow us to walk side by*

<sup>33</sup> Nationalists will not participate in the Opposition Action in Moscow // Rossiyskaya gazeta. 2012. 23 November.

<sup>34</sup> The Ultra-Right May Day 2012 in Moscow // SOVA Center. 2012. 1 May (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/05/d24320/>).

side with people, who, once again, call for “Taking everything away, then dividing it up.”<sup>35</sup> Quite remarkably, Solovey’s party distanced itself not only from the general protest movement, but partially from far-right organizations as well, by refusing, for example, to participate in the Russian March. The New Force has decided to organize its own event on November 4, but it could not be held due to insufficient attendance. The tactics of non-affiliation has so far failed to yield their anticipated dividends.

Thus, in and of itself, a vocal refusal to participate in protest actions does not make an organization more respected by rank-and-file nationalists and does not increase its social base.

### Independent Actions by Nationalists

Despite the fact, that 2012 was primarily defined by participation in general civic protests, nationalists never stopped conducting public actions of their own.

The first in a series of such actions in 2012 were “Mirzaev must go to jail” rallies, which took place in several Russian cities. As the name implies, they were related to the criminal case of Rasul Mirzaev, an athlete, whose fight in a Moscow’s nightclub with student Ivan Agafonov resulted in the latter’s death. The rallies were in response to a decision by the Zamoskvoretskii Court (later overturned by the Moscow City Court) to release R. Mirzaev on bail. The Moscow rally on February 18 attracted only about 200-300 people, and ended with a march through the city center of about 100 right-wing radicals, who were shouting neo-Nazi slogans and slogans against migrants from the Caucasus region (in addition, two workers from Central Asia were attacked during the march). About 100 people came to the St. Petersburg rally; in other cities the action attracted no more than 30 people, or could not take place at all.

Nationalists largely ignored this year’s Heroes Day – the traditional March 1 events, dedicated to the Pskov paratroopers, who died fighting in Chechnya in 2000. The action took place only in a few cities, and the largest gathering, in Nizhny Novgorod, brought together 40 people.

“The Russians” association, responsible for organizing the event in Moscow, limited it to the laying of flowers, attended by 15 people only. For comparison, in 2011 the events were held in 13 cities, and about 120 people attended the largest rally in Moscow. No additional independent nationalist actions of any significance took place during March and April 2012.

<sup>35</sup> The New Force Declaration Regarding the Millions March // The Russian Platform (Russkaia platforma). 2012. 13 September.

In contrast with the failed Russian May Day in Moscow, the same event was much more successful in the regions, where the general protest movement exerted far less pull. There, the nationalist marches managed to attract at least as many or even greater number of activists than the year before. The geographical spread of the march increased as well: in several cities it took place for the first time in 2012. Yekaterinburg can serve as a convincing example; the first ever Russian May Day conducted there brought together about 500 people. In the previous years, only the traditional autumn Russian March was conducted there, and about 200 people attended it in 2011.

The Day of Solidarity with Right-Wing Political Prisoners, observed by the right radicals on July 25 since 2009, became their next independent action. As we mentioned before, it was decided not to organize a separate rally in Moscow. However, many regions decided not to break with the tradition; modest actions took place in 22 Russian cities and several cities in Ukraine and Belarus. As in the previous year, major ultra-right organizations focused primarily on collecting money for the prisoners, but didn't succeed. The total amount collected by all the affiliated movements ended was smaller than the amount collected in 2011 by Krylov's ROD alone. No progress was achieved in terms of the action's geographic distribution. Most events did not receive much coverage in the official mass media or even on ultra-right Russian Internet resources, and the number of cities showed no significant increase since 2010.<sup>36</sup> (22 vs. 20)

On September 30, a series of events commemorated the traditional Day of Remembrance for Victims of Ethnic Crime. Two actions that took place in Moscow attracted 70 and 25 participants respectively; two parallel actions in 2011, according to different estimates, brought 150-200 and 300-500 participants respectively.

Evidently, the Day of Remembrance had the same problem as the Heroes Day – “the Russians” and Krylov's ROD focused on elections to the Opposition Coordination Council and failed to adequately promote their event.

The level of activity in the other cities remained unchanged; the events attracted the maximum of 25 people.

The Russian March was the next and, traditionally, the most important nationalist public event of the year. Unlike the Day of Remembrance for Victims of Ethnic Crime, the Russian March was promoted quite actively.

The March was not very successful in Moscow, despite the fact that, for the first time in several years, it took place not in Lublino area, but in the city

<sup>36</sup> In 2011, ultra-right organizations decided to focus on raising funds for imprisoned nationalists, and practically abandoned public actions.

center, where the nationalists marched from Yakimanskaya Naberezhnaya to Krymsky Val. Baburin's ROS acted as an official organizer and actually managed to get an official permission to hold the march in the vicinity of the Kremlin.<sup>37</sup>

The 2012 March was rather underwhelming. It attracted even fewer participants than in 2011 or 2010. In 2012, 5.5 thousand people took part in the event compared to 6-6.5 thousand in 2011 and 5.5.-6 thousand in 2010. Prior to December 2011, the Russian March far outnumbered any other oppositional event, but nationalists had nothing to be proud of by the 2012 standards. The form of the event was also unremarkable and no different from general protest marches.

The March was attended by slightly different demographic groups than in the previous years, and even the organizers noticed an uncommonly large number of middle-aged people. They interpreted this phenomenon as an occasion for celebration, declaring that their event finally managed to attract not merely hardcore neo-Nazis, but ordinary Muscovites, concerned with immigration issues. However, we don't believe this to be an adequate explanation. Two factors are responsible for the change in the participant age distribution. First, some traditional March participants, that is, right-wing, or even openly neo-Nazi youth, which in the past comprised up to 80 % of the attendees, failed to show up. Second, the action brought together organizations such as Baburin's ROS, Vladimir Kvachkov's People's Militia in the Name of Minin and Pozharsky (*Narodnoe opolchenie imeni Minina i Pozharskogo*, NOMP), the Will (*Volya*) party led by Svetlana Peunova, the Union of the Russian People (*Soyuz russkogo naroda*, SRN) led by Boris Mironov and various groups of Russian Orthodox radicals, many of whose members are middle-aged or elderly. Thus, the nationalists only attracted fewer of their traditional supporters, but managed to improve their relations with ideological “neighbors” and thus avoided a large drop in attendance. In any case, the event failed to bring out the “ordinary Muscovites”.

In addition to Moscow, the Russian March took place in 45 cities. This is a fairly significant increase, compared to 32 cities, which hosted the action in 2011. Not counting the first-timers, the average attendance remained the same as last year. However, some cities showed a sharp increase in numbers, for example, Krasnodar reported about 1,000 people compared to 200 the year before. In other places the attendance has fallen dramatically – only 170 activists marched in Krasnoyarsk, compared to 400 in 2011.

<sup>37</sup> For more details, see: The Russian March – 2012 in Moscow // SOVA Center. 2012. 4 November (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2012/11/d25709/>).

Another independent nationalist rally was held on November 27 and was, once again, related to the Mirzaev court case; nationalists decried his sentence as excessively lenient. A. Belov and D. Dyomushkin promised “the second Manezhnaya Square,” but, eventually, no more than 100 people attended the rally.

In fact, the second anniversary of the Manezhnaya Square riots of December 11, 2010 mobilized almost no one. In St. Petersburg, there was a march on Kronshtadtskaya Street to Komsomolsky Square. It brought together about 150 people: supporters of the National Socialist Initiative (NSI, Dmitry Bobrov), supporters of Semen Pikhtev's National Democrats (*Natsionalnye Demokrati*) and Zenit fans. About 100 people marched in Nizhny Novgorod. “The Russians” managed to collect a total of 70 people in Moscow. In other cities the event attracted no more than 15-20 people.

Independent public actions of the ultra-right in 2012 were taking place in the context of the general protest movement and, as a result, underwent a number of important shifts.

First, we observe a clear decline in attendance of their traditional activist base. This occurred because major ultra-right associations and movements often couldn't pay sufficient attention to event organizing, and due to activists' disappointment in their leaders and in overall effectiveness of marches and rallies. Large protest events failed to bring the desired change, and, as a result, many rank-and-file ultra-right activists once again began to focus on violent methods. Moreover, with thousands of people attending the general opposition marches, nationalists no longer had the distinction of being the most active protest force in the country, and the Russian March lost its status of the most visible oppositional event of the year. Altogether, there were few reasons for optimism. We can't even say that nationalists left the general protest and went back to their original format.

However, the changes mostly pertained to Moscow and St. Petersburg, the centers of the civic protest movement. The nationalist movement in other regions, on the contrary, widened and grew in numbers. Possibly, this effect has to do with provincial political process lagging behind the center. Either way, it is hard to predict how all these discordant tendencies in different regions will affect the future of the nationalist movement.

The second big change was the consolidation of the existing ultra-right political organizations that coincided with growing overall disengagement of the neo-Nazi youth from these organizations. Despite their constant bickering, various right-wing associations organized more joint rallies and marches than ever before. This was most clearly demonstrated during the Russian May Day and the Russian March. As we mentioned above, the geographical distribution of both marches increased significantly; the reduction in numbers, where it

occurred, came from nationalist activists' irregular attendance or even lack of attendance. Thus, their participation in general oppositional activity did not particularly improve relations between nationalists and other opposition groups, but to some extent, strengthened the ties among various ultra-right groups.

However, this process had its costs. Replacing traditional activists on nationalist rallies and marches with newcomers resulted in increased ideological fragmentation, since the worldview of “new” marchers differed from the “old” ones (although, if we assign these categories according to physical age and political seniority, the term “old” would be more descriptive of those, who only recently joined the mass protests). The Russian March in Moscow provides a good illustration. The organizations, whose members showed up at the meeting and allowed the organizers to avoid significant drop in attendance – ROS, NOMP, the Will Party and SRN – tend to attract people of communist-leaning or imperial convictions; meanwhile, young activists, who regularly attend street marches, tend to be in favor of mono-ethnic state and hate the Soviet past. Moreover, many Orthodox Christian activists, who participated in the 2012 march in large numbers, were adherents of monarchism – not at all the usual Russian March contingent. As a result, many of the Russian March regular participants were dissatisfied and talked about the dominance of “Jew-eating oldsters,” “the Russian Orthodox Church patients,” etc.

It is still unclear whether the contacts, established between right radical organizations in 2012, can persist over time.

### “Kondopoga Technology”

As the wave of protest activity faded, and the nationalists became disappointed in fighting the existing political regime, they returned, once again, to an idea of actualizing an “inter-ethnic conflict.” In the periods between large marches of the opposition nationalists often – even more often than before – raised the media buzz around local violent conflicts that involved “Russians,” on the one hand, and “non-Russians” on the other.

The most notorious conflict of the summer was the one in the village of Demyanovo in the Kirov Region. It started on June 20 with a fight in Kristal Bar between a local resident and a native of Dagestan. The fight was followed by another one, which involved two people from each side, including a nephew of the local sawmill owner. Then a few dozen people – all friends and relatives of the sawmill owner Nukh Kuramagomedov – arrived to the village on June 22 to support their man. About fifty local residents between the ages of 18 and 35 gathered near the sawmill on June 22 in order to pursue the issues with the owner's family and friends. The fact that the sawmill territory was cordoned off by



the police prevented a large-scale brawl, but failed to prevent several skirmishes. The shots are audible on the recording of this incident; witnesses claim that the shots were fired by the Dagestani natives. A spontaneous rally that occurred in the village in the evening of June 23 was attended by about 300 people including Deputy Prime Minister of the Kirov Region Alexander Galitskykh. Kristal Bar, where the conflict began, burned down on the same day.

The conflict details remained unknown for a long time; the media published contradictory versions of the events. Law enforcement officials also remained very tight-lipped and did not provide any clarifications.

The far right, of course, insisted that the conflict had inter-ethnic character from the very beginning and was provoked by the migrants from Dagestan. Demyanovo was labeled a “hot spot,” and it was said that few dozen cars with armed Dagestanis were coming to the village for a “showdown” with the locals. The situation in the village quickly stabilized, and most nationalists lost interest in it, although ROD and ROD Human Rights Center tried to revive the urgency of the situation, reporting on the arrests of the local residents (and not Dagestan natives), police torture of witnesses, unjust court procedures, etc.

Another high-profile case was the murder of Nevinnomyssk resident Nikolai Naumenko in the Stavropol Region. Naumenko was killed on the night of December 6 in a brawl at a local Zodiak Bar. It was reported that the young man had a mundane disagreement with two girls, and one of them called on her friends, the Akayev brothers from Chechnya, for assistance. As a result of a showdown one of the brothers, Viskhan Akayev, inflicted several knife wounds on Naumenko. Doctors were unable to save him, and he died in the hospital. V. Akayev fled the scene and was put on the federal wanted list.

The “peoples’ gathering” of local residents near the Nevinnomyssk Administration building took place on December 15, and demanded a honest and public investigation of Nikolai Naumenko’s murder. Ultra-right radicals were also present among the participants, including the New Force party activists; the gathering was widely announced via many ultra-right web sites. Altogether, about 300 people attended the meeting, including several Cossacks, and many 18- to 20-year-olds, some of whom covered their faces with scarves. Two meeting participants displayed the “No More Killing Russians!” (*Khvatit ubivat russkikh!*) banner. Some young nationalists attempted to block the traffic on the central Gagarin Street. Few people were detained by police, but released after several hours. Following the attempt to block the street, the city mayor Sergey Batyuniuk and Col. Victor Demenko, the head of local department of the Ministry of the Interior came out to speak with the activists. After the conversation, the majority of participants dispersed and went home.

The second “peoples’ gathering” in Nevinnomyssk took place on December 22. The New Force and NOMP took part in organizing the event. About 300

people came together, but some of them were unhappy about the nationalists’ presence and complained that the nationalists turned the gathering into their PR action. The event ended when 37 people were detained by police.

At the time of writing, the situation in Nevinnomyssk remains volatile. Ultra-right resources continue to “spin” this incident, which, in January, became a pretext for an entire series of action in support of the city residents, under the slogan of “The Stavropol Region is not the Caucasus” (*Stavropolye – ne Kavkaz*).

The last “resonant” story of 2012 was the death of St. Petersburg resident Grigorii Kochnev under very strange circumstances. According to different versions of the story, he either committed suicide or was killed either by certain Dagestanis or by certain employees of Federal Service for Execution of Punishment. A gathering, related to Kochnev’s death and attended by about 200 people, took place near the Youth Theater building in St. Petersburg on December 23, but the police disrupted the meeting and detained many participants. Media reports mentioned 68 detainees.

In our opinion, the examples of Demyanovo, Nevinnomyssk and St. Petersburg clearly demonstrate that a crisis in these situations is often exacerbated by a slow and frequently unprofessional police response and by the lack of reliable information about the situation. As a result, unchecked domestic disputes develop into major conflicts, impunity for murderers causes justified indignation, and the information vacuum gives birth to rumors, myths and conspiracy theories, which are subsequently used by nationalists, to “spin” these conflicts as ethnic clashes.

Despite the fact that none of these stories acquired any major resonance, and, fortunately, none of them led to any new confrontations, nationalists at least succeeded in keeping the issue alive in terms of media coverage.

Anti-immigrant sentiment in the Russian society grew significantly even without direct ultra-right involvement. According to the surveys, conducted by Levada Center, the number of people, who were negatively disposed toward migrants, reached the highest level ever recorded – 47 % this year compared to 40 % in 2010 and 31 % in 2007. The number of people, who think that migrants should be deported from the RF rather than provided with legalization and social adjustment assistance, reached 64 %, compared to 57 % in 2011 and 50 % in 2007.<sup>38</sup>

The growing number of cases, in which violent incidents between local residents and visitors were “spinned” as ethnic conflicts by nationalists, can be interpreted as the far-right’s attempt to stimulate the growing social “demand.”

<sup>38</sup> For more details, see: Public Opinion 2012 // Levada Center. 2012 (<http://www.levada.ru/books/obshchestvennoe-mnenie-2012>).

On the other hand, nationalist organizations seek to ensure constant surfacing of these stories in the media in order to mobilize support within their own ultra-right community. This was particularly true in 2012, given a clear need to compensate for disappointment with the oppositional activity.

## Party Building

Nationalist organizations combined efforts to become an integral part of the “outside the system” segment of the opposition with active party building of their own, hoping to gain formal acceptance on the political playing field. In late 2011 Dmitry Medvedev introduced a bill in the State Duma simplifying the registration of political parties and thus provided an impulse to party building.

A number of “old” nationalist organizations, dating back to the 1990s, as well as some newer movements born during the 2000s<sup>39</sup> presented their party projects.

The Russian All-People’s Union (*Rossiiskii obshchenarodnyi soyuz*, ROS) led by Sergei Baburin, was a rare nationalist party that managed to get officially registered, and has now emerged as the most active “old guard” player on the field. The process of party building has proceeded quite well, and by the end of 2012 the ROS already formed 53 regional offices that were successfully registered and received official certificates.

The ROS’s program is rather moderate and does not include any calls to violence or racist statements.<sup>40</sup> However, it does emphasize the special importance of ethnic Russians and their unequal position compared to other ethnic groups. The party targets not only potential ethnic Russian constituents but also representatives of “native peoples of Russia who became interrelated with the Russians” (groups, pertaining to this category, are not specified), who have a vested interest in ensuring that ethnic Russians lived “in peace and comfort” in Russia.

The ROS calls for sharply increased state participation in the economy and for imperial foreign policy, aimed at forming the “Eurasian Union,” which is supposed to include the countries that formerly constituted the USSR and the Russian Empire. The party also calls for a complete government reform. It suggests strengthening the role of the president, who should become not merely the head of state, but also the head of the entire executive branch. It advocates changing the composition of federal and regional legislative bodies by replacing

<sup>39</sup> For more details, see: Strukova, Yelena. Russian Nationalist Parties: the Ministry of Justice Registration // SOVA Center. 2012. 11 May (<http://www.sova-center.ru/racism-xenophobia/publications/2012/05/d24385/>).

<sup>40</sup> Russian All-People’s Union Political Party Program // ROC Official Site.

or supplementing party- and ideology-based representation with representation from the regions and major professional associations (modeled after Zemsky Sobor, the Russian “Assembly of the land,” last called in 1684). The program also proposes a considerable expansion of local governments, modeled after Zemstva (existed from 1864 to 1917). The ROS promotes this curious mix of government structures from various eras, insisting that it represents the best fit for the “traditions of our fatherland.” No additional justifications have been offered.

Compared to the other ultra-right parties, the ROC probably has the best electoral resources. Sergey Baburin is perceived as a moderate nationalist and known to many middle-aged and older people. At the same time, the ROS is able to compete for the young ultra-right audience, since its leaders include such characters as Roman Zentsov, the head of Resistance (*Soprotivlenie*), and known ultra-right activist I. Mironov, both well-respected by the young people. The ROS tends to work closely together with “the Russians” coalition.

“The Russians” also announced their intention to form a political party in 2012. However, their party-building process is almost at a standstill; a year later, the party still has no program or website. Essentially, the inaugural congress that took place in the city of Glubokoye of Vitebsk Region in Belarus became their only party-building event of the year. In the course of the congress, Dmitry Dyomushkin was elected Chair of the party’s organizing committee; it was decided that the intended body will be called the Nationalist Party, and that the imperial flag will be adopted as its symbol.

Making no efforts to develop a party brand, the coalition, nevertheless, expanded quite vigorously. New branches of “the Russians” popped up in different regions, and the old ones were reorganized. Possibly, the leaders of “the Russians” believe that their chances for official registration are vanishingly small, and prefer to invest their energy into their existing organization rather than the phantom party. It is also likely that their lack of public party-building activity reflects their lack of desire to attract additional law enforcement attention. In this case, the current development of the coalition can be viewed as the initial stage of party building.

“The Russians” follow the “catch-all” strategy, attempting to attract nationalists of every possible stripe. This strategy determined their non-controversial choice of names for both the coalition and the party and choice of the imperial flag, widely accepted in the ultra-right community, as their emblem. Each of the ideologically diverse organizations in the movement also continues separate public activity under its own name in order to recruit supporters from “their own” ideological clan. This is particularly evident in St. Petersburg, where the NSI tries to appeal to the most radical segment, while the RID targets those,

who favor Orthodox Christianity and the Empire. In the meantime, the National Democrats (who announced in April that they joined “the Russians”) compete with NDP and The New Force for the sympathies of more moderate nationalists. The Moscow leaders of “the Russians” also seem to have divided responsibilities: A. Belov and D. Dyomushkin “work” with ordinary xenophobic Russian citizens and seek to participate in the formal political process, and somewhat less visible Georgii Borovikov focuses more on ultra-radical nationalist youth and tries to turn it into a social base for the coalition.

However, this tactic has failed to bring the desired results. As was mentioned before, a year of participation in general street protest activity lead to even wider break of the organization with ultra-right rank-and-file activists, who never had much respect for the leaders of “the Russians” to begin with. There is also no reason to believe that the coalition managed to bring in a significant new number of supporters, who had not been previously involved in the ultra-right movement.<sup>41</sup>

In winter 2012, the ROD, led by K. Krylov, and RGS, led by Susov decided to form the National-Democratic Party on the basis of their two organizations, and they actively worked all year to publicize their new brand. Starting in spring, both organizations appeared in the public space only as NDP, and the news no longer mentioned their previous names.

NDP have already created at least 40 branches around the country, but still has no formally adopted program, only its draft.<sup>42</sup> The draft declares commitment to the basic democratic and liberal values (election of all levels, the separation of powers, freedom of speech and assembly, respect for human rights). NDP talks about the need for a presidential form of government, but violates the basic principle of the presidential republics by demanding that the cabinet be responsible to Parliament and that the right of the President to dissolve the cabinet be limited. Thus, the draft presents a mixed form of government, where the presidential power is curtailed, in comparison with the current situation. The NDP ideology is much different, in this respect, from that of most other ultra-right organizations and parties, whose vision involves strengthening the role of head of state. However, the majority of nationalists would agree with the call for expanding the state’s social functions, revising the results of the 1990s privatization, and the state control over the oil, gas, energy, defense and transport

<sup>41</sup> In February 2012 the conflict between Belov and Borovikov caused a split in the Moscow branch of “the Russians”.

<sup>42</sup> The National-Democratic Party Program (draft) // Official National-Democratic Party site.

industries. Expressions of ethnic nationalism in the program are almost non-existent. Anti-immigrant sentiments and demands for limiting migration are covered up by standard ultra-right allegations that migrants often look for ways to make money illegally, that they “*are not integrated and do not have such intentions, instead acting as colonizers, and not always peaceful.*”<sup>43</sup> “NDP, in contrast to ROS, denies the existence of the “third way” or “Eurasianism” and insists that the Russian civilization is a subset of the generalized European civilization.

Thus, the NDP program is free of radicalism and serves the goal, indicated by the party leaders, that is, to become European-style nationalists, who can potentially gain support of non-radical xenophobic majority of the Russian society. This position has caused much internal indignation, and even resulted in departure of one of the founding members – Egor Kholmogorov, who had been responsible for registering NDP.

The New Force party, led by Valery Solovey, represents another national-democratic project and has already created 43 regional branches.

The program of the New Force is almost identical to the NDP program. Ethnic nationalism is almost absent; at the same time the suggested anti-migration system makes any migration almost impossible. The political vision is also similar to the one, expressed by the NDP, but the New Force suggests that Russia should move to presidential rule, stating that “*Russia needs a strong central government.*”<sup>44</sup>

Despite their ideological similarities, two parties don’t cooperate, and their competition occasionally escalates into conflicts. For example, the Russian Platform (*Russkaya Platforma*) website published an accusation of plagiarism against the NDP leader K. Krylov in September, alleging that the NDP symbols, site design and campaign slogans are copied from the New Force. In response, the NDP accused Solovey of taking over the Russian Platform site, which was intended as a common resource for all nationalist. It is worth noting, that the majority of online comments to the initial “attack” against NDP on the Russian Platform website were critical of this move by Solovey’s party. The site visitors disapproved of public discord between nationalists, and the subject was not deemed worthy of a fight.

The New Force develops much more actively than NDP. It constantly organizes small regional actions under various pretexts in order to distribute their information booklets. The actions can be “in memory of political repression and victims of the Red Terror,” or against increasing cost of public utilities, or simply conducted under the slogan “For new Russia.” Electoral resources of

<sup>43</sup> Ibid.

<sup>44</sup> The New Force Party Program // Official Force Party Program site. 2012.

both NDP and the New Force are still modest. Both parties (more consistently in case of V. Solovey's party, slightly less consistently in case of Krylov's party) target not the existing ultra-right segment, but rather the xenophobic majority of the population. However, as we noted on many occasion, neither party has means of reaching their electoral target. Most Russian citizens are unaware of their existence.

In addition to well-known ultra-right organizations, several national-patriotic movements of 1990s and early 2000s, Cossack and monarchist proto-parties, and a number of small near-nationalist associations announced their intentions to form their own parties.

Only the Monarchist Party (*Monarkhicheskaia partia*) of famous political technologist Anton Bakov<sup>45</sup> and Mikhail Lermontov's For Our Motherland (*Za nashu rodinu*) party<sup>46</sup> – a small remnant of the Motherland (*Rodina*) party – successfully registered with the Ministry of Justice<sup>47</sup> by February 2013. The other party organizational committees either have not yet succeeded, or split in the course of the year, or even completely disappeared.

It is worth noting separately that Dmitry Rogozin's Motherland party<sup>48</sup> renewed its registration in December. Alexey Zhuravlev, a State Duma deputy from the "United Russia," became its leader and filed for the Ministry of Justice registration in April. It has been formally declared that the Motherland party, which at some point had been integrated into the Just Russia, have once again decided to go its separate way, and that the party recognizes the continuity of all documents and policy statements made by the Motherland party and its leaders of the 2004–2006.<sup>49</sup>

In reality, however, the current Motherland party has little in common with the party of 2004–2006. Most likely, the party, which is curated by the Deputy Prime Minister, has been revived in order to pull away voters in case of growing nationalist sentiments and increasing popularity of another right-wing party. However, we can't analyze a possible future role of the born-again Motherland party, since its activity is practically unnoticeable at this time.

<sup>45</sup> Political Party "the Monarchist Party" // The Russian Federation Ministry of Justice. 2012. 12 July (<http://minjust.ru/taxonomy/term/201>).

<sup>46</sup> For Our Motherland Russian conservative political party // The Russian Federation Ministry of Justice. 2012. 5 July (<http://minjust.ru/taxonomy/term/199>).

<sup>47</sup> The List of Registered Political Parties // The Russian Federation Ministry of Justice (<http://minjust.ru/ru/nko/gosreg/partii/spisok>).

<sup>48</sup> Russia-wide political Motherland party // The Russian Federation Ministry of Justice. 2012. 19 December (<http://minjust.ru/taxonomy/term/223?theme=minjust>).

<sup>49</sup> Rebirth of the Motherland // Official Motherland party site. 2012. 29 September.

The largest nationalist organizations are unlikely to obtain their parties' registration with the Ministry of Justice. However, even if it happens, the fact of registration is unlikely to lead to substantial increase in numbers of their supporters. Their resources are small, their leaders are little known, and even the moderates, such the NDP and the New Force, were never able to convince the public to stop associating their organizations with violent far-right militias.

## Other Areas of Nationalist Activity

### During the Elections

In 2012, ultra-right parties and coalitions had an opportunity to test their strength in the elections.

For example, many of them took part in the Moscow municipal elections on March 4, and some even managed to become the local deputies.<sup>50</sup>

The peculiar character of municipal elections, unfortunately, gives us no way of evaluating the extent to which the candidates' personal appeal influenced their victory. In most cases, a voter votes either for a candidate from his preferred party (and nationalists generally did run on party tickets) or based on a brief candidate biography.

Nationalists also were active during the fall election cycle. In the summer, it was announced that D. Dyomushkin was running for mayor of Kaliningrad. He collected the necessary number of signatures in August and submitted documents for registration. However, he was denied registration due to formal violations found in the signature sheets.

Alexey Stepkin (the leader of the Right Ones group in Mytishchinskii and Sergievo-Posadskii districts of the Moscow Region, and the organizer of the Russian Runs), attempted to run for the head of Mytishchinskii District in the fall of 2012, but was also not allowed to register.

Thus, nationalists are still frequently stopped even before they get to the elections stage. However, even assuming the liberalization of the Russian political system to the extent that right-wing radicals no longer face such obstacles, they don't have enough consistent supporters focused on formal political participation to attain real electoral achievements,

<sup>50</sup> For more details, see: Alperovich, V., Yudina, N. Winter 2011–2012: The Ultra-Right: Protest and Party-Building // SOVA Center. 2012. 3 April (<http://www.sova-center.ru/racism-xenophobia/publications/2012/04/d24040/>).

However, the extreme right is not planning to give up participation in election campaigns. It was announced in December that the ROS, “the Russians” and the NDP plan to nominate a single candidate for the election of the Governor of the Moscow Region scheduled for September 2013. The New Force intends to participate in the 2013 elections as well.

### **Raids, Training Camps, etc.**

The nationalist activity in organizing various social actions became one of the defining features of 2012.

The ultra-right social involvement is not new in and of itself; however, while previously nationalist actions had pertained to specific causes (i.e. helping orphanages, organizing sporting events, donorship, etc); now some movements have become interested in larger socially meaningful non-political projects. In some cases, they join initiatives spearheaded by other movements; in other cases they launch initiatives of their own. Besides improving their image, these actions allow nationalists to gain access to a wider audience, establish contacts with other movements, and get greater public recognition in their region.

Nationalists participated in various environmental campaigns of 2012 and even organized some of them: against felling of Tsagovskii forest in the town of Zhukovskii in the Moscow region, against nickel mining in the Voronezh Region, in defense of Zalesovskii reserve from planned mining of its mineral deposits, and against the building development in the Skhodnia River floodplain.

Various raiding initiatives – detection of expired products in the stores or alcohol sales to minors, fight against trafficking in smoking mixtures, and so on – also gained tremendous popularity among the ultra-right. Some of these initiatives are fraught with violence. For example, many far-right associations took part in “the hunt for pedophiles” this year’s – the activity, pioneered by well-known neo-Nazi Maksim “the Hatchet” (*Tesak*) Martsinkevich. Nationalists, posing as children, meet potential pedophiles online and arrange for a face-to-face meeting, which is then filmed, and the video is published on the Internet. There were also some cases of beating up the men, who showed up to meet an alleged “child”. The nationalists claim that they act in the interests of children, but in reality, the effectiveness of such raids is close to zero; they don’t lead to any legal consequences for alleged pedophiles and don’t provide warning to actual children, since the resulting videos are watched exclusively by fellow nationalists.

Raids on places of illegal migrants’ residence represent another similar initiative. Nationalists find their way into basements that house migrant workers, demand to see their identification papers, and then call the police, or the Federal Migration Service. This activity is simply illegal, since the activists have no authority to check anyone’s papers and, certainly, have no right to detain

anyone. We consider such raids, where the extreme right activists act as de facto law enforcement agents, to be simply unacceptable.<sup>51</sup>

Ultra-right organizations have been demonstrating a renewed zeal for various training camps and outdoor programs. The main purpose of these activities is to maintain participants in the state of “battle readiness,” so the programs primarily focus on boot camp training, such as cross-country running, knife or unarmed combat practice, traumatic and *smoothbore* weapons shooting practice, and so on.

The camps started during the summer, when the level of political activity started to decline, but did not stop in the fall or winter. The nationalist organizations – the movements that belong to “the Russians” coalition, the People’s Assembly (*Narodnyi Sobor*), RONS and smaller ultra-right groups – put a lot of effort into promoting these training camps, and some organizations even began to open new indoor training facilities.

In general, such outdoor or indoor training camps exist in order to the recruit new supporters, rally the existing ones, and prime all of them for a violent struggle with state structures and/or non-Russian residents of Russia. Apparently, the increase in nationalist sports and military training camps represents an attempt to win over right-wing rank-and-file radicals, disappointed in peaceful protest as an instrument of political struggle. So far, despite our fears, these initiatives do not enjoy much popularity, and are unlikely to have paid off.

## **Counter-action to Radical Nationalism and Xenophobia**

### **Public Initiatives**

The efforts of civil society activists to counter xenophobia and radical nationalism in 2012 once again occurred within a framework of their traditional projects. In the past year, many participants of these actions became victims of the ultra-right attacks or faced official repressions.

On January 19, 2012, the All-Russian campaign in memory of Stanislav Markelov, Anastasia Baburova and all those who died at the hands of neo-Nazis took place in at least 12 Russian cities. The anti-fascist march and rally

<sup>51</sup> In early 2012 FMS attempted to take over the initiative and create their own specialized teams of this type. The extent of Cossack and ultra-right participation in these teams differ widely from one region to the next, making it difficult to form the complete picture.

in Moscow was attended by about 500 people. After the end of the event, one of its organizers, Yulia Bashinova, was detained by the police and accused of exceeding the declared number of event attendees (Part 1 of the Administrative Code Article 20.2). Neo-Nazi attacks against participants of these actions were reported in Moscow, St. Petersburg, and Voronezh.

From March 14 to March 21, 2011, an International Week of educational activities “Stop Racism!” took place under the umbrella of the European Action Week of UNITED network for Intercultural Action. As in 2010 and 2011, only a handful of Russian cities conducted related events, and these were not well-attended.

Public activity slightly increased in the autumn months, as expected.

From November 9 to November 16, at least 12 Russian cities hosted the annual International Week of Tolerance under the slogan “Kristallnacht – never again!” This action also failed to attract sizeable audience.

On November 13, a picket in memory of antifascist musician Timur Kacharava, who died on this day at the hands of neo-Nazis, was conducted near the Bukvoed bookstore in St. Petersburg. Two people were subsequently detained by the police.

Another annual St. Petersburg event, the “March Against Hate,” instituted in 2004 after the assassination of scientist Nikolai Girenko by neo-Nazis, received an official permission in 2012; it was organized by the Democratic Petersburg coalition (*Demokraticheskii Peterburg*), which included Yabloko party, the Solidarity movement, the LGBT community, human rights organizations, and student movements and organizations.

In addition, on November 4, 2012, an alternative to the nationalist Russian March took place on Suvorov Square in Moscow. This rally in support of imprisoned anti-fascists brought together about 200 people from several radical leftist organizations. Just prior to the meeting, 20 to 30 nationalists attacked a small group that had assembled for the event. Four people were injured.

The Rain (*Dozhd*) TV channel suggested an attractive alternative to the Adolf Hitler’s birthday celebration. The Rain organized a “day of combatting racism in the Russian soccer,” for which they produced and broadcasted a video, starring many foreign athletes who play for Russian soccer clubs: Roberto Carlos (football club (FC) Anzhi), Emmanuel Emenike (FC Spartak), Ari (FC Spartak), Seydou Doumbia (PFC CSKA), Guilherme (FC Lokomotiv), Peter Odemwingie (FC West Bromwich, formerly Lokomotiv), as well as mini-soccer players Pula and Cirilo. The video showed players holding anti-racism placards; for example the placard held by Seydou Doumbia of CSKA read “I am the best scorer of the Russian Championship, and that says it all,” and the one, held by Roberto Carlos read “While you throw bananas at the players, I fight hunger in

Brazil.” The Russian Football Premier League supported the action, and announced its intention to show the anti-racism video at stadiums before matches.

## Criminal Prosecution for Violence

Prosecution of violent racist crimes was much less active in 2012 than during the two preceding years. In 2012, there were at least 28 convictions in 32 regions of Russia for violent crimes, where hate was recognized by courts as a motive, compared to 60 convictions in 32 regions in 2011. In these court cases 65 people were found guilty, compared to 203 people in 2011. A sharp decrease in numbers in comparison with 2011 could be attributed to the fact that most members of large ultra-right groups that practiced violence, had been convicted earlier, and the new generation haven’t had a chance to accumulate sufficient strength and also became more careful and skilled at covering its tracks.

When prosecuting racist violence in 2012, the judiciary used almost the entire range of the Criminal Code articles that contain hate motive as aggravating circumstance: Part 2 paragraph “k” of Article 105 (“Murder motivated by hatred”); Part 3 of Article 30; Part 2 paragraphs “a,” “g,” and “k” of Article 105 (“Attempted murder”); Part 2 paragraph “f” of Article 111 (“The infliction of grievous bodily harm”); Part 2 paragraph “f” of Article 112 (“The infliction of moderate bodily harm”); Part 2 paragraph “b” of Article 116 (“Beating”), Part 2 paragraphs “a,” “b” of Article 115 (“The infliction of bodily harm”); Part 1 paragraph “b” of Article 213 (“Hooliganism”) and Part 2 of the same article.

In 2011 the Criminal Code Article 282 (“Incitement of hatred”) was utilized in 7 convictions related to violent crimes. Part 1 of Article 280 (“Public incitement to extremist activity”) was utilized in 3 convictions. In accordance with Resolution No. 11 of the plenary meeting of the Supreme Court of the Russian Federation “Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism,” adopted on June 28, 2011,<sup>52</sup> the application of Article 282 to violent crimes is considered appropriate if the crimes were aimed at inciting hate in third parties, for example, through public and provocative ideologically motivated attack. We believe that the use of this Article in the 2012 violent crime convictions was appropriate, since these attacks were either committed in front of witnesses or the attackers recorded their actions on video and published them online. These verdicts also utilized Article 280 in a similar fashion.

Three convictions in 2012 included the motive of hatred against “social groups”. This term was applied to “homeless people,” “anti-fascists” and “law enforcement officers.” While the term “social group” is inherently controversial,

<sup>52</sup> For more details see: Alperovich, Verkhovsky, Yudina, *ibid.*

we have no objections against recognizing the homeless as a vulnerable social group in need of extra protection and granting this status to anti-fascists could be justified in some circumstances;<sup>53</sup> however, there is no reasonable argument for recognizing law enforcement officers as a vulnerable group in need of extra protection under anti-extremist legislation. Utilizing the motives of political and ideological hatred (which could also be used as qualifying clauses) would have been more appropriate in this case. Legal application of these motives could also be problematic, but still far preferable to unnecessary use of the nebulous term “social group.”

- Court decisions in cases of violent crimes motivated by hate in 2012 were distributed as follows:
- 4 people were acquitted;
- 3 people were found guilty but released from punishment because the statute of limitations had expired;

1 person was found guilty but released from punishment due to reconciliation of the parties;

- 7 people received suspended sentences;
- 1 person were sentenced to correctional labor;
- 4 people were sentenced to mandatory labor;
- 4 persons received a custodial sentence (length unknown);
- 1 person was found guilty, but the sentence is unknown;
- 1 person received a custodial sentence of up to one year;
- 11 people received a custodial sentence of up to 3 years;
- 5 people – up to 5 years;
- 13 people – up to 10 years;
- 8 people – up to 15 years;
- 4 people – up to 20 years;
- 1 person received a custodial sentence of 22 years;
- 1 person received a life sentence.

Unfortunately, we only know of three verdicts where the offenders must pay a financial compensation to their victims for moral harm and medical expenses. Regretfully, the prosecutor’s offices very rarely report about such measures – we believe that monetary compensation to the victims is a fair and appropriate measure.

While the number of offenders, convicted for violent crimes, went down in 2012, the penalties became harsher. Two thirds of those convicted for violent crimes in 2012 (43 out of 65) received custodial sentences of various length.

<sup>53</sup> This is related to the concept of a hate crime “by association” used in some countries, but so far little known in Russia.

The drop in suspended sentences (only 11 % of all convictions, 7 out of 65) is an evidence of better law enforcement. Some defendants in large group trials received suspended sentences due to their deals with the prosecution, other people received suspended sentences because their direct involvement in the attack could not be proved, and still others received suspended sentences under the “light” articles (Articles 115 and 116) of the Criminal Code, which did not provide for severe punishment. At the same time, some suspended sentences were hard to explain. For example, the Krasnosel’skii District Court of St. Petersburg issued a completely unacceptable suspended sentence to three ultra-right militants from Vladislav Gavrichenkov’s group, who were accused of organizing over 30 explosions in the places of residence and employment of migrants from Central Asia and of multiple attempts to burn down their property.

Our monitoring experience confirms that suspended sentences for racist attacks do not deter offenders from committing similar crimes in the future. The example of an ultra-right St. Petersburg resident Vladimir Smirnov illustrates the point. He was detained by the FSB near a St. Petersburg mosque, where he tried to place a pig’s head and a replica of an improvised explosive device on the building gates. V. Smirnov had narrowly avoided incarceration on several prior occasions. He had been under investigation in the case of the neo-Nazi group “Lincoln 88,” confessed at the beginning of the investigation and was released on his own recognizance. On May 5, 2011 Smirnov was convicted under Part 2, paragraphs “a,” and “c” of Article 282 and received a suspended sentence. In February 2010, Smirnov was detained once again along with St. Petersburg right-wing radicals Igor Gritskovich and Vladislav Gavrichenkov, mentioned above, on suspicion of committing over 30 explosions in the places of residence and employment of migrants from Central Asia and multiple attempts to burn down their property. In this case, the Krasnosel’skii District Court sentenced Smirnov to 5 years in prison on February 10, 2012; however, the sentence was once again suspended for a 4 year trial period. In June 2012, Smirnov was taken to hospital No. 26 with a broken finger and with phalanges of two right hand fingers torn off. The ingredients for an explosive device exploded in his hands. It was only in November 2012, when caught with a pig’s head, that he was taken into custody.

Members of several major racist groups were convicted in 2012. In April, the Moscow City Court delivered a verdict in the case of 10 neo-Nazis from the Autonomous Combat Terrorist Organization (*Avtonomnaia boevaya terroristicheskaia organizatsia*, ABTO), accused of committing a series of fires and explosions in Moscow (nine people received prison terms ranging from 8 to 13 years, one man received a suspended sentence.). In June, the Third District Military Court of Orel delivered its judgment in the case of members of the ultra-right

Orel Guerrillas group (*Orlovskie partizany*) – nine people were received prison terms ranging from one and a half to 16 years, two suspended sentences, and one person was acquitted. In July, the St. Petersburg City Court issued a verdict in the case of Georgii Timofeev, the leader of the neo-Nazi group NS/WP, who was sentenced to 13 years in a maximum security penal colony. In October, the Moscow City Court delivered a verdict to the gang, led by Yemelyan Nikolayev (Yan Lyutik), for committing a series of attacks motivated by ethnic hatred (four men were sentenced to prison terms ranging from eight to 19 years of in maximum security penal colony, and one person was acquitted).

In several verdicts for ideologically motivated crimes, issued in 2012, the charges did not include the hate motive.

Nazi skinheads were convicted in Omsk in March 2012 for a murder of their 24-year-old “associate” for “treason and cooperation” with the law enforcement, committed on the anniversary of Adolf Hitler’s birthday on April 20, 2011.

In addition, two offenders received sentences for murders of anti-fascists. Yuri Tikhomirov was sentenced in Moscow to 10 years in prison for the murder of anti-fascist Ilya Dzhaparidze in summer of 2009. Nikolai Zalivaka was convicted in Samara and sentenced to 7 years in prison for the murder of anti-fascist Nikita Kalin in February 2012. In both cases the ideological motive was absent from the final charges, and murder accomplices were not identified or found.

The Dzhaparidze murder case resulted in a closed trial that proceeded in a very tense atmosphere. The victim’s relatives repeatedly received threatening phone calls. Tikhomirov was originally charged under Part 2 paragraphs. “g” and “k” of the Criminal Code Article 105 (“Murder committed by a group of persons under a preliminary conspiracy motivated by hatred and hostility towards a social group”), but later his case was re-qualified as Part 4 of the Criminal Code Article 111 (“Serious bodily injury that resulted in the death of the victim”), and the verdict did not take the motive of hatred into account. One of the suspected murder accomplices, Maxim Baklagin, who wielded a knife, was arrested but then released, and promptly went into hiding.

The second court case also proceeded in an unusual manner. Zalivaka initially confessed to murder, but then withdrew his confession. After the verdict, the St. Petersburg anti-fascists issued a proclamation “*all this time they tried to convince us that it was a common fight, a drunken brawl, but the expert opinion showed that the injuries were caused by three different instruments under different angles; we don’t understand why this was not taken into account.*”<sup>54</sup> The authors

<sup>54</sup> The Opinion of Samara’s Anti-Fascists Regarding the Sentence for Nikita Kalin’s Murderer // Autonomous Action (Avtonomnoe Deistvie). 2013. 5 January (<http://avtonom.org/news/samara-mnenie-antifashistov-goroda-po-povodu-prigovora-ubiyce-nikity-kalina>).

of the proclamation noted that after Zalivaka’s first interrogation “*there was a testimony about a certain neo-Nazi group and the political background of the case,*” but the evidence has “changed” later.

Several verdicts were delivered in 2012 in connection with the Manezhnaya Square riots of December 11, 2010 and the subsequent attacks. We view all these cases as examples of insufficient and sloppy investigative work.

The Tver Court of Moscow delivered the second sentence to the Manezhnaya Square rioters in August 2012 – four defendants were given sentences ranging from the suspended sentence of two years to three years of actual incarceration under the articles of the Criminal Code that pertain to riots, hooliganism, and violence against a government official. Only one of the defendants received a verdict that included Part 1 of Article 282. Unlike the first trial,<sup>55</sup> where three out of five defendants were members of the Other Russia (*Drugaya Rossiya*) party, this time the defendants were young people without party affiliations, including some soccer fans. The defendants, convicted in the first and the second Manezhnaya Square cases, were, obviously, not the instigators of the riots, and the potential pool of defendants could have been much larger.

In addition, in July 2012 the Simonovsky Court in Moscow delivered a verdict in a murder case; the victim was a citizen of Kyrgyzstan, killed on Sudostroitel’naya Street on December 12, 2010. Ilya Kubrakov, who at the time of the offense was 14 years old, was convicted and sentenced to three years in a juvenile correctional facility. However, there are serious doubts that Kubrakov was the one to deliver a final blow.<sup>56</sup> The other two attackers received custodial sentences in a penal colony.

Another sentence, related to the assault that took place immediately after the Manezhnaya Square events in December 2010, was delivered in February. The Zyuzinsky District Court in Moscow found Sergei Vnenk and Denis Fomin guilty of killing 22-year-old Damir Karshiev, a citizen of Uzbekistan. The hate motive was not included in the verdict. The defendants asserted that they had intervened in order to defend a young woman, allegedly attacked by Karshiev (who was never found or identified). We don’t have much faith in their version of events, given the timing of the crime and the fact that one of the prisoners was found to possess xenophobic literature. Fomin was convicted of causing grievous

<sup>55</sup> Moscow: Verdict Delivered in the Manezhnaya Square Riot Case // SOVA Center. 2011. 31 November (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/10/d22893/>).

<sup>56</sup> Skovoroda, Egor. One Boy’s Story. The End // Colta.ru. 2012. 16 August (<http://www.colta.ru/docs/4271>).



bodily harm that resulted in the victim's death, and sentenced to seven years' imprisonment to be served in a maximum security penal colony. S. Vnenk was convicted only of causing bodily harm, and got off with a suspended sentence.

Regretfully, we have no information on any additional lawsuits related to either Manezhnaya Square riots or to the attacks that followed the riots in December 2010 thru January 2011, despite the fact that at least 40 people suffered injuries during this time period.

### **Criminal Prosecution for Vandalism**

In 2012, we know of 5 convictions of 7 defendants for ethnically-motivated and neo-Nazi vandalism. The verdicts were handed down in the Bryansk, Irkutsk, Kaliningrad, Orenburg and Khabarovsk Regions. This is a decrease compared to 2011, when we recorded 8 convictions of 15 people.

In three cases the charges were brought under Part 2 of the Criminal Code Article 214 ("Vandalism motivated by ethnic or religious hatred"). In one of the verdicts vandalism was aggregated with Article 280 ("Public incitement to extremist activity").

Four people were sentenced to restriction of freedom and one received a suspended sentence. All these penalties were imposed for minor offences, such as writing xenophobic slogans on building walls, and graffiti on a mosque and a synagogue.

Two men received prison terms. One of them, a 17-year-old neo-Nazi from Bryansk, was punished for committing a series of hate-motivated crimes, including attempted murder, robbery and theft. The second man tried to blow up a mosque under construction in the city of Kaliningrad.

Due to the dual nature of these crimes, some cases were qualified not as vandalism, but rather as propaganda under Article 282. Such are the sentences handed down in Skopin, in the Ryazan Region, for writing xenophobic slogans on a city wall, and in Cheboksary for drawing swastikas and writing anti-fascist slogans in building hallways or other similar places (the defendants were sentenced to 160 hours of mandatory labor). The reason for such qualification is that in these cases xenophobic graffiti appeared on building walls or fences – the objects that, in contrast to religious buildings or monuments, can't be "vandalized." In these cases, the article addressing incitement to hatred, which is also better known in the community and the media (and, likely, better known among law enforcement officers responsible for "combating extremism") was used appropriately. However, two (out of five) sentences for vandalism (under Article 214) in 2012 were issued for the swastika drawings (in building hallways, and on a lyceum wall), and the other three – for the desecration of cultural and religious

structures (the buildings of Voskresenskaia and Gorne-Nikol'skaia Orthodox Churches, the "Or Avner" Jewish community, a synagogue and several mosques).

However, in our view, the graffiti on the buildings and fences do not merit criminal prosecution, in contrast to the actions of arsonists and bombers that really pose serious danger to society. Unfortunately we have very little information on verdicts in such cases (1 in 2012, 2 in 2011) or on the progress in investigations of past explosions and arson attacks, despite the fact that their number is still formidable (see above).

### **Criminal Prosecution for Propaganda**

The number of propaganda convictions in 2012 was 2.5 times greater than the combined number of convictions for vandalism and violence for the same year. It has to be noted, that the difference is not that striking if, instead of number of convictions, we consider a number of convicted offenders (which is only 31 % greater than the corresponding number of offenders convicted for violence and vandalism). The courts issued at least 89 guilty verdicts related to xenophobic propaganda to 104 defendants (and one case was dropped) in 45 regions of the country. In 2011, we recorded 73 verdicts to 81 people.

Article 282 of the Criminal Code was utilized in 82 convictions (91 people). The overwhelming majority (77 people) were convicted solely on the basis of this Criminal Code article, 13 more were convicted under the aggregation of Articles 280 and 282, another 4 – solely on the basis of the Criminal Code 280, and one under the aggregation of Article 280 and Article 214 (see also "Criminal Prosecution of Vandalism").

Two defendants were convicted under the aggregation of articles 280 и 205<sup>2</sup> ("public incitement to terrorist activity or public apology for terrorism") – Ruslan Meirivan ogly Agaev, convicted in the Krasnoyarsk Region for creating radical online social network groups with comments that "justified activities of gangs and gang leaders in the North Caucasus region, and Tatiana Tarasova, convicted in Moscow for posting an article "A Woman's Role in Jihad" on the Islamic Committee website. It is worth noting, that convictions under the Criminal Code Article 205<sup>2</sup> are exceedingly rare in the judicial practice and given almost exclusively for radical Islamist propaganda (as in the above case).

Some defendants in group trials were convicted under the aggregation of propaganda and violence-related articles of the Criminal Code (see also "Criminal Prosecution of Violence"). One person, the leader of NS/WP group, was convicted under the aggregation of the Criminal Code Article 282 with Part 2 paragraphs "a," "g," and "k" of Article 105 and Part 3 of Article 30; Part 2 paragraphs "g," and "k" of Article 105 and Part 2 paragraphs "a" and "c" of Article 205 ("Act of

terrorism”); Part 1 and Part 3 of Article 223, and Part 3 of Article 222. Another one was convicted under the aggregation of Articles 280 and 282 with Part 2 paragraphs “a” and “c” of Article 205; Part 1 of Article 30, Part 2 paragraphs “a” and “c” of Article 205; Part 1 of Article 205<sup>2</sup>; Part 2 of Article 167; Parts 1, 2 and 3 of Article 222 (from the ABTO verdict). Five people were convicted under the aggregation of Article 280 with Part 4 of the Criminal Code Article 111, Part 3 of Article 30, Part 3 paragraph “b” of Article 111; Part 2 paragraphs “a” and “c” of Article 205 and Part 3 of Article 30, Part 2 paragraphs “a,” “f,” and “k” of Article 105; Part 2 of Article 213, Parts 1, 2 and 3 of Article 222; Part 3 of Article 223; and Part 2 of Article 167 (the Orel Guerillas verdict). Finally, one person was convicted the aggregation of the Criminal Code Article 282 with Part 3 of Article 212 (Vladimir Kirpichnikov’s sentence in the second “Manezhnaya Square” case).

The court verdicts for the propaganda cases in 2012 were distributed as follows:

- 1 person was acquitted;
- 7 people were released from punishment because the statute of limitations had expired;
- 1 person was subject to pedagogic intervention;
- 1 person was referred for compulsory medical treatment;
- 12 people received custodial sentences;
- 13 people received suspended sentences without additional sanctions;
- 19 people were sentenced to various fines;
- 32 people were sentenced to mandatory labor;
- 16 persons were sentenced to correctional labor;
- 3 people received suspended correctional labor sentences.

In 2012, convictions that involved real prison terms were delivered in conjunction with the Criminal Code articles other than propaganda. The members of neo-Nazi groups (ABTO, NS/WP, the Orel Guerillas) and a participant of the Manezhnaya Square riots belong to this category. In addition, custodial sentences were issued to lone perpetrators in conjunction with their earlier crimes.<sup>57</sup>

<sup>57</sup> In the first case, Aleksandr Martynov was convicted to 8 months of maximum security colony in Orel for xenophobic propaganda using online social networks. Martynov was tried for the attack on athletes – archers from Buryatia – in 2006, and sentenced under Part 2 Paragraph A of Article 282 and Article 111 of the Criminal Code (“The infliction of grievous bodily harm”) to 3 years behind bars. It was also later reported on his involvement in another violent incident, specifically beating of a young Armenian woman.

In the second case, the Abakan City Court of the Republic of Khakassia convicted Aleksandr

The ataman (leader) of the Cossack community in Serebrianiki Alexander Dzikovitsky was sentenced to one year in a settlement colony for publishing a number of articles in the *Kazachii Vzgliad* newspaper from March 2008 to April 2011. Despite the fact, that some of his articles are clearly xenophobic, we do not believe that A. Dzikovitsky deserved a custodial sentence. It would have been much more effective, if the court, following the public prosecutor’s proposal, banned the defendant from engaging in journalism for a period of time. However, the practice of bans on practicing a profession did not develop at all during the past year; meanwhile we consider it to be the most effective punishment for people who regularly engage in nationalist propaganda (as in the Dzikovitsky’s case).

The trend of issuing a high number of suspended sentences finally broke in 2012. The share of suspended sentences for propaganda crimes comprised 12.5 % (13 out of 104 convicted offenders), compared to 37.5 % (30 out of 81), in 2011. We see this change as unambiguously positive, since the majority of convicted propagandists do not view a suspended sentence as a serious punishment and are not being deterred by these verdicts

The majority of convicted offenders (70 people) received penalties that do not involve loss of freedom and that we believe to be more effective: fines, mandatory and correctional labor. Mandatory labor – a penalty for the majority of 2012 propaganda convictions – constitutes an appropriate punishment for graffiti on buildings and fences or for online social network activity.

The propaganda convictions overwhelmingly related to online publications,<sup>58</sup> similarly to the year before;<sup>59</sup> the number of 2012 convictions for online propaganda (65) was almost three times larger than the number of offline propaganda convictions (22).<sup>60</sup>

---

Ishchenko for distributing bulletins of the local NOMP cell in Abakan and online. In addition, Ishchenko created a “Hidden and Visible” DVD that contained electronic version of The International Jew by Henry Ford and The strike of the Russian Gods (Udar Russkikh Bogov) by V. Istarkhov and tried selling it online. Ishchenko committed a crime while on probation after receiving a suspended sentence. In 2007, he was found guilty under Part 1 of the Criminal Code Article 318 (“Insulting a representative of the authority”) and sentenced to 2 years in custody with 4 years of probation.

<sup>58</sup> For data on prosecution of online extremism see: Yudina, N. Virtual anti-extremism: On peculiarities of online enforcement of anti-extremist legislation (2007–2011) // SOVA Center. 2012. 17 September (<http://www.sova-center.ru/racism-xenophobia/publications/2012/09/d25322/>).

<sup>59</sup> For more details, see: Alperovich, Verkhovsky, Yudina, *ibid*.

<sup>60</sup> The data does not include four sentences pertaining to leaders and members of ultra-right groups (ABTO, Orel Guerillas, NS/WP, and Gavrichenkov’s group). The propaganda articles are obviously not central in these cases; moreover, we don’t know what particular propaganda episodes they had been charged with.

Materials that resulted in convictions for online propaganda were found on the following Internet resources:

- 50 convictions involved social networks, including 40 convictions involving the *Vkontakte* network, 9 convictions involving unidentified social networks, and one conviction involving the My World (*Moi mir*) network;
- 5 convictions involved online forums (including comments);
- 10 convictions involved other or unspecified Internet resources.

Obviously, law enforcement agencies continue to focus on monitoring social networks, specifically and almost exclusively the *Vkontakte* network. Such attention to *Vkontakte* is due to the fact that this network is rapidly gaining popularity among the Russian youth, including its ultra-right segment. In addition, its users are easily identified, since page owners have to provide their personal data and their phone number during registration, and network administrators easily provide this information upon request from the law enforcement.

Unfortunately, all the shortcomings of the Internet-related law enforcement, repeatedly discussed in our earlier reports,<sup>61</sup> still persist. So, for example, there were no clarifications regarding quantitative assessment of online public exposure – an essential consideration when using the Criminal Code propaganda articles. This factor is still not taken into account either in filing criminal charges or in sentencing.

Online materials that resulted in criminal convictions in 2012 belonged to the following genres:

- Video (including the notorious The Execution of a Tajik and a Dagestani (Kazn' Tadjhika i Daga) – 39 convictions;
- Audio (including the song by the Kolovrat music band) – 7 convictions;
- Photo – 7 convictions;
- Graphic art – 6 convictions;
- Texts (re-publications, including *Mein Kampf* and the *White Primer (Belyi Bukvar')* – 12 convictions;
- Comments on articles or forum posts – 11 convictions;
- Creating online neo-Nazi groups – 2 convictions;
- Unknown – 2 convictions.

Similarly to 2010–2011, the sentences for visual materials (video, audio, graphics, and photos) predominate. This has to do with the fact that these materials are more straightforward and understandable than the text; in addition, the

<sup>61</sup> Yudina, *ibid.*

number of online videos and technical possibilities to link to them continued to increase. Speaking of videos, which constitute the majority of visual materials, most convictions have to do with links to videos posted elsewhere (on YouTube, for example). Most likely, people who post videos on social networks weren't the ones, who initially uploaded them online; they are even less likely to be the ones, who shot and edited the footage. Therefore, it would have been much more effective to focus on identifying the source and creators of each video, rather than prosecute people for linking to it.

Identifying creators of the offending video is important because these scenes of violence could in fact be the record of a real attack. For example, an anti-Semitic video "Killing a Jew Boy" (*Unichtozhenie zhidenka*) appeared online last January. According to media reports, the video shows a group of young people who "lighting the scene with a flashlight, stick a knife in an eye of man with a bloodied face, who shows no signs of life." The video clip was immediately declared a fake. However, after the arrest and confession of Andrei (Bladma) Pronskiy, it turned out that the video reflected an actual anti-Semitic murder. During the interrogation, Pronskiy said that "the nationalist organization, where he was a member ... pushed him to commit a murder ... because it was his turn to perform a ritual execution and post it on the Internet as a New Year's gift to his associates."<sup>62</sup>

We can not judge the degree of public danger of the texts, which lead to convictions, since the original articles are no longer accessible. Note that the number of convictions for re-posting texts and articles is about equal to the number of convictions for individual comments in social networks, blogs or forums. Most likely, the people, who were prosecuted for re-posts and comments, were selected randomly and had no sizable audience or significant popularity in the right-wing circles.

The only aspect of online activity, representing an undisputable and real public danger is the creation of ultra-right social network groups in order to coordinate violence. Such acts received a scant attention from the law enforcement in the past year; we know of only two convictions for creating radical right-wing user groups on the *Vkontakte* social network in Irkutsk and in Lipetsk.

There were far fewer (22) convictions for the offline propaganda activities. They were issued for the following actions:

- Graffiti – 7 convictions;

<sup>62</sup> Ritual Murder Suspect Detained in Podolsk // SOVA Center. 2012. 5 March (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2012/03/d23809/>).

- Creation and distribution of leaflets – 8 convictions;
- Distribution of books and a CD – 1 conviction;
- Newspaper publications (includes the sentence to the editor-in-chief – 2 convictions);
- Shouting during rallies and in the park – 3 convictions;
- Public xenophobic insult directed at a local police officer – 1 conviction.

We view the sentences imposed on the newspaper editor (the aforementioned Dzikovitskiy) for publishing articles and the author of an anti-Semitic article (content unknown) as the most appropriate in this group. As for the rest, we feel that prosecuting people for shouting racist slogans at a rally or on the street or for public xenophobic insults of a police officer could be appropriate, depending on the audience size. Prosecuting people for the distribution of CDs, books and leaflets could be appropriate, depending on the scope of such distribution. However, we find criminal prosecution for the street graffiti to be excessive.

### **Criminal Prosecution of Extremist Groups and Banned Organizations**

The scope of criminal prosecutions under the Criminal Code Article 282<sup>1</sup> (“Organization of an extremist community”) and Article 282<sup>2</sup> (“Organization of an extremist group”) was modest, especially once we exclude clearly inappropriate verdicts from consideration.<sup>63</sup> We only know of three such verdicts in 2012, and they all pertained to the same organizations as the verdicts of 2011.

Pert Khomyakov, a creator and the leader the Northern Brotherhood (*Severnoe Bratstvo*) organization was convicted under Article 282<sup>1</sup>, in aggregation with the Criminal Code Article 159 (“Swindling committed by an organized group on a large scale”). Khomyakov was sentenced to four years in a penal colony. Other leaders of the Northern Brotherhood, Anton (“Fly”) Mukhachev and Oleg Troshkin, had been convicted in 2011.

The activists of neo-pagan Spiritual and Tribal Sovereign Rus’ (*Dukhovno-rodovaia derzhava Rus’*) were, once again, convicted under the Criminal Code Article 282<sup>2</sup> in Krasnodar and Novosibirsk. The Novosibirsk activist was fined, and the Krasnodar activist received a suspended sentence. It is noteworthy that right-wing radicals charged under the Criminal Code Article 282<sup>2</sup> belonged almost exclusively to the Spiritual and Tribal Sovereign Rus’, declared extremist in April 2011 (previously, some of its members had been referred by the courts for compulsory psychiatric treatment, and some were convicted of violent acts,

<sup>63</sup> More in this in our report on Inappropriate Anti-Extremism.

including the racist ones). It is unlikely that law enforcement officers set out to persecute members of this particular organization. More likely, its members attract excessive attention because they are regularly mailing their propaganda letters to various official agencies, including the prosecutor’s office.

We have no information relating to prosecution of other right-wing organizations, recognized as extremist, for their continued activity. At the time of writing, the list of extremist organizations contains 29 names, including some right-wing radical organizations; see the corresponding chapter below.

The court case of the People’s Militia in the Name of Minin and Pozharsky is also worth mentioning here. The charges in this case were based on the articles related to preparation for an armed rebellion (Article 30 and Article 279 of the Criminal Code), involvement of others in terrorist activities (Article 205<sup>1</sup>), and illegal possession of weapons (Article 222). Two members of the local NOMP cell, Sergei Katnikov and Vladislav Ladeyschikov, were convicted in May 2012 in Yekaterinburg. Both received suspended sentences (Katnikov was also heavily fined); such leniency was due to the deal they made with the prosecution, and due to the fact that Ladeyschikov was the only defendant in this case, who fully admitted his guilt. Other members of the Yekaterinburg cell, with their leader, retired colonel Leonid Khabarov, were brought to court later, and their trial led to convictions in February 2013. The trial of the movement’s leader Vladimir Kvachkov ended at the same time.

### **The Federal List of Extremist Materials**

The Federal List of Extremist Materials continued its rapid growth in 2012. It was updated 46 times and grew from 1067 to 1589 items.

522 added items demonstrate the following thematic distribution:

- xenophobic materials by Russian ethno-nationalists (ranging from books with cult following among Nazi-skinheads, such as the Skinhead Bible (“*Biblia Skinheda*”) by Nikola Korolev, to little-noticed comments on the VKontakte network) – 280 items;
- xenophobic materials by other nationalists – 12 items;
- materials of the Orthodox fundamentalists – 12 items;
- materials of Islamist militants and their supporters – 57 items;
- other Muslim materials (Said Nursi’s books, materials of the banned organizations, including Hizb ut-Tahrir, and many other items, including classic medieval works) – 108 items;
- other religious materials (works by L. Ron Hubbard, Elle Ayat materials, etc.) – 18 items;

- materials, seized at the Library of Ukrainian Literature in Moscow, including the books by Ukrainian historians— 7 items;
- other history books and research from various time periods— 3 items;
- incendiary anti-state and anti-police materials (including anarchist materials) — 20 items;
- art work — 2 items;
- materials that could not be classified<sup>64</sup> — 2 items;
- universal radical hosting<sup>65</sup> — 1 item.

At least 193 items among the new additions to the List represent online materials.

We can't always judge the extent of appropriateness of each particular ban. However, it is obvious that the share of inappropriate bans remains very high. Many materials were added to the list without valid legal reasons (books by Said Nursi and L. Ron Hubbard, academic research by Ukrainian historians, etc.).<sup>66</sup>

Overall, in the course of the year, the List became an even more useless component of anti-extremist legislation. Not a single attempt was made throughout the year to address existing problems that we described on many occasions<sup>67</sup> (unless we count a breakdown of the List into segments on the Ministry of Justice website as an improvement). The List contains numerous bibliographic and spelling errors (“Bufold” instead of “Buford,” “Sevostyanov” instead of “Sevastyanov”) and duplicate items, resulting from parallel bans<sup>68</sup> by different courts (there are 39 such duplicates). The same materials are entered several times in different editions or published on different websites, in case of online materials. Various almost identical editions of the book cannot be formally identified as duplicates due to their different imprints.

The materials are frequently impossible to identify. A number of items on the Federal List of Extremist Materials are nothing but a collection of dead hy-

<sup>64</sup> Item No. 1366, anti-Semitic video Talmud on non-Jews, distributed by both Russian nationalists and Islamists, so it is not clear whose version was banned.

<sup>65</sup> Item No. 1566, the hosting resource for all sorts of radical materials, from Nazi to anarchist.

<sup>66</sup> More in this in our report on Inappropriate Anti-Extremism.

<sup>67</sup> See for example: Strukova, Y. The Critical Mass of Extremism // SOVA Center. 2012. 16 November (<http://www.sova-center.ru/racism-xenophobia/publications/2012/11/d25816/>).

<sup>68</sup> For example, the brochure “Racial Hygiene and Population Policy in Nazi Germany (Biological Foundations and Their Meaningful Use for the Conservation and Enhancement of Nordic Blood” published by the Russian Truth Publishers in 2000, has been recognized as extremist by the Maikop District Court of the Republic of Adygea on July 26, 2012 and included on the List as Item No. 1468. Earlier, in 2009, the same book has been recognized as extremist by the Zheleznodorozhny Court of Krasnoyarsk and was included on the List as Item No. 487.

perlinks (see Item No. 1512. Informational video and photo materials, posted on the Internet information and telecommunication network, at the following addresses: [http://vkontakte.ru/video50777990\\_141480124](http://vkontakte.ru/video50777990_141480124); [http://vkontakte.ru/video50777990\\_138161598](http://vkontakte.ru/video50777990_138161598); [http://vkontakte.ru/video50777990\\_1381615940](http://vkontakte.ru/video50777990_1381615940) or Item No. 1519. Informational materials and article “Upcoming elections and the future revolution” (*Predstoiashchie vybory i budushaia revoliutsia*), published on the Internet on the pages of the informational portal Gorod-48 bkju Ъ (sic!) ([www.mygorod48.ru/peopl/user3413/blog/6087](http://www.mygorod48.ru/peopl/user3413/blog/6087)) (by decision of the Sovetskii District Court of Lipetsk of April 07 of 2012)).

Leaflets, issued for local events that took place several years ago, are still being added to the List.

The List keeps growing rapidly (at the time of writing it already contained 1668 items) and will keep adding new items, since the number of materials deemed extremist (with varying extent of appropriateness) shows no signs of decrease.<sup>69</sup> As of February 9, 2012, the List contains 38 “blank” items (materials were removed without change in item numbering) — 5 of them were removed as duplicates and the remaining 33 were removed because the decisions, recognizing them as extremist, have been reversed. 53 items reflect redundant court judgments (not counting the cases of identical texts with different imprints), and one item for the past 5 years has been reiterating a court decision, already reflected earlier on the list.

## The Banning of Organizations

Only one organization was added to the Federal List of Extremist Organizations<sup>70</sup> in 2012 (and not immediately entered on the appropriate list)<sup>71</sup> — Blood and Honour / Combat 18 international association, recognized as extremist by the Supreme Court of the Russian Federation on May 29, 2012. Its name comes from the Hitler Youth slogan “Blut und Ehre.” The association conducted ac-

<sup>69</sup> Materials, Recognized as Extremist but not Included on Federal List // SOVA Center (<http://www.sova-center.ru/racism-xenophobia/docs/2009/12/d17655/>).

<sup>70</sup> The official name of the list is “List of public and religious associations and other nonprofit organizations in respect of which the court adopted legally binding decision to eliminate or ban their activities on the grounds provided by the Federal Law “On Countering Extremist Activities.”

<sup>71</sup> The list of organizations, unlike the List of Extremist Materials, is updated so infrequently, that on the Blood and Honour association was mistakenly added as Item No. 1370 to the List of Extremist Materials on July 18, The mistake was corrected on July 20, 2012, moved the organization to the appropriate list, deleting it from the list of materials. See: The Ministry of Justice Mixed Up the Lists // SOVA Center. 2012. 18 July (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2012/07/d24919/>).

tive and radical hate propaganda campaign. Its ban was, certainly, somewhat belated. The association existed in Moscow since 1995; one of its sites was deemed extremist in Lipetsk in April 2010, and the “military wing” of Combat 18 practiced direct street violence. In addition, this movement was already banned in Germany and Spain, and was refused registration in Czech Republic.

Thus, the list currently contains 29 organizations (excluding 19 organizations recognized as terrorist), whose activity has been legally banned, and any continuation of this activity is punishable under Article 282<sup>2</sup> of the Criminal Code (“Organization of an extremist group”).

In addition, the Moscow City Court classified another interregional public organization, the Northern Brotherhood (*Severnoe bratstvo*), as extremist on August 6, 2012. The Northern Brotherhood organization formed a network structure around the websites *Severnoe bratstvo*, *The Ten (V Desyatku)* and *The Big Game: Break the System (Bolshaya igra: Slomai Sistemu)*. The organization has not yet appeared on the Federal List of Extremist Organizations.

The Northern Brotherhood was founded in 2006 by Aleksandr Mironov, with Petr Khomyakov as their ideologist. In April 2008, the editorial board of the *V Desyatku* website published “An appeal to Skinheads” (*Obrashchenie k skinam*) article, which called for Nazi skinheads to “beat up and damage” (in accordance with the rules of the *Big Game*) first of all, law enforcement officials, and only after “their oppression subsides” the time comes to go after racial enemies.<sup>72</sup> Thus, the organization advocated both political and racist violence. The Northern Brotherhood was de facto destroyed back in 2009 with the arrest of Mukhachev and Troshkin; the organization’s website has been classified as extremist in March 2008, and Khomyakov went into hiding in Ukraine (he was arrested in 2011, when ventured to come back). Thus, the organization had long ceased to exist by the time it was banned, and it is not clear, who could possibly be charged under Article 282<sup>2</sup> in connection with it. Nevertheless, these bans have a positive symbolic meaning.

### Other Administrative Measures

Roskomnadzor issued 17 warnings to media editorial staff for extremist activities (there were 24 warnings in 2011).

We consider at least 7 of these warnings to be inappropriate (compared to 10 in 2011). In two additional cases, we cannot say anything about the warning’s

<sup>72</sup> Kozhevnikova, Galina, Shekhovtsov, Anton, et al. *Radical Russian Nationalism: Structures, Ideas, Faces* (Moscow: SOVA Center, 2009).

appropriateness because the incriminating texts were no longer available. Thus, the effectiveness of the law enforcement in this area remains more or less unchanged.

Two publications – *Newsland.ru* и *Zvezda Povolzhya* (Kazan) received two warnings each, and thus, according to the established practice, Roskomnadzor can start the process of closing these media outlets down. No newspapers were closed under anti-extremist legislation in 2012.

Sentences under Article 20.3 (“Propaganda and public demonstration of Nazi attributes or symbols”), and Article 20.29 (“Mass distribution of extremist materials, as well as their production or storage for the purpose of mass distribution”) of the Administrative Code are used often enough. However, prosecutors do not provide regular information about them, so we are unable to analyze their dynamics. We know of 10 instances of penalties under Article 20.3 and of 16 instances of punishment under Article 20.29 (counting only the sentences that we consider appropriate).

Verdicts under these Administrative Code articles were primarily related to trafficking in Nazi memorabilia, wearing of Nazi symbols, and online distribution of xenophobic texts and videos (including the ones listed on the Federal List of Extremist Materials).

In almost all cases the offenders were fined (one of the verdicts imposed a fine on parents of a juvenile offender). Three people were arrested: one for displaying Nazi insignia during the Easter procession in Volgograd on April 15, another one for distributing a leaflet that represented a copy of the German poster depicting Hitler in the same city on April 20, and the last one in Sochi for “possession and distribution of extremist materials.”

The parents of a student in Yugra, who posted extremist materials online, were found liable under the Administrative Code Article 5.35 (“Improper fulfillment of child-rearing responsibilities by parents or other legal representatives of juvenile”).

In addition, at least 38 motions on the impermissibility of extremist activities were sent in 2012 to school administrators, due to the lack of content filtering software in their educational institutions. We find the very idea of fighting extremism by using Internet filters on school computers to be somewhat questionable, since ideal content filters don’t exist – it is impossible to compile an all-encompassing list of search terms and addresses. In particular, the program, installed in Russian schools by the Federal Agency of Education in March 2008, has been unable to cope with its assigned task.<sup>73</sup>

<sup>73</sup> Sanctions Against Administrators of Educational Institutions // SOVA Center. 2011. 30 June (<http://www.sova-center.ru/misuse/news/persecution/2010/05/d18735/>).

In 2012, the number of motions made by prosecutors demanding that local Internet providers block access to “extremist” websites increased sharply. The number of such requests grew in the summer and fall of 2012. At this time, this is the principal method for fighting extremism on the Internet.<sup>74</sup> We know of at least 69 cases when internet service providers received requests to block web sites due to presence of one or more materials, legally recognized as extremist. This number includes only the cases, where we have no reason to believe that law enforcement agencies exceeded their authority.<sup>75</sup>

In 2012, the prosecutors objected to online materials, such as various items related to Islam, (the *Innocence of Muslims* video, songs by the separatist Chechen songwriter Timur Mutsurayev), materials from Nazi Germany (*Mein Kampf* and *SS-Mann und blutsfrage*), and other xenophobic materials.<sup>76</sup> In most cases, however, prosecutors did not report specific problematic materials, resorting instead to vague statements such as “the materials included in the Federal List of Extremist Materials.”

Prosecutors also reprimanded municipal services by submitting motions for neo-Nazi graffiti and written slogans on city streets. These measures had a positive effect of eventually forcing municipal services to paint over the offending graffiti.

Other activities of anti-extremist prosecutors remain opaque. Prosecutorial reports mentions numerous warnings made for “extremism” and many “acts of prosecutorial response,” but there is no information on specific details and character of these acts.

<sup>74</sup> For more details, see: Yudina, *ibid.*

<sup>75</sup> Cases of Inappropriate Blocking see: Sanctions against Internet Service Providers // SOVA Center. 2012 (<http://www.sova-center.ru/misuse/news/persecution/2012/07/d24798/>). This trend is covered in more detail in our report on Inappropriate Anti-Extremism.

<sup>76</sup> Jehovah’s Witnesses websites, NBP Websites, and such notorious examples of “unaimed fight against extremism” as sanctions against Livejournal.com social network.

*Olga Sibireva*

## Freedom of conscience in Russia: Restrictions and challenges in 2012

SOVA Center for Information and Analysis presents its latest annual report on the freedom of conscience in the Russian Federation.

This report is based on information collated during monitoring carried out by the Center. All of this material is available on the Center’s website, in the section “Religion in Secular Society” ([www.sova-center.ru/religion/](http://www.sova-center.ru/religion/)), including links to media and internet sources. In this report, references are given only for those sources which are not available via the website.

Rather than repeating earlier developments in extensive detail, we provide here only necessary updates on events analyzed in the previous year’s report. Our aim is not to exhaustively describe all developments in the sphere of public religion; generally events mentioned here serve to illustrate trends that we have observed.

Problems and cases connected with the misuse of anti-extremism legislation are discussed in a separate report specifically focused on this topic.

### Summary

The legal action against Pussy Riot, and associated topics, became the event which in many respects defined the developing situation with regards to freedom of conscience and relations between the state and religious confessions in 2012. It clearly demonstrated the contours of, and reasons for, the growing rapprochement between the state and the Russian Orthodox Church.

In response, there was continued growth of the anticlericalism which began in 2011. Protest against the preferential treatment of the Russian Orthodox Church took diverse forms, from the already established tradition of petitioning against the construction of Orthodox churches and challenging decisions about these constructions in court, to meetings and pickets. It is

<sup>1</sup> Sibireva, Olga. ‘Freedom of conscience in Russia: Restrictions and challenges in 2011’, in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2011* (Moscow: SOVA Center, 2012), p. 62-85.

important to note that in 2012 anticlerical slogans were actively used not only in “themed” protest actions, which became geographically more widespread, but also at practically all protest actions organized by the opposition, alongside other political slogans.

It is remarkable that all of this affected debate on the presence of religion in schools to a comparably minor degree, especially since the course which makes such presence possible (offered in six variants: Orthodox Christianity, Islam, Judaism, Buddhism, secular ethics and world religions) was changed from elective to mandatory in 2012.

A further reaction to the case against Pussy Riot was an outbreak of vandalism against Orthodox targets. This, in turn, led a group of Duma deputies to introduce an entirely dubious draft bill to “protect the feelings of believers”, and groups of radically-minded Orthodox to attack citizens and cultural objects on the pretext of “protecting holy things.” Instances of violence by such groups were recorded significantly more often in 2012 than before.

With regard to other tendencies noted by us in previous years, we observed a continuation but not a worsening of the situation. As before, conflicts often arise in connection with the transfer of property to religious organizations, but there is no evidence of a growth in the number of such conflicts in comparison with the previous reporting period.

As before, religious organizations experience problems with registration from time to time. In 2012, however, there were no recorded instances of the liquidation of religious organizations.

“Unpopular” religious organizations, as in previous years, came under pressure from bureaucrats. The campaign against Jehovah’s Witnesses which has continued for several years seems to have eased, and those who experience discrimination are increasingly asserting their rights in the courts.

## Legal regulations concerning religious organizations

The majority of federal and regional legislation passed in Russia in 2012 which impacted upon the interests of religious organizations was aimed at simplifying their activities. However, a few of those measures passed in the last year (notably, all passed by constituent parts of the Federation), on the contrary, encroached upon the interests of these organizations. At the same time, the law “On education” passed at the end of the year, which to all intents and purposes legitimized the interference of several “traditional” religious organizations in the educational process, can be evaluated as a departure from the principle of secularity.

## Federal legislation

Arguably the law “On education” passed by the State Duma on its final reading on 21 December 2012, and signed by the president on 29 December, evoked the greatest public response. According to this law, “spiritual-moral” educational disciplines in mainstream schools, and theological courses in secular educational institutions, must be agreed with the corresponding religious organizations, and “*educational workers from amongst those recommended by the appropriate central religious organization*” must teach these disciplines.

After the first reading, opponents of the proposed legislation attempted to introduce amendments correcting the Fundamentals of Religious Cultures and Secular Ethics course and removing the right of religious organizations to influence the contents of educational courses. These amendments were voted down, however, not without intervention by representatives of the Russian Orthodox Church.

If the very introduction of the Fundamentals course was the first regulatory strengthening of privileged status the four “traditional” religions, then the application of accepted amendments required the government to officially strengthen the privileged position of these religions’ separate organizations.

Moreover, several legislative and regulatory acts which simplify the activities of religious organizations were passed.

In July the presidential decree “On the provision to clerics of the right to receive deferment of conscripted military service” came into force, and in October the government confirmed the rules for granting such deferment. According to the rules, deferment is granted annually to 150 ordained clerics of all confessions. The religious organization must supply a list of candidates for deferment. The distribution of the quota between religious organizations is entrusted to the Government Commission on Religious Organizations. Clerics awarded the privilege of deferment must reaffirm this right annually.

In December the Constitutional Court of the Russian Federation responded to a complaint by the Human Rights Commissioner of the Russian Federation, Vladimir Lukin, which identified a discrepancy between the Constitution and point 5, article 16 of the federal law “On the freedom of conscience and religious associations” and point 5, article 19 of the Republic of Tatarstan law “On the freedom of conscience and religious associations.” The respective points of these laws prescribe the conducting of church services and other religious rituals beyond specially designated places for doing so according to the procedures established for conducting meetings, marches and demonstrations. The Human Rights Commissioner considered this regulation to be excessive government interference in the affairs of religious organizations.



In considering the complaint, the Constitutional Court came to the conclusion that far from all religious ceremonies require the authorities to take special security measures; accordingly, the religious organization need not notify the authorities in advance of events which do not require special measures. The legislation should be amended accordingly. Until such time as this happens, the Constitutional Court appealed to bureaucrats not to apply the law on meetings to the conducting of such religious events.

### Regional initiatives

Laws which in some way concern religious organizations were also passed in constituent parts of the Federation in 2012.

On 3 August the State Council of Tatarstan passed a law “On the introduction of changes to the regional law “On the freedom of conscience and religious associations”, which was signed by the republic’s head on 6 August. In particular, the new law requires religious organizations to appoint or select clergy only from amongst those who have received religious education on the territory of Russia, and also to formulate criteria which will secure the “*canonical unity of the creed indicated in the statute of the religious organization*”. Such demands can only be evaluated as gross government interference in the affairs of religious organizations.

These amendments evoked displeasure in the republic: a group of believers even attempted to challenge them via the courts. The new law is clearly intended to help control radical Muslim organizations; however it will not be straightforward for those religious organizations which the authorities currently have no concerns about to conform to the new legislative regulations. In many organizations, all or almost all of the clergy were educated outside of Russia.

In October the State Council of Tatarstan brought a similar draft bill to the State Duma, but as it was later replaced by new official draft legislation permitting the constituent parts of the Federation to establish similar requirements for clergy, it did not receive serious consideration. Concrete requirements regarding education are not mentioned in the new draft, but undoubtedly they may also be proposed. This same draft legislation also assimilated anti-extremist initiatives by the Ministry of Justice, including a ban on membership (participation) in religious organizations for individuals who have been convicted of extremist activity. This ban is especially surprising, considering that the law – and for good reason – does not define understanding of membership as applied to religious organizations; indeed participation may also be interpreted extremely broadly.<sup>2</sup>

<sup>2</sup> The State Duma has already passed this legislation at first reading in February 2013.

A further piece of regional legislation which complicated the activities of religious organizations was a set of amendments to the regional law “On the procedure for giving notification of a public event on the territory of the KhMAO”, introduced by deputies of the Khanty-Mansi Autonomous Okrug (KhMAO) on 25 October 2012. The amendments forbid the conducting of meetings in a whole series of places, including in cultural buildings, and limit the number of participants in such events.

In contrast, other regional laws passed in 2012 were beneficial to religious organizations.

On 23 August Sergei Sobyenin, Mayor of Moscow, signed a resolution on specially-protected green spaces. Religious activities are specified amongst the types of activity which may take place in these areas. It is likely that this will make it easier to build churches in areas where formerly the erection of religious structures was prohibited by law.

On 5 December deputies of St Petersburg’s legislative assembly passed a law “On the transfer of fixed property in the ownership of Petersburg to religious institutions”, together with the analogous 2006 law, on third reading. In accordance with the new law, the regional government takes the decision to transfer property independently, establishes the procedure for creating and publishing the plan to transfer the given property and the procedure for the formation and activity of a commission to resolve disputes arising as the claims of religious organizations are considered. Formerly other bodies were also involved in deciding these questions.

On 24 December the duma of Kaliningrad region released religious organizations from the requirement to pay tax on property, having passed the corresponding amendments to the regional law “On tax on the property of organizations.”

### Initiatives not successfully progressed in 2012

The idea of making the punishment for offending religious feelings more severe has been raised more than once before, but thanks to the trial against Pussy Riot it was formulated for the first time in draft legislation and reached parliament for consideration in 2012.

In April United Russia (*Edinaia Rossia*) deputies A. G. Sidiakin, E. L. Nikolaeva, S. A. Poddubnyi, and B. V. Mikhalev brought a series of proposed amendments to the Code of Administrative Offenses before the State Duma, which increased the punishment for insulting religious feelings. It was proposed to raise the fine to ten thousand rubles, and similarly to increase the detention period to fifteen days [24 hour periods]. The draft legislation was recalled in June.

On 26 September, however, draft legislation “On the introduction of amendments to the Criminal Code of the Russian Federation and separate laws of the Russian Federation aimed at counteracting offense against citizens’ religious convictions and feelings, the desecration of facilities and items of religious veneration (of pilgrimage), places of religious ritual and ceremony” was brought before the Duma. This draft legislation was prepared by the State Duma’s Committee for the Affairs of Public Associations and Religious Organizations, which is currently headed by LDPR (*Liberal’no-demokraticeskaja partia Rossii*, Liberal Democratic Party of Russia) deputy Yaroslav Nilov.

It was proposed to supplement the existing Criminal Code with article 243<sup>1</sup> (“Offending the religious convictions and beliefs of citizens and/or desecrating facilities and items of religious veneration (of pilgrimage), places designated for the conducting of religious rites and ceremonies”) which makes provision for fines of up to 300 thousand rubles or imprisonment for up to three years for insulting feelings. For desecration it makes provision for fines from 100 to 500 thousand rubles or compulsory community service of up to 400 hours, or imprisonment of up to five years. It was proposed to increase the fine for the “public desecration and damage of religious and liturgical literature, signs and emblems of worldview symbolism” to 30-50 thousand rubles in part 2 article 5.26 of the Code of Administrative Offenses, from which those drafting the legislation suggested importing provisions relating to accountability for the insulting of religious feelings into the Criminal Code.

The law evoked widespread public concern. The Public Chamber recommended that this draft legislation be refused consideration. At the end of November President Vladimir Putin, after meeting with the new presidential Council for Human Rights, also recommended that consideration of the draft legislation be frozen until March 2013. In January 2013 the government had already come to a negative conclusion about this draft legislation, noting that it duplicated already existing legislative provisions. Similar observations were made by the Supreme Court, and the Council for Human Rights. The authors of the proposed legislation, however, having agreed to introduce several minor amendments at a later stage, did not recall the draft bill from consideration.

As in previous years, efforts were made to introduce amendments into the existing law “On the freedom of conscience and religious associations.”

In May Andrei Tychinin, a deputy of the Communist Party of the Russian Federation (*Kommunisticheskaja partia Rossisskoi Federatsii*, KPRF), proposed his own amendments to this law. He suggested that the minimum membership of local religious organizations be changed from ten to 50 people and – by his reckoning – one should be required to have local organizations in no less than 30 regions in order to found a centralized organization. All these measures were

invoked to protect society “*from diverse sectarian manifestations.*” This draft legislation had already been withdrawn by October.

In October a LDPR fraction in the State Duma launched yet another attempt to regulate the offering of sacrifices on Muslim feast days, proposing amendments to the law ‘On the freedom of conscience and on religious associations’ and the Code of Administrative Offenses. The authors of the amendments suggested “*religious rituals, entailing violent actions with regard to people or animals*” be conducted in religious buildings or specially designated places, and that infringement of the prescribed procedure be punishable by a fine. The proposed legislation did not reach the State Duma even for a first reading in 2012. In January 2013 the State Duma Committee on Constitutional Legislation and State Construction did not support the proposed version of the draft legislation.

In December the Public Chamber attempted to come forward with a legislative initiative, directing a recommendation at the Ministry of Defense, the State Duma and the Presidential Administration to change the text of the military oath “*to take into account the religious views and national specificities of a significant portion of military personnel*”: the proposed change would replace the word “vow” with “promise”. This initiative, too, has as yet made no further progress.

Several draft bills relating to the activity of religious organizations were further proposed in the regions.

In November amendments to the law on meetings were brought before the Petersburg Legislative Assembly by deputy Vitalii Milonov, renowned as the author of the regional “anti-gay” law. The proposed amendments require the organizers of public events to gain permission from representatives of religious organizations if the events are to be held on grounds adjoining their buildings. The draft legislation has, as yet, not progressed further, but it should be noted that during public debate its authors declared that “*the freedom to profess religion is of considerably more value to the state than the freedom [to hold] meetings*” and all those “*who speak out today against religious convictions, against the traditional values of society, are speaking out against the state.*”<sup>3</sup>

The Moscow region Duma Committee on State Power and Regional Security developed a series of amendments to the law “On the procedure for giving notification of the conducting of public events on Moscow region territory”, which proposed the creation of “*a list of places where the conducting*

<sup>3</sup> Milonov: “Te kto vystupaet protiv religii, vystupaiut protiv gosudarstva” // ZAKS.ru. 2012. 20 November (www.zaks.ru/new/archive/view/102798).

*of public events is forbidden from the outset.*” It was proposed to include religious facilities amongst such places.

Neither of these draft bills progressed further in 2012.

## Problems relating to places of worship

Religious organizations continued to experience difficulty with the construction and use of religious buildings in 2012.

### Problems with the construction of religious buildings

As before, the construction of mosques remains seriously problematic. Despite a clear shortage of mosques in Moscow, observed not for the first time, the city authorities have taken no steps to resolve this issue. Moreover in November the Mayor of Moscow, Sergei Sobyenin, declared that there are enough mosques in Moscow, and new mosques should be built in Moscow region, since the main potential parishioners are not Moscow residents. In December Konstantin Timofeev, chair of the Moscow city Committee for the Realization of Construction Investment Projects and Regulation of Shared Construction (*Moskomstroyinvest*), refuted information about supposedly earmarked Muslim sites circulated by the Spiritual Directorate of Muslims of European Russia (*Dukhovnoe upravlenie musulman Evropeiskoi chasti Rossii*, DUMER).

Muslims do not usually even gain permission to build, but should such permission be granted, the mosque construction comes up against the opposition of local residents. In Mitino, for example, efforts to grant a plot for construction of a mosque were not crowned with success. Influenced by the district’s residents the authorities decided to oppose construction in that spot, but without allocating a new plot.

There are problems in other regions too.

Muslims of Bijsk and Ul’ianovsk were not granted permission to build a mosque. For several years now, Muslims in Iuzhno-Sakhalinsk have also not managed to gain such permission. The community has begun to raise funds to buy a plot without waiting for a site to be allocated, but in the meantime is gathering for prayers in a section of a former mechanical repair factory, an unheated premises without a roof. The authorities have allocated a building plot to another Iuzhno-Sakhalinsk community which comes under the jurisdiction of the Central Spiritual Directorate of Muslims (*Tsentralnoe dukhovnoe upravlenie musul'man*, TsDUM).

In Novokuznetsk, Kemerovo region, where Muslims were granted permission to build back in 2011, they have not managed to start construction because representatives from a Russian patriotic club have come out in opposition.

The construction of a mosque in Kostomuksha was suspended as a result of local residents’ protests, despite the fact that permission was granted back in 2008.

Conflict around a mosque construction which is almost already completed continues in Kostroma. After the local administration refused to grant permission for its continued construction in July, the Sverdlovsk court of Kostroma ordered the town administration to grant the Muslim community the necessary permission, but in September the regional court overturned this decision. However, the court of second instance recognized the authorities’ inactivity as illegal: they had not extended permission to build in a timely fashion.

As in the previous year, a large number of conflicts over the building of Orthodox churches were recorded. These were primarily in Moscow, where – as became clear – the program of constructing modular churches is being implemented considerably more slowly than the developers had planned, mainly because of public protests.

On 28 December 2012 Patriarch Kirill, speaking at the Moscow diocesan assembly, verified that “*the alms-collecting dynamic is not meeting the planned target*”. According to his data, by December 2012 eight churches had been built within the framework of the program, instead of the planned 11. More than 200 plots have been allocated for the construction, and 62 of these are already registered. A further 19 plots, situated in areas of ecological importance, were excluded from the program as construction on these sites “*did not gain the support of the populace.*”

Protests against the building of churches “within walking distance” arose in Zelenograd, Ramenki, Novoperedelkino, Khoroshevskii, Gagarinskii, and several other districts. As in the previous year, citizens made their position clear not only by means of protest actions (conducted by both opponents and supporters of the construction projects) but also through the courts. In Voikovskii district, for example, inhabitants demanded that the court declare invalid a public consultation at which most of the participants spoke for the church.

Moreover, a petition was launched in May to appeal to the mayor to retract the order of 20 October 2010 about the allocation of plots within Program 200, to halt all works and public consultation at places where conflicts have arisen.

In several cases protesters have managed to halt construction. This happened, notably, in Tsaritsyno (where the board recognized the erection of two churches as inexpedient), Yasenevo and the micro-district Grad Moskovskii.

Conflicts connected with the construction of Orthodox churches continued in other regions too. Local residents in Petersburg region spoke out against the construction of a church complex within the Okkervil' forest park. As a result, the authorities declared the park a recreational area, and the developer announced that the construction was cancelled.

Protests against the construction of churches in nature reserves were recorded also in Vladimir, Novosibirsk, Samara and Tomsk. In the village of Gat', Oryol region, they protested against the construction of a church and an Orthodox center on the site of a school.

We recorded only one case of problems arising in connection with the construction of religious buildings for other confessions: despite the fact that the building plot for a Center of Vedic culture in Khimki was allocated several years ago, the Moscow Krishna Consciousness Society has not yet been able to start construction – also as a result of public opposition. The ceremony for the laying of the first stone was spoiled by participants of a picket against the construction, which the community of the local Orthodox Church of St George took direct part in organizing.

### Problems relating to existing religious buildings

In contrast to the previous year, in 2012 not only Protestants but also representatives of other confessions had to struggle with such problems.

The Pentecostal Holy Trinity church (*khram sviatoi Troitsy*) in the Moscow district of Novokosino, a building which had existed for several years, was demolished. A court decision from 2011, which ruled that the church construction was illegal, served as grounds for demolition. Conflict over these structures has been continuing since 2005. Bureaucrats promised to allot the community a new plot for construction, without specifying when. Moreover, worship conducted by the community in the wreckage of the church was deemed by bureaucrats to be an unsanctioned meeting, and a report of an administrative violation was drawn up on Pastor Vasiliï Romaniuk for conducting this event.

The Word of Life (*Slovo zhizni*) Pentecostal church in Novgorod region was also demolished, based on a court decision from two years ago which deemed the structure illegal.

Sometimes, however, bureaucrats' complaints were well-founded. The arbitration court of Samara region refused to recognize a Baptist community's prayer house in Togliatti as a legal construction, since it was built in 2000 on the basis of permission given in 1980, and was rebuilt in 2004. The court based its decision on the fact that the permission to build expired in 1981, and the religious organization had made no effort to ensure their documentation was in order.

Complaints were brought twice against Muslim organizations. In Noiabr'sk the Iman-Faith (*Iman-Vera*) mosque was shut by court order for violating fire safety regulations and because their rental agreement had expired back in 2006.

In Kazan the prosecutor's office considered Faizrakhmanist community constructions to be illegal and began to prepare a case for their demolition, but during the inquiry it became clear that the constructions were based on legal foundations after all, so the prosecutor abandoned demolition plans.

Problems arose also amongst the Orthodox, moreover in Moscow Patriarchate parishes and not just amongst "alternative" jurisdictions.

In Udmurtia the authorities demanded that the parish of the Tsar-Martyr Nicholas in the village of Zav'ialovo leave the premises they occupied despite an agreement with the owners. This community of Izhevsk priests – which in 2011 had refused to commemorate Patriarch Kirill and had transferred to the jurisdiction of the Russian Orthodox Church Abroad (*Russkaia Pravoslavnaia Tserkov' Zagranitseï*, RPTsZ, under Metropolitan Agafangel) – was required to move to the premises of a former storehouse purchased by the clergy.

In December the parish priest of the Moscow church of the Hieromartyr Clement, Pope of Rome (*Khram sviashchennomuchenika Klimenta papy Rimskogo*) made an announcement about the conservation of the church in the winter period related to his inability to pay the municipal utilities bill. The reason given was the closure (in accordance with instructions from the Mayor of Moscow) of a network of kiosks selling dairy products from the church. There are no grounds to view this case as an infringement of freedom of conscience, however it is worth mentioning as an example of the negative side-effects of "restitution"<sup>4</sup>: this substantial church (which earlier housed a book depository of the Russian State Library) was restored with funds from the city budget, since it is a significant seventeenth century architectural monument, and was transferred to a parish which does not have the funds to maintain it.

Buddhist organizations experienced problems with accommodation for the first time in several years. In February Ol'khonskii district court, in Irkutsk region, ordered the Manla Buddhist community to vacate an illegally occupied plot of land and to take down the structures which had been erected

<sup>4</sup> The law about the transfer of fixed property to religious organizations which came into force at the beginning of 2011 is incorrectly called 'restitution': religious organizations receive buildings and grounds irrespective of who owned them before the confiscations of the revolutionary period. Indeed, the transfer process itself was also well under way before the passing of this law, so perhaps one shouldn't refer to the mass transfer of property to religious organizations as happening in the last two years specifically.

on it. According to the court, the community had occupied the plot without authorization.

Conflict between the Buddhist monastery of Shad Tchup Ling and Kachkanar mining and processing industrial complex in Sverdlovsk region continued. In order to develop deposits of ore it is necessary to move the monastery to another location, and the industrial complex is prepared to help with this. The monastery, however, does not consider this an option, deeming that it “*insults the feelings of all Buddhist believers in Russia and creates a negative impression of our country in traditional Buddhist countries and in the world as a whole.*”

### Positive resolutions

The Baptists of Vladivostok have twice managed to save the prayer house they have inhabited since 1976, which the town administration attempted to seize. The authorities made the first attempt back in 2011, but in January 2012 Pervorechenskii court of Vladivostok ordered bureaucrats to transfer ownership of the contested premises to the church. In June the administration attempted to challenge the 1976 agreement about the transfer of the building to the Baptist and Adventist communities in Primorskii krai’s court of arbitration, but the court rejected this case. Efforts by bureaucrats to appeal against this decision have been similarly lacking in success.

The Ark (*Kovcheg*) Baptist church also won a case against the administration of Balashikha, which had refused to grant permission for premises of a prayer house to be brought into use. In 2011 this refusal was deemed illegal by Moscow region’s court of arbitration, in 2012 this decision was upheld by Moscow’s Tenth Arbitration court of appeal.

### Preferential treatment of certain religious organizations by the authorities

Perhaps the clearest example of preferential treatment by the authorities in 2012 was the legal proceedings in the case of the “punk prayer” in the Moscow church of Christ the Savior (*khram Khrista Spasitelia*). In these proceedings the state unambiguously took the side of the Russian Orthodox Church, ignoring the constitutional principle of state secularity and the requirements of legislation. Criminal proceedings under part 2, article 213 of the Criminal Code (Hooliganism, committed by prior agreement by a group of people motivated by hate) were brought against three members of the punk group Pussy Riot – Maria Alekhina, Ekaterina Samutsevich and Nadezhda Tolokonnikova – who on 21 February

sang a song and danced on the church solea (a raised walkway which runs along the front of the iconostasis in an Orthodox church). The defendants were arrested for the duration of the investigation, which was completely at odds with the gravity of their actions. On 17 August Khamovnicheskii court found all three defendants guilty and sentenced them to two years imprisonment in a standard regime penal colony (Samutsevich’s sentence was subsequently changed on appeal from actual to suspended).

Moreover, there was practically no evidence of guilt according to article 213 in the indictment, particularly as regards the motive of religious hatred. The text of the indictment and the verdict abounded with ecclesiastical terms absent in criminal law, even citing the canons of church councils, and as a whole gave the impression of an indictment for blasphemy rather than for hooliganism.

The clear injustice of the verdict, the cruel treatment of young women (two of whom have young children) and the flagrant use of a criminal law for exclusively ecclesiastical ends evoked public protest. Support events for Pussy Riot were held in various regions.

Other methods of demonstrating preferential treatment towards religious organizations which have already become traditional were also observed in 2012. Some regions announced supplementary holidays for religious feast days, for example, as they have before: Radonitsa (when Orthodox Christians commemorate their dead) was declared a day off in eight regions, and in a few constituent parts of the Russian Federation, including Tatarstan and Adygeia, Muslim feast days were.

There were also exceptions. In Tver region, part of the territory of the St Nil Stolobenskii hermitage on Lake Seliger, where the main official youth forum is held annually, was transferred to the Federal Agency for Youth Affairs (*Rosmolodezh*). This went against the trend to transfer property to the Russian Orthodox Church which formerly did and did not belong to it, and there were no ensuing protests from the Church.

Sometimes bureaucrats got ahead of themselves, rushing to defend the interests of some religious organization to the detriment of others, and ended up in curious situations. The administration of the Vologda region town of Ustiug forbade employees of the local history museum to hold a book launch for a volume dedicated to Metropolitan Iosif (Petrovykh), canonized by the Russian Orthodox Church Abroad (RPTsZ). It is notable that in this particular case the Moscow Patriarchate eparchy did not oppose the proposed event, but bureaucrats decided to cancel it, interpreting the bishop’s standard response to a request for a blessing – “God will give a blessing” – as “tacit refusal.”

## Financial and material help

As in the previous year, the means to restore religious structures – generally, but not exclusively, monuments of cultural significance in accordance with the law – was allocated from federal and regional budgets.

About 300 million rubles has been allotted from the federal budget to restore the Holy Trinity St Sergius monastery (*Sviato-Troitskaia Sergieva lavra*) and the Savior-Transfiguration Solovetskii stavropegial monastery (*Spaso-Preobrazhenskii Solovetskii stavropilgal'nyi muzhskoi monastyr'*). Over the year around 20 structures, predominantly Orthodox, were restored in Moscow using budget funds. Funds were also allocated in other regions, in particular in Leningrad, Kaliningrad and Kemerovo regions, and in St Petersburg. The Old Believer historic architectural complex of Rogozhskaia Sloboda, which the Moscow authorities refused to restore in 2011, ended up once again on the list of buildings to be restored in 2012.

In Dzerzhinsk, Nizhnii Novgorod region, the authorities allocated three million rubles for the construction of a mosque and planned to set aside two million rubles for the construction of a second in 2013. Oil companies and the authorities of Yamalo-Nenetsk autonomous district helped the Old Believer community of Nar'ian-Mar to restore the Caves (*Pecherskii*) monastery complex.

As before, besides direct finance, bureaucrats quite often used “administrative resources” to prompt entrepreneurs and other citizens to participate in financing the building of religious structures, generally Orthodox ones. The governor of Stavropol krai, Valerii Zerenkov, issued an appeal to donate money for the completion of the diocesan cathedral, for example. Vladimir Resin, an advisor to the mayor of Moscow, appealed to town residents to financially support the construction of 200 Orthodox churches. The governor of Kursk region, Alexander Mikhailov, appealed to businessmen to raise the 30 million rubles still required to complete the restoration of the Kursk Root Hermitage of the Nativity of the Mother of God (*Korennnaia Rozhdestvo-Bogorodichnaia pustyn'*). Given that Mikhailov has issued similar appeals before, one may conclude that the entrepreneurs are not responding to such requests with much enthusiasm.

Besides financial help real estate was transferred to religious organizations, as in the previous year. In the majority of cases this process was not accompanied by conflicts, as the evicted organizations were given other premises. Often regional budgets bore the expense of restoring the premises before transfer, as happened in Pskov and Rostov regions in particular. Property was most often transferred to the Russian Orthodox Church, but sometimes it went to other organizations. In

Kaluga region, for example, the authorities decided to transfer the historic synagogue building, occupied by the regional cultural and art institute, to the Kaluga Jewish community. The institute was given another building.

However, as before, there were also many situations of conflict associated with the transfer process when the interests of those occupying the property were encroached upon. As earlier, it was most often cultural institutions which suffered in such conflicts, in which bureaucrats almost always side with the Russian Orthodox Church.

The catholicon (main church) of the Nativity of the Mother of God Snetogorskii convent (*Rozhdestva Bogoroditsy Snetagorskii monastyr'*), with frescos dating from the beginning of the fourteenth century, was transferred to the Russian Orthodox Church. Moreover, the church had been under the jurisdiction of the Pskov state museum reserve and the head of the museum reserve department responsible for the preservation of the frescos was not informed. Specialists fear that conducting services in the church will prove fatal for the frescos. Regional leaders did not perceive any violations of the law in this transfer, but included a point about the necessity of creating appropriate conservation conditions in the text of the transfer decision. Pskov region department of the All-Russian Society for the Protection of Historical and Cultural Monuments (*Vserossiiskoe obshchestvo okhrany pamiatnikov istorii i kul'tury*, VOOPiK) announced a petition for the protection of the catholicon.

Nizhnii Novgorod eparchy sent the Committee for the Management of Town Property a letter requesting that the building of the former archbishop's house, occupied by the conservatoire, be transferred to it. The authorities promised to allocate a new building to the conservatoire, and asked the eparchy to wait until they select such a building. A petition has been started in support of the conservatoire.

One of the corpuses of the Sverdlovsk region music and arts teacher training college was transferred to Ekaterinburg eparchy, which had declared its right to the building on the grounds that an ecclesiastical parish school had been housed in it before the revolution. The college did not receive a substitute premises.

The authorities of Ryazan promised to transfer the building of the former Immaculate Conception of the Most Holy Virgin Mary church (*Khram Neporochnogo Zachatiia Presviatoi Devy Marii*), occupied by the Ryazan art institute, to the Catholic parish by 2015. However, the accommodation proposed as a substitute does not meet the needs of the institute so the transfer has been postponed for an unspecified period.

The eparchy of St Petersburg once again demanded that the building of the former Edinoverie church of St Nicholas (*Nikol'skaia edinovercheskaia tserkov'*), occupied by the Museum of the Arctic and Antarctic, be returned to them. Victor Boiarskii, the director of the museum, announced that the museum is ready to

vacate the church building if appropriate premises are given to them: “*Today it is clear that there are no such premises in the town, and no one can grant them to us.*”

Vladimir eparchy declared their claim on the district hospital building in the village of Bogoliubovo, motivated by the fact that until 1917 it housed a pilgrim hostel.

There were fewer cases of property which historically belonged to other religious organizations being transferred to the Russian Orthodox Church, but some were recorded. The metropolitan see of Novgorod was given St Dimitrii Solunsk church (*Tserkov' sv. vmch. Dimitriia Solunskogo*), claimed by the Old Believer community without success. The church is a cultural monument of federal significance dating from XIV-XV centuries.

It was not only real estate that was transferred to the Russian Orthodox Church. In May the seventeenth century icon of the Mother of God of Iversk was transferred to the Moscow New Maidens' Convent (*Novodevichii monastyr'*) from the collections of the Historical Museum.

### The authorities and increased pro-Church activism

The growth of attacks committed by radical Orthodox groups and motivated by religious hatred was a particular feature of 2012. Their activity increased sharply during the court examination period of the Pussy Riot case, when many events were held in support of the group's members. Several attacks by Orthodox activists were recorded in Moscow, committed against citizens and various organizations who, one way or another, were considered by their attackers to have insulted Orthodox Christianity. It is likely that these attacks involved one and the same group of people, many of whom participated in protests against Pussy Riot. The most well-known of them is Dmitrii Tsonionov (Enteo), an activist of the Prophet Daniel Missionary Movement (*Pravoslavnoe missionerskoe dvizhevie v chest' sv. proroka Daniila*).

Attacks on the picket in support of Pussy Riot were recorded twice. In March several people, including Nikita Slepnev, an activist from the People's Council movement (*Narodnyi sobor*, who call themselves the National Union in English), Orthodox activist Andrei Kaplin and Alexander Bosykh, head of youth projects for the Congress of Russian Communities (*Kongress russkikh obshchin*), provoked a fight in which a young woman was injured. In July Orthodox activist Sergei Ekimov hit a participant of a similar picket in the face. According to the girl's lawyer, doctors diagnosed her with concussion, a partially dislocated jaw and several dislodged teeth. Other attacks did not result in such serious injury.

The number of complaints by Orthodox activities about cultural events “insulting to religious feelings” increased in 2012. Exhibitions and particular

exhibits within them were considered as such, as were plays, including a Bolshoi Theatre staging of the “Golden Cockerel” opera. Several investigations by the public prosecutor were conducted at the request of believers, including of the “Jake and Dinos Chapman. The end of fun” exhibition at the Hermitage, “Spiritual abuse” at the Winzavod Center for Contemporary Culture in Moscow and a staging of the rock opera “Jesus Christ Superstar” in Rostov on Don, but the public prosecutor detected nothing insulting in them. The authorities did not intervene in the remaining cases of complaints, and the majority of events which evoked displeasure nonetheless took place. The cancellation of the “Icons” exhibition in Petersburg – which evoked the greatest number of protests in different regions – was an exception, but in this case the decision to cancel was taken by the organizers and not at the direct demand of bureaucrats.

Probably the most comic event of this type was the attempt by Petersburg Orthodox activists, headed by the aforementioned deputy Milonov, to extract 333 million rubles compensation for moral damage from the pop star Madonna for offending religious feelings (by trampling on a cross during a concert) and declaring support for sexual minorities in the presence of children. In December the Moscow district court of St Petersburg dismissed the lawsuit, decreeing that the plaintiffs should cover the legal costs.

Novosibirsk artist and activist Artem Loskutov, however, incurred punishment for offending religious feelings. In June two courts found him guilty under part 2, article 5.26 of the Code of Administrative Offenses (“Insulting the religious feelings of citizens”) for disseminating posters with a stylized icon-like image of Pussy Riot in the town, and sentenced him to a fine. In October two further cases were initiated against Loskutov under the same article, but this time for the distribution of t-shirts with similar images. As a result of one of these cases, by now in 2013, he was similarly sentenced to a fine; the other was halted for lack of corpus delicti. Loskutov considered the fines unjust and has complained to the European Court of Human Rights.

Bearing in mind that protests against conducting cultural events which “insult the feelings of believers” do not lead to their cancellation in the majority of cases, zealots sometimes attempt to stop “blasphemous” events by force.

In May Orthodox activists led by Kirill Frolov, head of the Corporation of Orthodox Action, chanted slogans and distributed leaflets at the Moscow street exhibition “Nomadic Museum of Contemporary Art”, and tore one of the exhibits, a picture depicting a member of the Pussy Riot group crucified on a cross.

In August two cultural institutions were subject to attack by Orthodox activists: in Theatre.doc activists attempted to ruin a performance devoted to the Pussy Riot trial, and they organized a pogrom in the G-Spot Museum of Sex, Erotica and Erotic Art on Moscow's Arbat.

The Museum of Erotica also caught it from radical zealots of Islam. In October G-spot promoters were beaten up by unknown assailants while distributing leaflets about the museum. The attackers declared that the leaflets “insulted the Muslim faith”.

In September Cossacks organizing a protest action against the “Spiritual abuse” exhibition in the Winzavod (*Vinzavod*) Center for Contemporary Art in Moscow beat up a France Presse journalist.

In December D. Tsorionov, together with two young women, tried to wreck a one-day photo exhibition in the Sakharov Center. The exhibition “To Russia with love” was dedicated to same sex families.

It is important to note that although the cases outlined above often involved violent actions, we are not aware of one instance in which those using force were held accountable for it.

The trial against Pussy Riot drew public attention to the actions of church organizations. Mikhail Anshakov, head of the Society for the Protection of Consumers (*Obshchestvo zashchity prav potrebitel'ei*, OZPP), twice brought legal proceedings against the Church of Christ the Savior about the protection of consumer rights and the arbitrariness of the Christ the Savior Foundation management, but lost both times. After an interview with Anshakov was published in the newspaper *Novaia gazeta*, in which he described the car washing, servicing and parking, laundry, canteen, commercial offices and retail outlets active on the territory of the church complex, the Foundation’s director Vasiliï Poddevalin accused him of slander. At first proceedings were instituted under part 3 article 5.60 of the Code of Administrative Offenses, despite the fact that this article had been already eliminated from the Code, but the court did not perceive any administrative violation in Anshakov’s activities. New proceedings were then instigated under the article “Slander” which had been returned to the Criminal Code. In January 2013 Anshakov was charged under part 2, article 128<sup>1</sup> of the Criminal Code (“Slander, contained in a public speech, publically displayed work or the mass media”). In December 2012 an unknown assailant attacked Anshakov and hit him several times over the head with a crowbar. According to the head of the OZPP’s lawyer, the attack could be connected with the victim’s professional activities.

## Other examples of discrimination and unwarranted interference

### Liquidation of religious organizations and denial of registration

In 2012, in contrast to previous years, we did not record any cases of religious organizations being liquidated.

In December information appeared which suggested that the Ministry of Justice had brought a lawsuit to the Selizharovskii district court of Tver region ordering the liquidation of the Orthodox parish of Smolensk church in the village of Okovitsa in connection with the failure to produce reports on current activities, including financial activities. However in this instance the issue was only about changing the status of the parish: they were being transformed from “principal” into “attached” that is, ceasing to have their own juridical status but not ceasing their activities.

The Grace Church of Christians of the Evangelical Faith in Khabarovsk (*Tserkov' khristian very evangel'skoi Blagodat'*) once again managed to defend themselves against attempts to liquidate them by the regional prosecutor’s office. After the Khabarovsk regional court had refused to liquidate the church in 2011, the Supreme Court, considering an appeal by the regional prosecutor’s office, overturned this decision and sent the case for reconsideration. However, in August 2012 Khabarovsk regional court once again found no reason to liquidate the church and refused to satisfy the claim of the prosecutor’s office, and in November 2012 the Supreme Court upheld this decision.

Several religious organizations experienced difficulty registering or re-registering.

The parish of the Moscow church of St Nicholas on Bersenevskii embankment (*Tserkov' Nikolaia Chudotvortsia na Bersenevke*), for example, was warned once again about being refused registration should they refuse to accept an individual tax number (INN). Parishioners, headed by the parish priest hegumen Kirill (Sakharov), have been consistent opponents of INN for many years. The parish was not re-registered, but there was no liquidation either – to all appearances, the Ministry of Justice once again gave them an extension.

The Muslim community in Velikii Novgorod was unable to secure registration for the third year, since the Ministry of Justice finds fault with the charter documents which it has not yet managed to improve in the manner required.

Sanctions were taken against religious organizations, as before, for conducting religious activities without an appropriate license. In the majority of cases this involved Sunday schools.



Timashevskii Timashevsky district court of Krasnodar krai supported the case brought by the prosecutor's office demanding the closure of a school attached to the Church of Evangelical Christians-Baptists, since the educational institution did not have state accreditation and was operating in violation of sanitary and fire safety standards.

Kirovskii district prosecutor's office in Samara halted the activities of the Sources (*Istoki*) church parish school for 60 days via the courts, for lacking a license to conduct educational activities.

Since the activities of Sunday schools come under the jurisdiction of the law "On the freedom of conscience and on religious associations" and do not require licensing, these decisions seem unjust to us. Krasnoarsk regional court supported this supposition in February 2012 when it overturned a ruling of the Central district court of Krasnoarsk, which on 16 June 2011 had deemed the activities of the Sunday school attached to the town's Cathedral mosque (*Sobornaia mechet'*) to be illegal. Imposing a fine of 170 thousand rubles on the Muslim community for conducting educational activities without a license was also recognized as illegal.

The public prosecutor also had issues with the charter documents of several religious organizations.

In February 2012 prosecutors' offices in two districts in Samara region, Bezenchukskii and Borskii, submitted objections to the charter documents of two local Evangelical Christians-Baptists churches. In both cases one of the reasons for issuing the objection was citing Holy Scripture as the foundation of their activities. According to the prosecutors, religious organizations should not be basing their activities on Holy Scripture.

In October Ialutorovskii inter-district prosecutor's office perceived a violation of the Constitution of the Russian Federation's article 28, which guarantees freedom of conscience, in one point of the regulations of Tiumen Bible seminary of Christians of the Evangelical Faith. The complaint was that only believing evangelical Christians (Pentecostals) or followers of other Christian confessions could be educated in this seminary, which the prosecutor interpreted as "*privileging evangelical faith or followers of other Christian confessions over others*" and an infringement of the rights of followers of non-Christian religions and atheists.

Avtozavodskii district prosecutor's office in Togliatti served the director of the Orthodox classical gymnasium with a statement regarding the elimination of a violation detected in the educational establishment's charter documents. In particular, the regulations for selective entry into the gymnasium stipulated that a recommendation from one's spiritual father be presented together with other documents, and the gymnasium's compulsory rules contained a regulation

regarding possible disciplinary punishments for pupils which are not stipulated in legislation. The violations were removed.

### **Discrimination against "non-traditional" religious organizations**

In 2012, as before, religious organizations which did not belong to the four "traditional" religions experienced pressure from bureaucrats at various levels and from representatives of the security services. This was manifested on the level of public pronouncements and in the form of practical countermeasures. As in previous years, Protestant organizations and Jehovah's Witnesses were subject to such discrimination more often than other groups.

On 25 October Vladimir Putin declared it necessary to improve the legal base for control over "totalitarian sects". It is true that he also mentioned the importance of observing the principle of freedom of conscience, but if this part of the president's speech did not engender a notable response from bureaucrats and the public, then the suggestion of strengthening control over 'sects' evoked a speedy reaction.

On 29 October Aleksei Grishin, a member of the Public Chamber of the Russian Federation and formerly chief advisor to the Presidential Administration on internal politics, declared it necessary to create a register of "totalitarian sect" leaders with whom the security services should "work". Moreover, he suggested developing a single methodology for combatting dangerous religious organizations, using – amongst other things – the know-how of the Russian Orthodox Church.

On 1 November United Russia's Young Guard (*Molodaia gvardiia Edinoi Rossii*) picketed the building of the Church of Jesus Christ of the Latter Day Saints (Mormons). On 19 November the People's Council announced the creation of a special wing to help the Ministry of the Interior expose "sects".

However, even before the president's announcement, bureaucrats and civil society organizations in various regions were taking measures which impede the normal activities of Protestant organizations – for the most part also regarded as "sects".

In March the Kurgan region Department of Health distributed a letter to the managers of institutions within its jurisdiction which warned that Baptist representatives might be using "*covert influence techniques on citizens' psyches in order to increase parishioner numbers.*" In order to prevent this, the medical establishment managers are instructed "*to organize and conduct work with staff which explains the undesirability of cooperation*" between Baptists and psychiatrists or psychologists.

In Belgorod representatives of United Russia's youth organization Nashi held a one night picket with "anti-sect" posters in front of a Jehovah's Witnesses building.

In April, 15 of Kamchatka's Protestant pastors complained to the regional authorities about increasingly frequent cases of believers' rights being violated by representatives of the authorities and the creation of a negative image of Protestant churches in the mass media.

Instances of religious services and other public events being impeded by both administrative methods and by force were recorded, as in earlier years.

In July police interrupted a church service at the Adygeia Revival Christian Center (*Adygeiskii khristianskii tsentr Vozrozhdenie*) in Maikop to conduct checks. As a result of this audit the pastor Alexander Kravchenko was fined ten thousand rubles under part 1, article 20.2 of the Code of Administrative Offenses ("Violation of the prescribed procedure of an organization or the conducting of assemblies, meetings, demonstrations, marches or pickets") for conducting the service. In October Maikop town court overturned this decision, not considering the pastor's actions to constitute a violation.

In August OMON troops broke into the grounds of the Sandpit (*Pesochnitsa*) holiday camp in the Primorskii krai town of Fokino, where the Fresh Wind (*Svezhii veter*) youth festival of Christian song was being held. OMON troops woke up those who were sleeping, frightened children, demanded the passports of those present and began procedures to demand a fine. The official reason given was the lack of a special permit for the gathering, as the camp was located next to a military base.

According to both our observations and the data of the Jehovah's Witnesses themselves, the persecution campaign conducted by bureaucrats and employees of law enforcement agencies against Jehovah's Witnesses continued, but abated.<sup>5</sup> Nevertheless, as in previous years, law enforcement officers often detained preachers of that organization. Such cases were recorded in Moscow and Bashkortostan, in Altai, Krasnodar and Primorskii kraia, and in Astrakhan, Belgorod, Vladimir, Kostroma, Magadan, Moscow, Novgorod, Orenburg, Tiumen and Cheliabinsk regions. Most often the detained preachers were taken to the police station and released after their passport details had been taken down, and after conversations about the activities of the Jehovah's Witnesses. Not infrequently the police conducted personal searches of those detained, photographed and fingerprinted them. Such detainments were mostly

<sup>5</sup> Monitoring SMI: Kampaniia protiv Svidetelei Ierovy zamedliaet khod? Ofitsial'nyi predstavitel' etoi religioznoi organizatsii v RF podtverdil, shto seichas situatsiia kazhetsia bolee spokoinoi // Portal-Credo.ru. 2013. 9 January (<http://www.portal-credo.ru/site/?act=news&id=97882&type=view>).

accompanied by procedural violations and insults directed at the detainees and their faith.

In Belgorod region a female preacher was fined for preaching on the street.

Not only Protestant organizations and Jehovah's Witnesses experienced pressure from bureaucrats and law enforcement employees.

In August the Maloiaroslavetskii district prosecutor's office in Kaluga region issued a caution to the leader of the local Muslim organization imam khatib Rinat Batkaev about the impermissibility of a violation the law "On assemblies, meetings, demonstrations, marches and pickets." The reason given was the imam's attempt to secure premises in which to celebrate Uraza Bairam (Eid al-Fitr), as the premises rented by the community could not accommodate all those who wished to join the celebrations. The prosecutor's office cited the fact that he informed the administration not ten days prior to the event, as required by law, but later. After a visit to the prosecutor's office the would-be lessor refused to lease to the Muslims. The regional prosecutor's office began to check the legality of the caution issued.

In September a dance march of Hare Krishna devotees which had been agreed with the Sochi authorities was ruined. The town mayor, who halted the procession together with a Cossack patrol, announced that he had not signed the permission letter. Community representative Konstantin Skliarov was detained.

In September, on the eve of Patriarch Kirill's impending visit to Vladimir eparchy, local bureaucrats and employees of law enforcement agencies began to hold talks with parishioners of the Russian Orthodox Autonomous Church (*Rossiskaia pravoslavnaia avtonomnoi tserkov'*, RPATs), persuading them not to protest during the patriarchal visit. An employee of one of Suzdal's enterprises – a RPATs parishioner – was threatened with dismissal.

In comparison with last year, foreign preachers began to experience significantly more difficulties on Russian territory.

The Russian Federation Ministry of the Interior, according to long established tradition, refused to issue an entry visa to the fourteenth Dalai Lama. A letter from the Russian Federation Ministry of the Interior states frankly that "*The Chinese authorities assess the international activity of the Dalai Lama extremely negatively; according to them it inflicts direct detriment on the sovereignty and territorial integrity of China.*"<sup>6</sup>

<sup>6</sup> 'Rossiiskii buddisty poluchili otritsatel'nyi otvet na pros'bu o predostavlenii vize Ego Sviatishestvu Dalai-lame', Sokhranim Tibet. 2012. 26 September (<http://savetibet.ru/2012/09/26/dalai-lama.html>).

Junsei Terasawa, a Buddhist monk travelling from Japan to Gorno-Altai, had his visa annulled at Novosibirsk airport in April. Russian Buddhists linked the ban on his entry with the fact that Terasawa participated in Russian political opposition meetings.

In May-June several Baptist students, US citizens studying in Samara international higher education center for the pre-university education preparation of foreign citizens, were held administratively liable under part 2, article 18.8 of the Code of Administrative Offenses (“Violation of the residency regulations of the Russian Federation by a foreign citizen”). According to the Federal Migration Service department these students, who had entered on an educational visa, were in reality conducting religious activities which did not correspond with their declared aim of residency in the country.

### Other cases

During 2012 the public prosecutor found fault not only directly with religious organizations, but also with social institutions under their aegis.

In autumn the public prosecutor began a check on the New Life (*Novaia zhizn'*) rehabilitation centers in the villages of Kotly and Preobrazhenka, Kingiseppskii district, Leningrad region. At the same time, complaints were also made against the rehabilitation center in Kotly by the fire safety inspectorate. According to the results of all manner of checks on the New Life church's rehabilitation center in Kotly, a criminal case was brought under article 330 of the Criminal Code (“Arbitrariness”) – one of the center's patients claimed they had been forcibly detained there. Two administrative cases were also brought, under part 5, article 20.4 (“Violation of fire safety requirements”) and part 1, article 19.20 (“Implementing activities, unconnected with generating profit, without special permission”) of the Code of Administrative Offenses. We are unable to assess how well-founded these accusations were.

Cases in which the management of educational establishments did not allow pupils to attend lessons in Muslim dress were more frequent than in previous years. This happened in Nizhnevartovsk, Astrakhan region and Stavropol krai. In the two latter regions conflicts reached such proportions that the authorities attempted to resolve the issue centrally.

The Stavropol regional Ministry of Education passed a resolution introducing restrictions on the external appearance of pupils, which included the impermissibility of demonstrating religious affiliation and using youth subculture symbols. Astrakhan regional authorities recommended that provision for the introduction of

school uniform and a ban on the public demonstration of confessional affiliation be included in the regulations of the region's educational institutions.

Believers and religious organizations subjected to discrimination increasingly turned to the courts to defend their rights, and frequently with success.

At the request of the Bashkortostan prosecutor's office, a letter from the regional Minister of Education, Artur Surin, was recalled in January. The letter, dated 26 October 2011, recommended that representatives of “sectarian” organizations be denied access to schools. An appeal to the General Prosecutor by the Human Rights commissioner Vladimir Lukin preceded the prosecutorial review.

In January Viliuchinsk town court in Kamchatka region declined to find Galina Ivancha, a member of the Jehovah's Witnesses community, guilty under article 5.26 of the Code of Administrative Offenses (“Violation of legislation on the freedom of conscience, freedom of religious confession and on religious associations”).

In April the leader of a Jehovah's Witnesses organization in Perm, Alexander Solov'ev, managed to annul a fine of a thousand rubles imposed under article 20.2 of the Code of Administrative Offenses (“Violation of established procedure of an organization or the conducting of assemblies, meetings, demonstrations, marches or pickets”) for conducting a church service in the Pushkin House of Culture in 2011.

In April Syktyvkar town court satisfied the sixteenth complaint of the God's Glory (*Bozh'ia slava*) Church of Christians of the Evangelical Faith against the actions of the town administration, which had prevented them from holding a meeting in 2011.

### Insufficient protection from defamation and attacks

As in previous years there were several murders of, and attacks on, Muslim figures. The deputy mufti of Stavropol region, Kurman Ismailov, died as a result of a car bomb. The main imam of the Historical Mosque, 75 year old Khasian Fakhretdinov, was beaten up in Moscow. In these cases, however, we cannot confirm that the crimes were committed on religious grounds.

A clearer motive of religious hatred is discernible in the attempt on the life of the Mufti of Tatarstan, Ildus Faizov, and the murder of his deputy Valiulla Yakupov, which took place in Kazan. The investigation is primarily following a “Wahhabi” lead.

As in previous years there were more than a few attacks motivated by religious hatred, above all – like last year – against Jehovah's Witnesses. Attacks usually occur during preaching ministry, when believers go around housing blocks talking to residents. Such attacks happen every month in various regions

but, as a rule, do not usually inflict significant harm on the health of the victims. We know of ten more serious cases: preachers were beaten and threatened with weapons in Cheliabinsk and St Petersburg, Vologda, Kemerovo and Sverdlovsk regions, in the republic of Komi and in Stavropol krai. Two children also suffered – an eleven year old girl (in Novorossisk) and a nine year old boy (in Ufa), were beaten up by classmates for belonging to the Jehovah's Witnesses.

There were a few isolated instances of attacks on representatives of different religious movements. Sergei Konstantinov, pastor of a branch of the Good News Mission (*Missiia Blagaja Vest'*) Church of Evangelical Christians, and his assistant Aleksei Mukkonen were attacked in the village of Gorbunki, Leningrad region. The pastor sustained a fractured rib and multiple contusions as a result of the attack.

In Nefteugansk an assistant to the imam beat his coreligionist for “incorrect prayer.”

In Moscow's Bitsevskii Park neo-pagans from the Unification of the Slavs (*Skhoron ezh Sloven*) community were attacked while marking the midsummer festival of Ivan Kupalo in the woods. The attackers injured four members of the community with a traumatic pistol, and one was wounded with a knife.

The attack on journalist Sergei Aslanian, which left him with 20 knife wounds, had a real religious cause. During it the attackers cried “*You are an enemy of Allah!*” On the eve of the incident, in a broadcast by the *Maiak* radio station, the journalist had made a few pronouncements about the prophet Muhammad which had provoked the indignation of believers.

69 cases of vandalism against religious targets were recorded in 2012. This is more than in 2011, when 59 were recorded. Another change in comparison to the previous year is that the majority of acts of vandalism (42) were committed against Orthodox targets (in 2011 this was the case for 12). This can only be explained as a reaction to the numerous conflicts connected with the Russian Orthodox Church, and in the first instance, by the trial against Pussy Riot. For the first time memorial crosses became the main target of vandalism (23); they were sawed down, knocked over, chopped up and had paint thrown over them in various regions (following the scandalous actions of the FEMEN group in Kiev). Several times vandals left graffiti on church walls in support of Pussy Riot.

In contrast, the level of vandalism targeted at other religious organizations fell. The number of attacks on targets belonging to new religious movements dropped somewhat – from 16 to ten – and they all belonged to Jehovah's Witnesses. The number of Jewish targets subject to attacks remained pretty much the same: seven as opposed to last year's eight. In comparison with last year, however, Muslim targets declined significantly in number: five in contrast to 17 in 2011. Attacks were also committed on four Protestant and one Catholic target.

Unfortunately, the number of dangerous acts of vandalism remains high. In 2012 arson attempts on Orthodox churches and synagogues were recorded. All the attacks on Protestant churches may be categorized as comparatively dangerous – the breaking of windows, stone throwing. The Word of Life (*Slovo zhizni*) Church of Christians of the Evangelical Faith in Nizhnevartovsk, which twice came under fire in 2011, was fired at twice in 2012. A Russian Orthodox Church Abroad church (under Metropolitan Agafangel) in Moscow was also subject to an attack which involved the smashing of windows and throwing of stones and bottles. None of the religious organizations' parishioners or employees were harmed in any of these cases.

In 2012 a good deal of material sharply critical of the Russian Orthodox Church appeared in the mass media, which gave church representatives and also many state and public figures cause to declare that an “information campaign” was being conducted against the Church. In our view, this assertion has no foundation. In the majority of cases the negative material was provoked by real problems and events – primarily the actions of the patriarch and the behavior of church figures during legal proceedings against Pussy Riot – and reflected the reaction of a significant section of society to these events. The sharply critical response, naturally, came predominantly – but not only – from those of secular mind-set.

In June the radio station Silver Rain (*Serebrianyi dozhd'*) awarded Patriarch Kirill the “Silver galosh” joke prize in the category “Arms up to the elbows in miracles” for the “immaculate disappearance of watches”, provoking indignation amongst the Orthodox public. According to a statement made by the Association of Orthodox Experts the prosecutor's office began to examine a video recording of the ceremony “for indications of extremism” (if it did indeed begin, however, it has not found anything). The Worldwide Russian People's Council (*Vsemirnyi russkii narodnii sobor*, VRNS) circulated a statement in which it called on “Orthodox entrepreneurs” to cease all collaboration with the Silver Rain radio station.

As in previous years, xenophobic material about other religious organizations appeared in both the federal and regional mass media.

In September for example, the Maximum program on NTV accused Jehovah's Witnesses of using hypnosis, convincing believers to sign over all their property for the use of the community, and forbidding them to associate with their unbelieving relatives.

The Voronezh newspaper *Bereg* accused Mormons of preparing an “orange revolution” and of spying on behalf of the FBI and CIA.

The television news programme Vesti issued a report on the Islamic threat to Stavropol, provoking indignation amongst Muslims.

The Tula edition of *Komsomol'skaia pravda* interviewed a representative of the local Orthodox eparchy about the “dangerous” nature of the Sahaja Yoga movement in an issue timed to coincide with a concert of Indian music and dance organized by the movement.

As before, religious and public figures made xenophobic remarks about diverse religious groups, and also attempted to oppose these groups in practice.

Orthodox priests publically justified the use of force in defending Orthodox holy things. Archpriest Vsevolod Chaplin, head of the Synodal Department for Cooperation between Church and Society, spoke out on this issue more than once. Commenting in particular on the “punk prayer” in the church of Christ the Savior, he declared: “*In answer to this blasphemy and in answer to attempts to justify it, the state must employ force. If it does not employ force, then the people must employ force.*”<sup>7</sup>

Hegumen Sergii (Rybko), dean of the Decent of the Holy Spirit church (*khram Soshestviia Sviatogo Dukha*) in Moscow's Lazarus cemetery, blessed (granted permission to) his parishioners “to use physical force” towards “suspicious visitors” should they suspect that acts of blasphemy are intended. He then declared his regret that he could not participate in the rout at the 7freedays nightclub, where gay activists spend their evenings. “*While this rubbish does not remove itself from the Russian land, I entirely share the views of those who attempt to cleanse our Motherland of it. If the state does not do it, then the people will do it*”, the priest declared.<sup>8</sup>

Archpriest Dimitrii Smirnov, head of the Synodal Department for Cooperation with the Armed Forces and Law Enforcement Agencies, on television called on the authorities “to outlaw all totalitarian sects.” The priest advised those who do not like the activities of new religious movements to “gather the people, destroy this sect!”<sup>9</sup>

In reaction to the refusal of a Tomsk court to recognize the book *Bhagavad Gita*: As it is as extremist material, Mufti Mukhammedgali Khuzin, chair of the Perm region Spiritual Directorate of Muslims, suggested that followers

<sup>7</sup> Simochkin Ivan. RPTs ob'iavliaet voinu grazhdanskomu obshchestvu // Grani.ru. 2012. 19 March (<http://grani.ru/blogs/free/entries/196529.html>).

<sup>8</sup> Igumen Sergii (Rybko) o razgone gei-kluba: Sozaleiu, shto kak sviashchennik ne mogu prizniat' uchastie v aktsii // Pravoslavie i mir. 2012. 12 October ([www.pravmir.ru/igumen-sergij-rybko-o-razgone-gei-kluba-sozhaleyuu-cto-kak-svyashchennik-ne-mogu-prinyat-uchastie-v-akcii/](http://www.pravmir.ru/igumen-sergij-rybko-o-razgone-gei-kluba-sozhaleyuu-cto-kak-svyashchennik-ne-mogu-prinyat-uchastie-v-akcii/)).

<sup>9</sup> Otets Dimitrii Smirnov 'Sobiraite narod! Gromite poganye sekty!' // Slavianskii pravovoi tsentr. 2012. 7 June 2012 ([www.sclj.ru/news/detail.php?SECTION\\_ID=341&ELEMENT\\_ID=4382](http://www.sclj.ru/news/detail.php?SECTION_ID=341&ELEMENT_ID=4382)).

of Hare Krishna should be “put beyond the legal framework of the country.” In Moscow, as a mark of protest against this ruling, representatives of the Movement of Opposition to the Murder of Children (*Dvizhenie soprotivelnii ubiistvu detei*) gave Russian Hare Krishna followers humanitarian aid in the form of a consignment of stewed beef. This insulting act was simultaneously a response to a charity event organized in the church of Christ the Savior in 2010 by the Food of Life (*Pishcha zhizni*) foundation. The protesters were convinced that the treats distributed to children during this event were prasada (food offered to a deity during worship).

Tver eparchy's missionary department distributed leaflets about the “spiritual threat of the neo-pagan sect of Mormons.” An Orthodox group distributed similar leaflets in the Moscow region of Domodedovo, directed against Seventh Day Adventists.

Saratov division members of the All Russia Parents Assembly (*Vserossiiskoe roditel'skoe sobranie*) sent an open letter to the governor Valerii Radaev and the head of the Interior Ministry's regional chief directorate Sergei Arenin, requesting that Mormons living in Saratov region be sent “en masse...to their primordial motherland — the state of Utah.”

In Belgorod the authorities granted permission for a meeting “Against sects” to be held during a Jehovah's Witnesses congress, next to the building where the congress was being hosted. Meeting participants loudly chanted “anti-sect” slogans and beat on drums. A Jehovah's Witnesses member challenged the actions of the administration's employees who had permitted the meeting in court. The court found that the noisy protest action impeded the congress participants from “freely listening to a program of religious events”, which was a violation of the law “On the freedom of conscience”. The court fined the town's administration 1000 rubles, and the organizers of the meeting 500 rubles (for using a drum without permission). The court did not support the other demand of the plaintiff — that the authorities refuse permission for the conducting of public events which offend the feelings of believers close to places of prayer.

*Maria Kravchenko*

## Inappropriate enforcement of anti-extremist legislation in Russia in 2012

### Summary

Anti-extremist legislation is inherently politicized because it suggests penalties for ideologically-motivated actions. A priori, it seemed likely that the intensified political activity, which followed the State Duma elections, should have resulted in more active enforcement of anti-extremist laws. Since this legislation has often been abused for various reasons, and since certain aspects of current anti-extremist legislation do, in fact, excessively restrict civil rights and freedoms,<sup>1</sup> we expected to see a sharp increase in what we call “inappropriate anti-extremism.” Our assumptions proved to be partially accurate, but the actual dynamics was more complex than anticipated.

Pressure against the political opposition has taken various forms, but use of anti-extremist legislation in this context has not become more frequent since December 2011. In 2012, we did observe a significant increase in number of inappropriate verdicts under anti-extremist Criminal Code articles not directly related to violence, such as Articles 280, 282, 282,<sup>1</sup> and so on (the number of convictions under Article. 282<sup>2</sup> was about the same as in 2011). However, almost all of these convictions pertained to the court cases initiated prior to the Duma elections, so the number of actual post-election protest participants among the convicted offenders, or even among the suspects, was very small.

These statistics can be partially attributed to the inertia of the law enforcement mechanism. For example, the sanctions against the Other Russia (*Drugaiia Rossia*) party intensified in 2012, in comparison with 2011, despite the fact that Limonov’s followers actually played a more modest role than in previous years.

<sup>1</sup> Our interpretation of “inappropriate anti-extremism” is introduced in detail in: Verkhovsky, Alexander, Preface to: ‘Inappropriate enforcement of anti-extremist legislation in Russia in 2009’. in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2009* (Moscow: SOVA Center, 2010), p. 73-77.

The use of anti-extremist legislation, whether justified or inappropriate, varied for different segments of the opposition. The groups, perceived as radical in some way by the authorities and/or by the majority of citizens – radical left, militant anti-fascists, nationalists of various stripes, LGBT activists – became the most frequent targets for inappropriate application of anti-extremist laws. The exceptions, such as the prosecution of a trade union leader or an environmental activist, were rare.

Not surprisingly, the positive tendencies in creation of regulatory acts, observed in 2011, could not be sustained in the face of the new political tension, and were replaced by new vague and oppressive laws. In 2012 (and even in the beginning of 2013), these new laws weren’t on the books for long enough time to make much impact on law enforcement practice. For example, the new version of the Criminal Code Article on treason, which has a significant abuse potential, has never been applied. Another set of legislative initiatives, such as bills on “protecting religious sentiment” and on the state’s right to intervene in the affairs of religious organizations, are still moving through the parliament.

At the same time, a growing concern has been focused on the very core of anti-extremist legislation – the definition of extremism. In addition to individual experts such as the SOVA Center, many other institutions insist on a revision of the law, including the Venice Commission of the Council of Europe and the Ombudsman of the Russian Federation.

For nearly 11 years since the law “On Combating Extremist Activity” had entered into force, and particularly in the recent years, most cases of its misuse pertained to religious and religio-political groups; political and social activists were less affected. A trend, observed in 2012, suggests that this peculiar imbalance is starting to disappear. Compared with the previous year, 2012 brought fewer sentences in the “religious” category, and more sentences handed down to “secular” activists. However, any announcement of the trend reversal would be premature – “inappropriate anti-extremism” still presents the greatest threat to freedom of conscience in the country.

“The main trial of the Year” – the Pussy Riot trial – happened to fall exactly on the border between religious issues and political activism, so the 2012 data could be indicative not of the trend reversal, but, instead, of the convergence of “religious” and “secular” persecution spheres, previously strictly separated.

“Inappropriate anti-extremism” still claims many random victims. Two main reasons for this phenomenon are quite obvious: the law enforcement desire to “beef up the numbers,” and a clearly expansive interpretation (and not just by law enforcement officers) of protecting ethnic and religious tolerance.

The combination of these two factors is particularly evident in anti-extremist law enforcement in relation to the statements, made on the Internet.

Growing number of criminal sentences for xenophobic but non-dangerous statements made on social networks illustrates the point. Rapid proliferation of bans on online resources that are either inappropriate or overreaching (such as blocking access to the entire YouTube portal due to one banned video clip) provides another example. Pointless prosecutorial attacks of schools and libraries, related to insufficient Internet content filtration or presence of banned books, are also on the rise.

It has to be noted, that the fundamentally flawed idea of Federal List of Extremist Materials, keeps bearing increasingly strange fruit in ever-increasing quantity, from banning digital files with unspecified content to prohibiting medieval Sufi treatises.

Unfortunately, review of even the most odious elements of the anti-extremist legislation and law enforcement practice – the ones that are clearly of no benefit even to the authorities – is still not on the agenda.

## Creation of Regulatory Acts

The Russian government undertook a number of actions in the area of rule-making aimed at widening the effort of “counteracting extremism.” These measures have been largely dictated by the political situation in the country, and they are designed to strengthen the state control over the information sphere and to expand the set of tools for suppressing the activity of opposition-minded citizens. In our opinion, if these new measures are utilized by the government, they may result, among other things, in a significant increase the anti-extremist legislation abuse.

For several months, a heated debate centered around the Federal Law No. 139-FZ “On Amending the Federal Law “On Protection of children from information harmful to their health and development,” and certain legislative acts of the Russian Federation”, aimed at blocking inappropriate online content. The corresponding bill was presented to the Duma in early June by deputies from all four factions: Elena Mizulina (Just Russia), Sergei Zhelezniak (United Russia), Sergei Reshulskii (CPRF), Yaroslav Nilov (LDPR) and others; it underwent some corrections in the second reading (partially due to public pressure), and entered into force on November 1. The changes were made to the federal law “On the protection of children from information harmful to their health and development,” “On Communications” and “On Information, Information Technologies and Information Protection.”

In accordance with the law, the “Uniform registry of domain names and (or) the universal locators to pages of sites on the Internet and network addresses

of sites on the Internet that contain information prohibited to spread in the Russian Federation” was created in November 2012 (communication related to the blacklist takes place only via <http://zapret-info.gov.ru/> Web site).

The blacklist includes sites and individual pages that contain child pornography, drug use and suicide propaganda – numerous problems associated with implementing these categories of prohibitions fall outside the scope of our report. A Web site can also be blacklisted on the basis of “*a court decision proclaiming some Internet-distributed information as prohibited to be spread in Russia.*” At this time, such decisions specifically target extremist materials. The responsibility for maintaining the part of the registry that pertains to materials, banned by court decisions, falls to Roskomnadzor, despite the fact that the Federal List of Extremist Materials is maintained by the Ministry of Justice.

According to the rules of the Registry, hosting providers and operators only have several days to ensure removal of the illegal content or to block access to it. The Web site owner, the hosting provider, or the ISP can appeal the decision to include domain names and/or URLs and/or IP addresses on the Registry within three months from the date of the decision.

The law was intended to normalize inconsistent blocking practices that had existed at the time of its adoption (covered in our 2011 report<sup>2</sup> and our subsequent publications).<sup>3</sup> However, the chosen method of solving the problem does nothing to clarify the most important aspects of blocking extremist materials. First, the law never gives clear guidelines on determining whether the restrictions should pertain to an entire domain (subdomain), or to a specific page, and in what cases the blocking should be done by IP-address filtering. This mechanism depends on arbitrary decisions, and we can expect restrictions on access to many innocuous materials, located in proximity to problematic ones – this had been the case prior to enactment of this law, and still is the case now. In addition, the law does not stipulate whether blocking pertains only to the materials included on the Federal List of Extremist Materials, specifically, as Web sites or Web pages, or whether it also pertains to online versions of the materials that have been banned in print, confiscated from local computers, and so on.

According to our sources, no online materials, banned as extremist, were added to the newly created registry during November-December 2012 (for more

<sup>2</sup> Verkhovsky, A. ‘Inappropriate enforcement of anti-extremist legislation in Russia in 2011’, in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2011* (Moscow: SOVA Center, 2012), p. 98-102.

<sup>3</sup> Sanctions against the Internet Service Providers // SOVA Center (<http://www.sova-center.ru/misuse/news/persecution/2012/07/d24798/>).

on this, see The Internet and Anti-Extremism chapter of this report; the first case took place only in March 2013). Apparently, in this case Roskomnadzor considered the existence of the Federal List of Extremist Materials to be sufficient.

In November, the law “On Amendments to the Criminal Code of the Russian Federation and Article 151 of the Criminal Procedure Code of the Russian Federation” significantly changed the concept of espionage and treason in the relevant articles of the Criminal Code. In their previous versions, these articles understood high treason as assisting in hostile activity by foreign states or organizations that threatens the external security of the state. The new law excluded the “external” qualifier from this definition, so that the term “security” could have the widest possible interpretation. The authors’ attempt to clarify the wording of the law (for example, a note that “support in conducting hostile activity” actions” could take the form of “providing advice”) made it even murkier. Along with foreign organizations, the article now refers to international organizations; meanwhile, many organizations, registered in Russia, are international in their scope.

Assisting someone in changing the constitutional system has been now reclassified as treason, although the Constitution is not immutable, and even the fundamentals of the constitutional order can be changed in accordance with the order, established by the Constitution. The criterion of violence is missing, and unacceptable methods of changing the constitutional order are not specified. The above law does not belong to the “anti-extremist” legislation per se, but it definitely affects the scope of the existing legal definition of extremism, thereby making it even less precise.

Note that the law was passed on the second attempt; the bill was introduced by the Government to the State Duma in December 2008, but then-President Dmitry Medvedev returned it for revision (which never happened) in January 2009.

The law “On Amendments to Article 20.3 of the Administrative Code and Article 1 of the Federal Law “On Combating Extremist Activity”, signed in December 2012, increased penalties for extremist symbols and paraphernalia. The new version of the article established liability for propaganda and public demonstration not only of Nazi paraphernalia or symbols confusingly similar to Nazi ones, but also of attributes and symbols of extremist organizations. Accordingly, the definition of symbols of extremist organizations was added to the law “On Combating Extremist Activity”. We consider this definition – “officially registered attributes and symbolism of an organization, for which the court judgment on its liquidation or prohibition due to extremist activity is in force” – to

be infelicitous, since organizations that have a real chance to be banned due to extremist activities, usually don’t register their symbols, and are unlikely to do so in the future.

We would like to remind at this point that we repeatedly mentioned the need for revision of the Administrative Code Article 20.3, since its current unfortunate wording often leads to unnecessary administrative punishment for the public display of Nazi paraphernalia or symbols in the context clearly not related to promoting Nazism. In June 2012, the Ministry of Communications issued a draft law amending certain provisions of the anti-extremist legislation. In particular, according to the draft, Article 20.3 was to be supplemented by a note, exempting from liability the “*use of Nazi paraphernalia or symbols or paraphernalia or symbols confusingly similar to Nazi ones in works of scientific research and encyclopedia articles, as well as in audio-visual and printed materials that show no signs of propaganda and/or justification of Nazism and Fascism.*” However, this bill has never been submitted to the Duma.

Meanwhile, the December law significantly increases the size of the current fines for offenses under Article 20.3 that now range from one to two thousand rubles for the citizens, from one to four thousand rubles for public officials, and from 10 to 50 thousand rubles for legal entities. Hypothetically, screening of any World War II movie could result in such a penalty.

The law “On Amendments to Certain Legislative Acts of the Russian Federation regulating activity of non-commercial organizations acting as foreign agents” entered into force in Russia in November. In particular, one of the sub-clauses in its Article 2 amended Article 32 of the Law “On Noncommercial Organizations” to include a provision stating that unscheduled inspections of non-profit organizations could happen for the reason of “*incoming... information related to signs of extremism in activities of non-profit organizations.*” This clause had been excluded from the law on non-profit organizations less than a year before that, in November 2011; it is now back, but only for “foreign agents.”<sup>4</sup> From our point of view, unscheduled inspections of non-profit organizations “for extremism” bring no tangible results, since inspections usually pertain to the paperwork, which is unlikely to manifest any “signs of extremism;” such an

<sup>4</sup> In April 2013 the Ministry of Justice called for full return to unscheduled “anti-extremist” inspections. See: The Ministry of Justice called for full return to unscheduled anti-extremist inspections of non-profit organizations // RIA Novosti. 2013. 9 April (<http://ria.ru/society/20130409/931766738.html>).



ordeal simply complicates the work of many organizations that have nothing to do with extremist activity.

In 2012, we saw some bills clearly aimed at illegal restriction of rights and freedoms in the context of the anti-extremist policy.

The notorious Pussy Riot case spurred to activity the champions of the superiority of the Russian Orthodox Church, who seek to use religion for ideological purposes. In September, several Duma factions issued a call to *“tough response against destructive forces that praise anti-religious extremism, vandalism and hooliganism and incite public hatred of the Russian Orthodox Church and other religious organizations.”*

By the end of the month a bill “On Amendments to the Criminal Code of the Russian Federation and Certain Legislative Acts of the Russian Federation in order to counter the insults to personal faith and religious sentiments and convictions of the citizens, or the desecration of sacred objects and the sites of religious rites and pilgrimages,” prepared by the Parliamentary Committee on Public Associations and Religious Organizations, was introduced to the State Duma. The project involved a number of changes to the Criminal Code and the Code of Administrative Offences. Article 243<sup>1</sup> (“insults to personal faith and religious sentiments and convictions of the citizens and/or desecration of sacred objects and the sites of religious rites and pilgrimages”) was to be added to the Criminal Code and provide for fines of up to 300,000 rubles or a prison term of up to three years for insulting the feelings. Desecration was to be punished by fines of 100 to 500 thousand rubles, or by up to 400 hours of mandatory labor up or by imprisonment for up to five years. Thus, the liability for offending religious feelings and symbols was to be moved from the Administrative Code to the Criminal Code, and Part 2 of the Administrative Code Article 5.26 would have retained only “public desecration of religious and theological literature, signs and worldview symbols, and their damage,” with the fines increased to 30-50 thousand rubles vs. the present 500-1000 rubles. The fines under Part 1 of the Administrative Code Article 5.26 (“obstructing the exercise of the right to freedom of conscience or freedom of belief, including the adoption of religious or other beliefs or refusal thereof, as well as obstructing the entry into a religious association or the exit therefrom”), unrelated to subject of the bill, were supposed to increase as well.

The bill caused a strong reaction and was widely discussed in the media with numerous public figures and organizations speaking against it. In November, Vladimir Putin declared that the project should be postponed. The Civic Chamber of the Russian Federation strongly demanded that the bill be withdrawn from further consideration in the Duma. Later, the Human Rights Council under the

President of Russia called for its recall as well. The Russian government also gave its negative opinion on the bill by late January 2013.

The main criticisms against the bill were related to complete lack of legal definition for a concept of “insult to religious convictions and sentiments,” that could lead to a breach of the rights and freedoms of citizens, as well as to the discriminatory and unconstitutional nature of the new Criminal Code Article 243<sup>1</sup>, which provided protection only for objects and rituals of “religious associations, professing religions that constitute integral part of the peoples of Russia historical heritage.” Critics of the bill pointed out that the existing norms of the Administrative Code and the Criminal Code were sufficient for protecting the faithful, although they did suggest various additions and corrections to particular laws. The bill’s writers and critics proposed alternative sets of possible measures to ensure protection of religious sentiments in early 2013, so that the outcome of the discussion is difficult to predict at this time.<sup>5</sup>

Following the example of the legislation on non-commercial organizations, which contains restrictions for persons convicted of extremist crimes, the Ministry of Justice has drafted amendments to the Federal Law “On Freedom of Conscience and Religious Associations” and to the Labor Code of the Russian Federation (“in the part that relates to granting religious organizations the right to establish requirements for ministers, religious personnel and employees of religious organizations”) in the summer of 2012. However, despite the fact that religious organizations are a subset of non-profit organizations, direct transfer of such policy proved to be problematic. The project, in particular, proposes to prohibit *“persons, against whom there is evidence of their involvement in extremist activity or terrorism, as well as foreign citizens and stateless persons, in whose case the decision was made about undesirability of their stay or residence in Russia,”* from being founders or members or participants of religious organizations. The fact that this clause may be directed against people unfairly convicted of extremism is not the only problem. Religious organizations usually have no formal membership and the scope of participation in its activities cannot be clearly defined. Thus, presence of one person “involved in extremist activity” would be sufficient to close an entire parish (or, more likely, a mosque).

In addition, the bill stipulates that *“in order to counter extremism the laws of the federal subjects of Russia can establish requirements for religious education of ministers and religious personnel and requirements for labor contracts between*

<sup>5</sup> On April 9, 2013 the draft bill passed the first reading. Dramatic changes were promised to be introduced in the second reading; however they are not yet in place, and we can’t be sure that the resulting legislation will completely avoid criminalizing religious dissent.

*religious organizations and their employees, while taking historical, religious and other traditions into account.*” In our opinion, any state requirements relating to religious education of the clergy or other staff of religious organizations constitute gross state interference into their affairs.

This intervention is clearly directed against “alternative” Muslim imams. This fact is also evident from similarly unacceptable amendments to the regional law on freedom of conscience, which has already entered into force in Tatarstan. Religious organizations in Tatarstan are now required to appoint or elect the clergy only from among the candidates who have received a religious education in Russia and to develop criteria that provide the “*canonical unity of doctrine indicated in the statute of a religious organization.*” Such measures are not only unconstitutional, but clearly harmful — they can only radicalize Muslim groups that are not connected to pro-government muftis, and will inflict a terrible blow to many other religious communities, whose clergy studied outside of Russia, and who are not expecting any state assistance in establishing their “canonical unity.”

As we outlined above, the year of 2012 brought forth numerous legislative initiatives of doubtful expediency that are hardly compatible with the spirit of democratic legislation and cause concern about the consequences of their implementation. Russian civic and human rights institutions and then the Parliamentary Assembly of the Council of Europe expressed their concerns about the existing situation. In October 2012, the Assembly adopted a resolution on legal situation in Russia with recommendations to the Russian authorities that they make significant changes to the laws passed in 2012, which, as most Assembly members believed, infringed on fundamental human rights and were potentially regressive in terms of democratic development.<sup>6</sup>

The Assembly also calls on the Russian authorities to pay immediate attention to the recommendations of the Venice Commission, which issued its opinion on the Federal Law “On Combating Extremist Activity” and proposals for its reform in June 2012. The Venice Commission recommended a number of amendments to the federal law in order to clarify and modify a number of procedures and the definition of extremism and related terms. According to the Commission, the fact that some activities, which do not involve violence or incitement to violence, are included on the list of extremist offenses constitutes the main source of arbitrariness and abuse of anti-extremist legislation. The overly expansive and vague definition and arbitrary application of the law

<sup>6</sup> Resolution 1896 (2012). The honouring of obligations and commitments by the Russian Federation // PACE. 2012. 2 October (<http://assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=19116&Language=EN>).

trigger excessive restrictions of fundamental rights and freedoms enshrined in the European Convention on Human Rights (in particular, Articles 6, 9, 10 and 11) and violate the principles of legality, necessity and proportionality. In this regard, the Commission suggested that the Russian side bring the legislation in line with the European Convention on Human Rights and offered its assistance and support in this work. The Civic Chamber experts<sup>7</sup> and the RF Ombudsman<sup>8</sup> also called for clarification of the term “extremism” in the Russian legislation in late 2011 — early 2012. Nevertheless, serious revision of this legislation is not on the agenda.

## Major trends in 2012

### “Excessive Vigilance”

In theory, anti-extremist legislation seeks to suppress socially dangerous acts of intolerance, but it is hard to draw the line between a real threat, a case of immoral behavior, and an expression of a non-standard worldview. While the first category requires law enforcement intervention, the second one is more appropriately dealt with by social pressure; in the third case the society itself could probably exhibit tolerance. The difference can be illustrated with the following examples, respectively: calls for aggressive action against members of an ethnic group or followers of any religion, insulting remarks against members of such a group, or a religious minority declaring its intentions on limiting contact with people of other religions.

However, as we had repeatedly pointed out, the existing legislation does not account for such differences, therefore, the amount of state intervention, related to intolerance, has been growing steadily, regardless of actual need for it. Law enforcement incidents morph into chronic abuses, and unfortunately, have not yet become an impetus for a legislative reform, despite the fact that many inappropriately initiated trials last for years, wasting public funds on ever-growing number of expert opinions.

<sup>7</sup> See: The Civic Chamber seeks a more specific definition of the term “extremist activity” // SOVA Center 2011. 6 December (<http://www.sova-center.ru/misuse/news/counteraction/2011/12/d23211/>); The Civic Chamber on the draft law against anti-extremism on the Internet and in finance // SOVA Center. 2012. 3 February (<http://www.sova-center.ru/misuse/discussions/2012/02/d23584/>).

<sup>8</sup> Report of the Russian Federation Human Rights Ombudsman for 2011 // Web site of the Russian Federation Human Rights Ombudsman. 2012. 5 March (<http://ombudsmanrf.org/doklady/717-2011>).

The Criminal Code Article 282 remains problematic in its part dedicated to the abasement of human dignity as it relates to a person's membership in a particular group. In our opinion, the extent of public danger of such actions is similar to that of the offenses covered by the article on insult, and, similarly, should be moved from the Criminal to the Administrative Code. An even better decision would be to deal with such incidents in the framework of civil litigation between the offender and those who feel victimized, that is, without any active state participation; however, our civil procedural law is not ready to handle such cases. In 2012, the courts dealt with several cases under Article 282, where administrative proceedings, if any, would have been more appropriate, since the statements of the defenders contradicted moral norms but contained no calls for illegal actions.

The case of Ivan Moseev, the president of the Association of Pomors of the Arkhangelsk region, became widely known. It was opened in July 2012 under Part 1 of Article 282 (“incitement of hatred or enmity, or humiliation of human dignity”). According to the investigators, Moseev left a comment, insulting ethnic Russians, on the Web site of the online news agency *Ekho Severa* under the username “Pomor”. In our opinion, this comment, of which Moseev denies authorship, can be classified as hate speech, but provides no grounds for criminal prosecution.

Proceedings against Smolensk City Council Deputy Andrei Ershov were initiated under the same article in the December 2012 for committing public actions aimed at abasement of human dignity as it relates to a person's group membership. The charges were related to the Deputy's statement about former juvenile prisoners of Nazi concentration camps. Ershov's words can definitely be considered degrading and offensive, but, we believe this to be yet another case where Administrative or Civil proceedings would have been more appropriate.

An element in the definition of extremist activity relating to “*Propaganda regarding exclusiveness, superiority or inferiority of citizens in connection with their attitude to or belonging to a religion, their language or their social, racial or national origin*” still causes significant problems. This ambiguous wording formed the basis for the majority of inappropriate bans on religious literature, which, in turn, entail unwarranted persecution of believers for “inciting hatred or enmity.” This category of persecution will be discussed in a separate section. Here we would like to mention just one case that illustrates just how far the path of such bans can lead.

In August 2012, the Ust-Koksinskii District prosecutor's office of Altai Republic issued a warning about the impermissibility of violating the law on combating extremist activities to the organizer of the Children of the Sun – the ethno-festival traditionally held near the village of Chendek. According to the prosecutor's office, festival leaflets contained extremist statements, such as the claim that “*there are three kinds of people: the first kind is born of the Moon – these are evil people; the second kind is born of the Earth – ordinary people; the*

*third ones are born of the Sun, and they make our world brighter ... The times are now changing, more children of the Sun are being born, and children of the Moon are on the wane... Based on the foregoing, it can be concluded that people, who gathered for the festival, categorize themselves as the “Children of the Sun” and, in fact, consider themselves to be members of an exclusive caste in relation to the other categories of people... In fact, we are witnessing propaganda of exclusivity, superiority of one type of people over other types.”* Of course, this warning was inappropriate, because children of the Sun, Moon and Earth cannot be taken for social, ethnic or religious groups, no matter how hard we try, since there are no means for verification of one's belonging to either group.

The law “On Combating Extremist Activity” does not mention incitement of hatred or enmity on ideological or political grounds as a sign of extremism, and the Criminal Code Article 282 does not stipulate punishment for such acts (although, the motive of ideological or political hatred is used as aggravating in ordinary criminal cases). However, law enforcement agencies often find ways to circumvent the lack of relevant clauses in the legislation, replacing them with others. Thus, verbal forms of ideological confrontation have been conveniently classified as “inciting hatred or enmity towards a social group.” Presumably, this component of the article was initially intended to protect certain vulnerable population groups that present a potential target for aggressors (e.g. the homeless). However, a concept of “social group” has never been clarified by the legislators and has become a fertile source of abuse.

Quite naturally, from the law enforcement point of view, the social groups such as government representatives and law enforcement officers have the greatest need for such protection. Ideological confrontation between anti-fascists and neo-Nazis has also been regularly stated in terms of incitement of social hatred. Civic and political activists frequently suffer from unwarranted prosecution on charges of inciting hatred (see the appropriate section for more details). However, the problem is not limited to politically motivated cases. In 2012, the government combated hatred directed at many kinds of social groups – in addition to those mentioned above, they included for example, “rock musicians” and “psychiatrists.”

### The Internet and Anti-Extremism

In regard to controlling the spread of extremist information on the Internet the difference between 2012 and the previous year was purely numeric. We noticed a dramatic increase in prosecutions under Article 282 for inciting hatred through display of extremist materials and/or symbols or with provocative online comments (mostly on social networks). We know of more than 70 convictions

for extremist propaganda on the Internet in 2012. We are often unable to assess the validity of these verdicts, since, for example, the offending comments are generally promptly removed from the network. Only one online propaganda sentence of 2012 can be confidently classified as inappropriate – a sentence to five authors of an oppositional Web site *Ufa Gubernskaia* in Bashkiria.

However, we often have doubts regarding the extent of social danger of the offenses that led to online propaganda convictions, particularly, since prosecutors and courts still fail to take into account their degree of publicity.<sup>9</sup>

The mechanism of removing materials from the Internet is still far from perfect.<sup>10</sup> The pre-November legal procedure (that is, before the law that established the register of blocked sites entered into force) included two separate court decisions – a decision to ban the material itself and a decision requesting that the host or the site owner remove the material from its online location. However, law enforcement agencies found this method to be excessively time- and resource-consuming.

In 2012, as in the past, the courts generally ruled against ISPs and in favor of blocking access to prohibited items. On occasions, the information (including prohibited materials and statements, as well as simply suspicious ones, or the ones merely perceived as dangerous) was removed by site owners or hosting providers or blocked by the Internet providers merely on the basis of a request from the law enforcement.

We would like to note that both schemes can lead to abuses and violations of the users' rights. When ordering the Internet providers to block banned materials, the court does not specify the method and does not care whether access restrictions pertain only to a single item, or, for instance, to the entire Web site, where it happened to be posted. Moreover, sometimes court decision directly indicates the latter option. However, the absence of court proceedings increases the likelihood of errors and often leads to arbitrariness.

Thus, in June 2012, the Nadym District prosecutor's office of Yamal-Nenets Autonomous District demanded that three local service providers block access to 120 sites for “*allowing placement of extremist materials on their pages.*” The fact that these sites could also feature materials that have nothing to do with extremism did not stop the prosecutor's office. Indeed, in September, upon request of the same prosecutor's office, one of Nadym providers blocked the

<sup>9</sup> For additional details, see: Alperovich, Yudina, Verkhovsky, *ibid.*

<sup>10</sup> See: Verkhovsky, *Inappropriate enforcement of anti-extremist legislation in Russia in 2011.*

IP-address of massive *narod.ru* hosting and *lib.ru* online library due to some extremist materials found there.

Throughout the year, other similar attempts to block major Internet resources were recorded in individual regions. For example, Altai prosecutors forced ISPs to restrict access to the popular Internet library *lib.rus.ec* and prosecutors in the Stavropol region filed a lawsuit in order to block the Internet library *rulit.net*. A court in Yaroslavl issued a decision demanding that restrictions on access to the entire *livejournal.com* blog platform due to one banned account. In the Krasnoïarsk region, the registrar, without waiting for a court decision, blocked the site *islamindex.ru* – a collection of different Islamic materials. On several occasions, Muslim literature Web sites were blocked for containing Said Nursi's books recognized as extremist. Jehovah's Witnesses Web sites were blocked in many cases because they feature banned (inappropriately, in our opinion) materials of this religious organization. Some of the above restrictions proved to be temporary, and we have no information on the length of time they were in place.

The most popular video hosting YouTube experienced more restrictions than any other resource in 2012. The greatest number of blocking incidents was observed in the late summer and the fall, when the controversial *Innocence of Muslims* video appeared on the Internet. Rather than waiting until an official court decision, recognizing the video as extremist, entered into force, the prosecutor's office had launched a large-scale attack on the film across the country before the court decision was even issued. Dozens of warnings went to providers in the Russian regions with orders to block access to Internet pages that featured the video. The prosecutorial demands varied from one region to the next; some sought to block a specific address, while in other places the entire resource became off-limits. As a result, in a number of regions, including the Omsk region and the republics of the North Caucasus, the users lost their ability to use YouTube, at least for a period of time. Regardless of whether removal of the video from the network was fighting for, we believe that removal of the video and restrictions on Web pages before the ban officially went into effect were inappropriate.

In some cases, upon request from prosecutors, providers also blocked the social network VKontakte due to the presence of *Innocence of Muslims*. The VKontakte administration decided to delete all pages that contain links to the seditious movie without waiting for the court decision. It should be noted that we view the right of Web site administration to delete content that contradicts their established rules as quite useful; consistent implementation of this right could effectively replace state censorship. However, in this particular case, direct pressure from law enforcement agencies should be taken into account.

The practice of blocking Web sites not specifically banned but associated with banned organizations continued in 2012. As in the previous year, these measures targeted Web sites of national-Bolsheviks, the Army of People's Will (*Armiia Voli Naroda*, AVN) and the Movement against Illegal Immigration (DPNI). The appropriateness of access restrictions for these and other similar sites can vary, but we don't view blocking them without a court ban as appropriate.

At least in one known case in 2012, the provider managed to uphold its right not to restrict access to the site. The Internet provider Informsvyazstroy of Dzerzhinsk in the Nizhny Novgorod region won the court case against the Dzerzhinsk city prosecutor's office in May. The prosecutor demanded that the ISP block access to the *salam.lg.ua* Web site, on the grounds that several of its pages contained links to the materials included on the Federal List. Later, the prosecutor's office has changed its demands and asked the court to demand that the ISP block only the links pointing to illegal materials. The defendant's representative stated that providers had no such legal duty, and that restricting access to links was impossible. The court agreed with the defendant and dismissed the claim. However, such court victories by providers can be regarded as a vanishing phenomenon.

The prosecutorial campaign for content filtering in organizations that provide citizens with access to the Internet – educational institutions, libraries, Internet cafes, post offices – gained a greater momentum in 2012. Similarly to Internet providers, these organizations are required to block illegal content.

Public institutions, such as schools and libraries have the greatest difficulty complying with the prosecutors' requests. Their computers have to be equipped with filters that block access to restricted information, including extremist materials. It is not clear why educators are held accountable for the quality of their content filters. Nevertheless, whenever the system of user protection malfunctions or doesn't perform as expected (and perfect filters simply don't exist) prosecutors issue warnings to the administration, and then "responsible parties" face disciplinary charges.

The number of audits in schools and libraries, and various acts of prosecutorial response based on their results has been growing steadily. According to our very conservative estimates,<sup>11</sup> the sanctions were imposed in 192 cases in 2011 and in 378 cases in 2012.

<sup>11</sup> We, most probably, receive no information regarding most audits. Sometimes we know of a series of inspections, but have no data on the number of warnings or other acts of prosecutorial response. In such cases we count an entire series as one item.

### Incidental Victims of Inappropriate Anti-Extremism

People and organizations that are clearly not related to any radical activity but simply happened to attract attention of law enforcement agencies can still be found among victims of inappropriate enforcement of anti-extremist legislation.

The problems of public libraries continued to worsen in 2012, due to the contradiction between the law "On Librarianship," requiring them to provide unfettered reader access to collections, and anti-extremist legislation forbidding mass distribution of prohibited materials.

Prosecutors charge libraries with various offences starting with presence of banned materials (usually books) in their collections – despite the fact that libraries have no legal ground for de-accessioning these materials.<sup>12</sup>

The campaign has been gaining momentum with each passing year. According to our definitely incomplete data, in the period from mid-2008 through the end of 2010 at least 170 cases of inappropriate sanctions against library administrators were recorded (including school libraries); there were at least 138 such cases in 2011 and at least 300 in 2012.<sup>13</sup>

The penalties are not always limited to disciplinary actions. Four librarians were fined in 2012 under the Administrative Code Article 20.29 for possession of extremist materials with intent of mass distribution. They were, de facto, punished for performing their official duties.

As we have repeatedly pointed out, in 2009, the Ministry of Culture and the General prosecutor's office developed quite practical and non-burdensome procedures for accessing extremist materials, based on the set of instructions previously introduced in major metropolitan libraries.<sup>14</sup> However, through the fault of the Ministry of Justice, the relevant normative act has never been adopted, and, as we now see, libraries can no longer rely on the existence of established procedures for protection.

In November 2012, it was reported that a court in Smolensk sentenced Olga Maltseva, director of A.T. Tvardovskii Smolensk regional universal library, to a

<sup>12</sup> A detailed list of possible charges can be found in our previous report. See Verkhovsky, *Inappropriate enforcement of anti-extremist legislation in Russia in 2011*.

<sup>13</sup> We used the same conservative counting method as was described above with respect to the Internet filtering inspections.

<sup>14</sup> For relevant document formats, see *Libraries working with the Federal List of Extremist Materials*, eds. E. Strukova, A. Verkhovsky, M. Rozalskaya (Moscow, Gosudarstvennaia Publitsnaia Istoricheskaiia Biblioteka, 2011).

fine under the Administrative Code Article 20.29. Five books included on the Federal List of Extremist Materials were found and seized in the reading room of the library; they were provided to users upon written request on the basis of a special director's order. As a result of the prosecutorial activities, the director was punished, and the relevant paragraph of the order was "*brought in line with the current legislation*" (it is not entirely clear what this means).

Often citizens become target of anti-extremist law enforcement due to the tendency of some law enforcement officers to imitate combating extremism in order to improve their report statistics.

The prosecution has not been limited to "soft" measures such as warnings about impermissibility of violating the law; these warnings were issued indiscriminately to practically all the organizers of various mass and not-too-mass events, including the ones obviously unrelated to extremism. The above-mentioned "Children of the Sun" from Altai can be considered lucky, since the warning they received was worded not too differently from possible charges under the Criminal Code Article 282.

In 2012, we once again recorded several instances of punishment for displaying Nazi symbols when the purpose of neo-Nazi or nationalistic propaganda was absent. On the contrary, these symbols are most often used as visual representation of criticism against their opponents. The verdict delivered to anti-fascist Alexander Samiev in Saratov was, perhaps, the most absurd – in February 2012, he was fined 1,000 rubles under Part 2 of the Administrative Code Article 20.3 ("the manufacture, sale or purchase of Nazi symbols or paraphernalia or symbols or attributes, similar to Nazi paraphernalia or symbols or paraphernalia or symbols confusingly similar to Nazi, with the intent of propaganda"). The court did not bother to take into account the fact that the materials in question were anti-fascist leaflets with crossed out swastika, which Samiev had distributed during the Russian March.

We should also mention in this chapter the criminal case, which we covered last year, but the defendants were only sentenced in 2012. They were convicted of violent crimes, but we believe that few of them were inappropriately charged with the "extremist motive." We are talking about the notorious gang attack on Tornado Rock Festival in Miass in 2010, when the assailants severely beat up and injured dozens of people. In mid-July 2012, all 13 attackers were sentenced to various terms of imprisonment under Parts 1 and 2 of the Criminal Code article 212 ("organization of mass riots"); three ringleaders were additionally convicted under the paragraphs "a" and "c" of Article 282, Part 2 ("Actions aimed at inciting hatred or enmity by a violent, organized group") and sentenced

a 6, 5 and 4.5 years in a penal colony (1.5-2 years longer, on average, than their accomplices). The court found that the offense was directed not simply against the audience, but against the "*informal social group having such common values and interests as passion for rock music.*" We consider such a surprising qualification to be unnecessary – the actions of criminals were not dictated by strong feelings against rock music or its fans but instead, stemmed from a private conflict between the gang members and some of the festival's attendees, unrelated to any values, and the attack was directed at anyone present at the concert.

## Principal targets of persecution

### Religious Groups

As in the preceding year, the extent of inappropriate prosecution of members of various religious and religio-political groups was comparable with that of political and civic activists. Meanwhile, the society's reaction to freedom of conscience restrictions still tends to be muted. Despite the fact that the Pussy Riot case brought this subject to the foreground to a certain extent, only discussions related to the Russian Orthodox Church generate appreciable levels of interest.

Anti-extremist legislation was applied, first and foremost, to the Hizb ut-Tahrir al-Islami party, which had been banned as terrorist in 2003. We believe this ban to be inappropriate, since Hizb ut-Tahrir does not practice violence and does not view it as a method of political struggle in Russia. In any case, the court decision never discussed the motives, and mentioned no instances of illegal activity by the party members. Some isolated propaganda elements and party materials can be considered extremist in the context of Russian legislation, but these particular issues have never been brought up in the Russian cases related to Hizb ut-Tahrir. From the standpoint of Russian constitutional law foundations, the Hizb ut-Tahrir program, aimed at establishing totalitarian caliphate, is problematic and bound to attract attention of law enforcement agencies. However, an intention to change constitutional foundations is not a crime in this country unless criminal methods are suggested or utilized. We believe that investigation of Hizb ut-Tahrir's activity should be started "from scratch" by acknowledging the inappropriateness of the initial Supreme Court decision that served as the basis for prosecution of actual and suspected party members.

Several Hizb ut-Tahrir materials were banned in 2012, but their content was of little interest to the courts; they were recognized as extremist simply due to their association with the prohibited organization. However, the Russian legislation never states that all materials of organizations that were banned as

extremist should also be considered extremist; thus, such automatic bans (applied to other organizations as well) were inappropriate

Hizb ut-Tahrir supporters are most frequently prosecuted only under the Criminal Code Article 282<sup>2</sup>, for participation in the extremist group. Two verdicts for affiliation with Hizb ut-Tahrir were issued in 2012, both in the Republic of Bashkortostan. 10 people (compared to 19 in 2011) were found guilty of participation in a banned organization under the Criminal Code Article 282<sup>2</sup>; four of them received real, albeit small, prison terms ranging from 13 to 16 months. At least two charges under various Criminal Code articles, initiated in 2011, were still being considered in Moscow (3 defendants and 1 defendant, respectively), one in Ufa (3 defendants), and one in Chelyabinsk (5 defendants). New criminal cases were opened in Moscow (9 defendants), Kazan (defendant, Rustem Safin, was the imam of Al-Ikhlâs mosque, which is now on the verge of closing), and Nizhny Novgorod (4 defendants).

The Chelyabinsk case, transferred to the court in late 2012, deserves special attention. In addition to the Criminal Code Article 282<sup>2</sup> the defendants are charged with incitement to terrorism (the Criminal Code Article 205<sup>1</sup>) and attempted rebellion (Article 30 and Article 278 of the Criminal Code), despite the fact that nothing is used to substantiate these allegations except regular party activities (meetings, literature distribution, etc.). One defendant out of five is accused of inciting extremist activity only on the basis of a video that calls for boycotting the elections. Such obviously flimsy charges should never be used, regardless of one's opinion of Hizb ut-Tahrir's objectives and activities.

In June 2012, the Murmansk regional court decided to extradite Yusuf Kasymakhunov – the first person convicted in Russia on charges of his involvement in Hizb ut-Tahrir (in 2004) – to Uzbekistan. The day before his prison term was supposed to end he was transferred to a pretrial detention facility to consider his extradition. Despite the claims of his lawyers that their client can be subjected to torture in Uzbekistan, the Supreme Court confirmed the extradition verdict. The European Court of Human Rights banned his extradition based on the petition of the defense. However, when his term of detention ended on December 14, Kasymakhunov simply disappeared. According to human rights activists (the Memorial Human Rights Center and the Human Rights Institute) Kasymakhunov was kidnapped in order to hand him over to the Uzbek authorities.

One verdict under the Criminal Code Article 2822 was issued in 2012 against the members of inappropriately banned Tablighi Jamaat religious movement – in Astrakhan, one person was sentenced to 1.5 years in a penal colony, four people were fined 150,000 rubles each, and one more was put on the international

wanted list. A new case under Article 2822 for “creating “Tablighi Jamaat cells” was opened in the Orenburg region in 2012, and brought to trial as two separate cases: 4 defendants in Sol-Iletsk and one in Orenburg. Investigations of two imams in Altai Republic and one person in the Krasnoïarsk region were launched under the same Criminal Code article.

In December, Federal Security Service of the Altai region reported that ten citizens of Uzbekistan were expelled from the Altai region in 2012 on charges of their involvement in Tablighi Jamaat and recruitment of new members.

Muslims who study the legacy of Turkish theologian Said Nursi, some of whose works were inappropriately recognized as extremist in Russia, faced less harsh treatment in 2012 than in 2011. As you may remember, in the preceding year, nine people were convicted under Article 282<sup>2</sup> for membership in the non-existent, but, nevertheless, banned Nurcular organization<sup>15</sup> – de facto, for spreading the Nursi teachings. No guilty verdicts for any criminal cases related to studying the works of Nursi were issued in 2012. Moreover, two such cases – 4 defendants in Krasnoyarsk and 1 defendant in Orenburg – were closed. On the other hand, we also know of a new case against a believer that was opened in 2012 in Kaliningrad, as well as of two pending cases: the charge of organizing Nurcular cells, filed against three women who studied Nursi's writings, was referred to court in Chelyabinsk and the sensational case of two imams was being prepared for submission in Novosibirsk.

The case of the Novosibirsk imams Ilkhom Merazhov and Camil Odilov, charged under Part 1 of the Criminal Code Article 282<sup>2</sup>, was submitted before the court in early 2013. Merazhov and Odilov are accused of having organized Nurcular cell in Novosibirsk. A home madrasa, organized by the imams, had been allegedly financed from Turkey with intent to “change the government structure of the Russian Federation.” In fact, the only reason for the prosecution of Merazhov and Odilov is the fact that they studied Nursi's books with other Muslims.

We want to highlight two verdicts, aggravated by more serious charges, but raising serious doubts in terms of their evidence base and even credibility. The first was delivered in April in the Chelyabinsk region. Vildar Yakupov from the village of Ayazgulovo was sentenced under Part 1 of article 282 for allegedly giving two soldiers three items, all of them recognized as extremist but hardly compatible with each other: *The Book of Monotheism*, a work by Said Nursi, and

<sup>15</sup> See: The Supreme Court of the RF banned Nurcular as extremist // SOVA Center 2008. 10 April (<http://www.sova-center.ru/misuse/news/persecution/2008/04/d13081/>).

a DVD with a banned video by the North Caucasus terrorism ideologue Said Buriatskii. The evidence against the defendant was later withdrawn. Yakupov was, nevertheless, sentenced to a fine of 150,000 rubles, but the court freed him from the penalty because the statute of limitation has expired.

The verdict in the case of Aydar Khabibullin, director of the Garden (*Sad*) publishing group and Edward Gabdrakhmanov, who had previously served a term under Article 282, was issued in January 2012. The court sentenced Khabibullin and Gabdrakhmanov to four years of incarceration in a penal colony, finding them guilty under Part 1 of the Criminal Code Article 222 (illegal possession of ammunition) and under Part 1 of Article 282. The Moscow regional court upheld the sentence in July; however, the defendants deny the charges, and defense intends to bring the matter to the European Court. Khabibullin and Gabdrakhmanov were accused of spreading leaflets that incited hatred and of possession of ammunition. Khabibullin was also charged for publication of two books, that were later recognized as extremist, in our opinion, inappropriately. It is difficult to evaluate the charge on the merits, since we know neither the contents of the leaflets, nor whether one or both defendants were involved in distribution. We also cannot assess the credibility of the allegations by the defense that the ammunition had been planted. We can only say that well-established publishing activity of A. Khabibullin, known to Muslims all over the country, does not seem very compatible with storing grenades in his house. This case against a publisher of Islamic works was perceived as an attempt to pressure the Muslim community as a whole.

The expanding practice of wholesale bans against religious literature constitutes another form of such pressure.

In March, the Leninsky District Court of Orenburg banned 68 different Islamic writings at once, that is, almost the entire library, seized during the search of the Orenburg residence of Asylzhan Kelmukhambetov, who was convicted in June 2011 for organizing the Nurcular cell. The court based its ban on an argument that this literature was, allegedly, typical of the “representatives of the Nurcular movement,” and that the content of the texts was aimed at “*changing subjective reality of individuals, their values and beliefs, social relationships; while an attempt is taking place to influence the subconscious mind and the mechanisms of faith, that is, the formation of conscious values and beliefs on an irrational basis.*” In fact, all these texts were banned automatically by association with a banned organization, they all received identical characteristics in the expert opinion and were never considered on the case by case basis (not surprisingly, since such an examination would have required many months of hard work). These 68 items include books of the largest Russian publishing houses specializing in

Islamic literature, such important Muslim texts as *40 Hadith* (the hadith collection of Muhammad), and medieval treatises: *Gardens of the Righteous* by imam al-Nawawi and *Mizan al-'amal (Criterion of Action)* by Abu Hamid al-Ghazali. The trial took place without representatives of authors and publishers, under the so-called special protocol,<sup>16</sup> and the court decision, issued in March 2012, became publicly known only in the second half of June.

Lawyers of the Council of Muftis of Russia, who represent the interests of the authors and the publishers, managed to get their appeal period renewed, and, subsequently, the Orenburg regional court accepted 14 complaints against the decision of the Leninsky District Court. The hearing of complaints began in September, but it is likely to drag on for a long time due to the quantity of banned books.

Meanwhile, the ban has taken effect, and all 68 items were added to the Federal List of Extremist Materials. The consequences were not long in coming and affected many Muslims, who had no idea that they were breaking the law.

Thus, Mufti Gabdunnur Kamaluddin of the Kirov region was almost charged under Article 282 and became a defendant under the Administrative Code Article 20.29 for being so careless as to distribute copies of the book *Introduction to Islam (Mukhtasar ilmihal)* banned in Orenburg to the new military recruits in May. The books were later seized from the soldiers by the law enforcement agencies. Only the fact that the books were included on the Federal List later than he had distributed them saved Mufti from the fine.

Approximately ten individuals and organizations in various regions of Russia, fined under the Administrative Code Article 20.29 for the distribution of books from the Orenburg list, were less fortunate.

There is not much hope for a review of the decision to ban the 68 materials, at least at the regional court level. In December, the Orenburg regional court confirmed the July decision of the Sol-Iletsky district court, recognizing as extremist eight Muslim religious books seized from the man, accused of organizing the Tablighi Jamaat cell. It also happened to include a medieval treatise by al-Ghazali, *Council for Kings*. The experts in the ban hearing focused on the fact that the examined texts stated an opposition between Muslims and adherents of other religions, and condemned the latter. Similar ideas are inherent in any religious doctrine. However, the judge found the expert arguments to be persuasive.

<sup>16</sup> On ill-conceived practice of applying this procedure in cases relating to extremist materials see: Sultanov, Aidar. Special procedure for cases of extremism? // SOVA Center. 2013. 13 February (<http://www.sova-center.ru/misuse/publications/2013/02/d26442/>).



Now we can move on to other persecuted religious groups. Not a single conviction under criminal anti-extremist articles was issued against Jehovah's Witnesses in 2012; moreover, the defendants in two previously opened cases were acquitted. These defendants include Andrei and Lucia Raitin of Chita and Maksim Kalinin of Mari El, who had been charged for inciting hatred under the Criminal Code Article 282.

However, new criminal cases were opened as well. An unspecified group of people was charged under the Criminal Code Article 282 in the Orenburg region for suspected incitement to hatred in the course of Jehovah's Witnesses meetings and for suspected distribution of banned literature; over a dozen searches were conducted in the course of this investigation. As many as five cases were initiated in July in the Chuvash Republic under Part 2 paragraph "c" of Article 282 ("incitement to hatred and hostility and humiliation of human dignity committed by an organized group") and under Parts 1 and 2 of the Criminal Code Article 282<sup>1</sup> ("Organization of an extremist community and participation in it") against ten people, including two women, from various districts of the Republic. Four of the suspects had been arrested, and two of them spent six weeks in custody. In December, the cases against all ten Jehovah's Witnesses have been closed.

At least two additional court cases were at various stages of consideration in 2012: the case of Elena Grigorieva in Akhtubinsk of the Astrakhan region and the case against 16 Jehovah's Witnesses in Taganrog. The Taganrog organization of Jehovah's Witnesses was banned as extremist in 2009. In 2011, 17 people faced criminal charges under Parts 1 and 2, of Article 282<sup>2</sup> on suspicion of violating the ban on the activities of the organization. In December 2012, the Rostov regional court invalidated the indictment of 14 (out of 17) defendants in this case due to a number of serious violations committed by the investigator. However, charges against 16 people were immediately re-submitted under same article.

Three individuals and one community of Jehovah's Witnesses as a legal entity were fined in 2012 for distribution of banned literature under the Administrative Code Article 20.29.

In Yurga, in the Kemerovo region, the prosecutor's office sought a ban on the activities of a local Jehovah's Witnesses religious group. The believers were accused of spreading extremist literature, violating the rights and freedoms of local residents, undermining the "state security" and inciting every possible kind of discord. None of these allegations were substantiated during the trial. In particular, it was found that members of the group possessed a number of Jehovah's Witnesses materials included on the Federal List of Extremist Materials, but didn't distribute them or called for their distribution. This fact and the intervention of the Human Rights Ombudsman led to rejection of the prosecutorial claim. The Yurga Municipal Court decision is an important

precedent in the judicial practice related to freedom of conscience, since it utilized the entire system of Russian and international legislation in this sphere.

Attempts to ban Jehovah's Witness literature, including even brochures about Jesus Christ for children, took place in various regions of Russia in 2012. However, none of these attempts succeeded. Even in the cases, where the court bans were issued, they were later revoked.

On the other hand, in May, the Federal Arbitration Court of the Moscow District upheld the Roskomnadzor's ban on the distribution of the magazines *Awake!* and *Watchtower in Russia*. The Jehovah's Witnesses failed in their two-year effort to challenge the ban.

In addition, multiple Jehovah's Witnesses Web sites were subject to inappropriate blocking, despite the fact that they were not prohibited by the court.

Adepts of two new religious movements had to take their cases to the European Court of Human Rights in 2012.

The Church of Scientology Moscow, the Dianetics and Scientology Dissemination Center, the New Era publishing group and several individuals filed a complaint with the ECHR, regarding violations of Article 6 ("The right to a fair trial"), Article 9 ("Freedom of conscience, thought and religion"), Article 10 ("Freedom of expression") and Article 14 ("Prohibition of discrimination") of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Scientologists resorted to this measure after the Moscow regional court, in March, upheld the refusal of the previous instances to overturn the decision, made in the summer of 2011, which initiated criminal proceedings under Article 282 Part 1 for dissemination of books by L. Ron Hubbard.

Meanwhile, the Federal List of Extremist Materials added seven Scientology materials only after the relevant decision of Schelkovo city court of the Moscow region, issued on June 29, 2011, was confirmed by the Moscow regional court's definition of March 2012. At the same time, the decision to ban 13 Scientology items, issued by the City Court of Naberezhnye Chelny in August 2011, was overturned in Tatarstan.

Followers of Chinese Falun Dafa religious practices also turned to Strasbourg for help after the Supreme Court's dismissal, in July 2012, of their appeal against the October 2011 decision of the Pervomaiskii district court of Krasnodar to recognize their materials as extremist. We would like to remind that the decision to ban the fundamental religious treatise *Zhuan Falun*, along with three informational and human rights-related materials, was delivered with numerous violations and demonstrated that in this case not just preaching the superiority of one's faith but also criticism of the Chinese government was viewed as a sign of extremism.

We should also mention two additional criminal cases and the ban on a number of materials related to incitement of religious hatred.

In addition to the world-famous Pussy Riot case (see the chapter on the persecution of political and civic activists below for more details), a criminal case under Part 1 of Article 282 on suspicion of inciting religious hatred was brought in 2012 against the chairman of the Karelia Youth Human Rights Group Maksim Efimov for publishing an article “Karelia is Tired of Priests” (*Karelia ustala ot popov*) on the Youth Human Rights Group Web site. Aggressive criticism of the Russian Orthodox Church in this small text gave no grounds for legal action, since it contained no calls to illegal activity. Efimov left for Estonia in May, was put on the federal wanted list, and then applied for political asylum. In the course of the year, five (!) expert examinations of the two paragraphs were conducted, but none of them gave any reasons for identifying Efimov’s actions as criminal. However, the case is still open.

We would also like to mention the ban on the leaflet *Russia in the Hands of Traitors* (*Rossii v rukakh predatelei*) in Tyumen (and later in Barnaul). According to law enforcement officials, the leaflet contained, among other things, “calls for incitement of social discord against the authorities and the clergy of the Russian Orthodox Church,” and “statements expressing negative characterization of groups of people united by religious affiliation.” Another notable development is the recognition of issue 1073-1074 of *The Easter in the Third Rome* – a newspaper directed against Catholics and ecumenism – as extremist in Khakassia. The warning to the *Region 46. Svezhie Izvestiia* newspaper for its publication about the visit of Patriarch Kirill to Ukraine and related protest action of FEMEN is also worth remembering in this context.

These materials contained no calls for illegal activities, and the actions of law enforcement agencies and the courts seem inappropriate due to their misinterpretation of the concept of incitement to religious hatred. According to the decision of the Supreme Court of the Russian Federation “Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism”, adopted in June 2011, the statements justifying and/or asserting the need to commit unlawful acts, including the use of violence against adherents of a particular religion, can be regarded as the acts aimed at inciting hatred or enmity, while criticism of religious associations, attitudes and practices per se should not be regarded as an act aimed at inciting hatred or enmity.

Finally, we should mention a positive development – in April 2012, the Tomsk regional court put an end to the high-profile case that attempted to ban *Bhagavad-Gita as It Is*, the founding treatise of the International

Society for Krishna Consciousness. The court dismissed the appeal of the regional prosecutor’s office and confirmed the refusal to recognize the book as extremist.

## Political and Civic Activists

Against the background of intensified public activity in Russia that started in December 2011 and the government’s response to it, this report will cover the persecution of activists conducted using the anti-extremist legislation.

The most notorious criminal case in 2012, which received world-wide attention, was the case of artists from the punk collective Pussy Riot, who staged a performance “Mother of God, Chase Putin Away!” in Moscow’s Cathedral of Christ the Savior. We consider this case in the political persecution category because their action was unambiguously directed against the alliance between the Russian Orthodox Church, personified by Patriarch Kirill and the Russian state authorities and not against the Orthodox Christianity and its adepts.

Without going into the details of the case, which we extensively covered throughout the year, we would like only to remind that the action – performance of the protest song on the soleas of the Cathedral in a manner characteristic of the group – was held on February 21, 2012. Later the footage of this action was combined with the studio recording of the song “Mother of God, Chase Putin Away!” and the resulting video was posted online and extensively shared. The corresponding criminal case was quickly opened on February 26. In March, three members of the band – Nadezhda Tolokonnikova, Maria Alyokhina and Yekaterina Samutsevich – were arrested.

On August 17, the Khamovniki District Court in Moscow found all three guilty under Part 2 of the Criminal Code Article 213 of premeditated hooliganism committed by a group of persons motivated by religious hatred and hatred of the social group of Orthodox believers. All three were sentenced to two years’ imprisonment in a penal colony. On October 10, the Moscow City Court commuted the sentence of Yekaterina Samutsevich to a suspended sentence of two years with two years’ probation, admitting that she never took part in the action, since security guards had swiftly removed her from the Cathedral. Numerous protests by human rights activists at all levels, public and cultural leaders and the general public in Russia and abroad have failed to influence the outcome. Later, the complaint against the Pussy Riot case was filed with the ECHR. In November, the Zamoskvoretsky Court in Moscow has banned the “Mother of God, Chase Putin Away!” video along with three other videos of the group, without proper justification.

We believe that prosecution of the Pussy Riot members and their verdicts are inappropriate. First, as we mentioned before, the defendants' actions did not contain the motive of religious hatred and hatred for Orthodox Christians, and the court failed to present evidence of this motive. Furthermore, the qualification of this action as hooliganism in criminal rather than administrative sense is problematic – the act they committed presented little public hazard; it strongly violated the rules of conduct appropriate to believers inside the church, but not the social order in general.

Profusion of religious arguments and terminology in the text of the indictment and the verdict is also striking. Such arguments are outside of the legal field and appear to legitimize the prosecution of religious dissidence (of which blasphemy or sacrilege is a particular instance). In conjunction with exceptional resonance of this trial, the verdict, based on religious provisions, creates a much more dangerous precedent of de-secularization and distortion of the law than similar but little-known cases, such as the case of Maksim Efimov, described above, or the 2011 cases of Gatchina blogger Dmitry Lebedev and Kaliningrad publisher Boris Obratsov.<sup>17</sup> Note also the unprecedentedly harsh sentence; imprisonment was imposed for the offense, which is essentially speech, and not an ordinary crime with ideological motives. The severity of the sentence emphasizes the high priority that the government is granting to the cause of protecting religious traditions.

Supporters of Eduard Limonov that had previously formed the National Bolshevik Party, and in recent years – the Other Russia party, have remained an ongoing target of anti-extremist law enforcement. Most often, they are accused of continuing their activity in the banned National Bolshevik Party, but proving this fact becomes increasingly more problematic.

In January 2012, the ECHR began its consideration of the first complaint, filed by a person, convicted under the Criminal Code Article 282<sup>2</sup> for her participation in the NBP. Daria Isayeva received a suspended sentence in 2009 under Part 2 of the Criminal Code Article 282<sup>2</sup> and Part 2 of the Criminal Code Article 165 (“Infliction of property damage on its owner or on any other property holder by deceit or breach of trust, in the absence of the elements of stealing”) for her participation in the NBP action “Eat for free!”, when two activists had a meal in a chain restaurant Elki-Palki and paid for their food with leaflets that protested against rising food prices. In accordance with its procedure, the ECHR, in the course of deliberations, raised the most

<sup>17</sup> See Verkhovsky. Inappropriate enforcement of anti-extremist legislation in Russia in 2011, p. 96, 97, 114.

important questions that the Russian Federation needed to answer... *Was there an interference with her freedom of expression ... If so, was that interference justified ...? In particular, what level of involvement in the activities of a prohibited organisation was required to amount to “participation” within the meaning of Article 282-2 § 2 of the Criminal Code?* The court also raised the question “*Was the law applied in the applicant’s case sufficiently clear, foreseeable and specific? Was the sanction, applied to the applicant, proportionate to the legitimate aim pursued, and what was that aim?*”

We believe the NBP ban to be a miscarriage of justice; we second the Strasbourg Court in expressing our confusion regarding specific actions that can be considered a continuation of the banned organization, since the law have never defined them. In its very useful anti-extremist criminal enforcement clarifications of 2011, the Supreme Court failed to address the problems related to the application of the Criminal Code Article 282<sup>2</sup>. Meanwhile, 14 activists of the Other Russia were convicted under this article in 2012.

The case related to the “capture” of the Ministry of Foreign Affairs waiting area in 2008 was unexpectedly reactivated in 2012. In the course of this action, 13 NBP members handcuffed themselves to the Ministry of Foreign Affairs waiting area to protest against Russia’s policy towards the Russian-speaking population of the Baltic republics; they scattered leaflets in the waiting room and displayed the slogan, “the Ministry of Foreign Affairs of Russia is a Den of Traitors” in the window. All of them were convicted under Articles 20.1 and 19.3 of the Administrative Code for disorderly conduct and failure to obey the order of a police officer, and only four of them – for taking part in the activities of the banned National Bolshevik Party under Part 2 of Article 282<sup>2</sup>. Now the court found four additional people – Tatiana Kharlamova, Olga Komarova, Yevgeniy Donets and Mikhail Kliuzhev – guilty under the same article; however, unlike the previous four defendants, who received suspended sentences, these four were sentenced to a fine of 30 to 45 thousand rubles.

The verdict in the so-called “Case of the Twelve” (the case of the Other Russia activists in St. Petersburg) was handed down in the very end of 2012. Seven defendants were found guilty. Three of them – Andrei Dmitriev, Alexei Marochkin and Andrei Pesotskii – were accused of organizing activities of the banned National Bolshevik Party and sentenced to a fine of 200,000 rubles. Alexander Yashin, Ravil Bashirov, Roman Khrenov and Andrei Miliuk were sentenced to a fine of 150,000 rubles for their participation in the NBP activities. All defendants were released from liability due to the statute of limitations, but, nevertheless, chose to appeal the verdict. Earlier, the court stopped the proceedings against five other defendants in the case due to the expiration of the statute of limitations.

Inna Marinina, a Murmansk activist of the Other Russia, was found guilty of participating in the NBP in May and sentenced to a fine of 15,000 rubles.

Activists Igor Popov and Alexander Kurov from Vladivostok were found guilty in June 2012 not only under Part 2 of Article 282<sup>2</sup>, but also under two other anti-extremist articles of the Criminal Code: Article 280 and Part 1 of Article 282. The court sentenced them to a fine of 150 thousand rubles (Popov) and 350 thousand rubles (Kurov). The charges against the activists included not only their NBP membership but also inciting hatred toward the authorities and law enforcement agencies. (Kurov also was charged with demonstrating the slogan “*the duty of every real man today is to join the holy war against this state and this gangster government*” during a rally, but this episode didn’t affect the verdict due to the statute of limitations.) The appellate court reversed the verdict in October and sent the case for a new trial because of procedural violations committed by the district court. In December, Kurov petitioned to have the case dismissed due to the statute of limitations, and the court granted his petition. Popov was not satisfied with the dismissal on non-exonerating grounds, so his case continued in 2013.

The investigation and the court proceedings on several earlier cases against activists of the Other Russia continued in 2012. A number of searches were conducted in Moscow in connection with a criminal case under Article 282<sup>2</sup> against at least three defendants: Nikolai Avdiushenkov, Andrei Gorin and Alexei Sochnev. The trial of Anton Lukin and Svetlana Kuznetsova in Komsomolsk-on-Amur has not been completed; they were charged under Part 2 paragraph “a” of Article 282 (“actions aimed at inciting hatred and enmity, committed using violence or the threat of force”), Part 1 of Article 280 (“public calls to extremist activity”), and Part 3 of Article 212 (“calls to mass riots”). Lukin and Kuznetsova were charged with distribution of *Victory will be ours!* leaflets and the *Vysshaia Mera* newspaper during a 2011 rally. We can not assess the validity of charges against them, because we don’t know the content of these texts.

At least one new criminal case was initiated under Part 2 of Article 282<sup>2</sup>. Two officers of the Northern Fleet in the Murmansk region are suspected of having attended the meetings of the Other Russia Murmansk branch since 2011. The investigation reported that propaganda materials and several issues of the banned *Limonka* newspaper were seized from them.

Throughout the year, we have also recorded numerous instances of blocking the Web sites of Limonov’s supporters; we consider these actions to be inappropriate, since they were undertaken not due to specific illegal content, but simply by association with the banned National Bolshevik Party, which does not constitute a legitimate reason.

In 2012, the proceedings continued in two criminal cases against activists of the anti-fascist movement. In both cases they were accused of violence against nationalists and of participation in activities of an extremist community.

The sensational case of Antifa-RASH – the Nizhny Novgorod anti-fascists Pavel Krivonosov, Oleg Gembaruk and Dmitry Kolesov – practically fell apart in the district court and was returned to the prosecutor’s office, but the regional court insisted on a retrial in the district court. In early 2013, the district court dismissed their charges under Part 2 of Article 282<sup>1</sup> (“participation in an extremist community”), Part 2 paragraph “b” of Article 115, and Part 2 paragraph “b” of Article 116 (“intentional infliction of bodily harm” and “beatings motivated by hatred and hostility towards a social group” respectively) due to the statute of limitations. Thus, the three defendants are now accused only under Part 2 of Article 213 (“hooliganism, committed by a group of persons or connected with resistance to a representative of authority”); the charges of extremism have been dropped.

In June, Igor Kharchenko, an anti-fascist from Moscow, was charged for the 2010 attack on two far-right activists under Part 2 of Article 213 (“hooliganism committed with objects used as arms committed by a group of persons, motivated by social hatred”), Article 111 (“intentional infliction of grievous bodily harm”) and Article 115 (“intentional infliction of bodily harm”), as well as Part 2 of Article 282<sup>1</sup> (“participation in an extremist community”). Upon request of the defense, the charges against Kharchenko under Article 115 were dropped. The charges under Part 2 of Article 282<sup>1</sup> were dropped as well, since the court was unable to find any evidence of his participation in any extremist community.

An attempt to ban a political poem, recited at the Amur conference of the CPRF has failed. A court in Blagoveschensk of the Amur region banned Nikolai Degtiarev’s poem “Anti-People’s Front” in January 2012, in agreement with the expert opinion in the case, which found that the poem incited hatred of a particular social group, “the United Russia political party.” The court’s decision contradicted the Resolution of the plenary meeting of the Supreme Court of the Russian Federation “Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism,” which clarified that criticism of political, ideological and religious associations, in and of itself, could not be considered hate speech, and that the limits of permissible criticism of officials and professional politicians were wider than for ordinary citizens. In the same resolution the Supreme Court also reiterated that experts could not be asked any questions related to legal evaluation of the offense. The Amur regional court lifted the ban on Degtiarev’s poem in April.

Various anti-police texts were also banned on many occasions for inciting hatred toward a social group of law enforcement officers, despite the fact that

anti-extremist legislation has never been intended for protection of police, which is protected by other norms. For example, the Tyumen regional court upheld the ban on the Volya party leaflet *To Everyone Who Works in the Security Agencies (Vsem, kto rabotaet v silovykh strukturakh)* in February 2013. The leaflet's text contained criticism of Russia's domestic and foreign policy, listed the instances of police brutality, and urged police personnel to "side with the people" and not to obey "criminal orders."

The fact that protecting police via anti-extremism legislation is, at the very least, a questionable practice was, once again, confirmed in the course of the investigation of the highly publicized "palace overturn" action by Oleg Vorotnikov and Leonid Nikolayev, the activists of the Voina art group. On the fourth attempt in May 2012, the case of overturning a police car motivated by hatred toward the police as a social group was finally closed, because the investigation concluded that "*at present there is no consensus whether the police comprise a particular social group.*" Property damage from the action was so small that re-classifying the case under part 1 of the Criminal Code Article 167 ("deliberate destruction or damage to property, if these acts have caused significant damage") would have been meaningless.

The practice of ordering Russian activists who do not have Russian citizenship out of the country on charges of extremism was used more actively in 2012.

The story of Andrei Margulev, a resident of Moscow and a defender of Khimki Forest and Tsaritsyno Park, whose request for citizenship of the Russian Federation had been denied, was widely discussed in March. The refusal was backed up by an unsubstantiated assertion that Margulev allegedly stands for "*violent change of the constitutional system of the Russian Federation or otherwise creates a threat to the security of the Russian Federation.*" At the end of the same month, the Federal Migration Service of Russia on the same grounds ordered Finnish citizen Antti Rautiainen, an activist of the anarchist movement, to leave the territory of the Russian Federation within 15 days, canceling his permit for temporary residence in Russia.

We need to remind here that trade union activist Dmitriy Dubonos, a citizen of Ukraine, was the first one to encounter similar problems back in 2011. On the basis of similar unsubstantiated accusations he lost his temporary residence permit in Arkhangelsk, the city of his birth, where he and his family had lived for many years. Regaining the temporary residence permit via Russian courts proved to be impossible, and Dubonos appealed to Strasbourg. Curiously, in early 2013, a year after he had been denied a temporary residence permit, Dubonos easily received it once again from the Federal Migration Service Office. In the

meantime, the migrants' trade union of the Arkhangelsk region, organized by Dubonos, had been eliminated. As it turned out, the Russian judges believed that migrant workers may not share common interests, and the existence of trade union for migrants violates the rights of Russian citizens since the law "*prohibits any restriction of the rights of citizens based on social, racial, national, linguistic or religious identity.*"

Sharon Barrow, the General Secretary of the International Trade Union Confederation, sent a letter to the President of Russia in the fall of 2012. Her letter was based on a report drawn up by the Committee on Freedom of Association of the International Labour Organization regarding the complaint filed by the All-Russian Confederation of Labour and the Confederation of Labour of Russia. The complaint contained information about physical attacks, threats and pressure faced by union leaders, as well as government intervention in the affairs of trade unions in Russia. Barrow's letter contained, among other issues, a request to "*create appropriate mechanisms in order to investigate, halt and prevent violations of trade union rights and interference in their internal affairs.*" It also mentioned the need to take action "*to remove trade union leaflets from the list of extremist literature and prevent the recurrence of such incidents in the future.*" We would like to remind, that the leaflets of the Interregional Trade Union of Autoworkers (*Mezhregionalnyi soyuz rabotnikov avtoproma*, MPRA), which show no signs of extremism, have been included on the Federal List of Extremist Materials as Nos. 439-446 since 2009.

Gay rights activists also had to appeal to the ECHR. In August, the founders of the civic organization Pride House in Sochi sent a complaint to Strasbourg for being refused registration. An organization, created "*to fight homophobia in sport and promote ideas of tolerance towards the LGBT community during the upcoming Olympic Winter Games in Sochi,*" has not been registered by the Ministry of Justice under formal pretexts. The representatives of Pride House went to the First District Court of Krasnodar, but got a new denial of registration, this time on different grounds. In particular, the Court explained its decision by stating that "*the activities of the movement entail propaganda of non-traditional sexual orientation that can undermine the security of the Russian state and society and cause social and religious hatred and enmity, that is also a sign of extremist activity; it can also undermine the sovereignty and territorial integrity of the Russian Federation due to reduction in population size.*" The regional court refused to consider an appeal against the decision, citing a missed deadline for appeal. The founders of the organization argue that by refusing registration for Pride House the Russian authorities violated three articles of the European Convention for the Protection

of Human Rights and Fundamental Freedoms: Article 11 (“right to freedom of association”), Article 14 (“prohibition of discrimination”) and Article 13 (“right to judicial protection”). Note that the Rainbow House (*Raduzhnyi dom*) LGBT organization in Tyumen, which had been denied registration in 2006 under the pretext that its activities could “*undermine the security of the Russian state and society*,” filed a similar complaint with the ECHR.

Next, we would like to discuss several cases relating to the activities of oppositional Internet resources, in which the “anti-extremist” mechanism was chosen as the means of suppression.

We believe that bans of three oppositional Web sites in Ingushetia can be characterized as politically motivated, since they never committed violations of the law on combating extremism serious enough to merit such a harsh response.

In October, the Supreme Court of the Republic of Bashkortostan upheld the verdict to the authors of the oppositional Web site *Ufa Gubernskaia*. In July, the Leninsky District Court of Ufa found Nikolai Shvetsov, Sergey Orlov, Igor Kuchumov, Ildar Gabdrafiqov and Konstantin Nesterov guilty of offenses under Part 3 of Article 282<sup>1</sup> (“organizing an extremist community, by a person using his official position”), Part 2 of Article 280 (“public calls to extremist activity conducted with the use of the mass media”), Part 3 of Article 212 (“incitement to violence”), Part 2 paragraphs “b” and “c” of Article 282 (“incitement of hatred, by a person using his official position, by an organized group”). All five men were given suspended sentences from one to two years. The Court established that the defendants left comments of “extremist content” on the Web site despite their categorical denial of guilt. We are not aware of any texts, authored by the defendants, which would fall under the article that is being incriminated to them. Indeed, comments on the site were often offensive and nationalistic, but we do not believe that the site’s editors should be held criminally liable for the statements of their readers. No convincing evidence was offered to substantiate the charge of creating an extremist community.

A popular Orel Web site *orlec.ru* was nearly banned in October. The court merely declared extremist the material that had been posted on the site and triggered the lawsuit. *Orlec.ru* positions itself as a free online encyclopedia that provides everyone with an opportunity to anonymously post their “ironic” opinion on various subjects of city life, including the city authorities and their policies. A criminal case under part 1 of Article 282 was opened in July, in relation to three publications, which, according to the experts, contained “*signs of inciting hatred between groups of people connected by nationality and religion*” and “*inciting to violence.*” As was demonstrated during the court session, the administration of *orlec.ru* removed xenophobic material within 5-7 minutes,

but during that time period the law enforcement representatives managed to take their screenshots. The materials were submitted through an anonymous proxy server, and the source could not be identified. The defense argued that materials were placed on the site by the law enforcement as a provocation, since the case materials contained discrepancies in dates, and the screenshots contained indications of having been altered in Photoshop. In our opinion, the Web site administration cannot be held responsible for the material that it promptly removed.

We need to point out that not all 2012 bans on nationalist materials and penalties for them looked appropriate. We already covered some of these cases in other sections. Here it is necessary to mention the most famous case of this year related to charge of making an extremist nationalist statement – the case of the National Democratic Party leader Konstantin Krylov. Krylov made it in 2011 in his speech during “Stop feeding the Caucasus!” rally. Krylov made some extremely offensive statements about the “Caucasians”, but refrained from direct incitement. In early 2013, the Zamoskvoretsky Court of Moscow sentenced him under Part 1 of Article 282 to 120 hours of mandatory labor. We believe the sentence was inappropriate. Formally, Krylov’s actions qualify under Article 282 as the abasement of the dignity of people based on their national affiliation, but we are convinced that this part of the article should be moved from to the Administrative Penal Code, since it’s a petty offence, similar to already decriminalized insult.

## Media Topics

In 2012, Roskomnadzor issued 17 “anti-extremist” warnings to editorial boards regarding extremist activities. We believe that seven of them lacked proper justification. You may remember that, according to established practice, two warnings received in the course of one year constitute the basis for filing a lawsuit to close the newspaper, so warnings should be imposed in a judicial and well-considered manner.

Some of the materials published in the media, and even entire issues of publications were banned by courts as extremist in 2012. We know of at least three cases of inappropriate bans. In one instance, after an article was banned, the criminal case was initiated for the fact of its publication. On the other hand, another similar case was closed in 2012.

As in the preceding year, the “warned” publications included a Cossack newspaper – this time it was *Vtoraia Kazachia Zastava* (the Second Cossack Outpost). We have not seen one of the three materials that triggered the warn-

ing, but the other two, albeit written by supporters of Cossack autonomy and, in theory, advocating separatism, contain no calls for illegal actions.

Several publications were punished for xenophobic rhetoric, which posed no significant danger to society.

Thus, the *Chas Pik v Verkhnei Pyshme* (Rush Hour in Upper Pyshma) newspaper received a warning for its article about tense relations between a Roma camp on the outskirts of town and residents of the nearby streets, because it contained some statements that were unfriendly to the Roma.

In Chuvashia, the *Vzjatka* (Bribe) newspaper received a warning for an article by Alexei Kudrin, “Show me your tongue, and I tell you, who you are” (*pokazhi mne svoi iazyk, i ia skazhu – kto ty*). The article, written from the Chuvash nationalist perspective, told the story of the persecution of the Chuvash language and criticized Russian imperial policies that oppress the Chuvash people. The text contains some untoward statements about the Russians, but they definitely don’t rise to the level of incitement to hatred. However, in this case a warning was deemed insufficient. The Supreme Court of the Chuvash Republic recognized the article as extremist in July, and, in August, a criminal case under part 1 of the Criminal Code Article 282 was initiated for the fact of its publication. In the course of the investigation, the homes of the newspaper’s staff, including its editor Edward Mochalov, were searched.

The banned materials of 2012 included one more article on the issues of learning the national language – this time Erzya. We are referring to Vasily Bokin’s article “To Stop the Genocide” (*Ostanovit’ genotsid*) banned in August in the Ulyanovsk region. The article was published in 2009 in the *Our Voice* (*Nash Golos*) newspaper; the author writes about the loss of national Mordovian identity as a result of government-imposed Russification. As we see it, Bokin’s value judgments about everyone he blames for this situation do not constitute a sufficient reason for prohibiting the text. However, it should be noted that the author, while observing that the situation is fraught with the emergence of the national liberation movement and subsequent violence and even warning readers about the dangers of such a development, nevertheless expresses certain sympathy for such a scenario. Therefore, some sanctions in this case would be appropriate, but a warning would have been sufficient. Bokin made several unsuccessful attempts to challenge the district court’s verdict, and now awaits the decision of the Supreme Court of the Russian Federation.

In two cases, the authorities responded to the publication of humorous materials, mistaking them for a serious attempt to incite hatred toward the Russian people.

The publication *My Informational Newspaper in Petrovsk* (*Moia Informatsonnaia Gazeta v Petrovske*) in the Saratov region received a warning for pub-

lishing the popular poem “Final wishes to Ivans, the Parasitic Party program,” banned in Sterlitamak (Bashkortostan) in the summer of 2012. The prohibition of this satirical poem seems to us, in and of itself, a misunderstanding. It is written in the form of the statement by oligarchs and government officials, who enriched themselves by mining and selling natural resources, addressed to the uncultivated people (“Ivans”, “Papuan”) and asking them to keep pursuing their course of social and cultural degradation. Obviously, the unknown author intended to denounce oligarchs, not to denigrate the people, but the court failed to understand it, and this misunderstanding now gives rise to new sanctions against distributors of this biting text.

A parody video on YouTube nearly led to court proceedings under Part 2 of Article 280 and Part 1 of Article 282 against journalist Andrei Kolomoiskii, who posted a link to it in a blog on the Web site of the *Vyborgskie Vedomosti* newspaper. The video contained the footage of Putin’s address to the voters with a superimposed satirical text, in which the president was expressing regret over not finishing the people off. The Vyborg prosecutor’s office demanded that the link be removed from the site, and then submitted the materials to initiate criminal proceedings against Kolomoiskii to the Leningrad regional investigation committee of the Russian Federation, despite the fact that the video was not banned and continued to exist on YouTube, where it was viewed by hundreds of thousands of users. The Investigation committee returned the materials to the prosecutor’s office, indicating that the latter had failed to conduct the appropriate verification. The decision to initiate the case has been cancelled.

The editorial board of the online newspaper *Century* (*Stoletie*), the publication of the Foundation for Historical Perspective, received a warning in November. In the article “The Russians Stand in Russia’s Way”: Selected statements of our liberals” (*“Rossii meshaiut russkiiie...otbornye vyskazyvaniia nashikh liberalov”*) the newspaper reproduced verbatim several fragments of a prohibited article “Death to Russia!” (*Smert’ Rossii!*) by Boris Stomakhin. From our point of view, despite the fact that some statements of public figures (not just Stomakhin), cited in the article, were, indeed, aggressive and provocative, the editorial board should not be held liable, since the context needs to be taken into account – the authors of the published article critically evaluated these statements and obviously intended to discredit these “prominent opposition figures.”

The editorial board of AmurMedia Information Agency was targeted for formal reasons – for publishing the article “National Bolshevik in the Khabarovsk region was arrested for *Vysshaia Mera*” (*Natsbola v Khabarovskom krae arestovaila za “Vysshuiu meru”*), that mentioned the NBP, but failed to mention the fact that it was a banned party, as required by the law on mass media. We believe that

the requirement to always mention the ban is ridiculous, so we categorized the warning, received by the newspaper, as inappropriate.

Finally, as a positive development of 2012, we should note that the criminal case under paragraph “b” of Part 2 of the Criminal Code Article 282 (“incitement of hatred by a person using his official position”) against Vladimir Efimov, the editor of the newspaper *Vecherniaia Tyumen* was closed. Efimov was accused of inciting hatred toward the social group, “law enforcement personnel.” The case, brought in connection with the articles published in two 2008 issues of the newspaper, is, in our opinion, unfounded. Law enforcement officers do not need additional protection in the form of legislation on extremism, and, in addition, *Vecherniaia Tyumen* articles discussed interactions between Tyumen social activists and the police and contained no signs of incitement to hostility or hatred.

### A bit of statistics

According to our data, 28 verdicts were delivered for violent hate-motivated crimes to 65 people in 2012; 89 verdicts were delivered for real hate propaganda to 104 people (although in some cases we don’t have enough information to evaluate the appropriateness of the verdict, and in a number of cases we can conclude that the statements in question were xenophobic, but the extent of their public danger was clearly insignificant); another 5 verdicts to 7 people were issued for ideologically-motivated vandalism.<sup>18</sup> The number of people, whose verdicts were definitely inappropriate, is smaller, but comparable to the above numbers.<sup>19</sup>

16 people received 7 verdicts under the Criminal Code Article 282 in the cases that we consider at least partially inappropriate for various reasons. These verdicts include the sentence to 5 authors of the oppositional Web site Ufa Gubernskaya in Bashkiria, the sentence to Aydar Khabibullin, director of the Garden (Sad) publishing group and Edward Gabdrakhmanov in Moscow, the sentence to Vildar Yakupov for distributing forbidden books in the Chelyabinsk region, the sentence of three participants of the attack on the Tornado festival

<sup>18</sup> For additional details, see report “The Ultra-Right on the Streets with a Pro-Democracy Poster in Their Hands or a Knife in Their Pocket: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2012” in this book.

<sup>19</sup> Please note that when we evaluate appropriateness or inappropriateness of court verdicts, we consider only their content, not possible procedural violations.

<sup>19</sup> We do not elaborate here on our objections to these verdicts – most of them were already covered in the preceding chapters.

in Chelyabinsk. The sentence to the Other Russia activists Igor Popov and Alexander Kurov from Vladivostok was later revoked. In two cases of the Jehovah’s Witnesses, Andrei and Lucia Raitin of Chita and Maksim Kalinin of Mari El, the defendants were acquitted. Jehovah’s Witnesses were charged under Article 282 only, while others were convicted under the aggregation of Article 282 with other articles of the Criminal Code.

Seven people were wrongfully convicted under the Criminal Code Article 280: the aforementioned five Ufa Gubernskaya bloggers, and Popov and Kurov from the Other Russia, whose sentence was revoked.

The courts issued two convictions under the Criminal Code Article 282<sup>1</sup>. 8 people were inappropriately convicted of organizing an extremist community: five creators of Ufa Gubernskaya and three extortionists from Tatarstan.

Seven sentences were delivered under Article 282<sup>2</sup> for organizing activities of organizations recognized as extremist. The largest number of victims of inappropriate anti-extremism in the past year (29 people) has been convicted under this article. Fourteen of them were activists of the Other Russia in various cities, including the rescinded sentence to Popov and Kurov. Ten people were convicted in Bashkortostan for participation in Hizb ut-Tahrir. Finally, 5 people were convicted in the Tablighi Jamaat case in Astrakhan.

Four additional inappropriate verdicts against 14 people were issued under Article 213 for disorderly conduct motivated by hatred. Three members of the Pussy Riot punk collective were sentenced in Moscow; an anti-fascist was sentenced for a fight with a Nazi skinhead in Ivanovo; two teenagers in Nizhny Novgorod were sentenced for setting fire to the building that housed the office of a regional legislative assembly member; eight members of the far-right group Orel Guerillas (*Orlovskie partizany*) received their verdict in Orel. In the latter cases the sentences were inappropriate to the extent that they related to the inadequate definition of protected “social group.”

So, the total of 18 verdicts against 60 people were issued under the anti-extremist articles of the Criminal Code. The verdict for two of them was revoked, and three people were acquitted in 2 separate verdicts.

In general, all people convicted under the anti-extremist articles of the Criminal Code were sentenced to suspended sentences or fines; the actual incarceration terms (to 25 people) were usually issued under the aggregation of articles and mostly for violent crimes.

We can also note the tendency of the courts to delay complex cases, so they end up delivering a guilty verdict, but releasing the defendants from punishment due to the statute of limitations. Such are the cases of Vildar Yakupov, the Other Russia members in St. Petersburg and also (as of 2013) Popov and Kurov.



Five sentences, in which ten people received actual prison terms for activities not associated with violence, deserve our attention. This category includes the sentence to Tolokonnikova and Alyokhina, who received two years in a penal colony, two Hizb ut-Tahrir convictions in Bashkiriya, where six people received over a year each in a penal colony under Article 282<sup>2</sup> (some of them may have been released in the courtroom due to the length of time already spent in custody), the verdict to Yuri Avdonin, who was sentenced to one and a half years in a penal colony in the Tablighi Jamaat case and the sentence to Khabibullin and Gabdrakhmanov, who received four years in a colony under the aggregation of Articles 282 and 222 (“illegal possession of ammunition,” see above for additional details).

We can now turn to our data on the use of the Administrative Code to combat extremism, keeping in mind that our records here are much less complete than in criminal prosecution cases.

Eight businesses and 12 individuals received 17 wrongful convictions and were fined for mass distribution of extremist materials or for storage with intent to distribute, i.e. under the Administrative Code Article 20.29. Seven of these organizations were bookstores, and one was the Jehovah’s Witness community of Karachay-Cherkessia. Twelve fined individuals included four librarians, three Jehovah’s Witnesses, four Muslims (one of them was the store owner) and one activist of the Other Russia. As a rule, these people never engaged in actual *mass* distribution of prohibited materials

Seven people were inappropriately fined for public demonstration of Nazi or similar symbols, i.e., under the Administrative Code Article 20.3.

The Federal List of Extremist Materials increased by 522 points in 2012. At this rate of growth, we are not always able to familiarize ourselves with prohibited materials; in addition, they are often not available (for example, online comments are usually promptly removed upon request of the law enforcement). Therefore, we can not always evaluate the extent of the ban’s appropriateness.

Unfortunately, the tendency to prohibit materials en masse by association with any organization recognized as extremist (or simply because they were seized from disloyal citizens) still persists. Courts have no intentions of actually analyzing the materials. Hence the curious cases, such as the ban on medieval religious treatises, found in the materials seized from a suspected Nurcular activist in Orenburg, and the ban on investigative publications on the subject of right-wing radicalism, seized from the right-wing radicals.

We consider the following 109 items to be inappropriately included on the List: 80 different Muslim materials, ranging from works by Said Nursi and

Fethullah Gülen to the Koran study manuals, 8 materials of Elle Ayat religious organization (banned in early 2013), seven Scientology materials, seven materials of Ukrainian nationalists, two works of investigative journalism, pertaining to right-wing movements, the translated memoirs of Waffen-SS officer Kurt Mayer, Book of Veles, the leaflet Final Wishes to Ivans, painting “Sermon on the Mount” by Alexander Savko from the series The Journey of Mickey Mouse through the History of Art, and one anticlerical video.

In addition, we consider the ban on the following 11 items to be questionable: the Hizb ut-Tahrir materials, two articles by revisionist historian Mark Weber, one issue of the *Kazachia Rus*’ newspaper, the book I Feel Bad for the State (*Za derzhavu obidno!*) by Yuri Mukhin, the article “Balkaria for Balkars... and Moscow for them, darlings, as well” (*Balkaria dlya balkartsev...i Moskva dlia nikh zhe, rodimykh*) from the Web site *politklub.ru*, Irina Dediukhova’s text “On the new “Kondopoga” in a children’s camp” (*Po povodu novoi “Kondopogi” v detskom lagere*), published on her blog under the pseudonym *ogurcova*, publications by a notorious Internet-compiler Sergei Melnikoff, and a number of diverse Muslim materials, entered a single list item. Once again, we would like to emphasize that we are not familiar with every single material on the list and cannot rule out that the prohibition of these unexamined materials could also be unjustified.

## Appendix. Crime and punishment statistics

### Statistics of Racist and Neo-Nazi Attacks between 2004 – 2012 (with categorization of regions)<sup>1</sup>

	2004			2005			2006			2007		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
<b>Total</b>	<b>50</b>	<b>219</b>	<b>269</b>	<b>49</b>	<b>419</b>	<b>468</b>	<b>66</b>	<b>522</b>	<b>588</b>	<b>97</b>	<b>623</b>	<b>716</b>
Including:												
Moscow and Moscow Oblast'	18	62	80	16	179	195	40	228	268	57	224	281
St. Petersburg and Leningrad Oblast	9	32	41	4	45	49	6	56	62	11	118	129
Adygei Republic	0	3	3	0	0	0	0	0	0	0	0	0
Altai Krai	0	0	0	0	1	1	2	1	3	2	5	7
Amur Oblast'	0	2	2	0	7	7	0	1	1	0	0	0
Arkhangelsk Oblast'	0	0	0	0	1	1	0	0	0	1	7	8
Astrakhan Oblast'	0	0	0	0	2	2	0	0	0	0	0	0
Bashkir Republic	0	1	1	0	2	2	0	2	2	0	1	1
Belgorod Oblast'	0	5	5	0	4	4	0	18	18	0	1	1
Bryansk Oblast'	0	0	0	0	1	1	0	1	1	1	2	3
Buryat Republic	0	0	0	0	0	0	0	0	0	1	1	2
Chelyabinsk Oblast'	1	4	5	0	0	0	0	1	1	0	11	11

<sup>1</sup> The data is shown according our information for February 14, 2013.

	2004			2005			2006			2007		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Chita Oblast'	0	0	0	0	0	0	1	0	1	0	3	3
Chuvash Republic	0	0	0	0	0	0	0	6	6	0	0	0
Irkutsk Oblast'	3	0	3	2	5	7	0	8	8	1	53	54
Ivanovo Oblast'	0	1	1	0	0	0	0	0	0	0	4	4
Jewish Autonomous Oblast'	0	0	0	3	0	3	0	0	0	0	0	0
Kaliningrad Oblast'	0	1	1	0	2	2	0	11	11	0	1	1
Kaluga Oblast'	0	0	0	0	12	12	1	4	5	2	1	3
Karelian Republic	0	0	0	0	2	2	0	0	0	0	0	0
Kemerovo Oblast'	0	0	0	0	0	0	0	0	0	0	0	0
Khabarovsk Krai	0	0	0	0	3	3	0	0	0	0	0	0
Khakass Republic	0	0	0	0	2	2	0	0	0	0	2	2
Kirov Oblast'	0	0	0	0	1	1	0	0	0	0	0	0
Komi Republic	0	0	0	0	4	4	0	4	4	0	0	0
Kostroma Oblast'	0	5	5	0	0	0	0	10	10	0	3	3
Krasnodar Krai	2	32	34	1	3	4	0	7	7	0	11	11
Krasnoyarsk Krai	0	0	0	1	1	2	0	3	3	0	4	4
Kurgan Oblast'	0	0	0	0	6	6	0	0	0	0	0	0
Kursk Oblast'	0	5	5	0	2	2	0	0	0	0	1	1
Lipetsk Oblast'	0	1	1	0	3	3	1	0	1	0	3	3
Mari El Republic	0	1	1	0	15	15	0	5	5	0	0	0

	2004			2005			2006			2007		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Murmansk Oblast'	0	0	0	0	1	1	0	1	1	0	5	5
Nizhny Novgorod Oblast'	1	5	6	4	12	16	0	36	36	1	44	45
Novgorod Oblast'	0	0	0	0	5	5	0	0	0	0	0	0
Novosibirsk Oblast'	2	12	14	1	9	10	0	9	9	1	5	6
Omsk Oblast'	0	3	3	0	0	0	1	3	4	1	2	3
Orel Oblast'	0	8	8	0	0	0	0	9	9	0	0	0
Orenburg Oblast'	0	0	0	0	0	0	1	1	2	1	1	2
Penza Oblast'	0	0	0	0	0	0	0	0	0	0	1	1
Perm Kray	0	2	2	3	2	5	0	1	1	0	3	3
Primorye Kray	5	9	14	0	3	3	2	18	20	1	3	4
Pskov Oblast'	0	0	0	0	1	1	0	0	0	0	0	0
Rostov Oblast'	0	0	0	0	10	10	0	2	2	1	7	8
Ryazan Oblast'	0	0	0	0	1	1	0	4	4	0	6	6
Sakha Republic (Yakutia)	0	0	0	0	0	0	0	0	0	0	2	2
Sakhalin Oblast'	1	0	1	0	0	0	0	0	0	0	0	0
Samara Oblast'	1	3	4	4	5	9	0	2	2	2	9	11
Saratov Oblast'	1	0	1	0	0	0	4	4	8	2	4	6
Smolensk Oblast'	0	0	0	0	2	2	0	0	0	0	0	0
Stavropol Kray	0	0	0	0	21	21	0	1	1	1	8	9
Sverdlovsk Oblast'	1	7	8	6	6	12	0	6	6	3	17	20
Tambov Oblast'	0	3	3	0	6	6	0	0	0	0	0	0

	2004			2005			2006			2007		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Tatar Republic	0	0	0	0	0	0	0	8	8	0	1	1
Tomsk Oblast'	0	3	3	0	6	6	0	4	4	0	5	5
Tula Oblast'	1	0	1	0	3	3	1	2	3	0	0	0
Tver Oblast'	0	0	0	2	0	2	2	7	9	0	4	4
Tyumen Oblast'	3	1	4	1	0	1	0	15	15	0	1	1
Udmurt Republic	0	0	0	0	1	1	0	1	1	1	6	7
Ul'yanovsk Oblast'	0	0	0	0	0	0	0	0	0	0	0	0
Vladimir Oblast'	0	4	4	0	0	0	0	0	0	0	5	5
Volgograd Oblast'	0	2	2	0	1	1	2	9	11	1	5	6
Vologda Oblast'	0	0	0	0	0	0	0	1	1	0	3	3
Voronezh Oblast'	1	2	3	1	21	22	1	6	7	0	17	17
Yaroslavl Oblast'	0	0	0	0	0	0	1	6	7	0	3	3

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	
Total	116	499	615	94	443	537	44	410	454	26	196	222	19	187	206
Including:															
Moscow *	64	223	287	35	114	149	18	146	164	7	54	61	5	65	70

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
St. Petersburg *	15	40	55	16	42	58	2	44	46	3	27	30	1	21	22
Adygei Republic	0	1	1	0	8	8	0	0	0	0	0	0	0	0	0
Altai Krai	0	0	0	0	1	1	1	5	6	0	0	0	0	0	0
Amur Oblast'	0	2	2	1	8	9	0	1	1	0	2	2	0	0	0
Arkhangelsk Oblast'	0	5	5	0	4	4	0	2	2	0	4	4	0	0	0
Astrakhan Oblast'	0	0	0	0	0	0	0	0	0	1	2	3	0	0	0
Bashkir Republic	0	4	4	0	1	1	0	7	7	0	1	1	0	19	19
Belgorod Oblast'	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0
Bryansk Oblast'	0	13	13	0	3	3	1	1	2	1	3	4	0	0	0
Buryat Republic	0	0	0	1	1	2	0	0	0	0	3	3	0	0	0
Chelyabinsk Oblast'	1	7	8	1	7	8	0	0	0	0	5	5	0	0	0
Chita Oblast'	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chuvash Republic	0	2	2	0	5	5	0	0	0	0	1	1	0	0	0
Dagestan Republic	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0
Irkutsk Oblast'	0	1	1	2	4	6	3	4	7	0	0	0	0	0	0
Ivanovo Oblast'	0	0	0	0	0	0	0	2	2	0	0	0	0	0	0
Jewish Autonomous Oblast'	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kaliningrad Oblast'	0	10	10	2	5	7	1	0	1	0	4	4	0	1	1
Kaluga Oblast'	2	2	4	2	3	5	0	4	4	1	12	13	0	1	1
Kamchatka Krai	0	0	0	0	0	0	0	3	3	0	1	1	0	0	0
Karelian Republic	0	0	0	0	6	6	0	4	4	0	2	2	0	1	1

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Kemerovo Oblast'	0	1	1	1	2	3	1	3	4	0	1	1	0	2	2
Khabarovsk Krai	2	5	7	0	0	0	1	6	7	0	0	0	0	0	0
Khakass Republic	1	0	1	0	0	0	0	0	0	0	2	2	0	0	0
Khanty-Mansi Autonomous Okrug	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0
Kirov Oblast'	0	0	0	0	5	5	0	0	0	0	1	1	0	4	4
Komi Republic	0	1	1	0	0	0	0	0	0	0	1	1	0	6	6
Kostroma Oblast'	0	0	0	0	1	1	0	3	3	0	1	1	0	1	1
Krasnodar Krai	1	2	3	0	9	9	0	3	3	0	0	0	0	4	4
Krasnoyarsk Krai	1	2	3	0	0	0	0	2	2	0	2	2	2	0	2
Kurgan Oblast'	1	1	2	0	0	0	0	1	1	0	0	0	0	0	0
Kursk Oblast'	0	2	2	0	5	5	0	0	0	0	0	0	0	0	0
Leningrad Oblast'*	-	-	-	3	4	7	0	7	7	0	1	1	0	2	2
Lipetsk Oblast'	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0
Mari El Republic	0	0	0	0	0	0	0	0	0	0	3	3	0	0	0
Moscow Oblast'*	-	-	-	7	40	47	2	36	38	6	13	19	2	25	27
Murmansk Oblast'	0	0	0	0	5	5	0	1	1	0	0	0	0	0	0
Nizhny Novgorod Oblast'	4	21	25	6	31	37	5	21	26	0	6	6	0	2	2
North Ossetia Republic	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Novgorod Oblast'	0	3	3	0	1	1	0	2	2	0	2	2	0	0	0
Novosibirsk Oblast'	3	7	10	1	11	12	0	2	2	0	1	1	0	1	1

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Omsk Oblast'	0	2	2	0	4	4	2	1	3	1	0	1	0	0	0
Orel Oblast'	0	1	1	0	11	11	1	6	7	0	3	3	0	1	1
Orenburg Oblast'	0	0	0	1	0	1	0	0	0	0	0	0	0	1	1
Penza Oblast'	0	15	15	0	8	8	0	3	3	0	0	0	0	0	0
Perm Krai	2	3	5	0	0	0	5	5	2	1	3	0	0	0	0
Primorye Krai	3	6	9	2	13	15	1	2	3	0	4	4	4	2	6
Pskov Oblast'	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rostov Oblast'	0	4	4	0	2	2	0	9	9	0	3	3	1	3	4
Ryazan Oblast'	1	9	10	2	7	9	1	2	3	1	0	1	0	0	0
Sakha Republic (Yakutia)	0	0	0	0	0	0	0	2	2	0	0	0	0	0	0
Sakhalin Oblast'	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Samara Oblast'	0	3	3	3	5	8	0	11	11	2	1	3	2	4	6
Saratov Oblast'	0	0	0	0	0	0	0	6	6	0	1	1	0	0	0
Smolensk Oblast'	0	0	0	0	2	2	0	2	2	0	2	2	0	0	0
Stavropol Krai	3	10	13	2	11	13	1	5	6	1	2	3	0	4	4
Sverdlovsk Oblast'	4	16	20	1	20	21	0	7	7	0	2	2	1	1	2
Tambov Oblast'	0	1	1	0	2	2	0	0	0	0	0	0	0	0	0
Tatar Republic	0	9	9	0	4	4	0	8	8	0	1	1	0	2	2
Tomsk Oblast'	0	0	0	0	0	0	1	10	11	0	3	3	0	0	0
Tula Oblast'	1	3	4	1	1	2	0	1	1	0	3	3	1	2	3
Tver Oblast'	1	2	3	0	0	0	0	4	4	0	1	1	0	0	0

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Tyumen Oblast'	3	3	6	0	0	0	0	0	0	0	0	0	0	0	0
Udmurt Republic	0	5	5	0	1	1	0	4	4	0	1	1	0	0	0
Ul'yanskovsk Oblast'	1	12	13	1	0	1	0	0	0	0	0	0	0	0	0
Vladimir Oblast'	0	7	7	0	10	10	0	2	2	0	3	3	0	2	2
Volgograd Oblast'	0	4	4	0	4	4	1	5	6	0	0	0	0	4	4
Vologda Oblast'	0	1	1	0	0	0	0	1	1	0	2	2	0	1	1
Voronezh Oblast'	2	23	25	0	5	5	0	3	3	0	5	5	0	3	3
Yaroslavl Oblast'	0	1	1	3	6	9	1	1	2	0	0	0	0	0	0
Zabaikalye Krai	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0

\* Up to the beginning of 2009 data on attacks committed in Moscow and the Moscow region and St. Petersburg and the Leningrad region had been summed up and from the beginning of 2009 they are considered separately.

The cities are arranged in alphabetic order, except Moscow and St. Petersburg – two major centers of racist violence.

Victims of attacks in the North Caucasus are not counted in this and the following tables; victims of mass brawls and homeless victims are only counted where a hate motive has been attributed by law enforcement officials.

### Consolidates Statistics of Racist and Neo-Nazi Attacks in 2004 –2012 (with categorization of victims)

Year	2004		2005		2006		2007		2008		2009		2010		2011		2012	
	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B
<b>K – killed, B – Beaten, wounded</b>	<b>K</b>	<b>B</b>	<b>K</b>	<b>B</b>	<b>K</b>	<b>B</b>	<b>K</b>	<b>B</b>	<b>K</b>	<b>B</b>	<b>K</b>	<b>B</b>	<b>K</b>	<b>B</b>	<b>K</b>	<b>B</b>	<b>K</b>	<b>B</b>
<b>Total</b>	<b>50</b>	<b>219</b>	<b>49</b>	<b>419</b>	<b>66</b>	<b>522</b>	<b>93</b>	<b>623</b>	<b>116</b>	<b>499</b>	<b>94</b>	<b>443</b>	<b>44</b>	<b>410</b>	<b>26</b>	<b>196</b>	<b>19</b>	<b>187</b>
Dark-skinned people	1	33	3	38	2	32	0	38	2	23	2	59	1	26	1	19	0	25
People from Central Asia	10	23	18	35	17	60	35	82	63	123	40	92	20	86	10	35	7	35
People from the Caucasus	15	38	12	52	15	72	27	64	27	76	18	78	5	45	6	17	4	14
People from the Middle East and North Africa	4	12	1	22	0	11	2	21	2	13	0	2	0	2	0	5	0	0
People from Asia-Pacific Region (China, Viet-Nam, Mongolia, etc.)	8	30	4	58	4	52	2	45	1	41	14	36	3	19	0	11	0	5
Other people of “non-Slav appearance”	2	22	3	72	4	69	20	90	11	56	9	62	7	100	1	25	1	14
Members of youth subcultures and leftist youth	0	4	3	121	3	119	5	195	4	87	5	77	3	62	1	35	1	54
Homeless	-	-	-	-	-	-	-	-	-	-	4	0	1	3	3	3	6	2
Ethnic Russians	-	-	-	-	-	-	-	-	-	-	0	8	1	8	1	7	0	7
Jews	-	-	-	-	-	-	-	-	-	-	0	3	0	3	2	2	0	0
Religious groups	-	-	-	-	-	-	-	-	-	-	1	2	0	22	0	24	0	10
LGBT	-	-	-	-	-	-	-	-	-	-	0	0	0	3	0	3	0	12
Others (including ethnic Russians), or not known	10	57	5	21	21	107	2	88	6	80	1	24	3	31	1	10	0	9

This table reflects not the “actual identity” of victims, but rather the identity given to them by the attackers. In other words, if a Slavic person was taken for a Caucasian, he would be registered in the category “people from the Caucasus”.

We also know about attacks on homeless people committed, as police suspects, with ideological motivation. In 2004 we have reports about 13 murders of this kind, in 2005 – about 5 murders and 4 beatings, in 2006 – 7 murders and 4 beatings, in 2007 – 4 murders and not less than 2 beatings, in 2008 – 7 murders and 1 beating, in 2009 – 1 murder, in 2010 – 1 murder and 2 beating, in 2011 – 1 murder and 1 beating, in 2012 – 1 murder and 2 beating.

Since 2010 we have not included victims of death threats. In 2010 we have reports about 6 persons who received such threats and in 2011 – 10, in 2012 – 1.

### Statistics of convictions for violent crimes with a recognized hate motive in 2004 - 2012

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2004</b>			
Moscow	4	11	Not known
St. Petersburg	2	10	4
Novgorod Oblast'	1 <sup>1</sup>	1	0
Vladimir Oblast'	1	1	1
Voronezh Oblast'	1	3	0
<b>Total</b>	<b>9</b>	<b>26</b>	<b>5</b>
<b>2005</b>			
Moscow	2	4	0
St. Petersburg	2	10	4
Amur Oblast'	1	4	0
Lipetsk Oblast'	1	4	0
Moscow Oblast'	4 <sup>2</sup>	14	0
Murmansk Oblast'	1	2	1
Perm Kray	1	1	0
Primorye Kray	1	1	0
Sverdlovsk Oblast'	1	3	0
Tambov Oblast'	1	1	0
Tyumen Oblast'	1	5	0
Volgograd Oblast'	1	7	0
<b>Total</b>	<b>17</b>	<b>56</b>	<b>5</b>

<sup>1</sup> For threats to blow up a synagogue.

<sup>2</sup> We are not sure of the exact date of one sentence for a killing motivated by ethnic hatred; we assume that it occurred in 2005.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2006</b>			
Moscow	5	11	1
St. Petersburg	3	10	4
Altai Kray	1	1	1
Bashkir Republic	1	3	3
Belgorod Oblast'	1	11	1
Jewish Autonomous Oblast'	1	3	0
Kaluga Oblast'	1	2	0
Kostroma Oblast'	2	7	5
Moscow Oblast'	3	18	4
Nizhny Novgorod Oblast'	4	6	Not known
Novosibirsk Oblast'	1	Not known	Not known
Orel Oblast'	2	6 <sup>3</sup>	2
Rostov Oblast'	1	2	0
Sakhalin Oblast'	1	1	0
Saratov Oblast'	1	5	0
Sverdlovsk Oblast'	3	8 <sup>4</sup>	0
Tomsk Oblast'	1	3	0
Voronezh Oblast'	1	13	7
<b>Total</b>	<b>33</b>	<b>109<sup>5</sup></b>	<b>24</b>
<b>2007</b>			
Moscow	4	11	0
St. Petersburg	2	11	3

<sup>3</sup> Estimated minimum; in one case, it is only known that a sentence has been passed.

<sup>4</sup> Including 3 convicted for setting up an extremist community, and also for a murder where the hate motive was not recognized.

<sup>5</sup> Estimated minimum.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2007</b>			
Belgorod Oblast'	1	2	0
Kaluga Oblast'	1	3	2
Komi Republic	1	1	0
Krasnoyarsk Kray	1	2	1
Leningrad Oblast'	1	1	0
Nizhny Novgorod Oblast'	1	9	9
North Ossetia Republic	1	1	0
Omsk Oblast'	1	1	0
Stavropol Kray	2	2	0
Sverdlovsk Oblast'	3	9	0
Tambov Oblast'	1	1	0
Tyumen Oblast'	1	6	2
Voronezh Oblast'	1	4	0
Yaroslavl Oblast'	1	1	1
<b>Total</b>	<i>23</i>	<i>65</i>	<i>18</i>
<b>2008</b>			
Moscow	7	40	4
St. Petersburg	4	9	2
Altai Kray	1	3 <sup>6</sup>	0
Arkhangelsk Oblast'	1	1	1
Ivanovo Oblast'	1	1	0
Kaluga Oblast'	2	13	6
Kostroma Oblast'	1	1	0
Krasnodar Kray	1	1	0

<sup>6</sup> Including one convicted without mentioning hate motivation.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2008</b>			
Lipetsk Oblast'	1	1	1
Moscow Oblast'	2	11	3
Nizhny Novgorod Oblast'	1	2	2
Novgorod Oblast'	1	2	0
Novosibirsk Oblast'	1	1	0
Omsk Oblast'	1	4	0
Penza Oblast'	1	1	0
Samara Oblast'	1	1	1
Stavropol Kray	1	2	1
Sverdlovsk Oblast'	3	10	0
Tambov Oblast'	1	3	3
Vladimir Oblast'	1	2	0
Yaroslavl Oblast'	1	1	1
<b>Total</b>	<i>34</i>	<i>110</i>	<i>25</i>
<b>2009</b>			
Moscow	11	41	7
St. Petersburg	2	3	0
Adygei Republic	1	1	1
Altai Kray	1	7	2
Chelyabinsk Oblast'	1	4	4
Chuvash Republic	2	9	0
Kaluga Oblast'	3	8	3
Khabarovsk Kray	1	1	1
Kirov Oblast'	1	2	0
Kostroma Oblast'	1	1	0



	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2009</b>			
Krasnoyarsk Krai	1	1	0
Kursk Oblast <sup>7</sup>	1	2	0
Moscow Oblast <sup>7</sup>	3 <sup>7</sup>	3	0
Nizhny Novgorod Oblast <sup>7</sup>	5	12	5
Novgorod Oblast <sup>7</sup>	2	5	0
Novosibirsk Oblast <sup>7</sup>	3	4	3
Orenburg Oblast <sup>7</sup>	1	2	0
Samara Oblast <sup>7</sup>	1	6	6
Stavropol Krai	1	2	0
Sverdlovsk Oblast <sup>7</sup>	1	1	0
Tambov Oblast <sup>7</sup>	1	1	0
Tula Oblast <sup>7</sup>	1	2	0
Tver Oblast <sup>7</sup>	1	1	0
Udmurt Republic	1	1	0
Vladimir Oblast <sup>7</sup>	2	2	0
Voronezh Oblast <sup>7</sup>	3	7	3
<b>Total</b>	<i>52</i>	<i>129</i>	<i>35</i>
<b>2010</b>			
Moscow	10	35	3
St. Petersburg	6	27	18
Adygei Republic	1	3	0
Amur Oblast <sup>7</sup>	1	1	0

<sup>7</sup> According to the Moscow region prosecutor's office, 15 cases were considered in the region in 2009; in 9 of them 13 people were convicted; 6 of the cases with 7 people accused terminated in reconciliation of the parties. We have details on 3 of the cases in which 4 people were convicted and one case terminated in reconciliation of the parties. No details are available to us on the other of the cases.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2010</b>			
Bashkir Republic	2	10	5
Bryansk Oblast <sup>7</sup>	3	4	2
Chuvash Republic	1	2	0
Irkutsk Oblast <sup>7</sup>	1	1	0
Kaliningrad Oblast <sup>7</sup>	1	6	2
Kaluga Oblast <sup>7</sup>	3	5	2
Karelian Republic	2	8	1
Khabarovsk Krai	1	2	0
Kirov Oblast <sup>7</sup>	2	5	5
Kostroma Oblast <sup>7</sup>	1	1	1
Krasnodar Krai	2	3	0
Moscow Oblast <sup>7</sup>	7	15	8
Murmansk Oblast <sup>7</sup>	2	7	3
Nizhny Novgorod Oblast <sup>7</sup>	10	34	22
Novgorod Oblast <sup>7</sup>	1	3	0
Penza Oblast <sup>7</sup>	2	6	2
Primorye Krai	2	14	10
Rostov Oblast <sup>7</sup>	1	1	1
Ryazan Oblast <sup>7</sup>	1	2	2
Samara Oblast <sup>7</sup>	2	5	2
Saratov Oblast <sup>7</sup>	1	1	0
Smolensk Oblast <sup>7</sup>	1	0	1
Stavropol Krai	4	29	6
Sverdlovsk Oblast <sup>7</sup>	3	9	0
Tatar Republic	2	7	5

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2010</b>			
Tver Oblast'	3	16	2
Tyumen Oblast'	1	14	3
Udmurt Republic	1	2	0
Ul'yanovsk Oblast'	1	9	0
Vladimir Oblast'	4	3	4
Volgograd Oblast'	1	2	0
Voronezh Oblast'	4	5	10
<i>Total</i>	<i>91</i>	<i>297</i>	<i>120</i>
<b>2011</b>			
Moscow	10	34	4
St. Petersburg	3	36	16
Altai Kray	1	3	0
Altai Republic	1	1	1
Astrakhan Oblast'	1	1	0
Bashkir Republic	1	1	1
Bryansk Oblast'	1	4	5
Chelyabinsk Oblast'	1	1	0
Irkutsk Oblast'	2	8	4
Kaliningrad Oblast'	2	3	0
Kaluga Oblast'	1	1	0
Karelian Republic	2	3	1
Kemerovo Oblast'	2	2	0
Khabarovsk Kray	1	2	0
Kirov Oblast'	2	3	0
Moscow Oblast'	4	6	5

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2011</b>			
Nizhny Novgorod Oblast'	5	17	4
Novosibirsk Oblast'	2	2	1
Omsk Oblast'	1	2	0
Orel Oblast'	1	1	0
Ryazan Oblast'	1	7	1
Samara Oblast'	1	2	2
Sverdlovsk Oblast'	1	3	5
Tatar Republic	3	11	4
Tomsk Oblast'	1	7	2
Tula Oblast'	3	3	0
Tver Oblast'	1	1	1
Udmurt Republic	1	2	2
Vladimir Oblast'	1	4	3
Volgograd Oblast'	1	1	0
Vologda Oblast'	1	1	1
Voronezh Oblast'	1	1	0
Yaroslavl Oblast'	1	19	12
<i>Total</i>	<i>61</i>	<i>193</i>	<i>75</i>
<b>2012</b>			
Moscow	4	12	1
St. Petersburg	3	5	3
Altai Kray	1	1	0
Bryansk Oblast'	1	1	0
Buryat Republic	1	1	0
Irkutsk Oblast'	2	3	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2012</b>			
Kirov Oblast'	2	2	0
Komi Republic	1	1	1
Kostroma Oblast'	1	2	0
Krasnodar Kray	1	1	0
Nizhny Novgorod Oblast'	1	5	2
North Ossetia Republic	1	1	0
Omsk Oblast'	1	1	0
Orel Oblast'	1	11	2
Perm Kray	1	6	0
Smolensk Oblast'	1	1	0
Stavropol Kray	1	1	1
Vladimir Oblast'	1	2	0
Volgograd Oblast'	1	1	0
Voronezh Oblast'	1	3	0
Zabaikalye Kray	1	0	1
<b>Total</b>	<b>28</b>	<b>61</b>	<b>11</b>

### Statistics of convictions for hate propaganda (art. 282 of Criminal Code) that we do not rate as inappropriate in 2004 – 2012

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2004</b>			
Novgorod Oblast'	1	1	0
Novosibirsk Oblast'	1	1	1
Udmurt Republic	1	1	1
<b>Total</b>	<b>3</b>	<b>3</b>	<b>2</b>
<b>2005</b>			
Moscow	1	1	1
Kabardino-Balkaria Republic	1	1	1
Kemerovo Oblast'	4	4	1
Khabarovsk Kray	1	1	0
Kirov Oblast'	1	1	0
Komi Republic	1	1	1
Novgorod Oblast'	1	3	0
Orel Oblast'	1	2	2
Sverdlovsk Oblast'	1	1	0
<b>Total</b>	<b>12</b>	<b>15</b>	<b>6</b>
<b>2006</b>			
Moscow	1	1	0
St. Petersburg	2	2	1
Astrakhan Oblast'	1	1	0
Chelyabinsk Oblast'	1	3	0
Kemerovo Oblast'	2	2	2
Kirov Oblast'	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2006</b>			
Komi Republic	1	1	0
Krasnodar Kray	1	1	0
Moscow Oblast'	1	1	0
Novgorod Oblast'	1	1	0
Samara Oblast'	2	2	2
Saratov Oblast'	1	1	1
Sverdlovsk Oblast'	1	1	0
Yaroslavl Oblast'	1	2	1
<b>Total</b>	<i>17</i>	<i>20</i>	<i>7</i>
<b>2007</b>			
Moscow	1	1	1
Altai Kray	1	1	1
Altai Republic	1	2	2
Amur Oblast'	1	1	0
Chelyabinsk Oblast'	1	1	0
Chuvash Republic	1	4	0
Kaliningrad Oblast'	1	1	1
Kaluga Oblast'	1	8	0
Kirov Oblast'	1	1	0
Komi Republic	3	3	0
Krasnodar Kray	3	3	2
Kurgan Oblast'	1	1	0
Novgorod Oblast'	1	1	0
Novosibirsk Oblast'	3	3	0
Ryazan Oblast'	1	2	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2007</b>			
Sakha Republic (Yakutia)	1	2	0
Samara Oblast'	1	2	2
Stavropol Kray	1	1	1
Sverdlovsk Oblast'	1	1	0
Ul'yanovsk Oblast'	1	1	1
Vladimir Oblast'	1	1	0
Vologda Oblast'	1	1	1
<b>Total</b>	<i>28</i>	<i>42</i>	<i>12</i>
<b>2008</b>			
Moscow	2	4	2
St. Petersburg	3	3	0
Adygei Republic	1	1	0
Altai Kray	1	1	0
Amur Oblast'	2	4	2
Astrakhan Oblast'	2	4	0
Bryansk Oblast'	1	1	0
Buryat Republic	1	1	1
Chelyabinsk Oblast'	2	2	1
Dagestan Republic	1	2	2
Kaliningrad Oblast'	1	1	0
Karelian Republic	2	2	2
Kirov Oblast'	1	1	0
Komi Republic	2	2	0
Krasnodar Kray	2	3	2
Kursk Oblast'	1	1	1

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2008</b>			
Leningrad Oblast'	1	1	1
Lipetsk Oblast'	1	1	0
Novgorod Oblast'	2	2	0
Novosibirsk Oblast'	1	1	1
Penza Oblast'	1	1	1
Primorye Krai	1	1	1
Rostov Oblast'	2	2	1
Samara Oblast'	3	3	1
Stavropol Krai	1	1	0
Tatar Republic	1	6	1
Tyumen Oblast'	1	1	0
Ul'yanovsk Oblast'	1	4	0
Vladimir Oblast'	1	1	0
Voronezh Oblast'	1	1	1
Yamalo-Nenets Autonomous Okrug	1	1	0
<b>Total</b>	<i>44</i>	<i>60</i>	<i>21</i>
<b>2009</b>			
Moscow	5	9	2
St. Petersburg	2	2	0
Arkhangelsk Oblast'	3	3	1
Chelyabinsk Oblast'	1	1	0
Ivanovo Oblast'	1	1	0
Kaliningrad Oblast'	2	1	1
Kamchatka Krai	1	2	2
Karelian Republic	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2009</b>			
Kemerovo Oblast'	1	1	1
Khabarovsk Krai	3	5	4
Komi Republic	2	1	2
Kostroma Oblast'	1	1	0
Krasnodar Krai	1	1	0
Krasnoyarsk Krai	2	2	0
Kurgan Oblast'	1	0	1
Kursk Oblast'	2	2	2
Murmansk Oblast'	1	1	1
Nizhny Novgorod Oblast'	1	1	0
Novgorod Oblast'	2	2	0
Omsk Oblast'	1	2	0
Orenburg Oblast'	2	5	0
Primorye Krai	1	1	0
Sakha Republic (Yakutia)	1	1	0
Samara Oblast'	1	1	1
Sverdlovsk Oblast'	1	2	0
Tyumen Oblast'	1	1	0
Vladimir Oblast'	2	2	1
Vologda Oblast'	2	3	2
Zabaikalye Krai	1	1	1
Tomsk Oblast'	2	2	0
<b>Total</b>	<i>48</i>	<i>58</i>	<i>22</i>
<b>2010</b>			
Moscow	1	1	1

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2010</b>			
St. Petersburg	1	3	2
Arkhangelsk Oblast'	2	2	0
Astrakhan Oblast'	2	2	1
Bashkir Republic	1	1	1
Belgorod Oblast'	1	1	0
Buryat Republic	1	1	1
Chelyabinsk Oblast'	2	5	3
Chuvash Republic	2	2	1
Kaluga Oblast'	2	2	0
Kamchatka Kray	1	1	1
Karelian Republic	2	2	0
Khabarovsk Kray	1	1	1
Khanty-Mansi Autonomous Okrug	1	1	0
Kirov Oblast'	2	2	1
Komi Republic	4	5	4
Kostroma Oblast'	3	3	2
Krasnodar Kray	3	3	0
Krasnoyarsk Kray	1	1	0
Kurgan Oblast'	1	1	0
Kursk Oblast'	3	3	2
Leningrad Oblast'	1	0	1
Mari El Republic	1	1	1
Novosibirsk Oblast'	3	3	2
Orel Oblast'	1	1	0
Pskov Oblast'	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2010</b>			
Rostov Oblast'	1	1	0
Sakhalin Oblast'	1	2	1
Samara Oblast'	1	1	1
Stavropol Kray	4	4	1
Tyumen Oblast'	1	0	1
Udmurt Republic	3	3	1
Ul'yanovsk Oblast'	1	1	0
Vladimir Oblast'	5	5	0
Volgograd Oblast'	1	1	1
Voronezh Oblast'	2	2	1
Tomsk Oblast'	1	1	0
<b>Total</b>	<i>65</i>	<i>70</i>	<i>32</i>
<b>2011</b>			
Moscow	2	2	1
St. Petersburg	1	1	0
Adygei Republic	2	2	2
Altai Kray	1	1	0
Arkhangelsk Oblast'	3	4	3
Bashkir Republic	3	3	1
Chelyabinsk Oblast'	4	4	2
Chuvash Republic	5	4	1
Kalmyk Republic	1	1	0
Kaluga Oblast'	1	1	1
Karelian Republic	2	2	0
Khabarovsk Kray	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2011</b>			
Khanty-Mansi Autonomous Okrug	4	4	2
Kirov Oblast'	2	3	1
Komi Republic	4	4	2
Krasnoyarsk Krai	1	1	0
Kurgan Oblast'	2	2	0
Kursk Oblast'	2	2	0
Lipetsk Oblast'	1	1	0
Moscow Oblast'	2	2	2
Murmansk Oblast'	1	1	1
Novgorod Oblast'	1	1	0
Novosibirsk Oblast'	1	1	1
Primorye Krai	1	1	1
Pskov Oblast'	2	2	2
Sakhalin Oblast'	1	1	0
Saratov Oblast'	2	2	0
Smolensk Oblast'	1	1	1
Sverdlovsk Oblast'	4	4	3
Tatar Republic	1	4	0
Tomsk Oblast'	1	1	1
Tula Oblast'	1	1	0
Tver Oblast'	1	0	0
Tyumen Oblast'	1	1	1
Udmurt Republic	1	1	0
Ul'yanovsk Oblast'	1	2	0
Vladimir Oblast'	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2011</b>			
Volograd Oblast'	1	1	1
Vologda Oblast'	1	1	1
Voronezh Oblast'	1	1	1
<i>Total</i>	<i>69</i>	<i>73</i>	<i>32</i>
<b>2012</b>			
Moscow	4	5	3
St. Petersburg	1	1	0
Altai Republic	2	1	0
Arkhangelsk Oblast'	6	6	2
Bashkir Republic	2	2	1
Chelyabinsk Oblast'	1	0	1
Chuvash Republic	3	3	0
Irkutsk Oblast'	2	2	0
Kaliningrad Oblast'	1	1	0
Kaluga Oblast'	1	1	0
Kemerovo Oblast'	2	0	1
Khakass Republic	1	1	0
Khanty-Mansi Autonomous Okrug	1	1	0
Kirov Oblast'	1	1	0
Kostroma Oblast'	3	3	0
Krasnoyarsk Krai	1	1	1
Kurgan Oblast'	2	2	0
Kursk Oblast'	4	4	0
Murmansk Oblast'	2	3	0
Nizhny Novgorod Oblast'	1	0	1

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2012</b>			
North Ossetia Republic	1	1	0
Novgorod Oblast'	4	4	0
Novosibirsk Oblast'	2	2	0
Omsk Oblast'	2	2	0
Orel Oblast'	1	1	0
Orenburg Oblast'	1	0	1
Primorye Kray	1	1	0
Pskov Oblast'	4	4	0
Rostov Oblast'	1	1	0
Ryazan Oblast'	1	1	0
Sakhalin Oblast'	1	1	0
Samara Oblast'	2	2	1
Stavropol Kray	1	1	0
Sverdlovsk Oblast'	4	4	0
Tatar Republic	1	1	0
Tomsk Oblast'	1	1	0
Tyumen Oblast'	2	2	0
Udmurt Republic	3	3	1
Ul'yansovsk Oblast'	2	7	0
Vladimir Oblast'	1	1	0
Volgograd Oblast'	3	3	0
Voronezh Oblast'	1	1	1
Zabaikalye Kray	1	0	3
<b>Total</b>	<b>82</b>	<b>82</b>	<b>17</b>

### Statistics of convictions for incitement to extremism (art. 280 of Criminal Code) in 2005 – 2012

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2005</b>			
Kemerovo Oblast'	3	3	2
Kirov Oblast'	1	1	1
Vladimir Oblast'	1	1	0
<b>Total</b>	<b>5</b>	<b>5</b>	<b>3</b>
<b>2006</b>			
Moscow	1	1	0
Astrakhan Oblast'	1	1	0
Chelyabinsk Oblast'	1	3	0
Kemerovo Oblast'	2	2	2
Nizhny Novgorod Oblast'	2	3	0
<b>Total</b>	<b>7</b>	<b>9</b>	<b>2</b>
<b>2007</b>			
Kemerovo Oblast'	1	1	0
Krasnodar Kray*	1	1	0
Novgorod Oblast'	1	1	0
Sverdlovsk Oblast'	1	1	0
<b>Total</b>	<b>5</b>	<b>5</b>	<b>0</b>
<b>2008</b>			
Moscow**	1	1	0
St. Petersburg	1	1	0
Kaluga Oblast'	1	1	0
Novosibirsk Oblast'	1	1	1
Samara Oblast'	2	3	3
Tatar Republic*	1	5	1
Vladimir Oblast'	1	1	0
Vologda Oblast'	1	2	1
<b>Total</b>	<b>9</b>	<b>15</b>	<b>7</b>



	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2009</b>			
Moscow	1	1	1
Amur Oblast <sup>7</sup>	2	3	2
Arkhangelsk Oblast <sup>*8</sup>	1	1	1
Jewish Autonomous Oblast <sup>7</sup>	1	2	2
Kemerovo Oblast <sup>7</sup>	1	1	1
Khabarovsk Kray	1	1	Not known
Novosibirsk Oblast <sup>*8</sup>	1	2	2
Primorye Kray <sup>*</sup>	1	1	1
Samara Oblast <sup>7</sup>	1	1	1
<b>Total</b>	<b>10</b>	<b>13</b>	<b>11</b>
<b>2010</b>			
St. Petersburg	1	1	0
Amur Oblast <sup>7</sup>	1	1	1
Bashkir Republic <sup>**9</sup>	1	1	1
Chelyabinsk Oblast <sup>**9</sup>	1	1	1
Kemerovo Oblast <sup>7</sup>	1	1	1
Komi Republic <sup>8</sup>	2	2	1
Novosibirsk Oblast <sup>7</sup>	1	1	Not known
Omsk Oblast <sup>7</sup>	1	1	1
Sakhalin Oblast <sup>7</sup>	1	2	1
Tyumen Oblast <sup>7</sup>	1	1	0
Yaroslavl Oblast <sup>**9</sup>	1	2	0
<b>Total</b>	<b>12</b>	<b>14</b>	<b>7</b>
<b>2011</b>			
Adygei Republic <sup>**9</sup>	3	3	2
Bashkir Republic <sup>9</sup>	1	2	0
Chelyabinsk Oblast <sup>**9</sup>	3	3	1

<sup>8</sup> One of sentences includes also art. 282.

<sup>9</sup> Sentences includes also art. 2052 and 282 of the Criminal Code.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
<b>2011</b>			
Khabarovsk Kray	1	1	0
Moscow Oblast <sup>**</sup>	2	2	2
Primorye Kray <sup>*</sup>	1	1	1
Sakhalin Oblast <sup>*8</sup>	1	1	0
Tyumen Oblast <sup>7</sup>	1	1	1
Voronezh Oblast <sup>*8</sup>	1	1	1
<b>Total</b>	<b>14</b>	<b>15</b>	<b>8</b>
<b>2012</b>			
Moscow <sup>**</sup>	1	1	0
St. Petersburg <sup>**</sup>	1	1	1
Arkhangelsk Oblast <sup>*8</sup>	3	3	2
Khabarovsk Kray <sup>**</sup>	1	1	1
Khakass Republic <sup>*</sup>	1	1	0
Lipetsk Oblast <sup>7</sup>	1	1	1
Nizhny Novgorod Oblast <sup>7</sup>	1	1	0
Novgorod Oblast <sup>*8</sup>	1	1	0
Orel Oblast <sup>**9</sup>	1	6	0
Sakhalin Oblast <sup>*8</sup>	1	2	0
Tyumen Oblast <sup>7</sup>	1	1	0
Voronezh Oblast <sup>*8</sup>	1	1	1
<b>Total</b>	<b>14</b>	<b>20</b>	<b>6</b>

\* Sentences includes also art. 282 of the Criminal Code.

\*\* Sentences include also other articles of the Criminal Code.