

Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2015

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

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X44 **Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2015: A collection of annual reports by the SOVA Center for Information and Analysis;** [Alperovich Vera, Sibireva Olga, Kravchenko Maria, Yudina Natalia, Verkhovsky Alexander / Ed. by Verkhovsky Alexander] – M.: SOVA Center, 2016. – 143 pp.: tables
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This collection of reports summarizes all the major areas of work addressed by the SOVA Center for Information and Analysis in 2015, 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 “extremist crimes”. All data were compiled at March 25, 2016.

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Vera Alperovich, Natalia Yudina

The Ultra-Right Movement under Pressure: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2015

Summary

Greatly increased law enforcement pressure against most active public figures and organizations of the Russian nationalist movement was the principal issue of 2015.¹ The far right activists, who never supported the Novorossiia project, were the first, but not the only ones to be affected.

The exact causes of this enforcement dynamic are not quite clear. At least, it was definitely not a reaction to any increase in the far-right activity. Perhaps, the authorities fear that the nationalists, being much more violence-oriented than most liberals and the left, can become an important power element in a potential, more radical protest movement. A more specific explanation is also conceivable – best-known right-wing leaders and their movements have to be isolated from the political activity in order to prevent them from absorbing fighters returning from Donbass, who can't be ignored as a potential threat.

Despite the fact that the “Ukrainian issue” within the movement has lost its acuteness of 2014, it still remains very important and, as shown by the Russian March, it still provides a fairly tortuous demarcation line across the far-right field. This split weakens the movement in general. Meanwhile, the Russian nationalists have found no new themes and methods to attract additional support.

In sum, these factors give rise to an atmosphere of gloom and decay, noticeable in many nationalist pronouncements. This atmosphere, and, to an even greater extent, an unusually large number of new criminal cases and other forms of pressure led to restructuring of the ultra-right field, pushing some organiza-

¹ Report on the events in 2015 has been prepared as part of the project, the implementation of which uses state support funds allocated as a grant in accordance with the Presidential Decree of April 1, 2015 No. 79-rp and on the basis of competition held by the Civil Dignity Movement (<http://civildignity.ru>).

tions out of the game and bringing the other ones to the forefront. Movements with ethno-xenophobic agendas, which were disloyal to the ruling political regime, are clearly being displaced by those willing to tone down or even abandon their oppositional rhetoric.

Public activity of the far-right continued to decline in 2015. Traditional rallies and marches of the nationalist opposition attracted no more than a half, or even a quarter of their usual number of participants. The nationalists were unable to put a “spin” on any local conflicts. The “raids” — the most popular actions of the recent years, on the brink of social and criminal activity — were less frequent and their agenda became less aggressive. In the course of the year, the subject of Novorossiia inspired progressively fewer public actions, while the “repressions” against the right-wing opposition came forth as the most important issue. Thus, the oppositional part of the ultra-right movement shifted toward a more defensive strategy.

Quite a different picture emerges when we look at the nationalist organizations loyal to the regime. They continued to avoid sensitive topics, and their public actions, first and foremost, advanced the issues consistent with the official political agenda — their support for the president’s political course, expression of hatred against Russia’s “external enemies” (whether in Ukraine, Turkey or the United States), fight against the “fifth column,” etc. The latter tendency found its expression, among other actions, in their attacks against public events of the liberal opposition or other groups adopting oppositional slogans. In some cases, in St. Petersburg for example, loyal nationalists de facto ousted oppositional ones from the streets.

Loyal nationalists were the only ones able to test their chances in the 2015 elections. However, as demonstrated during the Single Voting Day on September 13, the majority of even their candidates were thrown out at the earliest stages or failed to receive significant support at the regional level. Nationalists were more fortunate at the local elections — at least the Motherland (*Rodina*) and the Great Fatherland (*Velikoe otechestvo*) parties, with their 100% loyalty to the establishment, indeed could boast of several winning candidates. The other participants, as far as we can judge, were not as lucky. So, in general, the Russian nationalists remain a marginal element in the political system.

The far-right criminal activity was significantly lower in 2015 than a year earlier. Of course, we can’t evaluate the true scale of racist violence, but a significant reduction in the number of its victims is already obvious, including a reduction in the number of murders, and especially in the key centers of the ultra-right activity.

Most likely, this change has to do with active prosecution against right-wing radicals in general, which affected or intimidated militant groups as well. These

groups could be also affected by the above-mentioned overarching depressive mood among the ultra-right.

On the other hand, Russian nationalists from almost all sectors of the movement have been increasingly engaged in systematic combat training. Many of the groups involved in such activities, said that they were training people to go to the Donbass as volunteers, while others simply tried to keep up with the militaristic fashion. However, as the focus shifted from Novorossiia to Syria and other topics, and Donbass volunteers have started to return home, the question about the purpose of this military training no longer has an articulated response. It is reasonable to assume that such training, with hopes for its future use, is a natural alternative to the rapidly weakening political activity, and perhaps, partially, to criminal activity.

Returning to the subject of the government’s efforts against the ultra-right, the number of convictions for racist violence in 2015 was noticeably higher than in the preceding year — an exception from the trend of the last few years. Those, convicted for violent crimes in 2015, included members of well-known neo-Nazi groups Piranha-74 from Chelyabinsk, Folkssturm from Yekaterinburg, Kazan Nazi Crew from Kazan, the Northern Frontier (*Rubezh Severa*) from Syktyvkar, the Kamensk-Uralsky branch of the Occupy-pedofiliay and the infamous BORN from Moscow.

The number of convictions for propaganda has continued to grow rapidly. For the most part the authorities prosecuted ordinary users who had shared or republished xenophobic statements on social networks, but we also noted the sentences against several popular right-wing figures in Moscow and St. Petersburg. The penalties for hate speech and other public incitement became harsher in general. We recorded an unprecedented increase in the number of offenders sentenced to imprisonment for “words only.” Stricter penalties were associated either with radical Islamist propaganda, or with statements related to the war in Ukraine.

The Federal List of Extremist Materials is growing faster than in the preceding year and with the same percentage of various errors and redundancies. The List has become an increasingly monstrous mechanism, and working with it has been impossible for a long time. In addition to this heavyweight, two other lists related to blocking “extremist” Internet content — the registries of judicial and extrajudicial restrictions — are also experiencing quick growth. They have added and continue to add entries with about a same proportion of inappropriate decisions and just as haphazardly, as the Federal List.

In general, the law enforcement relating to the subject of this report in 2015 creates a contradictory impression. First, law enforcement agencies successfully reduced the level of racist violence and activities by socially dangerous

groups of nationalists. Next, the measures to combat creation and sharing of xenophobic statements too often appear meaningless and disorganized, and, obviously don't achieve their stated goals. Finally, frequent arbitrary actions, as well as excessive or inappropriate restrictions on freedom of speech are not only harmful in and of themselves, but can also discredit the goal of countering radical xenophobia in the public eye.

Criminal Manifestations of Racism and Xenophobia

Systematic Racist and Neo-Nazi Violence

According to our preliminary estimates, at least 11 people were killed and approximately 82 people were injured in 2015 as a result of racist and neo-Nazi violence; 6 people received credible death threats. Traditionally, our data does not include victims in the North Caucasus and Crimea, or victims of mass brawls. As you can see, the number of racist and neo-Nazi attacks has dropped dramatically. In 2014, 36 people died and 133 were injured; 2 received death threats.² Of course, the data for the past year is still far from final.³ Moreover, it has become increasingly difficult to collect information, creating an impression that the issue is being deliberately suppressed in the media. In addition, victims themselves usually do not seek publicity and rarely report the incidents to law enforcement agencies, non-governmental organizations or the media. Nevertheless, we can say with a high degree of probability that the number of racially motivated attacks has dropped- an undeniably positive result.

In the past year, attacks occurred in 23 regions of the country (vs. 29 regions in 2014). As before, the highest levels of violence were observed in Moscow (3 killed, 31 injured), St. Petersburg (3 and 14) and the Moscow Region (0 and 5). In addition, a significant number of victims was reported in the Khabarovsk Region (4 injured), the Volgograd Region, the Kursk Region and the Samara Region (3 victims in each). Compared to the preceding year, the situation in the Krasnodar Region has improved.

A number of regions, included in our 2014 statistics, has disappeared this year. However, in comparison to 2014, crimes were reported in a number of new

² Data as of January 29, 2016

³ Our corresponding report from 2014 reported 27 dead, 123 injured, 2 death threats. See: Vera Alperovich, Natalia Yudina. Calm before the Storm? Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2014 // SOVA Center 2015. 26 March (<http://www.sova-center.ru/racism-xenophobia/publications/2015/03/d31575/>).

regions: the Volgograd Region, the Kaliningrad Region, the Kirov Region, the Kursk Region, the Murmansk Region, and the Samara Region).

Attacks against Ethnic "Others"

The largest group of victims was, traditionally those, perceived by the attackers as "ethnic outsiders." We recorded the total of 38 victims of ethnically-motivated attacks. This number constitutes only 1/3 of the comparable number from the previous year (101 persons). This drop could be partially explained by active practice of migrant deportations and bans against re-entry⁴ by the FMS (Federal Migration Service). However, this factor is unlikely to play a significant role. It can affect the number of random attacks on the streets. However, for people involved in targeted attacks on ethnic grounds, migrants are still present on the streets in sufficient numbers. More likely, the state further intensified its efforts to prosecute right-wing radicals, and their movement was going through a serious crisis (see below), which also undoubtedly affected its militant wing.

Migrants from Central Asia traditionally constituted the largest group of victims with 4 people killed and 6 injured (14 and 29 in 2014). In addition, 11 victims (1 killed, 10 injured) were of unspecified "non-Slavic" appearance, usually described as "Asian", so most likely, migrants from Central Asia constitute the vast majority of this group as well (this group numbered 1 killed and 17 injured victims in 2014). There are five victims among migrants from the Caucasus Region (vs. 3 killed and 13 injured in 2014).

The number of attacks against dark-skinned also decreased significantly – 6 victims were injured in 2015 (vs. 15 in 2014). Anti-Semitic attacks are quite rare, simply because Jews are not that easy to identify visually. In the past year, saw an example of such violence in the Voronezh Region. The data for 2014 is identical to 2015 (2 wounded). Attacks under xenophobic slogans against other "ethnic others" – a native of Sudan in Moscow, a visitor from Kalmykia in St. Petersburg, a native of Kazakhstan in the Volgograd Region – were reported as well.

In the year under review, we recorded both attacks against lone passers-by and cases of gang attacks. For example, a mass brawl "under nationalist slogans" took place on the night of October 14-15, 2015 in St. Petersburg, near the Metro Club.⁵

We know of at least one far right raid on a commuter train (so-called, "white car") in 2015. In January, 2015, a group of 15-20 masked young men entered

⁴ Deportation of Migrants: Figures and Facts // Website of the Civic Assistance Committee. 2015. 29 September (<http://refugee.ru/news/vydvorenie-migrantov-tsifry-i-fakty/>).

⁵ Mass brawl near Metro Club in St. Petersburg // SOVA Center 2015. 16 October (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2015/10/d33050/>).

the car on Kratovo station of the Moscow Regional Kazan line commuter train and started beating up people of “non-Slavic appearance.” Right-wing radicals also continued their raids at the markets and other places.

Attacks against Political Adversaries

In 2015, the number of right-wing attacks against political, ideological or “stylistic” opponents decreased slightly to 13 injured (vs. 15 in 2014).⁶ The victims include participants of the Franz Kafka and George Orwell forum in the Kaliningrad Region, attendees of a punk metal concert in St. Petersburg and a punk concert in Moscow, and anti-fascists in Cherepovets.

The same category includes the victims of attacks by pro-Kremlin nationalist movements against people they regarded as a “fifth column” and “traitors.” The number of such attacks is growing year after year.

In October, members of the SERB movement led by Igor Beketov (known as Gosha Tarasevich) attacked elderly activist Vladimir Ionov, who was holding a one-person picket near the Historical Museum in Moscow.⁷ Gosha Tarasevich unsuccessfully tried to organize an attack against the Sakharov Center, which hosted a charity evening on June 27 in support of the prisoners of conscience.

In January, activists of the National Liberation Movement (*Natsional'no-Osvoboditelnoe Dvizhenie*, NOD) attacked participants of the January 19 marches in memory of slain lawyer Stanislav Markelov and journalist Anastasia Baburova in Moscow and Irkutsk, and, in June 2015, they also attacked the participants of the opposition picket, who were holding a banner “Freedom for the prisoners of May 6.”⁸

Anti-Maidan Supporters, after their march in the capital, held on the anniversary of the February events of at the Maidan, attacked a young man on Petrovka Street, who shouted “Glory to Ukraine!” They also attacked participants of the Spring March in memory of Boris Nemtsov in Voronezh.

This category also includes people beaten up “by association” for attempting to defend the victim or daring to express their disapproval against right-wing radicals and their actions. Passerby Roman Muzichenko on the Silikatnaya

⁶ These attacks peaked in 2007 (7 killed, 118 injured), and have been gradually decreasing in quantity, then fell sharply in 2013 (7 injured). See: V. Alperovich, N. Yudina. *ibid.*

⁷ SERB activists attacked a man in a one-person picket // SOVA Center 2015. 24 October (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2015/10/d33105/>).

⁸ Pro-government movement activists beat up participants of an opposition picket // SOVA Center 2015. 25 June (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2015/06/d32282/>).

Station platform (the Kursk line of Moscow Regional commuter trains) reprimanded a group of young people, who were throwing up their arms in a Nazi salute. In response, he was beaten to death. Soccer fans stabbed a young man, who tried to defend a girl in hijab in Moscow. In the Volgograd Region, a woman was hit in the face with a fist for stopping a group of young men from beating up a native of Kazakhstan.

Attacks against LGBT or Homeless People

The number of attacks against members of the LGBT community remains the same as a year earlier⁹- 9 people injured. Over the past year, we recorded cases of attacks against participants of the LGBT events, as well as attacks against participants of any other actions, if they display symbols of the LGBT community. Members of the God’s Will (*Bozhia Volia*) movement headed by Dmitry “Enteo” Tsorionov) were especially zealous in this regard. For example, they attacked participants of the unauthorized LGBT rally in central Moscow on May 30.

LGBT meeting places were also under threat: on April 13, unknown perpetrators sprayed suffocating gas with a pungent odor in the office of the Murmansk regional civic organization Maximum: the Center for Social and Psychological Assistance and Legal Support to Victims of Discrimination and Homophobia. Two people were injured. Notably, “*the attitude of police officers toward the victims was dismissive.*”

The attacks took place not only against LGBT, but also against people “taken for” them. A young man, wearing a multi-colored scarf with no symbols or LGBT colors was beaten in a subway car in St. Petersburg in October 2015.

The number of attacks against homeless people was smaller in 2015 than the year before – 3 killed and 7 injured (vs. 13 and 1 in 2014). All of them became victims of the Moscow “Cleaners Gang,” which has a mission of killing the homeless and people sleeping on park benches. Unfortunately, these attacks on innocent people are certainly more frequent than our numbers reflect; we speak only of the cases, in which the hate motive had already been recognized by the investigation.

⁹ We have recorded a sharp rise in homophobic violence in 2013 (2/25) during an active homophobic campaign, and at the time when LGBT activists were very noticeable. See: Vera Alperovich, Natalia Yudina, *The Ultra-Right Shrugged: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2013* // SOVA Center. 2014. 17 February (<http://www.sova-center.ru/racism-xenophobia/publications/2014/02/d29004/>).

Violence Motivated by Religion

The number of victims of religious xenophobia was greater than in the preceding year, but the attacks were less brutal: 18 injured (vs. 2 killed and 12 injured in 2014). Four people received credible murder threats.

Traditionally, Jehovah's Witnesses, who have been the target of the official repressive campaign for at least seven years, top this list. At least 14 of them were injured in 2015.

Islam as a religion and Muslims as a religious group are constant targets of xenophobic attacks in social networks. However, Muslims per se (that is, as members of a religious group, not as "ethnic outsiders") rarely become targets of xenophobic violence. However, such incidents do take place; a group of soccer fans tried to attack the young woman in hijab in Moscow on November 21.

The group of victims also includes an Orthodox priest from Volgograd.

Vandalism

In 2015, the activity level of vandals, motivated by religious, ethnic or ideological hatred, remained almost the same as in the preceding year. In 2015 there were at least 52 such acts of vandalism in 32 regions of the country vs. at least 53 in 35 regions in 2014.

Similarly to the preceding year, most acts of vandalism in 2015 had a pronounced ideological character: the desecration of monuments to heroes of the Great Patriotic War, to Lenin, to Narodnaya Volya revolutionaries etc. – 19 incidents, including 1 arson (vs. 17 incidents in 2014). Our statistics does not include isolated instances of swastikas and other drawings on buildings or fences.

Sites of new religious movements (all of them belonging to Jehovah's Witnesses) took the second place with 11 cases (vs. 12 in 2014),

Orthodox and Muslim sites split the third place in the number of attacks by vandals. In each case, 6 religious sites were attacked (10 Orthodox sites and 7 Muslim sites were affected in 2014) with two cases of arson in each group.

Jewish sites took the fourth place (4 sites, one of which was attacked twice), including one bombing (vs. 9 in the preceding year) followed by the Korean wooden totem poles (a year earlier, there were 0 attacks against pagan sites).

In addition, 4 government institutions were attacked (vs. 5 in the preceding year).

As can be seen from the above data, the number of attacks on religious sites has decreased slightly to 29 in 2015 (down from 32 in 2014).

The number of the most dangerous attacks (arson or bombing) decreased slightly in both absolute and relative terms, it is down 15%, that is, 8 out of 44, compared to 10 out of 53 in 2014.

The regional picture has changed somewhat in the course of the year. A number of new regions reported acts of vandalism in 2015. Meanwhile, some previously featured regions disappeared from our 2015 charts.

The geographic spread of xenophobic vandalism was wider (32 regions) than that of violence (23 regions). The geographic distribution of vandalism overlaps with that of racist violence only in 10 regions – Moscow, St. Petersburg, the Volgograd Region, the Vologda Region, the Kirov Region, the Murmansk Region, the Nizhny Novgorod Region, the Samara Region, the Sverdlovsk Region and the Tula Region.

Public Activity of Ultra-Right Radicals

Public activity of nationalist groups in 2015 depended largely on whether they ended up among supporters of the official political discourse, or among those in opposition to the current regime. This factor largely determined their interactions with law enforcement agencies, the public actions agenda, relations with other members of the nationalist political spectrum, etc.

Pressure against the Ultra-Right Movement

For the oppositional part of the ultra-right field, the significantly increased law enforcement pressure, directed against the most active public figures of this nationalist segment and, at times, against their organizations, became the most important factor that set the tone for the entire year.

Prosecutions against leaders of the right-wing opposition continued the policy, initiated in the second half of 2014 with the verdicts against founder of the Restruk! movement Maksim "Tesak" Martsinkevich and head of the St. Petersburg Slavic Strength (*Slavianskaia Sila*) Dmitry "Besheny" Yevtushenko; the arrests of leader of "the Russians" Association Alexander Belov and ex-leader of the Russian Run (*Russkaia probezhka*) in St. Petersburg Maxim Kalinichenko; and criminal charges against the members of the Attack (*Ataka*) movement (a Restruk! splinter group), the St. Petersburg leader of the Russian Sweeps (*Russkie zachistki*) Nikolai Bondarik, and, once again, D. Yevtushenko and M. Martsinkevich.¹⁰

¹⁰ More in: Vera Alperovich, Natalia Yudina. Calm before the Storm? Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in Russia in 2014 // SOVA Center, 2015. 26 March (http://www.sova-center.ru/racism-xenophobia/publications/2015/03/d31575/#_Toc379209529a).

The list of prosecuted right-wing opposition leaders grew substantially longer in 2015, giving nationalists a reason to complain not only about persecution, but about blatant repressions. The most resonant criminal cases involving public figures of Russian nationalism are presented below.

- In January, criminal investigation for the public incitement to extremism (Article 280 Part 1 of the Criminal Code) was opened against Igor Stenin, the leader of the Astrakhan branch of the Russians' Association;¹¹

- In February, Vitaly Shishkin, the head of the Right Wing for European Development group was arrested and later found guilty of inciting ethnic hatred (Article 282 Part 1 of the Criminal Code);¹²

- In May, Aleksei Kolegov, the head of the Northern Frontier (*Rubezh Severa*) movement, was arrested and, late in the year, the court found him guilty of infliction of suffering with the use of torture (Article 117 Part 2 of the Criminal Code);¹³

- In May, five administrators of "the Russians of Astrakhan" online group (residents of different municipalities), were subjected to searches in connection with a case related to organizing an extremist community (Article 282.1 of the Criminal Code);¹⁴

- In May and June law enforcement officials searched the homes of Dmitry Dyomushkin and Vladimir Yermolaev (leaders of "the Russians" Association), Vladimir Kralin (a.k.a. Vladimir Tor, the leader of the National Democratic Party (NDP)), Denis Tiukin (the head of "the Russians" Association in Kirov), Restruk! activist Artem Trubov, associate of RFO Memory (*Pamiat*) Vladimir Ratnikov, member of the Moscow branch of "the Russians" Association Vladimir Rostovtsev, and others. The searches were related to three criminal cases under Articles 282 and 280 of the Criminal Code, initiated based on the facts of offensive and violence-inciting slogans shouted by participants of the Russian Marches of 2013 and 2014 in Moscow;¹⁵

¹¹ Astrakhan: the "the Russians" Association local branch leader has been detained // SOVA Center, 2015. 22 January (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/01/d31098/>).

¹² Verdict issued in the case of nationalist Vitaly Shishkin // SOVA Center 2015. 16 October (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/10/d33039/>).

¹³ The leader of the Northern Frontier was sentenced to four years' imprisonment // SOVA Center 2015. 8 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/12/d33407/>).

¹⁴ An administrator of "the Russians of Astrakhan" online group subjected to a search // SOVA Center, 2015. 25 May (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/05/d32047/>).

¹⁵ Searches in the homes of leaders of "the Russians" Association and the NDP // SOVA Center 2015. 26 March (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/03/d31586/>).

- In June, criminal proceedings were initiated against Dmitry Bobrov, the leader of the National Social Initiative (*Natsionalnaya sotsial'naya initsiativa*, NSI, previously known as National Socialist Initiative, *Natsional-sotsialisticheskaya initsiativa*) who became a suspect under Article 282 Part 1 based on the fact of publishing online the article on "The NSI Racial doctrine";¹⁶

- In September, we found out about the criminal case initiated against Alexander Amelin, the leader of the Russian Renaissance, (*Russkoie Vozrozhdeniie*) movement, who was later convicted under Article 280 Part 2 of the Criminal Code;¹⁷

- In September, a search was conducted in the apartment of Yegor Prosvirnin, the editor-in-chief of the *Sputnik and Pogrom* website, in connection with the case under Article 282 initiated based on the fact of publication of the article "What We Stand For; What We Want" on his site;¹⁸

- In September and December, two new criminal cases under Articles 282 and 280 of the Criminal Code were opened against Nikolai Bondarik;¹⁹

- In October, a criminal case was opened against Boris Mironov, the former head of the Print Committee of the RF and the author of several banned anti-Semitic books, suspected under Article 280 of the Criminal Code;²⁰

- In November, Dina Garina, the head of "the Russians of St. Petersburg" movement, was arrested as a suspect under Article 280 of the Criminal Code (Article 282 was added in December);²¹

- In December, leader of "the Russians" Dmitry Dyomushkin was accused under Article 282²² (see below).

The number of cases, their character, and the fanfare, which accompanied the legal proceedings for some of them, demonstrated to ultra-right activists the new reality they were facing for the near future.

¹⁶ Criminal case opened against NSI leader D. Bobrov // SOVA Center, 2015. 23 June (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/06/d32256/>).

¹⁷ Moscow: verdict against Alexander Amelin // SOVA Center 2015. 29 October (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/10/d33138/>).

¹⁸ A criminal case on the fact of publication on Sputnik and Pogrom // SOVA Center 2015. 17 September (<http://www.sova-center.ru/misuse/news/persecution/2015/09/d32822/>).

¹⁹ New criminal case against nationalist Nicholai Bondarik // SOVA Center 2015. 30 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/12/d33583/>).

²⁰ B. Mironov is charged with public calls for extremism // SOVA Center 28 October (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/10/d33134/>).

²¹ Dina Garina's arrest extended, and Article 282 added to charges // SOVA Center 2015. 29 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/12/d33566/>).

²² A criminal case opened against Dmitry Dyomushkin // SOVA Center 2015. 4 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/12/d33371/>).

For example, the start of the public part of the investigation into the above-mentioned case of the Russian March slogans was presented in the mass media as a “special operation;” the searches in the apartments of the ultra-right leaders were filmed by journalists from NTV television channel, and the process itself was conducted in an inappropriately harsh manner (in Dyomushkin’s case it turned just plain ugly- as the nationalist was lying face down on the floor, the police poured a bottle of water on his pants to simulate incontinence, and it was subsequently broadcasted on a federal TV channel). In addition, the slogans case demonstrated that any xenophobic chants during a public event could now lead to a legal action, regardless of the fact that they had previously triggered no law enforcement complaints. Most importantly, the case showed that anyone present at the event (and, of course, its leaders) could get the status of a witness in such a case and to undergo a “hard” search procedure. Nationalists have never previously faced such a situation.

Other legal novelties of 2015 also served to clarify the new realities to the ultra-right.

For example, administrative proceedings under Article 20.2 of the Administrative Code (“organizing public events without giving a proper notice”) were initiated in January against O. Borisova, N. Bondarik and A. Amelin, on the basis of their sharing, via social networks, the calls to attend a people’s assembly in Mineralnye Vody.²³ All three were found guilty and fined, despite the facts that neither of them had actually participated in the action or had been among the initiators (all three were physically unable to attend the action, due to being in other cities at the time). Thus, for the first time, as far as we can tell, advertising an action on a social network was equated to organizing it.

Another judicial novelty was the cancellation of the Russian May Day in Moscow organized by “the Russians” Association. The action was prohibited at the last moment, based on the fact that D. Dyomushkin, the principal applicant, ended up under administrative arrest by the scheduled day of the action (Dyomushkin was incarcerated for 8 days for swearing at police officers, who detained him and about 40 other representatives of the far-right on April 20 in the Seven Club in Moscow, where they were allegedly celebrating Hitler’s birthday).²⁴ For the first time, an applicant’s administrative detention became the reason for the authorities to cancel a previously approved and relatively large ultra-right event in Moscow.

²³ Sharing information about an assembly as violating order during a public event // SOVA Center, 2015. 2 February (<http://www.sova-center.ru/misuse/news/other-actions/2015/02/d31181/>).

²⁴ Dmitry Dyomushkin arrested for eight days in Moscow // SOVA Center 2015. 24 апреля (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/04/d31883/>).

Regarding D. Dyomushkin, we have to point out that he received more law enforcement attention in 2015 than, perhaps, any other nationalist. In addition to the search, described above, and numerous detentions, he was not allowed to participate in the Russian March – at the time of the action, he was forcibly brought to Vologda for questioning in connection with a certain criminal case. Even the clearly ludicrous nature of his second administrative case of the year didn’t deter the law enforcement (Dyomushkin was arrested for 15 days for posting a still image from a comedy movie about Nazi zombies, with a visible swastika on the character’s armband).²⁵

Later, the nationalist found himself under administrative detention for another 8 days for the publication of photos featuring insignia of banned organizations – the DPNI and the Slavic Union.²⁶ He was charged in a criminal case opened in December under Article 282 regarding the slogans, printed on placards used during the Russian Marches of 2014 and 2013. Such a personal attention to D. Dyomushkin was apparently due to the fact that, with Alexander Belov in pre-trial detention facility, and Vladimir Basmanov on the run, Dyomushkin de-facto held the full leadership of “the Russians” Association, which, in spite of its deepening crisis, remained the most prominent far-right association and the organizer of the majority of their large-scale public events.

In August, the Moscow Prosecutor’s Office filed a lawsuit to recognize “the Russians” Association as an extremist organization. A few days later, the activity of “the Russians” was suspended; the organization was banned in October (see the chapter on Bans against Organizations below for the nature of the claims against the movement).²⁷

Besides “the Russians,” a series of other ultra-right groups have been banned as well (see below), including the fairly large and active NSI under the leadership of D. Bobrov. Unlike D. Dyomushkin, who announced his intention to go through all the stages in appealing the ban against “the Russians,” Dmitry Bobrov stated immediately after the judgment that he had no plans to appeal, and the court decision has already entered into force.²⁸

²⁵ Dyomushkin under arrest for 15 days for zombies // SOVA Center 2015. 6 August (<http://www.sova-center.ru/misuse/news/persecution/2015/08/d32552/>).

²⁶ Another administrative arrest for Dmitry Dyomushkin // SOVA Center 2015. 11 September (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/09/d32782/>).

²⁷ “The Russians” Association recognized as an extremist organization // SOVA Center 2015. 28 October (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/10/d33132/>).

²⁸ The NSI recognized as extremist // SOVA Center 2015. 16 September (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/09/d32815/>).

In St. Petersburg, the ultra-right ended up in an even tougher situation – to date, almost all relatively well-known leaders of the nationalist opposition are either under investigation or have already been convicted (D. Yevtushenko, D. Garina, M. Kalinichenko, N. Bondarik and D. Bobrov). Among the local participants of the Russian March in 2014, only the leaders of organizations that have joined the “Patriotic March” organized by the Motherland (*Rodina*) party don’t have problems with the law – the Russian Imperial Movement (*Russkoie imperskoie dvizhenie*, RID), the People’s Council (*Narodnyi sobor*), the Great Fatherland Party (*Partiia Velikoie Otechestvo*, PVO), the Black Hundred (*Chernaia Sotnia*), etc.

It is noteworthy that these criminal cases, as well as the ban against “the Russians” and the NSI caused little protest in and of itself, due to the lack of unity in the nationalist milieu. Whenever supporters of a given leader or organization attempted to elicit a meaningful response from their ideological allies, a substantial number of nationalists always came forward claims that this particular character was a “Kremlin agent,” “FSB provocateur,” “Banderite”, “Vatnik” (a derogatory nickname derived from a cheap cotton-filled winter coat), “hoodlum” and so on. Attempts to launch broad support campaigns for the “victims of persecution,” organize mass picketing, or, at least, get some informational support from their “colleagues” usually led almost nowhere. Even the video produced in support of the D. Dyomushkin, in which many well-known figures – from nationalists to liberals,²⁹ – spoke in his defense, was shared very little among the far-right segment of the Russian Internet.

However, such a large number of criminal cases and the ban against two major organizations have led to some increase in solidarity among oppositional nationalists, who had previously clashed with each other regarding the events in Ukraine. This development was manifested in rare examples of cooperation between the ultra-right movements that had recently been on different sides of the barricades on the issue of support for “Novorossiya,” although, as we’ll show in our section on the “Rally Activity of the Ultra-Right,” they never overcame the split.

²⁹ The list of those who spoke out is remarkable in itself: Maksim Shevchenko, Mikhail Leontiev, Alexander Sotnik, Mikhail Delyagin, Sergei Baburin, Sergei Troitsky, Vladislav Shurygin, Eduard Limonov, Vsevolod Emelin, Sergei Zhavoronkov, Maria Butina, Andrei Piontkovsky, etc.

The Effect of Pressure on Ultra-Right Organizations

The scale of prosecution against the nationalist opposition could not fail to affect the organizational structure of the ultra-right field.

A good starting point is an observation that a number of organizations completely or almost completely suspended their public activities. For example, in July, the Slavic Strength – Nord West Petersburg group, formerly headed by D. Yevtushenko and Dmitri Kondrashov, announced its dissolution. The stated reasons for dissolution were: needlessly large number of ultra-right micro-organizations and optionality of a formal structure for organizing educational and sports activities.³⁰ The decision became quite logical, after an announcement by D. Yevtushenko that he was discontinuing his political activity as meaningless.

After the arrest of D. Garina, the page of “the Russians of St. Petersburg” has been deleted from VKontakte social network. It is unclear what actually happened to the core of the organization, but it can be assumed that, for now, the backers of the imprisoned nationalist are busy conducting actions in her support and have moved away from purely political activity. A similar story happened with “the Russians of Astrakhan” movement, whose leader Ivan Stenin currently faces an accusation in the case on public incitement to extremism. On October 15, the movement’s VKontakte page published an announcement on Stenin’s behalf that the group no longer had an administrator, and everyone could freely publish whatever they wanted.³¹ For a while, the group status line read “Everyone has joined the guerillas.” Once again, the movement’s core members don’t show any activity. Two branches of “the Russians”, which were active in the past – in Nizhny Novgorod and Khabarovsk – have also significantly scaled down or completely stopped their public activities. At the very least, neither organization has organized any public actions for a long time.

D. Bobrov almost completely suspended his activity after the NSI ban. When the claim for recognizing his movement as extremist was still under consideration, a plan to create a new organization (under the working title “Russian +”) was discussed, and supporters were told that, even in case of the NSI ban, its projects would be continued. So far, however, none of the above has happened, and Bobrov limited his contribution to renaming the NSI public feed and creating an eponymous website for publishing news selections. As far

³⁰ Belated report on dissolution of SS-NWP // VKontakte, the Slavic Strength – Nord West Peterburg group page. 2015. 22 July.

³¹ October 15, starting at 00.00 the group becomes truly open // VKontakte. ROA the Russians of Astrakhan group page. 2015. 14 October.

as we know, activists of the banned movement conduct no raids, people's assemblies or rallies.

Konstantin Krylov's NDP deserves our special attention. In contrast to many other organizations, the NDP never attracted too much law enforcement interest (with the exception of the search in Tor's apartment in March). The explanation may lie in the fact that, in the past year and a half, the party has noticeably pulled away from a public political activity, at least in its overtly oppositional aspect. Of course, members of the NDP participated in public actions, organized several events on their own, and put forward their candidates in the regional elections, but the scale of their activity was a far cry from their earlier campaigns, such as "Stop feeding the Caucasus!" and "For Introducing the Visa Regime." This reduction in activity can be explained by the fact that the NDP's was in the process of filing a registration with the Ministry of Justice and did not want to provoke displeasure of the authorities or the law enforcement. However, in October, after the party was, once again, denied registration, its policy of disengagement has not changed. In November, the NDP website published a statement, which said that, in the opinion of the party leadership, the possibility of political action in the current political environment was very limited, and, therefore, the party was going to engage in "human rights, cultural and educational activities" within the framework of its two educational projects – "the political party school" and "the school of humanities," and to continue pursuing the official registration.³² Thus, the NDP apparently hopes to "sit out" this complicated situation of the law enforcement pressure, staying away from major events, and, at the same time, to increase their social base through attendees of their schools. Their passive position has already led to their first losses. Andrei Kuznetsov, the leader of the St. Petersburg branch of the National Democratic Party, announced in October, that in the current situation he saw no reasons to participate in the NDP activities, and took his unit out of its ranks.³³

The activity of the Sergei Baburin's Russian All-People's Union (*Rossiiskiy obshchenarodnyi soiuz*, ROS) was even less visible than that of the NDP, and we could have assumed that the movement had suspended its activity, if it weren't for their Party Presidium meeting, held in late 2015 to discuss the Union's participation in the elections of 2016³⁴ (unfortunately, we have no further details). It is not

³² Regarding the NDP projects // Official site of the National Democratic Party. 2015. 1 November.

³³ A. Kuznetsov. As we found out, the National Democratic Party was once again refused registration // VKontakte. Andrei Kuznetsov page. 2015. 22 October.

³⁴ The meeting of the Presidium of ROS // Official website of the Russian All-People's Union. 2015. 26 November. (<http://vsezoros.ru/news/item/461-zasedanie-prezidiuma-ros.html>).

clear why the ROS, which began its public activities so energetically in 2011 and remains one of only two registered nationalist parties, has radically decreased its public activities, and whether it happened due to their fear of attracting negative attention of the law enforcement. Evidently, this is the position held by deputy leader of the party Ivan Mironov, who, as far as we know, believes that in the situation of a large-scale campaign against the nationalists' attempts by some groups to engage in legal public politics are futile and lead only to new criminal cases.³⁵ A fairly consistent member of the opposition and an opponent of the war in Ukraine, Ivan Mironov attracted [the] media attention last year primarily as a lawyer of prosecuted A. Belov, not as the ROS leader. It is also worth noting that Mikhail Butrimov left his leadership position at the Moscow branch of the relatively oppositional and passive ROS to head a new loyalist youth wing of the Motherland party – the Motherland TIGERS (*TIGRY Rodiny*, see below).

Besides the organizations discussed above, a number of small right-wing groups in the regions have also significantly scaled down their activity.

However, the cancellation of many right-wing projects didn't lead to any void on this flank. The space, "freed up" by banned organizations or those preferring to reduce their activity, is being taken over by other nationalist groups. Some of them were newly created, others were in existence but relatively passive.

Among the groups that came to the fore in 2015, we can point out the Nation and Freedom Committee (*Komitet Natsiia i svoboda*), created by V. Basmanov a year earlier as a networking group. Until the fall of 2015, the project was developing quite slowly, and only on the eve of the ban of "the Russians" Association, it suddenly acquired a website and a charter. As far as we can tell, V. Basmanov expects that over time, the Committee takes over the niche formerly occupied by "the Russians." He has already set the mission for the new movement to become the largest nationalist organization in Moscow.

The novelty of the year was another movement initially close to "the Russians," – For Honor and Freedom (*Za chest' i svobodu*) movement,³⁶ which grew out of the organizing committee of the march, originally planned by Moscow nationalists for July 25th. The emergent situational coalition initially included such well-known groups as "the Russians," the Russian Joint National Alliance (*Russkii ob'edinennyyi natsional'nyi soiuz*, RONA), the RFO Memory and others, but then, as far as we know, only some individual activists from these organizations remained. The movement, headed by former federal secretary of "the Russians" Alexander Samokhin, clearly aspires to compete with the

³⁵ *Reaktsia*. Issue No. 59. "The Russian March – With Whom and What For? // Day-TV. 2015. 4 November.

³⁶ Since 2016 known as Honor and Freedom

old players for a place in the ultra-right wing and seeks to present a contrast to the “obsolete organizations.” As far as we know, the movement is ideologically close to “the Russians” and plans to compete with the Nation and Freedom Committee in recruiting young activists.

In addition to explicitly oppositional groups, the ultra-right wing also added two nationalist organizations that are relatively loyal to the current political regime.

The first one to be noted is the youth wing of the Motherland party (Alexey Zhuravlev), called the Motherland TIGERS (TIGRy)³⁷ and formed in late August.³⁸ The organization is headed by above-mentioned Butrimov from the ROS and Vladimir Laktyushin, a former project coordinator of the DPNI-Ramenskoye. The Motherland TIGERS position themselves as an imperial project, designed to prevent the “repetition of the Ukrainian scenario in Russia” and to fight “internal enemies.”³⁹ As far as we know, the new movement is trying to absorb nationalist activists, supporters of “Novorossiia,” previously involved with the oppositional right-wing groups that are currently under the law enforcement scrutiny. It seems that, so far, TIGERS had little success.

The Motherland was generally much more active in 2015. In particular, its St. Petersburg activists, inspired by their International Russian Conservative Forum on March 22, which featured an unprecedented number of ultra-right attendees from the West,⁴⁰ even tried to initiate the World National Conservative Movement, but apparently to no avail.

The National Conservative Movement “Russian World” (*Russky mir*), formed on the basis of the Coordinating Center for Helping Novorossiia (emerged in 2014), is also worth mentioning. The project is coordinated by Mikhail Ochkin. This project, as far as we can tell from M. Ochkin’s statements, seeks to create a more moderate form of nationalism, based on ultra-traditionalism and Russian Orthodox Christianity, and hopes for support from an average xenophobic Russian, for whom the majority of existing movements

³⁷ Abbreviation TIGR stands for Traditions, Empire, State, Motherland (*Traditsii, Imperiia, Gosudarstvo, Rodina*)

³⁸ The congress of the youth wing of the Motherland party – the Motherland’s TIGERS – took place in Moscow. // Official site of the Motherland party. 2015. 28 August (<http://rodina.ru/novosti/V-Moskvesostoyalsya-sezd-molodyozhnogo-dvizheniya-partii-RODINA-TIGRY-RODINY>).

³⁹ Motherland’s TIGERS: the youth will not allow repetition of the Ukrainian scenario in Russia // Official site of the Motherland party. 2015. 28 August (<http://rodina.ru/novosti/TIGRY-RODINY-Molodyozh-ne-dast-povtorit-ukrainskij-scenarij-v-Rossii>).

⁴⁰ International Russian Conservative Forum in St. Petersburg // SOVA Center 2015. 1 April (<http://www.sova-center.ru/racism-xenophobia/publications/2015/04/d31627/>).

are too radical and associate with “fascists”.⁴¹ However, the participants of the new project are so far, to put it mildly, not very successful at this rebranding – the people, who gathered for their Russian March on November 4, most specifically resembled classic “Russian fascists” of the 1990, probably due to predominating Russian National Unity (RNE) insignia and presence of a number of odd characters in camouflage or black uniforms (see below for more on the Russian March – 2015.) The founders of the Russian World are hoping for immunity from the law enforcement pressure and access to administrative resources in exchange for toning down or even completely dropping the oppositional component of their platform.

A characteristic effect of the increased pressure against the ultra-right was the emergence in the fall of two organizations, uniting, first and foremost, the nationalists who had left Russia in order to escape criminal prosecution. Most of them supported the ideas of the Ukrainian Maidan at some point; some emigrated directly to Ukraine, and even volunteered in local official military structures (for example, in Azov Battalion).

V. Basmanov announced the creation of the first such organization, named “the Forces of Good,” in early September. The movement was intended to bring together nationalists, who had left Russia, so they could subsequently work on “forming the Russian diasporas in their host countries.”⁴² In addition to V. Basmanov, the organizers included Dmitry Savvin,⁴³ Aleksandr Valov⁴⁴ and Sophia Budnikova,⁴⁵ as well as spouses Aleksei Kutalo and Tatiana Kungurova.⁴⁶

⁴¹ *Reaktsia*. Issue No. 59. “The Russian March – With Whom and What For? // Day-TV. 2015. 4 November. (<http://denv.ru/content/view/reaktsiya-vyipusk-59-russkij-marsh-s-kem-i-zachem/>)

⁴² A. Valov. Why Do We Need Russian Ethnic Associations of Emigrants // Official site of the Forces of Good movement 2015. 24 September.

⁴³ Former activist of the Union of the Russian People and the New Force party has asked for political asylum in Latvia. See: Nationalist from the New Force seeks asylum in Latvia // SOVA Center 2015. 12 October (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/10/d32996/>).

⁴⁴ The leader of the Murmansk nationalists serves in the Azov battalion.

⁴⁵ Activist of “the Russians” Association, previously of the DPNI. Director of the “National News Service” (information portal of “the Russians” Association). As far as we know, she has emigrated.

⁴⁶ Former RONS associates. When criminal case was opened against them, they went first to Ukraine and then to Argentina where they asked for political asylum. See: Vladimir: a criminal case opened against the activists of the banned RONS // SOVA Center 2013. 27 August (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2013/08/d27779/>).

The second movement – the Russian Center – was created by an initiative group, which included such well-known nationalists as D. Tiukin (Vikhorev),⁴⁷ Roman Zheleznov,⁴⁸ Ilya Bogdanov (Dalniy),⁴⁹ Andrey Kuznetsov,⁵⁰ Aleksei Levkin,⁵¹ Aleksandr Noynets⁵² and Mikhail Oreshnikov.⁵³ In contrast to the Forces of Good, the Russian center consists only of those far right activists, who currently reside in Ukraine.

The first priority for both movements, apparently, is to lobby for granting persecuted Russian nationalists citizenship in the countries of their current residence, first of all, in Ukraine. However, in addition, both groups also seek to achieve loyalty of right-wing radicals who remained in Russia and to influence the segment of the Russian ultra-right movement, which never joined Novorossiia fans but now faces increasing difficulties with the public expression. However, we cannot say that the Forces of Good or the Russian Center had much success in achieving this goal – the degree of their influence on the Russian domestic agenda remains rather low.

Ultra-Right Public Actions

Effects of the Pressure against the Ultra-Right on Their Rally Activity

An unusually large number of criminal cases against leaders of right-wing movements and bans against several organizations could not but affect the public activity of the nationalists. On one hand, the number of actions dropped significantly (especially in the second half of the year) and their attendance decreased; on the other hand, the mobilization potential of the once tired issue of

⁴⁷ The ex-leader of the Kirov Branch of “the Russians” Association, Tiukin went to Ukraine after facing the criminal case under Article 282. See: Head of the Kirov branch of “the Russians” Association left for Ukraine // SOVA Center 2015. 15 August (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2015/08/d32582/>).

⁴⁸ Ex-leader of Restrukt! expelled for his support of the Maidan. He moved to the Ukraine and joined Azov battalion. See: Zuhel arrived in Ukraine // SOVA Center 2014. 11 July (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2014/07/d29888/>).

⁴⁹ Moved to Ukraine, a member of the Right Sector.

⁵⁰ Co-chairman of the St. Petersburg branch of the National Democratic Alliance (NDA), editor of #Orange, an online community of liberal-nationalist orientation. He asked for political asylum in Ukraine.

⁵¹ The head of the radical music bands M8L8TH (MolotX) and AdolfKult. He has emigrated to Ukraine. Member of the Right Sector.

⁵² Citizen of Ukraine. Editor-in-Chief of the internet resource Petr and Mazepa.

⁵³ Ex-organizer of the Russian March in Cheboksary, belonged to Restrukt!. In 2014, he asked for political asylum in Ukraine and volunteered to fight in Azov.

political persecution against nationalists and “the right-wing political prisoners” increased to some extent.

The latter trend can be illustrated by the Russian Day of Solidarity in March – a network action that took place under the slogan “For the end to repressions against the Russian movement and repeal of Article 282”. It was initiated by the Russian National Front (*Russkii natsionalnyi front*, RNF) Coalition, which includes the Great Russia (*Velikaya Rossiya*) party under the leadership of Andrei Saveliev, Russian People’s Militia (*Narodnoe opolcheniie Rossii*) under the leadership of Yuri Yekishev (the successor of People’s Militia in the Name of Minin and Pozharsky (*Narodnoe opolcheniie imeni Minina i Pozharskogo*, NOMP), banned as terrorist shortly before that), the Initiative Group of the Referendum “For Responsible Power” (*Za otvetstvennuiu vlast’*, IGPR “ZOV”) under the leadership of Kirill Barabash, Russian Imperial Movement (*Russkoie imperskoie dvizhenie*, RID) under the leadership of Stanislav Vorobyov, and other groups. Preparations for the action took about a month, and it took place on March 15 in at least 19 regions of the country. In addition to the member organizations of the coalition, the regional rallies and pickets were attended by activists from the majority of relatively well-known nationalist movements, including the not-yet-banned NSI and “the Russians,” as well as the NDP, the Northern Frontier, the Other Russia (*Drugaiia Rossiia*), Vladimir Istarkhov’s Russian Right Party (*Rossiiskaia pravaia partiia*) and others. Despite the fact that most of the events attracted only a few people (except for the Moscow and Saint Petersburg gatherings, which brought together approximately 50 and 70 people respectively), it showed an unexpectedly broad geographic span for a first-time action.

However, the RNF failed to build on that success. On August 24, the Coalition held an action in Moscow with the similar agenda – “Freedom to the Russian people! Against Political Repressions!,” which was attended by approximately 50-70 people. Even one of the organizers, Andrei Saveliev, was dissatisfied with the action and accused nationalists of being passive and lethargic in defending their interests.⁵⁴ Perhaps, he was hoping that with the increasing number of opened court cases, attendance of public actions with the anti- “repressions” agenda would start to increase, but, apparently, it did not happen.

The issue of counteracting persecution against the ultra-right opposition was part of their other visible actions as well. In addition, pickets were regularly, especially in the first half of the year, held in defense of A. Belov (mainly by “the Russians”, but, occasionally, included participants from other movements: the Russian Joint

⁵⁴ A. Saveliev. Yesterday’s rally lacked spark // VKontakte. Page of the Great Russia party. 2015. 25 August.

National Alliance (*Russkii obyedinennyi natsionalnyi alians*, RONA) and the Nation and Freedom (*Natsiia i svoboda*) committee. Several pickets in defense of D. Garina took place in December (attended primarily by her comrades from “the Russians of St. Petersburg” organization, periodically joined by activists from other movements, such as Oksana (Vyolva) Borisova, Elena Rokhlina (RNF), several supporters of the Red Youth Vanguard (*Avangard Krasnoi Molodezhi*, AKM) and others). The Other Russia held regular pickets in support of National Bolshevik Oleg Mironov, members of the RNF coalition supported Colonel Vladimir Kvachkov, although on a much smaller scale than before. For example, the Russia-wide action in his support was announced for October 17, but public meetings took place in only four cities, and the size of the gathering exceeded 20 people only in the capital.

“Ukraine-Related” Nationalist Actions

Unlike 2014, when the Ukrainian events were a central issue for nationalist movements and rallies, in 2015, the Ukrainian theme was gradually losing relevance, and almost completely receded into the background in the second half of the year.

Movements, which never supported the Novorossiia project, (“the Russians” Association, the RONA, the RFO “Memory,” the Russian Right Party (RPP), etc.) continued to avoid this topic in their public actions, for fear of facing renewed accusations of holding the “Banderite views” and displeasing potential supporters.

The only exception — and somewhat tentative at that — is the participation of several dozen right-wing activists from “the Russians” Association and the RONA in the march in memory of Boris Nemtsov held in Moscow on March 1, and a small group of the ultra-right radicals from the same groups (“the Russians,” the RONA and the RPP) on a general protest rally in Moscow on September 20. Besides the rallies’ officially stated reasons, both actions also had an implied antiwar agenda.

Some oppositional nationalists among those, who played a rather active role in supporting Novorossiia in 2014, later also tried to avoid disputes about it. The most striking example is D. Bobrov’s NSI, which, all the way up to its ban, declared the majority of its actions as neutral toward the Ukrainian question, and prohibited colleagues from touching upon this subject under penalty of removal from events. Furthermore, the NSI put a de-facto taboo on the Novorossiia issue even on its Internet resources, focusing instead on domestic topics.

Most supporters of the Novorossiia from among the oppositional nationalists continued to address on their Internet resources both the subject of Ukrainian confrontation, and their dissatisfaction with the Russian authorities, who, in their opinion, have “betrayed” the “Russian Spring.” However, their ongoing attention to this topic had virtually no impact on the level of their rally activity.

The example of the RNF Coalition, formed in the preceding year specifically for supporting residents of Ukrainian South-East, has been quite illustrative.

A year ago, the coalition consistently demonstrated its position on the issue, promoting “Novorossiia” in every possible way during their public events, but, in 2015, it shifted its attention to other issues. Only their few pickets in memory of Aleksei Mozgovi, the deceased commander of the 4th Territorial Defence Battalion of the Luhansk People’s Republic (*Luganskaia Narodnaya Respublika*, LNR) People’s Militia, were Ukraine-related. Moreover, in some cases even these events were dedicated not only to him, but also to Vladimir Kvachkov, Yuri Budanov and Lev Rokhlin, so they did not focus exclusively on Ukraine. Even when organizing the Russian May Day and the Russian March, the RNF stepped back from its focus on Novorossiia, leaving it as the just another important issue, and bringing domestic problems to the forefront.

Perhaps the only oppositional nationalist organization, which managed to hold a full-fledged Ukraine-related action this year, was the NDP under the leadership of Konstantin Krylov. They organized several events in different cities on May 2 in memory of those killed in the Odessa Trade Unions House. However, the action took place only in 7 cities and brought together only a few dozen people in each case. Such a low turnout is quite indicative — most likely, the Ukrainian conflict has lost its attractiveness in the eyes of the NDP nationalists, while the party lacks connections to a wider audience.

The NDP was not the only organization to come up with an idea of a public rally in memory of the May 2 victims in Odessa. In May, the leaders of the Battle for Donbass (*Bitva za Donbass*) Coalition announced that they had also been planning a rally on that day in Moscow, but it failed to take place due to the late April raids on the homes of the Coalition’s co-chairs Aleksei Zhivov and Yevgeny Valiaev. The raids must have made a desired impression, since for the rest of the year, the Battle for Donbass’ public activity was mostly limited to participation in the events organized by their “senior colleagues” (such as the Anti-Maidan), and promotion of books by the National Diplomacy Foundation, where E. Valiaev is an associate. All the promoted books have revealing names, such as *Extremist Movements in Russia and the Ukrainian Crisis*, *Bloody Crimes of the Banderite Junta*, *Extremism in the Ukrainian Politics, Society, Media and Law Enforcement*, etc.

Pro-government nationalist movements, such as the aforementioned Anti-Maidan, the NOD (headed by Yevgeny Fyodorov, a Duma Deputy from the United Russia) or the Motherland party, headed by another United Russia Deputy, Alexei Zhuravlyov, were more successful, although not much more active in organizing Ukraine-related public events.

Only two really large actions took place in the period under review: the Anti-Maidan march in Moscow on February 21 under the slogan “One year of the Maidan. We won’t forget! We won’t forgive!” and an all-Russian action of

the NOD “From referendum in Crimea to sovereign Russia,” held on the anniversary of the annexation of Crimea on March 18 in several dozen cities and towns. Both events took place with support of local authorities and federal TV channels; Vladimir Putin himself participated in the Moscow rally on Vasilyevsky Spusk, dedicated to the entry of Crimea into Russia. However, the success of public actions of these movements is difficult to assess. For example, the “One Year of the Maidan” march in Moscow involved about 40 thousand people, even according to official data. This number is comparable to the protest rallies attendance in 2012, but the Anti-Maidan commanded far greater resources, including the administrative ones, and their ideology was shared by a much larger segment of the population.

The next major (but not mass) event dedicated to the Ukrainian conflict with support from the Anti-Maidan took place only in late November – namely, the exhibition “We Won’t forget; We Won’t Forgive,” dedicated to the second anniversary of the Maidan, which opened in Moscow. The main heroes of the installations were fighters of the Berkut units.⁵⁵ Perhaps the exhibition format was chosen for this event due to the likelihood of low attendance in case of a public action.

Otherwise, pro-government nationalist showed as little interest in the subject of “Novorossiya” on their rallies as the oppositional ultra-right. Basically it came down to episodic references to the Ukrainian conflict as one of many issues during the events with broad agendas (such as the ONF March on November 4), sending humanitarian aid or other one-time and/or small actions. As a result, much of the pro-government nationalist activity this year was focused on more promising topics, such as the Victory Day celebration, expression of support for the president’s policies, opposition to the “influence” of the West, anti-Turkish campaign, and struggle against the “fifth column,” including some violent actions, which pro-government nationalist groups, such as the NOD or the SERB (see above) view as a form of political activity.

Even the Other Russia party under the leadership of Eduard Limonov, which had held out longer than the others, have somewhat reduced its level of involvement in the Ukrainian issues, and interrupted their regularly held small pickets and rallies devoted specifically to “Novorossiya.” In the second half of 2015, the party moved on to fight the NATO base in Latvia, oppose liberal policies, fight against Sberbank and German Gref personally regarding absence of the bank’s branches in Crimea, and so on. The only Ukraine-related action of late 2016 was the rally on November 12 against the new rules of stay in Russia

⁵⁵ The exhibition “We Won’t forget; We Won’t Forgive” was held in Moscow // Official site of the Anti-Maidan movement. 2015. November 26.

for Ukrainian citizens, which, according to the Other Russia members, could lead to deportation of “tens of thousands of opponents of the Kiev junta” back to their homeland.⁵⁶

Traditional Nationalist Actions

The ultra-right traditionally organized two major events in the first half of the year, namely the Heroes Day, dedicated to the Pskov paratroopers, who died fighting in Chechnya in 2000, and the Russian May Day – the second largest nationalist event of the year after the Russian March. Neither action was particularly successful in 2015.

The Heroes Day was celebrated on February 28. As far as we can tell, K. Krylov’s NDP rather atypically acted as an organizer in most cities – this role was usually played by “the Russians” Association, as the successor to the banned Movement Against Illegal Immigration (*Dvizhenie protiv nelegalnoi immigratsii*, DPNI) that first popularized the action. Likely, this year the Association decided to distance itself from the Heroes Day both due to the lackluster experience of the last year, and out of fear that glorification of “Russian soldiers” could raise a loaded topic of the Ukrainian confrontation. In any case, the NDP failed to return the Heroes Day to its former scale, and, as in 2014, the action took place only in nine cities, and its best attended event – laying flowers in Saint Petersburg, organized by the NSI rather than the NDP – brought together about 50 people. For comparison, in 2013, the actions took place in at least 20 cities, and the largest of them, in Moscow, attracted about 100 people. Low interest in the Heroes Day becomes especially apparent when we take into account that 2015 marked the 15th anniversary of the Pskov paratroopers’ death.

The traditional Russian May Day never took place at all, due to withdrawal of the permit following the arrest of the organizer, D. Dyomushkin. Thus, breaking with the tradition, a march organized by the RNF ended up as the only action in Moscow, unexpectedly changing its status from an alternative to the main event.⁵⁷ The action under the slogan “The Will of the Nation is Nationalization!” proceeded along its usual route from Oktyabrskoe Pole Metro station to Shchukinskaya Metro station and brought together about 170 people, roughly the same number as in 2014 (about 150 people). As expected, this group of nationalists was unable to repeat their success of the previous Russian March,

⁵⁶ Two activists of the Other Russia detained at the rally at the Moscow office of the Federal Migration Service // Official website of the Other Russia movement. 2015. 12 November.

⁵⁷ For more information see: The Russian May Day-2015 in Moscow // SOVA Center 2015. 1 мая (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2015/05/d31918/>).

when they doubled their earlier attendance due to their support of “Novoros-siya” – a hot topic at that time. The RNF failed either to increase its own base or attract activists from the prohibited main event.

St. Petersburg also reported the same numbers as in 2013 and 2014; a city-wide May Day march attracted about 300–350 nationalists.⁵⁸ However, it should be noted that about half of the participants in 2015 came from pro-government movements, such as the NOD and the Motherland party (approximately 100 and 50 people respectively), whereas their share was lower in 2014. In 2013 the gathering involved only representatives of local oppositional ultra-right organizations. Thus, we can see that pro-Kremlin St. Petersburg nationalists are gradually replacing the opposition at the Russian May Day, as they have done at the Russian March).

Traditional organizers of the action didn’t have much to brag about in other Russian cities and towns as well – the geographic span of the Russian May Day dropped 50 percent compared to 2014, and, in the municipalities where the events managed to take place, they attracted fewer participants. Apparently, this is the combined impact of the failure of the 2014 Russian March and the law enforcement pressure.

Against this background, the near-doubling of the NOD presence at various May Day marches looks rather remarkable – the movement participated in at least 15 actions in the preceding year, while, in 2015, the corresponding number was at least 28.

“The Russians” Association promised to compensate for disruption of the traditional Russian May Day in Moscow by conducting marches under the slogan “For Honor and Freedom” in the capital and other cities across the country on the Day of Right-Wing Political Prisoner on July 25. The campaign was actively advertised on the social networks. Movements, such as the Russian Civic Union (*Russkii Grazhdanskii Soiuz*), the RONA, the RFO “Memory” and the Nation and Freedom Committee joined the organizing efforts and seconded “the Russians” in promises to make the march “the main event of the summer.” Nationalists obviously hoped that, given the increased police pressure against the ultra-right, they will be able to mobilize activists and hold a Day of Right-Wing Political Prisoner on a large scale. However, their hopes were shattered.

The Moscow mayor’s office didn’t agree to any of the proposed march routes and then denied permission for a picket as well. As a result, it was decided to limit the action to two events: a “folk festival” near the Heroes of Plevna

⁵⁸ For more information see: The Russian May Day-2015 in the regions of the country // SOVA Center 2015. 5 мая (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2015/05/d31933/>).

monument and one-person pickets near Novokuznetskaya Metro Station. Almost nobody attended the non-permitted actions; the festival, which, as far as we know, were organized by activists of the RONA and the RFO “Memory,” attracted no more than 20 people, and the picket, organized by “the Russians,” brought together about 15 people. In addition, no insignia was displayed at either of these events.

Besides Moscow, the actions, usually in the form of pickets, were held in at least 8 cities (Astrakhan, Yekaterinburg, Kemerovo, Krasnodar, Irkutsk, Saratov, Syktyvkar and Ulyanovsk), and four additional cities hosted very small actions, such as putting up posters and banners (St. Petersburg and Oryol) or collecting and sending money to imprisoned nationalists (Volgograd and Nizhny Novgorod). In addition to public events, “the Russians” Association and the NSI held a traditional marathon to raise funds for the nationalist prisoners.

Of course, such an action could hardly qualify as the “main event of the summer,” but neither was it a complete failure. After all, nationalists managed to hold at least some public events, despite the fact that almost everywhere, the actions were banned, police frequently came to the picket locations, and the VKontakte page of the March group was blocked.

The next traditional nationalist action was the “Victims of Ethnic Crime Remembrance Day,” which takes place on the weekend closest to October 1 (the day of Anna Beshnova’s death). In contrast to 2014, when no one took up the responsibility for organizing the action, in 2015, “the Russians” made an attempt to regain their organizing role. The RFO “Memory,” the Nation and Freedom Committee, For Honor and Freedom and the Moscow RONA branch heeded their call in Moscow. Together with activists from “the Russians,” they held a rally near the Chistye Prudy Metro Station on the spot where FC Spartak fan Yuri Volkov had died. Approximately 20–30 people attended. In addition to Moscow, only two cities – Khabarovsk and Balakhna of the Moscow Region – reported very small actions (both had rather active branches of “the Russians” Associations). In 2014 and in 2013 nationalists celebrated this day on about the same “scale”.

The remaining hope was focused on the Russian March on November 4th. In Moscow, the action attained a scandalous reputation in advance, as soon as it was reported that as much as four processions, claiming the status of “the Russian march,” were to take place in: the “traditional” one in Lyublino, the RNF’s “Russian March for the Russian Revenge” on Oktyabrskoe Pole, “The Russian March for the Russian World,” organized by the Russian World movement on the Tsvetnoy Boulevard, and the Motherland TIGERS column at the ONF march. Only organizers of the Lyublino event had problems with obtaining a permit – the officials refused to accept an application from D. Dyomushkin, citing his numerous administrative penalties, but an application filed in the name of Yuri Gorsky

(the editor-in-chief of the ArtPolitInfo online portal) was denied as well. As a result, the action received a permit only after an application was submitted by a certain Anton Smirnov, almost unknown outside of the far-right circles. Smirnov was also fined twice after that, leading to fears that the event would be canceled, but the permit remained in force, and the fears never materialized.⁵⁹

A large number of competing actions angered right-wing activists, who felt that the continued fragmentation of the Russian March had a negative impact on the entire movement. There were appeals to the leaders of the organizations to unite for holding a single march, and a host of accusations against them, suggesting that, led by their personal ambitions, they were destroying the Russian March as an institution.

A large number of the planned actions and the struggle for participants exacerbated criticism levied by the competing organizing committees against each other. For example, supporters of “the Russians” Association urged activists in Moscow and the regions not to attend the “*100% Votnik actions for “Novorossiya and Putin” with participation from the Motherland, the RNE and the Great Russia*”.⁶⁰ Almost simultaneously, the Great Russia party, a member of the RNF, distributed a text, which labeled the organizers of the other marches as provocateurs, fakers, and “*direct hirelings of enemies of the Russian people*”.⁶¹

Some nationalist movements found no place on any of the Moscow actions, despite the unusually varied choice. For example, the NDP, which had repeatedly stated that it saw no reason to join alternative rallies, had to abandon the March in Lyublino as well, due to criticism they received in 2014 for participating in this “Banderite event.”

In the end, Moscow hosted four different actions on November 4 as planned, although the Motherland TIGERS march can only be conditionally considered to have taken place.

The following groups attended the March in Lyublino: the RONA supporters, led by their leader Oleg Filatchev, the “pan-Slavic column,” the Russian Human Rights League (i.e. V. Istarkhov’s RPP); the Unappeasable Column, led by Ilia Sotnikov; the Right Column (the combined column of the activists from the RFO “Memory” and the Nation and Freedom Committee) led by Denis Romanov-Russky; the column of the Black Bloc of autonomous nationalists and

⁵⁹ Yuri Gorsky. Russian March in Lyublino on the verge of collapse // VKontakte. Page of Yuri Gorsky. 2015. 30 October.

⁶⁰ The Russian Sector Statement on the Russian March 2015 // National News Service. 2015. 26 October.

⁶¹ A. Saveliev. As in previous years, the Russian March will involve not only Russian nationalists, but also provocateurs and imitators // VKontakte. Страница Андрея Савельева. 2015. 26 October.

For Honor and Freedom activists, led by A. Samokhin; supporters of the already banned “Russians,” led by Yuri Gorsky; a group of Orthodox Banner Bearers and others. The Unappeasable Column included representatives of the Slavic Strength – North-West (*Slavianskaia sila – Severo-Zapad*), who travelled from St. Petersburg to participate in the march. The total number of participants was about 700-800 people, making it the most numerically small of all the “traditional” marches over the years. We would like to remind that in 2014, when the march was deemed a failure, about 2 thousand people gathered in Lyublino.

However, in contrast to 2014, when the March organizers could not hide their disappointment, it was not so noticeable in 2015. It seems that their distress in 2014 stemmed from the sense of their ideological loss to the “Novorossiya” supporters, while the low attendance of the following year could be attributed to persecution of the right-wing movement leaders. In such circumstances, holding even a poorly attended event was hailed as a small victory.

The RNF march at Oktyabrskoe Pole was also not a success. It was attended by about 360 people, while, the organizers managed to attract about 600 people in 2013, and 1200 in 2014. Thus, the RNF, not only failed to keep its new marchers, who joined in 2014, but was not even able to retain their old allies.

The third Russian march – “For the Russian World” on Tsvetnoy Boulevard – also couldn’t be described as well-attended. Around 100 people came to participate. Presumably, the organizers were counting on the same group that joined the ranks of the RNF marchers in 2014 (those 500-600 people, who came to Oktyabrskoe Pole, in addition to 500-600 that usually attend the RNF events). Judging by the fact that they were able to attract only 100 people, they had miscalculated. However, it would be premature to write off the action as failed, since it was the first event of “For the Russian World” at this location, and they already managed to bring in a three-digit number of participants.⁶²

It is not clear how to assess the fourth nationalist event of November 4, namely the Motherland TIGERS march.” Contrary to initial claims, the ONF march included no separate TIGERS column or visible symbols of the new organization. Movement leader V. Laktyushin walked in the column of the Motherland party, which numbered up to 120 people. Young people comprised about half of this number and (judging by the placards) included the youth who had nothing to do with TIGERS.

In sum, all four events (even if we count the entire Motherland Party column as TIGERS) does not come close in attendance to the numbers of 2014

⁶² For more information on nationalist events on November 4, 2015 see: Moscow-2015: The “Russians” and other nationalist marches // SOVA Center 2015. 4 November (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2015/11/d33174/>).

and, especially, 2013. All four marches combined involved no more than 1,450 people, compared to about 3,000 in 2014 and 6,700 in 2013.

If we take into account supporters of the NOD (about 1,000 people), and of the Anti-Maidan (about 5000 people), who attended the ONF march, the result becomes much more impressive. However, there are serious doubts whether these movements, in fact, have so many activists, and the slogans they carried cannot be qualified as ultra-right.

While Moscow nationalists had a problem of choosing their march, in St. Petersburg, the issue quickly resolved itself, since it soon became obvious that no action was going to happen. The Motherland party, which held its Patriotic March in 2013 and 2014 and ousted the nationalist opposition, did not organize anything, and the organizing committee of the local far-right movements (the RID, the Great Russia, the RNE, the Russians of St. Petersburg and others) failed to get a permit for the event. Only D. Garina tried (without much success, by the way) to mobilize her supporters for holding an unpermitted march along Nevsky Prospekt, but got arrested two days before the action.

The process of preparing for the Russian March in other cities was not as dramatic as those in Moscow and St. Petersburg (and involved no new criminal cases), but activists in the regions also had to deal with increased complexity of obtaining permits for their public events. As a result, marches in one form or another were held only in 24 cities; in 11 other cases permits proved impossible to obtain. Even including the actions, which would have taken place if it weren't for the resistance by the authorities, we still end up with fewer events than in the preceding year (36 cities). Thus, for the second year in a row, we observe the shrinking geographic distribution of the Russian March. In addition, attendance of the events also fell almost everywhere.

We would like to remind here that, in the last few years, the complaints have been increasingly heard among the right-wing opposition that the Russian March – and the format of public actions in general – exhausted its potential. As we see from the traditional activities of right-wing radicals, the rallies are, indeed, less in demand by their audiences and are increasingly becoming the prerogative of pro-government associations.

Other Public Event Initiatives

Attempts to turn criminal incidents involving local residents on one side and migrants on the other into major political events have been an important form of ultra-right public activity. Since 2006, when riots in the Karelian town of Kondopoga gained notoriety all over the country, nationalists keep hoping to repeat and multiply that success. In 2014, the attempts on spinning criminal incidents were atypically few due to the Ukrainian confrontation dominating the

public discourse, but, by late 2014 and early 2015, the situation began to normalize, and the nationalists brought their attention back to this type of activity.

However, the only incident to gain any significant publicity, was the murder of contract soldier Dmitry Sidorenko by migrants from Armenia in Opera Cafe in the city of Mineralnye Vody. A. Amelin, O. Borisova and N. Bondarik attempted to “spin” the incident via social networks by spreading emotionally charged material that portrayed the conflict as ethnic.

On January 24, an unsanctioned people's assembly, which attracted about 150 people, took place in the town. The action ended peacefully, even without any mass arrests, despite the fact that its participants attempted twice to block the federal highway.

Despite the fact that the action achieved some resonance, it didn't fulfill the hopes of the far-right, since it had no pronounced nationalist character. The principal slogans were directed not against resident Armenians but against the local authorities and the police, who, according to locals, were corrupt and incompetent.

Having taken stock of the mood in the city, the nationalists changed tactics, started calling Mineralnye Vody “the new Kuschevka” rather than “the new Kondopoga,” and attempted to hold another people's assembly, scheduled for February 1. However, the action never took place, and the online nationalist resources, which called people out to the streets, were blocked.

Another story to achieve relatively wide notoriety was the people's assembly in Moscow in connection with the murder of Sergei Kostiuchenko, a student of the Bauman Moscow State Technical University on February 6. “The Russians” Association and Vladimir Basmanov personally actively promoted this action and announced the people's assembly to be held near the MSTU's dormitory in the Izmailovo District on February 8. Announcements for the event reported that the media and the FSB were carefully concealing the information about the student's killers, allegedly migrants from the Caucasus; it was also claimed that the girl, who had been the cause of the conflict, found herself under pressure.

Despite the organizers' best efforts the assembly turned out quite peaceful. Only a few dozen people gathered and laid flowers at the murder scene. The attendees included the activists of “the Russians” Association, the Nation and Freedom Committee and the RFO “Memory”.

The gatherings in Mineralnye Vody and Moscow ended up being the largest such events of the year, since, once the new round of prosecutorial actions against nationalists started in the spring, the activity level of the ultra-right markedly declined.

It is indicative that even such a symbolic ultra-right storyline as the death of soccer fan Ivan Stanin in a fight with migrants from the Caucasus, which occurred on March 30 in St. Petersburg, failed to mobilize a large number of activists. After the 2010 Manezhnaya Square riots in Moscow, provoked by the

death of soccer fan Yegor Sviridov, nationalists have traditionally paid serious attention to such murders, counting on their great mobilization potential. Despite the efforts of several far-right movements of St. Petersburg to promote this story (the NDP, “the Russians” Association, the Great Russia and others), they only managed to hold a noticeable public event in the end of May, and it was attended by no more than 40 people. The ultra-right activity immediately after the murder was limited to a number of one-person pickets.

All other actions “against ethnic crime” were even less attended and brought together no more than 30 people, until they came to a complete halt in the second half of the year.

The far-right oppositional organizations tried to draw the attention of their supporters to the truck drivers protest, which began in the late fall due to the imposition of the Plato payment system. In most cases, nationalists limited their support to outraged descriptions of events, but calls to somehow participate, or at least help appeared periodically. Nationalist websites advertised the truckers’ actions; trips were taken to the protesters camp in Khimki and Brateevo; aid was collected. Apparently, right-wing radicals were hoping that, if the truckers’ protest enters the “hot phase,” they would be able to join it, but the actions remained rather passive and never lived up to the expectations.

All other attempts of the nationalists to bring people to the streets were even less convincing. In the second half of the year, very small-scale actions, in the “get-together” format took place quite regularly. They were devoted to relatively random topics: a protest against the restoration of the monument to Dzerzhinsky in Moscow; dissatisfaction with the number of hours dedicated to the Russian language instruction in schools of Tatarstan, as well as local history textbooks; anniversary of the collapse of the ruble in 2014, etc.

Electoral Activity

Local and regional elections, held in a number of subjects of the Federation on September 13, became an important issue for a number of nationalist organizations.

The Great Fatherland Party (PVO), led by Ivan Starikov, announced its participation in the elections, and nominated its representatives for municipal governments or municipal representative bodies. As a result, only four activists, designated by the PVO in the Primorye Region, the Nizhny Novgorod Region and the Orenburg Region received their mandates. In addition, the PVO attempted to nominate its candidate in the gubernatorial elections in the Arkhangelsk Region, but he never got registered. Despite the fact that most of the candidates failed to get enough votes, and out of 11 PVO candidates in the Nizhny Novgorod region

only one got elected, the elections can be considered successful for the party. Until recently, the PVO was a little-noticed party without any unique ideology, and Starikov was known more as a writer of books glorifying Stalin. However, probably due to their membership in the Anti-Maidan movement, they were able to register their candidates in several regions and even to win several electoral contests.

The Motherland party also took part in the elections, was dissatisfied with the results and complained of “pressure against their candidates,” due to the fact that, in about half of the cases, the party lists and candidates could not get registered or were withdrawn from the elections under various pretexts. For example, in the Chuvash Republic, and the regions of Amur, Bryansk, Kaliningrad, Leningrad, Smolensk, and Sakhalin the party had nominated its gubernatorial candidates, but they eventually did not participate in the elections. The Motherland succeeded in registering its nominees in only two cases: Andrei Dvoretzky ran for the post of the head of the Omsk Region, and Vladimir Popkov – of the Penza Region. Neither of them succeeded: Dvoretzky scored 3.62% of the vote and finished the fourth out of five, and V. Popkov received less than 1% of the vote, showing the worst result. At the regional level, the Motherland also failed in advancing on party lists, and, as far as we can tell, did not receive a single mandate— it received anywhere from 0.26% of the votes (the election of deputies to the Kostroma Regional Duma) to 2.48% of the votes (elections of the deputies to the State Council of the Komi Republic).

As a result, the party had some success only at the local level: on the Single Voting Day, 422 out of 2968 candidates, nominated by the Motherland, were elected deputies of local governments in 19 subjects of the Federation. This result can be considered quite good, although success in the local elections, where voters don’t take party affiliation of the candidates very seriously and often familiarize themselves with the list of nominees directly at the polling site, are not indicative in assessing the party’s popularity. The losses in regional elections on the party lists and in gubernatorial races provide a clear evidence that the Motherland’s statements about enjoying broad support are clearly premature. Representatives of K. Krylov’s NDP took part in elections at the local level. We have no information about most of their candidates; we only know that Rostislav Antonov, the leader of the Novosibirsk branch of the NDP, was nominated to the Novosibirsk Council of Deputies, failed to receive the necessary number of votes, but took the second place in the district, getting 17.3%.

It was reported that members of the NPD have been nominated in a number of cities (Astrakhan, Voronezh, Novosibirsk, Samara, Kaliningrad, Oryol) and in the Moscow Region. However, the party never openly engaged in promotion or informational support of the campaigns, probably fearing that public announcements of the candidates’ NDP membership could only hinder their success.

The fact that, most likely, none of the representatives of the National Democrats received mandates was indirectly confirmed by the statement, later issued by the party. In this statement, among other things, the NDP protested against the recent regional elections, and stated that the process was the evidence of rolling back from “even the modest cosmetic liberalization promised by the authorities in 2011,” and “destroying the remnants of democratic institutions.”⁶³

The ROS (S. Baburin) presented its candidates for gubernatorial positions – Alexander Ivanov in the Kaliningrad Region and Oleg Lopatko in the Sakhalin Region – but both of them were denied registration. The ROS didn’t go on the party lists in any elections to regional parliaments, and, unfortunately, we don’t know whether the party had any single-mandate nominees and whether it took part in local elections.

Nothing was reported regarding participation of other nationalists, particularly from oppositional groups, in the elections. Meanwhile, the ROS and the Motherland TIGERS have already announced their plans to take part in the elections of 2016.

Other Activity by Nationalist Groups

Various raids with the “social” agenda, aimed at demonstrating their active social position, have become an important direction of nationalist activity in recent years. Raids to combat pedophilia, illegal migrants, shops selling alcohol to minors, and so on, were very popular not so long ago and were held in a most aggressive manner. However, starting in late 2013, the number and the level of aggression of such actions have been steadily decreasing, primarily due to the law enforcement pressure against the leaders of the major raiding groups. Many of these criminal proceedings were listed above (N. Bondarik, D. Yevtushenko, D. Bobrov, A. Kolegov, M. Martsinkevich and others), and this list is incomplete. In most cases, cases were not initiated in connection with the raiding activity, but, nevertheless, could not fail to affect it. In 2015, there was only one new raid initiative associated with the fight against illegal immigration, namely the Citadel project of the For Honor and Freedom movement.⁶⁴ However, this project has been passive so far, and, apparently, not popular.

Raids with less aggressive agenda, for example, against drinking alcohol in public places, sale of alcohol to minors, or at the wrong time, were quite popular throughout 2015. The groups most engaged in such activities include the Sober

⁶³ The NDP Central Committee Statement // Official website of the National Democratic Party. 2015. 17 September.

⁶⁴ The project split away from the movement in 2016.

Yards (*Trezvye dvory*) movement, Civil Patrol (*Grazhdanskiy Patrul'*) (R. Antonov), the Lion Against (*Lev Protiv*) organization, People’s Watch (*Narodnaya Druzhina*), as well as a number of very small far-right groups on an occasional basis. As previously noted, these raids pose the threat of clashes between the activists and perceived violators of the public order, particularly given a frequently aggressive attitude on both sides. Activists from the Lion Against repeatedly got involved into fights in 2015; the Sober Yards had clashes with traders and buyers of alcohol at night, etc. It should also be noted that the practice of ultra-right activists accompanying police raids continued in 2015 (although, it is often difficult to determine who accompanies whom); we view this practice as unacceptable.

The pro-government Motherland joined the raiding activity in the first half of 2015. In June only, the party activists took part in a raid against the night trade of alcohol, in an anti-drug action, in a raid to search for illegal migrants and in an action to patrol the streets and combat drinking alcohol and smoking in public places. However, in the second half of the year, we received very few reports of any raids.

In contrast to the Motherland, which had no problems with the law enforcement, some ultra-right leaders, for whom raiding was their primary activity even in 2014, turned their attention elsewhere in 2015 – primarily, to the activities related to, or at least associated with, the armed conflict in Ukraine.

Igor Mangushev’s movement, the Light Russia (*Svetlaya Rus'*), which used to be very active in carrying out searches for residences of illegal immigrants, is now busy cooperating with the E.N.O.T. Corp. group. Officially, E.N.O.T. members, who include many activists of the Light Russia, are engaged in collection and delivery of humanitarian aid to the South-East of Ukraine; unofficially they are taking part in the hostilities.

Another leader of the “raiding” movement, former head of the Shield of Moscow (*Shchit Moskvy*) Alexey Khudyakov has also switched to the “Ukrainian” theme. His new organization, the Russian Choice (*Russkii vybor*) is dedicated to regular gathering and shipping of humanitarian aid to Donbass. It is not clear, whether this is a purely humanitarian project or, similarly to E.N.O.T. Corp, a military one as well.

Uliana Sporykhina, the leader of Russian Khimki movement, shut down her big raiding project Guestbusters. She is now coordinating certain basic military training courses, which are actively advertised on the Russian Khimki social network page.

Late in the year the activists of the banned NSI, who had actively conducted raids against street trade, discontinued them and, instead, established a military sports association and now provide training to all comers.

It should be noted that the Russian Khimki and the ex-NSI activists are not the only organizations to promote their military training courses – aforementioned

E.N.O.T. Corp, the Russian Choice and other ultra-right movements do the same. Such courses are usually organized on the basis of various military-and-sports clubs willing to collaborate with nationalists. One of the most famous examples – the St. Petersburg Reserve (*Rezerv*) club under the leadership of Denis Gariev, actively advertised on the RID, NSI and other ultra-right websites. The club cooperates with the RID “Imperial Legion” movement, which, in turn, formed the eponymous unit that was a part of the Donetsk People Republic (*Donetskaia Narodnaya Respublika*, DNR) armed forces until 2016.⁶⁵ S. Vorobyov, the leader of the RID, said in an interview that two groups of volunteers per month, on average, were sent to this unit, and their training was handled by Reserve. Meanwhile, the club accepts not only those ready to go fight in Ukraine, but, as far as we know, anyone wishing to obtain military skills and will likely continue to do so after the flow of volunteers to the south-east of Ukraine has stopped.

As noted in our previous reports, the number of permanent clubs affiliated with the nationalists and providing everyone interested with combat training has dramatically increased, starting in 2014. Increasingly, instead of their usual irregular camp and training announcements, the websites of the ultra-right movements feature calls to join clubs that teach knife and unarmed combat, combat tactics in urban or forest environment, shooting skills, handling of weapons, etc. Many of these clubs include women and children’s sections. We believe that such a drastic militarization of an already extremely aggressive ultra-right environment is very worrying.

Ultra-right groups, unwilling or unable to join the work on creation and promotion of permanent combat training courses, conduct more traditional small gatherings and outdoor military exercise, trying to keep up with the spirit of increased militarism. The number of such events has remained consistently high starting in 2014.

Purely sporting actions continue as well; we see many small events in mixed martial arts, football and “Russian Bench Press,” as well as all sorts of runs, “walks” and swims. Organizers of sporting events include major nationalist groups, regional activist groups and ultra-right fashion brands.

Nationalists compensated for their shrinking raiding and political activity not only by martial or sporting events, but also by undertaking purely social projects without any aggressive components. We would like to remind here that such actions were popular in 2009 and 2010, when the law enforcement embarked on active prosecution of ultra-right groups and detained gangs of right-wing radicals with unprecedented frequency. Later on, partially due to the reduced pressure against the nationalists and partially due to their adaptation to the new realities, the number of peaceful social nationalist actions dropped significantly. Now,

⁶⁵ Moved out of Ukraine in early 2016.

right-wing radical groups can, once again, be observed taking up actions such as blood donations, collecting aid to the poor, holding Subbotniks (volunteer work on Saturdays), etc.

Counter-action to Radical Nationalism and Xenophobia

Public Initiatives

In 2015, the public activity to counteract xenophobia and radical nationalism followed the patterns established in previous years. However, attendance of the actions significantly decreased.

On January 19, the traditional All-Russian campaign in memory of Stanislav Markelov and Anastasia Baburova took place in 11 cities in Russia⁶⁶ (same as in 2014). Fewer people (500-540 at most) attended the anti-fascist march and rally in Moscow, compared to the preceding year.⁶⁷ Activists from the NOD and from the God’s Will movement actively tried to obstruct the action. According to the police data, 10 people were detained. In St. Petersburg the march received an official permit for the first time in several years.⁶⁸ The march started from Birzhevoy Proezd on Vasilyevsky Island and brought together about 200 people.

As part of the European Week of Actions, the UNITED for Intercultural Action network held its annual International Week of educational activities “Stop Racism!” on March 14 – 22. This international event attracted practically no attention. We only know of two events that took place in connection with the Week – an action in St. Petersburg and a debate on xenophobia in Murmansk.

The annual International Week of Tolerance under the slogan “Kristallnacht – never again!” took place on November 9 – 16, timed to coincide with the International Day against Racism and Intolerance. Unfortunately, the commemorative week has remained practically invisible to the wider public for the past four years. In 2015, we know about small-scale actions in Saratov, Ulyanovsk and Syktyvkar, and memorial rallies in Volgograd and Kaliningrad.

Two traditional anti-fascist activities took place in St. Petersburg. The March against Hate, instituted in 2004 after the assassination of scientist Nikolai Girenko

⁶⁶ Actions in memory of Markelov and Baburova took place in a number of cities // SOVA Center 2015. 20 January (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/01/d31065/>)

⁶⁷ March in memory of Markelov and Baburova took place in Moscow // SOVA Center 2015. 20 January (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/01/d31064/>).

⁶⁸ Previously, applicants were denied permits in Smolny and tried to challenge these denials in the courts (up to the Constitutional Court of the Russian Federation).

by neo-Nazis, was not granted a permit for the first time in its 11 years. Nevertheless, about 200 people came to attend the march on October 31 near Sportivnaya-2 Metro Station. The participants came to the Spit of Vasilyevsky Island, held a short rally and dispersed. At the end of the rally, participants unfurled banners with portraits of activist Dmytro Chyzhevsky, who partially lost his sight after the November 2013 attack against an LGBT organization,⁶⁹ and of murdered human rights defenders, social activists and politicians, from Natalya Estemirova to Boris Nemtsov. Representatives of right-wing radical movements lined up along the column's route and shouted insults at the marchers. Overall, however, the event went off without incidents and required practically no police intervention.

An action in memory of antifascist musician Timur Kacharava, who died on this day in 2005 at the hands of neo-Nazis, was conducted on November 13 near the Bukvoed bookstore on Vosstaniya Square and attracted about 30 people, who laid flowers, candles and attached portraits of the deceased anti-fascist to the bookstore's facade. The police did not interfere. In contrast to the preceding years, there was no picket, because the organizers feared provocations and arrests.

The "Football People" Action Week, which was organized by the Football against Racism in Europe (FARE) network, took place from October 8 to 22.⁷⁰ This is the largest campaign that unites fans, players, clubs and activists in the fight against discrimination in soccer, for diversity and equality. Russian football clubs also joined the campaign in 2014. In the framework of this Action Week, we know of a friendly match in Krasnodar, a school tolerance class conducted by the Student Fan League of FC Zenith, in St. Petersburg, and the match between Muslim women teams in Moscow.

Criminal Prosecution

For Violence

In 2015, for the first time since 2011, the number of convictions for violent hate crimes was slightly higher than in the preceding year. In 2015, there were at least 24 convictions in which the courts had recognized the hate motive in 19 regions of Russia (compared to 22 convictions in 20 regions in 2014). As a result of these court cases, 61 people were found guilty (vs. 47 people in 2014).

⁶⁹ For more information see: LGBT activists attacked in St. Petersburg // SOVA Center 2013. 12 November (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2013/11/d28391/>).

⁷⁰ Football People movement united in Fare action weeks // FARE. 2015. October 25 (<http://www.farenet.org/news/football-people-movement-united-in-fare-action-weeks/>).

Practically all the relevant articles of the Criminal Code containing the hate motive as an aggravating circumstance were utilized to qualify penalties for racist violence. Article 105 Part 2 paragraph "1" ("murder"), Article 119 Part 2 ("Threat of murder"), Article 116 Part 2 paragraph "b" ("battery"), Article 115 Part 2 paragraph "b" ("infliction of a light injury"), Article 112 Part 2 ("infliction of a moderate injury"), Article 111 Part 4 ("infliction of a grave injury"), Article 213 Part 2 ("Hooliganism"), etc.

Article 282 ("inciting ethnic hatred") in relation to violent crimes appeared in seven sentences. According to the 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" of June 28, 2011,⁷¹ it is appropriate to apply Article 282 to violent crimes, if they are aimed at inciting hatred in the third parties, for example, through a public and demonstrative ideologically motivated attack, and in such cases Article 282 should be used in combination with another appropriate article of the Criminal Code ("murder," "battery," etc.). We completely agree with the position of the Supreme Court. Indeed, in all such verdicts of 2015 -the most resonant ones were the verdicts to a member of the Yekaterinburg Folksshturm group and to the Yuzhno-Sakhalinsk shooter, Article 282 was utilized for specific cases of ultra-right propaganda combined with violence.

Penalties in violent crime cases were distributed as follows:

- 3 people were sentenced to life in prison;
- 2 people received a custodial sentence of 24 years;
- 3 people – up to 20 years;
- 2 people – up to 15 years;
- 14 people – up to 10 years;
- 12 people – up to 5 years;
- 7 people – up to 3 years;
- 5 people – up to 1 year;
- 9 people received suspended sentences;
- 1 person was sentenced to a fine;
- 3 people were released from punishment due to reconciliation of the parties;
- 1 person was acquitted.

We know of four verdicts, which ordered the offenders to pay a financial compensation to their victims for moral harm and medical expenses. Regretfully,

⁷¹ For more details see: Vera Alperovich, Alexander Verkhovsky, Natalia Yudina, Between Manezhnaya and Bolotnaya.... // SOVA Center 2012. 21 February (<http://www.sova-center.ru/racism-xenophobia/publications/2012/02/d23739/>)

we rarely encounter reports about such measures. Meanwhile, we believe that this practice should be expanded. It would be only fair, if the offenders, who have caused the need for medical care in the first place, pay the expenses.

As you can see from the above data, 14 % of convicted offenders (9 out of 61) received suspended sentences. All these people (some of them minors) were convicted in large group trials, and, probably, their direct involvement in the attacks could not be proved or they accepted a deal with the investigation

It is encouraging to see the number of suspended sentences for violent crimes go down, because suspended sentences for violent racist attacks, in the overwhelming majority of cases, tend to engender the sense of impunity and do not stop ideologically motivated offenders from committing such acts in the future.

Offenders sent to prison in 2015, included members of the well-known nationalist groups, such as Kazan Nazi Crew from Kazan, Folksshturm from Yekaterinburg, Piranha-74 from Magnitogorsk, the Northern Frontier from Syktyvkar (with their leader Aleksei Kolegov), the Kamensk-Uralsky branch of the Occupy-pedofiliy in the Sverdlovsk Region.

Three people were sentenced to life in prison. All of them came from the infamous Military Organization of Russian Nationalists (*Boevaia organizatsiia russkikh natsionalistov*, BORN). Vyacheslav Isaev and Maxim Baklagin were sentenced by the Moscow Regional Court on April 21⁷², and the ex-leader of the Russian Image (*Russkii obraz*) organization Ilya Goryachev, accused of founding the BORN and planning the murders committed by the group, was convicted by the Moscow City Court on July 24.⁷³

For Vandalism

Twice as many sentences were issued for ethno-religious and neo-Nazi vandalism in 2015 than in the preceding year; we know of 8 verdicts against 14 persons in 7 regions (vs. 4 verdicts against 6 persons in 8 regions in 2014).

Four cases involved the charges under Article 214 of the Criminal Code (“vandalism motivated by ethnic or religious hatred”). Only in one case it was the only article utilized in the prosecution. In the other three verdicts (to above mentioned Nazi skinheads from Kazan Nazi Crew and Occupy-pedofiliy, and

⁷² Mikhail Volkov was sentenced to the term of 24 years for a series of racist attacks. Yury Tikhomirov was acquitted in the same case (in 2012, he was sentenced to ten years in prison for the murder of anti-fascist Ilya Dzhaparidze). More in: “The Verdict in the BORN case has been issued” // SOVA Center, 2015. 21 April (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/04/d31834/>).

⁷³ Ilya Goryachev receives a life sentence // SOVA Center 2015. 24 July (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/07/d32496/>).

to the Yuzhno-Sakhalinsk shooter) it was used in combination with charges under other (violent) articles.

Three cases utilized Article 244 of the Criminal Code (“Desecration of gravestones”). In all cases, it was used in combination with other criminal charges. In one instance, it was combined with Article 158 (“Theft”), in another one – with Articles 222 (“Illegal possession of ammunition”) and 222¹ (“Illegal possession of explosives”) and in the third case – with Article 282.

In 2015, we encountered the first sentence for vandalism issued under recently introduced Criminal Code Art. 354¹ (the part on “Desecration of symbols of Russia’s military glory, publicly committed”). The Krasnoyarsk Regional Court convicted three local residents for desecrating monuments to military glory in Gvardeisky Park on January 9.

As in the preceding year, the majority of convicted offenders (8 out of 14) were sentenced to imprisonment. Vandalism was not the sole or primary charge against any of these people – they included members of the right-wing groups, mentioned above, and their sentences included grave charges, such as violence. Previously mentioned individuals, whose verdicts included Articles 158 and 222, were sentenced to prison terms as well. The only doubtful prison sentence is the court decision in Krymsk of the Krasnodar Region. A 19-year-old young man was sentenced to one and a half years in prison under the combination of Articles 282 and 244 for desecrating the memorial in honor of heroes of the Great Patriotic War together with his “colleague,” filming the act of vandalism with his mobile phone camera and uploading the record on the Internet; in addition, he wrote an “*extremist statement*” on a tank with a marker.

As for the other sentences, two individuals (from the Kazan Nazi Crew) received suspended prison sentences. However, we do not know the specific episodes they were charged with.

Three people were sentenced to mandatory labor for a period of 60 to 110 hours (all under Article 354¹ of the Criminal Code), and one – to restrictions of freedom. We view this level of punishment for graffiti on the monuments to military glory or Lenin’s statues as adequate.

By the way, a number of similar crimes (desecration of buildings, houses or fences) were still qualified not as vandalism but as propaganda under Article 282 (see the next chapter). This phenomenon stems from the dual nature of such offenses. Decisions on a specific article to be used are left to the discretion of law enforcement agents, the law enforcement and the media are more familiar with Article 282.

For Propaganda

The number of propaganda-related convictions continues to grow at an alarming rate. In 2015, it, once again, significantly exceeded the number of sentences for

all the other kinds of extremist crime combined. There were at least 202 verdicts for xenophobic propaganda in 2015, and 211 people were found guilty (one person was been released due to active repentance) in 60 regions of the country. In 2014, 154 sentences were issued against 159 people in 54 regions.

Propaganda could be qualified under articles 282, 280, 212 (“incitement to mass riots”) and 205² of the Criminal Code.

Article 282 was utilized for 148 sentences to 156 people. The verdict used exclusively Article 282 in the overwhelming majority of cases (127 persons, 124 verdicts).

7 people were convicted exclusively under Article 280 (“public incitement to extremist activity”).

3 people were convicted exclusively under Article 205² (“public incitement to terrorist activities or public justification of terrorism”);

11 people – under the combination of Articles 282 and 280;

3 people – under the combination of Articles 205² and 282;

1 person – under the combination of Articles 282, 280 and 205²;

1 person – under the combination of Articles 282 and 212 (in part relating to incitement to riots);

1 person – under the combination of Articles 280 and 212.

In 9 sentences to 16 people violence charges were aggregated with propaganda charges (including the sentences we mentioned in the section on “Prosecution for Violence”).⁷⁴ In addition to these, two more verdicts are worth our attention.

The first issued under the combination of Articles 282 and 359 of the Criminal Code (“Mercenarism”). The Moscow City Court sentenced member of the Ukrainian Right Sector Alexander Razumov to seven years in a minimum security penal colony for publishing Russo-phobic material on his VKontakte page. In addition, Razumov belonged to the People’s Watch of Zelenograd, and used to accompany the police in their arrests of law-breakers. During one of these mis-

⁷⁴ 5 people – under the combination of Articles 282¹ (“Participating in an extremist group”), 282, 116, 161 (“Robbery”)

1 person – under the combination of Articles 116 and 282;

person – under the combination of Articles 282 and 359 (“Mercenarism”);

person – under the combination of Articles 280 and 318 (“Use of Violence Against a Representative of the Authorities”);

1 person – under the combination of Articles 105 and 282 and 2421 Part 2 of Criminal Code (Demonstration of pornographic materials with images of minors”);

4 persons – under the combination of Articles 205², 282, 213, 150;

1 person – under the combination of Articles 282, 105, 111, 112, 214, 243 (“Destruction or damage of monuments of history and culture”);

1 person – under the combination of Articles 282, 105, 282¹, 161;

1 person – under the combination of Articles 280, 282, 116, 139 Part 1.

sions, he offered cops money to go and fight in the South-East of Ukraine on the side of the government forces. The police reported this recruitment attempt to their superiors. This is the first known conviction of an ultra-right activist for mercenary activities.

The second sentence was issued in Astrakhan under Article 280 Part 1 and Article 318 Part 1 of the Criminal Code (“Violence against an official representative”) for publishing on VKontakte multiple photos and comments to them, which called for racist violence against “non-Russians.” In addition, as the police was carrying out investigative activity on the case, the suspect entered in a scuffle with one of the police officers. The court fined him 140 thousand rubles.

In three verdicts against five people the criminal charges for propaganda were aggregated with those for vandalism (their sentences are also mentioned in the section on “Criminal Prosecution for Vandalism”).⁷⁵

Some verdicts combined Articles 282 or 280 with other articles of the Criminal Code.⁷⁶

The share of convictions under Articles 282 and 280 in relation to the total number of offenders convicted for their statements remained about the same as a year earlier. However, the share of offenders, convicted under Article 205² increased significantly. As the data shows, 11 people were convicted under these charges. Traditionally, this Article was utilized for the radical Islamist propaganda. However, last year the practice of using this Article has widened – it was utilized for anti-Russian propaganda in the context of the Ukrainian events.⁷⁷

⁷⁵ 1 person was convicted under the combination of Articles 282, 244, 222, 222¹;

3 persons – under the combination of Articles 282 and 354¹;

1 person – under the combination of Articles 282, 105, 111, 112, 214, 243 (also included in the footnote above).

⁷⁶ Not including the ones mentioned in the footnotes above.

4 persons – under the combination of Articles 282 and 222 (“Illegal storage of firearms”);

2 persons – under the combination of Articles 280, 222, 223;

1 person – under the combination of Articles 282 and 138¹ (Illegal turnover of special hardware intended for private obtainment of information”).

⁷⁷ This was reflected in the sentence handed down in April in Nizhny Novgorod to 22-year-old citizen of Belarus Kirill Silivonchik for posting on his social network page “*the photos and statements, expressing his attitude toward the events in Ukraine, incited to “kill the Moslems”, “return Crimea to Ukraine.*” We doubt the appropriateness of this sentence. We also view his sentence of two years of settlement colony as excessive. For more information see: In Nizhny Novgorod, an Internet user was sentenced for incitement to terrorism // SOVA Center 2015. April 15 (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/04/d31796/>).

People convicted under this article include editor of the *Radikalnaya politika* [Radical Politics] newsletter Boris Stomakhin,⁷⁸ and activist Robert Zagreev from Ufa. It should be noted that the penalties in such cases were generally harsher than under other propaganda-related articles.

The court verdicts for the propaganda cases in the period under review were distributed as follows:

- 41 people received custodial sentences;
- 38 people received suspended sentences without additional sanctions;
- 31 people were sentenced to various fines;
- 63 people were sentenced to mandatory labor;
- 26 people were sentenced to correctional labor;
- 4 people received suspended correctional labor sentences;
- 2 people were sentenced to educational intervention;
- 1 person was sentenced to restriction of freedom;
- 3 people were sent for compulsory treatment;
- 2 people were released due to statute of limitations;
- 1 person was acquitted.

As you can see, not only the number of such cases, but the percentage of people, who have received sentences related to real imprisonment, significantly increased in 2015 (19 out of 158 in 2014, 14 out of 133 in 2013). Some 2015 sentences involving imprisonment were issued in conjunction with charges under other Criminal Code articles. As we already mentioned, it could be racist violence, vandalism, possession of weapons, theft, etc. Other offenders went to prison, due to an unexpired probationary period for their prior suspended sentences. Two people were convicted of “propaganda” activities for the second time.

However, a number of sentences seems unduly harsh. At least 14 people (including repeatedly convicted Boris Stomakhin and ex-leader of the Russian Run Maxim Kalinichenko) faced real prison terms for “words only.” Such an increase in this type of punishment has no precedents throughout all the years of our monitoring. For example, we recorded two such “questionable judgments”

⁷⁸ On April 20, 2015, the Moscow District Military Court sentenced Boris Stomakhin under the Criminal Code Article 205² to 7 years in a penal colony. According to the prosecution, when kept in a pre-trial detention facility in Moscow, the journalist found out about the terror attacks in Volgograd and wrote the article “Or Blow Up a Couple of Railway Stations!”, which was then posted in his blog on the portal lj.rossia.org. We view this sentence as excessive, not only because it was a punishment “for online publications”, but also because the readership of Stomakhin’s blog is known to be small. This is Stomakhin’s third conviction.

in 2014, and one in 2013. Of course, most of the statements in question, made by the majority of these offenders, indeed included incitement to violence. As far as we could see, the charges stemmed from their statements against the government, against the President of the Russian Federation personally, or against the Russian armed intervention in the affairs of Ukraine; there were also charges for incitement to the violent jihad. Offenders sentenced to prison for their speech, included representatives of well-known right-wing organizations, such as Vitaly Shishkin (the head of the Kaluga Branch of “the Russians” Association and an ex-leader of the RFO “Memory”) or Maxim Kalinichenko, the ex-leader of the Russian Run. We don’t view the fact of these people having been convicted for their statements as inappropriate per se, but punishment in the form of imprisonment seems excessive. The tendency to resort to real prison terms is disturbing – even for legitimate convictions, it violates the principle of proportionality of punishment in a sensitive sphere for our society, such as restrictions against freedom of speech.

On the other hand, the share of suspended sentences also increased in 2015, in comparison to the preceding year and amounted to 18% (38 out of the 2011 convicted offenders). We have strong doubts about the effectiveness of such sentences. Of course, even a suspended sentence is a real punishment, as it can cause substantial damage to one’s reputation and career opportunities, and most importantly, in case of repeated offenses, a pending suspended sentence leads to heavier punishment. However, many people, who receive suspended sentences, prefer not to think about the consequences and don’t consider a suspended sentence as a severe punishment, especially young people, who do not (yet) worry about their future.

In the case of well-known ultra-right figures, a suspended sentence can have an effect of slowing down their activity. However, some of them perceive this punishment only as an additional advertisement of their actions. For example, well-known St. Petersburg nationalist Nikolai Bondarik received a suspended sentence of 1.5 years for his complicity in preparing serious provocations on Kurban Bairam (Eid al-Adha). The Court also gave him 3 years of probation, which included bans against using the Internet, making statements in the media, and participating even in permitted events and marches. Bondarik violated the ban so quickly, that a new criminal case against him – for re-posting his own interview, given to one of the Internet portals – was already initiated by the end of December 2015.⁷⁹

⁷⁹ A new criminal case against nationalist Nikolai Bondarik // SOVA Center 2015. 30 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/12/d33583/>).

We know of at least six verdicts, which used the bans against mass media, publications, public speaking and participation in the rallies as additional penalties. Regrettably, this practice has been slow to develop; meanwhile, these sanctions are the most effective ones for people engaged in nationalist propaganda, including professionally via the mass media or among their students. In this respect, we would like to point out the case of a fine imposed in March on director of the Algorithm publishing house Sergei Nikolaev and editor-in-chief of the same publishing house Alexander Kolpakidi for the publication of books authored by Benito Mussolini and Joseph Goebbels. We believe that, in their case, an additional penalty in the form of a ban against practicing their profession would have been appropriate.

Still, most of the offenders (125 persons) were sentenced to real punishments, not involving deprivation of freedom, such as correctional or mandatory labor, or fines. These penalties seem to us quite appropriate for the offences.

Following the trend of three preceding years, the propaganda convictions overwhelmingly pertained to online publications (182 verdicts for 184 persons). As expected, their share only keeps increasing. The number of convictions for online propaganda in 2015 was over nine times greater than the number of convictions for offline statements (20 verdicts for 27 persons).

The materials were posted on the following Internet resources:
 social networks – 166 (VKontakte – 113, unspecified social networks – 51, Odnoklassniki – 2);
 Blogs – 2;
 YouTube – 2;
 Internet publications – 2;
 Unspecified Internet resources – 10

This picture is almost identical to the one we discussed in our two previous annual reports. The law enforcement continues to search for extremism, primarily on the VKontakte social network, popular among the Russian youth (including its ultra-right segment). The number of convictions related to VKontakte keeps growing year to year. Over the past few years, the law enforcement mechanism for the cases related to VKontakte statements has become a routine and quite simple procedure. Page owners have to provide their personal data and phone number during registration, and network administrators provide this information immediately upon request from the law enforcement.

All the shortcomings of the Internet-related law enforcement, which we discuss year after year, remain unchanged. The key issue for the Criminal Code “propaganda” articles, namely, lack of clarifications relating to quantitative assessment of public exposure, has never been addressed. Only a few reports mention the number of page visits and the accessibility level of the incriminated

material. Meanwhile, the audience size obviously varied widely from one case to another. The number of visitors to the social networks pages of above-mentioned Nikolai Bondarik, Vitaly Shishkin, Dmitry “Besheny” Yevtushenko or Maxim Kalinichenko obviously cannot be compared to the number of visitors to the page of a little-known social network user.

The genre distribution of the criminal online materials also remained largely unchanged from the year before (one verdict could pertain to several genres):

Videos and films (including the notorious *The Execution of a Tajik* and a Dagestani (Kazn’ Tadhika i Daga)— 79;
 Audio (including the songs by the Kolovrat, Bandy Moskvyy, Korroziya Metalla and Timur Mutsuraev) – 26;
 Images (photo or drawings) – 55;
 Articles or other complete texts (original or re-published)— 32;
 Statements, comments, forum posts – 12;
 Creating or administering online groups and communities – 8;
 Unspecified – 18.

Similarly to the preceding year, sentences for audiovisual materials predominate. Their prevalence can be easily explained by the fact that the audiovisual materials are much more effective for propaganda purposes than texts. Linking to videos is technically simple, and the verdicts are mostly issued for links to materials posted elsewhere (social network technology provides little visual difference between posting an original publication and sharing someone else’s material). Subsequently, they frequently attract the law enforcement attention. We view this law enforcement policy as leading nowhere. It would have been much more appropriate, albeit more challenging, to focus on identifying people, who created and uploaded these videos, or, better yet, the perpetrators, who committed the crimes demonstrated on the videos, especially when it comes to demonstration of violence.

As for the posted or shared textual materials, unfortunately, reports by the prosecutors or the Investigative Committee rarely provide sufficient information regarding their content. We see the drop in the number of sentences for individual comments in social networks or comments to articles or videos as a positive development.

We view the verdicts related to administering and creating ultra-right groups on social networks as appropriate; these groups are often created specifically in order to coordinate violent activities, and this group often regularly and systematically incite to hatred. Unfortunately, we saw only a small number of such convictions in 2015.

There were far fewer (20) convictions for the off-line propaganda. They were distributed as follows:

- Public shouts and insults – 1;
- Songs during concert – 1 (Sergei “Pauk” [the Spider] Troitsky for performing his own song “Beat up the devils”);⁸⁰
- Address at a rally – 1 (A. Amelin);
- Provocations – 1 (N. Bondarik);
- Leaflets – 1 (an activist from the Attack group);
- Posting stickers – 1;
- Cermons – 1;
- Publishing articles – 1;
- Verdicts to book publishers for publishing books – 1 (editor-in-chief and director of Algorithm publishing house);
- Graffiti – 4;
- Verdicts to members and leaders of ultra-right groups and single activists for particular (but unspecified) incidents of propaganda – 7.

We have no reason to classify these verdicts as inappropriate, and we are ready to accept the need for criminal prosecution against xenophobic propaganda in the form of printing newspaper articles (depending on the circulation), distributing books, posting leaflets, addressing rallies, singing songs, preaching or other incendiary public statements (obviously, based on their content), especially if they occur in connection with an actual attack. However, painting graffiti on buildings and monuments does not merit much law enforcement attention. Fortunately, the latter kind of criminal cases dropped in numbers compared to the preceding years.

Prosecution of Extremist Groups and Banned Organizations

Prosecutions under Article 282¹ (“organizing an extremist community”) and Article 282² (“organizing an extremist organization”) of the Criminal Code were more widespread than in 2014. We know of ten such sentences against 24 people in eight regions of the country⁸¹ (vs. 4 sentences against 12 people in five regions in 2014).

Article 282¹ was used in six cases and quite appropriately applied to creators and participants of far-right groups. As mentioned above, the combina-

⁸⁰ S. Troitsky was convicted for two statements in the form of a single song – once for the concert and once for the video.

⁸¹ We do not include here clearly inappropriate sentences and sentences to followers of Hizb ut-Tahrir, which will be covered in another report.

tion of this and other (violent) articles led to the life sentence for ex-leader of the Russian Image (*Russkii obraz*) Ilya Goryachev. Four Nazi skinheads from Kazan Nazi Crew group received lengthy prison terms in Tatarstan; so did nine members of the Occupy-pedofilyay movement in Kamensk-Uralskysky of the Sverdlovsk Region.⁸²

Member of the Attack movement Vladimir Kudryashov, 28, was convicted in Moscow for creation and leadership of an extremist community. The court sentenced him to one year of imprisonment in a minimum security penal colony and loss of the right to engage in activities related to the creation, leadership or operation of non-profit organizations for 3 years. The Attack movement was founded in the summer of 2014 by several activists, who had left Restrukt!. The founders of the group issued a statement regarding their intentions to advocate National Socialism and more actively engage in “social” projects similar to “Occupy-pedofilyay” and “Occupy-narkofilyay”. According to our information, Attack members took part in raids against illegal immigrants, of which at least one was conducted jointly with the police. Members of the movement and their associates carried out their propaganda through social networks, as well as posted leaflets and stickers, which fairly explicitly incited violence and hatred. The case against activists of the Attack was launched in the fall of 2014;⁸³ it involves a total of 10 people.⁸⁴

In Vladimir, leader of a nationalist group Alexander Ptitsyn (known in social networks as “Burivoy Liuty”) was sentenced to two years and ten months’ imprisonment followed by restriction of freedom for one year. In addition, he was deprived of the right to hold administrative positions in state and municipal institutions for 5 years.

In Nizhny Novgorod, a local resident (born in 1995) attempted to create an ultra-right group, and received a suspended sentence to 2.5 years.

⁸² Participants “became acquainted with men of non-traditional sexual orientation” on the Internet, lured them to a meeting, and then beat up and tortured people, filmed their bullying on camera and posted it online. Altogether, they conducted 19 “actions”. The officers of Center to Combat Extremism of the State Directorate of the Ministry of Internal Affairs of Russia in Sverdlovsk region have found 11 people, victimized by the actions. Four of them submitted statements in relation to five offenses. In November 2013, the leader of the organization, who was under recognizance not to leave, and another active member of the gang went into hiding, after which they were added to the federal wanted list. As a result, they were caught in the Krasnodar Region.

⁸³ See. An attack against the “Attack” // SOVA Center 2014. 30 October (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2014/10/d30556/>).

⁸⁴ The Attack Association case was returned to the prosecutor // SOVA Center 2015. 25 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/12/d33543/>).

The remaining cases were qualified under Article 282² (“Organizing activities of a banned organization”).

A Kirov court sentenced 29-year-old Alexander Zamyatin to two years in a minimal security penal colony for trying to continue the work of FC “Dynamo fan club,⁸⁵ which had been banned for extremism.⁸⁶

Article 282² was traditionally applied to neo-pagan right-wing radical organization Spiritual and Tribal Sovereign Rus’ (*Dukhovno-rodovaia derzhava Rus’*). Members of this organization regularly and persistently mail their propaganda to various government institutions, including law enforcement offices. Four such activists were fined in the amounts of 50 to 100 thousand rubles in the Krasnodar Region.

Another member of the same organization, already serving a sentence in the Murmansk Region,⁸⁷ received an additional year in prison for trying to recruit his fellow inmates to join the organization; he even managed to convince one person.

Another verdict worth mentioning is the suspended five-year sentence issued in the Vladimir Region against a 34-year-old resident of the city of Kolchugino under Article 150 Part 4 of the Criminal Code (“involvement of a minor in the commission of an offense motivated by ethnic and religious hatred”). The perpetrator was de-facto acting as a leader of a group of teenagers he created. According to the Investigative Committee of the Vladimir Region, the man, “*being a supporter of the nationalist ideology, started to impose his views on his 13-year-old son and his peers, calling for violence against persons of non-Slavic origin or followers of other religions*”. He brought the teens to the dormitory residence of Tajik nationals, beat up two of the foreigners with a metal bat, and damaged the car of another citizen of Tajikistan.

The Federal List of Extremist Materials

The Federal List of Extremist Materials was updated 79 times in 2015, and added 667 entries⁸⁸ (vs 381 in 2014), five entries were removed from the list without changing the numbering, and it grew from 2562 to 3229 positions⁸⁹.

⁸⁵ A young man published materials about various activities of the club, such as meetings, marches, outings, etc. on a social network page. Some of the published materials were xenophobic and contained images of Nazi symbols. He managed to recruit several residents of Kirov into the club.

⁸⁶ FC Dynamo liquidated for extremism in Kirov // SOVA Center 2013. 5 July (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2013/07/d27476/>).

⁸⁷ His official title is “The chieftain of the 31st squadron of Cossack Forces “Horty Veleasa”, awarded the combat title of sub-yesaul.”

⁸⁸ SOVA Center thanks Maria Muradova, the second year student of the Journalism Faculty of Moscow State University for help in the classification of the list.

⁸⁹ The list contains 3278 entries as of February 13, 2016.

Many entries represent the lists of diverse materials. The additions are distributed by subject as follows:

xenophobic materials produced by modern Russian nationalists – 419;
 materials of other nationalists – 9;
 materials by the classics of racism – 1;
 materials of Islamist militants and other calls for violence, issued by political Islamists – 96;
 other Muslim materials (Said Nursi’s books, materials of the banned organizations, including Hizb ut-Tahrir, etc.) – 53;
 other religious materials (materials of Jehovah’s Witnesses, evangelicals, the Russian Orthodox groups that are not part of the ROC, etc.) – 11;
 various anti-government materials, inciting violence and riots (including Anarchist materials) – 27;
 very radical anti-Russian statements from Ukraine – 12 (we have been counting them separately from “other nationalists” since 2014);
 other materials from Ukrainian media and the Internet – 19;
 non-violent oppositional materials – 8;
 history books and other texts by historians – 1;
 large body of various texts, blocked in its entirety – 1;
 parodies banned as serious statements – 3;
 materials, obviously banned by mistake – 4;
 unidentified materials – 3.

As expected, the share of online materials on the list keeps increasing: at least 594 entries out of 667 refer to materials found on the Internet (compared to 333 entries out of 590 in the preceding year).

All the deficiencies of the List, described in our every report, still persist; its size continues to grow, and working with it has long been impossible. It is worth noting, that, in the period under review, about 70 titles of Muslim literature, mainly from the notorious “Orenburg list”⁹⁰ were removed from the Federal List, but the overall picture didn’t show much improvement.

In addition to the fact that newly added entries contain an enormous number of bibliographic, grammatical and spelling errors, the materials are frequently described in a way that makes them impossible to identify. For example, No. 2811

⁹⁰ In March 2014, the Leninsky District Court banned virtually the entire library that was seized during the search at Asylzhan Kelmukhambetov’s place in Orenburg, convicted in June 2011 for the creation of a cell of banned Nurcular organization. The Orenburg Regional Court lifted the ban on some religious materials on February 27, 2015. See: That’s Enough Joking: the ban is lifted for 50 out of 68 religious materials deemed extremist in Orenburg // SOVA Center, 2015. 27 February (<http://www.sova-center.ru/misuse/news/persecution/2015/02/d31375/>).

lists some of its materials as follows *file (image) “2Rzb641K5zw”*; *file (image) “7-0BfHyi7T4,”* etc. Sometimes, materials are described only by their electronic address (URL), which is also intentionally modified upon addition; thus the list reflects a non-existent internet resource. The need to modify the URL can be explained by the reluctance of the Ministry of Justice staff to inadvertently promote extremist materials, but then the actions of the Ministry are simply meaningless.

Certain items, such as Jehovah’s Witnesses’ materials or books by Said Nursi, have been recognized as extremist inappropriately. Some other materials ended up on the list obviously by mistake, for example a number of informational and clearly critical articles on terrorists.

Courts keep adding to the list the same books in different editions or the same online materials, published on different sites – their content is identical, but formally they are different, and have to be considered separately. In addition, courts and prosecutors obviously don’t monitor the list – the same materials are being recognized as extremist by parallel court decisions (for example, <http://kobakbogoder.blogspot.ru> was listed under Nos. 2990 and 2926, and *Stesyia Pravdy* [The Path of the Truth] book by I. Sinyavin – under Nos 2061 and 3028. At least 13 duplicate items were entered in 2015,⁹¹ bringing the total number of such duplicates to 101.

Banning Organizations as Extremist

The Federal List of Extremist Organizations, published on the Ministry of Justice website,⁹² added 11 entries in 2015, almost twice as much as in the preceding year (6 organizations).

In January 2015, five Ukrainian right-wing organizations were added to the list:⁹³ the Right Sector, Ukrainian National Assembly – Ukrainian People’s Self-Defense (*Ukrayinska natsionalna asambleia – Ukrayinska narodna samooborona*, UNA-UNSO), the Ukrainian Insurgent Army (*Ukrainskaia*

⁹¹ Videos “Zlaya Rossiya” [Angry Russia], “Kiborg – Slava Rossii” [Cyborg – the Glory of Russia], “Kolovrat – Nasha Strana” [Kolovrat – Our Country], “Nastavlenie Sester” [Instructing our Sisters], the film “Rossiya s Nozhom v Spine – 2” [Russia With a Knife in its Back- 2], the Kavkaz-Jihad website, *Istoriia prorokov* [History of the Prophets] book by Osman Nuri Topba, *Krasnaia Kabbala* [The Red Kabbalah] book by Georgy Klimov

⁹² The official name is: A list of community and religious associations and other non-profit organizations, with respect to which a court decision was made and entered into force on liquidation or ban on activities on the grounds stipulated by the Federal Law “On Combating Extremist Activity.”

⁹³ For more details see: Viacheslav Likhachev, *The Right Sector and Others: the Radical Nationalists and Ukrainian Political Crisis of Late 2013 – Early 2014 // Rossiya – Ne Ukraina: Sovremennye aktsenty natsionalisma* [Russia Is Not Ukraine: Contemporary accents of nationalism]: Moscow: SOVA Center, 2014. pp. 230–275.

povstancheskaia armiia, UPA), the Brotherhood (*Bratstvo*) and Stepan Bandera All-Ukrainian Organization “Tryzub” (all were recognized as extremist by the Supreme Court of the Russian Federation in November 2014). The activities of these Ukrainian organizations, undoubtedly, include elements that meet the definition of extremist activity, so the ban is justified. However, presence of members of these organizations in Russia in significant numbers is unlikely. It is obvious that they were banned for the sake of making a political declaration.

Another new organization on the list, the Misanthropic Division association, was recognized as extremist by the Krasnoyarsk Regional Court on July 17, also in connection with the Ukrainian events.⁹⁴

Other right-wing organizations added to the List include People’s Social Initiative (*Narodnaia sotsialnaia initsiativa*, formerly commonly referred to as the National Socialist Initiative, *Natsionalnaia sotsialisticheskaia initsiativa*), recognized as extremist by the St. Petersburg City Court on September 16,⁹⁵ and the White Cross (*Belyi krest*) Military-Patriotic club, recognized as extremist by the Murmansk Regional Court on June 29.⁹⁶

In the course of the year, the List also added tree religious organizations, including two Jehovah’s Witnesses organizations – one in Samara, the other one in Abinsk (the Krasnodar Region). We view these decisions, as well as the use of anti-extremist legislation against Jehovah’s Witnesses in general, as inappropriate; this issue will be discussed in a separate report.

The final addition to the list was the association of followers of “Yngliism” in the Stavropol Region, recognized as extremist by the Stavropol Regional Court on August 21.⁹⁷

⁹⁴ The Misanthropic Division association has existed since 2013 and supports the Right Sector.

⁹⁵ The organization is headed by Dmitry “Schultz” Bobrov. An inspection has shown that its representatives were “*spreading the ideas of National Socialism similar to the ideology of Nazi Germany, based on the exclusive status and superiority of a person on the grounds of their nationality or origin.*” Autonomous cells under the leadership of Dmitry Bobrov exists in the Kurgan Region and the Khanty-Mansiysk Autonomous District – Yugra. In 2011, a court in Cherepovets already recognized a branch of the NSI as extremist.

⁹⁶ Alexander Valov, who also headed the ultra-right association Pan-Slavic National Volunteer Association and organized the Russian Marches in Murmansk, is regarded as the club’s founder.

⁹⁷ Old Believers-Yngliings profess the idea of racial superiority, and the movement uses the swastika as its symbol. According to the law enforcement data, the church supporters split into several separate groups with identical ideology and organized branches in Mineralnye Vody, Yessentuki, Pyatigorsk, Georgievsk and Nevinnomyssk.

Previously, several Yngliing organizations were already eliminated as extremist.

Thus, at the time of writing, the Federal List of Extremist Organizations contains 47 organizations (not including 24 organizations recognized as terrorist), whose activities are banned by the court and punishable under Article 282² of the Criminal Code.

The List will inevitably keep growing further. In October 2015, the Moscow City Court granted the prosecutorial claim and recognized “the Russians” Ethno-Political Association as extremist. The ban against the movement was based on the law enforcement’s problems with the movement’s Manifesto, which the court considered extremist, and the fact that supporters and leaders of “the Russians” had repeatedly faced criminal and administrative liability under the articles related to the nationalist propaganda. During the trial, the prosecutor stated that the Manifesto, which had been submitted for an expert examination, contained calls for “*the creation of the national state and the struggle for national liberation by any means*,” which, according to experts, can be interpreted as incitement to ethnic hatred. In our opinion, this conclusion relies on arbitrary interpretation, because the founding documents of “the Russians” contain no direct incitements.

As to the second basis for their ban – the criminal and administrative cases against members of the organization – in our opinion, not all of them were justified. Moreover, some cases, such as the case against leader of the movement Alexander Belov, are still under consideration and, in the absence of verdict (which is likely to be appropriate), they cannot serve as an argument in the court proceedings. However, “the Russians” Association explicitly carried out xenophobic propaganda, so, in effect, the decision to ban the organization can hardly be considered completely inappropriate, despite these obvious violations.⁹⁸

The list of organizations recognized as terrorist, which is published on the FSB website,⁹⁹ was also updated during the year. Five organizations were added; some of them were banned as far back as 2013.

- Autonomous Militant Terrorist Organization (Avtonomnaia boevaia terroristicheskaia organizatsiia, ABTO) (the first right-wing group that was banned as a terrorist organization, and not just as extremist);¹⁰⁰

⁹⁸ Unfortunately, we do not have complete data in this case, and rely only on the facts presented in the media; our position could be updated.

⁹⁹ The official name is: Unified federal list of organizations, including foreign and international organizations recognized as terrorist in accordance with the legislation of the Russian Federation.

¹⁰⁰ Recognized as terrorist by the decision of the Moscow City Court of June 28,

- a branch of the Right Sector in the Republic of Crimea;¹⁰¹
 - [the] Islamic State (the Islamic State of Iraq and Syria, the Islamic State of Iraq and the Levant, the Islamic State of Iraq and Sham);¹⁰²
 - Jebhat en-Nusra (the Victory Front) (a.k.a Jabha al-Nusra li-Ahl ash-Sham (Front in Support of Greater Syria)).¹⁰³
 - People’s Militia in the Name of Minin and Pozharsky, *Narodnoe opolcheniie imeni Minina i Pozharskogo*, NOMP).¹⁰⁴

The ban against NOMP deserves a separate discussion. The NOMP was founded by Vladimir Kvachkov in 2009. A number of materials by this organization was recognized as extremist. The leader of the organization and members of the Yekaterinburg NOMP cell, so-called Khabarov’s group, were sentenced to imprisonment, de-facto for preparing a revolt. Unfortunately, the evidence base for the decision to recognize the NOMP as a terrorist organization is not known to us. NOMP members were known to possess weapons; they conducted combat training. However, many activists were not involved in these activities. So we can say that certain grounds for the decision to recognize it as a terrorist organization could conceivably exist, but we are not aware of them. However, we also have no reason to regard the court’s decision as inappropriate.¹⁰⁵

Administrative Prosecution

The cases of administrative prosecution related to “extremism” multiply year to year. Unfortunately prosecutors don’t always inform the public about such measures. The data we collected is reported below. It does not include the

2013; the decision entered into force on November 27, 2013. For more details see: Vera Alperovich, Natalia Yudina. The State Duma Directed Right Radicals Toward New Goals: Xenophobia, Radical Nationalism and Efforts to Counteract It in Russia during the First Half of 2013 // SOVA Center 2013. 12 July (<http://www.sova-center.ru/racism-xenophobia/publications/2013/07/d27507/>).

¹⁰¹ Recognized as terrorist by the decision of the Moscow City Court of December 17, 2014; the decision entered into force on December 30, 2014.

¹⁰² Recognized as terrorist by the decision of the Supreme Court of Russia of December 29, 2014; the decision entered into force on February 13, 2015.

¹⁰³ Recognized as terrorist by the same decision as above.

¹⁰⁴ Recognized as a terrorist organization by the decision of the Moscow City Court of February 18, 2015; the decision went into force on August 12, 2015.

¹⁰⁵ For more details see: Court declared NOMP a terrorist organization. // SOVA Center, 2015. 18 February (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/02/d31308/>).

court judgments that we view as clearly inappropriate (the latter category is covered in our report on “inappropriate anti-extremism”).

We know of 85 offenders penalized under Article 20.3 of the Administrative Code (“propaganda or public demonstration of Nazi paraphernalia or symbols”) in 2015, including 12 minors. A year ago, we reported 47 such cases.

These verdicts were issued in connection with publication of Nazi symbols on the Internet; uploading materials from the Federal List of Extremist Materials onto file-sharing systems and social networks, sale (including online) of items featuring Nazi symbols (such as SS stripes from the World War II, lapel pins, daggers, helmets, caps, t-shirts), or displaying the swastika tattoos.

In most cases, the perpetrators faced fines in the amount of 1000 to 3000 rubles. Six people faced five to fifteen days of administrative arrest, and four minors received a prosecutorial warning on impermissibility of breaking the law.

Dmitry Dyomushkin was one of these offenders – he was fined 1000 rubles and taken into custody for 8 days for celebrating Hitler’s birthday in the Seven Club.

Anatoly Boltyhov, an activist of the People’s Militia in the Name of Minin and Pozharsky, was sentenced to nine days under arrest for publishing the symbols of the Ukrainian Right Sector on VKontakte. We question the legality of the decision, since the Supreme Court has banned the Right Sector a year after Boltyhov had posted the symbols – although, it must be noted that he never deleted them after the ban.

In addition to individuals, legal entities also faced administrative responsibility under Article 20.3, including the online store Dom Podarka, charged for selling swastika-decorated souvenir daggers¹⁰⁶ and the private security company Kastos, which was fined for using the emblem of the SS Panzer Division Das Reich as its logo.

In 2015, 70 people, including two minors, faced responsibility under Article 20.29 of the Administrative Code (“mass distribution of extremist materials, as well as production or storage with intent to distribute”), compared to 43 people, convicted under this article in the preceding year. The court sentenced three offenders to administrative detention (5 to 7 days), a teenager was put on preventive watch, and the others were fined in the amounts from 1 to 2 thousand rubles. In all cases, the perpetrators were punished for publishing on social networks the materials from the Federal List.¹⁰⁷

¹⁰⁶ The merchandise was removed and the case went to the magistrate court. The court’s decision is, unfortunately, not known.

¹⁰⁷ These materials include audio and video recordings of the band Kolovrat, songs of Chechen bard Timur Mutsurayev and several Islamic materials. The number of items on the

Three people were charged under both Administrative Code articles at the same time. All of them were sentenced to fines of 1-2 thousand rubles for their VKontakte posts (swastikas or audio or video files recognized as extremist).

We know of at least 53 cases of inappropriate punishment under Article 20.29 of the Administrative Code, and 28 such cases under Article 20.3. Thus, the tally for the first six months is 81 inappropriate decisions against 155 appropriate ones.

Two mothers of xenophobic minors faced administrative responsibility under Article 5.35 of the Administrative Code (“Failure to carry out or improper carrying out, by parents of minors of their obligations regarding maintenance, or upbringing, or training, of minors.”) Two such cases were reported in 2014 as well. One of the mothers was ordered by a court to pay a fine; the other one received a warning from the Commission on Juvenile Affairs.

In 2015, 11 right-wing activists have been prosecuted under Article 20.2 of the Administrative Code (“Violating the established procedure for arranging or conducting a meeting, rally, demonstration, procession or picket”).

Oksana (Vyolva) Borisova from St. Petersburg, was arrested for 24 hours for disseminating information about a “people’s assembly” in Mineralnye Vody. In Moscow, coordinator of Russian Renaissance (*Russkoe Vozrozhdeniye*) movement Aleksandr Amelin, was found guilty of organizing the same “people’s assembly” and fined 20 thousand rubles.¹⁰⁸ (See chapter on “The Pressure against the Ultra-Right.”) Four organizers of the “Black NS Block” at the Russian March of November 4, 2015 in Moscow were fined 10,000 rubles for their slogans. Five more people from the same unit were fined 500 rubles.

Prosecutorial Activity on the Internet

Prosecutorial motions on impermissibility of extremist activity addressed to school administrations in connection to lack of content filtering on school computers have been gradually tapering off. We are not completely sure about the reasons for this change – either school administrators finally installed the required filtering software in order to avoid further trouble, or the law enforcement agents were otherwise occupied. In any case, we only know of 13 such motions (compared to 24 a year earlier). We view these changes as positive,

List of Extremist Materials, which has attracted the attention of prosecutors, is negligible compared to the size of the list itself. Perhaps prosecutors find it just as hard to navigate as everyone else – which once again proves the futility of this bulky mechanism.

¹⁰⁸ A. Amelin was convicted in 2015 under Article 280 of the Criminal Code (see the chapter “Prosecution for Propaganda”

since the software, issued by Rosobrazovanie in March 2008, cannot cope with its task, and, moreover, ideal content filters do not exist.

However, this change did not mean that prosecutors' offices scaled down their fight against extremist content on the Internet in 2015. The prosecutorial activity for the past three years has been focused primarily on blocking access to restricted (or otherwise allegedly "dangerous") materials.

The number of motions to local Internet service providers with requests to restrict "extremist sites" has been decreasing as well. Unfortunately, prosecutors and service providers rarely report on the measures taken; therefore, our data is necessarily fragmented. Nevertheless, we know of 13 such cases in 2015 (vs. about 48 in the preceding year), not including the obviously inappropriate ones. Local actions are being replaced by additions to centralized blocking registries.

A new system of Internet filtering, based on the Unified Register of Banned Websites (in operation since November 1, 2012) functions very actively. According to the data on the Roskomsvoboda website,¹⁰⁹ preliminary estimates put the number of such resources at no less than 431 as of January 1, 2016.¹¹⁰ Based on the data available to us (only Roskomnadzor has complete information), 283 resources were added there by court decisions for "extremism" in the year under review (vs. 129 in 2014):

- xenophobic material of modern Russian nationalists – 125;
- materials by the classic fascist and neo-fascist authors – 21;
- xenophobic materials by other nationalists – 3;
- materials of Muslim militants and other calls for violence by political Islamists – 18;
- other Muslim materials (books of Said Nursi, materials of banned organizations, including Hizb ut-Tahrir and others.) – 65;
- materials of the Jehovah's Witnesses, Ron Hubbard and other religious materials – 6;
- peaceful oppositional websites – 10;
- very radical anti-Russian statements from Ukraine – 5;
- other materials from Ukrainian media and the Internet – 14;
- Orthodox fundamentalist websites – 2;
- various materials, inciting violence and riots (including Anarchist materials) – 7;

¹⁰⁹ See: Register of Banned Websites // Роскомсвобода (<http://reestr.rublacklist.net/>).

¹¹⁰ See an updated list "Extremist resources in the Unified Register of Banned Websites" // SOVA Center (<http://www.sova-center.ru/racism-xenophobia/docs/2014/08/d30056/>).

- peaceful materials, critical of the ROC – 1;
- parodies banned as serious statements – 1;
- materials, obviously banned by mistake – 4;
- unidentified materials – 1.

The Register continues to grow. Already, we know of at least another 19 prosecutorial claims to the courts seeking to recognize the presence of information "forbidden for dissemination in the Russian Federation" on a number of web pages and to add the resources to the register. It is unlikely that many of these claims have been rejected.

In the course of the year, it became apparent that another heavy and overloaded mechanism was being created. The Register-based restrictions seem to be implemented just as haphazardly as the additions to the Federal List of Extremist Materials. Restrictions against the pages that contain incitement to violence (whether by neo-Nazi skinheads or Muslim fighters) coexist with blocking of the resources, which were clearly inappropriately recognized as extremist. Similarly, extremely radical statements from Ukraine are found next to completely non-violent Ukrainian media materials.

The know-how of this year is blocking search engine results for certain keywords, primarily on music sites, rather than restricting specific websites or pages ("page containing download links for various audio files found by searching for keywords "kill a cop," Dobermann," "David Lane," "Kolovrat," etc."). This is manifestly inappropriate, because the pages, found by the keyword search, could contain any kind of resource, not necessarily problematic.

The Law on the Register is supplemented by "Lugovoy's law,"¹¹¹ which provides for extrajudicial blocking – at the request of the Prosecutor General, but without trial – of websites that contain incitement to extremist actions or riots. The Roskomnadzor website created a separate register to work with this mechanism. By the decision of the Prosecutor General's Office, 133 resources were blocked under this law in 2015.¹¹² They include:

- xenophobic material of modern Russian nationalists – 19;
- various inciting anti-government materials (including Anarchist materials) – 4;

¹¹¹ Full name "On Amendments to the Federal Law" On Information, Information Technologies and Protection of Information."

¹¹² See: The updated list of resources in the register of sites blocked under "Lugovoy's law" // SOVA Center (<http://www.sova-center.ru/racism-xenophobia/docs/2014/10/d30228/>).

non-violent oppositional websites – 18;
 materials of Muslim militants and other calls for violence by political Islamists – 22;
 other Muslim materials – 17;
 non-violent Ukrainian websites – 32;
 websites of banned Ukrainian organizations – 18;
 parodies banned as serious statements – 2;
 large body of various texts, blocked in its entirety – 1.

As far as we know, two registers partially overlap (judging by the links), which seems to us a complete nonsense; it means that they are both blocking the same page. The register already includes many cases of inappropriately banned materials (such as Said Nursi books), and there are more such cases in this register than in the other one. Almost half of it is taken up by nonviolent sites from Ukraine and blocked opposition websites. Once again, it has been demonstrated that such extrajudicial bans, based only on suspected “sedition,” inevitably lead to arbitrariness and abuse by the authorities and to violations against freedom of speech.

In most cases, there was no evident need specifically for extrajudicial (urgent) restrictions of materials that had been available online for many years (for example, various Islamic literature).

The registry contains references to web pages created for mobilizing people to participate in mass actions (resources with the assembly points for the Russian March on November 4, Russian May Day, etc.). The need to block such pages had been the primary argument for adopting “Lugovoy’s Law” – this mechanism was ostensibly necessary for suppressing mobilization to participate in possible riots. In practice, as we could see, a situational mass mobilization is impossible to suppress by blocking. Such cases involve too many dissemination channels at once, and a huge number of identical or nearly identical materials still remain accessible online so all the necessary information reached the intended target audience almost instantaneously.

Olga Sibireva

Freedom of Conscience in Russia: Restrictions and Challenges in 2015

This is the latest annual report by the SOVA Center for Information and Analysis on freedom of conscience in the Russian Federation.¹

The report is based on information collated during monitoring carried out by our Center. This material is available on the Center’s website, in the section ‘Religion in Secular Society’ (www.sova-center.ru/religion), together with links to media and internet sources. In this report, references are given only for those sources which are not available via the website.

This report contains only relevant updates on events discussed in the previous year’s report.² Events mentioned in our reports generally serve to illustrate trends we have observed; we are not aiming to exhaustively describe all developments in the sphere of public religion.

Problems and cases connected with the misuse of anti-extremism legislation are discussed in the next report in this book.³

Summary

Some of the tendencies observed in previous years continued and developed in 2015.

Church construction continues to provoke tensions in various regions, and the situation in Moscow – as before – remains especially tense. The increasing aggressiveness of those who support construction, and the absence of any effective countermeasures from the authorities, has encouraged those who oppose illegal construction to organize themselves. The potential success of this organized activ-

¹ This project has been funded by finance awarded to the project EIDHR/2014/348-053 ‘Counteracting all forms of discrimination on grounds of religion and beliefs in the Russian Federation’, financed by the European Union, under representation of the European Commission.

² Olga Sibireva, *Freedom of Conscience in Russia: Restrictions and Challenges in 2014*. Moscow: SOVA Center 2015, pp. 72–99 (also available at: <http://www.sova-center.ru/en/religion/publications/2015/04/d31858/>)

³ Maria Kravchenko, Alexander Verkhovsky. *Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2015*.

ity is illustrated by the case of Torfianka Park: the park's defenders managed to get the construction moved to a different location and fended off efforts by Orthodox activists to circumvent this decision for more than six months.

Orthodox defenders of believers' feelings also began to act more aggressively. That as influential and significant an ecclesiastical figure as Archpriest Dmitry Smirnov participated in one of their events confirms that such activities are not confined to fringe groups and are considered entirely acceptable at the highest levels of the Church.

Bureaucrats and law enforcement officials demonstrated their readiness to protect believers' feelings, as they did last year. Nevertheless, the relatively severe administrative punishments awarded for the attacks on exhibitions at Manezh Central Hall in Moscow and the institution of court proceedings under article 243 of the Criminal Code testifies to the fact that the authorities' readiness to support the defenders of religious feelings has limits.

Levels of anticlericalism in society have increased as a result of conflicts over church construction and artworks. Over the course of the year anticlerical events were organized in various regions, supported by diverse social movements.

The increasingly insistent and multifaceted anti-secular rhetoric of prominent ecclesiastical spokesmen also contributed to rising anticlericalism. The Russian Orthodox Church endeavored to exploit an advantageous political climate, as the country's political leadership drew substantially on the Church's own ideological groundwork in conducting its anti-western politics.

One might even deem this a new point of serious tension in Russian society, which by now probably concerns even the federal authorities. The ROC leadership's response to this situation was the high-profile dismissal of Archpriest Vsevolod Chaplin, head of the Synodal Department for Cooperation of Church and Society. Chaplin's provocative speeches had provoked indignation amongst a significant sector of society. The almost simultaneous dismissal of Sergei Chapnin, executive editor of the *Journal of the Moscow Patriarchate*, was probably an effort to preserve balance within the Church: Chapnin's 'excessive liberalism' had already drawn censure from conservatives within the ROC.

Russian Muslims remain at risk, primarily as a result of anti-extremist and anti-terrorist policies; there has been no further development as regards other types of discriminatory attitudes towards Muslims. High ranking Muslim leaders' loyalties to the political course of 2014–2015 (including the operation in Syria) in no way enhanced the security of not only 'alternative' Muslim groups, but also of local organizations under the mainstream Muslim Spiritual Authorities.

The notable intensification of the struggle against 'sects', in terms of both rhetoric and legislation, is cause for concern. 'Anti-missionary' bills have been passed in several regions. The degree to which this represents a danger is dem-

onstrated by the case of the Jehovah's Witnesses, whose organization has been banned as extremist after a campaign against them which has lasted for several years. The number of attacks on their representatives and their prayer houses (Kingdom Halls) remains high.

Legislation relating to religious organizations

Federal legislation

Several changes were introduced to the federal law 'On Freedom of Conscience and Religious Associations' over the course of the year.

On 13 July the president signed amendments to this law which proposed to remove the requirement for religious groups to prove they have existed for 15 years in order to be registered as religious organizations, and the requirement for religious organizations to provide information about their continued activities on an annual basis. Furthermore, in accordance with these amendments the teaching of religion and religious education do not count as educational activities, and consequently are not subject to licensing. Now, it seems, inspection agencies will stop demanding that Sunday Schools acquire licenses to conduct educational activities, as has often happened in the past.

At the same time these amendments have toughened up the registration of religious groups and restricted the rights of local religious organizations: in particular, religious groups which are not even preparing to register in the future are obliged to inform the authorities about their basic creed, the places in which they conduct religious activities and even about all the participants in their groups. Such a requirement contradicts – albeit former – norms of personal data protection. Moreover, the law does not clearly specify exactly which groups of believers are obliged to disclose about themselves, which makes abuse a possibility.

To all appearances, the authors of the bill were guided by security considerations, designed primarily to better control alternative Muslim groups. However, in the form in which they were passed, these amendments are more likely to facilitate the radicalization of these same groups, as a result of excessive pressure.

Other amendments to the law 'On the Freedom of Conscience and Religious Associations' were introduced in November. These amendments grant the Ministry of Justice the right to check the financial and operational business activities of religious organizations where there is indication of extremism in their activities, and also oblige religious organizations to report their sources and amounts of foreign funding and to provide information about the organization's leadership. Representatives of the Russian Orthodox Church participated in the development of this bill, and to a great extent the amendments protect the interests of this

religious organization in particular. Since officially ROC parishes do not receive foreign funding, they will not be required to provide reports on financial and business activities – unlike the majority of other religious organizations.

As with the previous amendments, the innovations leave scope for abuse, since they do not regulate the grounds for conducting checks or the number of checks that may be conducted.

Furthermore, as a result of these amendments being passed, the Ministry of Justice is now duplicating the efforts of the Prosecutor's office, amongst whose functions is control of statutory compliance by religious organizations, and the efforts of the tax authorities, which control the use of financial resources and financial and business activities as a whole.

Amendments to the law 'On Combating Extremist Activity' were introduced in November. The law was supplemented by a provision which prevents the sacred scripture of world religions from being deemed extremist. The Bible, Qur'an, Tanakh and Kanjur fall into this category: according to these amendments, neither these texts in their entirety, nor separate citations from them, may be deemed extremist material.

The attempt by a Yuzhno-Sakhalinsk court to ban the book *Supplication (Dua) to God: Its significance and place in Islam (Mol'ba k bogu: ee naznachenie i mesto v Islame)*, which evoked indignation in Muslim communities and the wrath of Chechen President Ramzan Kadyrov, provided the impetus to implement this legislation. The amendments contain many shortcomings, as might be expected of legislation developed in response to a scandal, and do not facilitate change in the current situation with regard to the banning of religious texts.

The amendments only relate to the four above-named texts, in effect allowing the banning of other sacred writings belonging to the Christian, Islamic, Buddhist and Jewish religious traditions. The texts of other religions are not mentioned at all in the legislation, which allows the possibility of their being deemed extremist and those who follow their teaching being discriminated against.

Moreover, the new legislation does not even mention the issue of translations, or the diverse variants of the Bible, Qur'an, Tanakh and Kanjur.

Interestingly, at almost the same time as these amendments were introduced, a group of deputies brought an alternative bill to the Duma which proposed that the question of banning extremist materials be transferred to the level of the highest courts of federal subjects. The proposed measures – removing cases about extremist literature from the jurisdiction of district and magistrates' courts, engaging competent experts – could have considerably greater impact in terms of reducing the number of illegitimately banned religious texts. As yet, however, this legislative initiative has not even made it onto the Duma's work schedule.

Changes relating to the activities of religious organizations were also introduced to article 14 of the Correctional Code of the Russian Federation, which guarantees prisoners' freedom of conscience and religious confession. The amendments, passed in April, regulate the procedure for concluding agreements between penitential institutions and religious organizations, the procedure for meetings between prisoners and clergy (no limitation on the number of meetings, each may last up to two hours, subject to the written agreement of the clergy and the use of video surveillance). They also regulate the procedure for transferring churches situated on Federal Penitentiary Service of Russia territory to religious organizations.

Regional initiatives

Two federal subjects passed laws regulating missionary activity. Until now there has been a long hiatus in law-making of this type. Arkhangelsk's regional assembly of deputies passed a law 'On missionary activity on the territory of Arkhangelsk Region' in October, and in December Stavropol regional Duma passed a similar law. In both cases the laws propose that preachers carry confirmation of their affiliation with a centralized religious organization, and that missionaries are obliged to inform government agencies about their activities. Furthermore, they stipulate that conducting such activities without informing the relevant bodies warrants administrative proceedings.

Although these laws were conceived in the first instance as means of controlling the activities of foreign preachers, there is no doubt that they will also impact upon the majority of religious organizations registered in Russia, not to mention the unregistered religious groups whose members are simply unable to prove their religious affiliation. Moreover, the bureaucrats in these regions now have formal grounds to deem any attempt to tell others – e.g. a fellow traveler on public transport – about one's religion, without prior notification of the relevant authorities, as missionary work (and to impose administrative sanctions). This will, naturally, seriously limit religious freedom.

At the beginning of 2016 Arkhangelsk deputies introduced a similar bill for consideration by the State Duma.

Moscow city Duma passed two laws affecting the interests of religious organizations. Amendments to the Moscow city law 'On sales tax' release organizations for which trade is not a primary activity, including religious organizations, from the requirement to pay this tax. Amendments to another city law – 'On the empowering of local government bodies of municipal districts in Moscow city as separate authorities of the city of Moscow' – simplify the process of registering building plots for the construction of churches and other buildings of religious significance.

Initiatives not (yet) successfully progressed

In November a group of deputies introduced a bill of amendments to the Civil Code of the Russian Federation and other legislative acts to the State Duma. The proposed amendments would mean that unauthorized constructions of religious significance escape the extrajudicial procedure of demolition normally applied to such buildings. The bill endows religious organizations with the right to apply to the courts seeking a declaration of their property rights over unauthorized constructions of religious significance. By the end of 2015 the document had been approved at first reading, and in February 2016 the Legal department of the State Duma recommended that deputies pass the bill at second reading.

Problems relating to places of worship

Problems with the construction of religious buildings

As in the previous year, it was most often Orthodox Christians and Muslims who experienced problems with the construction of places of worship.

Conflicts continue to accompany the Moscow government-supported program of modular Orthodox Church construction. Almost all the plots allotted for building were unsuitable, located within parks or nature reserves.

One of the most notable conflicts was over the construction of a church in the Torfianka Park in Losinoostrovsky district – not only because of the size of the protests, but also because the supporters of this building project were reluctant to comply with the court decision. Despite the court ruling that the construction was illegal, the decision of the Moscow Town Planning and Land Commission to allocate a plot elsewhere, the intervention of Valery Vinogradov, prefect of the north-eastern administrative region, and calls by Patriarch Kirill for the warring parties to quit the park, the building site was not removed. In order to forestall construction the park's defenders had to conduct a round-the-clock watch for over six months. Nonetheless, a chapel was already under construction on the new plot in Anadyrsky Passage.

The Moscow section of the Communist Party of the Russian Federation (*Kommunisticheskaia partiia Rossisskoi Federatsii, KPRF*) and the Yabloko party came out in support of the protesters. The 'Forty Forties' movement (*Sorok sorokov*), Cossacks and the God's Will (*Bozh'ia volia*) group supported the pro-construction activists, including with violence: several attacks were made on park defenders. In the summer one construction supporter hit a female activist from the 'For Torfianka Park!' (*Za park Torfianka!*) civil movement. The girl, who was tearing down an announcement about the church construction, had to seek medical treatment. A further two attacks were made on park defenders

at the beginning of 2016, and in March 2016 the defenders' tent was dismantled by order of the authorities and with the support of the police.

Old conflicts over church construction continued, and new conflicts arose, in other areas of Moscow too. In particular, the residents of Yasenevo, Izmailovsky Park, and the Southern administrative region protested against the erection of churches. In a number of cases those protesting resorted to the courts, if not always successfully. Moscow city court refused to consider a case brought by those who opposed the construction of a church in Rostokino district, for example, although the plot of land allocated for building was not only located within the territory of a park, but also adjoined an aqueduct – a cultural heritage monument dating from the end of the eighteenth to the beginning of the nineteenth century – thereby threatening to damage the monument.

In contrast, in Troparevo-Nikulino, where local residents collected more than 2000 signatures in opposition to the construction of a church, the authorities took notice of residents' wishes and proposed a new building plot.

Along with local populations, authorities and organizations also complained about the erection of churches. Legal proceedings were instituted over the illegal construction of a church in Khodyнка (the parish of St Sergius of Radonezh). In Kosino district the Town Property department considered the enlargement of the 'Life-bearing spring' chapel-church (*Zhivonosnyi istochnik*) to be illegal. In both these cases, however, construction work continued. The Moscow company "Avtokombinat No.3" also initiated court proceedings to assert its rights as a tenant of a plot allocated for the building of a church dedicated to St Aleksei, Presbyter of Moscow.

Conflicts over the construction of Orthodox churches were recorded in many other regions too. Tensions escalated over the Church of the Holy Myrr-bearing Women (*khram sv. Zhen Mironosits*) in St Petersburg's Malinovka Park, for example, the construction of which had been called off in 2014. In June the Legislative Assembly of St Petersburg approved an amendment to the city plan proposed by deputy Vitaly Milonov, which shifted park territory into a business development zone. This meant that, once again, the construction of a church here could be considered. Local inhabitants recommenced their protests, and were supported by several deputies and the governor. As a result, despite the accepted amendment, the church was nevertheless moved to a different plot – one previously reserved for the construction of a hospital and maternity unit.

Despite continuing grassroots protest, construction works commenced on the Church of Saints Prince Vladimir and Admiral Feodor Ushakov, in the Mari-

time Glory (*Morskaia slava*) Park of Ryazan's Kaneshchevo micro-region. Residents of Anapa, Balashikha (Moscow region), the village of Nizhny Olshanets in Belgorod region, Yekaterinburg, Novokuznetsk, Novorossiysk, Obninsk, and Smolensk also protested against building developments in green zones. Several more conflicts were connected with the fact that the protesters wanted to see developments other than churches on the contested plots. Residents of Tomsk and the Cossack village (*stanitsa*) of Severskaia (Krasnodar region) agitated for schools to be built, while the residents of Togliatti asked for a children's playground. Residents of the village of Bychikha in Khabarovsk region wanted to protect their allotments, located where the municipality was preparing to build a church. In the Chelyabinsk region village of Roshchino, local inhabitants were unhappy that a church was being built in close proximity to a school.

In several cases the protesters managed to achieve their aims. Thus, after prolonged public protest – supported by the KPRF – in Saratov, the proposed construction of a church in a park on the crossroads of Ordzhonikidze Street and Entuziastov avenue was moved to another plot. It is interesting that during this conflict townspeople also demanded the resignation of Metropolitan Longin (Korchagin), since “*he did not take the interests of the people of Saratov into account in his actions, [thereby] evoking strife.*” Opponents of church construction in Nizhny Novgorod region's Sormovsky district managed to get the building work deemed illegal via the courts.

Muslim organizations also occasionally encountered public opposition to the sacrifice of green zones for the construction of mosques. In Kazan, for example, participants in public hearings voiced their opposition to the construction of a mosque on the territory of city hospital no.12, since it required the felling of trees.

More often, however, difficulties over the construction of mosques were caused by the opposition of authorities, who either refused to provide the community with building land or for various reasons opposed construction which had already commenced.

The situation remains difficult in Moscow, as in previous years. In an interview in the October issue of *Afisha*, Moscow's Mayor Sergei Sobyenin once more repeated that he saw no need to build new mosques since the vast majority of potential attendees were migrants.

Under pressure from the public, bureaucrats in Tyumen region overturned their decision to allocate a building plot for the construction of a mosque in the village of Novoseleznevsk.

For several years now, the Muslims of Khabarovsk have failed to secure a building plot. The authorities promised to provide land back in 2013, but then

overturned their decision about the construction. In the absence of a mosque believers have to pray in the street, even in bad weather, according to Sarverdin Tuktarov, a representative of the city's Tatar ethnic-cultural autonomy of 'Khabar',

The Abakan Muslim community failed to recommence their mosque construction, halted in 2014, since the town's administration has still not provided the community with a list of the shortcomings they need to rectify in project documentation. The believers turned to the courts in an effort to make the administration provide this list and to grant permission to recommence the building work. However, in February 2016 the court refused to uphold the community's claim.

The 'Nur' Muslim organization in Komsomolsk-on-Amur was fined 250,000 rubles for the construction of a building for ritual ablution (*tah ra*). Despite the fact that ritual bathing premises are traditionally considered part of a single mosque complex, and the community already has permission to build a mosque, the town prosecutor deemed the construction illegal. At the request of the prosecutor's office the community received separate permission to build the ablution facilities, but the court fined the organization nonetheless.

Muslims in Ussuriisk also had problems completing the construction of a mosque, and were obliged to complain to Vladimir Putin about the local authorities. The town's mayoralty went to court in an effort to take the almost completely built mosque, and the land on which it was built, away from the community. The official reason for this was the liquidation of the Primorsky district's directorate of Muslims, which the Muslim organization belonged to. It did not prove possible to register an agreement transferring the property rights from the district's directorate to the community. Local officials intended to confiscate the mosque as a municipal property and only then transfer the building on lease, for use in perpetuity or to be owned by the religious organization. Moreover, as the believers' complaint explains, “*the energy supply to the mosque building, by order of 'those on high', was disconnected without legal grounds. Checks which nobody has sanctioned are continually carried out on the territory of the mosque.*”⁴

We know of only three cases in which representatives of other confessions experienced problems with the construction. In Novosibirsk, for example, *Young Guard (Molodaia gvardiia)* organized a petition against the construction of a Mormon prayer house and demanded that the legality of the allotted building plot be checked.

⁴ 'Konflikt vokrug Ussuriiskoi mecheti doshel do prezidenta Rossii', IslamNews, 14 July 2015 (<http://www.islamnews.ru/news-467782.html>).

The Chabad-Lubavitch Jewish community in Perm continued to experience problems in securing a building plot for the construction of a cultural center with an integral synagogue. Since the project included a synagogue, the authorities refused to agree a plot: in order to construct a house of worship one must hold public consultations, and this had not been done. Fearing the appearance of ‘Jewish Wahhabis’ in the town, nationalistically-inclined local residents – supported by Cossacks – protested against the construction of the center. At the beginning of 2016, after a visit from Berl Lazar, the Chief Rabbi of Russia (FEOR), Governor Victor Basargin instructed the authorities to help the community acquire a building plot. The protests, however, continued.

In Yekaterinburg, public pressure secured the transfer of a proposed Lutheran church construction from the territory of a park to another part of the very same park.

Problems with existing religious buildings

It was also generally Muslims and Orthodox Christians (moreover, not only those belonging to the Russian Orthodox Church (Moscow Patriarchate)) who experienced operational difficulties with existing religious buildings. In the Penza region village of Pobeda the Mikhailovsky Cloister prayer house, under the jurisdiction of the True Orthodox Church (*Istinno-pravoslavnaia tserkov'*, IPTs) was demolished by order of Penza's Zheleznodorozhnyi district court. This ruling was upheld by the Penza regional court. The court found that the prayer house was an illegal construction, and that construction was carried out without proper authorization of documents.

A functioning church building was put on sale in the Ruzsky district of Moscow region. This church, in Nesterovo village, has been used by an Orthodox community since the mid-2000s. The building's owners promised to transfer it to believers free of charge; instead, however, in 2015 they put it on sale as a dormitory.

The Church of All Saints Who Have Shone Forth in the Russian Land (*Khram Vsekh sviatykh, v zemle rossiiskoi prosiyavshikh*), built in 2014 on the site of a chapel, was deemed an illegal construction by a Saint Petersburg court. This was because the community did not have permission for major construction work and, moreover, permission to build the chapel had been received retrospectively. The court transferred ownership of the church to the city administration and ordered that the community pay 6,000 rubles state duty.

The Novyi Urengoi administration managed to demolish the Nur Islam mosque, in existence since 1996, through the courts. Plans to develop the dis-

trict furnished the reason: they plan to construct a shopping and entertainment complex on the site of the mosque.

Bailiffs evicted the ‘Rakhmat’ Muslim community from their Yekaterinburg mosque, enforcing compliance with a 2014 decision of the Sverdlovsk region Court of Arbitration. The city authorities subsequently decided to transfer the vacated building to a different Muslim organization.

Positive resolutions

Several conflicts over religious buildings both under construction and those already in use were resolved in favor of religious organizations. Moreover, the majority of those cases known to us relate to Muslim organizations. Thus, after several years of lobbying by the Muslim community, the authorities in Bratsk finally allotted a plot for the construction of a mosque. A Tyumen Muslim community managed to secure a new building plot, and permission to transfer the frame of their old prayer house to it. The community had been deprived of their original plot and instructed to dismantle their prayer house by court order in 2014. In Pervouralsk, where in 2014 the authorities had been preparing to evict the Muslim community from their mosque, the opposing parties managed to reach a settlement in court. The town administration dropped their case against the Muslim community. In the Saratov region village of Aleksandrov Gai, the Muslim community managed to get their property rights over a mosque recognized in court. The district administration had refused to transfer the mosque, built in 1994, to community ownership.

In Saratov, the Leninsky district court found the prosecutor's ban on ‘cult activity’ in the prayer house of the Church of Jesus Christ of Latter-day Saints to be illegal. The prosecutor's office had imposed the ban after identifying infringements of fire safety regulations at the Mormons' building on Ordzhonikidze Street.

Once again the evangelical Christian church ‘House of the Gospel in the Resort of Sochi’ (*Dom Evangeliiia na kurorte Sochi*) managed to assert their property rights over the prayer house building through the courts. Ownership of the prayer house was transferred to the community back in 2014, but the Sochi administration had attempted to contest this decision.

Furthermore, after extended legal proceedings the Kaliningrad administration granted a Jewish community permission to build a synagogue.

Defending believers' feelings

In 2015 the new rewording of Part 1, Article 148 of the Criminal Code of the Russian Federation ('Infringements of the right to freedom of conscience and religious confession') began to be more actively applied in defense of religious feelings. Although no sentences were imposed under this article in the first half of the year (we do not currently have data for the second half of the year), cases relating to this article began to be brought more often. At least one of these cases reached court: the case of Stavropol resident Viktor Krasnov. Posts he made in 2014 on the city's web community in social network VKontakte provided grounds for the charges brought. Amongst other uncouth utterances, including anti-Semitic ones, Krasnov crudely declared his negative attitude towards Biblical quotes and announced that 'There is no God!'

Legal proceedings were instituted against a teacher in one of Orenburg's higher education institutions under Part 1, Article 148 of the Criminal Code of the Russian Federation, for publishing an article which included insulting statements directed at Christianity, Judaism, Jews and the Russian Orthodox Church. Unfortunately we do not have any information about the outcome of the investigation.

Cases were brought under the same article against two residents of Kirov region, for hanging a scarecrow on a memorial cross on their arrival at one of the region's villages. They had made the scarecrow out of 'trousers, a jacket, rope, a hat, a mask and self-tapping screws'. According to the investigation, this was done in order to insult the feelings of believers.

A further case was brought under this article against Yekaterinburg resident Anton Simakov. Simakov conducted a magical ritual in his office which was intended to affect the authorities in Ukraine. He sprinkled the blood of a sacrificed cockerel over a voodoo doll made of clay or plasticine, a shroud and funeral wreath worn by the deceased in church, a printed copy of the prayer of absolution read over the deceased during the funeral service, and a small wooden cross. This was, for some reason, considered as an insult to Christian feelings. The case of the 'master of voodoo magic' went before the court in February 2016.

Furthermore, a resident of Kaluga was found guilty under Part 2 of Article 5.26 of the Code of Administrative Offenses of the Russian Federation ('Deliberate public desecration of religious or liturgical literature, objects of religious veneration, signs or emblems of worldview symbolism and paraphernalia') and fined for 'mocking the institute of monasticism' and icons. He had published certain images on the social networking site VKontakte which, according to the judge 'contained mockery of the sacred institution of monasticism, and of sacred images of the Last Supper, the saints and the Savior'. The judge also considered

that these images were aimed "*at discrediting the Christian creed, ecclesiastical traditions of religious life (the veneration of relics and devotion to the saints), and also the very institution of the Church itself.*"

We also noted that a whole series of publications received warnings from the prosecutor's office for reprinting the French magazine *Charlie Hebdo's* cartoon of the Prophet Muhammad. This caricature provoked indignation amongst many Muslims. The Inter-religious council of Russia then called for freedom of speech to be curtailed in order not to offend the feelings of believers.

The majority of conflicts were connected with cultural events and with works of art, in which sedition was perceived almost exclusively by defenders of Orthodox Christian feelings. Moreover, their protests were often expressed very aggressively.

The conflict over Richard Wagner's opera 'Tannh user' which began in February became the most scandalous case. In the staging by Novosibirsk State Theatre of Opera and Ballet, director Timofei Kuliabin shifted the opera's action to the present day. He presented the main hero as a director making a film about the unknown years of Christ's life, spent in the 'Grotto of Venus'. The region's Orthodox public perceived blasphemy in the director's very conception, and also considered the opera poster, and the inappropriate use of ecclesiastical symbols, as insulting.

After the Metropolitan Tikhon of Novosibirsk and Berdsk appealed to the prosecutor's office, legal proceedings were brought against Kuliabin and theatre director Boris Mezdrich under Part 2, Article 5.26 of the Administrative Code. In March the magistrates' court of Novosibirsk's central district closed these cases 'in the absence of occurrences of violations'. Nevertheless, the Russian Federation Ministry of Culture recommended that the two directors apologize to believers, and subsequently removed Mezdrich from his post as theatre director completely.

This case had broad public resonance. Famous cultural figures spoke out in support of Kuliabin and Mezdrich, and the Orthodox public protested against the 'sacrilegious' production. A mass protest against Church interference in cultural policy was held in Novosibirsk.

At the same time as the protests against 'Tannh user', the Novosibirsk Metropolitanate also spoke out against the play 'Songs of the Motherland' at the local Globus Theatre. One act of this play was a staging of a humorous tale by Maya Kucherskaia; the main hero, a hedgehog, accidentally drowns a squirrel who cannot swim during baptism, and rejoices that she has died Orthodox. The regional Ministry of Culture compelled the theatre's management to cut this part of the play.

In several other regions Orthodox believers attempted to protest against performances they considered to be insulting, and in some cases changes were made to the plays in response to this pressure. Thus, after a complaint by nuns of the St Elizabeth Convent (*Sviato-Elisavetinskii monastyr*) a play at the Tilzit Theater in Sovetsk, Kaliningrad region, was subjected to the censor at the insistence of an official from the regional directorate of culture and art. The play was about Blessed Xenia of Petersburg, and in one of the scenes the saint denounced the heroes – a priest and his wife. The director was obliged to cut this scene, but he also removed his own name from the playbill.

In Moscow activists from the God's Will (*Bozhia volia*) group renewed their protests against the 'Ideal Husband' play at the Moscow Art Theater, and placed a pig's head, in protest, at the entrance to the theatre building. Soon afterwards the Meyerhold Center and five other Moscow theaters were notified by the Tversky inter-district prosecutor's office of forthcoming inspections 'on grounds of using "foul language, propaganda of amoral behavior, pornography" in theatrical productions'. Performances staged by director Kirill Serebrennikov evoked the most questions from the prosecutor's office. These plays had been earlier accused of amorality and insulting religious feelings by Orthodox activists, and some of them had already been removed from the theatre's repertoire by the time the theatre received the notification.

An Orthodox priest in Udmurtia was shocked by the use of Orthodox symbols in a staging of Pushkin's novel 'The Snowstorm', but the republic's ministry of culture did not consider the play insulting to believers' feelings.

Proponents of religious feelings interrupted the performance of several musical events. In Moscow, parishioners of the Annunciation church in Petrovsky Park attempted to disrupt a concert dedicated to the twentieth anniversary of the Silver Rain (*Serebriannyi dozhd*) radio station, declaring that loud music made it difficult for them to pray. During the concert a group of believers headed by the parish priest Archpriest Dmitry Smirnov – head of a department of the Moscow Patriarchate and one of the most influential Moscow priests – rushed the stage. They engaged in a scuffle with security, knocking over a walk-through metal detector and knocking event organizer Mikhail Kozyrev off his feet. The concert continued after this intrusion. The radio station's director complained to the prosecutor's office, but we are unaware of the outcome.

In Kaliningrad region, the popular music festival 'Kubana' was cancelled after protests from the diocese. The diocese had publically opposed the festival for several months. Protests by Orthodox activists were at first ignored by the

authorities, and a diocesan representative who spoke against the festival was even expelled from the Council of Culture's meeting by the governor. However the long-established festival was then called off anyway, by the village administration, which cited inadequate security measures rather than offending believers as their reason for doing so.

The management of the Siberian State Medical University cancelled another music festival – 'Oecumene' – after an appeal by Maksim Stepanenko, head of the 'To the Truth' Tomsk Information-Consultation Center on Sects and Occultism Issues (*Tomskii informatsionno-konsul'tatsionnyi tsentr po problemam sekt i okkul'tizma 'K Istine'*). Until this intervention, the festival had been held within the walls of the university – without evoking any censure – for three years in a row.

Art works and exhibitions were also subject to attacks by Orthodox activists. In August Dmitrii (Enteo) Tzorionov, leader of the God's Will group, attacked the 'The Sculptures We Do Not See' (*Skulptury, kotorykh my ne vidim*) exhibition in Moscow's Manezh, together with several of his associates. The vandals destroyed four works by the sculptor Vadim Sidur, including a linocut entitled 'The Crucifixion', declaring that the exhibits offended believers' feelings. Less than two weeks later the exhibition was attacked again, and another of Sidur's works was damaged.

In this instance the vandals were punished under article 20.1 of the Administrative Code ('Minor hooliganism'): Tzorionov was sentenced to ten days' arrest, his associate Georgii Soldatov to five, while Pavel Timonin and Luidmila Esipenko were fined 1,000 rubles each. A criminal case was also opened under article 243 of the Criminal Code ('Destruction or damage to items of cultural heritage') and this is the first case we are aware of in which the given article has been applied to a conflict with broad public resonance. Simultaneously, at the request of Orthodox activists, the Investigative Committee of the Russian Federation began an investigation into the Manezh Foundation, with respect to indicators of incitement to hatred in Sidur's works.

It is worth noting that members of God's Will have not conducted any significant protest activities since this punishment was applied.

In Omsk an installation by Maria Shinkevich and Alena Pozhilenko 'Jesus of Rubbish' (*Musornyi Iisus*), a figure of Christ made out of bits of rubbish collected from the city's streets, was destroyed at the prompting of the local diocese and with the support of the 'E' Center (Police department for combating extremism). Orthodox in Perm were disturbed by the graffiti 'Gagarin: The Crucifixion' which appeared on one of the city's buildings on 12 April, when

Cosmonaut's Day coincided with Easter. The graffiti's author was fined 1,000 rubles for minor hooliganism.

On St Petersburg's Lakhtinskaia Street the figure of a demon was broken off the façade of an architecturally-significant building dating from the beginning of the twentieth century, two days after a cross was erected on the church under construction opposite. The Cossacks of Petersburg (*Kazaki Peterburga*) organization claimed responsibility for this act. Soon after, several hundred Petersburg residents gathered to protest against the vandalism. A criminal case was opened in relation to the vandalism under article 243 of the Criminal Code. The arrested industrial climber Konstantin Isakov confessed, and the case was closed when damages were paid in full.

Also in Petersburg, activists of the social movement 'People's Assembly' (*Narodnyi sobor*) – joined by representatives from the Council of Muftis of Russia – demanded that the exhibition 'The Human Body' (*Telo cheloveka*) be banned. The exhibition continued, however.

The by now traditional protests against Valentine's Day and Halloween celebrations, conducted in various regions, should also be mentioned. In several instances authorities found it necessary to respond: school managements in Moscow, Krasnodar region, and Saratov and Orenburg regions in particular were advised not to celebrate Halloween. Orthodox believers also protested – as tradition would have it – against the rock opera 'Jesus Christ Superstar': several activists organized a one person pickets at the concert hall in Omsk. In a number of regions there were also calls for the films 'Leviathan' and 'Fifty Shades of Grey' not to be screened.

Furthermore, after an appeal by Archpriest Vsevolod Chaplin, head of the Synodal Department for Cooperation of Church and Society, Kirov region authorities halted the activities of a night club located near two churches in Yaransk.

Although representatives of the authorities by no means always responded to such protests, their increasing readiness to support protesters – if only on the level of rhetoric – should be noted. Protests against publication of the cartoon of the Prophet Muhammad, for example, moved a whole series of State Duma deputies to remind journalists of 'the special responsibility and delicacy of publishing material which might impact upon and offend the religious feelings of citizens'. Deputies of the Legislative Assembly of St Petersburg announced the drafting of amendments to several legislative acts, which recommended the introduction of preliminary public evaluation of plays, films and museum collections in order to avoid offending religious feelings. The Legislative Assembly's Commission on Education, Culture and Science deemed passing this legislation inadvisable, however.

Preferential treatment accorded certain religious organizations by the authorities

As in previous years, on occasion the authorities provided certain religious organizations with financial support. Most often, money was allotted from federal and regional budgets to restore religious buildings: since the majority of these are architectural monuments, this financial support is entirely justified. In particular, money was allocated to the restoration of such buildings in Moscow and Petersburg, and in Arkhangelsk, Novgorod, Orenburg and Tyumen regions. Moscow government increased its spending on restoration by 50 million rubles; consequently, 200 million rubles was spent on the restoration of 14 religious buildings in Moscow over the course of the year. Among the biggest tranches of finance is the 1 billion rubles allocated to restore Solovetsky Monastery as part of the federal program, and the 475.6 million rubles spent on the restoration of the Moscow Church of the Nativity of the Mother of God at Kulishki (*khram Rozhdestva Bogoroditsi na Kulishkakh*). The majority of buildings in receipt of budget funds were Orthodox, but other religious organizations were financed too: 50 million rubles were allocated to restore the Cathedral Mosque (*Sobornaia mechet'*) in Petersburg, for example.

The state allocated money to religious organizations not only for restoration works. In December the Center for Economic and Political Reform presented a report which analyses the distribution of presidential grants. From this report it is clear that in the period 2013–2015 the Russian Orthodox Church was one of the main grantees: '*Large grants to "Orthodox projects" are won by organizations which are either directly controlled by the Moscow Patriarchate (the religious organization of the department of religious education and catechesis of the ROC), or are close to the ROC ("The Center for Religious Studies", "Orthodox Youth", "The Union of Orthodox Citizens" and others)*'.⁵ For example, a grant of eight million rubles was awarded to the organization of the educational readings 'Prince Vladimir: Rus's Choice of Civilization', and the 'Faith and Action' (*Vera i delo*) Information Agency won two million rubles 'to develop patriotically-inclined Orthodox bloggers'. The report's authors consider this situation to be '*covert state support of the ROC and structures close to it*'.

The authorities sometimes allocated, or at least expressed their readiness to allocate budgetary funds, to entirely unexpected Orthodox events. The govern-

⁵ Prezidentskie granty NKO: Pooshchrenie loialnosti vmesto razvitiia grazhdanskogo obshchestva, TsEPR December 2015 (http://cepr.su/wp-content/uploads/2015/12/Президентские-гранты-НКО_Поощрение-лояльности-вместо-развития-гражданского-общества.pdf).

ment of Rostov region allocated money to organize a banquet on the occasion of a visit by Patriarch Cyril: in connection with this, two proposals – jointly worth 450,000 rubles – were published on the State Procurement website. These proposals were withdrawn without explanation shortly after publication, however.

In some cases, rather than allocating funds directly, officials used administrative methods to compel subordinates to financially support some religious endeavor or other. By order of the acting governor, the Kaluga region Ministry of Health compelled employees of organizations under its jurisdiction to donate funds to the local diocese for the erection of a memorial to St Lavrenty, and to report to the Ministry on ‘work completed’. The acting governor himself, Anatoly Artamonov, called for members of the regional government to donate ‘as much as civic duty demands’ towards the saint’s memorial.

Administrative pressure could also be applied in matters other than financial. Employees of the Petersburg ‘Contact’ Rehabilitation Center for Minors in Difficult Life Circumstances, under the jurisdiction of the city’s Committee for Youth Policy, were required to participate in a religious procession in honor of the move of St Alexander Nevsky’s relics. In accordance with the official order, the day of the religious procession – a Saturday – was declared a working day, and employees were required to be at the procession of the cross ‘in order to accompany juveniles to a city event’.

The transfer of property remains yet another means of supporting religious organizations, again, in the majority of cases, the ROC. However, the number of property transfers substantially declined. It would appear that religious organizations have managed to secure the buildings that interest them most, but do not yet have sufficient resources to maintain the new ones. In the Federal Agency for State Property Management (*Rosimushchestvo*) itself they evaluate the current situation as ‘depressing’: the majority of religious organizations simply turn down the buildings the state offers them. According to Sergei Anoprienko of *Rosimushchestvo*, the ROC was offered 1971 buildings, the Buddhist Sangha of Russia and the Federation of Jewish Communities were offered 27 each, the Council of Muftis – 11, and the Armenian Apostolic and Russian Orthodox Old Believer Churches were both offered two. Moreover, only the ROC was responsive to the idea, submitting 212 proposals of which 120 were fulfilled: 94 buildings were transferred for free use of the ROC, 26 into its ownership.⁶

⁶ Predstavitel’ Rosimushchestva rasskazal v Dume o praktike peredachi religioznym organizatsiiam imushchestva religioznogo naznacheniiia, SOVA Center 1 February 2016 (<http://www.sova-center.ru/religion/news/authorities/protection/2016/02/d33742/>).

Among those buildings transferred were monuments of cultural heritage like, for example, the Savior-Prilutsky Monastery (*Spaso-Prilutskii monastyr’*) complex, which dates from the beginning of the seventeenth century. This was transferred into the ownership of Vologda diocese.

In the majority of cases transfers were uncontentious: where other organizations occupied the transferred buildings, they were, as a rule, offered other accommodation. In the same Vologda diocese, an art gallery formerly located in the Resurrection Cathedral (*Voskresenskii sobor*) on the territory of the Kremlin was moved to another building on Cheliuskintsev Street.

All the transfer-related conflicts of which we are aware are connected with museums. As in previous years, bureaucrats often prioritized the interests of religious organizations over those of museums, and museum employees had to fight to preserve their institutions intact.

Demands from Petersburg Metropolitanate that St Isaac’s Cathedral (*Isaakievskii sobor*) be returned to it evoked a public outcry. The Petersburg authorities did not initially rule out the possibility of transferring the building, but in the event they refused to do so. According to the governor’s press secretary, Andrei Kibitov, their decision was based on the fact that if the cathedral was reassigned for diocesan use, the expense of its upkeep would remain with the owners – in other words the city – and this would involve ‘additional serious expense for the city’s budget, and a cut in finance to other socially significant projects and programs’.

In connection with the attempted transfer of St Isaac’s Cathedral to ROC, a group of Petersburg deputies drafted two bills on limiting the transfer of cultural heritage monuments to religious organizations, but the Legislative Assembly refused to even include them on the agenda. Soon after, the Union of Russia’s Museums proposed a temporary moratorium on the transfer to the Church of those former religious buildings which currently house museums: this idea did not garner support either.

In Rostov region there was public protest against the transfer of four buildings from the Staroherkassky historical-architectural museum reserve (*Staroherkasskii istoriko-arkhitekturnyi muzei-zapovednik*) to the Don Metropolitanate. Despite a promise by ecclesiastical representatives to share the building rather than to evict the museum, local Cossacks organized a petition against the transfer. Nevertheless, at least one building – the Ataman Palace – was transferred to the ROC anyway, and in January 2016 museum employees went to court in an effort to overturn this decision.

The authorities have not established a unified position in the case of Chita’s Church of St Michael Archangel (*Mikhailo-Arkhangel’skaia tserkov’*), which has housed the Decembrists Museum since 1985 and which the local diocese has

laid claim to. The governor of Zabaikal region, Konstantin Il'kovsky, declared that the church would not be transferred to the diocese while the museum was still in existence. In contrast, Gennady Chupin, deputy prime minister of Zabaikal regional government, appealed to Putin with a request that the museum building be transferred to the diocese. Chita residents and the region's Public Chamber have spoken out against the transfer.

Several conflicts arose over buildings already transferred to the ROC. The SENT company, created by Valaam Monastery, managed to evict some local residents from the island through the courts. The evicted were those living in the 'Winter Hotel' building. The residents attempted to contest this decision, pointing out that the court of first instance had not taken into account the complaint against the expert conclusion which deemed the Winter Hotel unfit for human habitation. The Supreme Court of Karelia considered the eviction to be legal, however.

In Ryazan region, too, regional authorities supported the Dormition-Vyshensky Convent (*Svyato-Uspenskii Vyshinskii Monastyr'*) in evicting local residents – employees of the psychiatric hospital which has long shared the convent complex – from its territory. For that purpose the hospital was transferred to a new building, the convent was recognized as a heritage monument of national significance, and the territory – together with the residential buildings – was re-categorized as federal land. Since 2014 local residents have begun to re-register their residency documents, but as a rule they only have documents for the buildings, and not for outbuildings. In the run-up to the anniversary celebrations in honor of St Feofan Vyshensky (with whom the convent is connected), the residents began to be evicted from their homes and the outbuildings knocked down. The regional authorities simultaneously began to fine those living on convent territory for illegal construction work and seizure of federal land.

Following recent tradition, several regional festivities have been declared public holidays by the regional authorities. In Bashkiria, Tatarstan, Chechnya and several other regions, for example, extra days off have been announced for Uraza Bairam (Eid al-Fitr). In a series of regions Radonitsa [when Orthodox Christians commemorate their dead] has been declared a public holiday.

Moreover, at the request of Metropolitan Kliment of Kaluga and Borovsk, Kaluga town Duma moved civic festivities in honor of the town from 29 August to 22 August, the day of St Lavrenty – the town's patron saint.

New ways of supporting religious organizations also appeared. Thus in at least two regions, Kaluga and Tula, the authorities decided not to register di-

vores on 8 July, when Orthodox Christians celebrate the feast of Saints Peter and Fevronia, honored as patrons of marriage. This ban only applies to the feast day – on every other day of the year it is possible to get divorced.

The first case of which we are aware in which the prosecutor's office checked parental declarations of their choice of 'The Foundations of Orthodox Culture' (one of the electives of the 'Foundations of Religious Culture and Secular Ethics' course), and applied some sort of sanction for infringements, may be considered indirect support of the ROC. The Gorno-Altai prosecutor's office provided the management of School No. 7 with a list of recommended corrections to legislative violations, because the school had failed to provide parental declarations of their choice of the 'Orthodox Culture' option.

In an effort to combat 'insufficiently high indicators' of a preference for the Orthodox Culture option (83% rather than the projected 98%) the district education department and district administration in Khvalynsk, Saratov region, demanded a written explanation from the deputy head of one school. Tatiana Kotserova was required to write a report explaining why she doesn't go to church, was accused of celebrating Halloween and of 'anti-Orthodox activism' amongst parents, and was ultimately dismissed from her post.

Liquidation of religious organizations and denial of registration

We know of substantially fewer cases of religious organizations being liquidated in 2015 than in the previous year. One of the most significant cases was that of the Moscow Church of Scientology, liquidated by a November ruling of the Moscow city court in favor of the Russian Federation Ministry of Justice. Grounds for this decision were – according to the Ministry of Justice and the Court – that the organization's charter does not accord with the law 'On Freedom of Conscience and Religious Associations', and its activities conflict with article 28 of the Constitution of the Russian Federation, which guarantees freedom of conscience and religious confession. The Ministry of Justice and the Moscow city court considered as violations the fact that the church conducted its activities in Petersburg despite the registration of its central organization in Moscow, and also the registration of the name 'scientology' as a trademark. This led them to conclude that the organization could not be considered 'religious'.

This ruling was preceded by a July case in Moscow's Izmailovsky court, brought by the Church of Scientology in an attempt to protest the Ministry of Justice's actions and to force it to register the organization's charter. The court deemed the Ministry's actions legitimate, however. The Izmailovsky court's

decision was based, in particular, on religious studies expertise provided by Larisa Astakhova, head of the religious studies department at Kazan Federal University. Astakhova reached her conclusion that Scientology is not a religion by evaluating it from the perspective of Orthodox Christianity. Her expert report evoked much censure from the religious studies community.

In January 2016 the Church of Scientology lodged an appeal against the liquidation ruling by Moscow's city court.

The local organization of Scientologists yet again failed to achieve registration in Petersburg. In June Petersburg's Oktiabrsky district court once again refused to register the organization, despite the fact that in February the Grand Chamber of the European Court of Human Rights had upheld its 2014 ruling that the refusal to register the Church of Scientology in St Petersburg is illegal. The Oktiabrsky court decreed that *'the fact that the European Court has deemed the refusal to register the Church of Scientology on grounds that it has not provided evidence of its existence on the territory of St Petersburg for more than 15 years to be a violation of the convention does not imply that other grounds for refusing to register are also deemed illegal.'*⁷ In addition to doubts over the religious nature of the organization, authorities also have problems with its charter, and consider the election of the organization's president and auditing body to be inappropriate.

In March, the local religious organization of the Jehovah's Witnesses in Abinsk was found extremist by Krasnodar region court. The court ruled that the organization should be liquidated, and transferred its property – 800 square meters of land and a 67 square meter residential building – into government ownership.

In December, Belgorod regional prosecutor's office applied to the courts to liquidate two further communities of Jehovah's Witnesses, in Belgorod and Saryi Oskol, on grounds that they had been carrying out extremist activities. In February 2016 both communities were liquidated.

In October 2015 Alexander Parygin, head of the local religious organization of Jehovah's Witnesses in Arkhangelsk, filed an application for the liquidation of his organization with the Ministry of Justice himself. This followed a warning from the prosecutor's office about the impermissibility of distributing banned literature, searches of Kingdom Hall and the homes of active parishioners, and Parygin being fined.

⁷ Mariia Golubkova, 'Ne priznali', *Rossiiskaia gazeta*, 29 June 2015.

Furthermore, the Horde organization (*Orda*) was banned in three regions over the course of the year: Altai, Orenburg and Kurgan regions. Despite the fact that the organization has been included in the Federal list of extremist organizations since 2013, the prosecutorial case against it boiled down to providing unlicensed medical services, 'the manipulation of [devotees'] consciousness', presenting a threat to public health and 'causing damage to the morals' of citizens.

Discrimination against religious organizations and citizens on the basis of their attitude to religion

Authorities at both federal and regional level resorted to 'anti-sect' rhetoric in public speeches more often than in the previous year.

In September Sergei Gavrilov, head of the cross-party State Duma deputies' group for the defense of Christian values, announced that 'anti-sect' amendments to legislation were being prepared. He also told journalists about the danger of 'sects', mentioning Scientologists and 'the Adventist sect, moreover with huge amounts of money, with an extremely aggressive way of behaving'. Representatives of this group have made similar speeches a number of times since its founding in 2012, but these have not been translated into action. However in February 2016 Gavrilov confirmed that the drafting of amendments to anti-extremist legislation – aimed at limiting the activities of a whole series of religious organizations – is already underway in the State Duma.

At the end of September, head of the CIS Anti-terrorist Center Andrei Novikov evaluated Russian new religious movements (NRM) at a conference entitled 'A Warning about Youth Engagement in the Activities of Terrorist and Extremist Organizations' in Belgorod. He mentioned as extremist the 'quasi-religious' and 'quasi-Christian' Jehovah's Witnesses, the White Brotherhood (*Beloe Bratstvo*), the Church of the Last Testament (*Tserkov' poslednego zaveta*) and a few other groups which do not practice violence.

In an interview published on the Arkhangelsk diocesan website in December, acting governor of Arkhangelsk region Igor Orlov called for the Jehovah's Witnesses to be 'delegalized' in the region. He also defined one task of state power as being *'to resist, [in collaboration] with the Church, the destructive forces which destroy human souls'*.⁸

⁸ Igor Orlov, 'Vosstanovlenie kafedral'nogo sobora preobrazhaet liuboi gorod', the website of the Arkhangelsk and Kholmogory diocese, 7 December 2015 (http://arh-eparhia.ru/publications/?ELEMENT_ID=53238).

The most notable declaration, however, was that made in December at a round table on ‘Sects and destructive cults as challenges to Russian national security’, in the State Duma. It was made by Sergei Lobyrev, head of the analytical section of the expert-legal department of the Human Rights Ombudsman of the Russian Federation, from whom – given his position – one might expect a speech in defense of religious freedom. Instead he proposed that the procedure for registering religious groups should be made more difficult, and that legislative amendments aimed at ‘*opposing the activities of totalitarian, destructive cults*’ should be developed. According to Lobyrev, this is necessary in order to ‘*protect the rights of citizens of the Russian Federation from those organizations pursuing a specific ideology, specific aims, potentially commercial [ones]*’.⁹

In full accordance with the ‘anti-sect’ rhetoric, discrimination was most often directed at the representatives of new religious movements over the course of the year.

The campaign of discrimination against Jehovah’s Witnesses which began back in 2009 continued. In addition to the above-mentioned liquidation of local organizations accused of extremism, police officers in various regions detained the organization’s preachers throughout the year. Such detainments were recorded, in particular, in the Lipetsk region village of Strelets, in Moscow region, in Sasovo (Ryazan region) and Saratov. The police photographed and questioned believers at local police stations; in some cases believers were fingerprinted and their religious literature confiscated. We know of no less than nine cases in which believers were fined for distributing banned religious literature, as happened in Abakan, Birobidzhan, Perm and Syzran, for example. In some instances, instead of a fine, warnings about the inadmissibility of distributing extremist literature were issued. In Rostov region, two missionaries preaching and giving out literature on the street were fined 20,000 rubles each under part 2, article 20.2 of the Administrative Code – which relates to conducting a public event without giving appropriate notification.

In Krymsk, Krasnodar region, police officers broke up a three day convention of Jehovah’s Witnesses with the help of Cossacks. The electricity was turned off at the stadium where the event was being held, and the Cossacks pelted believers with stones.

Customs at the Finnish border seized 2016 copies of the Bible translated by the Jehovah’s Witnesses, intended for distribution among Russian citizens. Three copies of the Bible were taken to be examined for indications of extrem-

⁹ Vladimir Petin. ‘Pravozashchitniki predlozhili priniat’ zakon protiv sekt’, *Rossiiskaia gazeta*, 8 December 2015.

ism. As a result, by March 2016 proceedings had already begun in Vyborg to ban the Jehovah’s Witnesses’ translation of the Bible.

Representatives of the Church of Scientology were sanctioned under article 13.11 of the Administrative Code (‘Violating the procedure for Collecting, Keeping, Using or Disseminating Information about Citizens (Personal Data)’) in two regions. In November the head of the religious group of Scientologists in Yakutsk was fined under this article for conducting the ‘Oxford Capacity Analysis Personality Test’ in one of the town’s schools without prior permission for personal data collection. A case was brought against the leaders of the religious group ‘The Chelyabinsk town Church of Scientology’ under the same article. Inspectors considered recording the names, addresses and telephone numbers of parishioners and those who purchased books in a register to constitute a violation of the law on personal data.

Moreover, security services representatives searched the Moscow office of the Church of Scientology and the Center for Management of Dianetics and Scientology Dissemination in Moscow region’s Losino-Petrovsky several times during the course of the year.

In Moscow two followers of Falun Gong, one of whom was distributing the movement’s brochures and the other of whom was doing exercises, were fined under article 20.2 of the Administrative Code. Attempts were made to prosecute a Falun Gong follower in Vladivostok for conducting a one person picket, but the court did not perceive any violations of the law in her actions.

In Moscow, Tversky District Court fined two members of the Novosibirsk Society for Krishna Consciousness under the same article, for distributing religious literature on Red Square.

The administration of Nizhnevartovsk sent letters out to local officials indicating the undesirability of hosting yoga lessons on the territory of municipal institutions. In particular, the letters informed recipients that yoga ‘is inseparably linked to religious practices’, and hatha yoga ‘has an occult nature’. The town administration later retracted these letters and permitted yoga classes.

Several cases of discrimination against representatives of protestant churches are well-known.

Both Krasnodar regional court and the Supreme Court of the Russian Federation upheld the legality of the December 2014 decision by Sochi’s Khoshtinsky district court to fine Aleksei Kolyasnikov, leader of the ‘Community of Christians’ (*Soobshchestvo khristian*) evangelical Christian group 30,000 rubles for holding a meeting of believers and Bible reading in a café specially rented for the purpose. Kolyasnikov appealed to the European Court of Human Rights, where his complaint has been registered.

Artur Neifeld, a member of the Church of Evangelical Christians-Baptists in Tomsk region, was found guilty under Part 2, Article 20.2 of the Administrative Code and fined 10,000 rubles for disseminating the Gospels on the streets of Tomsk.

Alexander Filippov, pastor of the Chelyabinsk ‘Cornerstone’ (*Kraeugol’nyi kamen’*) Church of Christians of the Evangelical Faith, was fined 500 rubles for violating the law on personal data. He also received a caution from the prosecutor’s office on the inadmissibility of breaking this law. This religious organization was investigated after a complaint from local residents unhappy about believers’ meetings being held in a House of Culture belonging to the All-Russia Society of the Deaf.

We observed fewer cases of discrimination against Muslims which do not have a direct connection with persecution under anti-extremism legislation than in 2014; there were such cases, however, and some of them – as in the year before – involved arbitrariness on the part of the police.

Employees of the law enforcement agencies in several regions detained mosque visitors, as they did, for example, at the mosque in Prokopyevsk, Kemerovo region. Here representatives of the “E Center” wrote down the telephone numbers and passport details of worshippers leaving the mosque building after Friday prayers, and also videoed them.

In Moscow two brothers, one of whom is a minor, were detained after a neighbor complained of hearing ‘religious singing’ coming from their apartment: the young Muslims were listening to surahs of the Qur’an. The detainees’ computer was confiscated.

The continuation of the Mordovian ‘hijab saga’ (see our 2014 report) should also be noted. In February the Supreme Court of the Russian Federation dismissed an appeal by representatives of the Muslim community of Mordovia and upheld the legality of the ruling by the republic’s government, which upheld school uniform requirements and prohibited the wearing of religious garments. Efforts by Mordovian Muslims to gain permission for girls to wear headscarves to school were unsuccessful.

Cases of foreign preachers from various religious organizations being expelled from Russia became more frequent. In a whole series of cases either the preachers themselves, or the organizations to which they belonged, were fined for violating migration procedures.

We know of no less than three cases of representatives of the Church of Jesus Christ of the Latter-Day Saints (Mormons) being persecuted. In Altai and Rostov regions, and in Khabarovsk, the Mormons were fined for violations of

migration legislation: in Rostov region the Directorate of the Federal Migration Service fined two communities 400,000 rubles each, and in Altai region and Khabarovsk they fined several preachers.

Obert Chelenga, a pastor of the Pentecostal ‘Truth’ (*Istina*) church and a citizen of Zimbabwe, was deported from Astrakhan and fined in 2014 for violations of migration legislation.

Lama Shivalkha Rinpoche was expelled from Tuva republic, where he had been living for eleven years, at the decision of the FSB.

Muslims were also expelled for violations of migration legislation. Four imams were expelled from Sverdlovsk region by court order. The imams were citizens of Turkey, and their migration documentation specified the aim of their visit as business, rather than religion. One of them is a follower of Said Nursi. More citizens of Turkey, Ugur Ialgyn, Alper Aslankurt and Metin Karakoch, were expelled from Astrakhan. The three were banned from entering Russia for ten years, for ‘the propaganda of pan-Turkism’. According to their documents they were in Russia for teaching purposes.

Those subjected to discrimination often attempted to defend their rights, and in several cases they succeeded. Two court cases found in favor of the Jehovah’s Witnesses. The Supreme Court of the Russian Federation supported an appeal by Human Rights Commissioner Ella Pamfilova to overturn the fines leveled at the local religious organization of the Jehovah’s Witnesses in Orel. Two fines of 100,000 rubles each had been imposed on the religious organization for allegedly illegally conducting public events in 2013 and 2104.

The Kotlas court in Arkhangelsk region ruled to dismiss a case about the dissemination of extremist literature brought in relation to the Kotlas community of Jehovah’s Witnesses and its chairman. During the court process it became clear that the publications presented by the FSB were not extremist.

The Prosecutor General appealed the ban on Armenian Apostolic Church parishes using sound amplifiers during worship, imposed in 2011 by the government of Rostov region.

Insufficient protection against defamation and attacks

We recorded no less than 22 individuals injured in attacks in which the underlying causes were religious. The number of injured is significantly higher than that of 2014 (15).

The number of attacks against Jehovah’s Witnesses increased; not for the first year, their missionaries regularly became the victims of assault by aggressive

citizens. We know of no fewer than 18 such incidents. Happily, in the majority of cases the health of those injured was not seriously harmed, but in a few cases the victims needed medical help or even received life-threatening injuries.

A resident of Komsomolsk-on-Amur shot one preacher, injuring him in the chest. A man in Volgograd beat the head of a 75-year-old female preacher against a lift wall, and gave her a kicking. An 82-year-old missionary in Vladivostok was pushed in such a way that she fell over, hit her head and passed out. Another Witness, shoved by the resident of an Orenburg housing block, fell over and broke her shoulder. Four women conducting door-to-door missionary work in apartment blocks in Pervouralsk (Sverdlovsk region) and Samara needed medical help after attacks by local residents. A Cossack in the Voronezh region village of Kostino-Otdelets beat one female missionary with a whip. In Moscow, a passer-by fired several times at a stand beside one Jehovah's Witness, and the resident of one apartment block visited by Witnesses fired pepper spray in the eyes of a female preacher. She subsequently needed medical attention. Another Witness, distributing religious literature on a Petersburg street, also received burns to the eyes from pepper gas. Before this he was threatened with a pistol. A resident of an apartment block in Orsk, Orenburg region, threatened a preacher with a pistol, removing the gun's safety catch.

Although in many cases those assaulted turned to the police, punishments for these attacks proved the exception rather than the rule. One of these exceptions was the above-mentioned case in Pervouralsk; the case went as far as the magistrate's court, but was halted because of an amnesty. Those injured received compensation for having suffered moral damage.

We know of three cases of attacks against Muslims, all of which took place in Moscow.

Security guards at a shopping center beat up a man who was preparing to say his ritual prayers (Salah) in a secluded spot.

A group of football fans attempted an assault on a girl in Muslim dress, and began to insult her. The fans went to stab a passer-by who intervened in defense of the girl, but the man managed to dodge the blow and the attackers only grazed his face.

Parishioner of the Cathedral Mosque in Moscow, responsible for order in the building, was beaten up by fellow believers for preventing a group of provocateurs from reaching the microphone. The agitators were calling for public disturbances at the French embassy, after the publication of the cartoon of the Prophet Muhammad in *Charlie Hebdo* magazine.¹⁰

¹⁰ It should be clarified that this sort of attack should also be considered motivated by enmity which relates to religion, since the issue was clearly about a difference in interpretations of the demands of Islam.

In Volgograd an Orthodox priest was injured while trying to remove a drunken man from a bell tower. The hooligan reacted aggressively, and hit the priest several times.

In comparison with last year, the level of religiously motivated vandalism fell slightly – from 32 incidents to 28. Most often the vandals targeted Jehovah's Witnesses' property: we know of no fewer than 11 incidents, exactly the same as last year.

The number of attacks against Orthodox targets fell from ten to six, and half (three) of these cases were acts of vandalism directed against memorial crosses. In contrast to the previous year, however, these incidents were unconnected with conflicts over church construction. Moreover, a church, a chapel and a bathing hut at a holy spring were also vandalized.

The number of Muslim targets also fell slightly – six, in contrast to seven in 2014. Besides prayer houses, graves in a Muslim cemetery were also vandalized. We also know of vandals attacking four Jewish targets – one of which, a Holocaust memorial in Tver region, was vandalized twice. And we know one pagan target: in Petersburg vandals cut down sculptures of the Korean Chansy idols, motivated by the fact that 'ours is an Orthodox state'.

In the majority of cases these incidents did not present any danger to people, but there were exceptions: in Arkhangelsk a synagogue was shot at; in several regions the windows of the Jehovah's Witnesses' Kingdom Halls were smashed and rocks thrown into the buildings. One Muslim prayer house, one Kingdom Hall and one Orthodox bathing hut were set on fire, and there was also one arson attempt against a mosque.

As in previous years, federal and regional media published xenophobic material, the majority of which – as in 2014 – was directed at Protestant churches and new religious movements. This sort of piece appeared both on federal television channels and in mainstream mass media outlets such as Lenta.ru, Regions.ru and the newspaper *Izvestia*. As a rule, representatives of religious organizations named in these pieces expressed their indignation publically, and demanded that misleading information be retracted.

This happened, for example, with material broadcast on the television channel Rossia 1, which aired at least two 'anti-sect' pieces during the year – both during the news program (*Vesti*). Representatives of the Jehovah's Witnesses complained to the Public Board for Press Complaints about one piece, aired in September. Rossia 1 journalist Ilya Filippov reproduced a string of negative stereotypes about Jehovah's Witnesses, accusing them of ignoring the law, extortion and 'recruiting children'. In its consideration of the complaint, the Board came to

the conclusion that the screened piece promoted religious intolerance, ‘spreading a negative attitude towards Jehovah’s Witnesses’ and insulting believers.

By November, however, the *Vesti* program had already broadcast yet another ‘anti-sect’ piece. This time the Seventh Day Adventists, the Scientologists, and the ‘Cornerstone’ and ‘New Generation’ (*Novoe pokolenie*) evangelical churches were ‘unmasked’. The Seventh Day Adventists appealed to the head of the television channel, Anton Zlatopolsky, demanding a rebuttal to this material, and also to Yaroslav Nilov, head of the State Duma Committee on public associations and religious organizations. Nilov in turn asked the head of the All-Russia State Television and Radio Broadcasting Company, Oleg Dobrodeev, ‘to commission an investigation into what grounds there were for creating and repeatedly showing the given piece on the *Rossia 1* television channel’. No response was forthcoming from the television channel management, but the text of the report which had so upset believers was removed from the channel’s website. It is significant that even the diocese of Chelyabinsk, to whom the Adventists had also appealed, responded in writing that the commentary given by their employee had been misused by Kirill Solodkov, the author of this piece.

The ‘anti-Adventist campaign’ returned to the mass media in connection with the August murder of six children and their mother in Nizhny Novgorod region. In narrating the tragedy, the majority of journalists deemed it necessary to mention that the children’s father, accused of the crime, was an Adventist. However, he had been excluded from the Nizhny Novgorod church of Seventh Day Adventists back in 2007 and, moreover, is being seen by a psychiatrist, as the church leadership swiftly informed journalists. Nevertheless, many publications continued to connect the crime with Adventist influence, at the same time publishing erroneous information about Adventist religious teachings and practices.

Besides moral injury to believers, such publications provoked increased interest in the Church of the Seventh Day Adventists amongst law enforcement agencies. Soon after the murders, 14 Adventist prayer houses, a Sunday school and a church television company were searched in Nizhny Novgorod region, as were the Seventh Day Adventist churches in Vladimir region, and the home of Alexander Sinitsyn, the president of the Volga-Vyatka union of Seventh Day Adventists.

In March Petersburg’s Channel Five (*Piatyi kanal*) dedicated part of its ‘Main’ (*Glavnoe*) program to the Church of Jesus Christ of the Latter-Day Saints. The piece carried the inflammatory title ‘With the call sign “saint”: how American spies penetrate into Russia masquerading as pious missionaries’. The material evoked indignation amongst followers of the Church, who demanded a rebuttal from the channel’s management.

The Union of Missions of Christians of Evangelical Faith (Pentecostals) managed to get the prosecutor’s office to warn Dmitry Pechenkin, a specialist from the Surgut region department of public security, about the inadmissibility of not fulfilling the requirements of the legislation on freedom of conscience and on religious associations. In May the newspaper *Surgut Tribune* (*Surgutskaja tribuna*) published an interview with Pechenkin entitled ‘Will they manage to achieve power over people? Why they regularly try to recruit us and how not to fall into the hands of sectarians’. In the piece the official accused Jehovah’s Witnesses, Baptists, Pentecostals and Mormons of, amongst other things, creating ‘political imbalance’, ‘destroying society from inside’ and collaboration with a foreign intelligence.

We note that Archpriest Vsevolod Chaplin, one of the most significant ecclesiastical functionaries who was at that point still head of the Synodal Department for Cooperation of Church and Society (before his sacking in December 2015), publically supported the accusation of ‘spying’ leveled at NRMs (new religious movements) and Protestants. In January, commenting on the conducting of searches in the Moscow office of the Scientologists, Chaplin called on Russians not to cooperate with Scientologists, Jehovah’s Witnesses and other religious groups financed by the USA. He practically accused the followers of these organizations of being agents of America. In his words, ‘as branches of American corporations and analytical centers, [these organizations] are primarily conducting propaganda in Russia rather than expert or humanitarian activities – for example, they allege that there is no alternative to the western model of democracy, the capitalism of finance and oligarchs and so on’.¹¹

According to our observations, anti-Muslim material appeared less often. Indignation amongst Muslims was primarily generated by the publication of the aforementioned *Charlie Hebdo* cartoons. In addition, some Muslims found a poll published in January on the website of the radio station Echo of Moscow (*Ekho Moskvy*) offensive: the poll asked whether it is allowable to publish cartoons of the Prophet Muhammed. Representatives of Muslim communities in Novgorod region asked the prosecutor’s office to evaluate the legality of the Echo of Moscow editorial board’s actions, and Mairbek Abuezidov, a member of the Novgorod regional government Committee for Interethnic Relations, even perceived a crime under article 148 of the Criminal Code in their publication

¹¹ ‘Protoierei Vsevolod Chaplin prizyvaet uzhestochit’ otnoshenie k saientologam i jegovistam’, Interfaks-religia, 30 January 2015 (<http://www.interfax-religion.ru/?act=news&div=57738>).

of the poll. The prosecutor's office, however, did not find grounds to bring any sanctions against the radio station.

Besides this, representatives of civil society organizations and private individuals attempted to oppose the activities of religious organizations, primarily Jehovah's Witnesses and representatives of other NRMs.

As in previous years, 'anti-sect' events were held in various regions. Members of the NGO 'Youth Ambulance' (*Skoraia molodezhnaia pomoshch'*) organized several 'anti-sect' pickets at the Jehovah's Witnesses' Kingdom Hall in Belgorod. Pickets against the Jehovah's Witnesses were also held in Syzran (with the participation of the LDPR), and in the Yaroslavl region town of Gavrillov Yam. Leaflets containing offensive remarks about Jehovah's Witnesses, produced by the St Joseph Volotsky Missionary Center (*Missionerskii Tsentr prepodobnogo Iosifa Volotskogo*), were found in the middle of March near Moscow's Nagornaia metro station.

Stavropol residents complained to the anti-monopoly service about local Jehovah's Witnesses' street banners, depicting believers and the address of the organization's official website jw.org. The believers had to remove the banners and pay a fine.

In tandem with the civil society organization Baltic Youth (*Baltiiskaia molodezh*), local residents protested the Scientologists' move into the Petersburg district of Avtovo by conducting a series of pickets in front of the Petersburg Church of Scientology's new office. During one picket, the protesters attempted to burst into the Church's building. The residents' protest was supported by officials from the local district administration, who declared that they 'did not welcome' the appearance of the center, since the religious organization had been subject to several court cases and because there were two kindergartens and a school located not far from the new center.

Maria Kravchenko, Alexander Verkhovsky

Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2015

Summary

As we have repeatedly stated, the anti-extremist legislation, with its vague wording, makes a perfect instrument for prosecution of political opponents or other groups that stand out from the mainstream. This prosecution can be more or less legally appropriate in terms of compliance with the Russian Constitution and the legislation itself. Primary targets of inappropriate law enforcement practices change periodically depending on the political situation and public sentiments.

Since 2014, the traditional "leader" in this respect – the so-called alternative Islam – has been predictably joined by opponents of the state policy with respect to Ukraine. The same effect, in principle, could be expected in connection with Russia's entry into the war in Syria and the associated threat of terrorism in Russia. This trend has been, indeed, observed to some extent, but, unlike in the case of the Ukrainian events of 2014, never resulted in comparably significant changes to repressive practices toward "alternative Islam." Rather, we can observe strengthening of an earlier trend – filing disproportionately grave charges and issuing disproportionately harsh sentences.

In 2015,¹ we encountered nothing radically new compared to 2012-2014. Practically no new repressive laws were adopted; apparently, we can talk about another temporary stabilization of this legislative area. Previously adopted laws were more actively used – we recorded the first cases of inappropriate convictions for incitement to separatism and opening of the first inappropriate cases related to insulting the feelings of believers.

¹ Report on the events in 2015 has been prepared as part of the project, the implementation of which uses state support funds allocated as a grant in accordance with the Presidential Decree of April 1, 2015 No. 79-rp and on the basis of competition held by the Civil Dignity Movement (<http://civildignity.ru>).

In general, we observed an increase in inappropriate or questionable verdicts against various opposition activists, but these are the outcomes of the cases initiated in 2014, while the number of newly opened cases is much smaller. However, such sentences have come to increasingly include real prison terms. The practice of banning extremist materials, as well as restricting online access to extremist content, has been gradually expanding. Increasingly, Roskomnadzor presents media outlets with inappropriate warnings. It can be said that excessive use of anti-extremist legislation, having expanded for a number of years, now got entrenched on its new level.

Law enforcement abuses can and do serve political purposes, but an important factor of “bureaucratic inertia” in law enforcement should not be underestimated as well. This phenomenon was most clearly demonstrated by the practice of blocking Internet resources – with the growing body of accumulated law enforcement experience comes wider use. The same applies to the enforcement of the new norms of the Criminal Code or the Code of Administrative Offences. As for the increasingly harsher penalties, we can assume that law enforcement authorities, and, after them, the courts, view harsh sentences as a necessary measure in upholding their fight against groups and trends, which seem dangerous to them and have failed to respond to a lesser pressure.

The increasing pressure has been directed simultaneously against radical nationalists, Stalinists, the liberal opposition, Muslim activists (from adherents of terrorist groups to completely peaceful ones), patently harmless Jehovah’s Witnesses and just random citizens and organizations, which simply happened to get noticed by the agencies responsible for counteracting extremism. Accordingly, the society becomes increasingly convinced that counteraction to extremism is an area of arbitrary enforcement, used as a cover for increasing violation of basic human rights and freedoms.

The highest political, judicial and police authorities, apparently, do not view this situation as problematic, and only continue to express their confidence in the chosen course, thus, once again, negatively affecting the enforcement practice.

As a result, even the cases, in which the anti-extremist law enforcement pursues a justifiable goal using legitimate means, generate no positive response in the society and do not help to prevent actually existing dangerous trends. This is even more applicable to the cases, where either goals or means (or both) of the law enforcement are questionable.

Creation of Regulatory Acts

The year of 2015 turned out to be much less productive with regard to updating anti-extremist legislation than the previous few years. Although, of

course, quite a few flashy repressive initiatives² were proposed, almost none of them exhibited any potential for success. Perhaps, at some point, the people in charge of the real legislative process realized that increase in severity of legislation needs to be halted in order to give the enforcement system a chance to master the changes of the preceding three years.

Notably, the most significant changes of this year pertained not to the criminal law, but to softer instruments. In this respect, we need to discuss, first of all, two legislative norms, one of which is only partly related to our area of interest.

The first one is the law on “undesirable foreign organizations,” that is, the new amendments to the notorious Dima Yakovlev’s Law. On May 23, the president signed the amendment proclaiming that *“activities of foreign or international non-governmental organization that represent a threat to the foundations of the constitutional system of the Russian Federation, the country’s defense or security of the State may be considered undesirable in the Russian Federation.”*

The decision that activities of an organization are undesirable on the territory of the Russian Federation is made by the Prosecutor General’s Office with input from the Foreign Ministry and the Ministry of Justice, but without any input from the court. Cooperation with “undesirable organizations” is an administrative offense, and repeated cooperation, and, especially, heading their work in Russia is a criminal offense. Observers could have assumed that the new amendment pertained to threats that could be classified as terrorist or extremist. In this case, the amendments could have been regarded as an additional instrument of anti-extremist legislation. However, this conclusion begged a reasonable question – why was an extrajudicial procedure provided in this case, if the only way to recognize organizations, including foreign ones, as extremist is through the courts.

Until now, however, the practice of law enforcement have followed another expected scenario – the status of “undesirable” has been applied to Western funds for supporting social activity, which fails to meet the legal definition of extremism even in its broadest interpretation.

Another important innovation of 2015 was administrative responsibility introduced for extremist activities in the mass media – obviously, not instead of criminal responsibility but in addition to it.

On May 2, the following amendments were made to the Administrative Code: Article 13.15 (abuse of freedom of mass media) came to include the new

² The noteworthy suggestions included a proposal to criminalize justification of Stalinism and denial of the Armenian Genocide, a proposal to introduce criminal liability for the relatives of extremists and terrorists, and to revoke the citizenship of extremists and terrorists, and proposal to dramatically toughen the penalties for demonstration of banned symbols.

sixth part, which introduces fines for legal entities (publisher, and so on) for the “*production and manufacturing of media that contains public incitement to terrorist activity, and (or) materials, publicly justifying terrorism, and (or) other materials calling for extremist activity, or justifying or excusing the need for such an activity.*” The fines range from 100 thousand to 1 million rubles with confiscation of the offending object. The wording is similar to Article 205² (public incitement to terrorist activity or public justification of terrorism) and Article 280 (public incitement to extremist activity), so it implies punishment for the same act, but for the publishers rather than the authors. A question arises as to whether this provision of the Administrative Code should be used only if a related criminal case has been initiated, or regardless of it.

Exceptions are provided for the offenses covered under the Administrative Code Articles 20.3 (distribution of banned symbols) and 20.29 (distribution of banned materials), since these activities were already covered by previously established penalties. On the other hand, the text of the law stipulates an increase in the amount of a fine under Article 20.29 of the Administrative Code (mass distribution of extremist materials) for legal entities to 100,000 and up to 1 million rubles (previously, they ranged from 50 to 100 thousand rubles).

So far, we only know of one case utilizing the new rules of the Administrative Code (see below), and it is not very indicative. In principle, holding publishers responsible for criminal propaganda offenses published in their media outlets does not constitute a legally inappropriate innovation. However, if a criminal conviction is not required for its use, this new Administrative Code article becomes an independent instrument for punishing the media and, thereby, creates additional opportunities for arbitrary enforcement. It is much easier to bring a person to administrative responsibility than to criminal one – there are fewer instruments of defense, and it becomes possible to ruin a media outlet by fines.

As for penalties for the mass distribution of prohibited materials, it should be taken into account that the length of the Federal List of Extremist Materials, which provides the basis for these verdicts, has already exceeded 3200 items, and, for the most part, it is impossible to understand. Thus, punishing citizens on the basis of the cryptic List is becoming increasingly problematic. A radical increase of fines in such circumstances seems altogether inappropriate.

Article 13.15 of the Administrative Code will be expanded further. The new Code of Administrative Offences, a draft of which was submitted to the Duma in December, is expected to be adopted in 2016. There are only a few changes in its “anti-extremist” articles, in general, and the changes relate to increasing the fines

for some offences.³ However, the draft adds Part 7 to Article 13.15 (Article 22.15 in the new version) to cover “*dissemination of information, insulting the memory of the participants, veterans and victims of the Great Patriotic War of 1941-1945, including committed using mass media and (or) information and telecommunication networks (such as the Internet)*” with a proposed fine from 2,000 to 2,500 rubles for citizens, from 4,000 to 5,000 rubles for officials, and from 40,000 to 50,000 rubles for legal entities. The sanctions, as we see, are not very severe, but the wording of the offense, in our opinion, will inevitably lead to ideologically motivated misuse.

The system of anti-extremist Internet restrictions – one of the main innovations of recent years – underwent no significant changes in 2015. However, the fine-tuning of the system continues.

The above-mentioned draft of the new Code of Administrative Offences was augmented with Article 22.30 (*non-fulfillment by a service provider, providing access to the Internet information and telecommunications network, an obligation to restrict access to a site on the Internet, the network address of which has been included in the Uniform Registry of domain names, references to pages of Internet sites, and network addresses that enable identification of Internet sites that contain information prohibited for distribution in the Russian Federation*). The associated penalty ranges from 5,000 to 7,000 rubles for officials, from 10,000 to 30,000 rubles for individual entrepreneurs, and from 50,000 to 100,000 rubles for legal entities.

A series of scandals related to bans against religious materials led to an unexpected result – in 2015, President Putin proposed a bill (which was, of course, adopted immediately), prohibiting to prohibit the fundamental religious texts. Perhaps, the intentions were good, but as a result, the bill, signed on November 23, amended the Law on Combating Extremist Activity to include Article 3.1 “*Specifics of applying legislation of the Russian Federation on combating extremist activity with regard to religious texts*” which reads as follows: *The Bible, the Koran, the Tanakh, and the Kangyur, their contents, and quotations from them cannot be recognized as extremist materials.*”

Although religious leaders have welcomed the amendment, admittedly, it makes no practical sense. The amendment fails to clarify the issues regarding translations and various versions of the Bible, the Koran, the Tanakh and the Kangyur, and whether or in what format can these be subject to a ban, in whole or in part.

³ For more information see: Anti-Extremist Articles in the New Code of Administrative Offences // SOVA Center. 2015. November 30 – December 18 (<http://www.sova-center.ru/misuse/news/lawmaking/2015/11/d33341/>).

Thus, the problem of bans against old religious texts, which, far from being subject to prohibition, should not even be subject to interpretations based on the modern day concepts of extremism and tolerance, still persists.

A significant part of the absurd decisions in this area could have been avoided, had their issuance not been entrusted to the uneducated prosecutors and judges in lower courts. On September 30, a draft bill that proposed to elevate the jurisdiction for the cases related to prohibition of materials to the level of the supreme courts of the Federation was introduced in the Duma. Of course, this step is not a panacea, but it has been discussed for a number of years, and we were hoping for its passage, especially since the bill was submitted by a group of deputies from all factions. But, alas, it still has not been scheduled for consideration even in the first reading.

However, the level of a court does not guarantee a reasonable approach toward historical aspects of a given text. Thus, on February 17, the Constitutional Court confirmed the prohibition against using the swastika in a religious context, where it had a clearly Buddhist origin, and motivated its decision by the fact that “*the use of Nazi attributes (symbols) in and of itself... – regardless of their genesis – may cause suffering to people, whose relatives were killed during the Great Patriotic war.*”

This – likely temporary – stabilization of the anti-extremist legislation in 2015 was accompanied by adoption of several regulations aimed at restricting the rights of those already identified as “extremists.” We would like to emphasize that we are not criticizing the general practice of restricting the rights of people convicted of serious crimes, including crimes falling under the purview of the anti-extremist legislation, except in cases of inappropriate verdicts. At the very least, such measures have a right to exist. However, once again, we see a disproportionate and expansive interpretation of this idea.

The most significant source of the problems here is the Rosfinmonitoring List (list of organizations and individuals involved in terrorist or extremist activities maintained by the Federal Financial Monitoring Service), which includes not only those convicted of crimes of an extremist nature, but also people suspected of such crimes. The list is used not only for operational supervision, but also to introduce actual restrictions for people, including those whose guilt has not yet been proven (in particular, severely limiting their abilities to use their own bank accounts). On March 30, the list of restrictions for people on the Rosfinmonitoring List was expanded to include a ban on possessing a seafarers’ identity document.

On December 4, the government submitted to the Duma a draft bill banning a number of categories of people from founding mass media outlets, including those convicted of crimes against the constitutional order and the state security. This additional restriction – analogous to previously imposed

restrictions on establishing public and religious associations – is of no practical sense, in our opinion; if “extremists” want to create an organization or a media outlet, they can arrange for third parties to act as founders, while the “extremists” can subsequently take over the management.

The same draft bill provides Roskomnadzor with a mandate to deny permission to distribute a foreign printed periodical publication or to revoke such a permit, in case a publication fails to comply with the law on misusing mass media or with the anti-extremist legislation. Moreover, the procedure implies assessment of those facts by Roskomnadzor with no input from the publishers, thus creating a serious possibility of abuse.

Principal Targets of Persecution

The Internet and Anti-Extremism

In 2015, blocking of online content remained a primary form of government pressure against the Russian society. Both selection criteria and blocking mechanisms provide reasons for serious concerns, even if we leave out a more controversial question of whether this regulatory mechanism is generally sound.

The Overall Practice of Blocking

The Unified Register of Banned Websites, created in 2012, has continued to grow, adding resources that contain pornographic information or pictures, propaganda of drugs or psychotropic substances, or information that can encourage children to take actions that could be harmful to their health, including incitement to suicide. In addition, an Internet resource can be included in the register due to presence of the information, “*forbidden to spread in the Russian Federation on the basis of an enforceable court decision recognizing such information as prohibited for distribution.*” We would like to remind that, initially, this formula referred to online materials deemed extremist by the courts and subsequently blocked. However, since 2014, courts started to issue decisions on adding the questionable sites to the Register without actually recognizing them as extremist, on the grounds that they contain materials similar to the ones already recognized as extremist (usually, practically identical).

According to the data available to us (only Roskomnadzor, which is responsible for maintaining the List, has the full information), the Unified Register contained at least 422 resources blocked for “extremism” by the courts as of January 1, 2015 – thus, 283 new ones were added in 2015 (vs.

139 resources added in the preceding year). The specifics on the resources in question can be found the report on racism and xenophobia in this book.⁴

We view about a quarter of cases (specifically, 72) as added to the registry inappropriately. Most of them – 47 webpages – contain a variety of Muslim materials; politically oppositional pages account for another 15 instances; 7 cases pertain to nationalist materials and 3 – to religious (not Islamic) pages. In addition, we doubt the appropriateness of the ban against eight web pages with the materials of Hizb ut-Tahrir religious and political party.

Websites and webpages blocked under “Lugovoy’s Law,” which are added to a special register on the Roskomnadzor website, (created in addition to the Unified Register of Prohibited Materials) deserve a separate discussion. The law allows the Prosecutor-General’s Office to demand that Roskomnadzor immediately, without a trial, block sites containing “*incitement to mass riots, extremist activity, incitement of ethnic and (or) religious strife, participation in terrorist activities, or participation in public mass events held in violation of the established order.*”

According to our records (once again, only Roskomnadzor has the complete data), the registry of the resources blocked under Lugovoy’s Law increased by at least 133 points in 2015. It came to include resources traditionally covered by the information bans as well as websites or pages blocked due to the current political situation. More information on the quantity and nature of blocked sites is available in the above-mentioned report on racism and xenophobia in 2015; here, we only note that, in our opinion, about 25 webpages were blocked inappropriately. These problematic cases included pages with announcements of actions in support of Alexey Navalny, Darya Polyudova, the spring Anti-Crisis March, and the truckers’ strike,⁵ an instruction from the Consumer Rights Protection Society (*Obshchestvo zashchity prav potrebitelia*, OZPP), songs by the Ensemble of Christ the Saviour and Mother Earth, the Ukrainian band Duet Named After Putin and others. In addition, we doubt the appropriateness of blocking eight pages with Hizb

⁴ Vera Alperovich, Natalia Yudina, *The Ultra-Right Movement under Pressure: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2015.*

⁵ We view the provision of Lugovoy’s Law that demands blocking of information about activities conducted without permit as inappropriate, since the fact that the event is not permitted does not imply the grounds to ban information about it. The requirement to block posts on the activities, for which the authorities have not yet adopted any decision is even less legally appropriate.

ut-Tahrir materials. Some of these pages were only blocked temporarily, and users’ access to them has since been restored.

The following aspect is also worth noting. Throughout the year, Russian law enforcement agencies consistently banned via courts and blocked under Lugovoy’s Law the Ukrainian resources as well as websites that relocated to Ukraine after the takeover of Crimea and the beginning of the armed conflict. The resources in question include big news portals as well as individual websites and pages. The reasons for restricting access to these resources are often clear – in the course of an armed conflict, the rhetoric quite naturally tends to escalate all the way up to the calls for destruction of the enemy. However, such calls are far from the only thing to attract attention of the Russian authorities on Ukrainian sites. Disseminating information about unpermitted actions, publishing interviews with leaders of Ukrainian organizations, banned in Russia, and other violations of Russian anti-extremism legislation – the norms, which, in our view, unduly restrict freedom of speech – can trigger the restrictions. Theoretically, it would be possible to divide the actions of the Russian law enforcement agencies in relation to Ukrainian resources into appropriate and inappropriate, according to criteria developed by SOVA Center. However, we believe that the anti-extremist legislation is designed for peacetime use only. It is impossible to apply it in the situation of the information war that involves both Russia and Ukraine, represented by their leaders, the media and ordinary citizens, and occasionally resorts to absolutely unacceptable rhetoric. The attempts of the Russian authorities to restrict access to Ukrainian resources are, in fact, part of the information war. Evaluating them in terms of adherence to the peacetime rules makes no sense, in our opinion. However, we are ready to address the issue of bans against Ukrainian websites in the event of a substantive change in the situation.

Some Examples of Access Restrictions

As an illustration, we would like to discuss a few resonant cases of bans and access restrictions on Internet pages in more detail.

In September, the Petropavlovsk-Kamchatsky City Court ruled to recognize local opposition news site *Express-Kamchatka On-line* as extremist; it was included on the Federal List of Extremist Materials and the Unified Register of Banned Websites. The decision was based on the fact of publication of three prohibited articles by journalist Igor Kravchuk (deceased in 2014) accompanied by a suggestion to copy them, because they could be blocked. These texts have been recognized as extremist in May 2014; the court found them to incite social discord and have a potential to encourage readers to violence. Indeed, Kravchuk’s materials were written in an abrasive style, more typically used on

the social networks than in the media (including the use of profanity), and expressed negativity toward the current government, including President Putin, but we found no calls for violence or incitement to social hatred in their content, and, thus, no grounds for the ban. It was even more inappropriate to ban a large website (which ended up having to change its URL) for publishing three texts.

The Consumer Rights Protection Society (*Obshchestvo zashchity prav potrebitelia*, OZPP) spent several months trying to challenge restrictions against its website, imposed under Lugovoy's law. The decision to block the site was based on "incitement to extremist activities" found by the Prosecutor General's Office in the document titled "An Instruction for Russian Tourists Going to Crimea for Vacation." The Prosecutor General's Office was referring to the recommendation, found in the document, to comply with the Ukrainian legislation and obtain permission to visit Crimea from the Border Guard Service of Ukraine, since Crimea remained an occupied territory under international law. According to the authorities, this advice called into question the sovereignty and territorial integrity of Russia. From our point of view, the actions of the Prosecutor General and Roskomnadzor, related to blocking the website, were inappropriate. The Instruction was not calling for extremist activity, and prosecuting an entity for providing information on international law is a clear encroachment on freedom of speech. In August the Zamoskvoretsky District Court dismissed the OZPP's appeal, and then, in September, the organization appealed to the Moscow City Court. We do not know whether the claim has ever been considered, but Roskomnadzor unblocked the site in the same month, stating that nothing illegal was found on its pages. Notably, the Reminder is no longer posted on the site, and at least six additional web pages with this text were blocked as well.

In the second half of November, at the request of the Prosecutor General, Roskomnadzor blocked work-way.com, the website of the Communist working class movement *Rabochy Put* [The Worker's Path] under Lugovoy's Law for posting information about the truckers' protests along with their location, schedule of the events and names of the organizers; the site also posted calls for participation in the strike. Access to the site has been restored after removal of this information from its pages.

In November, the Watchtower Bible and Tract Society of New York (a US-registered parent structure of Jehovah's Witnesses) submitted a complaint to the Russian Constitutional Court against the provisions of the federal laws on extremism and on information, which formed the basis for the prohibition of the official Jehovah's Witnesses' website by the Tsentralny District Court of Tver in September 2013, confirmed by the Supreme court of the Russian Federation. Among other considerations, Jehovah's Witnesses drew attention to

the fact that Russian law allows recognizing the entire site as extremist, even if it features only a few materials deemed extremist. In a case involving Jehovah's Witnesses website, the Supreme Court indicated that "*partially*" recognizing the site as extremist "*leads to a threat of further dissemination*" of extremist information through this site – despite the fact that prohibited materials had already been removed by that time. In addition, the legislation does not specify cases, in which the entire sites should be prohibited by a court; cases, in which a court ban should only affect individual pages, and cases, which merit pre-trial restrictions. Jehovah's Witnesses indicated that this legal uncertainty leads to discriminatory treatment, which violates the constitutionally guaranteed rights and freedoms. The complaint also stated that Russian law does not provide a procedure for taking a website off the Uniform Register of Banned Websites and the Federal List of Extremist Materials, thus leading to violations of freedom of speech. The Constitutional Court rejected the complaint in December.⁶ Important law enforcement questions, raised in the complaint, were not considered on the merits and have remained unanswered.

Other Sanctions

In the course of 2015, we recorded less than 10 cases of inappropriate sanctions against providers, forced to block resources needlessly prohibited "for extremism." This is about 50% fewer than in 2014. The drop in such prosecutorial acts, apparently, happened due to the introduction of a centralized registry.

At least 17 individuals and legal entities (three times more than in 2014) were fined under Article 6.17 of the Administrative Code (violating legislation of the Russian Federation on the protection of children from information harmful to their health and (or) development) for improper filtering of "extremist" content; they included owners of computer clubs, cafes, a library director and administrators of several schools.

Schools and libraries still often face prosecution. All their computers have to be equipped with content filters in order to restrict access to prohibited information, including extremist materials. If the security system does not work or works insufficiently well (we would like to remind here that ideal content filters simply don't exist), the prosecutors issue the corresponding motions to

⁶ Determination of the Constitutional Court of the Russian Federation to refuse to accept for consideration the complaint of the foreign organization Watchtower Bible and Tract Society of New York, Inc. against violation of constitutional rights and freedoms by Article 1 Paragraph 3 and Article 13 of the Federal Law "On Countering Extremist Activity" as well as Article 151 Part 5 Paragraph 2 of the Federal Law "On information, Information Technologies and Information Protection" // Website of the Constitutional Court of the Russian Federation. 2015. December 22. (<http://doc.ksrf.ru/decision/KSRFDecision221322.pdf>).

directors of educational institutions and libraries (not to software developers or suppliers), and the “guilty” parties subsequently face disciplinary liability.

Number of inspections in schools and libraries and various acts of prosecutorial response based on their results reached 344 in 2015, which is almost twice as much as in 2014 (178) and comes closer to the number of sanctions imposed in 2013.⁷

Mass Media and Anti-Extremism

Activities of the Federal Service for Supervision of Communications, Information Technology and Mass Communications (Roskomnadzor) related to oversight of the mass media remained opaque in 2015; in 2014, Roskomnadzor ceased to publish on its website the list of warnings for violation of Article 4 of the Law on mass media (including those related to “extremism prevention”) issued to founders and editors-in-chief of media outlets. We have information about 15 “extremism-related” warnings issued to mass media outlets – to the editors of “portal Credo.ru”⁸ website; to the founder and editorial board of Znak information agency,⁹ to Rosbalt news agency,¹⁰; to Sib.fm online publication,¹¹ to Infox.ru portal.¹² and to the newspapers *RBC-Daily* and *Vek*, to the websites InterNovosti.Ru, Lenizdat.Ru, www.kurier-media.ru, Grani.ru,¹³, RB.ru, RUNews24.ru, as well as to the news agencies VK Press and Lenoblinform.ru.¹⁴

⁷ We are definitely never informed about the majority of such inspections. Often we know about a series of audits, but the number of warnings and other acts of prosecutorial response is not always reported. In such cases, for statistical purposes, we counted the entire series as one instance.

⁸ For publication the text of Canadian human rights lawyers David Matas and David Kilgour, *Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China* banned several years ago.

⁹ For the material “Demonstrators in Syrian Aleppo trampled the Russian flag after the bombing” with the image of a group of people, defiling the state flag of the Russian Federation.

¹⁰ For video accompanying the news item, “Farion calls for destruction of Moscow, has accused the Investigative Committee of the RF of “senility.”

¹¹ For an illustration to the article “Novosibirsk Social Activists Opposed the Monopoly of the Orthodox Church on Morality and Spirituality.” The collage consisted of images of Jesus Christ, Pushkin and Putin having a drink together.

¹² For an illustration to the 2012 news item, “The French Newspaper Published Caricatures That Shocked the Muslims.”

¹³ This is the second warning issued to this media outlet; attempts to challenge it in court were unsuccessful.

¹⁴ All ten warnings were issued for reprinting the cartoons from *Charlie Hebdo*.

We view all these warnings as inappropriate. This situation is analogous to the one described in our report for the preceding year.¹⁵

If a resource receives two warnings in a single year, Roskomnadzor has a right to seek its shutdown in court. However, the cases of a media outlet being shut down for extremism are rare, and no resources were closed via this mechanism in 2015. The lawsuit to close the *Erzyan Mastor* (Erzya Country)¹⁶ newspaper has reached the Supreme Court, which denied the Roskomnadzor’s request.

The sentence passed by the Syktyvkar Magistrate Court, finding a publisher of 7x7 online magazine guilty under Article 13.15 Part 6 of the Administrative Code (production or publishing of media, containing incitement to extremist activity) with a fine of 15 thousand rubles, merits a separate discussion. The publisher was punished for an image used to illustrate the material on the repeal of the acquittal of nationalist Alexey (Kolovrat) Kozhemyakin, who had desecrated the Jewish Cultural Center in Syktyvkar. The text was accompanied by a photo of the wall with a swastika graffiti and an insulting inscription, made by Kozhemyakin (the text of which is included in the Federal List of Extremist Materials). In our opinion, the decision of the court is inappropriate. By publishing an illustration to the news item, the editorial board in no way intended to show solidarity with Kozhemyakin or promote his views (on the contrary, it was intended to condemn his views), and certainly never called for any extremist activity. Recall that in the Supreme Court ruling *On Judicial Practice Related to the Law of the Russian Federation “On the Mass Media”* of June 15, 2010 stated that “a court should take into account not only words and expressions (formulas) used in the article, TV or radio program, but also the context in which they were made.”¹⁷

¹⁵ See: Vera Alperovich, Natalia Yudina *Calm Before the Storm? Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2014* // SOVA Center. 2015. 26 March (<http://www.sova-center.ru/racism-xenophobia/publications/2015/03/d31575/>); Maria Kravchenko *Inappropriate Enforcement of Anti-extremist Legislation in Russia in 2014* // SOVA Center. 2015. 30 March (<http://www.sova-center.ru/misuse/publications/2015/03/d31610/>).

It was on April 5, 2016, when the head of Roskomnadzor reported that the federal service issued 39 warnings in 2015. Thus, we are actually not informed on the majority of them. However, the Roskomnadzor only published 11 of 16 warnings indicated above on its website and all of them are inappropriate. See: Roskomnadzor Specified the Most Frequent Grounds for Warnings to Mass Media // Finam. 2016. 5 April (<http://finam.info/blog/43590457359/Roskomnadzor-nazval-samuyu-chastuyu-prichinu-preduprezhdeniy-SMI>).

¹⁶ The Supreme Court refused to close *Erzyan Mastor* // SOVA Center. 2015. 30 January (<http://www.sova-center.ru/misuse/news/persecution/2015/01/d31174/>).

¹⁷ The Resolution of the plenary meeting of the Supreme Court of the Russian Federation

Political and Civic Activists

“The Ukrainian Question”

The law enforcement trend, which started in the preceding year, continued in 2015. The vast majority of inappropriate verdicts and newly initiated prosecutions under anti-extremist articles 280 (public calls for extremist activities) and 282 (incitement to hatred), as well as under the new Article 280¹ (public incitement to violation of territorial integrity of the Russian Federation) was associated with various pro-Ukrainian statements on the Internet.

In general, with respect to unbalanced rhetoric around the Ukrainian events, our position is as follows: we believe that this crisis inevitably provokes many people to make extreme statements, not otherwise characteristic of them. In this situation, it is more expedient not to resort to criminal prosecution even for the most abrasive texts, unless the *corpus delicti* is present in a very clear and unequivocal manner. Otherwise, the law enforcement actions only increase the already high level of tension in the society.

The most severe sentence, issued to chairman of the Tatar Public Center Rafis Kashapov under Article 280¹ Part 2 and Article 282 Part 1 of the Criminal Code, was imposed in September by the Naberezhnye Chelny City Court. Kashapov received three years' imprisonment in a minimum security penal colony. The Supreme Court of Tatarstan, having considered his appeal, limited its response to canceling an additional penalty – a two-year ban on the use of social networks. The crime, incriminated to Kashapov, consisted of posting four materials on VKontakte in public access. Three texts (the fourth material is a poster with photographs of victims of the Russian military operations) shared the same ideas of solidarity with Ukraine and the Crimean Tatars, illegality of the annexation of Crimea and rejection of actions of the Russian authorities. We found no signs of inciting ethnic hatred or calls for violence in these materials. As for the criticism of the Russian authorities, it should be remembered that, according to the clarification provided by the Supreme Court with respect to the enforcement practice of anti-extremist legislation,¹⁸ such criticism should not be construed as incitement to hatred and prosecuted under Article 282.

No 16 *On Judicial Practice Related to the Statute of the Russian Federation “On the Mass Media”* of June 15, 2010 // SOVA Center. 2010. 18 June (<http://www.sova-center.ru/misuse/docs/2010/06/d19079/>).

¹⁸ The Resolution of the plenary meeting of the Supreme Court of the Russian Federation No 11 *Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism* of June 28, 2011 // SOVA Center. 2011. 29 June (<http://www.sova-center.ru/misuse/docs/2011/06/d21988/>).

Kashapov appealed the decision of the Russian courts to the European Court of Human Rights.

In December, the Oktyabrsky District Court of Krasnodar sentenced Kuban activist Darya Polyudova to two years of imprisonment in a penal colony (a decision has not yet entered into force, Polyudova currently remains at large under house arrest). The criminal case against Polyudova was opened in August 2014, after an attempt by Krasnodar activists to organize the March for Federalization of Kuban. Polyudova was arrested in September of the same year, held in custody for six months, and released on terms of remaining at her approved address in February 2015. She was charged under Article 280¹ Part 2 of the Criminal Code for sharing on VKontakte social network a post, which stated that ethnic Ukrainians of Kuban demanded incorporation into Ukraine; under Article 280¹ Part 1 for a photograph with of herself during a one-person protest holding a poster “Not a War with Ukraine, but a Revolution in Russia,” and under Part 2 Article 280 for publishing a call to come out on the streets and overthrow the regime. We believe that the criminal case against Polyudova was partly inappropriate, partly disproportionate or debatable (similarly to the majority of convictions for abstract calls for revolution and “overthrow”) and, subsequently, her verdict was inappropriate.

Alexander Byvshev, a teacher from Kromy of the Oryol Region, was sentenced in July under Part 1 of Article 282 to 300 hours of mandatory labor with a ban on the profession for two years, and confiscation of his laptop for publishing his poem “To Ukrainian Patriots,” which encouraged the Ukrainians to meet the “Moskal gang” that invaded their land with armed resistance. From our point of view, the author’s hostility, expressed in the poem, was caused not by ethnicity of the “gang,” but by its activities, so Byvshev’s incriminating actions cannot be qualified under Article 282. The fact that Byvshev was found guilty of incitement to violence is also controversial, to say the least; he only encouraged the citizens of Ukraine to defend the territory of Ukraine. The ECHR accepted Byvshev’s complaint for consideration.

In July, the Leninsky District Court of Barnaul found activist of RPR-Parnas Anton Podchasov guilty under Article 280 Part 1 and Article 282 Part 1 of the Criminal Code. Podchasov received a suspended sentence of fifteen months’ imprisonment with a probation period of one and a half years, during which time he lost the right to engage in activities related to telecommunication networks, including the Internet. Later, the Altay Regional Court reviewed the verdict and increased its severity, banning Podchasov, a member of the precinct electoral commission, from working in electoral commissions for three years. Podchasov was sentenced for sharing the “Russophobia post,” – a text previ-

ously published by Andrey Teslenko, an opposition member from Altai, against whom a criminal case had been opened as well, precipitating his move from Russia to Ukraine, where he was granted political asylum. The incriminating text is extremely abrasive; it contains a lot of abuse aimed at ethnic Russians and an appeal to the Ukrainian authorities not to grant them citizenship. A fragment of it, disseminated online, has been recognized as extremist in the Stavropol Region. Nevertheless, we believe that the prosecution for sharing this text is controversial; in particular, it is doubtful that Russia should prosecute incitement to discrimination if it was uttered in Russia, but addressed to the authorities of another country, and proposed discrimination does not pertain to Russian citizens.

In October, the Industrialny District Court of Khabarovsk has sentenced LGBT activist Andrey Marchenko under Part 1 Article 280 of the Criminal Code to a fine of 100 thousand rubles, and then granted him amnesty. Marchenko was found guilty of having published on his Facebook page some statements that “*contain calls for violence, including physical destruction, against a social group, defined by the author as residents of Russia, who, in his opinion, support fascism and terror, and have committed a violent takeover of Ukrainian territories.*” In our opinion, the verdict against Marchenko under Article 280 is at least partially inappropriate. Calls for the use of violence against groups, which have “*committed violent takeover of territories*” (of another state) is legitimate per se and stipulated by legislation of all countries as protection of territorial integrity.

Konstantin Zharinov, an activist of the South Ural Civic Movement (*Grazhdanskoe dvizhenie yuzhnogo Urala*), was found guilty under Article 280 by the Tsentralny District Court of Chelyabinsk in September. He got a suspended sentence of two years’ imprisonment with a probation period of two years; he also received an amnesty (later, his sentence was upheld by the Regional Court). Zharinov shared on his VKontakte page an appeal by the Right Sector to “*Russians and Other Enslaved Peoples,*” which called for actions of disobedience, organizing guerrilla groups, and other forms of resistance against the regime. According to Zharinov, he quickly removed the entry, but it had been online for a sufficient period of time to attract attention of the FSB, which opened a criminal case. The intelligence services’ interest in Zharinov could possibly be explained by the fact that he was a political scientist specializing in terrorism. In our view, the sentence against Zharinov is inappropriate. He didn’t express any solidarity with the Right Sector’s appeal, and his other activity on social networks and blogs has not been characterized by aggressive rhetoric. Taking this into account, the law enforcement authorities could have limited their involvement to a simple request to remove the material (if still on the page); the criminal proceedings were a disproportionate measure.

Opposition activist Sergey Titarenko was sentenced to a fine of 100 thousand rubles under Part 1 of the Criminal Code Article 280 (public calls for extremist activity) in September in Krasnodar. The court found that Titarenko, motivated by hatred of the current political regime and President Vladimir Putin, deliberately shared on his VKontakte page a message by the Kolomoysky Broadcasting group, which contained the text under the caption “*No Dictator – No Problem,*” with information about a reward allegedly offered for the elimination of Russian president Vladimir Putin. Titarenko shared this text without any comments indicating his own position, so, in this case, the re-post should not have been interpreted as a call to action. In our view, the police could justifiably demand the removal of this incendiary falsehood, but the original author of the post should be the one to merit criminal prosecution. Titarenko refused amnesty.

In July, the Bakhchysarai District Court of the Republic of Crimea declared a local resident Mustafa Yagyaev guilty under Article 282 Part 2 Paragraph “a” of the Criminal Code (incitement of hatred with violence or with threat of its application). Yagyaev was sentenced to two years imprisonment with “*loss of right to engage in activities related to sharing and dissemination of any information.*” The prosecution against Yagyaev was based on an essentially interpersonal conflict. Yagyaev, a mechanic, while at work, found himself disagreeing with the views of the female employees of the Housing Maintenance and Utilities Board accounting department regarding the consequences of Crimea joining the Russian Federation. Yagyaev began to scream at his colleagues and use derogatory epithets against them; according to the investigation, he also said: “*we will return Crimea to Ukraine; there will be a war; we will have to cut and burn, and the Russians will drown in blood in this war, but it is a pity that my Muslim brothers will perish.*” (The defendant categorically denied ever making such a statement.) Information about the conflict quickly reached the local Center for Combating Extremism which opened a criminal case. The real reason for the prosecution against Yagyaev was, likely, his activities as an imam, a civic activist and a member of the Crimean Tatar Mejlis during the 1990s. In our opinion, the verdict under Article 282 against Yagyaev was inappropriate. He addressed the three women, who were in the same room. Therefore, even assuming that he actually made a number of radical statements, this incident can’t be qualified under Article 282, which implies statements made in public.

In August, nationalist Andrey Bubeev of Tver was sentenced under Article 282 to 10 months of imprisonment in a penal colony. The prosecution was based on a variety of pro-Ukrainian texts and images he shared via VKontakte social network. As is the case of Byvshev’s poem, we believe that the charge under Article 282 is inappropriate, since hostility, expressed in Bubeev’s posts,

was motivated not by ethnic prejudices of the publisher – obviously, a Russian nationalist by ideology – but by the activities of his opponents from among Russian citizens. As for the Russian military and law enforcement officials (one of the charges against Bubeev was inciting hatred towards these groups), from our point of view, they do not belong to the set of vulnerable social groups and are not subject to protection under Article 282.

In June, the Tsentralny District Court of Kaliningrad found three Kaliningrad activists, Mikhail Feldman, Oleg Savvin and Dmitry Fonaryov, who put a German flag on a garage of the Kaliningrad Regional FSB Office in March 2014 to express their support for Ukraine guilty under Article 213 Part 2 of the Criminal Code (hooliganism committed by a group of persons by prior agreement, motivated by political hatred and enmity as well as by hatred against the social group “veterans of the Great Patriotic War”) and sentenced to a real loss of freedom; however, taking into account the time spent in a pre-trial facility, the three activists were released in the courtroom. An attempt to challenge the verdict in the second instance was not successful, and Mikhail Feldman subsequently filed a lawsuit with the ECHR.

In September, the Tagansky District Court of Moscow sentenced roofer Vladimir Podrezov under Article 213 Part 2 and Article 214 Part 2 of the Criminal Code (hooliganism and vandalism motivated by hatred) in the case of the painted star and the Ukrainian flag, raised on the steeple of a high-rise building on Kotelnicheskaya Embankment in Moscow on August 20, 2014. Four base-jumpers, also charged in the case, were acquitted. We would like to remind that Ukrainian roofer Pavel Ushivets have taken responsibility for this action. We disagree with the qualification of this case – regardless of the perpetrator’s identity, it is unclear, who can be a target of hatred, expressed by painting an object the colors of the Ukrainian flag; furthermore, the action should have been classified as a minor (rather than gross) violation of public order and tried as an administrative offense under Article 20.1 of the Administrative Code (petty hooliganism). In mid-December, the Moscow City Court commuted Podrezov’s sentence from imprisonment to restraint of freedom.

Below are some examples from a series of new cases filed in connection with various statements on Ukrainian conflict and annexation of Crimea.

In Crimea, the cases under the charges of calls for separatism were initiated against head of the Mejlis of the Crimean Tatar people Refat Chubarov and owner of the ATP channel and former vice-premier of the Crimean government Lenur Islyamov for their public statements demanding the return of the Crimea to Ukraine. We believe that the persecution of the Crimean residents for their

calls to return the peninsula to Ukraine are inappropriate – it is impossible to accuse of separatism people, who were initially opposed to the annexation by another country of the territory where they resided. In addition, the question of the acquisition of Crimea, implemented on the basis of Russian laws, is not so clear from the point of view of international law.

Proceedings in a high-profile case against housewife Yekaterina Vologzheninova, accused under Article 282 Part 1 of the Criminal Code for inciting hatred and hostility against the authorities and “volunteers from Russia fighting on the side of the militias in Eastern Ukraine,” has started in mid-October in Yekaterinburg. The prosecution was based on several posts shared via VKontakte social network. Law enforcement agencies based their charges on the following publications: the poem “The Katsaps” by Anatoly Marushkevich, the images, styled to resemble the Second World War posters, with the statements “Stop the Plague” and “Death to Moscovite Invaders,” and three additional materials (texts, exhibiting varying degrees of radicalism). The principal message of “The Katsaps” is that ethnic Russians living in Ukraine will defend it from Russia; the poem accuses the Russian authorities of attacking Ukraine, but contains no aggressive appeals. As for the poster, it was obviously addressed to the Ukrainian citizens, urging them to defend their country from the occupation. In February 2016, Vologzheninova was found guilty, and sentenced to 320 hours of mandatory labor with confiscation of her laptop.

Other Cases of “Separatism”

In addition to the issues related to Ukraine, law enforcement agencies continue to react strongly to statements involving “territorial integrity.”

We view as definitely inappropriate the verdict issued in December in the case of Vladimir Zavarkin, a Deputy of the Suoj rvi Urban Settlement Council, accused of public incitement to separatism. The Petrozavodsk City Court found the Deputy guilty under Article 280¹ Part 1 of the Criminal Code and sentenced him to a fine of 30 thousand rubles. The criminal case was initiated after the deputy addressed the meeting in Petrozavodsk in May 2015, which called for resignation of Head of the Republic of Karelia Alexander Khudilainen. In his emotional speech Zavarkin proposed holding a referendum on the secession of Karelia from Russia in response to the inaction of the authorities. The video of Zavarkin’s address was recognized in court as extremist in early November. These statements hardly qualify as separatist propaganda; moreover, we also generally believe that only calls for violent separatism merit prosecution.

Another noteworthy separatism-related case was initiated in Chelyabinsk in the summer of 2015 against Alexey Moroshkin (online nickname Andrey Breiva) – the founder of the Church of the Chelyabinsk Meteorite and the

administrator of the VKontakte group “For Struggling Ukraine! For free Ural! Together Against the Evil!” Moroshkin was charged with 12 instances of posting texts on the group’s page, which called for secession of the Ural region from Russia and for creation of the Siberian Federative Union. We were not able to review all of Moroshkin’s texts, but the ones we have seen did not contain any calls for actual, deliberate activities, which could lead to implementation of such plans. Moroshkin was held in custody for two months and then was released by the court from criminal liability and sent to a psychiatric hospital for compulsory treatment, as a person who does not realize the significance of his actions and presents danger to the society. Given that Moroshkin did not previously suffer from mental disorders and was never under observation by a psychiatrist, we doubt both his diagnosis of “paranoid schizophrenia,” delivered by a forensic psychiatric commission, and the need to isolate him from the society.

Misusing Criminalization of Incitement to Hatred

Several sentences for inciting hatred of various kind, handed down by the Russian courts in 2015, seem questionable.

Thus, the Leninsky District Court of Cheboksary sentenced RPR-Parnas activist Dmitry Semyonov to a fine of 150 thousand rubles in September, and then pardoned him, canceling the fine and removing a criminal record. Semyonov was accused of disseminating via his VKontakte page a caricature of Dmitry Medvedev in a Caucasian papakha fur hat, accompanied by the words “Death to the Russian Vermin.” We view Semyonov’s sentence as inappropriate. The de-motivator he had shared was fairly widespread on the Internet; apparently, the creator of the image intended to indicate the fact that the Prime Minister’s policies were “anti-Russian.” Apparently, Semyonov interpreted the image in precisely the same way, claiming that the Russian government does not support ethnic Russians in the national republics of the Federation or in the former Soviet republics. In this case, it is unreasonable to believe that the image was inflammatory and actually called for the murder of the Russians. Semyonov tried to appeal the decision, but the Chuvashia Supreme Court upheld his sentence.

In April, we found out about the sentence, issued by the Moscow District Military Court to resident of Staraya Russa Anton Izokaitis. He was sentenced to 2.5 years in a penal colony under Part 1 of the Criminal Code Article 205.2 (public calls to terrorist activity or public justification of terrorism), Part 1 of Article 280 (public calls for extremist activities), and Part 1 of Article 282 (humiliation on the grounds of nationality). Izokaitis was penalized for a squabble at a police station, where he was taken for disorderly conduct during the New Year’s celebration (January 1 2015). When brought to the police station, the detainee began to curse the Russians and ended up justifying terrorist actions of

December 2013 in Volgograd. Nevertheless, we view the verdict to Izokaitis as inappropriate. He made these statements inside the police station and addressed a small group, i.e. his actions can’t be considered public. In addition, the date and circumstances of arrest raise suspicions that all these statements should not be qualified as intentional acts described in the relevant Criminal Code articles. In June, when considering his appeal, the Military Collegium of the Supreme Court merely reduced Izokaitis’ prison term to two years.

We would like to point out two new resonant cases opened in 2015 under Article 282.

In early April, the Meshchansky Inter-District Investigative Department of the Central Investigation Department of the Investigative Committee of the RF opened a criminal case for incitement to hatred and humiliation of dignity of veterans of the Great Patriotic War, after a retailer in the Central Children’s Store mall on Lubyanka (*Tsentrally Detsky Magazin*, TDM) was found selling busts and figurines of Nazi Germany soldiers and officers. On the same day, interrogations and searches were conducted in homes and offices of the sales staff of the company, which owned the store implicated in selling the figurines. The figurines of soldiers and military equipment displaying Nazi symbols were removed from this and other stores. As it turned out, the figurines and busts, which became the basis for the criminal case, were collectibles and not intended as children’s toys. From our point of view, the criminal case under Article 282 was initiated inappropriately, since sale of models has no qualifying attributes of a crime covered by this article. In this situation, one would expect administrative prosecution under Article 20.29 of the Administrative Code (propaganda and public demonstration of Nazi paraphernalia or symbols), and even this administrative charge would have rested on shaky grounds, because model aficionados displaying banned symbols typically have no intention to promote Nazi ideas. We believe that the sellers should have removed depictions of Nazi soldiers and officers from their open shop windows, limiting the information on their availability to a text catalog.

Akhmidia Bayramov, the owner of Flamingo cafe in Nizhny Novgorod, faced criminal charges of committing actions aimed at humiliation on grounds of belonging to a social group, committed publicly with violence or threat of violence (Article 282 Part 2 Paragraph “a”) for throwing out of his establishment a developmentally disabled sister of top model and philanthropist Natalia Vodianova in August. The owner of a cafe rudely demanded that Oksana Vodianova and her nurse, who had entered his establishment, leave immediately, arguing that the woman scared off his customers; he then ordered his security guards to throw out Oksana and her mother, who had arrived to help her. In the course of

the investigation, the charge was reclassified as Article 282 Part 1. The case was closed in September, at the end of the preliminary hearing, due to the reconciliation of the parties. We classify it as inappropriate, because Article 282 of the Criminal Code assumes public nature of the statements, while the statements of the cafe owner don't meet this condition. Besides Vodianova, her nanny, the owner (and possibly staff members), there was only one visitor. In addition, in this case, a vague concept of a "social group" seems hardly applicable as a target of humiliation (perhaps, this is another reason to consider adding the list of specific groups in need of protection, including for health reasons, to the wording of Article 282). The incident with Oksana Vodianova, as far as we can tell, would have been most appropriately qualified as discrimination and prosecuted under relevant articles of the Criminal Code (Article 136) or the Code of Administrative Offences (Article 5.62).

Misuse Related to Bans against Political Groups

A criminal case under Part 1 Article 282² of the Criminal Code was opened in Moscow in July for organizing the activities of Army of People's Will (*Armia Voli Naroda*, AVN), an organization, banned for extremism. Activists of the Initiative Group of the Referendum "For Responsible Power" (*Za otvetstvennuyu vlast*, IGPR "ZOV") Yury Mukhin (later transferred from prison to house arrest), Alexander Sokolov, Valery Parfyonov and Kirill Barabash. All four are accused of re-establishing the AVN under a new name, but with the same goals and objectives. Indeed, the IGPR "ZOV" movement has been founded after the ban against the AVN and is guided by a similar ideology. In our opinion, however, the prohibition of AVN – an organization with Stalinist and nationalist tendencies, repeatedly engaged in xenophobic propaganda – was inappropriate, because it was recognized as extremist based solely on the ban of the leaflet: *You have elected – You are to judge!* (*Ty izbral – tebe sudit*), which called for amending the Constitution so as to make unpopular officials face legal responsibility. The ban is unfounded, since a call for a referendum on amending the Constitution is not an illegal act, even if the proposed amendment runs contrary to the current Constitution.

Notably, a similar case against local activist Pavel Butko was closed in late December in Nizhny Novgorod. Butko was accused of organizing activities of the AVN, based on the fact that his phone was listed as a contact number on the prohibited organization's website. Prosecutors suspected him of continuing illegal activities due to the existence of the online group "Nizhny Novgorod Residents for the Right of the People to Judge the Authorities," despite the fact that the last AVN-related entry on the group's page was made in February 2011 and informed about its ban. The prosecutor refused to sign the indictment,

never sent it to court and returned the case to the investigators to correct the problems. As a result, the case was dismissed due to the statute of limitations.

Religious Groups

Unreasonable persecution of believers for various forms of their religious activities within the framework of combatting extremism continued in 2015.

Hizb ut-Tahrir

Followers of Hizb ut-Tahrir religious and political party, banned in 2003 as terrorist, are increasingly prosecuted not under Article 282² (organizing an extremist organization or participation in it), but under new anti-terrorist articles 205¹ (involving persons in terrorist activities), 205² (public incitement to terrorist activity or justification of terrorism), 205⁵ (organization of activities of a terrorist organization or participation in it) as well as under Article 30 Part 1 of the Criminal Code in conjunction with Article 278 (preparation for the violent takeover of power). We believe that the decision to ban this organization as a terrorist has been inappropriate, since Hizb ut-Tahrir does not practice violence and does not view it as a suitable method of struggle for building the worldwide caliphate. However, we note once again that, in our view, Hizb ut-Tahrir still could be prohibited for other reasons.¹⁹

Verdicts on charges of collaboration with Hizb ut-Tahrir are becoming increasingly severe; prison sentences, in some cases already exceed ten years. Prosecutors are not even trying to provide the court with evidence of actual preparation of the defendants to carry out acts of terrorism or takeover of power

¹⁹ We usually do not classify cases against Hizb ut-Tahrir supporters under Article 282² of the Criminal Code as inappropriate. Our position is based, in particular, on the judgment by the ECHR regarding the activities of Hizb ut-Tahrir, rendered as a supplement to the decision regarding the complaint of the two convicted members of the organization against the Russian authorities. The ECHR stated that, although neither the doctrine nor the practice of Hizb ut-Tahrir allows to view the party as terrorist, and it does not call for violence, banning it as an extremist organization would be justified, because Hizb ut-Tahrir permits calls to overthrow the existing political system and establish a dictatorship based on the Sharia law; it is characterized by anti-Semitism and radical anti-Israel propaganda (for this, among other considerations, Hizb ut-Tahrir was banned in Germany in 2003), by a definitive rejection of democracy and political freedoms and recognition of the legitimate use of force against the countries, which the party considers aggressors against the "land of Islam". The Hizb ut-Tahrir objectives run clearly contrary to the values of the European Convention on Human Rights, in particular, the commitment to peaceful resolution of international conflicts and the sanctity of human life, recognition of civil and political rights, and democracy. Activities for such purposes are not protected by the European Convention on Human Rights.

– simply stating their involvement in party activities in the form of distribution of or studying the Hizb ut-Tahrir literature or conducting meetings of like-minded people is sufficient. Courts – and now, since the defendants are usually charged under anti-terrorist articles, frequently these are military courts – willingly satisfy requests of the prosecutor’s office despite the low quality of the investigation.

Five sentences on charges of trying to seize power in conjunction with charges under anti-terrorism legislation were issued against the alleged followers of Hizb ut-Tahrir in 2015. 15 people in Ufa, Samara, Chelyabinsk and Dagestan were convicted. Four additional Hizb ut-Tahrir followers were wrongfully convicted under Article 205⁵ only – in Saint Petersburg, Yekaterinburg and Bashkortostan.

Thus, in mid-June, the Moscow District Military Court in Ufa sentenced eight defendants for collaboration with Hizb ut-Tahrir. All of them were found guilty under Article 282² Part 2 and Article 205⁵ Parts 1 and 2 of the Criminal Code. The court concluded that Ilgiz Salakhov for four years was heading the Hizb ut-Tahrir cell in the city of Dyrtyuli and Dyrtyulinsky District, whose members worked on involving the congregation of local mosques into the organization, showing them “extremist videos and literature, based on the methods of psychological influence and manipulation.” Ilgiz Salakhov was sentenced to 10 years and 6 months in a maximum security penal colony; Shamil Khusniyarov, Gazim Kutluyarov, and Ruslan Asylov – to 6 years and 4 months; Ilshat Salimov – to 6 years and 6 months; Rustam Galimhanov and Aydar Fayzullin – to 5 years and 2 months; Rustam Gabdullin – to 5 years and 6 months in a minimum security penal colony.

At least two new criminal cases of this kind against supporters of Hizb ut-Tahrir were inappropriately initiated in 2015 – in Chelyabinsk²⁰ and in Bashkiria.

In Bashkiria, where fight against Hizb ut-Tahrir is particularly persistent, over 20 Muslims were detained in February under Parts 1 and 2 of Article 205⁵. All of them were arrested and still remain in custody. This group includes Rustem Latypov – the head of the Muslim Problem Research Center, who, as far as we know, has left the party a few years ago, and Linar Vakhitov, the leader of the movement “For the Rights of Muslims” (*Za prava musulman*).

The Federal List of Extremist Materials added 25 points containing Hizb ut-Tahrir materials in the course of the year. These materials are heterogeneous, many of them clearly inappropriately banned, the other ones could be problematic, but law enforcement agencies recognize them as extremist, several at

²⁰ In early February 2016 the Moscow District Military Court issued an unprecedentedly severe sentence in this case – two defendants received the terms of 17 and 16 years and two more – of 6 and 5.5 years in a maximum security penal colony.

once – simply by association with the banned organization, without considering them on the merits or determining the degree of danger for each of them.

Tablighi Jamaat

Only one sentence was issued in 2015 for participation in the activities of Tablighi Jamaat movement (recognized as extremist). In July, in Novokuznetsk of the Kemerovo Region, Kyrgyz citizen Jenishbek Cholponbaev was sentenced to a year imprisonment under Part 2 of Article 282². He was accused of studying banned literature, participation in the meetings of like-minded people and propaganda of the Tablighi Jamaat values. This religious movement was banned in Russia as extremist despite the fact that it is engaged exclusively with promotion of the Islamic religious practices and has never been known to incite violence. With respect to this verdict, it should also be noted that the organization is not prohibited in Kyrgyzstan and is very popular there.

In November, a Novosibirsk court dismissed due to statute of limitations the case, opened in 2013, against 16 people accused of participation in the activities of Tablighi Jamaat. All of them were charged with disseminating the movement’s ideas, recruiting supporters and participating in meetings, organized by Tablighi Jamaat. To our knowledge, no new cases against followers of this movement were initiated in 2015.

Followers of Said Nursi

Four sentences under Article 282² of the Criminal Code were issued against Muslims, studying works of Turkish Sufi theologian Said Nursi, which are, in our opinion, unreasonably prohibited in Russia. Russian law enforcement agencies prosecute the believers, found in possession of Nursi’s books, for membership in Nurcular,²¹ a supposedly united organization, banned in Russia despite the fact that its activities and even its very existence has never been proven.

In February, the Leninsky District Court of Ulyanovsk convicted three believers, who studied the legacy of Nursi. Bagir Kazikhanov was sentenced under Article 282² Part 1 of the Criminal Code to 3 years and 6 months’ imprisonment. He was charged with organizing home madrassas in Ulyanovsk, and “*in the period from January 2012 to April 2014 under the guise of Islam study groups, holding clandestine meetings, during which he called for actions aimed at creating a global Islamic state (Caliphate);*” in addition, he maintained contacts with Nurcular followers in other regions. Alexander Melentiev and Stepan Kudryashov received suspended sentences of 1 year and 8 months

²¹ See: The Supreme Court Bans Nurcular as Extremist Organization // SOVA Center 2008. 10 April (<http://www.sova-center.ru/misuse/news/persecution/2008/04/d13081/>).

and a 2 year sentence respectively for allegedly recruiting new members of the cell (including collection of monetary donations) and promoting books by Said Nursi. In particular, according to the prosecutors, the three offenders “formed groups with a positive attitude toward death, combined with willingness to sacrifice themselves for the sake of the teaching and violation of the territorial integrity of the state.”

Three sentences were handed down in Krasnoyarsk, two of them against women accused of organizing a “women’s unit” of Nurcular. One of them, Tatiana Guzenko, was sentenced in July to a fine of 100 thousand rubles under Article 282² Part 1 of the Criminal Code for having allegedly organized meetings to study the forbidden books of Nursi. It should be noted that the judicial proceedings against Elena Gerasimova, a figurant of the same case as Guzenko, were dropped in August due to the statute of limitations. Another woman, whose name has not been reported, was accused of participation in similar meetings and providing material assistance for conducting them; she was fined 10 thousand rubles in August under the same part of the same Criminal Code article. Two other Krasnoyarsk residents were sentenced to fines in December for studying Nursi’s books. Andrey Dedkov had to pay 150 thousand rubles under Part 1 of Article 282²; he was charged with organizing delivery and distribution of banned literature in the city and creating a network of locations for conducting classes on religion, as well as involving other Krasnoyarsk residents in this activity. Alexey Kuzmenko faced a fine of 100 thousand rubles under Part 2 of Article 282² for participating in religious classes in 2011–2014, during which he read and commented on Nursi’s books and gave them to attendees.

A new criminal case under Part 1 of Article 282² was opened in Novosibirsk against Imam Kamil Odilov and two other believers (under Part 2 of the same article). Odilov was arrested in December. We would like to remind that Odilov, together with Imam Ilkhom Merazhov convicted along with him in 2013 under Article 282² (who, once again, attracted attention of the law enforcement; however, he is currently in Turkey and inaccessible to Russian law enforcement agencies), filed an appeal against their conviction with the Supreme Court and the European Court of Human Rights in 2014, arguing that this court decision, based exclusively on the fact of the collective study of Nursi’s books, was at odds with a number of articles of the European Convention for the Protection of Human Rights and Fundamental Freedoms, including the right to freedom of thought, conscience and religion, the right to freedom of expression, freedom of assembly and associations.

The Federal List of Extremist Materials added three entries, containing 17 wrongfully banned books by Nursi and an internet page with his works, in 2015.

Other Muslims

In addition to the above-listed cases, several inappropriate convictions against Muslims on charges of inciting hatred were issued in 2015.

In May, Resident of Pervouralsk (the Sverdlovsk Region) Elvira Sultanakhmetova was sentenced to 120 hours of mandatory labor under Article 282 Part 1 (actions aimed at inciting hatred and enmity, as well as humiliation of dignity of a person or a group of persons on the grounds of religion, committed publicly). Sultanakhmetova was brought to responsibility because, when responding to an online survey “Can a Muslim celebrate the New Year?” she spoke out against the celebration, citing the Koran. She urged Muslims refrain not only from celebrating the New Year, but also from wearing the St. George ribbon or painting Easter eggs, as the “vile pagans” did. Sultanakhmetova compared wishing someone “Happy New Year!” with murder or adultery, and declared dances around the Christmas tree to be the legacy of a bloody pagan ritual. We view Sultanakhmetova’s verdict as inappropriate, because her post contained no dangerous incitement against the infidels, while the question of whether those celebrating the New Year, Easter and the Victory Day should be considered “pagans” and “polytheists” does not belong to the sphere of secular law.

Ismail Avazov, an inmate of a penal colony in Nizhny Tagil (the Sverdlovsk Region) had his prison term increased by 1 year 7 months in March, when he was found guilty under the same Criminal Code article. He was convicted for “speaking on religious matters in a rude manner” in the recreation room. In our view, his conviction was not properly substantiated, since his remarks, no matter how rude or offensive weren’t made in public. The suspect spoke in a room and was addressing a small group, while this article pertains only to public actions. In addition, propaganda of superiority of one religion over others should not be the grounds for criminal prosecution.

One case against a Muslim, accused of inciting religious hatred, was closed in 2015 – Imam of the Rostov Cathedral Mosque Nail Bikmaev was acquitted due to absence of the event of a crime. He had been accused of making harsh statements about Jews and Christians, in the course of his sermon, when commenting on the Koran. The Prosecutor’s Office issued an apology to Bikmaev.

However, we found out about three new cases under Article 282 inappropriately initiated against Muslims in 2015. The court proceedings have begun in the case of Shamil Magomedov. He was charged under Articles 280 and 282 for sharing, via a file-sharing network, the text of *The Book of Monotheism*, a banned XVIII century treatise by Muhammad ibn Sulayman al-Tamimi. In Langepas (the Khanty-Mansi Autonomous Okrug – Yugra), a court took up a criminal case under Part 1 of Article 282 against a local resident, who was a teacher of Arabic. He was accused of holding religious meetings, disguised as

Arabic language classes, which included reading of banned literature and “*sermons on the exceptionality of Islam over other religions, with intent of inciting ethnic enmity and hatred.*” We have no information regarding the content of the incriminating sermons, but would like to note that it is quite natural for believers to regard their religion as the only true one and assert its superiority over the other ones; only calls for illegal actions against followers of other religions merit prosecution. We have no information about the outcomes in either case. In Pervouralsk of the Sverdlovsk Region a case on incitement to religious hatred was opened against Mufti Fatykh Garifullin, the editor-in-chief of the local *Istina (The Truth)* newspaper. The prosecution of the Mufti was based on a material published in the newspaper in August 2013 – a reprint from *Nash Mir (Our World)* resource of Kazakhstan of twenty Koranic verses about fighting the infidels. The *Istina* newspaper has been suspended by the editorial board. Recall, we view law enforcement attempts to approach ancient religious literature from the standpoint of modern legislation on extremism as absurd.

In 2015, at least 13 convictions under Article 20.29 of the Administrative Code were issued for mass distribution of inappropriately banned Islamic religious works or storing them with intent to distribute.

The controversy around the decision of the Yuzhno-Sakhalinsk City Court of August 12, 2015 became one of the most high-profile events of the year related to the use of anti-extremist legislation. The court recognized as extremist the book *Molba (du'aa) k bogu, ee naznachenie i mesto v Islame (Prayer (du'aa) to God: its purpose and place in Islam)*, which consists of brief explanations of the Koranic verses, given both in Arabic and in Russian translation. The Court agreed with the expert opinion that the Koranic texts, given in the book, and the comments on them contained propaganda of superiority of Islam over other religions.

The ban drew the attention of believers and had a resonance, which surpassed even the scandal over the ban of the Koran in Elmir Kuliev's translation, which took place a year earlier. Chechnya leader Ramzan Kadyrov hastened to ride this wave of indignation; he started with undisguised threats against the law enforcement authorities of Yuzhno-Sakhalinsk and then filed an appeal against the court's decision. At the same time, the Council of Muftis of Russia was preparing a complaint of their own. The Yuzhno-Sakhalinsk Prosecutor's Office, apparently realizing the consequences of their mistake, hurried to challenge the court's decision, stating that their charges referred only for the comments, and not to the original verses. However, the text of their original claim clearly shows that this assertion does not correspond to reality. In early November, the Sakhalin Regional Court overturned the notorious decision of the district court. The controversy resulted in the adoption of the law prohibiting

to recognize the fundamental religious texts as extremist, which we discussed in the corresponding chapter above.

The new law had a decisive influence on the decision of the Pervouralsk City Court of the Sverdlovsk Region, which, in December, refused to recognize as extremist refused to recognize as extremist the books *Izbrannye Khadisy (Selected Hadith)* by Sheikh Muhammad Yusuf Kandhlawi (a collection of Hadith, ancient stories about words and deeds of Prophet Mohammed) and *Bogovdokhnovenna li Doktrina Troitsy (Is the Trinity Doctrine Divinely inspired?)* by M. A. C. Cave. The court rejected the prosecutorial claim that the books contained information aimed at propaganda of exclusivity and superiority of Islam over other religions.

Jehovah's Witnesses

In November 2015, the retrial of sixteen Jehovah's ended in Taganrog. The local community was banned as an extremist in 2009, and the case regarding the continuation of its activities under Parts 1 and 2 of Article 282² was opened in 2011; the charges also included Article 150 Part 4 of the Criminal Code (involving minors in a criminal group). The charges against Jehovah's Witnesses stated that, being “fully aware” of the ban against the Taganrog community and “motivated by extremist urges,” they resumed and continued its activities, namely conducted prayer meetings and studied religious texts. The verdict was issued in 2014; seven defendants were convicted, and nine were acquitted. Four convicted offenders received suspended sentences, they got up to five and a half years of imprisonment and a fine of 100 thousand rubles, with exemption from the payment due to the statute of limitations; three others faced the fines ranging from 50 to 60 thousand rubles, also with exemption from payment. However, both sides were dissatisfied with the verdict, and, in the end, this decision was overturned by the Regional Court and returned for a new trial in the Taganrog City Court. Under the new sentence, all sixteen believers were found guilty. Four members of the Taganrog community were convicted for organizing continuation of its activities and involving minors in them and received suspended sentences, ranging from 5 years and 3 months to 5 years and 6 months, with a 5-year probationary period, and a fine of 100 thousand rubles (they were released from paying it due to the statute of limitations). Twelve more people have been sentenced to fines, ranging from 20 to 70 thousand rubles as members of the banned community, and were also released from paying due to the statute of limitations.

Nine decisions to impose administrative fines were issued in 2015 under Article 20.29 of the Administrative Code against Jehovah's Witnesses for distributing religious pamphlets of a banned organization or storing them with intent

to distribute. Two believers were sentenced to administrative arrest; one of the two verdicts was annulled.

The Jehovah's Witnesses community in Abinsk of the Krasnodar Region was liquidated as an extremist organization; the ban was confirmed by the Supreme Court of the Russian Federation. A claim for liquidation was filed against the community in Cherkessk (Karachay-Cherkessia), and the communities of Belgorod and Stary Oskol (the Belgorod Region).²²

At least five Jehovah's Witnesses communities received warnings about the impermissibility of extremist activity in 2015, including the communities in Cherkessk, Tikhoretsk (the Krasnodar Region), Chapaevsk (the Samara Region), Shakhty (the Rostov Region) and Arkhangelsk.

In 2015, five booklets of Jehovah's Witnesses were banned: *Keep Yourself in God's Love* and *Let the Spirit of God, and Not the Spirit of the World Influence You* were banned in Kurgan; *The Son "Wants to Uncover" the Father and Was Life Created?* were banned in Belgorod, and *Time for the True Obedience to God* – in Saint Petersburg.

The Federal List of Extremist Materials added a total of five relevant entries in 2015, which included thirteen brochures and the official website of Jehovah's Witnesses.

The incidents of Jehovah's Witnesses books being confiscated at the Russian-Finnish border, during an attempt to bring into Russia a number of books, including the Bible both in the Jehovah's Witnesses and the Synodal translations. As a result, the prosecutor's office filed a claim against Jehovah's Witnesses demanding the ban of the seized literature,²³ while Jehovah's Witnesses filed a claim against the Vyborg customs regarding the illegality of the confiscation.

Falun Gong

The followers of the Chinese spiritual practice Falun Gong, which has nothing to do with extremism, also faced inappropriate persecution in 2015.

For the first time, a criminal case has been open against a Falun Gong practitioner. Shamil Gareev from Izhevsk was charged under Article 282 with publishing *Falun Dafa* on his website falundafa.udm.ru in 2012. The experts concluded that the content of the book was identical to the content of *Zhuan Falun*, a banned book by Li Hongzhi, and stated that it contained propaganda

²² In February 2016, the Belgorod Regional Court recognized the Belgorod and Stary Oskol communities as extremist. The decision about their ban is currently under appeal.

²³ In particular, in February 2016 Vyborg City Court received a request to recognize as extremist the Bible, translated into Russian by Jehovah's Witnesses and seized on the border in the summer of 2015. The proceedings are expected to be interesting in the light of the amendments, banning recognition of Scriptures as extremist, which have since come into force.

of superiority of ideas and views of Li Hongzhi and other “*negative and hostile statements about Orthodox Christianity*.” However, in April, the proceedings in Gareev's case were discontinued due to the statute of limitations. In November, the prosecutor had to withdraw a claim demanding recognition of *Falun Dafa* as extremist on the basis of it being identical to banned *Zhuan Falun*, because he could not provide the imprint for a book he was seeking to prohibit.

The website of Russian followers of Falun Gong, ru.falundafa.org, was added to the Unified Register of Banned Websites and blocked by the court decision in September for publishing *Zhuan Falun*.

In October, a retiree from Chernigovka village in the Primorsky Region was fined a thousand rubles under Article 20.29 of the Administrative Code, because she was found in possession of several copies of *Zhuan Falun*, and two citizens testified that she had presented them with such books. We would like to remind that the Russian judiciary has ruled that *Zhuan Falun* advocated the superiority of the adherents of Falun Gong ideology over other people. In our opinion, the book contains no evidence of incitement to religious hatred.

The Russian Orthodox Autonomous Church

A number of materials related to the Russian Orthodox Autonomous Church (ROAC), some of which were published on the Credo.ru online portal, were banned in Vladimir in October. The Federal List of Extremist Materials came to include Item No. 3209, which included the texts penned by ROAC Archbishop Andrew Maklakov, on the subject of the conflict between the Moscow Patriarchy (ROC) and the ROAC. In particular, they discussed the dispute over the relics of St. Euthymius and St. Euphrosyne of Suzdal, the pressure against representatives of the ROAC by the Russian authorities, refutation of the information about financial ties between the ROAC and the US authorities, condemnation of actions by the Yanukovych administration against supporters of the Maidan, which included clergy. The court ruling mentioned that the prohibition was based, among other things, on the fact that one of the texts contained appeals to the US authorities to exert their influence on Russia in relation to respecting the rights of the believers – but there is nothing illegal in such appeals. In addition, the court decision stated that the materials in question exhibited signs of incitement to religious hatred and enmity, but those charges were based only on the fact that the ROAC traditionally viewed the ROC as the heir of the “apostates”-Sergianists, who made a deal with the communist regime, which was murdering clergy and believers, and on the fact of the ROAC's complaints of harassment by the ROC and the authorities, supporting it. Actually, this is a long-standing conflict between the branches of the Russian Orthodox Church, which in no way can be considered within the framework of anti-extremist

legislation and poses no threat to the ROC followers, given that members of the ROAC criticize the ROC as the church structure, but never use aggressive rhetoric against believers. Recall that, in 2014, the same Oktyabrsky District Court of Vladimir inappropriately banned the video *Pristavnoe Blagochestie* (a pun that can be loosely translated as “Piety with Officers of Justice”) about the confiscation of the relics of St. Euthymius and St. Euphrosyne of Suzdal from the ROAC published on Credo.ru. The Vladimir Regional Court later upheld this decision, and, in 2015, the video was added to the Federal List of Extremist Materials as No. 2731.

Criticism against Religion

The law enforcement agencies continue to target a variety of atheistic, mostly anti-Christian, invectives of individuals or acts that, in their opinion, incite religious hatred. However, such cases often have to be dropped due to difficulty of proving guilt.

Thus, the case, opened in 2012 against IT-specialist Roman Matveev from Moscow under Article 282 regarding seven atheistic de-motivators, was closed due to the statute of limitations in 2015. The de-motivators in question were satirical images, which contained no incitement; their publication presented no danger.

A criminal case under Article 282 against Alexander Serebryanikov, the owner of the Blogger51 website, was discontinued in Murmansk, also due to the statute of limitations. The case was filed in 2013 on the basis of posting a material that contained “*statements that incite hostility against a group of people united on the basis of their attitude toward religion.*” Serebryanikov argued that a paragraph with nationalistic content had briefly appeared in one of the texts after the site had been hacked, and was promptly removed.

Nevertheless, a new case of this kind was opened in 2015. A student of Omsk Transportation University was charged under Article 282 for posting on his social network page “*extremist statements aimed at humiliation of a group of individuals selected by the criterion of their religion – “Orthodox.”*” The charges pertained to a comment to the news item about the cancellation of a Marilyn Manson’s concert in Omsk as a result of the pressure from “Orthodox activists.” We would like to remind here that, in our opinion, humiliation must be removed from the Criminal Code, as an act of minor gravity; according to the prosecutorial report, the student wrote nothing more dangerous.

No verdicts that could be qualified as inappropriate were issued in 2015 under Article 148 Part 1 of the Criminal Code, which penalizes insulting the feelings of believers. However, four new criminal cases were inappropriately initiated, without due justification. As we stated before, we believe that Article

148 Part 1 of the Criminal Code excessively restricts the freedom of expression in general.

A resident of Chechnya was charged with public actions, expressing clear disrespect for the society and committed in order to insult the religious feelings of believers, for posting a video, insulting the religious feelings of believers, on VKontakte and Instagram. Unfortunately, we don’t have the exact wording of the charges, but the available information makes us doubt that criminal prosecution in this case is justified.

The charges under Part 1, Article 148 against Stavropol resident Viktor Krasnov were filed due to several statements he made in an online conversation in the “Overheard in Stavropol” VKontakte community on October 11 and 21, 2014. Krasnov, an atheist, expressed his negative attitude toward some passages from the Bible in a rough manner, typical for internet discussions, made fun of another participant of the conversation, stated that “there is no god,” and, then, in the same manner, expressed his opinion about Halloween. After that, two other participants of the conversation filed complaints with the police and demanded that the case be opened under Article 148 of the Criminal Code. The law enforcement responded promptly.

Two residents of Vyatskopolyansky District of the Kirov Region were charged with placing on a standing prayer cross in the village of Staraya Malinovka a stuffed dummy, manufactured using “*pants, a jacket, a rope, a hat, a mask and screws*” as well as some dry grass. The prosecutors believe that the act was pre-meditated and committed in order to insult the feelings of Christians. In our view, the suspects’ actions presented no public danger, and, at the most, should have been qualified as an administrative offense.

In Yekaterinburg, the criminal case was opened against Yekaterinburg resident Anton Simakov, “the Master of voodoo magic.” In October 2014, he performed a ritual in his office; according to him the purpose of the ceremony was to magically influence the Ukrainian authorities. The ritual, captured on camera and posted on the Internet, involved the following objects: a clay voodoo doll, a funeral pall, a band usually put on the heads of the dead in churches, a printed copy of the prayer read during church funeral services, a small wooden cross and a rooster, as a sacrificial animal, whose blood the “Master of magic” sprinkled on the above-listed items. All of this was interpreted as an insult to the religious feelings of Christians. The Prosecutor’s Office approved the court’s decision of “applying of compulsory medical measures in the form of inpatient treatment in a psychiatric hospital.” It is possible that the “Master of magic voodoo” indeed needs psychiatric help; however we do not see how his actions

constitute a crime under Article 148, since he didn't express any negativity against Christianity or Christians, but simply used the ecclesiastical objects for his own ceremony.

A series of warnings to media outlets for reprinting the Charlie Hebdo cartoons in the wake of the attack against the editorial board of the weekly is also worth noting. This level of governmental concern for the feelings of the Muslims was likely due to the fear of possible radical protests.

Incidental Victims of Inappropriate Anti-Extremism

As in previous years, people and organizations, which seemingly have no connection to activities that can be regarded as extremist, also suffered from misuse of anti-extremist norms.

In 2015, prosecutors continued to penalize libraries, due to contradiction between the law "On Libraries," which directs librarians not to restrict reader access to the collections, and the anti-extremist legislation, which requires removal of prohibited materials from mass distribution.

Prosecutors pursue a variety of claims against libraries – from presence of banned materials (usually books) in their collections (despite the fact that libraries have no legal grounds for removing such materials) to the content of library rules that fail to mention a ban on distribution of extremist materials.²⁴

According to our obviously incomplete data,²⁵ at least 170 cases of inappropriate sanctions against library management (including school libraries) took place from mid-2008 to the end of 2010, followed by at least 138 in 2011, at least 300 in 2012, at least 417 in 2013, and at least 297 in 2014. We recorded 322 such cases in 2015.

As a rule, the offenders face disciplinary action, but sometimes administrative sanctions are also applied. We know of at least one case in 2015, when Article 20.29 of the Administrative Code was applied against a librarian. The Deputy Director of the Science Library of the Izhevsk State Technical University was

²⁴ We provided an extended list of possible claims in our report four years ago. See: Alexander Verkhovsky Misuse of the Anti-Extremist Legislation in Russia in 2011 // V. Alperovich, A. Verkhovsky, O. Sibireva, N. Yudina, Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2011 // SOVA Center, 2012 (<http://www.sova-center.ru/misuse/publications/2012/03/d24014/>).

²⁵ We receive no definite information about many instances of imposed sanctions. Often, we know about a series of inspections and subsequent sanctions, but number of imposed warnings and other acts of prosecutorial response is not reported. In such cases, we count the entire series as one instance for statistical purposes.

fined 2000 rubles for keeping extremist materials for the purpose of mass distribution, that is, de-facto, for performing his professional duties – the library collection contained several publicly accessible materials, recognized as extremist.

Unfortunately, in 2015, we also witnessed a very resonant case of criminal charges against a librarian. The criminal case under Article 282 Part 2 paragraph "b" of the Criminal Code (incitement of national hatred or enmity with abuse of official position) was opened in Moscow in late October against Natalia Sharina, the director of the Library of Ukrainian Literature. The prosecution was based on the results of a search, conducted at the request of an Ukrainophobic municipal deputy, which revealed *Viyna u Natovpi*, (*War in the crowd*, No. 2089 on the Federal List of Extremist Materials) a forbidden book by Ukrainian nationalist Dmytro Korchinsky. Sharina was detained; her home was searched, as well as the home of Valery Semenenko, the Deputy Chairman of the Ukrainians of Moscow association, who is considered a witness in the case. Sharina was placed under house arrest, the length of which has since been extended; the attempts to challenge the measure of restraint have failed. We would like to remind here that criminal prosecution under Article 282 is appropriate when it is applied to an act of propaganda – dissemination of materials, possibly not even banned in court, but of dangerous content, and, moreover, dissemination for the purpose of incitement to hatred. However, librarians are not engaged in propaganda; they store and provide access to books, and, of course, no law requires them to familiarize themselves with the content of all the literature. Notably, this is not the first attempt of the Russian authorities to bring the Director of the Library of Ukrainian Literature to responsibility; Natalia Sharina was charged under Article 282 in 2011, but the case was discontinued for absence of the event of a crime shortly thereafter.

Some cases of prosecution of citizens specifically under anti-extremist articles can only be explained by the desire of law enforcement agencies to improve their reporting statistics in the area of fighting extremism.

This category includes warnings about the impermissibility of violating the law on combating extremism, issued to organizers of mass events and public meetings, regardless of the extent to which participants of these activities are inclined to radical actions. For example, in early April, a prosecutor's office in Krasnodar issued such a warning about the impermissibility to the organizer of a concert by Noize MC, stating that "*in August 2014, the band Noize MC performed at Kubana festival, where its lead singer Ivan Alexeev expressed his disagreement with the position of the Russian Federation in relation to events in Ukraine.*" As a result, the concert was cancelled upon request from the city authorities. Organizer of a truckers' rally Nikolay Matveev received a similar

warning in Miass in November. In the same month, on the eve of Vladimir Putin's arrival in Yekaterinburg, law enforcement representatives visited local civic activists at their homes and places of study, warning them about the impermissibility of extremist activity.

We recorded 39 cases of sanctions for the display of Nazi or extremist symbols, clearly devoid of any propaganda intent; this number is approximately five times higher in 2015 than in the preceding year. The majority of those, inappropriately fined or subjected to administrative detention in 2015 under Article 20.3 of the Administrative Code (propaganda and public demonstration of Nazi paraphernalia or symbols, and the symbols of extremist organizations), were activists, who uses Nazi symbols as an artistic device to denounce the opponents, but some random citizens were also affected. For example, journalist Polina Petruseva, a resident of Smolensk, was fined a thousand rubles in March. She posted on her VKontakte page an image of her own building's backyard during the occupation of Smolensk, found on a site of historical photos. The photograph showed a Nazi flag and a group of German soldiers in uniform. From our point of view, this is a "pure" incident of misuse of Article 20.3, which vividly illustrates the defectiveness of its wording that treats any demonstration of Nazi symbols as an offense without considering its context.

A Bit of Statistics

According to the data of SOVA Center, 24 verdicts against 61 individuals were issued in 2015 for violent crimes motivated by hatred; 202 verdicts against 211 individuals were issued for actual hate propaganda (here, as always, we need to clarify that, with respect to some of the cases, we don't have sufficient information to assess the legitimacy of the sentences, and in some cases we can say that incriminating statements were xenophobic, but clearly presented no significant social danger). Eight verdicts against 14 individuals were issued for ideologically motivated vandalism.²⁶

The number of people, whose convictions were obviously inappropriate, is much smaller.²⁷ Let us review these sentences, grouped by the relevant Criminal Code articles.

²⁶ More in Vera Alperovich, Natalia Yudina *The Ultra-Right Movement under Pressure...*

²⁷ It should be noted that speaking of appropriate and inappropriate verdicts, we focus only on the merits; omitting discussion of possible procedural violations in most cases.

We view as inappropriate 7 verdicts issued to 7 persons in 2015 under Article 282 (in our comparable 2014 report we wrote about 5 verdicts to 7 persons). This group includes sentences to Ismail Avazov, an inmate of IK-5 penal colony in Nizhny Tagil, for his rude remarks on religious themes in the education room; to Anton Izokaitis from Staraya Russa for inciting hatred to Russians in the police station on the New Year's Day; to Elvira Sultanakhmetova of Pervouralsk for her online appeals to Muslims to refrain from celebrating pagan holidays – the New Year, the Easter and the Victory Day; to Barnaul activist Anton Podchasov, who shared the famous "Russophobia post" calling for the discrimination of Russians in Ukraine; to Bakhchysarai mechanic Mustafa Yagyaev, who allegedly preached hatred toward the occupiers of Crimea to employees of the Housing Maintenance and Utilities Board accounting department, to schoolteacher Alexander Byvshev from Khromy (the Oryol Region) for his poem "To Ukrainian Patriots," which encouraged the Ukrainians to meet the "Moskals" with armed resistance; to Tatar national movement activist Rafis Kashapov from Naberezhnye Chelny for posting online the materials criticizing Russian authorities' actions with regard to Ukraine.

On the other hand, while, according to our data, only one case under Article 282 was closed in 2014, we are aware of five such cases discontinued in 2015. The following cases were closed to the statute of limitation: the case against IT-specialist Roman Matveev from Moscow and his seven atheistic de-motivators, opened as far back as 2012; the case initiated in 2013 against Murmansk blogger Alexander Serebryanikov accused of inciting religious hatred because of one text, which briefly appeared on his website following a hacker attack; the 2015 case against the resident of Izhevsk Shamil Gareev accused of inciting religious hatred by publishing *Falun Dafa* online in 2012, and, finally, another 2015 case against Rashit Akhmetov, an editor of Kazan weekly *Zvezda Povolzhya*, charged with incitement to ethnic hatred for reprinting, in 2011, "We are Tartars, not Russians," an article by Fauzia Bayramova, which had been published earlier in the Chuvash newspaper *Vziatka (the Bribe)*. The 2013 case against Imam Nail Bikmaev from the Rostov Cathedral Mosque, accused of harsh words about the Jews and the Christians, when commenting on a Koranic chapter in the course of his sermon, was closed due to absence of the event of a crime; the prosecution apologized to Bikmaev. Thus, four out of five closed cases dealt with incitement to religious hatred.

However, at least 11 new criminal cases that we view as inappropriate were opened under this Criminal Code article. This is a smaller number, compared to the preceding year, when their number reached about two dozen; also, possibly, our data is not yet complete.

Four criminal cases were inappropriately opened in 2015 under Article 148 Part 1 of the Criminal Code, which penalizes insults to the feelings of believers:

against a Stavropol resident for his rude atheistic jokes on the local Internet forum; against a resident of Chechnya, who posted online a certain video, which local law enforcement agencies deemed offensive to believers; against two residents of the Kirov region, who put a stuffed dummy on the prayer cross; against a Yekaterinburg resident, who performed a “voodoo ritual” on camera using some Orthodox Christian ecclesiastical objects. We have no information on any inappropriate cases under this article in 2013 or in 2014.

No inappropriate verdicts were issued in 2015 under Article 354¹ (justification of Nazism), which has been rarely used so far.

The statistics relating to Article 280 of the Criminal Code, unfortunately, has changed for the worse. While no relevant inappropriate convictions took place in 2014, six people were convicted in 2015, either groundlessly or on dubious grounds. Note, however, that the cases against all these people were initiated back in 2014. The offenders are activists, punished for online posts, which are, for the most part, related to Ukraine in one way or another. Four of them ended up amnestied and faced no punishment; one has refused the amnesty. These include Dmitry Semenov from Cheboksary, convicted for sharing cartoons that accused Russian authorities of anti-Russian policies; above-mentioned Anton Podchasov from Barnaul, who shared on a social network the text urging the Ukrainian authorities to discriminate against Russians; Sergey Titarenko of Krasnodar, who also got in trouble for a repost (of a text with information that Ukraine had allegedly offered a reward for the elimination of the Russian president); Chelyabinsk activist and blogger Konstantin Zharinov, an expert on terrorism, for reposting an appeal by the Right Sector; LGBT activist from Khabarovsk Andrey Marchenko for publishing on a social network calls for violence against “Russian supporters of fascism and terror,” who invaded Ukrainian territory; Kuban activist Darya Polyudova for posting on a social network her own photo with a poster “Not a War with Ukraine, but a Revolution in Russia” and calls to take to the streets and overthrow the regime (we consider her sentence disproportionate). In 2015, at least one new criminal case under Article 280 of the Criminal Code was opened on dubious grounds.

Article 280¹ of the Criminal Code (public calls for actions aimed at violating the territorial integrity of Russia) was utilized in three inappropriate sentences against three men (vs. none in 2014). Rafis Kashapov – the above-mentioned activist of the Tatar national movement – was convicted for publishing on the Internet a material that contained a negative assessment of the annexation of Crimea; Krasnodar activist Darya Polyudova, also mentioned above, was con-

victed for sharing on a social network a post stating that ethnic Ukrainians of Kuban demanded joining Ukraine; a deputy from Suoj rvi (Karelia) – for his emotional speech at the rally, during which he suggested that a referendum on separation from Russia be held in Karelia in response to inaction of the authorities on the issue of municipal services. In addition, at least four new cases against four persons were inappropriately opened under this article (vs. one in 2014).

As in 2014, the courts handed down no inappropriate sentences under Article 282¹ of the Criminal Code In 2015, and initiated no new inappropriate cases involving this article.

Five inappropriate verdicts were handed down in 2015 under Article 282² of the Criminal Code, that is, their number decreased by three from the preceding year. Eight people were sentenced for organizing activities of organizations, recognized as extremist, or for participation in them – less than half of the corresponding number in 2014. Three sentences were issued against four believers in Krasnoyarsk and one verdict against three people in Ulyanovsk for the study of books by Said Nursi. One person was convicted in Novokuznetsk (the Kemerovo Region) for creation of Tablighi Jamaat cell. Not including this verdict in our overall statistics, we would still like to note the retrial of the high-profile case of 16 Jehovah’s Witnesses – the members of the banned Taganrog community. While only nine of them were found guilty in 2014, now all 16 were convicted. Criminal proceedings on three inappropriately opened cases has been discontinued – the case of Pavel Butko from Nizhny Novgorod, suspected of continuing activities of the banned AVN; the case of 16 Muslims accused of membership in the Tablighi Jamaat movement, recognized as extremist, and the case of Elena Gerasimova, accused of involvement in the banned religious organization Nurcular. However, at least 3 new cases utilizing this Criminal Code article were inappropriately initiated.²⁸

Separately, outside of our general statistics, we would like to note the sentences against Hizb ut-Tahrir followers, which we consider inappropriate insofar as they relate to Article 30 Part 1 and Article 278 in conjunction with one of the anti-terrorist articles (205¹, 205² or 205⁵). Five such sentences involving 15 people were issued in 2015 – two in Ufa (four and eight people) and cases,

²⁸ In addition, seven sentences under Article 282² of the Criminal Code (in conjunction with other articles of the Criminal Code) were issued in 2015 against at least 20 followers of Hizb ut-Tahrir, but we do not include them in our statistics of inappropriate judicial decisions, since we view prosecution of members of the party for participation in an extremist organization as debatable, but acceptable.

involving one man each, in Samara, Chelyabinsk and Dagestan. Four other Hizb ut-Tahrir followers were wrongfully convicted solely under Article 205⁵ – two in Saint Petersburg and one each in Yekaterinburg and Bashkortostan (only one such verdict was issued in the preceding year). Most defendants were sentenced to long prison terms of up to ten years. Two new similar cases were inappropriately initiated in Bashkortostan and Chelyabinsk.

Two inappropriate verdicts were issued in 2015 under Article 213 of the Criminal Code (hooliganism) and one – under Article 214 (vandalism), taking the hate motive into account. One of them – under Article 213 of the Criminal Code – was imposed on Michael Feldman, Oleg Savvin and Dmitry Fonaryov in the case of the German flag hoisted on the garage of the Kaliningrad Regional FSB Office. The second sentence – for painting the star and raising the Ukrainian flag on the steeple of a Moscow high-rise building (under both Article 213 and Article 214 of the Criminal Code) was issued against roofer Vladimir Podrezov. In contrast, there were no such verdicts in 2014. No new inappropriate cases under these articles, taking into account the hate motive, were opened in the year under review.

Altogether, 23 inappropriate verdicts against 28 persons were issued in 2015 under anti-extremist articles of the Criminal Code, i.e. ten sentences more than a year earlier (14 convictions against 26 persons). At the same time, we know of at least 24 criminal cases inappropriately initiated during this period. Notably, this is fewer than in 2014, when we recorded at least 35 of them. We can conclude that the scope of the prosecution did not increase in 2015 – the verdicts were mostly issued regarding the previously opened cases.

On the other hand, we see a significant increase in severity of the penalties – the law enforcement agencies have begun to implement the relevant laws adopted over the past years. While, in 2014, all people, convicted under anti-extremist articles, were sentenced to fines, suspended prison sentences, or mandatory labor, in 2015, nine of them received prison terms.

Before turning to our data on the articles of the Administrative Code, intended for combating extremism, we need to remind that they are much less complete than our criminal prosecution data.

We know of at least 47 inappropriate convictions for mass distribution of extremist materials or for possession with intent to distribute, that is, under Article 20.29 of the Administrative Code, (vs. at least 46 in 2014) issued to 42 individuals and five entities; one of these sentences was overturned by a higher court. We know that the courts mandated a fine as a penalty in 35 of such cases, and administrative arrest in four. The defendants included Muslims, Jehovah's

Witnesses, community activists, bloggers, inmates and staff of Federal Penitentiary Service of Russia, librarians, bookstore owners and Internet service providers. As a rule, these people were not involved in actual mass distribution of prohibited materials.

At least 17 individuals and legal entities – owners of computer clubs and cafe, a library director and administrators of several schools – were inappropriately fined under Article 6.17 of the Administrative Code (violation of legislation on protection of children from information harmful to their health and (or) development) for the low quality of their content filtering. Five individuals and legal entities were fined under this rubric in 2014.

Penalties for public demonstration of Nazi or similar symbols, that is, under Article 20.3 of the Administrative Code were improperly imposed on 39 individuals; in 2014 the number was just seven. 30 persons were fined, nine were subjected to administrative detention.

The Federal List of Extremist Materials added 667 new items for 2015, while, in 2014, it only increased by 381 points. Thus, the growth rate of the List has increased significantly, and came closer to the 2013 numbers, when the list increased by 590 points. Increased number of materials within each numbered item should also be taken into account – this factor further complicates the List (already almost impossible to work with), and raises serious doubts as to whether every single material has received proper consideration in court. We view the following new additions as undoubtedly inappropriate: 13 numbered list items containing a variety of Muslim materials from Said Nursi's works to the collections of prayers, 5 items with Jehovah's Witnesses website and brochures, 2 items, containing various other religious materials, at least 8 items with nationalist materials (Russian, Ukrainian history, Tatar, etc), 6 items containing various opposition materials, 7 items with journalistic and analytical materials, which courts improperly considered inflammatory, and, finally, 3 items with comic materials, interpreted by courts as serious. Altogether, we identified 44 inappropriately added items (vs. 21 such items in 2014). In addition, 25 new items of the List contained Hizb ut-Tahrir materials, banned by association with the banned party, regardless of whether they contained any dangerous incitement. Please note that our familiarity with the newly banned materials is far from total, so we cannot rule out the existence of other cases of unjustified prohibition in the instances, where we do not know the incriminating content.

Appendix. Crime and punishment statistics

Data as of March 25, 2016

Statistics of Racist and Neo-Nazi Attacks in Russia

(with categorization of victims)

Year	2004		2005		2006		2007		2008	
	K	B	K	B	K	B	K	B	K	B
K – killed, B – Beaten, wounded	K	B	K	B	K	B	K	B	K	B
Total*	50	219	49	419	66	522	94	625	116	501
Dark-skinned people	1	33	3	38	2	32	0	34	2	26
People from Central Asia	10	23	18	35	17	60	36	95	57	133
People from the Caucasus	15	38	12	52	15	72	27	77	22	71
People from the Middle East and North Africa	4	12	1	22	0	11	1	22	0	15
From other countries of Asia	8	30	4	58	4	52	9	76	9	40
Other people of “non-Slav appearance”	2	22	3	72	4	69	9	67	13	57
Members of subcultures, anti-fascists and leftists	0	4	3	121	3	119	8	174	3	103
Homeless ***	-	-	-	-	-	-	1	3	4	1
Ethnic Russians ***	-	-	-	-	-	-	0	22	3	12
Jews ***	-	-	-	-	-	-	0	9	0	6
Religious groups ***	-	-	-	-	-	-	0	9	0	6
LGBT ***	-	-	-	-	-	-	0	7	1	6
Others or not known	10	57	5	21	21	107	3	30	2	25

* 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”.

This table does not include victims in Republics of North Caucasus and victims in Crimea prior to 2016.

** The data is still far from complete.

2009		2010		2011		2012		2013		2014		2015**	
K	B	K	B	K	B	K	B	K	B	K	B	K	B
94	443	44	421	26	212	20	196	24	206	36	133	11	82
2	59	1	28	1	19	0	26	0	7	0	15	0	6
40	92	20	86	10	38	8	38	15	62	14	29	4	6
18	78	5	45	7	18	4	15	3	28	3	14	0	5
0	2	0	2	0	5	0	2	0	1	0	6	0	1
14	37	3	19	0	15	0	5	0	7	1	5	0	1
9	62	7	104	1	25	1	15	0	32	2	10	1	10
5	77	3	67	1	40	1	57	0	7	0	15	0	13
4	0	1	3	3	3	6	2	2	3	13	1	3	7
0	7	1	8	1	9	0	5	0	3	0	5	0	0
0	3	0	3	1	2	0	0	0	2	0	1	2	0
1	2	0	22	0	24	0	10	0	21	2	12	0	18
0	0	0	3	0	3	0	12	2	25	0	8	0	9
1	24	3	31	1	11	0	9	2	8	1	12	1	6

*** Murders or attacks on homeless people, which we or the law enforcement bodies suspect to be committed by an ideological motive, are included in the tables since 2007. Besides that, we know about 10 murdered homeless people in 2004, 5 murdered and 4 beaten in 2005, and 7 murdered and 4 beaten in 2006. Ethnic Russians, Jews, Religious groups and LGBT were included into Others before 2007.

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 – 2, in 2013 – 3, in 2014 – 2, in 2015 – 4, in 2016 – 6.

Guilty Verdicts for “Crimes of an Extremist Nature”

In addition to the incitement to hate and crimes, the substance of which is directly related to the concept of «extremism,» this table also includes sentences for hate crimes.

We can evaluate the sentences as a fully or largely appropriate, or as a fully or largely inappropriate; sometimes, we are unable to determine the extent of its appropriateness. Three numbers in each column refer to sentences that we consider appropriate, inappropriate and undetermined, respectively.

Year	Number of convictions			
	Violence	Incitement	Vandalizing	Participation in a group*
2004	9/0/0	3/0/0	-**	3/2/0
2005	17/0/0	12/1/0	-	2/4/8
2006	33/0/0	17/2/0	-	3/1/3
2007	23/0/0	30/1/1	3/0/0	2/0/8
2008	36/0/0	49/2/1	6/0/0	3/0/4
2009	52/0/1	58/3/0	10/0/0	5/12/2
2010	91/0/0	76/8/3	12/0/1	9/7/6
2011	62/1/3	76/6/1	9/0/0	12/7/7
2012	32/2/2	91/3/1	6/0/0	4/8/2
2013	32/1/0	133/7/9	8/0/0	7/8/6
2014	22/0/4	154/4/5	4/0/0	6/8/10
2015***	24/1/0	203/12/8	8/1/0	10/15/3

* This refers to participation in an “extremist community” or an “organization, banned for extremism,” or similar anti-terrorism articles.

Data on sentences issued to members of a number of Islamic organizations has been only partially tabulated at this time.

** The hyphen means that the data for this period has not yet been collected.

Year	Number of offenders convicted and punished			
	Violence	Incitement	Vandalizing	Participation in a group*
2004	26/0/0	3/0/0	-	3/2/0
2005	56/0/0	15/2/0	-	2/18/19
2006	109/0/0	20/2/0	-	15/1/3
2007	65/0/0	41/0/5	5/0/0	4/0/27
2008	110/0/0	70/3/0	7/0/0	10/0/14
2009	130/0/2	77/4/0	19/0/0	9/25/2
2010	297/0/0	87/9/5	21/0/1	34/7/14
2011	194/4/7	84/7/1	15/0/0	26/12/19
2012	68/4/3	96/10/1	7/0/0	7/22/10
2013	55/1/0	126/7/10	10/0/0	8/16/11
2014	47/0/6	153/4/7	6/0/0	14/21/22
2015***	61/1/0	225/14/8	14/1/0	24/43/6

Year	Convicted offenders who received suspended sentences or were released from punishment			
	Violence	Incitement	Vandalizing	Participation in a group
2004	5/0/0	2/0/0	-	2/0/0
2005	5/0/0	6/0/0	-	0/1/9
2006	24/0/0*	7/1/0	-	0/0/0
2007	18/0/0	12/0/0	2/0/0	0/0/6
2008	21/0/0	27/3/0	6/0/0	2/0/7
2009	35/0/1	35/1/0	8/0/0	2/11/1
2010	120/0/0	38/5/4	5/0/1	5/6/7
2011	75/4/1	34/2/1	4/0/0	3/7/4
2012	11/0/2	21/5/0	1/0/0	1/12/4
2013	15/0/0	17/3/3	1/0/0	1/3/3
2014	7/0/1	16/2/0	0/0/0	2/8/3
2015***	9/0/0	38/4/3	2/0/0	7/20/0

*** The data is still far from complete.