

Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2011

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

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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 2010, in a similar fashion to collections in previous years.

There are three reports on themes which have become traditional for the SOVA Center in this collection: The first report addresses radical nationalism and hate crime, and the efforts of government and society to combat these phenomena. The second report addresses problems relating to freedom of conscience in contemporary Russia. The third report addresses the misuse and abuse of 'anti-extremism' measures. The reports are updated versions of original texts on the SOVA Center website.

The appendix provides details about hate crimes and the prosecution of such crimes. All data were compiled at the end of March 2012.

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

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Between Manezhnaya and Bolotnaya: Xenophobia and radical nationalism in Russia, and efforts to counteract them in 2011

Summary

This report¹ was prepared during the period of continuing protests following the parliamentary elections of December 4, 2011, and in anticipation of the presidential elections of March 4, 2012. The Russian nationalist movement, which prior to late 2011 had perceived itself as the most active political force in the country, has not yet become a truly meaningful component of the protest movement. Nevertheless, its role in the current events is sufficiently noticeable to deserve our most thorough examination. In this report we attempt to analyze the developments that unfolded within the right-wing radical milieu in the time period between December 2010 (the Manezhnaya Square events in Moscow) and December 2011 (the post-election opposition rallies).

On the one hand, the political weight of right-wing radical organizations has increased as they entered public discourse. They gained new opportunities for cooperation with the “inside-the-system” parties, and took an active, if not completely legitimate, part in the December protests. In 2011 publicly active nationalists separated into two distinct coalitions: a radical, partially neo-Nazi movement “the Russians” (*Russkie*) and the Russian Platform (*Russkaya Platforma*, RP), a relatively moderate group, which, nevertheless, have never openly disavowed violence.

On the other hand the right-wing radicals have not put any of these achievements to practical use for strengthening their own movement. There are no indications that they succeeded in growing their social base or in finding comrades-in-arms among other opposition activists to any measurable extent. So far, despite the Russian society’s growing demand for the ethno-nationalist ideology, the

¹ In the preparation of this report, we used the daily monitoring conducted by the SOVA Center and our regional monitoring of ultra-right activity in several regions of Russia. Monitoring was funded by the state support grants per Decree no. 127 of the President of the Russian Federation, issued on 2 March 2011.

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existing far right political organizations are unable to satisfy it. Autonomous ultra-right groups mostly don't trust them, while their potential supporters among Russian citizens with xenophobic views either never heard of them or consider them excessively radical. Even their successful propaganda memes, such as "Stop feeding the Caucasus," brought no substantial improvement.

Repeating the success of the Manezhnaya Square riots to any extent proved to be impossible despite numerous attempts throughout the year. Meanwhile, the number of criminal actions committed by the ultra-right has declined, continuing the trend of the previous two years. Channeling the activists' energy into political activity and the overall course of the movement toward constructing "nationalism with a human face" can partially account for this tendency. Nevertheless, active police prosecution of violence-prone groups remains the most effective factor in bringing the number of hate crimes down. Fewer victims of racially-motivated crime, and, in particular, a diminished number of murders (especially in the centers of the ultra-right activity) could be considered the main positive outcome of 2011. However, the situation still remains quite tense; nobody is immune from the attacks by the ultra-right, including government employees, civic activists, and random passers-by, who dared to express their disapproval of the way the ultra-right activists behave on the streets.

"Countering extremism" increasingly becomes a top law enforcement priority. This is evident, for example, from the fact that in 2011 the Interior Ministry's Department for Countering Extremism was the only known department, whose personnel grew, rather than shrunk, in the course of reorganization; moreover, it was restructured from a Department into a Chief Directorate. Regretfully, due to the flaws in the anti-extremist legislation, police resources too often end up being misspent, thus discrediting even legitimate measures in this sphere. However, investigations into truly dangerous crimes, primarily those involving violence, were conducted at least as actively, as they had been in the previous year.

In 2011 several high-profile criminal cases resulted in convictions. Members of several major ultra-right groups were sentenced to long terms of imprisonment (including life sentences), most notably the Borovikov-Voevodin gang in St. Petersburg and the National-Socialist Society -North (*NSO-Sever*) in Moscow. In addition, a verdict was made regarding the notorious murder of lawyer Stanislav Markelov and journalist Anastasia Baburova.

Unfortunately, while the judicial quality of the violent crime-related verdicts continues to improve, the same cannot be said about the quality of prosecution for hate speech (xenophobic propaganda). The tendency to minimize incarceration for "mere words" was the only positive development observed in this area. Otherwise,

the situation remains pretty much unchanged. Number of convictions is quite high, but most of the cases pertain to the statements that were either inherently not dangerous or not dangerous due to lack of publicity (such as graffiti or comments on social networks).

Resolution No. 11 of the plenary meeting of the Supreme Court of the Russian Federation "Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism," adopted on June 28, 2011, became the most important and positive normative framework development of the year, because it contained important clarifications of the existing anti-extremist legislation. A single ruling could not resolve all the quandaries and deficiencies of the legislation, but, nevertheless, it indicates movement in the right direction.

It has become increasingly obvious that classifying material as extremist constitutes a completely inefficient measure. The Federal List of Extremist Materials continued to expand actively, and by the end of 2011 its size exceeded a thousand entries. This growth only turns the List into an ever more complex and unwieldy instrument. We are convinced that the only way to solve the List-related problems is to abandon it altogether.

The mechanism of banning organizations as extremist was used actively in 2011. Several organizations were banned, best-known of them being the Movement against Illegal Immigration (*Dvizhenie protiv nelegal'noi immigratsii*, DPNI). The ban did not prevent members of the proscribed organizations to continue their activities (in particular within "the Russians" coalition movement). Evidently, the ban mechanism requires some serious analysis and fine-tuning.

Criminal manifestations of racism and xenophobia

Systematic racist and neo-nazi violence

In 2011 23 people died and 154 received injuries as a result of racist and neo-Nazi violence, and 10 more received credible murder threats. For comparison, in 2010 42 people died and 401 were injured; in addition, 6 people received credible murder threats.² While our 2011 numbers are not yet final,³

² Please remember, that our calculations do not include victims of mass brawls, and the events in the republics of the North Caucasus, attacks with a profit motive and other questionable cases. We also do not track attacks on homeless people and sexual minorities (unless the court acknowledged the hate motive).

³ Media covers such crimes with a significant delay; more and more often we find out about the incidents of racism with a delay of a year or more, when the murder has been solved, and the criminal has been convicted.

the above-cited data allows us to conclude that the number of neo-Nazi and/or racially-motivated violent crimes is going down. According to our records, the violence peaked in 2008 (116 dead, 499 injured), and then its level started to drop. I have to emphasize that our data is far from complete and likely reflects only a fraction of occurring crimes. However, since our research methodology remains constant, we consider our conclusions regarding the developing trends, to be sufficiently well-founded, both for the totals and for each group separately.

Incidents of racist violence were recorded in 40 regions of Russia (compared to 49 regions in 2010). Moscow (8 killed, 35 injured) and Moscow Region (5 killed, 12 injured) remained traditional hotbeds of such violence; so did St. Petersburg (3 killed, 27 injured). These geographic areas also showed the greatest reduction in violent crime statistics. (In 2010 we recorded 18 people killed and 144 injured in Moscow, 2 people killed and 33 injured in Moscow Region, and 2 killed and 43 injured in St. Petersburg.) In addition, a significant number of victims was recorded in Kaluga Region (1 killed, 12 injured). The situation has improved in Nizhny Novgorod, which usually holds the third highest place in crime statistics after Moscow and St. Petersburg, but this year we have only received information regarding two injured victims. This trend could be explained by the fact that law enforcement agencies have finally intensified⁴ their prosecution of the ultra-right. In 2011 members of four neo-Nazi groups were convicted in the region. Statistics on violent hate crimes in other regions have remained stable for many years.

As before, most victims of xenophobic attacks were migrants from Central Asia (10 killed and 25 injured). People from the Caucasus, who, up to the end of 2009, had constituted the second largest group of victims (and at some point before that they had been the largest group) have now moved to the fourth position on our list, with 6 killed and 14 injured. However, for 25 victims of racial violence in 2011, we know only of their undefined “non-Slavic” appearance.⁵ Most often it was described as “Asian,” however, in some cases it could have meant “Caucasian” (i.e. from the Caucasus), so we need to emphasize, once again, that our data is approximate in many respects, including ethnic classification — even more so because the crime victims tend to avoid any media contact and seldom report the crime to the police. Thus, the group of victims loosely defined as the “Caucasian-looking people,” in fact, remains in the third place on our list.

Information about the incidents, where the victims belonged to sub-cultural groups or radical anti-fascists, is much easier to collect. Such incidents ranked

⁴ After several years of ignoring this problem.

⁵ Mostly they are victims of attacks in the wake of mass ultra-right actions, such as the Russian March.

second in 2011 with one person killed and 26 people injured. This relatively high number might be due to the fact, that we are better informed about these attacks, since these groups have formed wide horizontal connections and ties with various NGOs and media outlets. However, we also know about the cases of radical anti-fascists trying to conceal their losses in street fights. The overwhelming majority of the victims come not from the ranks of “military antifascists;” but rather from among the concert audience of music groups that are popular among the anti-fascists. In addition, at least five victims, attacked by the ultra-right last year, were either environmentalists or members of left-wing organizations.

Notably, members of the Nazi Straight-edge subculture often pick their victims among completely apolitical young people, who, according to their attackers, “lead an unhealthy lifestyle.”

For the second year in a row we have observed a stable high number of victims among dark-skinned people (1 murder, 19 people injured). Most probably, these numbers do not signal an actual increase in the number of attacks on dark-skinned people; the situation with this particular type of racist attacks have become much better tracked, since the Moscow Protestant Chaplaincy started its systematic information collecting about such incidents.

In addition to ordinary attacks, we continue to observe racially-motivated explosions, organized by the ultra-right. In Nefteyugansk (Yugra) the right-wing radicals hid an explosive device next to Harbin Chinese restaurant; in Samara the explosion at the central market (which injured one person) was organized with the “nationalistic motives”; in Stavropol Region an apartment in a residential building suffered an arson attack at night (attackers also left anti-Semitic graffiti under the window). We know of at least two explosive devices planted in the vicinity of Danilov market in Moscow and near the trade stalls in St. Petersburg; fortunately neither of them detonated.

The past year clearly demonstrated that nearly anyone could become a victim of ultra-right violence.

Thus, in addition to Straight Edge subculture, the ultra-right milieu now also includes People-hate movement, which harbors much more radical views. The right-wing radical bloggers claim that the movement includes “just nationalists and national-socialists judging everyone and everything very harshly (it would be stupid not to admit that the Russian...is not currently in his best shape). I don’t have too many illusions regarding an average Russian Ivan... This vegetable is quite different.”⁶

In 2011 Russian People-haters idolized two neo-Nazi serial murderers from Irkutsk Akademgorodok (“mallet-killers”): Artem Anufriev (b. 1992) and Nikita

⁶ Based on the materials from several ultra-radical blogs.

Lytkin (b. 1993), responsible for a series of brutal murders and attacks (at least 16 cases resulting in 6 murders).⁷ It seems that victims were selected at random. Their attacks began in December 2010. The killers attacked people on the street with a mallet and a knife, and in some cases mutilated their bodies.⁸ Some of the attacks were recorded on camera and uploaded online (A. Anufriev was a moderator of “We Are Gods; We Decide Who Lives and Who Dies” user group on *Vkontakte* social network.)⁹ During police questioning Anufriev stated that he was influenced by the “nationalist slogans.”¹⁰ In custody the two young men explained their actions by their desire “to clean up the city.”¹¹

In the period under review some people became victims of ultra-radical violence simply for expressing their disapproval. For example, in May 2011 in Chelyabinsk Nazi skinheads beat up a man, who reprimanded them for shouting pro-Hitler slogans. Passers-by were also injured during the Russian March for having expressed their opposition to this particular way of celebrating “the Day of national unity.”

Anti-State terrorist activities

In 2011 the activities of ultra-right groups continue to show tendency toward anti-state terrorist activities. We recorded several arson attacks and bombings of police stations and government office buildings (for example, the explosion in the building of the Moscow Public Prosecution Office on Zhivopisnaya street or the arson attempt in the waiting room of Vadim Zhuk, a United Russia deputy to the Nizhny Novgorod Regional Legislative Assembly). Fortunately, as far as we know, nobody was hurt in these attacks.

The attacks have clearly declined in numbers, compared to 2009 and 2010. However, monitoring the dynamics of the situation in detail is quite difficult, since, for the most part, we never learn who was standing behind these explosions and arson attacks. On the one hand attacks on police stations are practiced

⁷ We left this data out of our statistics, since we don't have any details or the exact number of victims. In addition, the attackers' motives have not been fully established.

⁸ The investigation obtained a video recording that showed “*young people cut off the murdered woman's ear, cut her mouth, stuck a knife in her eye and nose, with accompaniment of each other's approving chuckles*” See Molotochniki // *Number one*. 2011. 13 April (<http://pressa.irk.ru/kopeika/2011/14/007001.html>).

⁹ The group has since changed its name to “Help Artem Anufriev – the group of those, who want to help Artem or simply supports his activity”.

¹⁰ His photos from the Russian March – 2010 in Irkutsk (including the one where he is wearing a gauze bandage with the “Peoplehate” sign) can be found online.

¹¹ Pikhanov, Igor, Molotochniki dali eksklusivnoe intervju [The mallet-killers gave an exclusive interview] // *Vesti-Irkutsk*. 2011. 9 June (<http://vesti.irk.ru/obshestvo/2011/06/09/125872>).

not only by far right groups but by far left groups as well (note that the radical anarchist members of the Anarchist Guerilla organization claimed responsibility for the explosions at a traffic police post in June and for the arson attacks on United Russia buildings in December; the group also reports on its web site the cases of attacks when they don't know their author). At the same time, for publicity purposes, ultra-right groups often assume responsibility for all such incidents indiscriminately (in 2011 they predictably assumed responsibility for burning the vehicles of law enforcement officials, the explosions at the United Russia buildings, and arson attacks on Public Prosecution Offices).

Threats to public officials and civic activists, punishing “traitors”

In 2011 the stream of public threats with incitement to violence continued unabated. Such threats were published against government officials and members of the judiciary. For example, in some radical right-wing blogs the news about the verdict in the Stanislav Markelov and Anastasia Baburova murder case was accompanied by the personal data of the judge (his portrait, his address and a photograph of his house) and the members of the jury. After the murder of Judge Eduard Chuvashov¹² these threats cannot be taken lightly. Judge Vadim Shidlovsky, who handed down sentences to members of Borovikov-Voevodin gang, had to be put under state protection. In August 2011 police detained Andrei “Fighter” (Boets) Malyugin, a neo-Nazi and the gang member previously acquitted by the court, who is suspected¹³ of plotting the assassination of the judge.

Journalists and civic activists, who deal with xenophobia-related issues, have for many years comprised the other vulnerable target group. In mid-January Deputy Director of the Agency for Investigative Journalism (*Agentstvo zhurnalistskikh rassledovaniy*, AZHUR) in St. Petersburg received a threatening letter, signed by the Combat Organization of Russian Nationalists (*Boevaia ogranizatsiia Russkikh natsionalistov*, BORN).¹⁴

In additions, alleged “traitors” also face public threats. For example, some right radical blogs published the addresses of Ilya Goryachev, ex-leader of the Russian Image (*Russkii obraz*), and of Sergei “Oper” Golubev from the

¹² Verkhovsky, Alexander; Kozhevnikova, Galina, “The Phantom of Manezhnaya Square: Radical Nationalism and Efforts to Counteract It in 2010”, in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2010* (Moscow: SOVA Center, 2011), p. 5-41 (see the original version at <http://www.sova-center.ru/en/xenophobia/reports-analyses/2011/05/d21561/>).

¹³ “Fighter” is a suspect in two additional murders, committed after his release.

¹⁴ In 2010 the journalist's last name was published on one of the “hit lists.”

Blood&Honour organization, who testified in the Markelov and Baburova murder case.

The published threats of this sort should not be underestimated. Over the years of our monitoring we have observed murders of the court trial participants as well as public executions of the “traitors”. For example, on April 20, 2011 Nazi skinheads in Omsk brutally murdered and dismembered their 23-year “associate”, suspected of cooperation with law enforcement.

Violence motivated by religion

The level of religion-motivated violence continued to grow in 2011. Members of various religious movements comprised the largest group of victims (24 people injured); almost all of them were followers of the Jehovah’s Witnesses doctrine (at least 22 victims). The mass propaganda campaign against Jehovah’s Witnesses have been going on for three years, and the recent increase in their victim count (19 injured in 2010, 12 injured in 2009) undoubtedly represents the consequences.

Attacks on members of other religious groups, motivated specifically by religious hate, are uncommon. Thus in 2011 the victims included three Mormon missionaries, an orthodox priest,¹⁵ and a man, who was taken for an orthodox priest.¹⁶

Grassroots xenophobic violence and xenophobia in the army

The dynamics of grassroots xenophobic violence are difficult to trace, since law enforcement and mass media tend to qualify most episodes as locally-motivated incidents. Based on indirect data, the violence level remains unchanged; even considering our limited capabilities, we still record at least ten violent incidents each year, where grassroots conflicts clearly had racist underpinnings.

Traditionally, many incidents take place on August 2, the Airborne Forces Day, which is celebrated by mass brawls and, sometimes, by openly racist attacks, initiated by drunken troopers. On August 2, 2011 at least 7 people in Moscow

¹⁵ More on attacks on the members of the Russian Orthodox Church see Alperovich, Vera, Yudina, Natalia, Summer 2011: A New Batch of Neo-Nazi Convicts and Dreams of a Second Manezh // SOVA Center. 2011. 9 November (<http://www.sova-center.ru/en/xenophobia/reports-analyses/2011/11/d22976/>).

¹⁶ In November, 2011 in Yaroslavl, the second imam of the local mosque was killed. He had received threats from the Nazis, but the motive for the killing has not been established, so this case is not included in the statistics.

and in the republics of Mari El and Khakassia were injured¹⁷ (in 2010 there were at least 11 victims).

The Army is one of the most insulated and problem-ridden areas; racial conflicts undeniably exist there (the stories about ethnically-based “fraternities” (*zemlyachestva*) have been circulating for many years), but the situation is impossible to analyze, since verifiable information about such cases is virtually absent. However, despite the isolation of the army life from outside observers, incidents of racist violence still sometimes leak out. For example, in February 2011 in a military unit stationed in Chelyabinsk Region, Private Zaynalabid Gimbatov forced three of his “Slav” fellow soldiers to dance Lezginka, beating them for making wrong dance moves. We believe that such cases are not uncommon.

The cases of attacks against Jews are relatively rare, primarily because the Jews don’t visually stand out. Nevertheless, we record cases of grassroots anti-Semitic violence every year. Thus, in 2011 a communal apartment neighbor beat up a woman in St. Petersburg while shouting anti-Semitic slurs.

We also know of the xenophobia-motivated attacks against other ethnic “others”, including some attacks on Russians. In 2011 we recorded two such incidents. In Orel a native of Ingushetia attacked an ethnic Russian in the restaurant, shouting “No Russians here!” (*Russkim zdes’ ne mesto*). In Astrakhan Region a drunken Russophobe attacked school children, also shouting xenophobic slogans. Note, that all these attacks were committed by isolated individuals. In 2011 we have no information regarding any activities by organized racist groups of ethnic minorities (such as the Black Hawks¹⁸ group) or regarding attacks by their members against people of Slavic appearance.

Vandalism

We observed a sharp reduction in the scope of vandalism motivated by religious, ethnic or ideological hate. In 2011 at least 90 incidents of this kind took place in 34 regions of the country, while in 2010 we recorded 176 incidents of hate-motivated vandalism, and in 2009 the number stood at 180 incidents.

Ideologically motivated vandalism still predominates (26 cases). Neo-Nazi graffiti and stickers appeared on Lenin’s monuments, the Great Patriotic War

¹⁷ Not including the victims of the mass brawl in Astrakhan.

¹⁸ For more on the Black Hawks see Kozhevnikova, ‘Under the sign of political terror: Radical nationalism and efforts to counteract it in 2009’, in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2009* (Moscow: SOVA Center, 2010), p. 32 (see the original version at <http://www.sova-center.ru/en/xenophobia/reports-analyses/2010/03/d18151/>).

memorials and similar monuments. The number of such actions went down significantly, compared to 100 incidents, recorded in 2010. This reduction was likely the consequence of decreased graffiti activity by the Russian Image and Resistance (*Soprotivlenie*) members — over the last year both organizations switched to propaganda of healthy lifestyle and organizing the Russian Runs.¹⁹

As for vandalism motivated by religious hate, the targets were distributed as follows:

Sites belonging to new religious movements suffered 17 incidents, one of them targeting Hare Krishna followers and the other 16 relating to Jehovah's Witnesses; the incidents included one explosion, one case of gun fire, and three cases of arson;

- Jewish sites suffered 14 incidents, including one case of arson, 8 of them were motivated by religious hate;
- Muslim sites suffered 17 incidents, including one explosion;
- Orthodox sites suffered 12 incidents, including 3 cases of arson;
- Sites of various protestant denominations suffered 4 incidents, including 1 case of arson;
- Pagan sites suffered one incident.

The data shows no significant changes compared to 2010. The slowly growing number of attacks against the sites, belonging to Jehovah's Witnesses (including the ones involving explosives) has landed them on the top of our list for the second consecutive year. Attacks against sites belonging to the Russian Orthodox Church decreased in number (our records show 16 cases in 2009 and another 16 in 2010), while the incidents of anti-Muslim vandalism became more frequent (9 cases in 2010, and 8 cases in 2009), due to systematic desecration of Muslim graves in Nizhny Novgorod cemeteries (10 cases in 2011).²⁰ Jewish targets suffered the same number of attacks as in 2010; however, in 2009 we recorded 22 such attacks, and prior to that their number had been even higher.

We observed a moderate reduction in numbers for the most dangerous acts — bombings, gunfire and arson (11 out of 90 cases in 2011 vs. 36 out of 176 cases in 2010). However, the overall share of such acts still remains quite high.

¹⁹ For more details, see Alperovich, Yudina, Winter of 2010–2011: December and its consequences // SOVA Center. 2011. 6 May (<http://www.sova-center.ru/en/xenophobia/reports-analyses/2011/05/d21571/>).

²⁰ For more details, see Alperovich, Yudina, Autumn 2011: The Ultra-right's Pre-Election Maneuvers // SOVA Center. 2012. 14 February (<http://www.sova-center.ru/en/xenophobia/reports-analyses/2012/02/d23665/>).

Public activity of ultra-right radicals

Unification tendencies in the ultra-right wing

For the ultra-right movement 2011 became the year of an attempted entry into the legal political spectrum, while as recently as summer of 2010 they seemed destined to remain outsiders for many years to come. While in early 2011 riding the wave of success, achieved on Manezhnaya Square on December 11, 2010, seemed to offer the most promising course for the movement, it became obvious, as the year went on, that reality did not conform to expectations. However, by the end of the year a completely different trend came to fruition, which emerged prior to and independently of the movement inspired by Manezhnaya Square, and this trend deserves to be addressed first.

After signing the “Declaration of the Russian National Organizations” by the DPNI and the Russian Image in September 2010²¹ publicly active nationalists achieved a degree of consensus on possible measures to overcome their marginal status. The principal element of their new strategy was a change, albeit partial, in the movement's orientation away from xenophobic, and in some cases openly racist, rhetoric and toward the language of more moderate ethnic nationalism (even with some elements of civic nationalism), with emphasis on belonging to political opposition and defending democracy. This change was inspired by their desire to get rid of their marginal status of “political untouchables”, join the ranks of the increasingly active democratic opposition, and thus present themselves in a more attractive light to an average xenophobia-inclined citizen.

In order to fulfill this plan the far right needed to pool its resources and project at least an appearance of unity. Thus, the existing ultra-right organizations adopted a coalition strategy. New structures were to be presented to the public as “nationalism with a human face.”

The increasing police pressure on ultra-right organizations further strengthened their trend toward integration. In February 2011 the process of recognizing the DPNI as an extremist organization began;²² then, in spring the court charges were filed against the Russian All-National Union (*Russkii obshenatsional'nyi soiuz*, RONS).²³ The criminal case was opened against Dmitry

²¹ The recipe for restoring peace from the DPNI and the Russian Image // SOVA Center. 2010. 29 September (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2010/09/d19858/>).

²² DPNI is accused of extremism in Moscow // SOVA Center. 2011. 16 February (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/02/d20993/>).

²³ The Vladimir prosecutor's office calls for declaring the RONS an extremist organization // SOVA Center. 2011. 21 March (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/03/d21207/>).

Demushkin,²⁴ the leader of the Slav Power (Slavianskaia sila, SS) movement, previously known as the Slavic Union, and renamed after its ban in 2010).²⁵

“The Russians” Ethno-Political Association (*Etnopoliticheskoe ob’edinenie – Russkie*) became the first such project and still remains the largest. It brought together the most visible right-wing radical organizations: the DPNI, the SS, Dmitry Bobrov’s National Socialist Initiative (*Natsional-sotsialisticheskaia ittisiativa*, NSI), Stanislav Vorobyev’s Russian Imperial Movement (*Russkoe imperskoe dvizhenie*, RID) Alexander Turik’s Union of the Russian People (*Soiuz russkogo naroda*, SRN), Georgii Borovikov’s RFO Memory (*Pamiat*) and Sergey Gorodnikov’s National Democratic Party (*Natsional-demokraticheskaia partiia*, NDP). Leadership positions were almost equally distributed among the leaders of the coalition partners. In practice, however, the organization is represented mostly by the former DPNI leader Alexander Belov (the DPNI was banned on April 18, 2011) and by Dmitry Demushkin. All the other leaders, except the DPNI members (such as its last formal leader Vladimir Ermolaev) mostly continue to position themselves publicly as the heads of their own separate organizations, not as part of the coalition leadership.

This partnership certainly had a positive effect on the nationalists’ political weight; however, it failed to introduce anything radically new into their practice. As far as we know, it never prompted any noticeable influx of new, previously unaffiliated, members. Acting leaders of “the Russians” had no mass support in the ultra-right circles, and the coalition did nothing to change this situation. On the other side, the emergence of “the Russians” movement, which includes the open neo-Nazis Bobrov and Demushkin among its leaders, once again indefinitely postponed the DPNI’s aspirations to create a non-marginal nationalist movement.

A rival coalition project emerged almost simultaneously with “the Russians” with the Russian Social Movement (*Russkoe obshchestvennoe dvizhenie*, ROD, led by Konstantin Krylov) at its center. As far back as last winter the ROD refused to join “the Russians,” considering it strategically unwise to unite all the ultra-right organizations around the DPNI, which was about to be declared extremist, and the Slav Power, the successor of the already banned Slavic Union. This conflict provoked one of the DPNI leaders Vladimir Thor

²⁴ The Slav Power leader is charged under Article 282-2? // SOVA Center. 2011. 19 April (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/04/d21435/>).

²⁵ The Slavic Union was deemed extremist // SOVA Center. 2010. 27 April (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2010/04/d18622/>).

(Vladlen Kralin) to leave the movement, and instead join the ROD. In spring the ROD announced its reorganization from a single organization with regional branches to the association of equal partner organizations and invited everyone to find their place in the new structure. To date, the ROD Association includes: ROD Moscow, ROD Saint-Petersburg (Andrei Kuznetsov), ROD Volga Region (Alex Razumov), ROD Primorye (Tatiana Uvarova), ROD Siberia (Rostislav Antonov) and ROD Krasnodar. Apparently, by switching from vertical to horizontal integration the ROD expected to attract small right-wing groups in the regions and to encourage local leaders to be more proactive, by turning them into the leaders of individual organizations, rather than the heads of local branches, directed from the capital. It is hard to judge whether the expectations of K. Krylov and V Thor to attract new supporters came true, but the leaders clearly succeeded in stimulating the activity of the ROD’s regional branches.

In September the ROD together with the allied Russian Citizens Union (*Russkii grazhdanskii soiuz*, RGS) and its leader Anton Susov formed the Russian Platform coalition. Shortly, it was joined by the previously unknown Moscow Defense League (*Liga oborony Moskvy*, Daniel Konstantinov),²⁶ S. Vorobyev’s RID, D. Bobrov’s NSI and several smaller organizations. The fact that the RID and the NSI — both members of the rival coalition “the Russians” — have joined the RP means that neither coalition can yet serve as a full-fledged unifying prototype, and that the more promising competitor is not yet obvious (we have a reason to believe that the RID and the NSI believe the RP to be more promising).

Besides the Russian March, “the Russians” only distinguished themselves once by dispatching a delegation to Ramzan Kadyrov of Chechnya.²⁷ Meanwhile the RP managed to organize its own, even if not very broad, campaign “No more feeding the Caucasus” (see below) and publicly demonstrated their association with popular blogger Alexei Navalny, who participated in the above-mentioned campaign and walked with the Russian Platform members during the Russian March.

Relatively moderate “old” (i.e. founded back in the 1990s) national-patriotic organizations also attempted to create a unifying project, the National-Patriotic Front “Sovereign Union of Russia” (Derzhavnyi soiuz Rossii,

²⁶ Defense league is a popular brand of the Western European ultra-right movement on the boundary between parliamentary (or aspiring for that) far right parties and informal groups that practice racist violence.

²⁷ The association between leaders of “the Russians” with the Chechen leadership, which continued in 2012, likely means mutual recognition of each other as the “ethnic leaders.” This reveals us more about Ramzan Kadyrov, than about Belov and Demushkin, although these two are clearly interested in receiving such recognition. However, in the ultra-right circles this move by “the Russians” has caused far more criticism than understanding.

DSR). Originally it brought together 17 organizations, among them Sergei Baburin's Russian All-People's Union (Rossiiskii obshchenarodnyi soiuz, ROS), the Officers Union (Soiuz ofitserov, Stanislav Terekhov), the Military Imperial Union (Voenno-derzhavnyi soiuz, Leonid Ivashov), the Volya party (Svetlana Peunova), the Russian Cossacks Union (Soiuz kazakov Rossii, Pavel Zadorozhnyi), the Slavic Union of Journalists (Slavianskiy soiuz zhurnalistov, Boris Mironov), the Union of the Russian People (Souiz russkogo naroda, Valery Erchak)²⁸ and the others. Later about 20 additional representatives from various groups joined the DSR as well. The project's primary task was to launch a "people's candidate" campaign for the upcoming presidential elections. Subsequently, the DSR in concurrence with other organizations chose Leonid Ivashov as their representative. Besides Ivashov's nomination (failed, of course, since the organizers never even managed to hold an official nomination meeting), we observed no other activity by the DSR.

Meanwhile, in December Sergei Baburin's ROS – the leading coalition member – started developing its own project to transform the ROS into a political party (in the past the ROS had voluntarily rejected this designation). As a result of the convention, which took place on December 17 in Moscow, the following people formed the party's political council: Nikolai Kuryanovich (former State Duma deputy from the Liberal Democratic Party of Russia, known for his proximity to various right-wing groups), Roman Zentsov (leader of the Resistance group), Ivan Mironov (the son of Boris Mironov, implicated in the Anatoly Chubais assassination attempt), and A. Turik (SRN). The convention was also attended by the Russian Image representative Eugeny Vallyaev; however, there were no reports regarding his organization's participation in the ROS party.

Speaking of the Russian Image, we have to point out that the organization struggled throughout 2011 and missed all the unification projects. The underlying cause of its crisis was the scandal caused by the publication of the interrogation protocols of the former Russian Image leader Ilya Goryachev and Sergei Erzunov (soloist of the Right Hook ("*Huk sprava*") music group, connected to the Russian Image). Both witnesses gave testimony (important for prosecution) in the case of Nikita Tikhonov and Eugenia Khasis. The organization came to the defense of the "traitors," and its credibility in the right-wing circles fell almost to nothing.

Besides attempts to unify publicly active organizations, their leaders constantly try to regain the trust of autonomous ultra-right groups. The projects to help the "right-wing political prisoners" constitute an important outreach method in this regard. This activity is definitely not new for the right radical

²⁸ A part of the larger Union of the Russian People that split into three separate organizations

milieu; however its visibility and popularity have increased noticeably following the high-profile trials of neo-Nazi groups in spring and summer.

A good example of this trend is the Day of Solidarity with Right-Wing Political Prisoners observed by the right radicals on July 25 (on this day in 2002 the law "On Counteracting Extremist Activity" was adopted). While on prior occasions the Day of Solidarity had been used as a reason for a series of small public actions (the more of them, the better), in 2011 almost all major organizations of the radical right concentrated on collecting money for the prisoners: The ROD, the Russian Verdict (Alex Baranovski), the Right League (Alexei Samsonov), Phoenix (Maxim "Tesak" Martsinkevich),²⁹ and the NSI. However, these projects do not necessarily enjoy unanimous right-wing support. The inevitable squabbles have their impact. Moreover, once the veteran of United Brigades-88 Sergei "Opera" Golubev served as a witness against Tikhonov and Khasis, the entire structure of POW-Center³⁰ aid organization came crashing down, and some voices within the movement started calling for not trusting the other ones as well.

Public nationalist leaders never forget to stand up for the "right-wing political prisoners" in their speeches. In addition to demanding the abolition of the Criminal Code Article 282 (actually, a greater threat to these very leaders than to those, whom they refer to as "the guerillas"), these leaders always — including their statements during the December protest rallies — mention "thousands of political prisoners," referring to the members of the far right, currently held in custody for violent crime.

Thus, in 2011 the public segment of the far-right slightly changed its organizational structure, but the main players remained the same. As shown below, their consolidation failed to solve the basic problems of legal right-wing organizations: their lack of respect from autonomous neo-Nazis, their narrow social base and the government pressure.

²⁹ In 2011 Martsinkevich was released upon completing his prison sentence under Article 282 and initially limited his activity to launching a new project to help "the right-wing political prisoners."

³⁰ POW is an international abbreviation for prisoners of war. Those members of the far right, who don't want to grant legitimacy to the current political regime, consider their members to be POW, when in custody. The POW-center was associated with the OB-88 group, which played an important role among Nazi-skinheads the early 2000s and then became a more informal support structure consisting of the movement's veterans.

Contacts with “inside-the-system” parties

The new strategy of ultra-right groups was aimed not just at attracting new activists, but also at establishing contacts with other players on the political arena.

Their movement into the ranks of the democratic opposition began with the “outside the system” segment (similarly in need of allies). The relationship was originally supposed to be built solely on the basis of a general aversion to the existing political situation.

Thus, in early February prior to his departure from the DPNI Vladimir Thor had a series of meetings with Boris Nemtsov, Denis Bilunov (the Solidarity), Sergei Zhavoronkov (the Democratic Choice), and Alexei Nekrasov (the Five Demands (*Piat' trebovaniy*) project). According to V. Thor, the purpose of the meetings was to discuss prospects for cooperation and conducting coordinated actions with the common purpose of “protesting against the current political regime.” However, in practice, their cooperation has never developed.

In addition to their negotiation initiatives, ultra-right organizations have decided to strengthen their contacts with other opposition leaders simply by joining their actions. For example, on March 18 the ROD Siberia, headed by Rostislav Antonov, practically led the retirees protest march in Novosibirsk against the abolition of transportation benefits, although the event was organized by other movements and initially had nothing to do with the extreme right. Other examples include participation of the DPNI and the NSI activists in the April 3 rally in St. Petersburg, organized by Yabloko party, or in the actions to protect the Khimki forest.³¹

However, the presence of right-wing groups on the actions was often welcomed neither by the opposition nor by other far right groups. For example, the news of Thor's meeting with liberal politicians was ill-received even in the DPNI, where he was a member. The activists of the Yabloko party in St. Petersburg demanded that nationalists present at the rally take down their imperial flags and even asked the police to intervene. Yevgenia Chirikova took a lot of criticism from her colleagues, who felt that her association with right-wing radicals was unacceptable.

In spring and summer, as the elections approached, many political actors, including the “inside-the system” parties, felt the public demand for ethno-nationalism and began to include its elements into their rhetoric. This, in turn,

³¹ For more details, see Alperovich, Yudina, Spring 2011: Causes of Old and New Ultra-right Formations // SOVA Center. 2011. 12 July (<http://www.sova-center.ru/en/xenophobia/reports-analyses/2011/07/d22101/>).

increased their possible basis for cooperation with the far right, since now their relations had a broader base than just their shared opposition to the current political regime.

Thus in March the Just Cause (*Pravoe delo*) party conducted a round table with participation from the nationalists K. Krylov, A. Susov, A. Khramov, I. Lazarenko and Victor Militarev (the “former ROD”). The event demonstrated that the Just Cause included a significant number of those who partially or fully shared the nationalist views and were ready for cooperation.³² When Mikhail Prokhorov joined the Just Cause party the situation didn't change. V. Militarev remained on the list of candidates for the Moscow Regional Duma. Certain activists started making mildly nationalist statements, and the leaders of the party's Moscow Regional branch and the Saratov branch declared that the Just Cause is willing to compete for nationalist votes. Changing the party emblem colors to the colors of the Russian imperial flag was intended as a positive signal toward the ultra-right. Another signal was Mikhail Prokhorov personally inviting Yevgeny Roizman to join the party. Roizman, the head of the City without Drugs (*Gorod bez narkotikov*) organization, has often made xenophobic statements, and became a popular figure among the right-wing activists after the events in Sagra.

However, in August the issue of nationalism in the Just Cause sparked a scandal. Izvestia newspaper published an article, alleging that Boris Nadezhdin was supposedly recruiting “young skinheads” into his organization. Prokhorov then declared that the party included no nationalists, the Just Cause leaders stopped making questionable statements on the subject, and V. Militarev was taken off the party list of candidates to the Moscow Regional Duma. Later Prokhorov resigned as the party leader, and the Just Cause practically left the election process. Any possible attempts by the right-wing radicals to restore relations with the party would have served no purpose. However, the inner nationalist club (“the Republican Club”) of the party still exists.³³

The Liberal Democratic Party of Russia (*Liberal'no-demokraticheskaya partiia Rossii*, LDPR) became yet another party willing to establish contact with the far right. In late spring the party began to organize round tables with participation from right-wing organizations (“the Russians”, the ROD, the Russian Image, the RGS and the NDA) and other known right radical activists.

³² The Just Cause (*Pravoe delo*) party conducted a round table on the problems of nationalism // The cities of Moscow Region 2011. March (<http://www.podmoskowie.ru/vesti-podmoskovya/v-partii-pravoe-delo-sostoyalsya-kruglyj-stol-po-problemam-nacionalizma.html>).

³³ V. Militarev participated in the Initiative Group of the late 2011 – early 2011 protest movement as a member of this club.

In the early July this activity led to the establishment of the Russian Public Committee, with the K. Krylov and A. Belov among its leaders.

Moreover, on June 11 the LDPR conducted a joint rally with the ultra-right, the Day of the Russian People, where the speakers, in addition to Zhirinovskiy, included A. Belov, K. Krylov, V. Thor, the leader of the Union of Orthodox Banner Bearers (Soiuz pravoslavnykh khorugvenostsev) Leonid Simonovich-Niksic and the leader of the Danish National Front Lars Wittmann.³⁴ The party also introduced in the State Duma an obviously impassable bill that called for the abolition of the law “On Counteracting Extremist Activity” (hated by right-wing radicals).³⁵

However, to the extreme right’s disappointment, the LDPR’s electoral lists included none of their representatives, and their joint activity (if exists) no longer enters the mediasphere.

The LDPR, unlike the Just Cause, have never repudiated its nationalist attitude. In the fall they took part in an anti-Islamic campaign unfolding around the Kurban Bayram (Eid al-Adha) holiday celebration, by introducing a draft bill in the State Duma that suggested regulating sacrifices on Muslim holidays.³⁶ In November Vladimir Zhirinovskiy, commented on the ethnic situation in Komi Republic in such a manner that the Head of the Republic declared the LDPR leader persona non grata until he apologized. In December the LDPR faced a new scandal in connection with the anti-Semitic statements by its Duma deputy Andrey Tkachenko.³⁷

The Just Russia (*Spravedlivaia Rossiya*) party has also been observed making contact with right-wing radicals. In June, the party’s youth organization (OSA) became a collective member of the People’s Cathedral (*Narodnyi Sobor*) movement; OSA’s leader, Nikita Slepnev at that time was a member of the Just Russia’s Central Council. In the autumn of 2011 Slepnev left the party.

However, the party’s contacts with right-wing radicals continued. On October 22 activists of the Just Russia took part in an unsanctioned rally “No

³⁴ LDPR rally with participations from the ultra-right took place in Moscow // SOVA Center. 2011. 14 July (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/06/d21871/>).

³⁵ LDPR proposes to repeal the federal law On Counteracting Extremist Activity // SOVA Center. 2011. 20 June (<http://www.sova-center.ru/misuse/news/lawmaking/2011/06/d21918/>).

³⁶ “No more feeding Moscow!” is a modified “No more feeding the Caucasus” slogan. The action was framed as part of the “No more feeding the Caucasus” campaign.

³⁷ Sokolov, Andrei, The LDPR Deputy Andrey Tkachenko is accused of anti-Semitism // Komsomol Truth (Komsomol’skaia Pravda). 2011. 1 December (<http://kp.ru/daily/25797.4/2778104/>).

more feeding Moscow!”³⁸ organized in Novosibirsk by the ROD Siberia, and on November 4th Ilya Ponomarev, the State Duma deputy from the Just Russia, addressed the Novosibirsk Russian March.

In contrast to all the above-listed parties, the Communist Party of the Russian Federation (KPRF) had no significant contact with ultra-right organizations and their activists. However, this lack of communication did not prevent their campaign from acquiring a xenophobic tone. In January, apparently inspired by the Manezhnaya Square events, they formally established the Russian Harmony (*Russkii Lad*) nationalist movement, headed by the State Duma deputy from the KPRF Vladimir Nikitin.³⁹ For three quarters of the year the movement barely functioned but in October the KPRF once again started actively promoting it, thus indicating its position on the “Russian question”. In addition, in the same month of October a scandal unfolded around the Communist Party following the anti-Semitic statements of Sergei Igumenov,⁴⁰ its Samara Provincial Duma candidate. In November the KPRF candidate Pavel Grudinin was taken off the Moscow Regional Duma list for making a series of discriminatory statements in his interview to the *Russian Reporter* (*Russkii Reporter*) magazine.⁴¹

The ruling party also responded to public demand for ethno-nationalism. Over the summer the Congress of Russian Communities (*Kongress russkikh obshchin*, KRO) reentered the political arena along with its former leader Dmitry Rogozin. Rogozin later called on the KRO members to support United Russia and Vladimir Putin personally.⁴² In August the KRO received its registration from the Ministry of Justice, and in the fall they even worked out a deal for a bilateral agreement with United Russia (never actually implemented. During his brief reemergence, D. Rogozin, managed to provoke a scandal with his anti-Islamic statements regarding the Kurban Bayram⁴³ holiday celebration. He also held an early October meeting with representatives of youth organizations in the

³⁸ LDPR introduced a draft bill regulating the sacrifices on Muslim holidays in the State Duma // SOVA Center. 2011. 24 October (<http://www.sova-center.ru/religion/news/authorities/legal-regulation/2011/10/d22844/>).

³⁹ Russia needs the “Russian Harmony!” // The Official Site of the KPRF. 2011. 18 January (http://kprf.ru/rus_soc/86743.html).

⁴⁰ Anti-Semitic statements of the KPRF activist in Samara // SOVA Center. 2011. 11 October (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/10/d22750/>).

⁴¹ Vishnevskaya, Yulia, Palnikolaich Imeni Lenina // *Russian Reporter* (*Russkii Reporter*). 2011. 31 October (<http://rusrep.ru/article/2011/10/31/palnikolaich>).

⁴² Rogozin called on his followers to support Putin // Lenta.ru. 2011. 21 September (<http://www.lenta.ru/news/2011/09/21/rogozin/>).

⁴³ Dzalilov Rustam. A Typical Bureaucrat. Islamophobic statements by Rogozin caused confusion in the society // *IslamNews*. 2011. October.

Presidential Administration building that included one of the Russian Image leaders among the attendees.

In general, the government policies in this area during the election period seemed ambivalent and even inspired a theory that the authorities wanted to “privatize” the topic of ethnic nationalism, in order to gain additional political points. On the one hand, President Dmitry Medvedev in summer and fall of 2011 repeatedly called on the “inside-the-system” parties to exclude any ethno-nationalist rhetoric from their election campaigns,⁴⁴ and, judging by the drop in xenophobic statements in the autumn months, the parties heeded his request. However, on the other hand, United Russia continued the above-mentioned contacts with the KRO and Dmitry Rogozin. Even more importantly, in response to the conviction of two pilots, the Russian and the Estonian, in Tajikistan, Russia initiated the deportation campaign against Tajik labor migrants, which was widely perceived as xenophobic. The ultra-right groups certainly welcomed the campaign, and several of them, such as the Moscow Defense League and Igor Mangushev’s Bright Russia (*Svetlaia Rus*), even participated in the raids against Tajiks in the Central and South-Western Administrative Districts of Moscow alongside the police officers (which was, in our opinion, completely inappropriate).

The contacts between ultra-right parties and the accepted “inside-the-system” parties only increased the overall xenophobia level of the election campaign, but never delivered any tangible benefits to the parties (the LDPR, which gained some votes from additional constituents with xenophobic views, might be the only exception). However, the mere fact that almost all of the “inside-the-system” parties participated in the ethno-nationalist discourse in one way or the other brought its visibility to a higher level.

Ultra-right rallies and marches

After the events on Manezhnaya Square in Moscow and the ensuing riots ultra-right groups enthusiastically took to organizing various public events, hoping to repeat the success of December 2010.

However, in the early months of the year, when the law enforcement agencies were demonstrating in every way their willingness to suppress any right-

⁴⁴ See for example Medvedev on nationalism during the elections: I am Russian, but I root not just for Russians, but for the other nations as well // *Gazeta.ru*. 2011. 11 November (http://www.gazeta.ru/news/lenta/2011/11/11/n_2091773.shtml).

wing rally, the far-right was unable to organize a mass gathering. For a while actions, proposed by the December 11th Movement, seemed to represent the most promising option. The Movement’s proposal was to hold rallies on squares in different cities on the 11th day of each month in order to remind the public about the Manezhnaya Square events and about the existence of activists.⁴⁵ Despite their vigorous promotion of the first few actions, despite attendance by the leaders of extreme right organizations, and despite the fact that the majority of autonomous nationalists supported the idea, organizing anything that could qualify as a mass event proved to be impossible. By the fall right-wing radicals abandoned their futile attempts to conduct any events on the 11th day of each month and switched to other subjects.

The “No more feeding the Caucasus” rally in Moscow, organized by the ROD and the RGS on April 23 became the first significant public action of 2011.⁴⁶ The event attracted only about 250 participants, but the organizers did not abandon the issue; on the contrary they doggedly continued to pursue it further.

The Russian May Day⁴⁷ was the second relatively mass action which became a test of strength for “the Russians” coalition, even more so due to their conflict with the DPNI. The ROD Association did not participate in this Moscow event. The march brought together about 600 people, the same number as in the previous year. Given the fact that this was a traditional event that needed no further promotion, held against the backdrop of hope, triggered by the increased number of participants in the Russian March of 2010 and continuing high “post-Manezhnaya” right-wing mobilization, the attendance of 600 people was perceived as somewhat of a failure for the new coalition. “The Russians” were more successful in St. Petersburg, where the RID and the NSI (both of them the coalition members) were quite active. The event brought together about 250 people compared to 150 last year.⁴⁸

The Russian May Day was also successful in Saratov. The Saratov march was organized by the Russian Bloc coalition, which, in addition to the National-

⁴⁵ The Ministry of the Interior started an investigation based on the online Manifest of a new ultra-right movement // SOVA Center. 2010. 22 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2010/12/d20601/>).

⁴⁶ Anti-Caucasus rally took place in Moscow // SOVA Center. 2011. 23 April (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/04/d21476/>).

⁴⁷ March of Nationalists in Moscow 1 May // SOVA Center. 2011. 1 May (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/05/d21536/>).

⁴⁸ May Day Actions of Nationalists in Different Cities // SOVA Center. 2011. 4 May (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/05/d21560/>).

Patriots of Russia (*Natsional-Patrioty Rossii*), led by Ilya Mayorov and the local DPNI branch (Pavel Galaktionov) also included the ROD Volga Region.⁴⁹ About 100 people attended the action, despite the fact that this was the first ever May Day event conducted in the region by activists of the radical right, and that their Russian March in the autumn of 2010 brought together no more than 50 activists. However, later the Saratov action provoked a conflict between the members of the Russian Bloc coalition, unhappy with the ROD Volga Region taking an exclusive credit for the event's success.

In the summer right-wing radicals had several opportunities for high-profile public actions: the murder of ex-Colonel Yuri Budanov on June 10 in Moscow; the conflicts in two villages, Sagra and in Nevskaya Dubrovka, which occurred on July 1 and 11 respectively,⁵⁰ and the death of student Ivan Agafonov in a confrontation with athlete Rasul Mirzaev in Moscow on August 15.

Each of these events received considerable attention, partly due to the advocacy of the extreme right, but none of the associated actions attracted mass participation. Right-wing radicals attempted to publicize Sagra and Nevskaya Dubrovka incidents using the now-familiar “Kondopoga technology,” but the outrage regarding the Sagra events dissipated as soon as the arrest of the bandits, who had attacked the village, was announced, and Nevskaya Dubrovka residents remained altogether indifferent to nationalist's appeals call to come out for a public gathering. With regard to Sagra and other similar events, it should be noted that many media outlets play into the hands of right-wing radicals by interpreting conflicts as ethnic, even in the cases when they are, in fact, purely criminal in nature.

However, the largely accidental death of I. Agafonov and even the obviously political assassination of Yuri Budanov failed to generate anything even remotely resembling a “second Manezh” despite the expectations of many right-wing activists and mass media. Several possible explanations can be found in each case, but it is generally apparent that disturbances and riots are impossible to predict and not so easy to organize. Note that the ROD and the RGS, who pose as moderates, also undertook an attempt to organize the protests, fraught with the possibility of rioting, in connection with the Agafonov's case.

As the election season approached, the street activity of right-wing radicals kept growing as well. The Russian Platform, established in the fall of 2011,

⁴⁹ Later other organizations joined the coalition: the RID, The 300 from Saratov, the Russian Club, and the Russian Strength.

⁵⁰ For more details, see Alperovich, Yudina, Summer 2011: A New Batch of Neo-Nazi Convicts and Dreams of a Second Manezh.

declared and actually tried to organize a countrywide campaign under the slogan “No more feeding the Caucasus!” The first action of this new campaign was timed to coincide with the Day of Remembrance for Victims of Ethnic Crime, traditionally held on October 1. This provoked another conflict between the RP and “the Russians” coalition — the latter concluded that the RP wants to steal their idea (the idea of action “against ethnic crime” was proposed by the DPNI in 2009) and refused to participate in the campaign, organizing their own event instead. The RP managed to outperform “the Russians” bringing 300 participants to their march, compared to the 150-200 participants at the competing event.⁵¹

The Russian Platform tried to build on this success by imposing their “No more feeding the Caucasus!” slogan on other members of the far-right movement as the main theme of the upcoming Russian March. Soon, however, the organization abandoned confrontation. Probably, the small number of participants attracted by the nationwide event held under this slogan on October 22⁵² cooled the RP's ardor. In Moscow even widely announced participation of popular blogger Alexei Navalny had no effect on the size of the meeting (once again, about 300 people). Nevertheless, the action attracted media attention, and nationalists managed to become a significant element of the public agenda for the first time since the Manezhnaya Square events. The slogan was actively discussed outside of the far-right circles and was even mentioned during the December Straight Line (*Priamaia Liniia*) TV program with Vladimir Putin.

Traditionally, the Russian March became the main event of the autumn, taking place in at least 35 cities of the country (compared to 29 the year before)⁵³ on November 4, 2011. Despite being able to add several new cities to the list of participants (and, in some cases, gathering more activists than in previous years under the nationalist slogans) the Russian March of 2011 did not become as much of a sensation, as it was in 2010, because the number of activists on the most important sites — Moscow and St. Petersburg — did not increase. About 6000 people gathered in Lublino area of Moscow (vs. 5500 the year before), and only 500 (vs. 1000 the year before) in St. Petersburg's South Seaside Park, despite the performance by the singer from the Kolovrat band, popular among the neo-Nazis. The Moscow event cannot be really considered a failure — after

⁵¹ Nationalist Actions Took Place in Moscow // SOVA Center. 2011. 3 October (www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/10/d22681/).

⁵² Nationalist Rallies in Russia // SOVA Center. 2011. 24 October (www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/10/d22845/).

⁵³ The Russian March on Town and Country // SOVA Center. 2011. 7 November (<http://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/11/d22954/>).

all, it was the highest attended Russian March in the event's history — but the March clearly did not meet the expectations of its organizers, who projected the attendance of 20,000 people.⁵⁴

Even participation of popular blogger Alexei Navalny had no effect on the size of the meeting. After the Russian March it became evident that the blogger's fans mostly don't share nationalist ideas and don't plan to follow him to public actions organized by the radical right.

An annual rally in St. Petersburg, conducted for the past two years by the organizations that currently constitute “the Russians” coalition, showed that unification failed to produce even a medium-term cumulative effect. On the contrary, it led to a noticeable decline in numbers of activists ready to follow the leaders. Bobrov's NSI suffered perhaps the greatest image losses from entering into a coalition; until then it still managed to maintain their authority and respect in the eyes of autonomous neo-Nazis (the NSI's principal audience).

Finally, we would like to comment on the “Russian Runs” (*Russkie probezhki*), a new form of street action mastered by the ultra-right in 2011.

The “Runs” was a natural outgrowth of the two trends previously observed in the ultra-right movement. First, for the past several years nationalist organizations have sought to be included in various social projects (donorship, aiding orphanages and families with many children, neighborhood clean-up, supporting healthy lifestyle, etc.). These projects help right-wing radicals to build a positive image in the eyes of their potential supporters, the authorities and the general public. They also provide an opportunity to communicate directly with ordinary people, especially the youth. However, apparently due to the growth of specifically political activity, most of these projects went into decline (except for a few projects of the slightly isolated Russian Image), while the imperative to reach a fresh young audience remained.

Second, a significant number of people among the far-right youth are engaged in a variety of sports, usually martial arts or strength training. The Straight Edge subculture focused on the “healthy lifestyle” (HLS) has recently grown in popularity. The popularity of the “healthy lifestyle” has been a valuable resource for the ultra-right.

In early January of 2011 a new initiative was born and immediately attracted the attention of right-wing groups and the nationalism-inclined youth — jogging events under a general slogan “Russian Means Sober” These actions (thanks largely to the TV reporting) quickly gained prominence and continued in many

⁵⁴ For more details see The Russian March — 2011 in Moscow // SOVA Center. 2011. 4 November (www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2011/11/d22942/).

cities even after the winter break. Right-wing organizations joined in actively promoting the races, taking part in them, and even organizing similar events of their own. Their interest in the action was further fueled by the official opposition, soon faced by the runners (activists were detained, and attempts to receive permission often failed) — so the event conveniently acquired a political interpretation, “the authorities prohibiting the Russians to jog.” In and of themselves, these activities carried no threat, but gradually they began to develop into a mechanism for involving secondary school students into the ultra-right movement. For example, during the Russian March in Moscow a separate column of young people held the “Russian Runs” banner, in St. Petersburg some activists arrived at the event after having attended the “Russian means sober” race, and in Vladimir, the “Sobriety Race” became the principal format of the event. Far-right groups lost interest in the races, once the government stopped official resistance, apparently having realized that creating obstacles for these events was bound to make things worse. The “Russian Runs” still continue.

Participation in the December protests

The situation changed dramatically for the nationalists as a result of the December 4 elections. Prior to that, they rightly viewed themselves as the most active political force in the country (it is sufficient to consider to size of their public events, once we exclude holiday “folk festivals” organized by the KPRF and United Russia from comparison). They were confident that an event was about to happen that would bring out tens of thousands, if not hundreds of thousands, of their supporters. However, the post-election public protest spilled onto the streets not under nationalist slogans, but under liberal ones.

One of the prominent distinct ultra-right actions was an unapproved rally in the evening of December 4 near the Revolution Square metro station, announced as far back as the Russian March. Besides the leaders of the ultra-right organizations only 100-150 people attended the action; most of them were detained.

On December 5 some representatives of the ultra-right movement took part in a protest rally held on Chistye Prudy in Moscow. Activists from the organizations which sought contact with the Liberals back in 2010 — the Russian Citizens Union (Alexander Khramov, Anton Susov) and the National-Democratic Alliance (Ilya Lazarenko, Alexei Shiropayev) were standing with their flags. Lazarenko and Khramov even addressed the gathering. The rally was attended by K. Krylov and V Thor (the ROD), but they were not admitted on stage.

It is also remarkable, that during this action A. Navalny for the first time tried to emphasize his loyalty to the ultra-right in front of the mostly liberal and left-wing audience, ending his speech with a popular nationalist slogan “One

for all and all for one.” Known to each (post)Soviet man and woman, the slogan was picked up by the crowd, as people apparently, simply didn’t catch the nod to the nationalists.

The ultra-right also attended the unapproved December 6 opposition rally on Triumfalnaya Square in Moscow. Alla Gorbunova (from K. Krylov’s ROD) was seen on the square. Some right-wing radicals on the Square joined the other opposition (for example, the Freemen (*Vol’nitsa*) group), while others took part in the counter-rally of the United Russia’s Young Guard (*Molodaia gvardiia ‘Edinoi Rossii’*, MGER). Later, many right-wing radicals called for “exposing” those who participated in the MGER rally).

The post-election political activity caused a split in the ultra-right movement. Some right-wing radicals regarded the rising tide of protests as a sign of an impending revolution and urged their supporters to participate in the new actions as actively as possible in order to seize the initiative. In particular, “the Russians” suggested that nationalists stand as a separate column, use as much imperial symbolism as possible, and shout down liberal slogans with their own ones. The Russian Platform member organizations took a similar position. The other activists characterized the actions as “Jewish”, “Orange” (referring to the Orange Revolution in Ukraine), and “paid for by the US State Department,” and urged the far right not to participate in them, and even to counteract the protesters. This category includes, first of all, a substantial part of autonomous neo-Nazis, although not all of them (see above re: the Freemen).⁵⁵

The Moscow rally “against election fraud” on December 10 showed that the majority of the capital’s right-wing radicals chose not to participate. Those, who still decided to attend, gathered mainly near the Revolution Square metro station (the original intended location, before the authorities moved the action to Bolotnaya Square) in order to demonstrate that, unlike the liberals, they will not “bow to the rulers.” However, as time went on, it became clear that all political groups arrived at the same decision — to gather on the Revolution Square and march from there to Bolotnaya Square, so nationalists found themselves in the same column with anti-fascists (however, no clashes were observed). The action was attended by leaders of “the Russians” coalition and the Russian Platform, as well as by Valery Solovey,⁵⁶ the MGIMO professor, whose popularity among the moderate wing of the ultra-right has been noticeably increasing. Overall about 500 people walked in groups with the imperial flags and the RGS flags.

⁵⁵ See also the similar statements of Alexander Sevastianov, a veteran of Russian nationalism: Alexander Sevastianov, Boloto imeni Saharova // Web site of Sevastianov A. N. 2011. 24 December.

⁵⁶ In early 2012 he became a leader of a dynamic party project New Strength.

The rally organizers gave the floor only to K. Krylov (at Alexei Navalny’s request) from among all the nationalists. Krylov’s address almost completely matched the liberal tone of the meeting, and after his single reference to the “Russian Revolution” the majority of those present at the rally expressed their obvious disapproval. Other attendees also explicitly protested any attempts by ultra-right activists to shout their own slogans, use torches, etc.

Unlike the Moscow rally, the rallies in other cities had no overwhelming majority of purely “non-partisan” but rather liberally-oriented attendees over activists of various political groups, so the latter played a more visible role. Right-wing radicals particularly benefitted from the situation, since their activity was much more visible than in Moscow. In St. Petersburg the right-wing radicals booed several speakers or silenced them by clapping, for example, not permitting Viktor Shenderovich to finish his address.

A rally in Nizhny Novgorod brought together about 5000 people, including a very active subset of nationalists. They got the crowd excited and led it in the singing of “Katyusha” (a protest activity suggested by the December 11 Movement). Several times the crowd, directed by the nationalists, chanted the slogan “Glory to Russia.” However, a conclusion about the mega-popularity of nationalists in Nizhny Novgorod would be premature, since the rally attendees could have failed to identify the “Katyusha” song and even the “Glory to Russia!” slogan as the ultra-right attributes.

After the high-profile events of December 10 one could expect many nationalists, unhappy with the success of the “liberals,” to retaliate by attending the December 11 action marking the anniversary of the Manezhnaya Square riots.⁵⁷ However, even in Moscow their approved meeting on Bolotnaya Square failed to attract more than 300–400 people, much fewer people than gathered at the same place the day before. Part of the crowd attempted to break through onto Manezhnaya Square, but almost all of them were detained by police.

The following round of the opposition-wide protests was planned for December 24, but, in the meantime, other rallies, also attended by nationalists, were taking place. At the December 17 Yabloko rally on Bolotnaya Square nationalists had little visibility, but the organizers still gave the floor to V. Thor, despite the fact that the Yabloko party had repeatedly proclaimed its refusal to collaborate with even moderate nationalists. In St. Petersburg on a large rally on December 18 at Pionerskaya Square nationalists were represented by Andrei

⁵⁷ Nationalists rallied in Moscow on December 10 and 11. There were fewer of them on Bolotnaya Square on December 11 // SOVA Center. 2006. 12 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/12/d23226/>).

Kuznetsov, the ROD- Petersburg coordinator. The ratio of nationalists at the event was low, but, as on December 10, they acted in a coordinated manner and actively booed liberal speakers, such as Boris Nemtsov. At the end of the meeting Igor Cherkasov, a member of the Other Russia (*Drugaya Rossiya*) party, waving the imperial flag from the podium, called for the audience to “attack Smolny” (in reference to the October Revolution). Some other far-right activists also tried to find their way to the podium, but the organizers managed to restore order.

For a while nationalists seemingly became an integral part of the protest movement. Seeking equal participation in the protests, nationalists attempted to exert a simultaneous pressure on the liberal and the leftist activists, prevalent in the informal leadership of the movement in preparation to the December 24 rallies. Without going through all the details of the December events, we have to mention a few moments.

Nationalists very actively used several online voting sites for selecting the candidates, who were to speak at the most important rally on December 24 in Moscow. It was obvious from looking the top candidates from these sites that they were favored not by the public leaders of nationalist organizations, but rather by activists, who perceived these leaders in a negative light. The highest rating was attained by the ex-leader of the banned group “Format 18” Maxim “Hatchet” (*Tesak*) Martsinkevich, who had served a prison term under Article 282, and whose appearance on stage was clearly unrealistic.

The nationalist leaders submitted an entire package of proposals for events to be held on December 24, openly competing with the protest movement’s Organizing Committee, and apparently trying to force a compromise. They rejected a separate site in Lublino, offered by the Moscow authorities, reasonably concluding that a separate nationalist rally would look pathetic compared to the general one.

Simultaneously, the nationalists tried to find their way into the decision-making structures that formed spontaneously in December. There were two most important structures at that moment: the Initiative Group (*Initsiativnaia Gruppy*, IG) and the Organizing Committee. The Organizing Committee made the final decisions, only partially taking the IG’s decisions into account, and was formed, without any procedure, to include the known cultural figures along with the left-wing and liberal politicians. The nationalists as a movement were not included in the Organizing Committee at all, and A. Navalny ended up being the only person, who represented their position (he only joined the Organizing Committee after his release from the 15-day imprisonment, which he served, along with many others, after breaking through the police cordon following the rally on December 5). The IG was also formed without any procedure, or, more precisely, everyone, who came to the IG session, became its member. De facto, the key role in the IG was

played by activists of various left-wing and nationalist groups, who, despite their mutual opposition, were equally interested in remaining in the forefront of the protest movement, and not being displaced by liberal and “nonpartisan” activists. Therefore, the IG stood for the broadest possible representation from all political sectors. Representatives of Memorial (and to some extent of the For Human Rights (*Za prava cheloveka*) movement) were unsuccessful in their attempt to bring up the issue of admissibility criteria for certain personalities, and whether their presence in the IG and on stage during the rally was appropriate.

At the IG meeting on December 22 the nationalists (A. Belov, B. Thor, K. Krylov, I. Mironov, Natalia Shalimova and others) came to an agreement with the Left to form a list of speakers at the December 24 meeting — partially based on the online voting results, and partially based on the “radicals” quota for both sides of political spectrum, which was set to 5 people. However, on the next day the Organizing Committee made a different decision. The list of speakers showed only minimal correlation with the Internet voting results (and not a single nationalist was included), and the quota for the radicals was reduced to three. Navalny, who actively defended the nationalists’ presence at the meeting, was supposed to be the Committee’s liaison to the nationalists regarding their specific candidates.

The ultra-right activists arrived an hour early to the civil protest of December 24 on Moscow’s Sakharov prospect and, in an organized manner, occupied the right sector next to the stage. Their numbers are not exactly known, but observers counted about several hundred people, perhaps a few more than on December 10.⁵⁸ During the rally the “right contingent” actively shouted down and whistled down the speakers it did not like (i.e. almost everyone).

V. Tor, K. Krylov (the ROD) and V. Ermolaev (“the Russians”) spoke on behalf of the radical right. This time elements of nationalist rhetoric appeared more frequently in their speeches, although their overall message was broadly democratic. At the end of the event, the ultra-right activists tried to break onto the stage, but were pushed back by the rally organizers. It is worth noting that the organized “right contingent”, while demonstrating support for their “official leaders”, at the same time (and with no less enthusiasm) demanded the podium appearance of Tesak, who was the leaders’ sworn enemy.

In Volgograd, on the contrary, the right-wing activist speaker Igor Mogilev (previously convicted under the Criminal Code Article 282),⁵⁹ who stated in his

⁵⁸ Nationalists attended the opposition meeting in Moscow // SOVA Center. 2011. 26 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/12/d23323/>).

⁵⁹ Igor Mogilev receives his verdict // SOVA Center. 2006. 18 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2006/12/d9807/>).

speech that liberals are working for the U.S. State Department, was booed. In response to the booing the right-wing radicals present at the rally began chanting “The Russians, forward!”

In several cities, such as Novosibirsk, Murmansk, Sochi, Ulyanovsk, and others, the ultra-right activists peacefully coexisted with the other participants of the rally.

The situation was quite different in St. Petersburg, where two separate rallies “for fair elections” took place on December 24. The first one, on Pionerskaia Square, attracted about 6-7 thousand people, mostly representatives of the “inside-the-system” parties, with no nationalists among them. The second rally on Sakharov Square brought together about two thousand people, and people with imperial flags — that is, the nationalists and the National Bolsheviks — comprised a significant share. Nikolai Bondarik, the RID representative (who served a prison term for murder back in the 1990s), A. Kuznetsov, the head of the ROD-St. Petersburg and “the Russians” representative Dmitry Sukhorukov addressed the gathering.

Another action worth a separate comment took place in Syktyvkar. While in St. Petersburg the two opposition rallies were split along the “inside the system”/“outside the system” line, in Syktyvkar the nationalists themselves became a reason for a split. Two events took place at the same time on Teatralnaya Square: about 35 people under the imperial flag attended the rally organized by the ultra-right Northern Frontier (*Rubezh Severa*) organization, while about 250 people gathered under the Russian tricolor. Each rally had its own speakers; there was no conflict between the extreme right and the other event participants.⁶⁰ In general we can say that the ultra-right activity “against electoral fraud” is quite noticeable (and noted by almost every media outlet), but remains quite low-key, much lower than it could be, if we compare the number of the attending activists with the number of the Russian March participants. This can be explained by the fact that most people in the right-wing circles remain undecided on the issue of joint actions with “rotten liberals,” not prepared for the actual seizure of power by force. Based on discussions on the ultra-right forums and blogs, we can conclude that the majority decided to wait, hoping for possible deterioration of the situation and a transition from rallies to “action”.

Thus, the current leaders of right-wing public organizations seem to have decided on the strategy, but unable to determine their target social base, and therefore, could not always follow the course.

⁶⁰ For more details regarding the participation by nationalists in the rallies “for fair election”, see Nationalists on the Rallies against Electoral Fraud in Russia // SOVA Center. 2011. 27 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/12/d23337/>).

On the one hand, these leaders proclaim with increasing insistency that their target audience is not simply a thin and rather marginal layer of right-wing youth, dreaming of the “white revolution,” but the 50-60% of the Russian society, who, according to the opinion polls, to some extent support the slogan “Russia for the Russians.” As far as we can tell, the nationalists’ new moderate rhetoric and the challenging endeavor of joining the democratic opposition have been pursued specifically in order to attract this currently unaffiliated majority of Russians.

However, on the other hand, the majority of actions organized by nationalists in 2011 targeted soccer fans and other radicals, thus undermining their own efforts to attract a wider social base of xenophobic Russians, who are unprepared to take to the streets together with “skinheads.” The “Stop feeding the Caucasus!” campaign was, perhaps, the only project truly designed with mass appeal in mind. However, this attempt proved to be unsuccessful; the campaign produced a lot of noise, but, by and large, failed to bring in either unaffiliated radicals or apolitical Russian citizens.

Uncertainty and instability of the chosen course is clearly visible from the nationalists’ behavior during the December rallies “for fair elections.” The leaders of the ultra-right organizations declared their willingness to cooperate with representatives of other movements while, at the same time, handing out whistles to their flock of right-wing radicals, who explicitly demonstrated their disregard for most speakers on the rally. In fact, the behavior of whistling and screaming young people under the imperial flag destroys the fragile image of “nationalists with a human face” that leaders of the right-wing movements are trying to create.

Counter-action to radical nationalism and xenophobia

Public initiatives

The activities of civil society representatives to counter xenophobia and radical nationalism in 2011 took place within the framework of their traditional projects.

On January 19, 2011 the All-Russian campaign in memory of Stanislav Markelov, Anastasia Baburova and all those who died at the hands of neo-Nazis took place in at least 23 Russian cities. In Moscow, in contrast to the previous year’s event,⁶¹ there were no incidents. The anti-fascist march and rally were attended by about 600 people.⁶²

⁶¹ For more details, see The Action in memory of Stanislav Markelov and Anastasia Baburova took place in Moscow // SOVA Center. 2010. 21 January (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/12/d23337/>).

⁶² There were 1500 participants in 2010, and about 500 on 19 January 2012.

From March 14 to March 21, 2011 an International Week of educational activities “Stop Racism!” took place under the umbrella of the European Action Week of UNITED network for Intercultural Action. However, the week engaged only a handful of Russian cities, and the number of events was modest.

Public activity slightly increased in the autumn months, as expected. From November 9 to November 16 at least 12 Russian cities hosted the annual International Week of Tolerance under the slogan “Kristallnacht — never again! On November 13 a picket took place in St. Petersburg in memory of the antifascist musician Timur Kacharava, who died on this date at the hands of neo-Nazis. The event attracted several dozen people. In addition, the day before, St. Petersburg anti-fascists symbolically renamed Kolokol’naya Street into “Timur Kacharava Street,” by taping a new name plate over the street sign.

Another annual St. Petersburg event, the “March against Hate”, instituted in 2004 after the assassination of scientist Nikolai Girenko by neo-Nazis, was organized this year by the regional branch of United Russia. Human rights activists have decided not to hold a march, so as not to “politicize” the event, and this tradition has, in fact, been exhausted.

On the eve of the 2018 World Cup, scheduled to take place in Russia, heads of soccer clubs and the Russian Soccer Union (*Rossiiskii futbol’nyi soiuz*, RFS) were forced to address the issue of racism among football fans, especially since racist incidents continued to occur throughout the year. Racist incidents (primarily against black players) were reported in Samara, Vladimir, Krasnodar, and St. Petersburg. The RFS Control and Disciplinary Committee had to impose a fine on Zenit soccer club for the manifestations of racism at St Petersburg’s Petrovsky Stadium on March 21. The fans of Spartak soccer team received fines for the riots that had taken place during the central match Rubin (Kazan) — Spartak (Moscow), held on October 16 in Kazan.

The RFS in collaboration with the Russian Premier Soccer League (RFPL) started developing the draft law “On the law enforcement and public safety in sporting events and other mass events in the Russian Federation.” On the basis of these discussions they developed the Spectator Code of Conduct and Security at the Stadium, adopted on September 8 and approved by the Ministry of Internal Affairs on September 30.⁶³ Among other things, the code prohibited “*shouts, chants, slogans and singing, public display of signs and/or other symbols, the distribution of printed materials, as well as other actions insulting event participants and spectators, offending morality or extremist in character, or intended to incite*

⁶³ The full text is available on the RFPL web site at <http://rus.rfpl.org/index.php/page/index/documents>.

racial, social, and ethnic hatred.” Political actions and Nazi symbols are banned in a separate statement.

At the same time the RFS announced the publication of the list of symbols banned at stadiums, as an attachment to the above-cited Code of Conduct. In August 2011 the leadership of the Russian Premier Soccer League announced the release of the photographic album of neo-Nazi symbols developed for the information of law enforcement officials and the soccer clubs leadership. The album was based on the UEFA materials “Racist and neo-Nazi symbols in Soccer: A manual for stewards and security personnel,” and the list was compiled by the FARE (Football against Racism in Europe) organization in preparation for Euro-2008. We do not know whether the album has been released in print, but its electronic copy has been disseminated via forums of most Russian soccer fan clubs.

Creation and clarification of regulatory acts

The most important and positive development of the year was neither a law nor a legislative proposal; it was Resolution No. 11 of the plenary meeting of the Supreme Court of the Russian Federation “Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism” adopted on June 28, 2011,⁶⁴ already cited in this report on several occasions.

The Court clarified a number of controversial issues regarding the distinctions that determine different qualifications of alleged extremist acts.

First, it confirmed that mass distribution of prohibited materials could be considered a criminal offense under Article 282, if the prosecution proves direct intention of inciting hatred.

Second, the court found the application of Article 282 to violent crimes, if they were aimed at inciting hate in third parties, to be appropriate; for example, through public and provocative ideologically motivated attack. Various acts of vandalism, when they result in a public message, such as, for example, a graffiti inciting hate, should be considered under the aggregation of the relevant articles (i.e. Articles 214 and 244) and Article 282.

Third, the court stated that in order to find a person guilty of involvement in an extremist group (Article 282¹ of the Criminal Code) any form of participation was sufficient, even if no other crimes were committed.

⁶⁴ The text of Resolution No. 11 of the plenary meeting of the Supreme Court of the Russian Federation “Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism” adopted on June 28, 2011 // Web site of the Supreme Court of the Russian Federation. 29 June (http://www.supcourt.ru/Show_pdf.php?Id=7315). See also SOVA commentary on the Resolution of the Supreme Court plenary meeting regarding extremism // SOVA Center. 2011. 1 July (<http://sova-center.ru/misuse/publications/2011/07/d22010/>).

The ruling also contained a number of important points, which had been raised by experts and human rights advocates for many years, and were needed primarily in order to eliminate inappropriate law enforcement.

First, the court stated that criticism of officials and politicians should not qualify under Article 282, since, in this respect, they cannot be held equal to ordinary citizens.

Second (and this is even more important in the context of Article 282), the criticism of political, religious and ideological beliefs and associations, as well as national and religious customs in and of itself does not constitute hate speech.

Third, the court prohibited to ask the experts (linguists, psychologists, and others) any questions related to the legal evaluation of the offense. For example, the examiner can not ask the question of whether the materials under review were intended for inciting national hatred. Thereby, the Supreme Court merely restated a founding principle of the criminal procedure legislation — the legal issues always remain the responsibility of the investigation and the court.

However, the Resolution did not eliminate all the blind spots in the anti-extremist legislation. In particular, it gave no clarification regarding the kinds of groups enjoying the protected status under the anti-extremist legislation, in its part relating to the motive of hatred toward a social group. The core meaning of the Criminal Code Article 282² (“organization of an extremist group”) also remained without any clarification; for example, whether activities conducted under a different name and logo, but by the same persons and for the same purpose, could be considered a continuation of activities by the banned organization.

Finally, based on experience, we don’t expect the courts to accept the unusual Supreme Court clarifications quickly. Nevertheless, we already saw some cases, where the verdicts clearly reflected these clarifications.

The presidential bill, expanding the use of “professional restrictions” under some “extremist” articles of the Criminal Code, went into force on July 26. It reformed Articles 280 (“public incitement to extremist activity”), 282¹ (“organization of an extremist community”) and 282² (“organization of an extremist group”). In some cases the punishment in the form of ban on occupying certain positions or engaging in certain activities was newly introduced, and in other cases its use was expanded.

In this case we support more stringent “bans on professional activity,”⁶⁵ as well as the fact that prison sentences were not increased; we believe that a prison term is not an appropriate punishment for “mere words.”

⁶⁵ Please keep in mind that inappropriate verdicts are being handed down under Articles 280 и 282² as well.

The issue of location, where the offenders convicted under some of the “extremist” articles should serve their prison time, had been raised by the presidential law “On Amendments to Articles 73 and 81 of the Penal Code of the Russian Federation (aimed at increasing the efficacy of measures taken to counter terrorism and extremism)” that took effect on August 1.

According to the adopted amendments, people convicted under Article 282¹, Article 282² and Part 2 of Article 208 (“participation in illegal armed formations”) of the Criminal Code, will not necessarily serve their sentence in their region of residence, or in the region where the conviction took place, but according the decision, made by the federal agency of the criminal-penal system. This measure was previously utilized for those convicted under the Criminal Code articles dealing with terrorism, banditry, insurgency and other similar acts, as well as for extremely dangerous criminals sentenced to life imprisonment.

In our opinion, this bill has both positive and negative aspects. On the one hand, it could help in preventing powerful radical groups within a single prison, but, on the other hand, it has a corruption potential, and could be used, for example, for blackmailing defendants with an opportunity to serve their term in a “good” or “bad” colony.

The presidential bill presenting extensive humanization of the Penal Code (including “crimes related to extremism”) went into force on December 7, 2011. Under this legislation, custodial sentences will be less frequently imposed for offenses under Part 1 of Article 280, Part 1 of Article 282, Part 2 of 282¹ and Parts 1 and 2 of Article 282² of the Criminal Code, as these crimes will now be considered minor offenses, to which custodial sentences shall not apply in the absence of aggravating circumstances. We welcome this initiative, since it relates to sentences for offences that involve “mere words” or the fact of membership in a group.

Amendments will indirectly affect the practice of giving a suspended sentence for these crimes. A suspended sentence is usually given in lieu of a prison term, and, since such custodial sentences are now expected to become rare, the number of suspended sentences should decrease as well. We welcome these changes, because we believe that an ideologically-motivated offender tends to perceive a suspended sentence as, essentially, a non-punishment.

In addition, the law provides for the introduction of a new type of punishment, mandatory labor, which will now be considered as a prison alternative for crimes of minor to moderate severity, as well as for the first instance of certain serious crimes. It is assumed that the offenders will serve this punishment in dedicated correctional centers. The introduction of mandatory labor is scheduled for 2013.

In general, the adoption of these laws and the Supreme Court Resolution together already constitute a positive trend. The government finally assumed the task of reforming anti-extremist legislation or even law enforcement. Unfortunately, the major faults still remain in the system, and the authorities are not yet prepared for a serious overhaul of this legislation. The draft reform of the legislation, developed with SOVA Center's active participation and submitted by the Council for Human Rights in the Administration of the President in early July, was rejected.

In addition, in 2011 two seriously problematic pieces of anti-extremist legislation were introduced.

On August 4 the government sent a bill to the Duma that dealt with financing extremist activities and propaganda of extremism on the Internet. It provides:

- Introduction of a new article of the Criminal Code, 2823 (“funding of extremist activity”), with penalty ranging from a fine to up to 6 years’ imprisonment;
- Inclusion of valuables intended to finance extremist activity into the list of confiscated property;
- Giving the Internet the media status in relation to Articles 280 and 282;
- Setting procedural deadlines associated with the recognition of extremist materials. The judgment should be sent to the Ministry of Justice within three days, and the Ministry of Justice should add the decision to the Federal List within 30 days.

We believe that the introduction of article on financing extremist activities serves no useful purpose, since the Criminal Code already assumes that providing funds for the commission of a crime is a form of participation (Article 33 of the Criminal Code). However, the addition of this article is not expected to cause any harm.

As for treating the Internet equally to mass media, this initiative seems to us very ill-conceived. First, not all material posted on the Internet is publicly accessible; it can be hidden behind a password and accessible only to a narrow range of users, making this arrangement no different from a group e-mail. Second, in any propaganda crimes the degree of publicity is critical. While the extent of public exposure is sufficiently clear when applied to the media, for the statements made online exposure can vary greatly — from a broadcast, exceeding the circulation of most newspapers, to a conversation in a crowded room.

The proposed bill encourages serious prosecution (especially under Article 280) for Internet remarks, even when public danger is only negligible because of the small audience size. In fact, the amendment does not essentially change the disposition of Article 282, which already mentions the Internet, along with

the media. In case of Article 280, however, utilizing the media (and, according to the proposed bill, the Internet as well) constitutes a qualifying clause, so that any call to extremist activity on the Internet would have to be punished under this article by nothing less than imprisonment for up to five years. The motivation for such a harsh innovation is not clear. Even now, nothing prevents the prosecution from filing charges based on illicit statements posted on the Internet, and a considerable case base (of both legitimate and inappropriate application of the law) has been accumulated.

The bill shows no signs of advancing through the Duma, and, considering the growing resistance, might never pass in its current format.

On October 11, 2011 President Dmitry Medvedev submitted to the State Duma a draft federal law Concerning the Introduction of Amendments to Article 22.1 of the Federal Law “Concerning the State Registration of Legal Entities and Private Entrepreneurs” and articles 331 and 351.1 of the Labor Code of the Russian Federation.”

The bill concerns the restrictions on working with juveniles. Now it is prohibited to everyone, who have been convicted or charged (and never acquitted) under a good half of the Criminal Code articles. The bill proposes to add crimes against the foundations of the constitutional order (Chapter 29 of the Criminal Code) to the list, including offences under Articles 280, 282, 282¹ and 282².

We have no objections against the law itself, but would like to emphasize a considerable amount of wrongful convictions imposed under these articles of the Criminal Code. This means that victims of anti-extremist legislation misuse would face an even greater deprivation of rights, if this bill passes.

Criminal prosecution for violence

In 2011 the prosecution of violent racist crimes was very active, although the number of cases was numerically smaller than the year before. In 2011 there were at least 59 convictions⁶⁶ for violent crimes, where hate was a motive in 32 regions of Russia (in 2010 there were 91 convictions in 36 regions). As a result of these trials, 200 persons were found guilty, compared to 320 in 2010. A decrease

⁶⁶ One of the verdicts was based on Part 2 of the Criminal Code Article 105 (“attempted murder of two or more people committed by a generally dangerous method for reason of ideological hatred”) to the Islamist terrorist Musa Yasulov, the organizer of the Volgograd explosions. This is the first time we know of applying an “ideological hatred” qualification to this kind of crime. Islamist militants are usually charged under the Criminal Code articles related to terrorism.

in comparison with 2010 should not be surprising; first, the number of individuals, convicted of such crimes, can't be expected to grow indefinitely, and second, we must take into account a large (about two years) time interval between a crime and the associated sentence. Hate-motivated crimes reached their peak level in 2008.

In prosecution of racist violence the judiciary used almost the entire range of the Criminal Code articles that contain hate motive as aggravating circumstance: Part 2 paragraph L of Article 105 (“murder motivated by hatred”); Part 2 of Article 119 (“murder threat motivated by ethnic hatred”); Part 2 paragraph “e” of Article 111 (“infliction of grievous bodily harm motivated by ethnic hatred) and Parts 3 and 4 of the same article; Part 2 paragraph “e” of Article 112 (“infliction of moderate bodily harm motivated by hatred”); Part 2 paragraph “b” of Article 115 (“infliction of bodily harm motivated by hatred”); Part 2 paragraph “b” of Article 116 (“beating motivated by hatred”), Part 1 paragraph “b” of Article 213 (“hooliganism committed motivated by hatred”) and Part 2 of the same article.⁶⁷ Of course, in some cases these charges were combined with others.

In 2011 the Criminal Code Article 282 (“ethnic hatred”) was utilized in 11 convictions related to violent crimes (against 40 persons, except in cases, for which the statute of limitations had expired). Note, that according to Resolution No. 11 of the plenary meeting of the Supreme Court of the Russian Federation “Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism,” adopted on June 28, 2011 (see more about this resolution in our “Creation and Clarification of Regulatory Acts” chapter), it is appropriate to apply Article 282 to violent crimes, if they are aimed at inciting hate in third parties, for example, through public and provocative ideologically motivated attack.

Previously, we opposed the application of Article 282 to violent crimes, believing that an aggravating circumstance relevant to the article was sufficient to denote the racist nature of the crime. However, after the Supreme Court ruling with detailed commentary on this issue, we accept this application of the article as well. We emphasize, however, that the criterion of publicity is crucial for verdicts made under Article 282, so the existence of a substantial “audience” has to be demonstrated.

In 2011 almost all cases of utilizing this article in the violent crime convictions were justified. In most cases the attacker shouted incitements of hatred in front of witnesses during the incident. In two cases we have some doubts regarding the extent

⁶⁷ In our opinion, this Article is an example of problematic points in this legislation, because, by the Criminal Code definition of “hooliganism,” the article ought to imply a violation of public order done for a purpose of violating public order, i.e. without any other purpose. The presence of paragraph about the hate motive makes this article self-contradictory. For details, see The Press Conference “What will the art group “War” receive – a prison term or a government award?” // SOVA Center. 2011. February 21 (<http://www.sova-center.ru/misuse/news/persecution/2011/02/d21026/>).

of publicity, but we may not be aware of all the relevant details of the incident. In some cases propaganda activities were directly linked to violence, but did not constitute a single action with it; that is, the criminals filmed their attacks and posted them online.

Another controversial issue concerns the use of the term “social group” for various categories of people. Unfortunately, the Supreme Court Resolution did not provide any clarifications regarding the term “social group” that appears in the Criminal Code in the context of describing the possible motives of hatred (the Supreme Court pointed out that Article 282 should not be used to protect officials from criticism, but this caveat represents only a fraction of the problems generated by the use of this term in the Criminal Code). In 2011 such categories as “immigrants,” “bureaucrats,”⁶⁸ “punks,” “anti-fascists,” and “hooligans (gopniki)” were recognized as social groups. Declaring these categories (particularly the last two) to be social groups in need of extra protection through the use of anti-extremist legislation is, at the very least, debatable.

In 2011 the court decisions in cases of violent crimes motivated by hate were distributed as follows:

- 3 people were acquitted;
- 11 people were found guilty but released from punishment because the statute of limitations had expired;
- 63 people received suspended sentences;⁶⁹
- 1 man was sentenced to be placed in disciplinary military unit;
- 4 people were sentenced to correctional labor;
- 14 people received a custodial sentence of up to one year;⁷⁰
- 3 people received a custodial sentence of up to 3 years;
- 18 people – up to 5 years;
- 38 people – up to 10 years;
- 12 people – up to 15 years;
- 14 people – up to 20 years;
- 8 people – 20 and more years;
- 8 people received a life sentence.

In at least two cases the court ordered the offenders to pay a very large-scale financial compensation to their victims. Unfortunately, reports about such measures are rarely encountered in the news, although the victims should be entitled to monetary compensation for moral and physical harm.

⁶⁸ In the text of a propaganda conviction.

⁶⁹ One of them also received an additional fine.

⁷⁰ The distribution of prison terms is approximate, since in some cases, we do not exactly know the sentencing distribution within a group trial. In such cases, we counted all the punishments as equal to the lowest possible punishment known for the case.

We observed two contradictory trends in the penalties data, shown above. On the one hand, in 2011 we observed a record number of life sentences due to the completion of several major trials, featuring defendants, who had repeatedly committed particularly brutal murders.

On the other hand, the tendency to give suspended sentences for violent crimes have not weakened; the proportion of suspended sentences in 2011 amounted to about one-third (60 out of 189 people, who received any form of court-ordered punishment, compared to 100 suspended sentences out of 297 people in 2010).

Some suspended sentences were understandable. They were partially the result of deals with prosecutors in large group trials. The verdict by the City Court of Protvino, Moscow Region in the trial of the local DPNI branch leader illustrates the case; he was given a suspended sentence of five years for the crimes that included beatings and even complicity to murder of immigrants from Tajikistan. Obviously, such a disproportionately light punishment resulted from a deal with the prosecution.⁷¹ Some defendants from the group trials received suspended sentences because their direct involvement in the attack could not be proved. Some received suspended sentences under the “light” articles (Articles 115 and 116) of the Criminal Code, which did not provide for severe punishment. At the same time, some suspended sentences appeared inconsistent with the gravity of the offense. For example, it is hard to explain the suspended sentence in Tver, received for the knife stabbing of a visitor from Tajikistan, or a suspended sentence in Izhevsk handed down to two young men for throwing rocks at people.

Once again, we have to repeat that suspended sentences for racist attacks do not deter offenders from committing similar crimes in the future. The example of right-wing Irkutsk leader Evgeny (“Boomer”) Panov, mentioned in this report for the second consecutive year, illustrates the point. Previously, Panov had been implicated in several criminal cases related to the neo-Nazi violence that he had committed together with various groups of young people. Despite this, he remained at liberty for a long time. During this period Panov managed to commit at least two attacks, and only after yet another beating, he was finally arrested on charges of killing a Kyrgyz citizen and an Uzbek citizen in 2009. In September 2011 Panov was sentenced to 18 years in a maximum security penal colony.⁷²

Somewhat earlier in 2011 Boomer was also given a suspended sentence in another high-profile and prolonged case involving Nazi violence (although the court

⁷¹ The DPNI branch leader in Protvino received a suspended sentence for the murder of a Tajikistan native // SOVA Center. 2011. 24 January (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/01/d20809/>).

⁷² For more details, see verdict handed down in the fifth case of Irkutsk neo-Nazi and his co-defendants // SOVA Center. 2011. 21 September (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/09/d22593/>).

did not utilize the hate motive in its verdict). In November 2011 the Angarsk City Court finally handed down the verdict in the case of an attack by neo-Nazi skinheads on the camp of environmentalists in Angarsk (Irkutsk region) in July 2007, in which eight people were seriously injured, and 21-year-old Ilya Borodaenko died.⁷³

Several high-profile court trials took place in 2011, and several notorious criminal cases ended with guilty verdicts.

During this period several well-known neo-Nazi gangs were convicted for carrying out a series of violent murders, the most famous being the Borovikov – Voevodin⁷⁴ gang in St. Petersburg (12 people convicted) and National-Socialist Society -North (*NSO-Sever*)⁷⁵ in Moscow (13 people convicted). Most gang members were sentenced to long prison terms, and seven people received life sentences. Among other major groups, convicted in 2011 we can list the Yekaterinburg Volkssturm group (9 members convicted), the Team of White Inquisitors (*Komanda belykh inkvizitorov*) from Ryazan (7 members convicted), the White Legion (*Belyi legion*) from Dzerzhinsk Region (4 members convicted), the Lincoln-88 from St. Petersburg (19 members convicted) and the Kazan Patriotic Front (*Front kazanskikh patriotov*) from Tatarstan (two sentences convicting a total of 8 people).

One of the most high-profile convictions was the May 6, 2011 ruling by the Moscow City Court regarding the notorious murder of lawyer Stanislav Markelov and journalist Anastasia Baburova. The verdict imposed a life sentence on Nikita Tikhonov and a prison term of 18 years on Eugenia Khasis.⁷⁶

⁷³ Four people received lengthy prison terms for this attack, and 16 received suspended sentences. The conviction failed to convince both the prosecution and the defenders, and the court decision was contested. At the time of writing the results of the appeal are not known.

⁷⁴ The verdict in the Borovikov – Voevodin gang trial was delivered by the City Court of St. Petersburg on June 14. Nearly all the defendants were found guilty. Alexei Voevodin and Artem Prokhorenko received a life sentence; ten people received sentences ranging from two years' probation to 18 years in prison. Two men were acquitted and released in the courtroom. One of them, Andrey “Fighter” Malyugin was arrested shortly after (on the night of August 30) in St. Petersburg on suspicion of two murders committed after his release. For more details see The verdict in the Borovikov – Voevodin gang trial was delivered in St. Petersburg // SOVA Center. 2011. 14 June (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/06/d21872/>).

⁷⁵ On July 11, 2011 the Moscow district military court convicted members of the group NSO-North, who were accused of committing 39 crimes motivated by hatred, including 27 murders. Five gang members received life sentences, the rest were sentenced to terms ranging from 10 to 23 years in prison. Only one man, who turned himself in and made a deal with the investigation, received a suspended sentence. For details, see The NSO-North neo-Nazi group was sentenced in Moscow // SOVA Center. 2011. July 11 (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/07/d22096/>).

⁷⁶ For more details, see Alperovich, Yudina, Summer 2011: A New Batch of Neo-Nazi Convicts and Dreams of a Second Manezh.

Among other verdicts for violent crimes committed for ideological reasons, despite the absence of the hate motive in the indictment, we must point out the sentence imposed on the NSO activist Sergei Marshakov for assaulting a government official (in September 2009 he opened fire on two FSB employees, who came to search his house). Marshakov was sentenced to 16 years in prison.

In 2011 only one sentence was imposed in connection with the Manezhnaya Square riots of December 2010. Five people (three of them members of the Other Russia party) received from 2 to 5 years in prison for participating in mass riots.⁷⁷ The degree of severity of this sentence is difficult to assess due to the fact, that judicial practice relating to participation in riots is nonexistent. These offenders were clearly neither the instigators of the riots, nor the only active participants. In several cases the verdict seemed excessively harsh. We might still see other trials related to the Manezhnaya Square events, but we don't have any information about the progress of those investigations.

Most importantly, we know nothing about criminals charged with numerous racist attacks that occurred in December 2010 — January 2011 on Manezhnaya Square and in its vicinity. Ilya Kubrakov, the eighth-grader (at the time), who is suspected of organizing riots on Manezhnaya Square, and of the next day murder of a Kyrgyzstan native, remains the only exception.

Criminal prosecution for vandalism

In 2011 we know of 7 convictions for the total of 12 people for ethnically-motivated and neo-Nazi vandalism, and for vandalism motivated by religion (in 2010 we recorded 9 convictions for the total of 18 people) handed down in Arkhangelsk, Moscow, Kurgan, Orenburg and Penza Regions and in Khabarovsk Kray.

In all these cases the charges were brought under Part 2 of the Criminal Code Article 214⁷⁸ (“vandalism motivated by ethnic or religious hatred.”) In one of the verdicts it was aggregated with Article 282, in another one — with Articles 282 and 280 (“public incitement to extremist activity”).

We would like to point out that in these two sentences the Court already took into account the above-mentioned Supreme Court Resolution of June 28, 2011, stating that “*if the destruction or damage of monuments is accompanied by actions aimed at inciting to hatred or hostility (e.g., inscriptions or drawings of*

⁷⁷ The charges also included part 2 of the Criminal Code Article 318 (“Use of Violence Against a Representative of the Authority”). One of them was also charged under Part 4 of Article 150 (“Involvement of a Minor in the Commission of a Crime”) и Part 1 of Article 282.

⁷⁸ In one of the verdicts (for attempting to set fire to the Orthodox Church building in Rostov-on-Don) we are not completely confident regarding the qualification used by the prosecution.

relevant content or nationalist slogans in the presence of other people) Article 282 should be added to the qualification.”

Four people received suspended prison sentences; three more were sentenced to fines of 10,000 rubles, and three — to restriction of freedom (a new form of punishment, also known as house arrest, was introduced in the Criminal Code as a major penalty at the end of 2009).

These penalties were imposed for drawing racist graffiti on fences and house walls and swastikas on the mosque building. In this case we agree that the punishment seems to fit the crime.

Two men were sentenced to prison terms. The first of them, the ideological vandal Ilya “Schizophrenic” Petrov, was punished for committing a series of hate-motivated crimes, including bombings and arson. The Penza Regional Court has pronounced the verdict based on the aggregation of Article 214 with a whole series of other Criminal Code articles: Part 1 of Article 222 (“illegal acquisition and possession of firearms and explosives”); Part 3 of Article 30; Part 2 of Article 167 (“attempt to destroy other people’s property”); Part 1, Article 223 (“illegal manufacture of weapons”), Part 1, Article 282, Article 317 (“encroachment on the life of a law enforcement officer”), and Part 1, Article 318 (“use of violence against a government representative”). The second vandal got a non-trivial prison term for attempting to set fire to the wooden church of John the Warrior in Rostov-on-Don.

As can be seen from the above data, the number of convictions for xenophobic vandalism is an order of magnitude smaller than the number of vandalism incidents recorded by our organization (see above). The small number of convictions (handed down primarily for xenophobic graffiti) can be explained by the fact that, due to the dual nature of these crimes, some cases could be qualified not as vandalism, but rather as propaganda under Article 282. The sentence under Article 282 for anti-Semitic graffiti on the building of the Barnaul Jewish community⁷⁹ provides a typical example.

This happens partially because the article addressing incitement to hatred is better known in the community and the media (and, likely also, among law enforcement officers responsible for “countering extremism.”) But the main reason is that most xenophobic graffiti applied to objects that, unlike the religious buildings or monuments, can't be vandalized (walls or fences), so the qualification of such acts under article other than vandalism is appropriate. However, in our opinion, such minor offenses (swastikas and graffiti on the walls) should not even be subject to criminal prosecution.

⁷⁹ The defendant was sentenced to mandatory labor under Article 282. She was not charged with vandalism.

Unlike xenophobic graffiti, the actions of vandals, who use explosives and arson, present a clear danger. Unfortunately the number of convictions addresses only a fraction of these crimes. At least we have not encountered any information about the progress in investigations of the past explosions and arson attacks.

Criminal prosecution for propaganda

In 2011 at least 71 trials related to xenophobic propaganda ended in guilty verdicts for 79 defendants (two people were also acquitted in two separate verdicts)⁸⁰ in 40 regions of the country (in 2010 we recorded 71 verdicts to 82 people respectively).

The convictions for 75 people out of 79 were based on Article 282 of the Criminal Code. The overwhelming majority (59 people) were convicted solely on the basis of this Criminal Code article; seven more were convicted under the aggregation of Article 280 and other articles of the Criminal Code. Two of verdicts additionally referred to Article 214 (they are also cited in our “Criminal Prosecution of Vandalism” chapter), one referred to articles 214 and 280 (also cited in our “Criminal Prosecution of Vandalism” chapter), one more verdict was additionally based on the Criminal Code articles 280 и 282 (“organization of an extremist group,” see below), another one – on articles 280, 282¹, 115, 167 (the verdict to the Protvino DPNI leader also cited in our “Criminal Prosecution of violence” chapter). One conviction was additionally based on articles 282¹, 115 и 105 (“murder”, the verdict to the leader of the Yekaterinburg *Volkssturm* group), and, finally, one was based on Article 242 (“propaganda of pornography”). Three defendants were convicted solely on the basis of the Criminal Code Article 280, one more – under the aggregation of articles 280 и 205² (“public incitement to terrorist activity or public apology for terrorism”) and two under the aggregation of the Criminal Code articles 280, 282 и 205².

The conviction under the Criminal Code articles 280 и 205², mentioned in the previous sentence, was handed down in the case against 26-year-old Maykop resident Alexander Arteev for writing “extremist” slogans on the walls of the city’s buildings, and, additionally, for writing some articles in 2009-2010 and publishing them on a terrorist organization’s web site. In his articles Arteev “addressed Muslims inciting them to extremist and terrorist crimes, and called for murder and sabotage.” It is worth noting, that convictions under the Criminal Code Article 205² are exceedingly rare in the judicial practice and given, almost exclusively, for radical Islamist propaganda (as in the above case); Article 205

⁸⁰ One of these two defendants, however, was found guilty of slander.

have never been utilized in the cases of equally radical propaganda of racist violence.⁸¹

The very last verdict, mentioned on my list of the propaganda convictions, is unique in assembling almost a complete set of the Criminal Code propaganda-related articles (280, 282 and 205²). This verdict was handed down to two Bashkirian nationalists with leanings toward radical political Islam: Airat Dilmukhametov, editor-in-chief of the *Maidan* newspaper (previously charged under Articles 280 и 282) and Robert Zagreyev, editor-in-chief of *IA Revinform* web site. Initially, in April, the court sentenced them to 6 and 3.5 years in custody respectively, but on October 4, 2011 the Supreme Court of the Republic ruled that their publications did not qualify as full-fledged media outlets and applied Part 1, rather than Part 2 of Article 280, thus substantially reducing their sentences (to 3 years of penal colony settlement for Dilmukhametov and 6 months of the same to Zagreyev).

In 2011 the court verdicts for the propaganda cases were distributed as follows:

- 2 persons were acquitted;
- 2 persons were released from punishment because the statute of limitations had expired;
- 1 case was dismissed due to the active repentance;
- 1 person was referred for compulsory treatment;
- 14 people received custodial sentences;
- 30 people received suspended sentences without additional sanctions;
- 15 people were sentenced to mandatory labor;
- 2 persons were sentenced to correctional labor;
- 1 person was sentenced to restriction of freedom.

In 2011 convictions involving prison terms were mostly delivered either in conjunction with punishment for additional crimes (illegal drug trade, theft or violent crimes) or taking into account the unserved punishment for earlier crimes. So discussing the distribution of prison sentences in this report would serve no useful purpose.

However, in several cases we found the sentences to be unreasonably harsh. In addition to above-mentioned Dilmukhametov and Zagreyev, in January 2011 three

⁸¹ We do, however, know of one case when the charges against right-wing radicals were brought under this statute. The case in point is a speech by Olga Mukhacheva (a former «chief of staff» of the Red Blitzkrieg group, known in the right-wing radical circles as Matilda-Don; the wife of Anton (“Fly”) Mukhachev, a leader of the Northern Brotherhood (*Severnoe Bratstvo*). The speech was delivered during the rally in support of “Russian political prisoners” on Triumphalnaya Square on April 19, 2008. In late December 2010 she was charged under the Criminal Code articles 205² и 280.

people in Tatarstan (Ruslan Ibatov (a.k.a. “Heinrich Himmler”), Aleksei Borisov, and Anton Tkachev) were each sentenced to one year of penal colony settlement for distributing anti-Semitic and anti-government leaflets; in February in Kalmykia a Dagestan native was sentenced to two years of penal colony for distributing anti-Kalmyk leaflets; in Komi Vladimir Masalovich was convicted to 8 months of penal colony settlement for posting online xenophobic anti-Komi comments.

Minimal use of custodial punishments for “mere words,” represented, more or less, the only positive trend in xenophobic propaganda prosecution, and even in this respect, as you could see, there was a number of exceptions. Otherwise the situation showed no signs of progress.

Meanwhile, the rate of suspended sentences for propaganda crimes remained very high (30 out of 73 convicted offenders) and comprised 39% of total number of convicted offenders, practically unchanged from the previous year when they had comprised 41 % (31 out of 75 people). It is debatable, whether a suspended sentence constitutes a long-term punishment due to substantial damage to one’s career and reputation. However, in reality we observe that the majority of convicted offenders (whether youth and teenagers, not yet concerned about their future, or idea-driven ultra-nationalists) are not being deterred by these verdicts.

Almost the same number of convicted defendants (31 people) received punishment, not involving loss of freedom (fines, mandatory and correctional labor), which we consider more effective.

In the past year for the first time ever we witnessed a dismissal of the case due to active repentance of the defendant. In April the Kamyshino City Court in Volgograd Region made this decision regarding a man, charged with publishing a xenophobic online comment. He pleaded guilty and supplied the court with a written apology published on the same web site.

In 2011 the convictions were given for the following activities (not counting the acquittals):

- 50 convictions for distribution of materials online, on social and local networks, including:
 - Web sites (17);
 - Social networks and forums (31, including 20 convictions involving the VKontakte social network, 4 convictions involving unidentified social networks, one case involving the Odnoklassniki social network, and six convictions for distributing materials via various online forums;
 - Video sharing on local networks (2);
 - Sending materials via email (1);
- Eight convictions for graffiti (on walls, doors and pavement including graffiti on religious objects);

- Eight convictions for printing and distribution of leaflets;
- One conviction for publishing a newspaper;
- One conviction for shouting slogans during a march;
- One conviction for statements made during the lecture on extremism prevention;
- Two convictions to the leaders of ultra-right radical groups⁸² for incitement to violence.

As this data clearly demonstrates, the propaganda prosecutions of 2011 focused mostly on publications and online statements. Social networks and online forums became principal venues to monitor for possible offences. In this respect, there are frequent debates regarding general applicability of the Criminal Code Article 282 to the Internet.

The content of Articles 280 and 282 applies to all public statements and has to include the online speech as well. However, as we have noted on many occasions, applying these Criminal Code articles (used for the majority of the Internet-related cases of 2011) appropriately calls for the court examination regarding the extent of public exposure. The estimate of potential audience size should be an integral component of such cases (regardless of its evaluation of the statement’s content).

For example, in case of a printed newspaper article, the newspaper’s circulation numbers provide us with a realistic estimate of potential audience (even though, obviously, all of them can’t be assumed to have read this particular article). Estimating potential audience for an online statement is much more complicated. Obviously, we cannot assume that all the Internet users constitute potential audience of any online statement. In case of an article, published on a regular web site, we can assume that the potential audience size equals the number of site visitors, but it is not clear what time interval should be used for the site traffic estimate; moreover, it is not always possible to reliably ascertain the number of past visitors.

Along the same lines, in case of social networks or forums, we cannot base our estimates on number of visitors across an entire (often very extensive) forum, or number of users of an entire site, such as *Facebook.com*. Instead, we need to consider a size of a particular segment, such as a forum section, a social network group or community, a circle of “friends” or subscribers, who follow the author/publisher of the statement in question. At this point quantitative assessments become even more problematic. However, in order to achieve a fair verdict, they still need to be made, at least to a certain degree.

⁸² Members of these groups were convicted for violent crimes.

The extent of public exposure remains a relevant issue even if an online group is restricted, i.e. if reading the content requires special authorization. Such restricted groups can be very large, and then a statement made within their virtual space should be considered public. However, if the author addresses a specific selected group of readers by name, then this action can no longer be considered a “public statement” directed at an undefined group of people (a standard interpretation of the notion of publicity, used in the majority of the Criminal Code commentaries). All these questions could be resolved by the Supreme Court, but, until further clarifications arrive, we have to evaluate the extent of publicity on the case by case basis, gradually developing practical guidelines. Unfortunately, so far, the extent of publicity has never been taken into account. For example, the 2011 trial in Chuvashia resulted in a conviction for sending files via email, despite the fact that this action did not constitute a public statement. In our opinion, the majority of publications and statements that ended up in courts in 2011 did not have sufficient visibility and accessibility to constitute actual public danger – and, therefore, should not have faced criminal prosecution.

Among the offenders convicted in 2011 there were almost no well-known propagandists, who were regularly engaged in xenophobic propaganda with public incitement to violence. The offenders were predominantly little-known bloggers, high school students, younger university students, or students of vocational schools. Among those, who faced criminal charges in 2011, we would like to single out Valery Uskov, the editor-in-chief of a relatively high-circulation local newspaper *Pravda Goroda Zlatoust*, charged with publishing an article that contained incitement to violence with the motive of national hate. Moreover, this article was not an exception; the newspaper had previously received a warning about the unacceptability of extremist activities, and the editor had been questioned regarding his possible involvement in the dissemination of leaflets with swastikas and leaflets calling the readers to join the “punitive brigades” of the “Russian Liberation Army.” However, despite all of the above, the case of V. Uskov ended with his acquittal.

Definitely, not all the hate propaganda-related criminal cases are without merit. Airat Dilmukhametov, mentioned above, had engaged in incitement and hate propaganda for many years. Another notable conviction of 2011 happened in the case of 21-year-old Denis Kuznetsov (a.k.a. “Dima Skhe”), the leader of neo-Nazi group Nord-East-88, whose members are suspects in a series of attacks and murders.⁸³ Participation of the group’s leader and ideologist in the attacks was never proven, so he was convicted to one year in custody for propaganda. However, this was one of the very few 2011 cases of punishment for obvious incitement of violence. (The other cases that could be included in this category

⁸³ The legal process regarding the group in general is still ongoing.

were the convictions of Anton Mukhachev and Oleg Troshkin, the activists of the Northern Brotherhood (*Severnoe Bratstvo*), found guilty of “organization of an extremist group,” see more on them in the relevant chapter below.)

In 2011 much fewer verdicts were made in response to activities outside of the World Wide Web. While tentatively agreeing with appropriateness of criminal prosecution for the dissemination of leaflets and shouting racist slogans during the “Russian March,” or for xenophobic propaganda disguised as a lecture, we do not consider minor actions, such as graffiti, worthy of criminal charges.

Criminal prosecution of extremist groups and banned organizations

In 2011 we know of 12 sentences under the Criminal Code Article 282¹ (“organization of an extremist community”) and Article 282² (“organization of an extremist group”).

Anton (“Fly”) Mukhachev and Oleg Troshkin, the leaders of the Northern Brotherhood (*Severnoe Bratstvo*) were charged under Article 282¹ of the Criminal Code both in aggregation with Article 159 of the Criminal Code (“Fraud”), and Ilya Boydakov, the leader of the DPNI branch in Protvino was charged under Article 282¹ (in aggregation with a number of articles, see our “Criminal Prosecution of Violence” chapter for more detail).

As expected, the Criminal Code Article 282¹ was applied to the groups that had systematically committed violent crimes, such as the Kazan Patriotic Front from Tatarstan, (two verdicts), the NSO-North, the White Legion in Dzerzhinsk (Nizhny Novgorod Region), and Yekaterinburg Volkssturm.

Semyon Sorokin, the creator of the Russian National Front association in Magnitogorsk (a local branch of the National-Socialist Society (Natsional-sotsialisticheskoe obshchestvo, NSO)) was charged under Article 282² in aggregation with Articles 282 and 280 of the Criminal Code). The unnamed organizer of an Imarat Kavkaz⁸⁴ cell in Oktiabrskiy village in Bashkiria was charged under the same article in aggregation with the Criminal Code Article 222 (“illegal purchase, transfer, sale, storage, transportation or carrying of weapons”), and the activists of Krasnodar association Spiritual and Tribal Sovereign Rus’ (*Dukhovno-rodovaia derzhava Rus’*) Nikolai Lozinskiy, V. Tolstov and V. Gerashev were convicted under Article 282² too.

Two men were fined (V. Gerashev and V. Tolstov); two received suspended sentences (I. Boydakov and S. Sorokin). The rest received actual prison terms.

⁸⁴ Likely this organizer is Ilnur Shakiryayev, who was convicted to three years of settlement colony for setting up an improvised explosive device in May 2004.

With regard to Mukhachev, Troshkin, the Imarata Kavkaz leader and the members of violent groups, the verdict reflects an aggregation of anti-extremism legislation with other articles of the Criminal Code. However, the verdict handed down to N. Lozinskiy (one year of settlement colony just for membership in the organization) seems excessive.

It is noteworthy that the right-wing radicals charged under the Criminal Code Article 282² belonged almost exclusively⁸⁵ to the Rada of Kuban Land Spiritual and Tribal Sovereign Rus' (*Rada zemli Kubanskoi dukhovno-rodovoi derzhavy Rus'*), a local branch of right-wing neo-pagan organization Spiritual and Tribal Sovereign Rus', which was declared extremist in April 2011. It is unlikely that law enforcement officers set out to persecute members of this particular organization (previously, some of its members had been referred by the courts for compulsory psychiatric treatment, and some were convicted of violent acts, including the racist ones). Rather, this organization attracted official attention by its members' surprising level of activity; they were methodically sending their propaganda to various official agencies, including the prosecutor's office.

Continuing activity of other right-wing organizations, which had been deemed extremist, has never been actually prosecuted. Some of them actually ceased their actions (the NSO or Format-18), however, the other ones, such as the DPNI or the RONS, have definitely continued. In 2011 a charge under this Article was filed against Dmitry Demushkin, who undoubtedly continues to operate, albeit under a different name, his Slavic Union organization, prohibited as far back as 2010.

Neither the law nor legal commentaries give us any guidelines on telling apart the continuing activity by an illegal organization from actions of its former members that are similar in nature. Clearly, this issue should be resolved by law enforcement agencies and courts on the basis of common sense and analogy. Judicial practice in this area does exist. Practice under Article 282² relating to membership in the NBP, Hizb ut-Tahrir and other organizations is quite extensive and ready for analysis (including criticism) and advice from legal scholars and the Supreme Court.

Article 282¹ of the Criminal Code has been applied to the far right much more frequently over the past few years, since law enforcement agencies started to realize that it perfectly fits the cases of informal groups focused on committing various hate-motivated attacks. While in 2009 8 people were convicted under this article, in 2010 the number grew to 30 people, and dropped slightly to 21 in 2011. The verdicts also included other articles in each case. Meanwhile, the frequently mentioned Supreme Court Resolution of June 28, 2011 explained that

⁸⁵ The only other case, known to us, is the trial of the Russian National Unity (*Russkoe natsionalnoe edinstvo*, RNE) – Tatarstan members in 2008.

the offense under Article 282¹ applied to a member of the community starting at the moment, when a community began to function.⁸⁶

The Federal list of extremist materials

In 2011 the Federal List of Extremist Materials continued its rapid growth. It was updated 34 times and grew from 748 to 1066 items.

318 added items demonstrate the following thematic distribution:

- xenophobic materials by Russian ethno-nationalists (the reasons for including some of them are questionable) – 154 items;
- xenophobic materials by other nationalists⁸⁷ – 12 items;
- materials of Muslim extremists (mostly from the North Caucasus) – 63 items;
- materials of “unofficial movements” in Islam (Said Nursi's books, the texts of the Salafis, the materials of the Hizb ut-Tahrir organization – 57 items;
- Jehovah's Witnesses materials – 16 items;
- materials related to historical fascism – 3 items;
- materials of the Orthodox fundamentalists – 8 items;
- web sites of the National Bolshevik Party (*Natsional-bolshevistskaia partiia*, NBP) – 2 items;
- materials, containing radical anti-government slogans (not included in the above categories) – 1 item;
- unidentified materials – 2 items

At least 109 items among the List additions represent online materials.

A noticeable shrinking of the Federal List needs to be pointed out as a positive initiative from the Ministry of Justice.⁸⁸ On May 3, items 632–660, 667, 677–679 and 682 were removed. Some duplicate items (nos. 667, 677–679 and

⁸⁶ Citing paragraph 14 of the Resolution: *Criminal liability for the creation of an extremist society (part 1 of Article 282-1) is incurred from the moment of the actual formation of that society, that is, from the moment of the association of several persons for the purpose of preparing or committing extremist crimes and the carrying out of their intended acts for creating conditions for committing extremist crimes or demonstrating the readiness of the extremist society for carrying out their criminal intentions, regardless of whether the participants of such a society performed the intended extremist crime. Evidence for the readiness of an extremist society to commit the indicated crimes may consist in, for example, reaching an agreement to use force in public places with respect to persons on the basis of their belonging to (or not belonging to) a certain sex, race, nationality, linguistic or social group, or having a certain descent or attitude toward religion.*

⁸⁷ Not including radical Muslim groups from the Caucasus, who might be nationalist, but are counted in a separate category.

⁸⁸ We know of no prior cases of materials being removed from the List except for Nikolai Andrushchenko's articles in *New Petersburg (Novyi Peterburg)* newspaper (items 362–364) and the MGER leaflet against the Hare Krishna movement

682), and 29 books by L. Ron Hubbard (nos. 632–660, added to the list for no valid reasons,⁸⁹ were removed without change in item numbering. Unfortunately, many items that deserve to be removed for similar reasons remained on the list.

Despite this reduction, the list is still rapidly growing in length; meanwhile the same cannot be said about its quality. The majority of the materials are impossible to identify. The Federal List does not follow any bibliographic rules; materials are described by their appearance, by their cover, or by their first and last sentences. The List features duplicate items, resulting from parallel bans by different courts (there are 39 such duplicates; *Udar Russkikh Bogov* [The strike of the Russian Gods] by V. Istarkhov made the List three times.)⁹⁰ The list also contains obvious errors, in content (for example, it states that the leaflet *Call by Hizb ut-Tahrir to sincere Imams* was published by Russkaya Pravda publishing house; Russkaya Pravda of course, published no such thing), as well as in grammar and spelling (even in the city and court names).

As in previous years, the new additions included long-gone Internet resources, forum posts (e.g. the sixth comment to “The cry from the heart of the Bashkirian woman” article ...), and other cases where no further distribution (the List’s primary focus, after all) was intended.

Some items were inappropriately classified as extremist materials. The most glaring example was the ban, imposed by the Zaslavsk District Court of Ulyanovsk on two sites, listed as *www.livaInternet.ru* and *www.TATARLAR*. Evidently this entry actually denotes the weblog service site *LiveInternet.ru* and the popular Tatar portal *tatarlar.ru*. This ban is tied to the case of the Tatar nationalists from the Vatan organization. It is possible that nationalist materials were indeed published on forums and weblogs at *LiveInternet.ru* and *Tatarlar.ru*. However, the Court considered it possible to ban entire portals, serving hundreds of thousands of users, in punishment for several articles. It is likely, that in August the ban already took place, since, according to the reports by Ulyanovsk Internet users, when trying to reach *LiveInternet.ru* they were redirected to the web site of the Prosecutor General’s office of the Russian Federation.

In addition, the courts of the Republic of Bashkortostan continue to augment the Federal List with works by the leaders of NSDAP and the National Fascist Party of Italy (in the period under review they added *SS Member and the Blood Question*

⁸⁹ See Saturday shift at the Federal List of Extremist Materials: the books by scientologists and some duplicates removed // SOVA Center. 2011. 3 May (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/05/d21548/>).

⁹⁰ “The Federal List of Extremist Materials now includes three “Strikes of the Russian Gods” // SOVA Center. 2011. 23 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2011/12/d23316/>)

by Heinrich Himmler, and *The Diaries of Joseph Goebbels, 1945*),⁹¹ The courts’ decisions are based on the lawsuits filed by the district attorney Amir Akhmetov.

Meanwhile, the Federal Law “On Countering Extremist Activities” contains a direct prohibition of “publications by leaders of the Nazi Party and the Fascist Party of Italy” (Part. 3 Article. 1), so Akhmetov’s activity is completely superfluous.

A legislative draft, introduced by the Ministry of Justice in October 2011 indirectly confirms the fact, that the Ministry is increasingly unable to maintain the List. In this legislative proposal, the Ministry suggested that its authority to give warning to civic and religious organizations about unacceptability of extremist activities, its right to ask the court to deliver a ban on the organization, and its obligation to maintain the Federal List of Extremist Materials should all be rescinded. The Ministry intended to shift these functions to the Prosecutor General’s office. However, this draft met with a negative response within other government agencies and is unlikely to merit official consideration.

The banning of organizations

In 2011 the Federal list of extremist organizations⁹² continued its active growth. The following 10 organizations (the same number as in the previous year) were included into the Federal List:

- The Slavic Union (*Slavyansky soiuz*, SS) inter-regional public movement recognized as extremist by the decision of the Moscow City Court of 27 April 2010;
- Inter-regional public association “Format-18”, recognized as extremist by the decision of the Moscow City Court on 20 December 2010;
- A religious group Noble Order of the Devil (*Blagorodnyi Orden Diavola*) recognized as extremist by the Supreme Court of Mordovia on 27 December 2010;
- The Army of People’s Will (*Armiya voli Naroda*, AVN) inter-regional public movement recognized as extremist by the Moscow City Court on 19 October 2010 (the decision went into effect on 22 February 2010 after its approval by the Supreme Court);
- The National Socialist Initiative (NSI) group in the city of Cherepovets, recognized as extremist by the Cherepovets City Court of Vologda Region on May 16, 2011;

⁹¹ For more information see Rozalskaya, Maria, ‘Inappropriate enforcement of anti-extremist legislation in Russia in 2010’, in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2010* (Moscow: SOVA Center, 2011), p. 66-87 (see the original version at <http://www.sova-center.ru/en/misuse/reports-analyses/2011/04/d21360/>); Verkhovsky, Kozhevnikova, Ibid.

⁹² The official name of the list is “List of public and religious associations and other nonprofit organizations in respect of which the court adopted legally binding decision to eliminate or ban their activities on the grounds provided by the Federal Law “On Countering Extremist Activities.”

- The inter-regional public organization Spiritual and Tribal Sovereign Rus' (*Dukhovno-Rodovaia Derzhava Rus'*) was recognized as extremist by decision of the Moscow Regional Court on April 5, 2011;

— Tatarstan regional branch of the Russian National Unity (*Russkoe natsional'noe edinstvo*), a nationwide patriotic movement, recognized as extremist by the Supreme Court decision of May 21, 2003 [*sic!*]

- the religious group of Sokolov O.V., Russkikh V.V., and Petin A.G. professing, cultivating and spreading ideas of the doctrine of the Ancient Russian Inglist Church of Orthodox Ingling Old Believers (*Drevnerusskaya Inglisticheskaya Tserkov' Pravoslavnykh Staroverov-Inglingov*) deemed extremist by the Maykop regional court of the Republic of Adygea on December 12, 2008. (The title is written as it appears on the list, even though the same doctrine is mentioned elsewhere on the same list using an alternative spelling, in which the word 'Inglisticheskaya' contains a double 'i', in the middle, as it does in the organization's documents).

- the interregional association Russian All-National Union (*Russkii obshchenatsional'nyi soiuz*, RONS) was deemed extremist by a Vladimir provincial court ruling on May 30, 2011.

- the interregional public organization Movement against Illegal Immigration (*Dvizhenie protiv nelegal'noi immigratsii*, DPNI) was deemed extremist by the Moscow provincial court on April 18, 2011, and by the Supreme Court of the Russian Federation on August 9, 2011.

The recognition of the two most prominent nationalist organizations, the DPNI and the Slavic Union,⁹³ as extremist became a landmark decision. The DPNI was banned by the Moscow City Court in April 2011. The decision was appealed, but the Supreme Court upheld the DPNI ban. This decision caused a lot of controversy in the nationalist circles, but we have no doubt that the court acted appropriately. One can argue about individual elements of the indictment and the conviction, but the DPNI leaders and members indeed repeatedly made really dangerous inflammatory statements, and, most importantly, the organization was directly linked to racist violence, and a number of its members commit xenophobic violent crimes. The validity of banning the Slavic Union is even more obvious for the same reasons. Despite the ban, the DPNI and the Slavic Union continued their activity and soon formed a new joint organization, "the Russians" Ethno-Political Association (*Etnopoliticheskoe ob'edinenie – Russkie*).

⁹³ The Slavic Union was banned in December 2010, but only added to the list in early 2011. After the ban, the organization continued to operate as the Slav Strength, retaining the symbols, style and abbreviation (SS) of its predecessor, and ceased to operate only when "the Russians" coalition was created.

In addition, the oldest and well-known far-right organization the Russian All-National Union (RONS) was banned, along with several local groups (NSI — Cherepovets, Spiritual and Tribal Sovereign Rus), whose members practiced violence. The Format 18⁹⁴ organization was banned as well for effectively promoting racist violence through manufacturing and distribution of video with scenes of racist attacks and torture of the homeless by the Nazi skinheads (Maxim Martsinkevich, the group's leader, even announced the best video contest with cash prizes).

The group Orthodox Ingling Old Believers of Adygea, also on our list, has been deemed extremist for the similarity of their religious symbols and cult practices to the Nazi ones. Perhaps the court had other reasons for closing the organization: the Ingling religious doctrine contains some openly racist proposition (and, despite the name, actually has no relation to the Old Believers), and the first four organizations on the Federal list were banned in Omsk in 2004 for that very reason.

The prohibition of the Noble Order of the Devil and the Army of People's Will are, in our opinion, inappropriate. In the case of the Noble Order of the Devil the grounds on which the organization was deemed extremist were not clear; the crimes (illegal sexual acts), for which its members were convicted, do not fall under the definition of extremism. In addition, by the time of the ban the organization practically ceased to exist. In the case of the AVN, the decision to ban public association, grouped around the *Duel* newspaper (later known as *To the Stand* ("*K barieru*") and now as the *True Names* ("*Svoimi imenami*") and its editor, Yuri Mukhin was based on the inappropriate ban of the leaflet "You are chosen — you will judge" (and not on some other articles by these publications that actually did break the law).

Of course, some organizations on the list could have been banned much earlier (the DPNI, the SS, and Format 18; the latter no longer existed by the time it was listed), and the reasons for several other bans are controversial, but the fact that the majority of organizations, added to the list in 2011, actually existed and were added on legitimate reasons already represents a positive development.

Other administrative measures

On July 6 the Rossiiskaia Gazeta first published the "List of organizations and physical persons involved in participation in extremist activity or terrorism" prepared by the Federal Financial Monitoring Service of Russia. The list consists of

⁹⁴ Russian National Union (*Russkii Natsional'nyi Soyuz*, RONS) is an ultra-Orthodox organization, established in 1990. Igor Artemov, who served several terms in the Vladimir Regional legislature until 2010, has been perpetual leader. We are not quite clear, on the reason for their ban; it was reported that their materials, seized during the search of right-wing radicals in Vladimir, were deemed extremist. The RONS indeed conducted active ultra-right propaganda and was involved in violent acts.

two parts, a “foreign” part (104 organizations, 401 persons) provided by the Foreign Ministry and based on the official UN lists, and a “Russian” part (46 organizations, 1510 persons), provided by the Ministry of Justice and the Prosecutor General’s Office. Only the “open part” of the list (i.e. the one including organizations and individuals already covered by the existing court decisions) is published. There also is a “closed part” that lists entities suspected of extremism and terrorism.

The list is addressed primarily to “credit institutions that are required to inform the authorities about any suspicious financial transactions.” The Federal Financial Monitoring Service of Russia plans to update the list regularly.

We regard publishing the open part of the list as a positive step, despite its errors (the list includes, for example, the Council of Balkar People Elders, even though its ban and its extremist status has been revoked by the Supreme Court of the Russian Federation), since it gives individuals and organizations an opportunity to challenge their inclusion on this list, if they have grounds for such a challenge.

In 2011 the K Barieru newspaper was closed on the charges of extremism. It was a successor to the Duel newspaper, which was closed after a multi-year litigation. Shutting down K Barieru took a long time as well. In June 2010 the Ostankino District Court in Moscow made a ruling to this effect, but the newspaper appealed to the Moscow City Court, and in August 2010 the Moscow City Court sent the case back for reconsideration. In April 2011 the court once again decided to close the newspaper. However, the Svoimi Imenami newspaper instantly emerged to replace it, and, at the time of writing this report, has already received two warnings by the Federal Service for Supervision in the Sphere of Telecom, Information Technologies and Mass Communications (ROSKOMNADZOR)⁹⁵ Roskomnadzor is currently asking the Moscow City Court to terminate this newspaper as well.

In 2011 the Roskomnadzor issued 25 warnings to media editorial staff for extremist activities (there were 28 warnings in 2010).

We consider at least 10 of these warnings to be inappropriate (the same number as in 2010). In four additional cases, we cannot say anything about the warning’s legality because the incriminating texts were not available or because of our inability to read the local languages.

⁹⁵ According to the federal law “On Counteracting Extremist Activity” if the media outlet editors, who received an extremism warning, never contested the it in the court of law, and failed to undertake the remedial measures prior to a specified deadline, or if the new evidence of extremism in the activities of the media outlet was uncovered, its activity is subject to termination. It became customary to press charges after the second warning that was either never contested in court, or contested unsuccessfully.

In addition to the above-mentioned *Svoimi Imenami* newspaper, three other newspapers also received two warnings each, namely the *Russkaya Zhizn’* (the Russian life), the *Russkii Vestnik* (the Russian Courier) and the *Donskoe Vremya* (the Don Times). The site APN.ru received its third warning (the first two were made at the end of 2010) thus enabling the Roskomnadzor to begin the process of closing down these media outlets.

It is very difficult to track the practice of law enforcement under Article 20.3 of the Administrative Code (“propaganda and public demonstration of Nazi attributes or symbols”), so we can’t discuss the dynamics of its development.

Due to the lack of information, the trends in the law enforcement under the Administrative Code Article 20.3 (“propaganda and public demonstration of Nazi attributes or symbols”) and Article 20.29 (“mass distribution of extremist materials, as well as their production or storage for the purpose of mass distribution”) are almost impossible to track. Evidently, such sentences are not uncommon. We know of nine instances of punishment under Article 20.3 and of 8 instances of punishment under Article 20.29 (counting only the sentences that we consider appropriate). Fines were imposed in all cases. The offences included Nazi memorabilia trafficking, online distribution of xenophobic texts and videos (including the ones listed on the Federal List of Extremist Materials), wearing of Nazi symbols, and unrest at the soccer match.

The majority of anti-extremist operations by the prosecutor’s office remain opaque. The prosecutor’s reports refer to numerous “acts of prosecutorial response,” but the nature of acts is not specified. We know about 32 submissions regarding the illegality of extremist activity, handed down to school principals for the absence of content filtering software in their educational institutions. The idea of fighting extremism using Internet filters on school computers does not seem very productive. In addition, prosecutorial inspections across the country found out that the filtering software, installed in Russian schools by Federal Agency for Education in March 2008, was unable to handle this task.⁹⁶

The practice of making prosecutorial notifications to municipal services for ignoring neo-Nazi graffiti on city streets continues as well. These measures intensified, at least to some extent, the work of municipal services, such as painting over graffiti on the building walls.

⁹⁶ For more details, see The sanctions against the heads of educational institutions // SOVA Center. 2011. 9 June (<http://www.sova-center.ru/misuse/news/persecution/2010/05/d18735/>).

Olga Sibireva

Freedom of conscience in Russia: Restrictions and challenges in 2011

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

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

Rather than repeating earlier developments in extensive detail, we provide here only necessary updates on events analyzed in the previous year's report¹. Our aim is not to exhaustively describe all developments in the sphere of public religion in 2011; generally events mentioned here serve to illustrate trends that we have observed.

Problems and cases connected with the misuse of anti-extremism legislation are discussed in a separate report specifically focused on this topic, which will soon be available on our website.

The current report does not reflect the religious situation in the armed forces or the education system, nor does it address the situation in the North Caucasus.

Summary

2011 saw the further development of trends noted in the previous annual report.

Bureaucratic discrimination against religious organizations continued. Pressure was applied, first and foremost, to 'non-traditional' organizations, primarily Jehovah's Witnesses – against whom a persecution campaign was continued throughout 2011 – and several strands of Islam. The unjust application of anti-extremism legislation became one of the most dangerous means of

discriminating against particular groups, but this topic falls outside the remit of the current report².

More widespread problems with registration and the construction of religious buildings have also remained an issue. Levels of religious tolerance, as before, leave much to be desired. However, there has been no notable deterioration in these areas.

The government's rapprochement with significant religious organizations – above all the Russian Orthodox Church – continued. In addition to the continuing financial support of church initiatives from the state budget, and the approval of religious organizations' property claims, a departure from the principle of secularism was increasingly noticeable in official rhetoric: over the course of the year President Medvedev referred to the relationship between the church and the state as a 'symphony' several times in public speeches.

Institutional religious presence in the public arena increased. A decision was taken to make the pilot course on the fundamentals of religion and on ethics compulsory. Even in the army, where the introduction of the institution of military chaplains was clearly being impeded at officer level, a document providing guidelines to regulate their activity appeared: the commander of troops in the central military district signed an order 'On regulating the activity of organs for work with religious believers in the military', and we also saw the first priests employed by the military.

The number of anticlerical incidents increased, provoked by local conflicts with religious organizations (most often connected with the construction of houses of worship) and by a broader dissatisfaction over the preferential treatment accorded to religious organizations. Protesters increasingly resorted to lawsuits to assert their position.

At the same time, our forecast that there would be a fairly sharp increase in the number of conflicts, provoked by the law on the transfer of property designed for religious purposes to religious organizations coming into force, was not fulfilled. In comparison with 2010 the number of conflicts has not risen significantly. Evidently the current law has not substantially changed the situation around the transfer of property – as before, in many cases the scale of the transfer depends on the position of the local authorities and the persistence of representatives of religious organizations.

We are at a loss to predict how legislative activity will develop in the immediate future. However, given that LDPR (*Liberal'no-demokraticeskaja*

¹ Sibireva, Olga, Verkhovsky, Alexander, Freedom of conscience in Russia in 2010: Restrictions and challenges', in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2010* (Moscow: SOVA Center, 2011), p. 42-65 (see the original version at <http://www.sova-center.ru/en/religion/publications/2011/04/d21460/>).

² See Verkhovsky, Miniust prizyvaet zakon k poriadku // *NG-religiia (Independent Newspaper – Religion)*, 2011, 19 October (http://religion.ng.ru/politic/2011-10-19/2_minjust.html); Lunkin, Roman, Illuziia svobody. Miniust reshil ukzakonit dedovshinu v sfere religii // *Religiia i pravo (Religion and Law)*, 2011, 19 October (<http://religionip.ru/content/freedomillusion>).

partii Rossii, Liberal Democratic Party of Russia) member Aleksei Ostrovskii replaced United Russia (*Edinaia Rossiia*) member Sergei Popov as head of the Committee for Public and Religious Organizations in the new State Duma which began work at the end of December 2011, we are not optimistic.

Legal regulations concerning religious organizations

Laws adopted in 2011. Several pieces of legislation were adopted in 2011 which affect the interests of religious organizations. Basically these laws were aimed at simplifying their work.

Amendments to the Tax Code, exempting from tax resources dedicated to charitable activities (including by religious organizations), were passed on 18 July and came into effect on 1 September.

A federal law introducing changes into a series of legislative acts relating to the formation and use of endowment capital by non-commercial – including religious – organizations, was signed on 22 November. In accordance with the law religious organizations, together with other non-profit making organizations, were permitted to replenish endowment capital not only by means of monetary assets, but also by means of other assets (stock and real estate).

Amendments to the law ‘On state security’ which legalizes the provision of state security to the Patriarch of Moscow and All Russia were passed by the State Duma on 18 November and signed by the President on 8 December. This is one of very many federal level legislative acts which clearly distinguish the Orthodox, and more specifically the Russian Orthodox Church, from Russia’s other religions.

Moreover, on 6 December the Constitutional Court of the Russian Federation ruled that religious organizations which display the formal criteria of inactive organizations may not be automatically liquidated, underlining that the exclusion of such organizations from the Unified State Register of Legal Entities may only be effected by legal process. The ruling permits religious organizations excluded from the register without a court case to appeal against the decision of the tax authorities.

Finally, on 8 December, a year after the 2010 law ‘On the transfer of state or municipal owned property of religious purpose to religious organizations’ came into force, a special commission was founded to consider the claims of religious organizations to such property. The commission is part of the Ministry of Economic Development of the Russian Federation.

Regional initiatives. A series of legislative acts directly concerning religious activity was passed by constituent parts of the Federation. On 24 February 2011 Belgorod regional дума approved a supplement to the regional Code of

Administrative Offenses. The accepted amendments made the dissemination of religious literature by people who do not have documentary proof of their status as ‘official representatives’ of religious organizations punishable by financial penalties. This law directly and crudely restricts citizens’ freedom of conscience and freedom of speech with regard to their right to disseminate their own religious convictions. Basically, this sort of act should not be passed at federal constituent level (although they are, nevertheless, sometimes passed), so an appeal may be expected.

In Lipetsk region a law ‘On the social educators of minors’ was passed which makes provision for representatives of religious organizations to participate in the upbringing of juvenile delinquents.

The State Assembly (Kurultai) of Bashkortostan introduced amendments to the republic’s law ‘On securing the peace of citizens and quiet at night’ which establish that it is forbidden to make noise after 11 o’clock at night, rather than after 10pm. The amendments were passed to protect muezzins, in particular, from the complaints of locals fed up with loud calls to prayer in the evenings.

Kostroma regional дума approved amendments to the law ‘On guarantees of the rights of the child in Kostroma region’ at first reading, and to the local Code of Administrative Offenses. The amendments demanded the prevention not only ‘of public activity aimed at the propaganda of pedophilia, homosexuality (sodomy and lesbianism), bisexuality [and] transgenderism amongst minors’, but also the propaganda of ‘religious sects’ – and it is notable that the legislation used precisely this term. The fine stipulated for the infringement of this law is from one to three thousand rubles for an individual citizen, and up to 50 thousand rubles for a legal entity.

Initiatives which have not yet been accepted. A series of legal initiatives have not yet been progressed. Efforts were made to change the law ‘On the freedom of conscience and religious associations’ in 2011, as in previous years.

In March Belgorod regional дума brought amendments to this law, and also to article 5.26 of the Code of Administrative Offenses of the Russian Federation, before the State Duma. By analogy with legislation passed in the region (see above), the authors of the proposed legislation suggested limiting the dissemination of religious literature, audio and video materials ‘and other objects of religious purpose’, allotting that right only to official representatives of religious organizations. The government of the Russian Federation did not support the proposed legislation, evaluating it as ‘restricting the rights of citizens in the dissemination of religious convictions’ and contrary to the Constitution.

Another set of draft amendments to the law ‘On the freedom of conscience and on religious associations’ and the Code of Administrative Offenses of the

Russian Federation was proposed by the LDPR. The amendments stipulate the establishment of a special procedure for the offering of ritual sacrifices, and relate to Muslim organizations. The government did not support these amendments either, noting that *‘in practice the proposed legislation, in spite of the stated aims, not only does not make the procedure for conducting religious events outside the religious building more stringent but, on the contrary, increases the possibility of conducting such events, in particular by establishing the right of a constituent part of the Russian Federation to regulate the given issue by its own laws and regulations.’*

In autumn the Ministry of Justice submitted two proposed bills of amendments to federal legislation for public consultation at once. One of these proposed bills was also aimed at changing the law ‘On the freedom of conscience and on religious associations’ and provoked a significant public response. Consultation participants were dissatisfied by a whole series of proposed provisions, in particular, the elimination of the notion of a ‘religious group’ and the increased mandate of state religious expertise, which amongst other things included the right to review how religious practice corresponds with declared doctrine (it is difficult to imagine checking the orthodoxy of individual parishes, mosques and so on).

At the same time the proposed legislation makes provision for the registration of religious groups which do not want, or are unable, to register as fully-fledged and independent organizations by joining a central religious organization. It was proposed that such groups should be able to register as organizations ‘without full rights’, with this status established for ten rather than 15 years, but with less radically restricted rights than current group status dictates. A discussion arose amongst experts about the potential use of such changes – to toughen or relax the system in which religious groups operate, but this discussion did not continue as the draft legislation was no nearer real consideration by the end of the year.

Already something of a tradition, State Duma deputy Boris Kashin once again brought forward his proposal to exclude the word ‘God’ from the text of the national anthem for the sake of ‘social cohesion’. The State Duma rejected the suggested amendment, as it did last year.

Problems relating to places of worship

As in previous years, many religious organizations encountered problems with the construction and use of religious buildings.

Problems with the construction of religious buildings

As before, Muslims often encountered problems with construction. After last year’s conflict over unsuccessful efforts to build a mosque in the

Tekstil’shchiki district of Moscow, the head of the Central Spiritual Directorate of Muslims (*Tsentralnoe dukhovnoe upravlenie musul’man*) Talgat Tadzhuiddin declared that an agreement about the erection of five new mosques had been reached with the city authorities. However, during the course of the year there was no news of construction having started or about the land having been allocated for even one of these mosques.

Kaliningrad witnessed the renewal of a conflict around the construction of a mosque which has gone on for many years, and which appeared to have been resolved in 2010. A group of Kaliningraders approached the court with a request that the 2007 ruling by the town administration, which changed the town’s development plan, be found illegal. The changes had specifically included the allocation of a plot of land for the building of a mosque. The central district town court supported this claim. On these grounds, a court hearing which contested the provision of a site to build the mosque by the head of the town administration began in November, instigated by citizens. There was another demonstration against the construction at the beginning of 2011.

In Kostroma a conflict over the building of a mosque has continued since 2004. In 2011 construction was suspended by the town authorities – according to the community – without any explanation. The Muslim community appealed to the courts but the administration filed a counter-claim which confirmed that construction was being carried out without appropriate documentation. As a result, the suspension was upheld by the courts until the conclusion of the investigation.

In Voronezh a Muslim community which has been seeking permission to build a mosque for several years was turned down by the town authorities yet again, for the second time in a year. The authorities in Sochi have failed to allot a plot of land for the construction of a mosque since 2003.

Residents of Surgut and Moscow region’s Naro-Fominsk also protested against the construction of mosques.

Protestants experienced fewer problems with the construction of houses of worship in comparison with the previous year, but nevertheless they did encounter some difficulties. The Philadelphia Pentecostal church in Izhevsk, for example, ended 2011 in litigation with the republic’s board of the State Construction, Supervision and Expertise Service (*Gosstroinadzor*), which for several years has refused to authorize the constructed church building for use.

A similar problem arose among Pskov Catholics, who have been unable to secure permission to complete the construction of a church since 2010. In March 2011 the plot of land allotted to the community ten years earlier was removed from the cadastral register. Believers, fearing that the church would be deemed

an illegal construction, began a petition to submit to Prime Minister Putin. In December the town administration conveyed its readiness to impart legal status to the almost completed church building ‘*despite the place of erection, and also the characteristic height of the constructed church, being in clear discrepancy to the requirements of current legislation*’.

In contrast to previous years there was a notable growth in public protests against the construction of not only mosques and Protestant prayer houses, but also Orthodox churches. In first place Moscow deserves a mention: here the implementation of Program 200 (approved in 2010) met opposition. In 2011, within the remit of this program, the town authorities allotted 39 plots for the building of churches ‘within walking distance’. However, over the course of the year not only did conflicts over plans for the modular churches which began in 2010 continue, but new conflicts arose.

Local residents in the districts of Strogino and Degunino (where opponents of Program 200 even destroyed the skeleton of a church under construction) have been protesting against building in nature conservation areas since 2010. New conflicts in Novoperedelkino, Yasenevo and Iuzhnoportovyi districts, and in the Moscow region town of Moskovskii, were also driven by unfortunate choices of building plots – on a parking lot, a shopping center or a school.

Those who oppose the building of churches in Moscow joined forces and even organized a protest action entitled ‘Anticlericalism 2011’.

Sometimes representatives of the authorities heeded protesters’ voices: the mayor of Moscow annulled the allocation of a building plot for the Nativity of the Mother of God church (*khram Rozhdestva Bogoroditsy*) in Strogino, the prefect of the northern administrative district ordered the municipality to find another place for the construction of the St Seraphim Sarovskii church in Degunino, and the church construction in Novoperedelkino was halted.

Conflicts often accompanied the building of Orthodox churches in other regions, too.

Residents of Biisk, Saratov and Ryazan protested against construction on greenbelt land. There were even physical clashes on the construction site in Saratov, between defenders of the park and workers who had arrived to cut down the trees.

There was a public outcry in Iuzhno-Sakhalinsk in response to the town administration’s plans to reconstruct Victory Square and move a war memorial in order to build a cathedral. Participants in the protest, in which various social and political movements participated, were disturbed by the fact that the cathedral would become the semantic center of the square, crowding out the memorial, underlining the domination of one religion and obscuring a beautiful view. Opponents of the construction demanded a referendum on the proposed changes.

In a number of cases opponents of the proposed church buildings defended their position in court. Thus, head of the Karelian section of the ‘Youth Human Rights Group’, Maxim Efimov, appealed to the republic’s Supreme Court to find illegal the regional law which finances the building of the church of St Panteleimon in Petrozavodsk from the republic’s budget. The court dismissed the case, recognizing this allocation of resources as legal. In Penza residents petitioned the court to halt the construction of a church on a children’s playground; the court, however, did not support their claim. Samara residents also resorted to legal action in an attempt to halt the construction of a chapel in the courtyard of a residential block.

Frustration may also be generated by efforts to enlarge the territory of an already existing church, as happened in Moscow (the St Tikhon Zadonskii church, in Sokol’niki park) and in Ul’ianovsk (*Voznesenskii khram*, the Ascension church), where local residents appealed to various structures to check the legality of construction activity. In both cases the proposed widening of church territory could damage vegetation.

In a number of cases the protesters were supported by representatives from the authorities. City дума deputy Leonid Volkov, for example, joined local residents in opposing an initiative which (following Moscow’s example) aims to build 300 churches ‘within walking distance’ in Ekaterinburg eparchy. Residents of Orel, angered by the mayor’s decision to relocate a residential area and move fairground attractions and a town park in order to construct a cathedral, were supported by the town council of people’s deputies. The deputies refused to uphold the mayor’s decision, suggesting that the construction be moved to a different location.

Such opposition impelled the Orthodox public to get organized. An Orthodox rights center ‘The Territory of the Church’ was founded in September in Moscow and Alexander Shchipkov, the head of the Orthodox Journalists’ Club, became the director. The center provides information and PR in cases of conflict between bureaucrats and Orthodox communities, collects information about discrimination against Orthodox Christians and organizes petitions for the building of new churches.

Problems relating to existing religious buildings

In 2011 Protestant organizations most often encountered such problems.

In Vladivostok the mayor’s office demanded that the Central Church of Evangelical Christians-Baptists and the Seventh Day Adventist church vacate the two story building they were occupying. The building had been used by both churches free of charge since 1976, however the rental agreement with

the Adventist community had expired, and the agreement with the Baptists was dissolved early. The order to vacate the premises followed a request by the churches to give them this building in accordance with the new law about the transfer of religious property, which came into force in December 2010. The Baptist pastor resorted to legal action, and in January 2012 the court recognized the illegality of the demand that the Baptist church leave the premises.

In Moscow bailiffs required the Holy Trinity church (*tserkov' Sviatoi Troitsy*) in Novokosino (Christians of the Evangelical Faith, Pentecostals) to leave their premises by 30 December. Back in 2010 the prosecutor's office of Moscow's eastern district had demanded that the community remove their temporary prayer house and foundations from a plot occupied by the Pentecostals since 1995, since the rental agreement had been dissolved in 2005. The court supported the prosecutor's claim in 2010, and although believers twice attempted to appeal this decision, all subsequent proceedings have confirmed the first ruling.

In Kaluga the Pentecostal Word of Life church (*Slovo zhizni*) received notification that the electricity was being turned off, despite the fact that they had paid the bill. Parishioners are suggesting that the cutting off of their electricity was prompted by a conflict with the management of a shopping center being built next door. The town authorities have been trying to evict the church from their building for several years because of this construction project.

The tendency to transfer the churches of 'alternative' Orthodox jurisdictions to the Russian Orthodox Church, noted in 2009, has continued. In 2011 the Russian Orthodox Church received the Ascension church (*Vosnesenskii khram*) in Barnaul and the Protecting Veil church (*Pokrovskii khram*) in the village of Vyrystaikino, Ul'ianovsk region, which belonged to two branches to the Russian Orthodox Church Abroad which had not joined the Russian Orthodox Church (*Russkaia Pravoslavnaia Tserkov' Zagranitsei*, under Metropolitan Agafangel and under Metropolitan Vitalii respectively). In both cases the transfer was preceded by the seizure of these buildings by representatives of the ROC, with the support of the police and administration. The Russian Orthodox Autonomous Church (*Russkaia Pravoslavnaia Avtonomnaia Tserkov'*) did not manage to contest the removal of several churches by the Federal Agency for State Property Management (*Rosimushchestvo*) in 2010; in 2011 the Supreme Court upheld the legality of these expropriations.

Two cases of Russian Orthodox Church constructions being demolished were recorded, however in both cases the eparchies had no objections to the demolitions, since they related to constructions built by individuals who were in conflict with official church structures. Moreover, Samara eparchy was itself

the initiator of the demolition of a chapel in Chapaevsk, built in 2008 by a cleric of that eparchy who was later forbidden to serve the liturgy. The plot on which the chapel was situated is in the free and perpetual use of the eparchy.

Kimovsk district court in Tula region decreed that the Church of the Sovereign Mother of God (*khram vo imia ikony Bozhiie Materi 'Derzhavnaia'*) be demolished as an illegal construction. The church had been built on a plot which belonged to hieromonk Vasilii (Novikov), a retired cleric of Tula eparchy, and after his death the status of the plot was disputed. Not only did Tula eparchy make no effort to defend the church, it even submitted a statement to the court to the effect that the building '*was in no way connected with the Church*'.

It is worth noting two **positive resolutions of conflict** in particular.

In November the Evangelical Christians-Baptists' Ark church (*Kovcheg*) won a case against the administration of Balashikha, Moscow region. The court recognized as illegal the July refusal of officials to grant permission for the commissioning of a prayer house building. The Balashikha Baptists' conflict with bureaucrats has continued over many years, and this is not the first case the community has managed to win.

The administration of Tiumen finally granted the Muslim community a plot in Rabochii Poselok which Tiumen Muslims have been trying to obtain for several years.

Preferential treatment accorded certain religious organizations by the authorities

As in previous years resources from budgets at various levels were allotted for the restoration of places of worship, the majority of which are significant architectural landmarks. According to Alexander Avdeev, the Russian Federation's Minister of Culture, around five billion rubles from the federal budget were earmarked for this task during 2011. Restoration of religious buildings financed from the federal budget was conducted in particular in Moscow, Khabarovsk krai, Kurgan, Samara, Sverdlovsk and Tiumen regions. As before, in the majority of cases the resources were directed at Orthodox – and more rarely, Muslim – buildings. At the same time the Moscow authorities refused to restore an Old Believer historical-architectural complex at Rogozhskaia Sloboda in 2011, excluding it from reconstruction plans.

Interestingly, Moscow's Department of Cultural Heritage admitted that its 2011 program for the restoration of religious buildings was a complete failure.

As a result, there were changes to the way the restoration of such monuments is financed: from 2012 onwards resources for this work will be set aside as subsidies in the city budget, so that religious organizations can do routine restoration work themselves. The related decree was passed by the government of Moscow in December 2011.

Now and again budgetary resources were also spent on building work. In Tiumen region, for example, money from the regional budget was allocated to complete building work on several mosques, and in Tomsk for the building of an Orthodox church.

Representatives of the authorities continued to induce potential donors (generally by administrative methods) to invest resources in the construction of religious monuments. The governor of Yaroslavl region, Sergei Bakhrukov, asked local authorities to seek out non-budgetary resources for the restoration of the Dormition cathedral (*Uspenskii sobor*). The governor of Penza region proclaimed the building of an Orthodox cathedral and a mosque ‘the people’s construction’. Large state-owned companies could act as donors: during 2011 the Joint Stock Company Transneft transferred around 390 million rubles towards the needs of the Russian Orthodox Church.

As in previous years, the Fund for the Support of Islamic Culture, Science and Education, created with the participation of the Presidential Administration of the Russian Federation, allocated resources to Islamic education. In November Dmitrii Medvedev promised to earmark one billion rubles over three years for this, which is on a par with sums allotted earlier.

Similarly, as in previous years, property was transferred to religious organizations: most often, Orthodox, sometimes, Muslim. We are also aware of one instance of a religious building being transferred to a Jewish organization. Considering that the law ‘On the transfer of state or municipal owned property of religious purpose to religious organizations’ came into force on 3 December 2010, one might have expected a sharp increase in the number of cases of transfer, and of conflicts connected with that transfer of property, in 2011.

In the first instance the situation in Kaliningrad region deserves scrutiny. The Kaliningrad authorities began such transfers in 2010, on the basis of regional legislation, even before the federal law about the transfer of property to religious organizations had come into effect. This provoked multiple conflicts at the time. In 2011 Kaliningrad region court accepted for consideration a lawsuit brought by local residents which requested that these regional laws be considered null and void from the day they were passed. Interestingly, no new conflicts connected with the transfer of property were recorded in this region over the course of 2011.

Such conflicts arose in other regions too, but not significantly more often than in the previous year. In Saratov the eparchy is attempting to secure the transfer of the Church of the Lord’s Passion (*khram Strastei Gospodnikh*), occupied by the Shearwater (*Burevestnik*) sports club. During 2011 the twelfth Arbitration Court of Appeal in Saratov ruled that this building be transferred to the ownership of the town Committee for Property Management for further transfer to the Church (the sports club was not provided with a new building), but the Arbitration Court of Privolzhsk federal region overturned this decision.

Again in Saratov the eparchy declared their claim on the building of a military hospital, which was opposed, in particular, by representatives of the Union of Soldiers’ Mothers. In Biisk the general public protested against the transfer of Officers’ House (before the revolution an episcopal metochion and the Altai Spiritual Mission) to the Church. The building currently accommodates a large number of children’s playgroups.

The society of the Moscow Church of the Savior’s Transfiguration in Bolvanovka (*kram Spasa Preobrazheniia na Bolvanovke*), transferred to the Church back in 1997, is unable to use the building fully as a part of it is occupied by a children’s nursery school. The authorities have still not furnished the nursery school with a new building.

As before, many problems arise when religious organizations claim premises occupied by museums. The number of such conflicts has grown in comparison with 2010, moreover many of them have been going on for over a year.

A conflict flared up in Perm in 2011, in connection with the transfer to the eparchy of the Savior-Transfiguration cathedral (*Spaso-Preobrazhenskii sobor*), which for the last few decades has been occupied by a Perm art gallery. The eparchy laid claim to this building back in the early 2000s, but the construction of a new building for the gallery wasn’t embarked upon. According to a contract concluded earlier, the cathedral building should have been transferred to the eparchy in 2015. In 2011, however, the eparchy demanded that the process be speeded up. Despite protests from the museum community and the regional Public Chamber, and despite the absence of new premises for the gallery, the Federal Agency for State Property Management (*Rosimushchestvo*) decided to transfer the building to the Church. Opponents of the transfer appealed to the prosecutor’s office to investigate possible corruption.

Employees of the regional museum of Viaz’ma were obliged to complain to President Medvedev about their eviction from buildings transferred to the Russian Orthodox Church. The museum, together with an archive, library and literary salon were evicted without new accommodation being assigned to them.

After many years of conflict between the Ryazan Kremlin Historical-Architectural Museum complex and the local eparchy one more construction was removed from the museum for diocesan use: the Archangel cathedral (*Arkhangel'skii sobor*). In May church services recommenced in the cathedral, but by November a diocesan Church Archaeological Museum had already opened, housing a collection of old Russian icons which had been removed from the museum complex against the advice of an expert commission. Meanwhile the Minister of Culture, Alexander Avdeev, once again promised that the museum complex would not be completely evicted from the kremlin until appropriate premises could be found for it.

During the year parishioners of the Moscow Church of John the Evangelist under the Elm (*khram Ioanna Bogoslova pod Viazom*), transferred to the Church in 2010, demanded that the Museum of Moscow be removed from the building, complaining that they could not conduct services in the transferred church and accusing museum staff for not wanting to speed up the move. Only at the end of the year were new premises ready for the transfer of the exhibition, and then the museum finally vacated the church building. The Moscow authorities spent 38 million rubles on the restoration of the transferred parish church in 2011.

In Petersburg museum workers were incensed by a statement about the potential transfer of St Isaac's cathedral (*Isaakievskii sobor*) to the Church made by Alexander Makarov, chair of the city's Committee for State Control, Use and Protection of Historical and Cultural Monuments. St Isaac's has for many years been used by the museum and eparchy jointly. A year earlier the eparchy had promised that they would lay no claim to the city's main cathedrals. Meanwhile, representatives of the Alexander Nevskii monastery announced their claim on a building which belongs to the Museum of City Sculpture.

In Chita the general public protested against the potential transfer to the eparchy of the St Michael the Archangel church (*khram Mikhaila Arkhangela*), occupied by the Decembrists' Museum.

In Rostov region the eparchy announced its right to the building of the former post house, occupied by the Aksai Military Historical Museum, and the complex of the Ataman Efremov's estate at the Cossack settlement (*stanitsa*) of Starocherkasskaia, where the Starocherkassk Historical-Architectural Museum is located.

As museum representatives had feared, the fourteenth century Toropets icon of the Mother of God was not returned to the Russian Museum from which it was taken in 2009. After two years in a Moscow region church, it was transferred to the Grabar Restoration Center in anticipation of a further transfer to Toropets cathedral in Tver region.

In Nizhnii Novgorod they decided to repeat a format already tested in the Solovki State Historical-Architectural Museum and Nature Reserve, where in 2009 the monastery's father superior became the museum director, and whose activity in this capacity has provoked numerous complaints. In March 2011 the superior of the Ascension Monastery of the Caves (*Vosnesenskii Pecherskii monastyr'*), Archimandrite Tikhon (Zatekin) was appointed manager of the Museum of the Russian Patriarchate in Arzamas, a branch the Nizhnii Novgorod Historical-Architectural Museum Reserve. Like his colleague in Solovki, Archimandrite Tikhon has no art historical or curatorial training.

Despite the current law on the transfer of property designed for religious purposes, religious organizations do not always receive the premises they demand. Thus Old Believer communities in Moscow and Novgorod did not manage to secure the return of the churches they had laid claim to. The Novgorod community were turned down by the authorities twice in 2011, in the case of the St Dimitrii Solunskii church, which was refused '*in connection with the unsatisfactory technical condition of the building*', and in the case of another church requested together with the Dimitrii church. The Moscow community of the Russian Orthodox Old Believers Church has since 2004 failed to secure the Protecting Veil-Dormition church (*Pokrovsko-Uspenskii khram*), occupied by a sports hall.

In Tver region the disused building of a former monastery church demanded by the Tver eparchy was put up for sale by the regional assembly of deputies, but after intervention from the prosecutor's office it was removed from the auction.

We also recorded instances in which property by no means designed for religious purposes was transferred to religious organizations. Thus, for example, the authorities allocated free use of a maternity unit building to Perm eparchy, so that they could organize a clinical-diagnostic center for women there. Originally the building was auctioned off, and the successful bidder was a company called Perm Dockyard (*Permskaia verf'*), which includes two representatives of the eparchy in its management. On winning the auction the company did not sign the act of property transfer, acknowledging that it had '*overestimated its own resources and potential*'. After this the authorities decided to transfer the building to the Russian Orthodox Church free of charge. Neither the town administration nor the regional office of the Federal Antimonopoly Service found anything illegal in what happened. The public was concerned, in particular, that the new medical establishment might combine abortion with Orthodoxy.

Besides financial and material support, bureaucrats and also state owned media outlets provided PR support to the Russian Orthodox Church.

In November Metropolitan Iuvenalii (Poiarkov) of Krutitsk and Kolomenskoe named a television channel, a Moscow regional government radio channel and the regional government newspaper *Orthodox Moscow Region (Pravoslavnoe Podmoskov'e)* amongst the PR sponsors of his eparchy, collaboration with whom is happening 'on a regular basis'. There were no reports of similar collaboration between representatives of other religious organizations. The government of Samara region earmarked around 700 thousand rubles for a PR program dedicated to 'the formation of spiritual-patriotic consciousness of the population'. Amongst other things, this program is intended to encourage 'the formation of a positive image of Samara eparchy'.

As before, cases of administrative pressure 'in favor of' specific religious organizations were recorded. Officials in Moscow's central administrative region, appealed to for permission to hold a picket marking the anniversary of the abolition of serfdom in Russia, asked the organizers 'to produce a written blessing [from the Russian Orthodox Church] to conduct the proposed action'. Their rationale was that the picket was to be held at the statue of Alexander II, which is located close to the Church of Christ the Savior. In the given case, it seems that the bureaucrats were not acting in favor of, or in defense of, the Russian Orthodox Church, but in favor of their own, fairly unusual, concept of the sacred.

There were virtually no cases where government representatives completely acquiesced to the demands of religious organizations to protect 'religious sensitivities'. In Tver, for example, a unique compromise was found: the governor refused the eparchy's demand that he abolish the annual beer festival, since 'people have already spent money' on it, but he promised not to hold such a festival the following year.

In 2011 the legality of the long-standing regional practice of declaring a day off on religious holidays was called into question. On 31 August the Supreme Court of the Russian Federation ruled to abolish a point of law in the Republic of Bashkortostan's legislation 'On holidays and anniversaries, professional holidays and other significant dates in the Republic of Bashkortostan' which declares the Muslim holidays Kurban Bairam (Eid ul-Adha) and Uraza Bairam (Eid al-Fitr) days off. The decision evoked indignation among the Muslim community and politicians. Deputies of the State Assembly of Bashkortostan and State Duma deputies Oleg Morozov and Pavel Krashennikov proposed initiatives to introduce amendments to article 112 of the Labor Code of the Russian Federation, giving regional authorities the right to establish supplementary non-working holidays. The draft legislation was not passed but, as a result, the Supreme Court annulled its decision on 21 December.

In other regions a number of religious holidays, as before, remain days off. In Kalmykia, for example, Buddha's birthday's has been declared an additional day off, and in Samara region the festival of Radonitsa (when Orthodox Christians commemorate their dead) is a public holiday.

Other examples of discrimination and unwarranted interference

The liquidation of religious organizations and denial of registration

The number of cases of religious organizations being formally dissolved grew in comparison with 2010. The majority of liquidated organizations were Muslim, claims made against them were of a technical nature and their liquidation evoked no protests. In October, for example, the Supreme Court of the Russian Federation liquidized the central religious organization the Kazan Council of Muftis (*Kazanskii muftiiat*). The Ministry of Justice had discerned a number of infringements in the organization's activities, in particular the failure to work 'for the upbringing, education and rendering of assistance to Muslims in the Volga region in defense of rights' (specified as an activity in the organization's governing document), the use of non-registered symbols, and the presence of more associations in the organization's membership than declared in the governing document. In the words of the Ministry of Justice's representative, even the 'Council of Muftis themselves did not oppose' the liquidation of the organization.

In Ufa a court ruling on 15 July banned the activity of the Horde (*Orda*) organization, against which criminal proceedings were instituted under part 1 article 239 of the Criminal Code of the Russian Federation ('The creation of religious associations whose activity entails violence against citizens or other infliction of harm to their health'). According to the investigation the management of the organization exacted money from organization members, manipulating them with the help of psychological techniques.

Moscow's Khamovniki district court supported the Ministry of Justice's legal action to liquidate the League of Muslim Journalists, created in 2005. The reasons for this liquidation were not reported.

The Supreme Court of the Russian Federation liquidated the Islamic Cultural Center. The organization's activity had been halted by the Ministry of Justice in 2010 for a number of violations, including a lack of 'evidence supporting the legitimacy of activities and use of disputed non-residential premises'.

In Yamalo-Nenetsk autonomous okrug two Muslim organizations – Iman in the town of Muravlenko and Islam in the village of Purpe, Purovsk district – were liquidated for registration violations during the year.

One further Muslim organization was liquidated in Primorskii krai for some unspecified infringement of legislation.

Novosibirsk regional court began consideration of a lawsuit brought by the regional prosecutor to close Allia aiat, an organization which has operated in the region for ten years. Prior to this, legal proceedings under article 159 of the Criminal Code of the Russian Federation ('Fraud') were brought against Allia aiat. On 1 September the case was deferred until the defendant's complaint has been considered by the Supreme Court.

There were also claims against Protestant organizations in 2011. The Supreme Court of the Russian Federation liquidated the Russia-wide charitable NGO Transfiguration of Russia (*Preobrazhenie Rossii*), whose activity was halted by the Ministry of Justice in 2010. The Cassation Board upheld this ruling.

Osinniki prosecutor's office, Kemerovo region, attempted to secure the closure of another charitable organization – Source of Life (*Istochnik zhizni*), a rehabilitation center for drug and alcohol abusers founded in part by the Pentecostal church – asserting that the center is an association 'which infringes on the personality and rights of citizens'. However, neither Novokuznetsk district court nor Kemerovo region court could find any cause to liquidate the organization.

In April Khabarovsk krai court liquidated the Grace (*Blagodat'*) Pentecostal church at the request of the prosecutor's office, which considered the rituals of this church harmful to parishioners' psychological health. However the church managed to secure the overturning of this decision. In July the Supreme Court of the Russian Federation ordered that the case be heard again, and Khabarovsk krai court reconsidered the case in December, this time rejecting the prosecutor's demand to liquidate the organization.

Moscow's Golovinskii court refused to register a Jehovah's Witnesses community despite last year's ruling by the European Court of Human Rights that the dissolution of this organization was illegal.

St George's Armenian Catholic parish in Moscow also failed to achieve registration, despite the fact that the Meshchanskii court ordered the Ministry of Justice to register this organization back in 2010.

In Primorskii krai the Petropavlovsk Kamchatka Jewish religious community (affiliated with the Federation of Jewish Communities in Russia) was dissolved for failing to submit reports of its activity.

Interestingly, in April a report appeared about the liquidation of an Orthodox organization – a parish in the village of Iakonovo, Tver region – at the request of a priest. The reason for the closure was given as poverty and the extremely small number of parishioners. Later Tver eparchy clarified that this was not a question of liquidating the parish but about transferring it to the 'attached' category, which means without juridical status and attached to a larger parish.

Discrimination against 'non-traditional' religious organizations

As earlier, religious organizations which do not belong to the 'traditional four' religions were subjected to harassment from bureaucrats and security forces representatives – from negative public declarations about 'non-traditional' organizations to the practical obstruction of their activities. Most often, as in the previous period, Protestant organizations and Jehovah's Witnesses were targeted.

The Belgorod authorities, who in previous years have consistently practiced 'anti-sect' politics and worried about the 'spiritual security' of the region's residents, continued to do so in 2011. In spring the region's Public Chamber and the governor's press office warned the public about the 'threat from sects' and reported on a regional telephone hotline for the victims of 'sects'. Chamber representatives recommended that Belgorod region residents '*do not associate with sect members on any pretext, should they insist, swiftly call the police and complain to the prosecutor's office*'.

In October Bashkortostan's Ministry of Education sent a letter signed by the republic's Deputy Minister of Education Artur Surin to the heads of education management services and educational institutions, warning of the danger of '*foreign religious organizations of destructive persuasion*'. The letter's author enumerated around a hundred such organizations operating in Bashkortostan (including Jehovah's Witnesses, Scientologists, Moonies, Mormons, Pentecostals, Adventists and Baptists) whose methods he considered 'criminal'. The letter contained recommendations to refuse representatives of the listed organizations entry into educational institutions without a letter of recommendation from the Ministry, and also to discuss the danger these organizations pose with schoolchildren during class time. In response to this letter, the Guild of Experts on Religion and Law appealed to the General Prosecutor to check whether the Ministry of Education's action violates Russia's legislation on combating extremist activity.

The press office of Podol'sk Internal Affairs Directorate also expressed concern about the possibility of 'sects' penetrating schools. Its announcement, disseminated in November, accuses new religious movements and Protestants

of extremism, ‘*of the destruction of the national-cultural identity of the Russian people*’, of lowering its ‘*internal immunity*’, and also ‘*creating artificial barriers*’ to the teaching of the foundations of Orthodox culture in Russian schools.

Klin prosecutor’s office, Moscow region, reproached the municipality for not sufficiently closely cooperating with the law enforcement agencies ‘*with regard to exposing the cult buildings of non-traditional religious movements, and also the premises where pseudo-religious totalitarian organizations conduct meetings.*’

In Arkhangelsk region a working group was created to combat destructive religious cults, chaired by the Deputy Governor of Arkhangelsk region Roman Balashov who was developing a related program. The ‘sectologist’ Alexander Dvorkin took part in a press conference held in November, together with a number of local government officials. We also note that in 2011 Dvorkin’s ‘anti-sect’ Irenei Lionskii Center received a presidential grant of two and a half million rubles to implement their ‘Providing help to the victims of totalitarian sects’ project.

Administrative interference in the affairs of religious organizations in 2011 was also noted fairly often. In particular, bureaucrats frequently hindered the performance of various public actions planned by religious organizations.

In Yakutsk and Lipetsk, for example, Krishna Consciousness Society representatives encountered problems with conducting street events. During the year Krishna devotees were twice arrested while performing their songs in Yakutsk, for the unsanctioned conducting of mass events. On one occasion those arrested were fined by order of the town court, but the Supreme Court later overturned this ruling.

Protestants also encountered this sort of difficulty. During the year the administration of Syktyvkar refused to permit local Pentecostals to hold public events (meetings and concerts) several times, on various pretexts. The God’s Glory (*Bozh’ia slava*) church appealed these refusals in court. The court supported four of their appeals, recognizing the actions of the authorities as illegal.

At the request of Bishop Iosif (Balabanov) of Birobidzhan and Kul’dur, the Birobidzhan authorities attempted to forbid an Easter festival concert organized by six Protestant churches in the town. Permission to hold the concert was, however, nevertheless granted.

The authorities in Sakmara district of Orenburg region attempted to disperse a summer camp organized by the Word of Life (*Slovo zhizni*) Pentecostal church, accusing the organizers of illegally grabbing land. Representatives from the administration and the police conducted a surprise search of the tents and threatened to take away holiday-makers’ children.

In March at the request of the town prosecutor Blagoveshchensk town court forbade the dissemination of audio and video materials produced by the New Generation (*Novoe pokolenie*) church of Christians of Evangelical Faith, deeming that they might ‘*exercise a negative influence on the psychological health of an individual*’. Amur regional court’s judicial collegium for civil cases overturned this ruling, but the regional prosecutor’s office announced the annulment of the cassational ruling and the case was sent for a new hearing in the regional court’s presidium. Unfortunately we do not know how the case progressed thereafter.

Regrettably, the persecution campaign against the Jehovah’s Witnesses continued. This campaign began in 2009 after several local communities were banned and several of their publications were deemed extremist. Over the year the Witnesses themselves counted more than 300 instances of discrimination against their believers by representatives of the security services and authorities at various levels. We do not possess detailed evidence of each of these incidents, however during the year we also noted discrimination against Jehovah’s Witnesses in various regions.

As in 2010, we observed the illegal arrest of Jehovah’s Witnesses by law enforcement officials, who conducted frequent compulsory fingerprinting and occasional assaults. Such incidents were recorded in Chuvashia, Zabaikalskii krai, Belgorod, Kostroma, Moscow and Rostov regions.

Apart from arrests, security services representatives often interrupted Witnesses’ church services, and also conducted searches of the prayer houses and homes of believers. This happened in Petersburg, Adygea, Tatarstan, Udmurtia, Primorskii krai, Arkhangelsk, Astrakhan, Kaliningrad, Kemerovo, Moscow and Rostov regions. Representatives of the People’s Council movement (*Narodnii sobor*) appealed to the prosecutor’s office to prevent a Jehovah’s Witness congress being held in Moscow region.

Moscow region’s Ministry of the Interior developed the Apostates (*Otstupniki*) program in 2011, aimed at combatting Jehovah’s Witnesses. Notably the program provides for the collection of information on the leaders and members of the community, checks on church premises, and the monitoring of bank accounts.

In Cheliabinsk region a commission of security services representatives and managers from a subdivision of Ozersk administration basically recommended that the town council of deputies ban the Jehovah’s Witnesses organization as ‘*a structure of anti-state and anti-Christian orientation*’.

Moreover, in several regions internet service providers blocked access to Jehovah’s Witness sites. In Mari El, Ioshkar-Ola town court made a ruling

obliging providers to limit access to Jehovah's Witness materials. In Petersburg and Chita access was blocked at the behest of the prosecutor's office. Providers also limited access to these sites in several towns in Chuvashia, and also in Kemerovo and Moscow, citing security requirements.

In a number of cases those suffering discrimination managed to defend their rights. In Udmurtia, Tver and Kaliningrad region, for example, courts overturned fines or stopped proceedings in administrative cases related to Jehovah's Witnesses who had been accused of illegally conducting church services or disseminating religious literature. Police officers were held to account for unlawfully detaining believers in Tatarstan, Kurgan, Vologda and Sverdlovsk regions; in Kirov the detainees were apologized to.

Belgorod regional court upheld the complaint of local resident N. Korotysheva, earlier fined a thousand rubles for conducting missionary work by order of an administrative commission.

We note that in 2011 pressure from the security services on representatives of 'alternative' Orthodox jurisdictions intensified. In particular, a search was conducted at a parish of the Russian Orthodox Church Abroad (under Metropolitan Agafangel) in Leningrad region. They threatened to confiscate the community's plot of land, since the place of worship was built on land belonging to the priest (this became possible because the church had been built as an ROC parish, and the parish subsequently joined the Russian Orthodox Church Abroad).

Other cases

During the year several cases of discrimination against believers of 'traditional' confessions were recorded.

A Vologda region imam, Ravil Mustafin, complained about the infringement of Muslims' rights to the town prosecutor's office: the management of hostels belonging to Vologda ball bearing factory and Vologda polytechnic university hindered resident Muslims from fasting, refusing to allow them to prepare food at night and not admitting those returning late from prayers.

The community of Krasnodar's cathedral mosque was fined by the courts for 'unlawfully' running a Sunday school which had been operating from the mosque for ten years. The legality of educating the children of parishioners in the fundamentals of religion in parishes and communities has been stormily debated – including in the courts – in previous years. We note that attempts are no longer being made to liquidate communities on this basis, but the question itself is not yet resolved.

The Moscow authorities attempted to obstruct the charitable work of two religious organizations. Mayor's office employees requested that volunteers at the Church of Kosma and Damian in Shubin (*khram Kosmy i Damiana v Shubine*) stop feeding the homeless hot food, which they have been doing for many years. They justified this demand by the need to keep the city center clean (the church is located opposite the Moscow mayor's office). The parish and the Synodal Department for Church Charity and Social Ministry of the Russian Orthodox Church appealed to the mayor's office to make other city center premises available, but such premises have not been provided.

At the request of the prefecture of the eastern administrative district, the Moscow Court of Arbitration ordered the demolition of buildings belonging to the Catholic refuge of the Society of Mother Theresa, which has supported people with severe mental health problems for more than twenty years. One of the buildings was completely demolished; moreover the sisters were obliged to pay for the demolition work themselves.

Both organizations have nevertheless continued their charitable activity.

Insufficient protection from defamation and attacks

No murders on the grounds of religious enmity were recorded in 2011. The murder of a Yaroslavl imam is questionable: in November 2011 the second imam of the local cathedral mosque, who had been threatened more than once by neo-Nazis, was shot. A motive for the killing has not yet been established, however.

There were, unfortunately, assaults motivated by religious hatred. As in 2010, the main victims (more than twenty of them) were Jehovah's Witnesses. Attacks on them were recorded in various regions, in particular in Moscow, Petersburg, Tatarstan, Udmurtia, Chuvashia, in Krasnodar and Primorskii krais, and in Arkhangelsk, Moscow and Sverdlovsk regions. Usually attacks took place during church services. In a number of cases representatives of the religious organization were received death threats and knife injuries, and several people required medical help. In Irkutsk region the drunken head of a village administration twice forced his way into a Jehovah's Witnesses' house, threatening those assembled with a pistol. Moreover, law enforcement agencies at first refused to open a criminal case about the attack, but the materials were then sent for supplementary examination and the order to reject the case was overturned.

Attacks on representatives of other religious confessions happened significantly more rarely than before: in Voronezh three Mormon missionaries were victims, in Moscow – one Orthodox priest. One further citizen was beaten on a Moscow suburban train because he was mistaken for an Orthodox priest.

59 cases of vandalism on religious grounds were recorded in 2011. The vandals' targets were most often Muslim (17), new religious movements (16, 15 of which were the property of Jehovah's Witnesses and one which belonged to Krishna devotees) and Orthodox (12). Apart from these, Jewish (8) and Protestant (5) religious objects were subjected to attacks, as was one pagan temple.

Once again, as in the year before, more than a few cases of dangerous vandalism were recorded: efforts were made to burn down two Orthodox churches, synagogues, buildings belonging to the Jehovah's Witnesses. A mosque was fired upon in Kamensk-Ural'skii, in Rostov and Orenburg regions buildings belonging to the Jehovah's Witness were shot at and in Nizhevertovsk a Pentecostal church was twice fired upon.

Nizhnii Novgorod region became the 'champion' of cemetery vandalism: over the year ten incidents were recorded in the region. Most often Muslim graves were subject to attack, and Novosormovskoe cemetery was subjected to three pogroms. In a number of cases vandals left neo-Nazi graffiti on the gravestones.

Religious and public figures continue to allow xenophobic remarks to be made about various religious groups. As in 2010, Bishop Pitirim (Volochnikov) of Syktyvkar and Vorkuta once again made a xenophobic speech. Commenting on the terrorist attack on Moscow's Domodedovo airport he declared that terrorism in Russia 'has clear national and religious coloring', yet again denounced the equality of religions before the law and demanded that the authorities no longer foster 'the development of alien cults and religious tendencies in our country'.

A transition from speeches to the active opposition of 'foreign cults' was observed in several cases. In Syktyvkar representatives of the national-patriotic organization Frontier of the North (*Rubezh Severa*), who had played an active role in protests against the building of a mosque in the town in 2010, turned their attention to Protestants in 2011. They attempted to disrupt several concerts organized by parishioners of the God's Glory church of Christians of Evangelical Faith (Pentecostals). The 'patriots' distributed 'anti-sect' leaflets to those attending these events.

In Tomsk the Siberians movement, the Pan-Slavic Youth Association, the Congress of Russian Communities and the Tomsk Cossacks opposed the installation of a khachkar, an Armenian stone cross, and appealed to the public prosecutor's office. The lack of 'places of memory connected with the presence of Armenians in Siberian/Tomsk history' was specified by the application's authors as one of the reasons for considering the cross illegal.

As in earlier years, 'anti-sect' articles appeared in the mass media – especially in the regional media. Xenophobic materials focused on Jehovah's

Witnesses, Krishna devotees, Mormons and Scientologists. In contrast to previous years, there was a significant growth of anti-Muslim articles in both regional and federal publications. As a rule all these publications linked followers of Islam with extremism.

Above all it is worth recalling here the campaign to discredit two imams in Novosibirsk, Il'khom Merazhov and Kamil Odilov, in connection with whom criminal proceedings under part 1 article 282² of the Criminal Code of the Russian Federation ('Organizing the activities of an extremist organization') were initiated in October 2011. This case was reported by the Novosibirsk editions of the newspapers *Kommersant* and *Komsomol'skaia pravda*, the federal publications *Komsomol'skaia pravda* and *Labor (Trud)*, the website Pravda.ru, federal television channels Russia (*Rossia*) and Channel One (*Pervyi*). Moreover the publications abounded in insulting statements about the accused and dubious information about the Turkish theologian Said Nursi (whose books Merazhov and Odilov are suspected of distributing) and his pupils.

Anti-Muslim articles were also published in *Moskovskii komsomolets* and the Tatarstan newspaper *Chelny LTD*.

Increasingly often the victims of defamation not only issued statements in response but also appealed to the courts to protect them, sometimes successfully. For example the court of Naberezhnye Chelny, followed by the Supreme Court of Tatarstan, obliged the editors of the newspaper *Chelny LTD* to retract information 'inconsistent with reality and damaging to the business reputation published in the article 'Scandal in the Tauba mosque' in March 2011.

The Good Sense foundation (*Zdravomyslie*) demanded that a criminal case be brought against the press secretary of Patriarch Kirill of Moscow and All Russia, archpriest Vladimir Vigiliansk, under articles 129 ('Slander') and 282 ('Incitement of hatred or enmity'). This was prompted by the fact that Father Vladimir, in responding to an inquiry from the foundation about the validity of the provision of Federal Security Service guards to Patriarch Kirill, called members of the foundation swindlers and added that 'atheists are guilty of a million victims from amongst our fellow citizens'. Initially the applicants were refused, however then the Investigation Department of the Russian Federation overturned this decision and ordered a second examination of the complaint. That there will be no criminal proceedings is not in doubt, however, and this is completely fair: Father Vladimir's remarks about atheists could in no way be sufficient grounds for a criminal trial, and article 129 is not applicable to remarks about an unspecified group of people. Moreover, since December 2011 this article has been excluded from the Criminal Code. In the given example a civil lawsuit would have been more appropriate.

Alexander Verkhovsky

Inappropriate enforcement of anti-extremist legislation in Russia in 2011

Summary

With the eruption of the protest movement in winter of 2011-2012, the issue of political repressions became one of the most hotly discussed subjects, thus bringing attention to the anti-extremist legislation in general, and to the Criminal Code Article 282 in particular. In the past uncompromising defenders of free speech were this legislation's primarily opponents; however, in 2011 the right-wing circles became quite unified and vocal in their criticism of it. Their obvious purpose was to defend their associates, convicted not only for incitement of various kinds, but for violent hate crimes as well. Vladimir Zhirinovskiy even introduced several bills to repeal the law "On Countering Extremist Activity" and Article 282; however the obvious lack of coherence in his proposals revealed their true purpose – not to change the law, but to make a political gesture. Young ultra-nationalists expressed the same sentiment more bluntly in their chants, "Russian Moscow for the Russians; repeal two-eight-two" (*Russkim russkaia Moskva, otmenit' dva-vosem'-dva*).

The purpose of ultra-nationalists is clear, and an informative discussion of laws and their enforcement is not in their best interests; nevertheless the non-radical opposition and civic activists should have paid greater attention to this issue as well. Unfortunately, the protests against "inappropriate anti-extremism" lack well-formulated demands, and protesters are often unable to tell apart different articles of the Criminal Code (e.g. 280, 282 and 282²). A careful analysis of this legislation and its enforcement, based on clear and non-political criteria, is a prerequisite for any attempts to improve the legislation and stop its misuse.

Anti-extremist legislation has been criticized repeatedly and in much detail,¹ so this paper will only focus on analyzing the major law enforcement trends of

2011. The report is divided into four parts. The first part provides an overview of the legal innovations. The second one analyzes the trends most pronounced during this past year. The third one presents our traditional breakdown and review of the groups that tend to become principal targets for "inappropriate anti-extremism." The fourth part, newly added this year, represents our attempt at statistical analysis of repressive practices in this area.

Within the phenomenon of excessive anti-extremism we can identify two levels of violations. The first level represents restrictions of fundamental rights and freedoms to a significantly greater degree than prescribed by international law. The second level refers to abuses of current, already rather repressive, legal statutes of the Russian Federation.²

As in all previous years, the most severe persecution was directed toward particular religious groups; nevertheless certain categories of political and civic activists also became targets for "inappropriate anti-extremism." Media outlets suffered to a lesser extent than in previous years; however, the internet-related inappropriate enforcement of the anti-extremist laws has been on the increase.

In general, we see that measures against extremism, in the form they took under the influence of repressive legislation and repressive campaigns, generate more and more "side effects." Anti-extremist legislation was initially seen as a kind of "enforced tolerance," and its interpretations to this effect have become increasingly arbitrary, threatening prosecution for controversial statements that represent a very minor potential threat to society. Organizations, such as a libraries or Internet providers, which accidentally cross paths with "fighters against extremism," come under increasing pressure. The number of clearly incidental, even completely accidental, victims of this campaign is growing. Finally, we have recorded a rising level of abuse perpetrated by specialized anti-extremist units.

The solution to these problems requires a fundamental reform of anti-extremist legislation. Various aspects of this reform can and should be subject to a serious discussion, which does not fit into the format of this report. We can only indicate its several key provisions:

SOVA Center, 2008), p. 45-79 (see the original version at [http://www.sova-center.ru/en/xenophobia/reports-analyses/2008/07/d13739/](http://www.sova-center.ru/en/xenophobia/reports-analyses/2008/07/d13739/http://www.sova-center.ru/en/xenophobia/reports-analyses/2008/07/d13739/)).

² Our interpretation of this concept is examined in detail in the Preface to: Verkhovsky, 'Inappropriate enforcement of the anti-extremist legislation in Russia in 2009' in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2009* (Moscow: SOVA Center, 2010), p. 73-113 (see the original version at <http://www.sova-center.ru/en/misuse/reports-analyses/2010/04/d18482/>).

¹ See for example Levinson, Lev. S ekstremizmom budut borotsya po-stalinski [Fight Against Extremism Will Use Stalin's Methods] // Rossiiskii byulleten' po pravam cheloveka (Russian Bulletin on Human Rights), 2002, N 16; Verkhovsky, Gosudarstvo protiv radikal'nogo natsionalizma. Chto delat' i chego ne delat'? [The State Against Ultra-Nationalism. What's to Be Done and What's Not to Be Done?]. Moskva: Panorama, 2002, pp. 105-118; Verkhovsky, 'Anti-Extremist Legislation, Its Use and Misuse' in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2007* (Moscow:

- Redefining the object of counter-action as a set of criminal acts, directly or indirectly related to ideologically motivated violence;
- Decriminalizing all other acts, currently qualified as extremist;
- Repealing some clearly discredited legal mechanisms, particularly, the ban on informational materials, and the mandatory examination requirement for the “extremism-related” cases;
- Revision of prior judicial decisions to ban organizations as extremist, as well as of criminal convictions, at least under Articles 280 and 282, since the reform will change the content of these articles to adopt more narrow definitions.

Creation of regulatory acts. Positive developments

The majority of developments in the field of rule-making in 2011 were positive. It seems that the political leadership, the leadership of law enforcement agencies (always involved in lawmaking in this area), and especially the Supreme Court of the Russian Federation felt the need to eliminate at least the most egregious inconsistencies and abuses arising in the field of “anti-extremism.” Of course, the developments never reached the level of full-scale reforms; rejection by the Presidential Administration of a draft reform of the anti-extremist legislation, submitted by the Human Rights Council,³ is symptomatic of the situation. However, even partial reforms are not only important in themselves, but also denote the beginning of a new trend; previously the authorities had simply ignored the problems resulting from “inappropriate anti-extremism.”

Major developments in this field were previously described in the SOVA Center report on counteracting xenophobia and radical nationalism;⁴ here we shall present only the extended quotes from this report, covering important developments and initiatives.

“The most important and positive development of the year was neither a law nor a legislative proposal; it was Resolution No. 11 of the plenary meeting of the Supreme Court of the Russian Federation “Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism” adopted on June 28, 2011,⁵ already cited in this report on several occasions.

³ SOVA Center played an active role in developing this project, handed to the President during his July 5 meeting with councilmember Valentin Gefer. President Medvedev even agreed that the legislation is a subject for concern. In September, however, Gefer received an answer from the Legal Department of the Administration completely rejecting the project.

⁴ Alperovich, Verkhovsky, Yudina, ‘Between Manezhnaya and Bolotnaya: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2011’ in this book.

⁵ The text of Resolution No. 11 of the plenary meeting of the Supreme Court of the Russian

The Court clarified a number of controversial issues regarding the distinctions that determine different qualifications of alleged extremist acts.

First, it confirmed that mass distribution of prohibited materials could be considered a criminal offense under Article 282, if the prosecution proves direct intention of inciting hatred.

Second, the court found the application of Article 282 to violent crimes, if they were aimed at inciting hate in third parties, to be appropriate; for example, through public and provocative ideologically motivated attack. Various acts of vandalism, when they result in a public message, such as, for example, a graffiti inciting hate, should be considered under the aggregation of the relevant articles (i.e. Articles 214 and 244) and Article 282.

Third, the court stated that in order to find a person guilty of involvement in an extremist group (Article 282¹ of the Criminal Code) any form of participation was sufficient, even if no other crimes were committed.

The ruling also contained a number of important points, which had been raised by experts and human rights advocates for many years, and were needed primarily in order to eliminate inappropriate law enforcement.

First, the court stated that criticism of officials and politicians should not qualify under Article 282, since, in this respect, they cannot be held equal to ordinary citizens.

Second (and this is even more important in the context of Article 282), the criticism of political, religious and ideological beliefs and associations, as well as national and religious customs in and of itself does not constitute hate speech.

Third, the ruling prohibited asking experts (linguists, psychologists, and others) any questions related to legal evaluation of the offense. For example, an examiner cannot be asked whether the materials under review were intended for inciting national hatred. Thereby, the Supreme Court merely restated a founding principle of the criminal procedure legislation – the legal issues should always remain the responsibility of the investigation and the court.

However, the Resolution did not eliminate all the blind spots in anti-extremist legislation. In particular, it gave no clarification regarding the kinds of groups that enjoyed protected status under the anti-extremist legislation, in the context of the hate motive toward a social group. The essence of the

Federation “O sudebnoi praktike po ugovnym delam o prestupleniyakh ekstremistskoi napravlenosti” [Concerning Judicial Practice in Criminal Cases Regarding Crimes of Extremism] adopted on June 28, 2011 //The Supreme Court of the Russian Federation. 29 June (http://www.supcourt.ru/Show_pdf.php?Id=7315). See also Kommentarii ‘SOVY’ na Postanovlenie Plenuma Verkhovnogo suda ob ekstremizme [SOVA commentary on the Resolution of the Supreme Court plenary meeting regarding extremism] // SOVA Center. 2011. 1 July (<http://sova-center.ru/misuse/publications/2011/07/d22010/>).

Criminal Code Article 282² (“organization of an extremist group”) received no clarification as well; for example, the Court never explained whether activities, conducted under a different name and logo, but by the same persons and for the same purpose, could be considered as continuation of the activity by a banned organization. Finally, based on experience, we don’t expect the courts to accept unusual Supreme Court clarifications quickly. Nevertheless, we already saw some cases, where the verdicts clearly reflected these clarifications.

The presidential bill, expanding the use of “professional restrictions” under some “extremist” articles of the Criminal Code, went into force on July 26.

It reformed Articles 280 (“public incitement to extremist activity”), 282¹ (“organization of an extremist community”) and 282² (“organization of an extremist group”). In some cases the punishment in the form of ban on occupying certain positions or engaging in certain activities was newly introduced, and in other cases its use was expanded to include longer time periods for the restrictions.

In this case we support more stringent “bans on professional activity,”⁶ as well as the fact that prison sentences were not increased; we believe that a prison term is not an appropriate punishment for “mere words.”

The presidential bill presenting extensive humanization of the Penal Code (including “crimes related to extremism”) went into force on December 7, 2011. Under this legislation, custodial sentences will be less frequently imposed for offenses under Part 1 of Article 280, Part 1 of Article 282, Part 2 of 282¹ and Parts 1 and 2 of Article 282² of the Criminal Code, as these crimes will now be considered minor offenses, to which custodial sentences shall not apply in the absence of aggravating circumstances. We welcome this initiative, since it relates to sentences for offences that involve “mere words” or simple membership in a group.

Amendments will indirectly affect the practice of giving suspended sentences for these crimes. A suspended sentence is usually given in lieu of a prison term, and, since such custodial sentences are now expected to become rare, the number of suspended sentences should decrease as well. We welcome these changes, because we believe that an ideologically-motivated offender tends to perceive a suspended sentence as, essentially, a non-punishment.

In addition, in 2011 two seriously problematic pieces of anti-extremist legislation were introduced.

⁶ Please keep in mind that inappropriate verdicts are being handed down under Articles 280 и 282² as well.

On August 4 the government sent a bill to the Duma that dealt with financing extremist activities and propaganda of extremism on the Internet. It provides:

- Introduction of a new article of the Criminal Code, 2823 (“funding of extremist activity”), with penalty ranging from a fine to up to 6 years’ imprisonment;
- Inclusion of valuables intended to finance extremist activity into the list of confiscated property;
- Giving the Internet the media status in relation to Articles 280 and 282;
- Setting procedural deadlines associated with the recognition of extremist materials. The judgment should be sent to the Ministry of Justice within three days, and the Ministry of Justice should add the decision to the Federal List within 30 days.

We believe that the introduction of article on financing extremist activities serves no useful purpose, since the Criminal Code already assumes that providing funds for the commission of a crime is a form of participation (Article 33 of the Criminal Code). However, the addition of this article is not expected to cause any harm.

As for treating the Internet equally to mass media, this initiative seems to us very ill-conceived. First, not all material posted on the Internet is publicly accessible; it can be hidden behind a password and accessible only to a narrow range of users, making this arrangement no different from a group e-mail. Second, in any propaganda crimes the degree of publicity is critical. While the extent of public exposure is sufficiently clear when applied to the media, for the statements made online exposure can vary greatly – from a broadcast, exceeding the circulation of most newspapers, to a smaller resonance than a conversation in a crowded room.

The proposed bill encourages serious prosecution (especially under Article 280) for Internet remarks, even when public danger is only negligible because of the small audience size. The amendment essentially does not change the disposition of Article 282, which simply mentions the Internet, along with other types of media after the word “including,” when giving examples of public statements. In case of Article 280, however, utilizing the media (and, according to the proposed bill, the Internet as well) constitutes a qualifying clause, so that any call to extremist activity on the Internet would have to be punished under this article by nothing less than imprisonment for up to five years. The motivation for such a harsh innovation is not clear. Even now, nothing prevents the prosecution from filing charges based on illicit statements posted on the Internet, and a considerable case base (of both legitimate and inappropriate application of the law) has been accumulated.

The bill shows no signs of advancing through the Duma, and, considering the growing resistance, might never pass in its current format.

On October 11, 2011 President Dmitry Medvedev submitted to the State Duma a draft federal law Concerning the Introduction of Amendments to Article 22.1 of the Federal Law “Concerning the State Registration of Legal Entities and Private Entrepreneurs” and articles 331 and 351.1 of the Labor Code of the Russian Federation.”

The bill concerns the restrictions on working with juveniles. Now it is prohibited to everyone, who have been convicted or charged (and never acquitted) under a good half of the Criminal Code articles. The bill proposes to add crimes against the foundations of the constitutional order (Chapter 29 of the Criminal Code) to the list, including offences under Articles 280, 282, 282¹ and 282².

We have no objections against the law itself, but would like to emphasize a considerable amount of wrongful convictions imposed under these articles of the Criminal Code. This means that victims of anti-extremist legislation misuse would face an even greater deprivation of rights, if this bill passes.”

As you can see, not all the changes last year were for the better. In particular, the situation with the Internet regulation has only deteriorated (see “The Internet and Anti-Extremism” section below). Let us, however, dwell on one more encouraging episode, which shows that the Supreme Court is not the only organization concerned about the most obvious excesses of anti-extremist law enforcement.

We have already written about the fact that Russian law mandates an absolute ban on public use of Nazi and similar symbols. This context-independent ban is obviously absurd, and, of course, has never been systematically applied. A case of meaningless persecution finally attracted attention beyond the circle of human rights activists and the media.

Vadim Gromyko, a son of the Krasnodar Kray vice-governor Eugene Gromyko, decided to make a comic movie with himself playing the role of Stirlitz⁷, and rented SS uniform for this purpose. As a result, the Krasnodar Kray Prosecutor’s Office opened a case under the Administrative Code Article. 20.03 (propaganda and demonstration of Nazi symbols) against the woman, who posted online the photograph of V. Gromyko, wearing this uniform, and demanded that all the media outlets, covering the video (which scandalized the region) removed these images from their publications. Charges were also brought against the police, the president of the university, attended by V. Gromyko, and the director of the recreation center, where Gromyko rented the uniform.

⁷ The main character of a well-known Soviet TV film series “Seventeen Moments of Spring” (on the life of a Soviet spy in Nazi Germany).

This absurd story could have been forgotten, like many other ones before it, but the *Zhivaia Kuban’* web portal found the claims of the prosecutor’s office to be unfounded, since the materials were never intended to promote Nazism, and went to court.

In substance, the editorial board was, of course, right, but not according to the letter of the law. The old law “On Immortalizing the Soviet People’s Victory in the Great Patriotic War of 1941-1945” contained an unconditional prohibition, and the later law “On Counteracting Extremist Activity” prohibits “propaganda and demonstration,” and the interpretation of the conjunction “and,” contained in this prohibition is not clear; the logic of Russian grammar implies that each activity is separately forbidden; however the tradition of the legal usage dictates using a different conjunction “either” (*libo*), when referring to banning both one and the other. Thus, the legal norms set by the law “On Immortalizing...” effectively have not been invalidated.

In September Sergey Sitnikov, the head of Roskomnadzor, grasped the situation with *Zhivaia Kuban’* and declared that his department would send a request to the Regional Prosecutor’s Office to withdraw their demands to the media outlets and, most importantly, would initiate a discussion regarding possible revision of the relevant legal norms. On October 5, 2011 the Public Council of the Roskomnadzor supported Sitnikov’s position that the media should not be held responsible for the publication of images of Nazi symbols or paraphernalia or symbols or attributes, similar to Nazi, if the publication had no purpose of promoting the ideas of Nazism.

It is difficult to say when this legislative change would occur, but at least Roskomnadzor’s position on the issue underwent a radical transformation.

Decisions of the European Court of Human Rights exert substantial influence the legal climate in Russia. Needless to say, Russia, despite its obligations as the Council of Europe member, is not very eager to implement the recommendations of the ECHR. Yet, in many cases, these recommendations do not go unnoticed.

On June 21, 2011 the ECHR ruled that the “Watchdog control” (*Storozhevoi kontrol’*) databases, used by Russian law enforcement agencies to keep activists under surveillance as part of the anti-extremism campaign, and the practice of “preventive” detention violates the right to respect for private life. The decision was taken based on the complaint filed by Sergei Shimovolos, the human rights activist from Nizhny Novgorod.

As we mentioned before, the existence of the police database of people, who have become targets of operational work, is completely natural. The ECHR has no objections against such a database. The court also has no doubt that any

secret surveillance interferes with the privacy rights, and the only question is the ground and rules for such an intervention. The Strasbourg Court insisted that the basis, on which a person can be included in the database for secret surveillance, had to be clearly stated in a public legal act, giving every citizen an opportunity to avoid such observation. The “Watchdog Control” surveillance database functioned on the basis of an unpublished order; the legislation provided no clear explanations regarding the inclusion criteria for this database (due, in particular, to the exceedingly vague definition of extremist activity) and did not describe an appeal procedure. Thus, the existing mechanism in Russia was deemed not “in accordance with the law” in terms of interference with the personal privacy rights.⁸

In February 2012 the District Court of Nizhny Novgorod had to resume deliberations regarding Shimovolos’ complaint. The full implementation of the ECHR decision requires clarifying the definition of extremist activity and publishing an open act that defines functioning of the “Watchdog Control” according to the relevant European standards.

Major trends in 2011

SOVA Center has been monitoring abuses in the application of anti-extremist legislation for a number of years and issued numerous annual reports on the subject.⁹ Over the years, law enforcement has developed routines, along with corresponding routine abuses. Our analysis of these routines is forthcoming in the next section of this report. Now, however, we would like to focus on significant trends of 2011.

“Excessive vigilance”

Anti-extremist legislation is directed primarily against conduct, motivated by a particular intolerance, and cultivating, advocating and implementing this intolerance in practice (including grave crimes against an individual). We agree with legislators and the majority of citizens that intolerance is harmful both

⁸ The text of the ECHR decision is available at the site of the Perm Human Rights Commissioner (http://ombudsman.perm.ru/_res/fs/file979.doc).

⁹ The last one is Rozalskaya, ‘Inappropriate enforcement of anti-extremist legislation in Russia in 2010’ in *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2010* (Moscow: SOVA Center, 2011), p. 66-87 (see the original version at <http://www.sova-center.ru/en/misuse/reports-analyses/2011/04/d21360/>).

ethically and socially, and, even if not detrimental per se, can produce bad consequences. This is true even for such forms of intolerance as, for example, morally justifiable indignation directed at someone’s harmful and dangerous actions. Therefore, in discussing the enforcement of anti-extremist legislation and its level of appropriateness, we must bear in mind that socially dangerous behavior, to which law enforcement agencies are bound to respond, could easily be related to the world outlook, which is not reprehensible per se, for example to certain religious or political views.

At the same time, we believe that in many cases society should not compel its citizens to behave tolerantly, especially since no government can always be trusted to enforce such tolerance. Only in extreme cases the moral and other kinds of social self-regulation can be replaced by government intervention. This remains true even in the situations, where the worldviews of some citizens are not well-tolerated by the majority (the examples of such religious and political views abound). This is true, even if some other proponents of such views committed ideologically-motivated crimes – after all, people are only responsible for their own statements and actions (aside from exceptions, such as a leader or a parent). This last point must be borne in mind, when discussing public statements of people, who share extremely xenophobic views of any kind.

However, all these considerations clearly have not been taken into account, when the current anti-extremist legislation was designed, and, worse, are not taken into account in its enforcement, despite vast accumulated experience that should inspire reflection.

Anti-extremist measures were often applied in cases where a statement (in the form of speeches, articles, videos, etc.) was certainly intolerant to one or another (usually ethnic) group, but contained no inflammatory appeals. It is particularly outrageous, when such cases lead to criminal prosecution; the police either misinterpret or explicitly ignore such necessary component of any offense as its level of public danger.¹⁰

The two most problematic legal statements in this respect are the element of the “extremist activity” definition, which defines it as an assertion of the inferiority or superiority of any group, and related disposition of the Article 282, dedicated to the abasement of human dignity, as it relates to a person’s group membership. It seems that such statements do not represent significant danger to society, since, in essence, they are similar to such acts as defamation or

¹⁰ Part 2 of the Criminal Code Article 14 states, “The commission of an act, or an inaction, although formally containing the indicia of any act provided for by this Code, but which, by reason of its insignificance, does not represent a social danger that is, which caused no harm and has not created a treat of damage to a person, society, or the state, shall not be deemed a crime.”

insult, decriminalized in December 2011. We believe that an adequate solution to the problem would be to delete the “abatement of human dignity” clause from Article 282.

Currently the “abatement of dignity” appears in a number of cases, and we believe that, while it may correspond to the letter of the law, it reflects neither the spirit of today’s Russian criminal legislation nor (to even greater extent) the boundaries for freedom of speech, set the by European Convention on Human Rights and Fundamental Freedoms according to its practical interpretation by the European Court of Human Rights.

For example, at the end of December, the Kabardino-Balkaria Prosecutor’s Office requested that the court to ban extremist as the article, “Balkaria for Balkars... and Moscow for them, darlings, as well” (*Balkaria dlia balkartsev...i Moskva dlia nikh zhe, rodimyk*), which contains only stabs at backwardness of the Balkar People, and their widespread hostility to the Kabardians and the Russians (the criminal case under Article 282 was initiated right after the New Year).

In April 2011 a new case was filed concerning Yuri Mukhin, the leader of the banned Army of People’s Will (*Armiya voli Naroda*, AVN) and the editor of the banned *Duel* newspaper (in the meantime, the *To the Stand* (“*K barieru*”) newspaper, which replaced the *Duel*, was banned as well, and now is being published as the *True Names* (“*Svoimi imenami*”). In this case Mukhin, a known anti-Semite, was clearly inappropriately accused of anti-Semitism under Article 282. His controversial article “I also have an advice” (*Est’ i u menia sovet*) expresses hostility toward Jews, but the worst accusation, levied against them in the article, is that they first created and then destroyed the USSR. Mukhin also was accused of quoting Hitler, which, in itself, does not constitute a crime.

Even more famous example is the criminal case under the same article against the well-known nationalist activist Konstantin Krylov for his speech at the “Stop feeding the Caucasus!” rally. His speech contained hints that people from the Caucasus kill Russians and corrupt the police, but no incitement to illegal activities.

While in the above examples we can still expect the cases not to reach the court, or the defendants to be acquitted (and, contrary to popular opinion, both of these outcomes are possible in Article 282 cases), the Kaliningrad publisher Boris Obratsov was already convicted on September 19, 2011 under Part 1 of Article 282 to a fine of 110,000 rubles for his attacks on the Russian Orthodox Church in print. Obratsov also made pronouncements about religious people in general, but even the strongest sentence in the article – “*A religion is a combination of suckers, who are being fooled, and the scum that heads any religious organization*” – is obviously not so aggressive as to merit criminal prosecution.

In our opinion, at least three issues need to be considered in this case. First, the article contained no incitement of any kind, and “abatement of human

dignity” in itself constitutes a rather weak and doubtful corpus delicti in the context of criminal law, especially since acts, such as insults and slander, were decriminalized in December 2011. Second, the position of the Supreme Court was not adequately taken into account; its judgment of June 2001 stipulates that “*criticism of religious communities ... religious beliefs,...or religious practices ... in and of itself does not constitute an act aimed at inciting hatred or hostility*,” although here the Supreme Court does not mention abatement of human dignity. Third, the extent of the act’s social danger, critical for establishing its criminal nature in accordance with Part 2 of the Criminal Code Article 14, was clearly never taken into account. Obratsov’s statement, quite typical for an anti-Church rhetoric, was unlikely to hurt many people’s feelings.

The story does not end there. In mid-November someone reproduced Obratsov’s text online (in fact, it was partially posted on many sites), and this became the basis for the second round of criminal proceedings for the fact of re-publication. So far, however, it is unclear how the prosecution is planning to prove that the online publication was carried out by Obratsov. On December 5 his place was searched, and on December 13 the Bureau of the Kaliningrad Regional Court ordered the Leningrad District court in Kaliningrad to consider the Prosecutor’s application to recognize the ill-fated text as extremist.¹¹ Incidentally, an interesting procedural dispute arose in this case; both district and regional courts had previously refused to consider the case, since they considered it inappropriate to decide on an administrative action regarding the text simultaneously with the related criminal proceedings. However, the Bureau of the Regional Court decided otherwise.

We have already stated on several occasions that assertion of superiority and exclusivity of one’s religious faith should never be the ground for prosecution, either criminal or administrative. Although our laws can, unfortunately, be interpreted to classify such speech as criminal, even plain common sense dictates that the claim of exclusivity of one’s own faith (one’s religion or one’s personal interpretation of religion) constitutes a natural and almost universal feature of religion as such. Of course, crimes can be inspired by what is commonly referred to as “fanatical faith,” but this should not be used as the reason to prohibit manifestations of such faith, when they are not criminal in any other way.

2011 brought new cases of prosecution based solely on this shaky foundation (see examples in the next section of this report). Of course, such prosecution

¹¹ As far as we know, a sudden burst of activity regarding this case in December 2011, had no continuation during the first month and a half of 2012, despite the fact that Obratsov was taking an active part in the protest movement.

is extremely selective, since systematic persecution for claims of religious exclusivity is simply not possible.

The assertion of exclusivity of political views has also been used as the ground for prosecution, despite the fact that such charges contradict anti-extremist legislation, even in its present form. Political and ideological enmity is, according to the Criminal Code, an aggravating circumstance for any crime on a par with hatred of race, religion, etc. However, Article 282, which criminalizes public statements aimed at inciting various kinds of enmity, excludes the political and ideological enmity. Simply put, incitement of enmity between political or ideological opponents is not a crime. Apparently, some people view such an exception to “forced tolerance” as unreasonable, and found a way to circumvent it.

On June 24, 2011 the Public Prosecutor’s Office of the Republic of Tatarstan delivered a warning about the impermissibility of extremist activity to Roman Ilyin, the user of the social network *Vkontakte*, and the administrator of the group Autonomous Action (*Avtonomnoe deistvie*) (Kazan). According to the prosecutors, the content of a manifesto of libertarian communism (the ideological platform of the Autonomous Action), “determines” social hostility between the groups of supporters and non-supporters of this movement. Thus, the prosecution is actually prepared to qualify the actions of Kazan’s activists as an incitement of hate toward a “social group” of their political opponents. Apart from yet another obvious abuse of the “social group” concept, here we observe an attempt to criminalize the expression of political views (albeit, in this case, certainly radical) as such.

The Internet and anti-extremism

There is no doubt that everything forbidden offline is also forbidden online. A very substantial case history of enforcing anti-extremist legislation in relation to the statements, made on the Internet, already exists. This enforcement had some degree of success (primarily quantitative), as well as serious problems, which we have mentioned repeatedly, but which, far from disappearing, instead appear more often. They exist even when we exclude from consideration all the cases of clearly inappropriate bans for online material.

First, the prosecution and the court customarily don’t recognize the degree of publicity as an important criterion of the statement’s danger to society. It is not taken into account at all in cases, relating to the Internet speech, where the degree of publicity is, indeed, difficult to assess.¹²

¹² For more information, see Alperovich, Verkhovsky, Yudina, *Between Manezhnaya and Bolotnaya*.

Second, the problem of removing material from the cyberspace continues to exist. Simply removing the materials upon request from a law enforcement agency is a voluntary choice, since such requests have no binding force. Often site owners or hosting providers agree that a certain item should be deleted as likely violating the law and their own rules (and responsible hosting service providers usually have their own very reasonable set of restrictions for posted materials). Problems begin if the material is not being removed voluntarily.

There are two legal mechanisms for implementing prohibition of an item published on the Internet. The first is a targeted court judgment of removal, which is mandatory for local hosts and site owners (or social networks account owners, etc.), but it is seldom used, since it actually requires two decisions: to recognize an item as extremist, and to make a decision regarding its specific location. The second mechanism is a judgment about blocking access to illegal material, addressed to one or more access providers.

In both mechanisms the court judgment is often replaced by a simple request from law enforcement agencies, which, as we believe, should not be sufficient, since usually the situation also involves a disagreement, which should be resolved in court. The problem is that the law “On Communications” mandates to fulfill “motivated requests” from the law enforcement, but, currently, there is no common understanding on what kind of “motivation” is expected for “extremist content”- related cases.

Meanwhile, a new law “On police,” which entered into force on March 1, 2011, introduced an additional theme. Unlike the previous law “On Militia,” this law states that the police notions of “eliminating the causes and conditions that contribute to security threats to citizens and public safety, commission of crimes and administrative offenses” are considered mandatory. So far, this development did not manifest itself in the field of anti-extremism, but it certainly will.

In 2011 we observed a number of judicial and extrajudicial cases of blocking the Internet sites, usually due to presence of just one or two previously banned materials (although specific reasons for blocking are frequently not published). There are some doubts that in each case the police had first asked the site owners or hosting provider to remove these materials. The increasingly used method of blocking is also fraught with problems, which we have discussed in our earlier publications.¹³

Internet service providers insisted on many occasions that they could not be held responsible for materials that are read, watched and listened to by their

¹³ See Rozalskaya, *Inappropriate enforcement of anti-extremist legislation in Russia in 2010*.

customers, and, moreover, an attempt to influence them would constitute a breach of contractual obligations, or even a censorship attempt. In cases, when the dispute went to court, providers more often lost than won. As a rule, such cases are related to blocking access to specific sites of Jehovah's Witnesses or National Bolsheviks, and sites with banned Muslim or nationalist materials. Sometimes blocking requests were more ambitious in nature; in Togliatti, the prosecutor ordered a number of local service providers to block access to 100 sites at once, and the court approved the request for 80 of them.

Clearly disproportionate decisions to block sites, because of a few items posted on them, cause the greatest damage. Disparity and injustice of such a solution is obvious in cases where certain materials prohibited by the court are clearly not typical for a given site. The most striking example was an absurd decision in the Khabarovsk Kray (later repealed) to ban YouTube and several other world-wide services because of certain materials posted there. Another absurd decision, which was not canceled and entered into force, was made by one of the courts in the city of Ulyanovsk regarding the prohibition of the popular service liveinternet.ru and the popular Tatar portal tatarlar.ru because of several nationalist materials

A ban on several National Bolshevik web sites in Khabarovsk manifested a clearly oppressive bias, characteristic for the Internet anti-extremist security measures. Even more importantly, this case has set an important precedent.

In the case of blocking access to the NBP sites, initiated at the request of Khabarovsk prosecutors back in 2009, the Central District Court of Khabarovsk on February 2, 2010 (followed by the regional court on April 28, 2010) took the side of the provider, since the prosecution did not have explicit legal ground. Indeed, the National Bolshevik Party was banned, but not its sites, and no law suggested that one implies the other (even in legal practice, materials of a proscribed organization are banned in a separate judgment). In addition, the Khabarovsk courts decided that the access provider was not engaged in distribution of materials.

However, the Prosecutor General's Office appealed this decision to the Supreme Court; the Judicial Panel of the Supreme Court for Civil Affairs returned the case for retrial, and, incidentally, on May 10, 2011, adopted a Decision # 58 Vpr11-2,¹⁴ which also has wider implications.

In this Decision the Supreme Court states that, when providing access to forbidden information, the provider becomes complicit in its distribution, since the provider has technical ability to block it. Moreover, the Supreme Court decided that blocking access should be carried out without a court order, purely

¹⁴ The Supreme Court. Decision No. 58-Vpr11-2 // The Supreme Court of the Russian Federation. 2011. 10 May (http://www.vsrf.ru/print_page.php?id=7647).

on the basis of a motivated request from law enforcement agencies, providing no clarification on determining sufficiency of a motivation (precisely the problematic issue.)

Unfortunately, such is the current outcome of the blocking dispute. Apparently, it will remain in effect until the matter is resolved otherwise at the legislative level. In the wake of the Supreme Court decision blocking access to sites in Khabarovsk Kray have met almost no further resistance.

The theme of blocking access as a way to enforce the ban on materials is related to the theme of blocking websites as an independent measure.

In some cases, the court approved requests to block access to the site on the grounds of the site ownership by a banned organization. In June, the Sovetsky District Court of Rostov-on-Don ordered a number of local Internet providers to block access to sites, "*used by the leader of the banned Army of People's Will inter-regional public movement,*" and courts in Kirov and Astrakhan made similar requests regarding the NBP sites. In November and December there were several notifications about blocking access to Jehovah's Witnesses web sites in different cities; it was not always clear whether the court judgment existed in each case, or whether the service providers simply complied with requests from law enforcement agencies (as well as what particular law enforcement agencies were involved). On May 18 the Krasnoflotsky District Court in Khabarovsk approved the request to block access to the web sites of NBP, Jehovah's Witnesses, and the Slavic Union (*Slavyansky soiuz*, SS), evidently, because they were associated with the organizations banned as extremist. The degree of legal justification for prohibiting these organizations, varies greatly, from an obviously inappropriate ban on two regional Jehovah's Witnesses organizations to a legitimate and quite appropriate ban on the neo-Nazi SS. In any case, blocking entire sites without any court rulings about their ban cannot be considered legitimate. Notably, the site nbp-info.ru was banned as extremist in Kirov, but it happened a month after the court decision to block access, not prior to it. The other sites on the list have not been officially banned at this time.

In some cases, prosecutors have successfully sought to block sites not for hosting any prohibited materials, but because of allegedly extremist content found on these sites by the prosecutor's office. In 2011 the courts in Togliatti and Khabarovsk made judicial decisions about blocking access to dozens of sites at once. It does not seem realistic that the court gave serious consideration to the content of all these sites at once. In fact, in such cases, a court decision to block access serves as a substitute for actually banning the materials, at least on the local level. In any case, regardless of public safety and other justifications for such measures, it should be recognized that the law "On Countering Extremist

Activity” does not authorize site blocking without the court ban. However, this new restraining mechanism has emerged de facto and is increasingly utilized. The situation is not yet close to anything like the “Great Chinese Firewall,” but law enforcement agencies naturally drift in this direction.

Certain organizations that simply have nothing to do with “extremist materials” on the Internet and are not in position to reduce the real risks associated with these materials, also become subjects of persecution. We are talking about organizations that provide citizens with access to the Internet, such as thousands of schools, libraries, and other similar places. According to the law enforcement, these institutions, just like Internet access providers, are required to block “extremist content.” Meanwhile, no legislation stipulates specific steps they should follow.

This obligation practically means that schools and libraries are required to install filtering software that prevents the user from accessing the “extremist materials” (and other problematic content, such as pornography). If such user protection fails to function properly, prosecutors issue a warning to directors and insist on disciplinary measures against responsible parties. The schools received a standard Internet filtering software package, but were left responsible for periodic updates to filtering databases, and often have neither money nor personnel to deal with this task. Libraries never received any filters at all, and, obviously, have no budget for installing them locally.

Furthermore, the presence of filters does not prevent institutions, such as schools, from running into problems with the prosecutor’s office. After all, no filter can guarantee that the user will be unable to access the site containing prohibited materials. The usual way of “filtering the internet for extremism,” that is, blocking access to sites, directly specified in the Federal List of Extremist Materials, is clearly insufficient. The filter is usually tested by searching for certain keywords, and the prosecutor’s office staff immediately gains access to numerous pages either very similar to the banned ones, or simply containing clearly inflammatory content, promptly classified as “extremist.” The question of whether filters work at all in terms of shielding children from undesirable materials is still unresolved (even more so for adults), but their existence turns institutions, such as schools and libraries, into convenient targets for “beefing up the numbers” for anti-extremist activity.

The number of inspections and various acts of prosecutorial response grew accordingly, often with disciplinary consequences for employees. According to our most conservative estimates,¹⁵ the total of 171 sanctions had been issued prior to 2011, while in 2011 their number reached 192.

¹⁵ Most likely, we never encounter information about the majority of such inspections. We often learn about an inspection campaign, but not about the number of warnings and other

Incidental victims of inappropriate anti-extremism

As we mentioned earlier, people and organizations that are clearly not related to “suspected extremists,” but simply happened to attract attention of law enforcement agencies and presented an easy target, increasingly become the victims of inappropriate or simply irrational enforcement of anti-extremist legislation.¹⁶

We have written more than once about the plight of libraries, caught between the law “On Librarianship,” requiring them to provide unfettered reader access to collections, and anti-extremist legislation forbidding mass distribution of prohibited materials.¹⁷

Below is our summary of this anti-library campaign. The prosecutor’s offices in various jurisdictions charged libraries with a variety of offences, starting with presence of banned materials (usually books) in their collections – despite the fact that libraries have no legal ground for de-accessioning these materials. The following charges were used as the ground for sanctions:

- Absence of printed Federal List of Extremist Materials or its updated version (this charge is absurd even on a technical level, given the List’s size);
- absence of regular shelf reading to identify materials from the Federal List, or even absence of plan for such a shelf reading;
- absence of the standard clause regarding “the prohibition of extremist literature distribution” in the library by-laws;
- absence of subscription to the *Rossiyskaya Gazeta* newspaper, which publishes the list (despite the fact that the list also appears on the Ministry of Justice web site far in advance of *Rossiyskaya Gazeta*);
- absence of access restrictions in relation to the books, featured on the List (although no regulation exists to provide a procedure for such restrictions);
- absence of effective (or any other kind of) Internet filtering of “extremist content” (see above for more information).

In 2011 the campaign continued on a larger scale. According to our definitely incomplete data, in the period from mid-2008 through the end of 2010 at least 170 cases of inappropriate sanctions against the libraries’ leadership

prosecutorial response actions, resulting from this campaign. In such cases we counted an entire campaign as a single case for statistical purposes.

¹⁶ See Rozalskaya, Misuse of Anti-Extremism Legislation in the First Half of 2011 // SOVA Center. 2011. 17 October (<http://www.sova-center.ru/en/misuse/reports-analyses/2011/10/d22796/>).

¹⁷ For more details, see a brochure, published by State Historical Public Library of Russia with the participation of SOVA Center: *Rabota bibliotek s ‘Federal’nym spiskom ekstremistskikh materialov* [Libraries Working with the Federal List of Extremist Materials] (Moscow: State Historical Public Library, 2011).

took place (including school libraries); in 2011 we recorded at least 138 such cases in a single year.¹⁸

Sanctions became tougher. Whereas previously they were limited to warnings and disciplinary measures, in 2011 the courts began to impose sentences under the Administrative Code Article 20.29 for storage of extremist materials with intent to distribute. Several library directors were, essentially, fined for carrying out their duties.

For example, on July 4, 2011 the magistrate's court in Yekaterinburg handed down a guilty verdict to Galina Kudryashova, the director of the Ural Federal University Zonal Research Library. She was sentenced to a fine for the following items found in her collection: *Fascism and the Russian emigration*, by A. Okorokov, and the "Chechen Republic" article from the Terra Publishers' *Great Encyclopedia* (inside the entire encyclopedia volume). Okorokov's book is a scientific publication that (whether good or bad) cannot be removed from a university research library. The same argument is even more relevant in case of an entire encyclopedia volume, regardless of whether banning the "Chechen Republic" article was reasonable.

In January, the Moscow Library of Ukrainian Literature faced criminal charges under Article 282 for storing Ukrainian Nationalist books and pamphlets, which, of course, contained anti-Russian statements. Fortunately, the case was closed in summer due to lack of corpus delicti.

It remains to be added that the prosecutor's office, while finding fault with libraries, is not generally inclined to wage a "war to the bitter end." Back in 2009 the Ministry of Culture and the General Prosecutor's Office developed quite practical and non-burdensome procedures for accessing extremist material, based on the set of instructions previously introduced in major metropolitan libraries. Although the relevant normative act has never been adopted (through the fault of the Ministry of Justice), the existence of established procedures could well protect the library.¹⁹

For example, on June 2, 2011 the Omsk Regional Prosecutor's Office filed a lawsuit against the Pushkin library of Omsk for its refusal to withdraw six books, recognized as extremist, from the library collection and destroy them. In July the case was dropped, due to the development of special regulatory documents for libraries by the Regional Ministry of Culture.

¹⁸ We used the same conservative methods of calculations as described above with regard to internet filtering inspections.

¹⁹ For templates of relevant documents see *Rabota bibliotek s 'Federal'nym spiskom ekstremistskikh materialov'*.

Of course, the "innocent bystanders" suffer from the anti-extremist activity primarily because many law enforcement officers tend to imitate such activity.

A striking 2011 example of such imitation was a case of closing the site of writer Leonid Kaganov. Kaganov, outraged by the very fact of injunction against the texts, cited one poem, already prohibited as anti-Semitic, as an example. More than a year later the FSB notified a hosting provider, who, in turn, notified Kaganov, who replaced the poem with an acrostic parody of his own writing, where the first letters spelled "What is the problem, not the same verse" (*V chem problema, stikh ne tot*). For some reason, this did not satisfy the authorities, and, upon the FSB's request, Zenon Hosting Company shut down Kaganov's site (the site, of course, simply moved to another domain).

Numerous cases of penalties for display of Nazi symbols (outside the context of a neo-Nazi or nationalistic propaganda)²⁰ constitute another common method of imitation fight against extremism. For example, a student in Omsk was fined for drawing swastikas on the American flag and pictures of George W. Bush as a sign of protest.

The very possibility of punishment for displaying swastikas and similar items outside of the specific propaganda context constitutes an obvious defect in the law, and the ensuing rules simply cannot be applied consistently (just think of the Great Patriotic War movies). In practice, however, the courts sometimes resolve the dispute in favor of the defendant, as in the case of Lipetsk antiquarian Konstantin Kuzmin, who managed to prove that he traded Nazi German medals, without publicly exhibiting them.

Finally, we would like to mention two criminal cases involving violence that, nevertheless, deserve to be mentioned in this section. In both cases an "extremist motive" was attributed to the defendants, clearly without sufficient reason. It is even difficult to construct a reasonable explanation of such an ascription.

Both cases were fairly well-publicized. The first one was the fistfight between two big businessmen, Alexander Lebedev and Sergei Polonsky, that took place live during the NTV show on September 16. The Investigative Committee filed charges under Part 1 paragraph "b" of the Criminal Code Article 213, that is, for disorderly conduct motivated by hatred. It is impossible to guess what kind of hatred, penalized in the Criminal Code – political, ideological, racial, national, or social – was implied in this charge. Despite such outlandish qualifications, in December the court rejected the cassational appeal against this judgement.

²⁰ We stated this on numerous occasions. See for example Rozalskaya, *Misuse of Anti-Extremism Legislation in the First Half of 2011*.

The investigation also found signs of extremism in the famous bandit attack on a Miass rock festival in 2010. The attackers severely beat and injured dozens of people. The subsequent investigation for 13 of them was completed in the summer of 2011 (the fate of the remaining perpetrators is unknown), and they were charged with parts 1 and 2 of the Criminal Code Article 212 (“organization and participation in mass disorders”); three of them were also charged with Part 2 paragraphs “a” and “c” of Article 282 (“inciting hatred of a social group, committed with use of violence, by an organized group”). In this case, the whole issue turns around the peculiar interpretation of the term “social group. The prosecution believes that the crime was directed against the “informal social group having such common values and interests as a passion for rock music.” We do not see a reason for the prosecutor’s decision to additionally qualify this assault under Article 282.

“E”-Centers

Creation of so-called “E”-Centers, the specialized Interior Ministry units to combat extremism, has brought many benefits, but also gave rise to some very legitimate criticism, which has only intensified over time. Improved quality of police work relating to hate-motivated violent crimes and overall investigations of truly dangerous groups became their main positive outcome.²¹

The negative consequences, in our opinion, include the following: first, the staff of the “E”-Centers, transferred from the Department for Combating Organized Crime, brought with them their brutal methods of operative work, and, second, the very existence of a separate structure with its own line of accountability contributed to the phenomenon of inflating the activity reports with minor or even imaginary crimes and offenses.

“E”-Centers face three additional major criticisms: a large number of various procedural irregularities, “pro-fascist” sympathies of some staff members, and conducting purely “political surveillance” that is, surveillance of political, civil and religious activists for reasons, unrelated to the ordinary criminal law. These claims are also quite justified, but they are not specific to this particular structure.

Unfortunately, our law enforcement in general is prone to frequent procedural violations, and “E”-Centers are not exceptional in this regard. As for the employees’ political and ideological preferences, xenophobic prejudices are common among the police to the same degree as among the society in general. In addition, constant work with political radicals is bound to have a radicalizing

²¹ See Alperovich, Verkhovsky, Yudina, *Between Manezhnaya and Bolotnaya*.

impact on at least some employees (such psychological shifts are well known in other instances).

The reasons to discuss “political surveillance” inevitably arise, when an agency conducts operational work associated with ideologically motivated crimes. The scope of operational work inevitably includes keeping track of the suspect’s environment, which features a lot of activists of all kinds, not harboring any criminal designs. This is true for every country. In modern Russia, this problem is exacerbated by the excessively broad definition of “extremism.” This problem, however, is not caused by the existence of “E”-Centers. Prior to their emergence, other police units had performed the same functions. Expanding the scope of anti-extremist prosecution led to more extensive operational activities, so these deficiencies in police work have simply become more visible.

At the same time, the above problems can become more pronounced within a large specialized structure due to inevitable “inflated reporting” and mutual influence of employees, so the Chief Directorate for Countering Extremism and its regional centers require a greater degree of social monitoring.

We need to specifically address “E”-Centers in this report, since the accounts of their misconduct became noticeably more frequent in 2011. Likely, this change is related to a greater overall level of political activity during the election year, and many of the episodes are directly related to the election.

Entire print runs of newspapers (e.g., *Izvestia Kaliningrada*, or the KPRF *Pora* newspaper in Irkutsk) were arrested upon the orders from “E”-Centers or with their direct involvement, ostensibly for expert examinations, despite obvious inappropriateness of this practice. The seizure of PARNAS party election leaflets in Ulyanovsk was allegedly motivated by campaign finance violations, so the reason for the “E”-Center’s involvement is not clear to begin with.

It has to be noted that “E”-Centers frequently perform actions outside of their mandate. For example, they take part in raids on immigration regime violators. One could assume that they are searching among the “illegals” for someone involved in extremist crimes, but since we have no data on any such cases, we believe that in these cases the “E”-Center employees are simply “lending a hand.”

However, actions outside of their mandate are often only a cover-up for increasing pressure on activists, who angered in some way either someone in authority or an individual head of the anti-extremist unit. The prosecution of Philip Kostenko, a staff member of the St. Petersburg Memorial

Anti-Discrimination Center, provides a striking example. He repeatedly complained about receiving threats from the “E”-Center employees. In December 2011 Kostenko was twice sentenced under administrative charges to 15 days in custody, which in itself was typical for the December events; however, it is noteworthy that “E”-Center employees were present on both trials initiated for offences outside the purview of their department. In the first trial they even played an active role, when the court admitted their “note” on Kostenko as evidence (this fact was later successfully appealed). Literally on the day of Kostenko’s release from a month-long custody another trial took place; he was charged with vandalism, and the prosecution requested that he remained in custody. The court refused, but the attempt to keep an activist behind bars was obvious. (Since then, in early 2012, Kostenko was severely beaten by unknown assailants, but at the time of writing no criminal case has been filed).

All divisions of the Russian police use clearly illegal pressure methods, and this subject is outside the scope of our work. However, methods of moral pressure practiced during the “E”-Center interrogations – not necessarily of suspects, often simply individuals called in for a conversations – even when not explicitly illegal, have often been highly questionable. For example, in Saratov the “E”-Center employees tried to force an anti-fascist activist, arrested when distributing anti-Nazi leaflets during the “Russian march,” to testify against other left-wing activists by threatening him with punishment for distribution of “Nazi symbols” – meaning the crossed-out swastikas on his anti-Nazi leaflets.

Principal targets of persecution

Religious groups

Freedom of conscience suffers from inappropriate enforcement of anti-extremist legislation at least as much as the other civil liberties. Inappropriate (or at least clearly excessive) prosecution of various religious groups quantitatively exceeds wrongful prosecution of political and civic activists, although the latter is more noticeable to the public.

Here we have to start from various Muslim groups and movements, including purely religious ones (such as followers of Said Nursi), the ones combining religion and politics (such as a non-violent Hizb ut-Tahrir party, and militarized factions in the North Caucasus). Traditionally, the most dangerous groups and the movements actually associated with violence (either practicing it or calling for it), are prosecuted under anti-terrorism legislation, without

involving anti-extremist Criminal Code articles;²² however, occasionally, these articles were used as well.²³

The anti-extremist legislation was applied, first and foremost, to the Hizb ut-Tahrir party, which had been banned as terrorist. We believe this solution to be inappropriate, since Hizb ut-Tahrir does not practice violence and does not call for it (with several minor exceptions). The extent of public danger, presented by Hizb ut-Tahrir propaganda is worth studying,²⁴ and it is possible that certain measures against the organization are, indeed, justified. However, at this time people, accused of participating in Hizb ut-Tahrir, are most often charged only under the Criminal Code Article 282² for membership in a banned organization; we consider them wrongly convicted, since the ban on the organization was inappropriate. According to Elena Ryabinina of the Human Rights Institute, about two-thirds of 35 jailed Muslim activists, whom she knows to be improperly or excessively harshly convicted, were convicted on the Hizb ut-Tahrir membership charges.

The prohibition of various Hizb ut-Tahrir materials continues, and it seems that nobody is actually interested in their content, since the texts in question frequently, in and of themselves, contain nothing that fits the definition of extremism. It follows that the materials, in clear departure from the law, have been routinely banned based solely on the fact of their connection to the prohibited party. If the legislators regarded all materials produced by banned organizations as extremist by definition, they would have reflected this understanding in their legal definition.

As was noted before, the peak of the campaign against Hizb ut-Tahrir is clearly over. It should be noted that its prosecution have been very geographically uneven. The Volga region, primarily Tatarstan and Bashkortostan, account for most of these verdicts. In 2011 we only know about convictions in these two republics and in Moscow for a total of 19 offenders (four of them received suspended sentences and the rest got prison sentences for periods ranging from 6 months to 2.5 years), all of them just for being members of the organization (the Criminal Code Article 282²), not for the content of their propaganda. Nevertheless, Hizb ut-Tahrir is spread much wider geographically, and, according to some reports, is even starting to emerge from hiding. This indicates that some central and regional authorities, without formally denouncing the

²² Law enforcement agencies often undertake inappropriate or at list controversial measures in this area, but this is out of scope for this report.

²³ For example, one propagandist of military jihad was appropriately convicted under articles 280 и 205², that is, for public calls to extremist and terrorist activity.

²⁴ Verkhovsky. Is Hizb ut-Tahrir an Extremist Organization? // SOVA Center. 2005. 6 February (<http://www.sova-center.ru/en/xenophobia/reports-analyses/2006/02/d7187/>).

ban, try to pursue a more flexible policy in this case. Obviously, such informal “indulgences” are not the best way to resolve the problem.

Other religious and political Muslim organizations are prosecuted much less frequently in the context of the anti-extremist campaign; some of them, as mentioned above, are usually considered under anti-terrorism legislation, while others are simply far less common. To be precise, we have no prosecution-related information regarding the majority of the banned Islamic organizations (possibly these organizations undertake no activities in Russia). We know of persecution against Tablighi Jamaat, which had also been banned without proper justification. In 2011 two people in Ulan-Ude were given suspended sentences of 10 and 12 months for participating in this movement; some cases of administrative pressure against Muslim groups in possession of the texts associated with Tablighi Jamaat, are also known.

In 2011 repressions against the followers of Said Nursi stepped up sharply, despite the fact that it is hard to find a reasonable justification for prosecution of this movement. Nine people, including a group of six in Nizhny Novgorod, were convicted of membership in a non-existent, but, nevertheless, banned Nurcular²⁵ organization – de facto, for spreading the Nursi teachings. Moreover, four out of nine defendants received actual prison terms from 8 months to 1.5 years.²⁶ New criminal cases were opened as well. In particular, the charge under the Criminal Code Article 282²⁷, against two imams, Ilkhom Merazhov and Camil Odilov,²⁷ received a great deal of attention. At this point, we can say that the followers of Nursi are persecuted more often than people of other faiths.

For this reason the total number of wrongfully convicted Muslim activists in 2011 reached 30 people, compared to 14 people for the two preceding years.

The case of Aydar Khabibullin, director of the Garden (*Sad*) publishing group and Edward Gabdrakhmanov, who had previously served a term under Article 282²⁸ caused even greater resonance. Both were arrested in October 2010

²⁵ This Turkish word simply means follower of Nursi’s teachings. Such followers indeed exist in Russia, they have web sites and a degree of influence among Muslims, but there is no information regarding any integrated network or an organization, as well as regarding any kind of illegal activities.

²⁶ However, the most severe sentence of one and a half years’ imprisonment, imposed on Asylzhan Kelmukhambetov in Orenburg was reduced to a fine in the course of the appeal in January 2012 (an unprecedented case in this area) and he was released.

²⁷ At the time of writing, the suspects have not been arrested. The investigation continues; the campaign in their defense continues as well.

²⁸ Gabdrakhmanov was convicted in 2007 for disseminating Hizb ut-Tahrir leaflets and there is good reason to believe that the leaflets had been planted. Earlier, in 2005, Gabdrakhmanov

and accused of possession of ammunition and distribution of leaflets inciting to hatred, It is difficult to evaluate the charge on the merits, because we know neither the contents of the leaflets, nor whether one or both defendants were involved in distribution. We also cannot assess the credibility of the allegations by the defense that the ammunition had been planted. We can only say that a well-known publishing activity of A. Khabibullin does not seem very compatible with storing grenades in his house. The charges against the Garden publishing group are based on the findings of experts, who discerned the signs of extremism in calls to live according to Sharia, contained within the medieval treatise, and in abundance of violence in the military history book. Alexander Torshin, the first vice-speaker of the Federation Council, stated immediately after the arrest that Khabibullin is a “leader” of Nurcular organization, who had been engaged in training suicide bombers via hypnosis.²⁹ It is hard to shake the feeling that essential parts of case, which entered the court in September 2011, have been fabricated.³⁰

However, even very serious charges are sometimes impossible to prove in court. For example, on May 31 the court in New Urengoy refused to ban the Muslim community Nur Islam on the basis of unconvincing evidence of spreading illicit texts and undocumented operational information on the community’s ties to terrorism (the Supreme Court of the Russian Federation later upheld this decision).

In 2011 the European Court of Human Rights communicated two complaints of different Muslim groups in connection with the 2007 ban of 17 primarily Salafi books in Buguruslan and 14 books of Said Nursi in Moscow. In both cases the ECHR submitted questions to the Russian authorities in accordance with the established procedure. In particular, the ECHR needed to clarify as to whether these restrictions were “necessary in a democratic society,” as required by Articles 9 and 10 of the European Convention on Human Rights. In the Buguruslan case it was also important to clarify whether the complainers’

was charged in Bashkortostan with weapon possession, but the case was closed, and his right to rehabilitation was recognized.

²⁹ V Podmoskov’e zaderzhan lider rossiiskogo kryla psevdosufiiskoi sekty ‘Nurcular’ Khabibullin. Gotovil smertnikov gipnozom [Khabibullin, the leader of the pseudo-Sufi Nurcular organization has been detained in Moscow Region. He trained suicide bombers via hypnosis] // *Tsentrasia (Center Asia)*. 2010. 18 October (<http://www.centrasia.ru/newsA.php?st=1287424140>).

³⁰ On January 31, 2012 Gabdrakhmanov and Khabibullin were each convicted to four years of penal settlement-colony for possession of ammunition and incitement of hatred (part 1 of Article 222 and part 1 of Article 282). The verdict has been appealed.

rights had been violated by the fact that the Muslim community had not been invited to the hearing.

The ECHR resolution of the first issue could finally affect the practice of arbitrary restrictions on religious (and possibly other) public statements. The second question is essentially procedural, but also very important; when a text, and not a person becomes a “defender” in court, it is necessary to develop reasonable criteria to identify people and organizations, which can be considered stakeholders in this process.

Besides Hizb ut-Tahrir and followers of Nursi, Jehovah’s Witnesses remain the primary target of the “anti-extremism” measures. The scale of persecution of this movement on various levels has been growing every year,³¹ and accusations of extremism still continue, based solely on the fact that Jehovah’s Witnesses proclaim the superiority of their faith.

The investigation of about a dozen Jehovah’s Witnesses cases under the Criminal Code Articles 282 and 282² continued throughout the year. The case under Article 282 against Alexander Kalistratov, head of the Gorno-Altaysk Jehovah’s Witnesses organization, which had come before the court a year earlier, was met with mass resistance of human rights activists, including formal intervention by the Federal Commissioner for Human Rights. On April 14, 2011 the court acquitted Kalistratov. The prosecutor’s office appealed the verdict; the case was returned for a new trial, and on November 3, the same court found Kalistratov guilty. Nevertheless, the sentence of 100 hours of compulsory work was rather lenient. On December 22 this conviction was overturned by the Supreme Court of the Altai Republic due to lack of corpus delicti.

Throughout the year, the courts prohibited new missionary materials by Jehovah’s Witnesses. Decisions about blocking access to Jehovah’s Witnesses web sites appeared as well. There were attempts, with varying degrees of success, to bring administrative charges against believers for distributing these materials. We can ascertain that Jehovah’s Witnesses remain under a constant “anti-extremist” pressure.

The fight against “religious extremism” in modern Russia is closely tied to the concept of a “nontraditional” nature of certain religions or certain movements within the major religions. Therefore, the new religious movements,³²

³¹ See, Sibireva, Olga, ‘Freedom of conscience in Russia: Restrictions and challenges in 2011’ in this book.

³² The term “New Religious Movements (NRM)” is used here in a neutral meaning, accepted in the field of Religious Studies. Since the term has been in use for quite a while, some NRM, such as Jehovah’s Witnesses or Scientology are, strictly speaking, not “new” any more.

which can be classified as “nontraditional” (such as the Hare Krishnas, the Scientologists, or Falun Dafa), remain the main targets of inappropriate anti-extremist measures.

The Church of Scientology was occasionally able to deflect these “anti-extremist attacks.” On February 2, 2011 a decision by the court in Surgut, remarkable both in essence and in argumentation, came into force. The court overturned its own ban on 29 texts of the founder of Scientology L. Ron Hubbard, recognizing that such a ban constitutes an assault on freedom of conscience. Scientologists have even managed to get these 29 texts excluded from the Federal List of Extremist Materials. Later, an attempt in Novy Urengoy to ban the Hubbard’s biography was unsuccessful. On the other hand, two new large packages of Scientology materials were declared extremist in Moscow on June 20 and in Naberezhnye Chelny on August 24. The Moscow investigation of the case under Article 282 regarding the distribution of Scientology materials is proceeding slowly (or rather, one case was closed, and then another one was opened).

On October 27, 2011 Pervomaisky district court of Krasnodar, once again after a lengthy litigation,³³ banned four texts distributed by the followers of Falun Dafa religious practice, and the decision went into force on December 26. In this case, in addition to the fundamental religious treatise *Zhuan Falun* and two quite neutral leaflets, prohibited items also included the report by Canadian human rights activists on organ harvesting from Falun Dafa practitioners in China. Accordingly, in this last case not only preaching the superiority of their faith, but also making statements against the Chinese government constitutes extremism.

The case about banning *Bhagavad Gita as It Is*, a central treatise for Hare Krishna followers, attracted wide, even international, attention. The experts, invited by the prosecutors, said in court that they found nothing extremist in A. C. Bhaktivedanta Swami Prabhupada’s commentaries on the *Bhagavad Gita*. Finally, on December 28, 2011 Leninsky district court of Tomsk dismissed the lawsuit, but prosecutor’s office have since appealed the decision.

An attempt to ban T-shirts carrying the slogan “Orthodoxy or Death!,” characteristic of the Orthodox fundamentalists, who also constitute a religious minority of sorts³⁴ constituted an interesting legal case. The prosecutor’s office

³³ See Rozalskaya, Inappropriate enforcement of anti-extremist legislation in Russia in 2010.

³⁴ This slogan was used by monks of the Esphigmenou Monastery, who refused to recognize the transition to the Gregorian calendar and, for that reason, refused to obey the Ecumenical Patriarch. A black flag with the words “Orthodoxy or Death!” was raised above the monastery, besieged the Greek police. In Russia, the slogan was taken up in the early 2000s by the fundamentalist movement (oppositional to the ROC) against the “satanic” bar codes, tax identification numbers and other similar symbols. Since many of the Russian Orthodox

interpreted the slogan as a call to violence, although, in practice, it has always been used in the context of willingness to be faithful to the Orthodox Church, even if the price turns out to be one's own life. Two prosecutor's offices in Moscow brought charges simultaneously in 2010, resulting in two Moscow courts making opposite decisions regarding the slogan's extremist nature. Both solutions were then disputed by both sides. The prosecutor's office, which had lost the case, actually gave up in November, and the case was closed. The second case is still ongoing; the prosecutor is suing an owner of a studio that produces T-shirts. The latter managed to extend the period for appeal, but the ban has already come into force, and the slogan has subsequently been included in the Federal List.

The year of 2011 introduced some new plot lines in prosecutions under anti-extremist legislation, such as trials for criticism of religion, or desecration of symbols, according to the prosecutors' opinion. The most important example of this trend is the case of B. Obraztsov, described above. A bit earlier, on May 20, blogger Dmitry Lebedev was convicted in Gatchina (Leningrad Region) under Part 1 of the Criminal Code Article 282 for the series of statements, offensive to Patriarch Kirill and the clergy of the Russian Orthodox Church made on the VKontakte social network. He received a suspended sentence of one year.³⁵

In August, the painting by Alexander Savko, «The Sermon on the Mount» from the series *Journey of Mickey Mouse through the History of Art* was banned. On a reproduction of an ancient print Savko replaced the figure of Christ with Mickey Mouse. The prosecutor argument, adopted by the court, was based solely on the notion that manipulation of the engraving constitutes an attack on Jesus Christ himself and therefore hurts the feelings of believers. Attempts to somehow combine these arguments with the legal definition of extremist activity looked completely unconvincing.³⁶

fundamentalists are also Russian nationalists, t-shirt with the slogan was sold together with another t-shirt carrying the slogan "*Rossiya dlya russkikh*" (*Russia for the Russians!*). The case for banning both of them was started back in 2010.

³⁵ In this case we have not seen the original texts by Lebedev and take our information from the statements, made by the law enforcement agencies, so we cannot be completely sure, that Lebedev had not incited hatred to the followers of the Russian Orthodox Church as a group. However, if his harsh criticism referred only to the clergy, then the verdict does not correspond to the content of Article 282.

³⁶ After being repealed on formalities, the verdict have been approved by the court on December 20, 2011.

Political and civic activists

During an election year it is natural to expect an increase in various inappropriate actions against oppositional political organizations and civil society activists. In most cases such abuse does not involve anti-extremist legislation, so the following should not be regarded as a report on persecution of activists in general. Our task here is more modest – to point out how specific tools, provided by anti-extremist legislation, have been misused for this purpose.

Removal of campaign materials (newspapers, pamphlets, videos) from circulation upon a mere suspicion of extremism remained one of the most popular such tools in the pre-election period. In most cases the suspicion was later deemed unfounded, but only after enough time had passed to render the materials useless. During the 2007 parliamentary campaign this mechanism was used quite widely,³⁷ while during the 2011 campaign it was much more modest in scope. Still, the entire runs of newspapers and leaflets were seized "for examination" from many different organizations, ranging from the "Nah-nah" movement leaflets and pamphlets by the National Socialist Initiative leader Dmitry Bobrov to the newspapers, produced by the Communist Party and Just Russia party. Such cases have been observed everywhere from Chita to St. Petersburg. We cannot assert that the widespread use of this unacceptable method indicated a centrally planned campaign, but these incidents definitely cannot be views as isolated excesses.

Local election commissions contributed to the situation as well. There are two cases (in Astrakhan and Sverdlovsk regions) of the Just Russia's commercials being removed from the air for "inciting social discord" toward the authorities, according to the opinion of the election commission (the commission was not issuing orders, but rather "advised" against airing these videos)

During the 2011 a very diverse set of political activists faced prosecution involving inappropriate use of anti-extremist legislation.

We can start with members of the Other Russia party, led by Eduard Limonov (not to be confused with the identically-named movement, to which Limonov's followers had previously belonged). Sometimes they call themselves National Bolsheviks, and sometimes they don't; however, the judiciary had no doubt that these people were, indeed, the National Bolsheviks, that is, the continuation of the banned (in our opinion, the ban resulted from a judicial error) National Bolshevik Party, and most political scientists are likely to agree with the judiciary in this respect. The

³⁷ Verkhovsky, Anti-Extremist Legislation, its Use and Misuse.

continuation of the NBP activity implies prosecution under the Criminal Code Article 282², and, thus, the issue gets transferred from the field of political science into the legal realm, where this question is not as simple. It is difficult to identify the boundary between continuation of activities by a banned organization and the activities of its former members, not illegal as such, but, expectedly, similar to the activities of the organization, to which these members had previously belonged. This confusing norm in criminal law, unfortunately, have never been explained, so the courts in specific cases accept or reject evidence that the offending act should be considered under Article 282² at their own discretion. In particular, it is obvious that the persecution of the Other Russia members under this Criminal Code article is highly selective; the same had been true for the National Bolsheviks back when they were still officially known under this name.

In 2011 not a single National Bolshevik was convicted, but this should not be interpreted as the end of criminal prosecutions. For example, early this year the Other Russia activist Nikolai Avdyushenkov was convicted under the Criminal Code Article 282², but his verdict was later rescinded due to statute of limitations.

By the end of the year several criminal cases remained in various stages of the investigation. The biggest of them – the case of the St. Petersburg organization led by Andrey Dmitriev – began after the organization's active participation in the nationalist demonstrations of December 11, 2010. The number of defendants has gradually grown to 13 (they all are on the recognizance not to leave; nevertheless, one of them went abroad). We consider launching an official investigation of the demonstration, as well as of the better-known Moscow events of that day to be completely appropriate. From the very beginning the fact that National Bolsheviks became the principal object of investigation was met with deep suspicion, since they did not play a leading role in the December riots. However, the investigation, which ended in November, bypassed the events of December 11 and focused instead on proving that the defendants had continued their NBP activities, under the Criminal Code Article 282².

In late November and early December a case under the same article was opened in Moscow. There is no information on possible suspects at the moment.

In 2011 the charges under the Criminal Code Articles 282 and 282² were filed against Igor Popov and Alexander Kurov in Vladivostok; Kurov was also charged under Article 280. The trial in this case is not yet over. The trial of Inna Marinina under Article 282² began in Murmansk.

Note that at the same time in Vladivostok the National Bolsheviks were acquitted of charges of using symbols similar to the Nazi ones on their anti-"E"-Center leaflet (which really did feature an image, stylized to look like a Gestapo symbol).

On December 7 in Komsomolsk-on-Amur Anton Lukin, charged under Article 282², was taken into custody for house arrest violation.³⁸ However, Lukin got out by the end of January. Subsequently he and Svetlana Kuznetsova faced an entirely different set of charges for distribution of the leaflet *Pobeda budet za nami* (*Victory Will Be Ours!*) and the *Vysshaya Mera* (*Capital Punishment*) newspaper. These charges were filed under Part 2 paragraph "a" of Article 282 ("activities, aimed at the incitement of national, racial, or religious enmity, committed with the use of violence or with the threat of its use"), Part 1 of Article 280 ("public incitement to extremist activity"), and Part 3 of Article 212 ("calls to mass riots"). The case was brought before the court in February 2012. Unfortunately, we have no information regarding the content of materials, which Lukin and Kuznetsova are accused of distributing, so that we cannot assess the appropriateness of the charges.

The complex relationships within a triangle, "the police – the far right – the far left" remain one of the most important phenomena of today's radical politics. The persecution of the far left and anti-fascist activists by law enforcement agencies specifically for their anti-fascist activities constitutes one of the most controversial aspects of this relationship. There is no doubt that the attacks on the members of the far right by the "militant anti-fascists" actually took place; that is, quite a lot of violent crime takes place in the name of anti-fascist ideas. The subsequent inevitable criminal investigation, often involves abuse of authority, including the prosecution of the innocent and "routine" (especially when dealing with the radical youth) beatings during arrest and interrogation.

In order to legally qualify as crimes of an extremist nature, attacks on the right wing activists must be qualified with an appropriate motive for must. Therein lies the problem. For example, in Nizhny Novgorod five young anti-fascists were charged with a number of violent crimes (the evidence raises some doubts, but that's a separate issue) and organizing an extremist community for the purpose, described as the motive of "*establishing anarchy*," as "*use of violence motivated by ideological hatred and hostility toward such social groups as 'skinheads and football fans,' and 'wealthy citizens of Russia.'*" Once again, we are faced with a completely arbitrary use of the term "social group." Furthermore, it is unreasonable to accuse a group of people, labeled "Red skinheads" by the prosecution, of hostility toward the "skinheads."

The Nizhny Novgorod case came before the court in only February 2012. However, the similar case of attacks against the right wing activists in St. Petersburg resulted in a suspended sentence to four people under Part 2, paragraph "a" of Article 282 for the "*abasement of human dignity by reason of*

³⁸ Lukin was under house arrest for violating the terms of his suspended sentence. He had been convicted twice before, under Article 214 and under articles 282 and 282².

membership in a particular social group, publicly, with the use of violence. The “social group” in question was specified as “the Russian nationalists.”

Once again, the issue here is not that attacks on “Russian nationalists” are somehow less criminal than any other ones, but, specifically the ridiculous qualification of this act. Utilizing the Criminal Code term “hate motive” in this manner defies the common sense interpretation of the term “social group” and distorts the very concept of hate crimes (in Russian usage, “crimes with the motive of hatred”), which was designed to provide additional protection to specific vulnerable social groups and strata — not to any conceivable group of people.

In the previous years, indictments and convictions often featured such “social groups” as government officials and law enforcement officials. However, it seems that in 2011 this trend was reversed, and the first indications of this change took place even before the Supreme Court clarification in June regarding criticism of the authorities.

We only know of one judicial decision in 2011 based on protecting the authorities as a “social group.” Andrey Kutuzov, a left-wing activist, was convicted under the Criminal Code Article 280 (“public incitement to extremist activity”), and received a two-year suspended sentence for distributing leaflets, which called for violence against the police. Once again, in this case the police was recognized as a protected social group. Moreover, the case was unconvincing altogether; the leaflet in question shows obvious signs of being a fake.

In May a criminal case under Article 282 in the defense of the same “social group” was initiated in Magnitogorsk, based on the online publication of the *Fascists in Uniform* video. This completely inappropriate case is still under investigation, and is in fact specifically directed against the local union activists Olesya and Andrei Romanovs.

The most famous case of this kind was the case against the members of the radical art collective *Voïna* (War) Oleg Vorotnikov and Leonid Nikolaev for turning over a police car in 2010. The action nicknamed “The Palace Overturn” (*Dvortsovyi perevorot*) was classified as hooliganism motivated by hatred of the “police” social group. However, in the summer of 2011 the experts, involved in the case, concluded that the police is not a social group, and thus the charge of hooliganism has vanished (because, according to the peculiar disposition of the Criminal Code Article 213, the qualification of hooliganism can be applied only either in case of the use of weapons, or motivated by hatred, and weapons had clearly not been used). As a result, on December 1 the case under Article 213 was closed (on the second attempt).³⁹ The investigation also rejected the

³⁹ The case was reopened once again in February 2012 upon request from the Prosecutor’s Office.

prosecution of defendants under Part 1 of the Criminal Code Article 167 (“deliberate destruction or damage of property”), since *the property damage caused by the actions is not significant for the St. Petersburg Police Department or for Leningrad Region as a legal entity.*”

However, Vorotnikov is also a defendant in another case, the attack on the police during the rally on March 31. The charge in this case looks strange as well. Application of Article 319 (“public insult of a representative of the authority during the discharge by him of his official duties, or in connection with their discharge”) and Part 1 of Article 318 (“use of violence that does not endanger human life or health, or threats to use violence against a representative of the authority, or his relatives, in connection with the discharge of his official duties”) looks convincing enough, but for some reason it was aggregated with the same old hooliganism motivated by hatred

Another example of this changing trend is the case of the Left Front activist Anatoly Yurkovets, who was convicted in Omsk for a fistfight with political opponents on February 3, but acquitted from charges under Article 282, precisely because the court refused to recognize the protected group status of “the authorities”⁴⁰.

Meanwhile, the criminal charge of “actions motivated by political or ideological hatred” has gradually become more common in prosecutorial practice. In fact, Yurkovets was convicted under part 1 item “b” of Article 213 (“Hooliganism motivated by political or ideological hatred or enmity”) and Article 329 (“outrages upon the National Emblem of the Russian Federation or State Flag of the Russian Federation”). The fistfight, as such was, of course, motivated by political strife, but qualifying it under Article 213 is still unjustified; it is difficult to imagine a combination of hooliganism motives and political hatred motives in the same act. Obviously, the content of Article 213 needs to be amended in order to avoid further such conflicts, so that the actions of a man, convicted for assault motivated by political discord, could be qualified under the Criminal Code article corresponding to the relevant extent of damage (from beating to murder).

Even more remarkable political enmity-related case began in February. Three anarchists in Barnaul were charged with defacing a public service announcement poster, depicting various venereal disease microbes and the slogan, “Do you need these companions?” The anarchists glued the faces of known politicians, starting with Putin and Medvedev, onto the microbes’ heads. These actions were qualified

⁴⁰ He claimed that he had only acted in self-defense in this fistfight, but we were unable to verify this claim.

as Part 2 of Article 213 (“hooliganism motivated by political hatred committed by a group of persons in a preliminary conspiracy.”) The investigation is ongoing.

We have repeatedly recorded the cases of inappropriate prosecution against nationalists (Russian ethno-nationalists as well as the other groups). In 2011, besides the above-mentioned case of K. Krylov, we were unable to identify additional clearly inappropriate criminal cases (although, some questionable cases do exist). Instead, there were other, less significant, incidents, such as removing an entire print run of brochures for inspection.

One interesting example was the prosecutor’s order to two Cossack organizations in Kaluga and Stavropol regions to repeal the provision in their charter stating that members of the organization must belong to the Orthodox Church (the provision was perceived by the Prosecutor’s Office as discriminatory). Discrimination is defined in Russian legislation as a violation of rights, based on a discriminatory attribute. However, a citizen of Russia has no right to belong to a social organization of their choice; it cannot be considered a legitimate interest, and the legislature never put any limits on membership criteria, utilized by organizations.

The pressure has been gradually building up against the Volya party led by Svetlana Peunova. The doctrine of this organization combines elements of ethno-nationalism, Stalinism and the mystical beliefs of their leader. The party is actively involved in political life (Peunova even attempted a presidential run in 2012, but failed to collect the required number of signatures), distributes books by Peunova, newspapers and leaflets. All texts combine emotional criticism of the current political regime and modern bureaucracy with general discussion and with literary works, which sometimes raise doubts about intellectual adequacy of their authors.

In 2011 the clearly inappropriate criminal case against the Khabarovsk Volya activist Natalia Ignatyeva for her satirical poem was closed. However, two new ones were opened, in Vologda and Kirov, for distribution of leaflets, *Hotiat li russkie voiny* (Say, do the Russians Want a War?). The leaflets contained no illegal incitement; the most radical point was a call for a boycott of the “corrupt national clans.” The prosecutor’s office in Vladimir is seeking to ban one of Peunova’s books, apparently, for inciting hostility to the officials.

The law enforcement campaign against publications and organizations associated with journalist Yuri Mukhin continues. Mukhin and his associates combine Stalinism and xenophobia in such proportions that they frequently became the targets of legitimate law enforcement measures. However, the most repressive judgments against them were based on the inappropriate ban on a *Ty izbral – tebe sudit’* (You Have Chosen – You

Will Judge) leaflet, which called for changing the Constitution in such a way that unpopular officials could be punished by outlawing. On February 22, 2011 the Judicial Chamber of the Supreme Court upheld the Moscow City Court decision of October 19, 2010 to ban Mukhin’s Army of People’s Will (AVN). Mukhin himself, as we mentioned before, is being wrongly prosecuted under Article 282 on the charge of anti-Semitic propaganda.

The case against the Chelyabinsk AVN activist Andrei Yermolenko was opened on January 21 and closed on December 28. He was charged with publication of two articles inciting hatred against officials and the police. In the end, the investigator ruled the case closed, citing the June Plenary Resolution of the Supreme Court, which specifically emphasized that the criticism of the authorities was not a crime. The fact that the Resolution is already being applied inspires some optimism.

Media topics

Pressure on the media, related to inappropriate interpretation of anti-extremist legislation, most frequently took the form of warnings to media outlets, issued by Roskomnadzor (Federal Service for Supervision in the Sphere of Telecom, Information Technologies and Mass Communications) and the prosecutors. The Prosecutor’s Office does not publish its statistics, but Roskomnadzor does, and during 2011 the agency issued 25 warnings to media editorial boards regarding extremist activities; at least ten of them lacked proper justification.

The under-defined status of a warning plays an important role in the debate on its level of appropriateness. Is a warning simply a preventative measure, a method to keep the editors from crossing the line? Alternatively, should the warning be interpreted as the first step toward closing the publication? In fact, both of the above are true. Of course, the warning is preventive and we assume that major media outlets are not in danger of being shut down on these grounds. On the other hand, a warning, as opposed to a cautionary note sent to the main editor, is written into the law as a prerequisite to closing a publication. In practice, two warnings received in the course of one year (or slightly longer) often constitute the basis for filing a lawsuit to close the newspaper.⁴¹ Therefore, we believe that the supervising agency, when issuing a warning, should not simply cite something “potentially extremist,” but indicate a real, even if minor, violation of the law.

⁴¹ The law outlines several versions of closing down a media outlet, with and without warnings, but most of these versions are never utilized.

Alas, this is not always the case. Here are just some examples. The Shatura (Moscow Region)-based *Liubimyi Gorod* (Beloved City) and the *Vecherniya Tyumen* (Evening Tyumen) newspapers received warnings for quoting Hitler in the context that had nothing to do whatsoever with any apology of Hitler. The offense seems very strange, since the existing legal prohibition on the dissemination of works by the NSDAP leaders never implied a ban on citation. Several Cossack nationalist newspapers received an entire series of warnings. Some of the warnings were issued for the article, whose only claim to “extremism” was in its calls for a future “Cossack republic.”

The only newspaper closed in 2011 for extremism was *K bar'eru* (To the Stand), published by aforesaid Yuri Mukhin. In this case, the decision of the Moscow City Court April 13, 2011 to close the newspaper⁴² appears to be inappropriate. It was based on the fact that Mukhin had lost his court appeal against two preceding warnings, issued to his newspaper. Both warnings, however, were inappropriate. The first one was related to the leaflet *You Have Chosen – You Will Judge*; we have written regarding the inappropriateness of this particular ban on numerous occasions. The second one had to do with an article by Mukhin that was deemed anti-Semitic. Anti-Semitism was certainly present in it, but not in inflammatory form at all (for information on the related criminal case see above).

Meanwhile, Mukhin's newspapers could have faced some real, much more substantial, charges. The *Svoimi imenami* (True Names) newspaper, founded by Mukhin to replace *K Barieru*, have already received two warnings for unambiguous incitement to armed uprising, and Roskomnadzor is already asking the court to close it down.

Journalists and editors occasionally face criminal liability, most frequently under the Criminal Code Article 282. However, this pressure mechanism does not automatically achieve the desired effect. The most significant and well-known example is the fact that on July 5, 2011 the Supreme Court of Dagestan confirmed the acquittal of the journalists from the Chernovik (Draft) newspaper. No less important was the dismissed case of journalists from the Evening Tyumen newspaper.⁴³

We cannot name any cases of journalists wrongfully convicted under Article 282, besides the above-described case of Boris Obratsov, but a number of cases are still in progress. The trial against the management of the *Vecherniya Ryazan* (Evening Ryazan) newspaper; in this case the charges include incitement of

⁴² It succeeded on the second attempt; the first one took place in 2010.

⁴³ Surprisingly, this case, closed in May 2011, was opened again on January 19, 2012, and closed once again of February 6.

hatred not only toward the police, but also toward the Jews. The outlook of this trial is still unclear.

A bit of statistics

Anti-extremist legislation is applied in recent years on quite a large scale. In 2010 297 people were convicted for violent hate-motivated crimes, 78 for very real hate propaganda, and 21 for ideologically-motivated vandalism. In 2011 the figures were slightly lower, that is, 189, 75 and 12, respectively. The number of verdicts we consider inappropriate is rather small in comparison, so we usually make no attempt to present statistics. However, at this time we would like to attempt a quantitative analysis of the data, presented in the report above.

3 or 4 people were inappropriately convicted under Article 282: B. Obratsov and I. Dedyukhova (the latter was fined for crudely anti-Semitic texts that contained no specific incitement), as well as a follower of Said Nursi (in conjunction with Art. 282² Criminal Code). The conviction of Dmitry Lebedev, mentioned above, was, most likely, inappropriate as well.

3 people were wrongfully convicted under Article 280: A. Kutuzov and two young men in Kemerovo (for anti-police leaflets; their content is unknown; nevertheless protecting the police as a “social group” is not acceptable).

Traditionally, a large number of verdicts we regard as inappropriate are made under Article 282². In 2011 not a single National Bolshevik was convicted under it (or other “extremist” articles). At the same time, this Criminal Code article accounts for many sentences for “alleged” membership in the banned Muslim organizations; such sentences were handed down to 9 followers of Said Nursi, two members of the “Tablighi Jamaat” and 19 members of “Hizb ut-Tahrir.”

Finally, we believe the sentence to four St. Petersburg anti-fascists for their attack on neo-Nazis to be partially inappropriate, since the object of attack was described as a “social group.”

Despite the general tendency to give non-custodial sentences for non-violent “extremist” crimes (most often suspended sentences or fines), there are exceptions.⁴⁴ Two activists from Kemerovo were sentenced to 8 months

⁴⁴ At the time of writing, at least 30 offenders, appropriately or inappropriately convicted under the «extremist» articles, were in custody for crimes, unrelated to violence. For more details, see Verkhovsky, Kak otlichit' uznika sovesti ot ekstremista [How to tell apart a prisoner of conscience and an extremist] // *Vedomosti (The Journal)*. 2012. 16 March (http://www.vedomosti.ru/opinion/news/1538712/kandidaty_v_politzaklyuchennyye); Spisok zaklyuchennykh 'ekstremizmov' [The list of “extremists” in custody] // SOVA Center.

of imprisonment; three out of six Nursi followers in Nizhny Novgorod, and another one in Orenburg received non-trivial prison terms (the latter was released in January 2012, as his sentence was commuted to a fine). For the Hizb ut-Tahrir membership all 10 defendants in Tatarstan, two in Moscow and three out of seven in Bashkortostan went to prison.

While our data on enforcement of criminal legislation is, likely, complete or close to complete, the utilization of “anti-extremist” articles of the Administrative Code is much less known. Here is the data we do have (excluding the decisions reversed by a higher court in 2012).

Nine people, including five librarians, were inappropriately fined for mass distribution of extremist materials or for storage with intent to distribute, i.e. under the Administrative Code Article 20.29. A fine was also levied onto at least one legal entity – the colony, where the Jehovah’s Witnesses book was found in a library. In most cases, no mass distribution ever took place, and extremist materials, properly speaking, often never existed as well. On several occasions, the Court even sided with defense on these issues. For example, two courts in Perm confirmed that a quote from Hitler, in and of itself, does not constitute extremist material.

Six people, including four antiques dealers were inappropriately fined for public demonstration of Nazi or similar symbols, i.e., under the Administrative Code Article 20.3.

In 2011 the Federal List of Extremist Materials increased by 318 points. Evaluating the appropriateness level of a ban is sometimes problematic, since we are frequently not familiar with materials in question. In some cases the material was clearly banned simply due to its association with a banned organization, for example with Hizb ut-Tahrir, but the court was unlikely to have seriously analyzed the actual texts that were being banned.

We know that over the past year the new inappropriate additions included 16 items by Jehovah’s Witnesses, 4 articles condemning Russia for its oppression of small northern peoples, taken from a single (no longer functioning) web site, a book by Said Nursi, 2 T-shirts with slogans “Russia for the Russians” and “Orthodoxy or Death!,” 2 large Internet portals (www.liveinternet.ru and www.tatarlar.ru) and 2 web sites – www.limonka.nbp-info.ru and www.nbp-info.ru. The total comes to 27 points.

It is more difficult to make an unambiguous assessment regarding a number of religious, especially Islamic, publications, which clearly and fairly aggressively incite the reader against the infidels, but whose texts contain no

direct incitement to illegal acts. In principle, one can consider such texts as an incitement to hatred against the Gentiles, so they are not mentioned in the preceding paragraphs.

Overall, we consider bans of 56 Muslim materials, including the Hizb ut-Tahrir materials, to be questionable. Some of these items are known to contain nothing of social danger (such as two old issues of the *Caliphate* magazine, banned in Moscow); however, some others are likely to be of inflammatory nature.

Some other prohibitions, such as the ban on *The Last Will of a Russian Fascist* by Konstantin Rodzaevsky, which by now has a purely historical value, are also dubious. Once again, many other cases, where the content of materials is unknown, may prove to be questionable as well.

Appendix. Crime and punishment statistics

Statistics of racist and neo-nazi attacks between 2004 – 23.03.2012 (with categorization of regions)

	2004			2005			2006			2007		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Total	50	219	269	49	419	468	66	522	588	97	623	716
Including:												
Moscow and Moscow Oblast'	18	62	80	16	179	195	40	228	268	57	224	281
St. Petersburg and Len. Oblast	9	32	41	4	45	49	6	56	62	11	118	129
Adygei Republic	0	3	3	0	0	0	0	0	0	0	0	0
Altai Kray	0	0	0	0	1	1	2	1	3	2	5	7
Amur Oblast'	0	2	2	0	7	7	0	1	1	0	0	0
Arkhangelsk Oblast'	0	0	0	0	1	1	0	0	0	1	7	8
Astrakhan Oblast'	0	0	0	0	2	2	0	0	0	0	0	0
Bashkir Republic	0	1	1	0	2	2	0	2	2	0	1	1
Belgorod Oblast'	0	5	5	0	4	4	0	18	18	0	1	1
Bryansk Oblast'	0	0	0	0	1	1	0	1	1	1	2	3
Buryat Republic	0	0	0	0	0	0	0	0	0	1	1	2
Chelyabinsk Oblast'	1	4	5	0	0	0	0	1	1	0	11	11
Chita Oblast'	0	0	0	0	0	0	1	0	1	0	3	3

	2004			2005			2006			2007		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Chuvash Republic	0	0	0	0	0	0	0	6	6	0	0	0
Irkutsk Oblast'	3	0	3	2	5	7	0	8	8	1	53	54
Ivanovo Oblast'	0	1	1	0	0	0	0	0	0	0	4	4
Jewish Autonomous Oblast'	0	0	0	3	0	3	0	0	0	0	0	0
Kaliningrad Oblast'	0	1	1	0	2	2	0	11	11	0	1	1
Kaluga Oblast'	0	0	0	0	12	12	1	4	5	2	1	3
Karelian Republic	0	0	0	0	2	2	0	0	0	0	0	0
Kemerovo Oblast'	0	0	0	0	0	0	0	0	0	0	0	0
Khabarovsk Kray	0	0	0	0	3	3	0	0	0	0	0	0
Khakass Republic	0	0	0	0	2	2	0	0	0	0	2	2
Kirov Oblast'	0	0	0	0	1	1	0	0	0	0	0	0
Komi Republic	0	0	0	0	4	4	0	4	4	0	0	0
Kostroma Oblast'	0	5	5	0	0	0	0	10	10	0	3	3
Krasnodar Kray	2	32	34	1	3	4	0	7	7	0	11	11
Krasnoyarsk Kray	0	0	0	1	1	2	0	3	3	0	4	4
Kurgan Oblast'	0	0	0	0	6	6	0	0	0	0	0	0
Kursk Oblast'	0	5	5	0	2	2	0	0	0	0	1	1
Lipetsk Oblast'	0	1	1	0	3	3	1	0	1	0	3	3
Mari El Republic	0	1	1	0	15	15	0	5	5	0	0	0
Murmansk Oblast'	0	0	0	0	1	1	0	1	1	0	5	5
Nizhny Novgorod Oblast'	1	5	6	4	12	16	0	36	36	1	44	45
Novgorod Oblast'	0	0	0	0	5	5	0	0	0	0	0	0

	2004			2005			2006			2007		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Novosibirsk Oblast'	2	12	14	1	9	10	0	9	9	1	5	6
Omsk Oblast'	0	3	3	0	0	0	1	3	4	1	2	3
Orel Oblast'	0	8	8	0	0	0	0	9	9	0	0	0
Orenburg Oblast'	0	0	0	0	0	0	1	1	2	1	1	2
Penza Oblast'	0	0	0	0	0	0	0	0	0	0	1	1
Perm Kray	0	2	2	3	2	5	0	1	1	0	3	3
Primorye Kray	5	9	14	0	3	3	2	18	20	1	3	4
Pskov Oblast'	0	0	0	0	1	1	0	0	0	0	0	0
Rostov Oblast'	0	0	0	0	10	10	0	2	2	1	7	8
Ryazan Oblast'	0	0	0	0	1	1	0	4	4	0	6	6
Sakha Republic (Yakutia)	0	0	0	0	0	0	0	0	0	0	2	2
Sakhalin Oblast'	1	0	1	0	0	0	0	0	0	0	0	0
Samara Oblast'	1	3	4	4	5	9	0	2	2	2	9	11
Saratov Oblast'	1	0	1	0	0	0	4	4	8	2	4	6
Smolensk Oblast'	0	0	0	0	2	2	0	0	0	0	0	0
Stavropol Kray	0	0	0	0	21	21	0	1	1	1	8	9
Sverdlovsk Oblast'	1	7	8	6	6	12	0	6	6	3	17	20
Tambov Oblast'	0	3	3	0	6	6	0	0	0	0	0	0
Tatar Republic	0	0	0	0	0	0	0	8	8	0	1	1
Tomsk Oblast'	0	3	3	0	6	6	0	4	4	0	5	5
Tula Oblast'	1	0	1	0	3	3	1	2	3	0	0	0
Tver Oblast'	0	0	0	2	0	2	2	7	9	0	4	4

	2004			2005			2006			2007		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Tyumen Oblast'	3	1	4	1	0	1	0	15	15	0	1	1
Udmurt Republic	0	0	0	0	1	1	0	1	1	1	6	7
Ul'yanovsk Oblast'	0	0	0	0	0	0	0	0	0	0	0	0
Vladimir Oblast'	0	4	4	0	0	0	0	0	0	0	5	5
Volograd Oblast'	0	2	2	0	1	1	2	9	11	1	5	6
Vologda Oblast'	0	0	0	0	0	0	0	1	1	0	3	3
Voronezh Oblast'	1	2	3	1	21	22	1	6	7	0	17	17
Yaroslavl Oblast'	0	0	0	0	0	0	1	6	7	0	3	3

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Total	116	499	615	93	442	535	42	401	443	23	154	177	2	26	28
Including:															
Moscow *	64	223	287	34	114	148	18	144	162	8	35	42	0	7	7
St. Petersburg *	15	40	55	16	42	58	2	43	45	3	27	30	1	3	4

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Adygei Republic	0	1	1	0	8	8	0	0	0	0	0	0	0	0	0
Altai Krai	0	0	0	0	1	1	1	5	6	0	0	0	0	0	0
Amur Oblast'	0	2	2	1	8	9	0	1	1	0	2	2	0	0	0
Arkhangelsk Oblast'	0	5	5	0	4	4	0	2	2	0	4	4	0	0	0
Astrakhan Oblast'	0	0	0	0	0	0	0	0	0	1	2	3	0	0	0
Bashkir Republic	0	4	4	0	1	1	0	7	7	0	1	1	0	0	0
Belgorod Oblast'	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0
Bryansk Oblast'	0	13	13	0	3	3	1	1	2	0	0	0	0	0	0
Buryat Republic	0	0	0	1	1	2	0	0	0	0	2	2	0	0	0
Chelyabinsk Oblast'	1	7	8	1	7	8	0	0	0	0	5	5	0	0	0
Chita Oblast'	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chuvash Republic	0	2	2	0	5	5	0	0	0	0	1	1	0	0	0
Dagestan Republic	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0
Irkutsk Oblast'	0	1	1	2	4	6	1	4	5	0	0	0	0	0	0
Ivanovo Oblast'	0	0	0	0	0	0	0	2	2	0	0	0	0	0	0
Jewish Autonomous Oblast'	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kaliningrad Oblast'	0	10	10	2	5	7	1	0	1	0	4	4	0	1	1
Kaluga Oblast'	2	2	4	2	3	5	0	4	4	1	12	13	0	0	0
Kamchatka Krai	0	0	0	0	0	0	0	3	3	0	1	1	0	0	0
Karelian Republic	0	0	0	0	6	6	0	4	4	0	0	0	0	0	0
Kemerovo Oblast'	0	1	1	1	2	3	1	3	4	0	0	0	0	0	0

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Khabarovsk Krai	2	5	7	0	0	0	1	6	7	0	0	0	0	0	0
Khakass Republic	1	0	1	0	0	0	0	0	0	0	2	2	0	0	0
Khanty-Mansi Autonomous Okrug	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0
Kirov Oblast'	0	0	0	0	5	5	0	0	0	0	1	1	0	0	0
Komi Republic	0	1	1	0	0	0	0	0	0	0	1	1	0	0	0
Kostroma Oblast'	0	0	0	0	1	1	0	3	3	0	0	0	0	0	0
Krasnodar Krai	1	2	3	0	9	9	0	3	3	0	0	0	0	0	0
Krasnoyarsk Krai	1	2	3	0	0	0	0	2	2	0	2	2	0	0	0
Kurgan Oblast'	1	1	2	0	0	0	0	1	1	0	0	0	0	0	0
Kursk Oblast'	0	2	2	0	5	5	0	0	0	0	0	0	0	0	0
Leningrad Oblast'*	-	-	-	3	4	7	0	7	7	0	1	1	0	0	0
Lipetsk Oblast'	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0
Mari El Republic	0	0	0	0	0	0	0	0	0	0	3	3	0	0	0
Moscow Oblast'*	-	-	-	7	39	46	2	33	35	5	12	17	0	1	1
Murmansk Oblast'	0	0	0	0	5	5	0	1	1	0	0	0	0	0	0
Nizhny Novgorod Oblast'	4	21	25	6	31	37	5	21	26	0	2	2	0	0	0
Novgorod Oblast'	0	3	3	0	1	1	0	2	2	0	2	2	0	0	0
Novosibirsk Oblast'	3	7	10	1	11	12	0	2	2	0	1	1	0	0	0
Omsk Oblast'	0	2	2	0	4	4	2	1	3	1	0	1	0	0	0
Orel Oblast'	0	1	1	0	11	11	1	6	7	0	3	3	0	0	0

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Orenburg Oblast'	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0
Penza Oblast'	0	15	15	0	8	8	0	3	3	0	0	0	0	0	0
Perm Kray	2	3	5	0	0	0	0	4	4	0	0	0	0	0	0
Primorye Kray	3	6	9	2	13	15	1	2	3	0	2	2	0	0	0
Pskov Oblast'	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rostov Oblast'	0	4	4	0	2	2	0	9	9	0	3	3	0	2	2
Ryazan Oblast'	1	9	10	2	7	9	1	2	3	1	0	1	0	0	0
Sakha Republic (Yakutia)	0	0	0	0	0	0	0	2	2	0	0	0	0	0	0
Sakhalin Oblast'	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Samara Oblast'	0	3	3	3	5	8	0	11	11	2	1	3	1	3	4
Saratov Oblast'	0	0	0	0	0	0	0	6	6	0	1	1	0	0	0
Smolensk Oblast'	0	0	0	0	2	2	0	2	2	0	0	0	0	0	0
Stavropol Kray	3	10	13	2	11	13	1	5	6	1	0	1	0	0	0
Sverdlovsk Oblast'	4	16	20	1	20	21	0	5	5	0	1	1	0	0	0
Tambov Oblast'	0	1	1	0	2	2	0	0	0	0	0	0	0	0	0
Tatar Republic	0	9	9	0	4	4	0	8	8	0	0	0	0	0	0
Tomsk Oblast'	0	0	0	0	0	0	1	10	11	0	3	3	0	0	0
Tula Oblast'	1	3	4	1	1	2	0	1	1	0	3	3	0	0	0
Tver Oblast'	1	2	3	0	0	0	0	4	4	0	1	1	0	0	0
Tyumen Oblast'	3	3	6	0	0	0	0	0	0	0	0	0	0	0	0

	2008			2009			2010			2011			2012		
	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims	Killed	Beaten, wounded	Total victims
Udmurt Republic	0	5	5	0	1	1	0	4	4	0	1	1	0	0	0
Ul'yansovsk Oblast'	1	12	13	1	0	1	0	0	0	0	0	0	0	0	0
Vladimir Oblast'	0	7	7	0	10	10	0	2	2	0	3	3	0	2	2
Volgograd Oblast'	0	4	4	0	4	4	1	5	6	0	0	0	0	4	4
Vologda Oblast'	0	1	1	0	0	0	0	1	1	0	2	2	0	0	0
Voronezh Oblast'	2	23	25	0	5	5	0	3	3	0	4	4	0	3	3
Yaroslavl Oblast'	0	1	1	3	6	9	1	1	2	0	0	0	0	0	0
Zabaikalye Kray	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0

* Up to the beginning of 2009 data on attacks committed in Moscow and the Moscow region and St. Petersburg and the Leningrad region had been summed up and from the beginning of 2009 they are considered separately.

The cities are arranged in alphabetic order, except Moscow and St. Petersburg — two major centers of racist violence.

Victims of attacks in the North Caucasus are not counted in this and the following tables; victims of mass brawls and homeless victims are only counted where a hate motive has been attributed by law enforcement officials.

Statistics of racist and neo-nazi attacks in 2004 – 23.03.2012 (with categorization of victims)

Year	2004		2005		2006	
	Killed	Beaten, wounded	Killed	Beaten, wounded	Killed	Beaten, wounded
Total	50	219	49	419	66	522
Including:						
Dark-skinned people	1	33	3	38	2	32
People from Central Asia	10	23	18	35	17	60
People from the Caucasus	15	38	12	52	15	72
People from the Middle East and North Africa	4	12	1	22	0	11
People from Asia-Pacific Region (China, Viet-Nam, Mongolia, etc.)	8	30	4	58	4	52
Other people of “non-Slav appearance”	2	22	3	72	4	69
Members of youth subcultures and leftist youth	0	4	3	121	3	119
Others (including ethnic Russians), or not known	10	57	5	21	21	107

This table reflects not the “actual identity” of victims, but rather the identity given to them by the attackers. In other words, if a Slavic person was taken for a Caucasian, he would be registered in the category “people from the Caucasus”.

We also know about attacks on homeless people committed, as police suspects, with ideological motivation. In 2004 we have reports about 13 murders of this kind, in 2005 – about 5 murders and 4 beatings, in 2006 – 7 murders and 4 beatings, in 2007 – 4 murders and not less than 2 beatings,

2007		2008		2009		2010		2011		2012	
Killed	Beaten, wounded	Killed	Beaten, wounded	Killed	Beaten, wounded	Killed	Beaten, wounded	Killed	Beaten, wounded	Killed	Beaten, wounded
93	623	116	499	93	442	42	401	23	154	2	26
0	38	2	23	2	59	1	26	1	19	0	2
35	82	63	123	40	89	18	80	10	25	1	3
27	64	27	76	17	78	5	45	6	14	0	0
2	21	2	13	0	2	0	1	0	0	0	0
2	45	1	41	14	36	3	18	0	8	0	4
20	90	11	56	9	62	7	99	2	23	0	1
5	195	4	87	5	77	3	64	1	27	1	14
2	88	6	80	6	39	5	68	3	38	0	2

in 2008 – 7 murders and 1 beating, in 2009 – 1 murder, in 2010 – 1 murder and 2 beating, in 2011 – 1 murder and 1 beating.

Since 2010 we have not included victims of death threats. In 2010 we have reports about 6 persons who received such threats and in 2011 – 10.

Statistics of convictions for violent crimes with a recognized hate motive in 2004 – 23.03.2012

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2004			
Moscow	4	11	Not known
St. Petersburg	2	10	4
Novgorod Oblast'	1 ¹	1	0
Vladimir Oblast'	1	1	1
Voronezh Oblast'	1	3	0
<i>Total</i>	<i>9</i>	<i>26</i>	<i>5</i>
2005			
Moscow	2	4	0
St. Petersburg	2	10	4
Amur Oblast'	1	4	0
Lipetsk Oblast'	1	4	0
Moscow Oblast'	4 ²	14	0
Murmansk Oblast'	1	2	1
Perm Krai	1	1	0
Primorye Krai	1	1	0
Sverdlovsk Oblast'	1	3	0
Tambov Oblast'	1	1	0
Tyumen Oblast'	1	5	0
Volgograd Oblast'	1	7	0
<i>Total</i>	<i>17</i>	<i>56</i>	<i>5</i>
2006			
Moscow	5	11	1
St. Petersburg	3	10	4
Altai Krai	1	1	1
Bashkir Republic	1	3	3
Belgorod Oblast'	1	11	1

¹ For threats to blow up a synagogue.

² We are not sure of the exact date of one sentence for a killing motivated by ethnic hatred; we assume that it occurred in 2005.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2006			
Jewish Autonomous Oblast'	1	3	0
Kaluga Oblast'	1	2	0
Kostroma Oblast'	2	7	5
Moscow Oblast'	3	18	4
Nizhny Novgorod Oblast'	4	6	Not known
Novosibirsk Oblast'	1	Not known	Not known
Orel Oblast'	2	6 ³	2
Rostov Oblast'	1	2	0
Sakhalin Oblast'	1	1	0
Saratov Oblast'	1	5	0
Sverdlovsk Oblast'	3	8 ⁴	0
Tomsk Oblast'	1	3	0
Voronezh Oblast'	1	13	7
<i>Total</i>	<i>33</i>	<i>109⁵</i>	<i>24</i>
2007			
Moscow	4	11	0
St. Petersburg	2	11	3
Belgorod Oblast'	1	2	0
Kaluga Oblast'	1	3	2
Komi Republic	1	1	0
Krasnoyarsk Krai	1	2	1
Leningrad Oblast'	1	1	0
Nizhny Novgorod Oblast'	1	9	9
North Ossetia Republic	1	1	0
Omsk Oblast'	1	1	0
Stavropol Krai	2	2	0
Sverdlovsk Oblast'	3	9	0
Tambov Oblast'	1	1	0
Tyumen Oblast'	1	6	2

³ Estimated minimum; in one case, it is only known that a sentence has been passed.

⁴ Including 3 convicted for setting up an extremist community, and also for a murder where the hate motive was not recognized.

⁵ Estimated minimum.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2007			
Voronezh Oblast'	1	4	0
Yaroslavl Oblast'	1	1	1
<i>Total</i>	<i>23</i>	<i>65</i>	<i>18</i>
2008			
Moscow	7	40	4
St. Petersburg	4	9	2
Altai Krai	1	3 ⁶	0
Arkhangelsk Oblast'	1	1	1
Ivanovo Oblast'	1	1	0
Kaluga Oblast'	2	13	6
Kostroma Oblast'	1	1	0
Krasnodar Krai	1	1	0
Lipetsk Oblast'	1	1	1
Moscow Oblast'	2	11	3
Nizhny Novgorod Oblast'	1	2	2
Novgorod Oblast'	1	2	0
Novosibirsk Oblast'	1	1	0
Omsk Oblast'	1	4	0
Penza Oblast'	1	1	0
Samara Oblast'	1	1	1
Stavropol Krai	1	2	1
Sverdlovsk Oblast'	3	10	0
Tambov Oblast'	1	3	3
Vladimir Oblast'	1	2	0
Yaroslavl Oblast'	1	1	1
<i>Total</i>	<i>34</i>	<i>110</i>	<i>25</i>
2009			
Moscow	11	41	7
St. Petersburg	2	3	0
Adygei Republic	1	1	1

⁶ Including one convicted without mentioning hate motivation.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2009			
Altai Krai	1	7	2
Chelyabinsk Oblast'	1	4	4
Chuvash Republic	2	9	0
Kaluga Oblast'	3	8	3
Khabarovsk Krai	1	1	1
Kirov Oblast'	1	2	0
Kostroma Oblast'	1	1	0
Krasnoyarsk Krai	1	1	0
Kursk Oblast'	1	2	0
Moscow Oblast'	3 ⁷	3	0
Nizhny Novgorod Oblast'	5	12	5
Novgorod Oblast'	2	5	0
Novosibirsk Oblast'	3	4	3
Orenburg Oblast'	1	2	0
Samara Oblast'	1	6	6
Stavropol Krai	1	2	0
Sverdlovsk Oblast'	1	1	0
Tambov Oblast'	1	1	0
Tula Oblast'	1	2	0
Tver Oblast'	1	1	0
Udmurt Republic	1	1	0
Vladimir Oblast'	2	2	0
Voronezh Oblast'	3	7	3
<i>Total</i>	<i>52</i>	<i>129</i>	<i>35</i>
2010			
Moscow	10	35	3
St. Petersburg	6	27	18
Adygei Republic	1	3	0

⁷ According to the Moscow region prosecutor's office, 15 cases were considered in the region in 2009; in 9 of them 13 people were convicted; 6 of the cases with 7 people accused terminated in reconciliation of the parties. We have details on 3 of the cases in which 4 people were convicted and one case terminated in reconciliation of the parties. No details are available to us on the other of the cases.

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2010			
Amur Oblast'	1	1	0
Bashkir Republic	2	10	5
Bryansk Oblast'	3	4	2
Chuvash Republic	1	2	0
Irkutsk Oblast'	1	1	0
Kaliningrad Oblast'	1	6	2
Kaluga Oblast'	3	5	2
Karelian Republic	2	8	1
Khabarovsk Kray	1	2	0
Kirov Oblast'	2	5	5
Kostroma Oblast'	1	1	1
Krasnodar Kray	2	3	0
Moscow Oblast'	7	15	8
Murmansk Oblast'	2	7	3
Nizhny Novgorod Oblast'	10	34	22
Novgorod Oblast'	1	3	0
Penza Oblast'	2	6	2
Primorye Kray	2	14	10
Rostov Oblast'	1	1	1
Ryazan Oblast'	1	2	2
Samara Oblast'	2	5	2
Saratov Oblast'	1	1	0
Smolensk Oblast'	1	0	1
Stavropol Kray	4	29	6
Sverdlovsk Oblast'	3	9	0
Tatar Republic	2	7	5
Tver Oblast'	3	16	2
Tyumen Oblast'	1	14	3
Udmurt Republic	1	2	0
Ul'yanovsk Oblast'	1	9	0
Vladimir Oblast'	4	3	4
Volgograd Oblast'	1	2	0
Voronezh Oblast'	4	5	10

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2010			
<i>Total</i>	<i>91</i>	<i>297</i>	<i>120</i>
2011			
Moscow	9	31	4
St. Petersburg	3	36	16
Altai Kray	1	3	0
Altai Republic	1	1	1
Astrakhan Oblast'	1	1	0
Bashkir Republic	1	1	1
Bryansk Oblast'	1	4	5
Chelyabinsk Oblast'	1	1	0
Irkutsk Oblast'	2	8	4
Kaliningrad Oblast'	2	3	0
Kaluga Oblast'	1	1	0
Karelian Republic	2	3	1
Kemerovo Oblast'	2	2	0
Khabarovsk Kray	1	2	0
Kirov Oblast'	2	3	0
Moscow Oblast'	4	6	5
Nizhny Novgorod Oblast'	5	17	4
Novosibirsk Oblast'	2	2	1
Omsk Oblast'	1	2	0
Orel Oblast'	1	1	0
Ryazan Oblast'	1	7	1
Samara Oblast'	1	2	2
Sverdlovsk Oblast'	1	3	5
Tatar Republic	3	11	4
Tomsk Oblast'	1	7	2
Tula Oblast'	3	3	0
Tver Oblast'	1	1	1
Udmurt Republic	1	2	2
Vladimir Oblast'	1	4	3
Volgograd Oblast'	1	1	0
Voronezh Oblast'	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2011			
Yaroslavl Oblast'	1	19	12
<i>Total</i>	<i>59</i>	<i>189</i>	<i>74</i>
2012			
St. Petersburg	1	3	3
Irkutsk Oblast'	1	1	0
Zabaikalye Kray	1	0	1
<i>Total</i>	<i>3</i>	<i>4</i>	<i>4</i>

**Statistics of convictions for hate propaganda
(art. 282 of Criminal Code) that we do not rate as inappropriate
in 2004 – 23.03.2012**

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2004			
Novgorod Oblast'	1	1	0
Novosibirsk Oblast'	1	1	1
Udmurt Republic	1	1	1
<i>Total</i>	<i>3</i>	<i>3</i>	<i>2</i>
2005			
Moscow	1	1	1
Kabardino-Balkaria Republic	1	1	1
Kemerovo Oblast'	4	4	1
Khabarovsk Kray	1	1	0
Kirov Oblast'	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2005			
Komi Republic	1	1	1
Novgorod Oblast'	1	3	0
Orel Oblast'	1	2	2
Sverdlovsk Oblast'	1	1	0
<i>Total</i>	<i>12</i>	<i>15</i>	<i>6</i>
2006			
Moscow	1	1	0
St. Petersburg	2	2	1
Astrakhan Oblast'	1	1	0
Chelyabinsk Oblast'	1	3	0
Kemerovo Oblast'	2	2	2
Kirov Oblast'	1	1	0
Komi Republic	1	1	0
Krasnodar Kray	1	1	0
Moscow Oblast'	1	1	0
Novgorod Oblast'	1	1	0
Samara Oblast'	2	2	2
Saratov Oblast'	1	1	1
Sverdlovsk Oblast'	1	1	0
Yaroslavl Oblast'	1	2	1
<i>Total</i>	<i>17</i>	<i>20</i>	<i>7</i>
2007			
Moscow	1	1	1
Altai Kray	1	1	1
Altai Republic	1	2	2
Amur Oblast'	1	1	0
Chelyabinsk Oblast'	1	1	0
Chuvash Republic	1	4	0
Kaliningrad Oblast'	1	1	1
Kaluga Oblast'	1	8	0
Kirov Oblast'	1	1	0
Komi Republic	3	3	0
Krasnodar Kray	3	3	2

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2007			
Kurgan Oblast'	1	1	0
Novgorod Oblast'	1	1	0
Novosibirsk Oblast'	3	3	0
Ryazan Oblast'	1	2	0
Sakha Republic (Yakutia)	1	2	0
Samara Oblast'	1	2	2
Stavropol Kray	1	1	1
Sverdlovsk Oblast'	1	1	0
Ul'yanovsk Oblast'	1	1	1
Vladimir Oblast'	1	1	0
Vologda Oblast'	1	1	1
<i>Total</i>	<i>28</i>	<i>42</i>	<i>12</i>
2008			
Moscow	2	4	2
St. Petersburg	3	3	0
Adygei Republic	1	1	0
Altai Kray	1	1	0
Amur Oblast'	2	4	2
Astrakhan Oblast'	2	4	0
Bryansk Oblast'	1	1	0
Buryat Republic	1	1	1
Chelyabinsk Oblast'	2	2	1
Dagestan Republic	1	2	2
Kaliningrad Oblast'	1	1	0
Karelian Republic	2	2	2
Kirov Oblast'	1	1	0
Komi Republic	2	2	0
Krasnodar Kray	2	3	2
Kursk Oblast'	1	1	1
Leningrad Oblast'	1	1	1
Lipetsk Oblast'	1	1	0
Novgorod Oblast'	2	2	0
Novosibirsk Oblast'	1	1	1

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2008			
Penza Oblast'	1	1	1
Primorye Kray	1	1	1
Rostov Oblast'	2	2	1
Samara Oblast'	3	3	1
Stavropol Kray	1	1	0
Tatar Republic	1	6	1
Tyumen Oblast'	1	1	0
Ul'yanovsk Oblast'	1	4	0
Vladimir Oblast'	1	1	0
Voronezh Oblast'	1	1	1
Yamalo-Nenets Autonomous Okrug	1	1	0
<i>Total</i>	<i>44</i>	<i>60</i>	<i>21</i>
2009			
Moscow	5	9	2
St. Petersburg	2	2	0
Arkhangelsk Oblast'	3	3	1
Chelyabinsk Oblast'	1	1	0
Ivanovo Oblast'	1	1	0
Kaliningrad Oblast'	2	1	1
Kamchatka Kray	1	2	2
Karelian Republic	1	1	0
Kemerovo Oblast'	1	1	1
Khabarovsk Kray	3	5	4
Komi Republic	2	1	2
Kostroma Oblast'	1	1	0
Krasnodar Kray	1	1	0
Krasnoyarsk Kray	2	2	0
Kurgan Oblast'	1	0	1
Kursk Oblast'	2	2	2
Murmansk Oblast'	1	1	1
Nizhny Novgorod Oblast'	1	1	0
Novgorod Oblast'	2	2	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2009			
Omsk Oblast'	1	2	0
Orenburg Oblast'	2	5	0
Primorye Krai	1	1	0
Sakha Republic (Yakutia)	1	1	0
Samara Oblast'	1	1	1
Sverdlovsk Oblast'	1	2	0
Tyumen Oblast'	1	1	0
Vladimir Oblast'	2	2	1
Vologda Oblast'	2	3	2
Zabaikalye Krai	1	1	1
Tomsk Oblast'	2	2	0
<i>Total</i>	<i>48</i>	<i>58</i>	<i>22</i>
2010			
Moscow	1	1	1
St. Petersburg	1	3	2
Arkhangelsk Oblast'	2	2	0
Astrakhan Oblast'	2	2	1
Bashkir Republic	1	1	1
Belgorod Oblast'	1	1	0
Buryat Republic	1	1	1
Chelyabinsk Oblast'	2	5	3
Chuvash Republic	2	2	1
Kaluga Oblast'	2	2	0
Kamchatka Krai	1	1	1
Karelian Republic	2	2	0
Khabarovsk Krai	1	1	1
Khanty-Mansi Autonomous Okrug	1	1	0
Kirov Oblast'	2	2	1
Komi Republic	4	5	4
Kostroma Oblast'	3	3	2
Krasnodar Krai	3	3	0
Krasnoyarsk Krai	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2010			
Kurgan Oblast'	1	1	0
Kursk Oblast'	3	3	2
Leningrad Oblast'	1	0	1
Mari El Republic	1	1	1
Novosibirsk Oblast'	3	3	2
Orel Oblast'	1	1	0
Pskov Oblast'	1	1	0
Rostov Oblast'	1	1	0
Sakhalin Oblast'	1	2	1
Samara Oblast'	1	1	1
Stavropol Krai	4	4	1
Tyumen Oblast'	1	0	1
Udmurt Republic	3	3	1
Ul'yanskovsk Oblast'	1	1	0
Vladimir Oblast'	5	5	0
Volgograd Oblast'	1	1	1
Voronezh Oblast'	2	2	1
Tomsk Oblast'	1	1	0
<i>Total</i>	<i>65</i>	<i>70</i>	<i>32</i>
2011			
Moscow	2	2	1
St. Petersburg	1	1	0
Adygei Republic	2	2	2
Altai Krai	1	1	0
Arkhangelsk Oblast'	3	4	3
Bashkir Republic	2	2	1
Chelyabinsk Oblast'	4	4	2
Chuvash Republic	4	4	0
Kalmyk Republic	1	1	0
Kaluga Oblast'	1	1	1
Karelian Republic	2	2	0
Khabarovsk Krai	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2011			
Khanty-Mansi Autonomous Okrug	4	4	2
Kirov Oblast'	2	3	1
Komi Republic	4	4	2
Krasnoyarsk Krai	1	1	0
Kurgan Oblast'	2	2	0
Kursk Oblast'	2	2	0
Lipetsk Oblast'	1	1	0
Moscow Oblast'	2	2	2
Murmansk Oblast'	1	1	1
Novgorod Oblast'	1	1	0
Novosibirsk Oblast'	1	1	1
Primorye Krai	1	1	1
Pskov Oblast'	2	2	2
Sakhalin Oblast'	1	1	0
Saratov Oblast'	2	2	0
Smolensk Oblast'	1	1	1
Sverdlovsk Oblast'	4	4	3
Tatar Republic	1	4	0
Tomsk Oblast'	1	1	1
Tula Oblast'	1	1	0
Tver Oblast'	1	0	0
Tyumen Oblast'	1	1	1
Udmurt Republic	1	1	0
Ul'yansky Oblast'	1	2	0
Vladimir Oblast'	1	1	0
Volgograd Oblast'	1	1	1
Voronezh Oblast'	1	1	1
<i>Total</i>	<i>66</i>	<i>71</i>	<i>30</i>
2012			
St. Petersburg	1	1	1
Arkhangelsk Oblast'	1	1	1
Chuvash Republic	1	1	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2012			
Kaliningrad Oblast'	1	1	0
Kemerovo Oblast'	2	2	0
Khakass Republic	1	1	0
Kursk Oblast'	1	1	0
Novgorod Oblast'	1	1	0
Orenburg Oblast'	1	0	1
Ryazan Oblast'	1	1	0
Tyumen Oblast'	1	1	0
Udmurt Republic	1	1	1
Ul'yansky Oblast'	1	6	0
Zabaikalye Krai	1	0	3
<i>Total</i>	<i>15</i>	<i>18</i>	<i>7</i>

**Statistics of convictions for incitement to extremism
(art. 280 of Criminal Code) that we do not rate
as inappropriate in 2005 – 23.03.2012**

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2005			
Kemerovo Oblast'	3	3	2
Kirov Oblast'	1	1	1
Vladimir Oblast'	1	1	0
<i>Total</i>	<i>5</i>	<i>5</i>	<i>3</i>
2006			
Moscow	1	1	0
Astrakhan Oblast'	1	1	0
Chelyabinsk Oblast'	1	3	0

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2006			
Kemerovo Oblast ⁷	2	2	2
Nizhny Novgorod Oblast ⁷	2	3	0
Total	7	9	2
2007			
Kemerovo Oblast ⁷	1	1	0
Krasnodar Kray*	1	1	0
Novgorod Oblast ⁷	1	1	0
Sverdlovsk Oblast ⁷	1	1	0
Total	5	5	0
2008			
Moscow**	1	1	0
St. Petersburg	1	1	0
Kaluga Oblast ⁷	1	1	0
Novosibirsk Oblast ⁷	1	1	1
Samara Oblast ⁷	2	3	3
Tatar Republic*	1	5	1
Vladimir Oblast ⁷	1	1	0
Vologda Oblast ⁷	1	2	1
Total	9	15	7
2009			
Moscow	1	1	1
Amur Oblast ⁷	2	3	2
Arkhangelsk Oblast ^{7*}	1	1	1
Jewish Autonomous Oblast ⁷	1	2	2
Kemerovo Oblast ⁷	1	1	1
Khabarovsk Kray	1	1	Not known
Novosibirsk Oblast ^{7*}	1	2	2
Primorye Kray*	1	1	1
Samara Oblast ⁷	1	1	1
Total	10	13	11
2010			
St. Petersburg	1	1	0
Amur Oblast ⁷	1	1	1
Bashkir Republic**	1	1	1
Chelyabinsk Oblast ^{7**}	1	1	1

	Number of convictions	Number of offenders convicted	Received suspended sentences or were released from punishment
2010			
Kemerovo Oblast ⁷	1	1	1
Komi Republic ⁸	2	2	1
Novosibirsk Oblast ⁷	1	1	Not known
Omsk Oblast ⁷	1	1	1
Sakhalin Oblast ⁷	1	2	1
Tyumen Oblast ⁷	1	1	0
Yaroslavl Oblast ^{7***}	1	2	0
Total	12	14	7
2011			
Adygei Republic **	3	3	2
Bashkir Republic ⁹	1	2	0
Chelyabinsk Oblast ^{7***}	3	3	1
Kemerovo Oblast ⁷	1	1	1
Khabarovsk Kray	1	1	0
Moscow Oblast ^{7***}	2	2	2
Primorye Kray *	1	1	1
Sakhalin Oblast ^{7*}	1	1	0
Tyumen Oblast ⁷	1	1	1
Voronezh Oblast ^{7*}	1	1	1
Total	15	16	9
2012			
St. Petersburg **	1	1	1
Arkhangelsk Oblast ^{7*}	1	1	1
Khakass Republic*	1	1	0
Tyumen Oblast ⁷	1	1	0
Total	4	4	2

* Sentences includes also art. 282 of the Criminal Code.

** Sentences include also other articles of the Criminal Code.

⁸ One of sentences includes also art.282.

⁹ The sentence includes also arts.205² and 282.