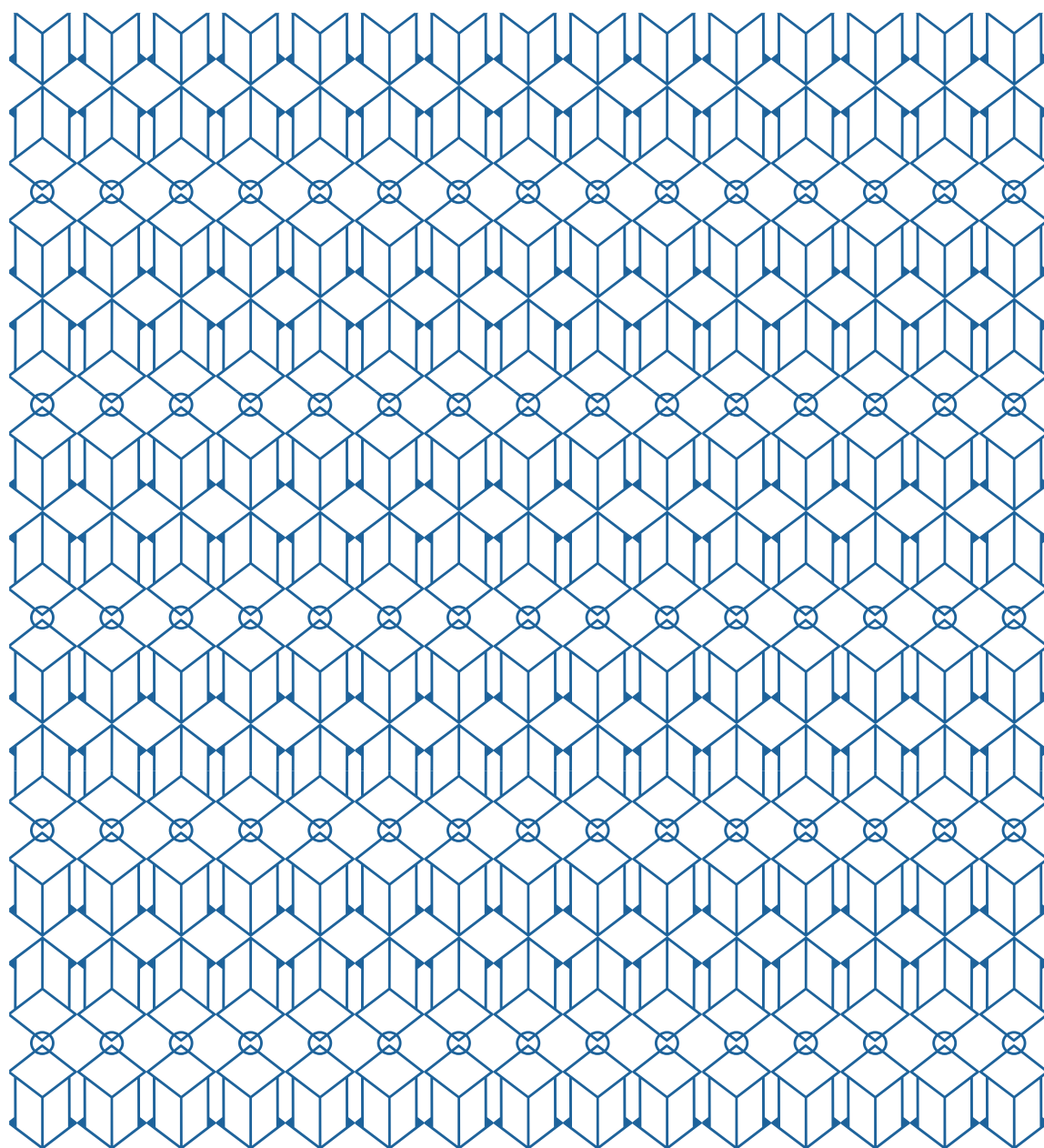


Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2021



Annual Reports
by SOVA Center
For Information
and Analysis



Moscow, 2022

Настоящий материал (информация)
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РОО Центр «Сова»
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18+

A collection of annual reports

Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2021

SOVA Center for Information and Analysis

Moscow, 2022

UDC 323.1(470+571)(082.1)"2021"
ББК 66.094я43+66.3(2Рос),54я43
X 44

X44 **Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2021:
A collection of annual reports by SOVA Center for Information and Analysis**
[Kravchenko Maria, Sibireva Olga, Yudina Natalia / Ed. by Verkhovsky Alexander] –
Moscow: SOVA Center, 2022. – 136 pp.: tables, graphs.

ISBN 978-5-98418-055-9

This collection of reports provides a summary of all the major areas of work carried out by SOVA Center for Information and Analysis in 2021.

As is customary, we present annual reports on challenges in the realization of the rights to freedom of conscience and the principle of state secularism, and on overuse and misuse of anti-extremism laws.

The appendix provides details and statistics on the hate crimes and the prosecution of “extremist crimes.” All data were compiled on February 22, 2022.

This collection was prepared and published with the support of International Partnership for Human Rights (IPHR), the Norwegian Helsinki Committee, and Berta International Foundation. SOVA Center expresses its gratitude to all its donors and admits the sole responsibility for the content of the reports.

On December 30, 2016, the Ministry of Justice declared SOVA Center “a non-profit organization performing the functions of a foreign agent.” We disagree with this decision and have filed an appeal against it.



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Contents

Natalia Yudina	
The State Has Taken up Racist Violence Again: Hate Crimes and Counteraction to Them in Russia in 2021	
Summary.....	6
Systematic Racist and Neo-Nazi Violence.....	7
Attacks Against “Ethnic Outsiders”	10
Attacks Against the LGBT	12
Attacks Against Ideological Opponents.....	13
Other Attacks	14
Crimes Against Property.....	14
Criminal Prosecution for Violence	17
Criminal Prosecution for Crimes Against Property	23
Protecting Oneself: The State Against the Incitement of Hatred and the Political Participation of Nationalists in Russia in 2021	
Summary.....	25
Criminal Prosecution	27
For Public Statements.....	27
For Participation in Extremist and Terrorist Groups and Banned Organizations...	38
Federal List of Extremist Materials.....	41
The Banning of Organizations as Extremist	44
Sanctions for Administrative Offences.....	48
Maria Kravchenko	
Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2021	
Summary.....	52
Lawmaking	53
The Practice of the European Court of Human Rights	60
Sanctions Against Ideological Opponents of the Regime.....	64
Sanctions Against Alexei Navalny, His Organizations and Supporters	64
Other Criminal Cases.....	67
Calls for Extremist Activity and Incitement to Hatred	68
Justification of Terrorism.....	69
Hooliganism and Vandalism	70
Sanctions for Anti-Government Group Initiatives	72
Other Sanctions for Anti-Government Statements.....	75
Banning Organizations for Extremism	77
Liquidation of the “Memorials” and Blocking of the OVD-Info Website	78
Side Effects of the Fight for Tolerance	79

Side Effects of the Fight for Tolerance79

Sanctions for “Rehabilitation of Nazism”79

Sanctions for Display of Extremist Symbols84

Fight Against Insults to “the Religious
Feelings of Believers”85

Persecution Against Religious Associations87

Hizb ut-Tahrir87

Tablighi Jamaat90

Followers of Said Nursi91

Jehovah’s Witnesses92

Administrative Sanctions for
Distributing Religious Literature.....98

Recognizing Religious Materials as Extremist.....98

A Bit of Statistics100

Olga Sibireva

**Freedom of Conscience in Russia: Restrictions
and Challenges in 2021**

Summary.....105

Legal Regulation.....107

Projects That are Not (Yet) Developed.....108

Issues Related to Places of Worship.....109

Problems Related to the Development of Churches109

Problems with the Exploitation of Existing Buildings113

Conflicts Around the Transfer of Property
to Religious Organizations.....115

Discrimination Based on the Attitude to Religion.....117

Criminal Prosecution117

Restriction on Missionary Activity.....118

Recognition of the Activities of Religious
Organizations as Undesirable.....120

Other Forms of Discrimination.....122

Positive Decisions.....123

Protecting the Feelings of Believers.....124

Protection from Above.....124

Protection from Below126

Lack of Protection Against Attacks and Defamation.....128

Violence and Vandalism128

Defamation of Religious Minorities.....129

Summary Statistics of Crimes and Punishments.....130

Types of Violence and Victims of Violent Hate Crimes.....130

Ideologically Motivated Attacks Against Property132

Guilty Verdicts for “Crimes of an Extremist Nature”134

The State Has Taken up Racist Violence Again: Hate Crimes and Counteraction to Them in Russia in 2021

This report by SOVA Center is focused on the phenomenon of hate crimes, i.e. not on ordinary criminal offenses but those committed on the grounds of ethnic, religious, or similar hostility or prejudice¹ and on the state's counteraction to such crimes.

Summary

Among other things, the year 2021 was marked by an active anti-migrant campaign.² However, if we are to compare it with the memorable anti-migrant campaign of 2013,³ the current one has led to neither the mobilization of the far-right nor a significant increase in hate crimes, and the overall level of ethnic xenophobia even decreased slightly.⁴

The number of xenophobic attacks known to us has increased somewhat over the past year, both against "ethnic outsiders" and LGBT people and those who were mistaken for such. The nature of some street attacks and clashes resembles the period of activity of Nazi skinheads in the 2000s; anti-pedophile *Occupy Pedophilia* raids in memory of Maxim (Tesak) Martsinkevich have also intensified. But in general, the level of xenophobic violence remained low.

Ideologically motivated damage to various material objects in 2021 became a little less frequent, but the number of dangerous acts, explosions and arson, has not diminished.

1. Hate Crime Law: A Practical Guide. Warsaw: OSCE/ODIHR, 2009 (available on the OSCE website in multiple languages, including Russian: <http://www.osce.org/odihr/36426>).

Alexander Verkhovsky, Criminal Law on Hate Crime, Incitement to Hatred and Hate Speech in OSCE Participating States (2nd edition, revised and updated). The Hague: SOVA Center, 2016 (available on the SOVA Center's website: <https://www.sova-center.ru/files/books/osce-laws-eng-16.pdf>).

2. Vera Alperovich, "You die and start again from the beginning..." Public activity of far-right groups, summer-fall 2021 // SOVA Center. 2021. 24 December (<https://www.sova-center.ru/racism-xenophobia/publications/2021/12/d45513/>).

3. Vera Alperovich, Natalia Yudina, The Ultra-Right Shrugged: Xenophobia and radical nationalism and counteraction to them in 2013 in Russia // SOVA Center. 2014. 31 March (<https://www.sova-center.ru/en/xenophobia/reports-analyses/2014/03/d29236/>).

4. Xenophobia and migrants // Levada Center. 2022. 24 January (<https://www.levada.ru/2022/01/24/ksenofobiya-i-migranty/>).

At the same time, the number of convictions for hate crimes skyrocketed fourfold. Perhaps this was due to the fact that several long joint trials have ended at once. At the same time, there are clear signs that new high-profile trials of multiple defendants are being planned: throughout the year, FSB officers reported numerous detentions throughout the country of supporters of the M.K.U gang ("Maniacs. Murder Cult").

This high activity of law enforcement agencies is probably a response to the emerging, albeit not so significant, rise in hate crimes. Or perhaps the state, which is increasingly invoking the nationalist agenda, is less and less willing to tolerate competition from below, especially militant one.

Systematic Racist and Neo-Nazi Violence

In 2021, at least 63 people became victims of ideologically motivated violence; three of them died and the others were injured or beaten; five people received serious death threats. We have to say that the total number of hate-motivated attacks has increased compared to the previous year: in 2020, one victim died and 52 were injured or beaten.⁵ And what should be kept in mind is that our data, especially for the year that just ended, is incomplete and will inevitably increase.⁶

We do not report on the victims in the republics of the North Caucasus, where our methods are, regrettably, not applicable. Unfortunately, we cannot compare our data with any other statistics on hate crimes in Russia, as no other statistics exist.

And once again we have to admit that the figures we provide do not reflect the true scale of violence and are incomplete to a significant extent. The lion's share of information about such crimes is provided by the mass media, but in recent years they have reported practically nothing about hate crimes or have described them in such a way that isolating a motive becomes difficult.

Victims themselves hardly ever report the attacks to human rights organizations, except in the hope of receiving legal, medical, educational, or financial assistance. Neither do the victims go to the police, since they do not really expect to get any help from police officers but instead are very much afraid of potential problems.

The attackers have become more cautious and practically never post videos of their acts. And when such videos do appear, it is often not possible to verify their authenticity and establish the time and place of the attack.

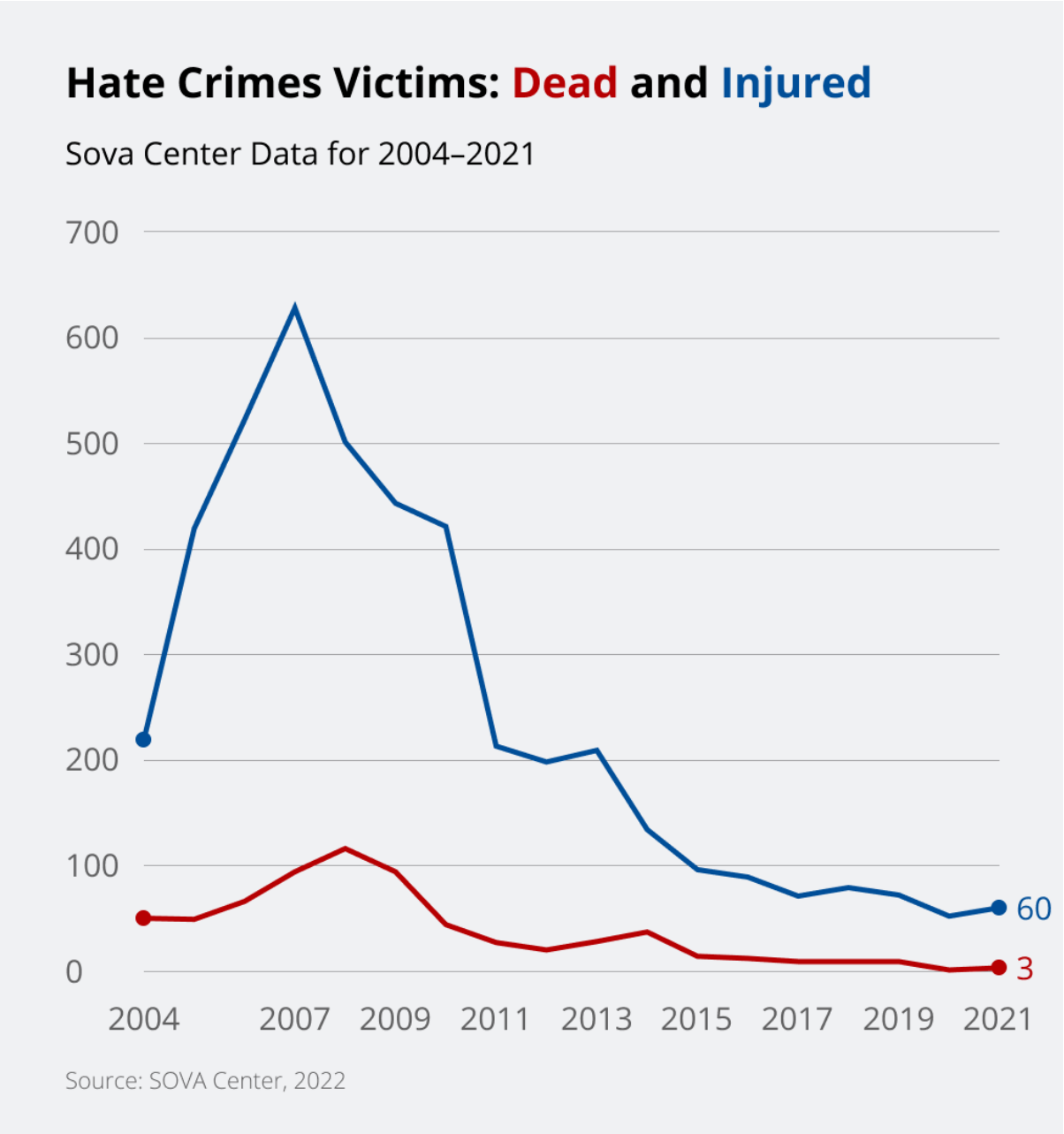
For example, in the second half of the year, messages containing links to videos and signed by the M.K.U. group were sent to the e-mail address of SOVA Center several times: videos contained scenes of attacks on migrants and homeless people, arson, messages about upcoming terrorist attacks with addresses (fortunately, the attacks did not take

5. Data for 2019–2021 is provided as of 19 January 2022.

6. In our 2021 report, we reported one dead and 43 injured and beaten. See: Natalia Yudina, "Potius sero, quam nunquam": Hate Crimes and Counteraction to Them in Russia in 2020 // SOVA Center. 2021. 5 February (<https://www.sova-center.ru/en/xenophobia/reports-analyses/2021/02/d43611/>).

place), and threats against the employees. Based on some of the videos, it is possible to establish that at least five victims were injured, two of whom may have been killed. However, it is impossible to understand where and when these attacks occurred and whether they occurred at all.

As a result, it is difficult to assess what is happening regarding violence, but since our methodology has not changed since the start of the data collection, we are able to analyze the dynamics.⁷

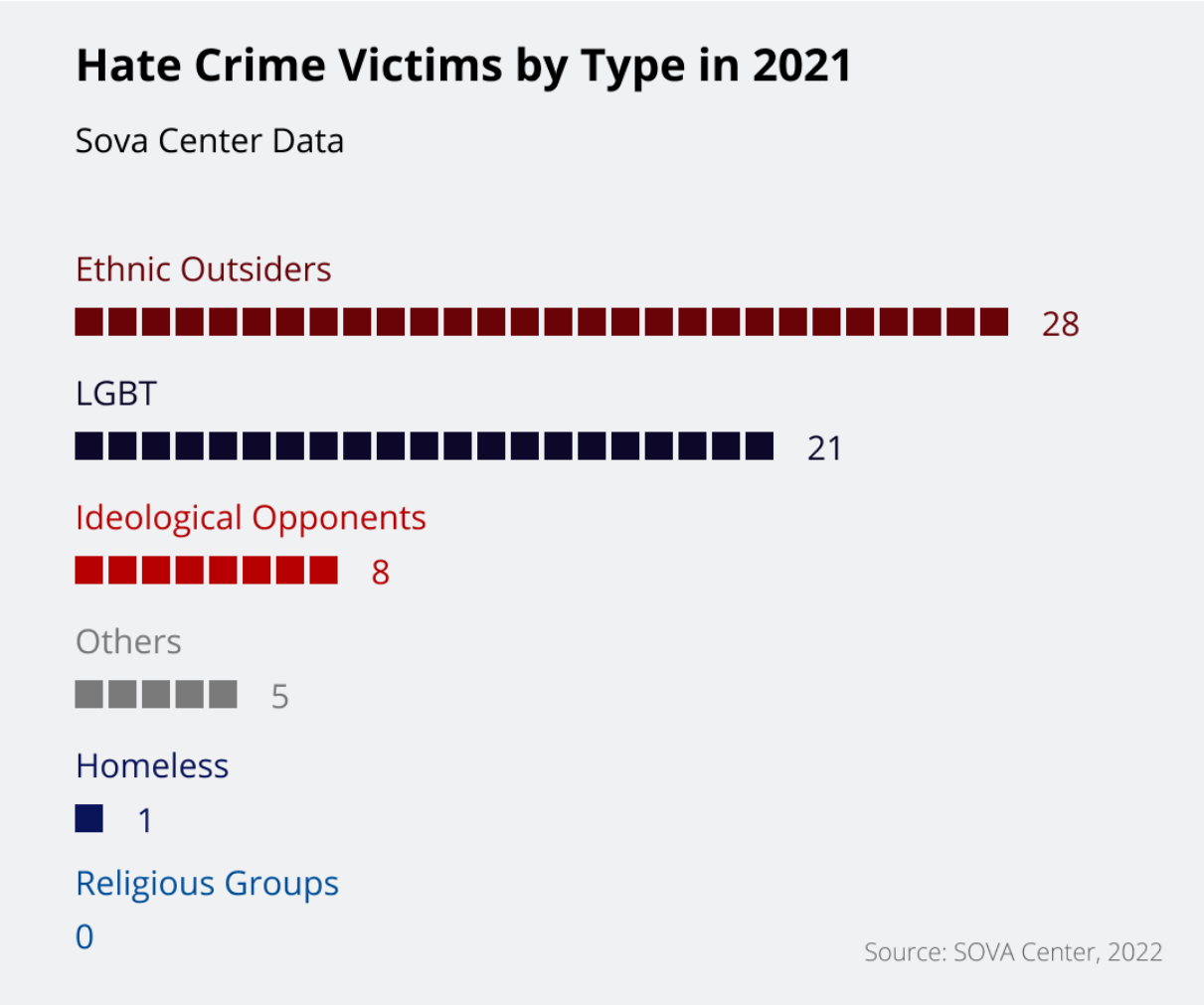


In the past year, we have recorded attacks in 18 regions (in 14 in 2020). Moscow (13 injured and beaten) and St.Petersburg (six injured and beaten) traditionally lead in terms of the level of violence. A significant number of victims was reported in the Novosibirsk, Tver, and Tula regions (four injured and beaten in each). On the contrary, in the Sverdlovsk region, which for two years straight was among the leaders in our sad statistics, the number of victims has decreased (we only know about one).

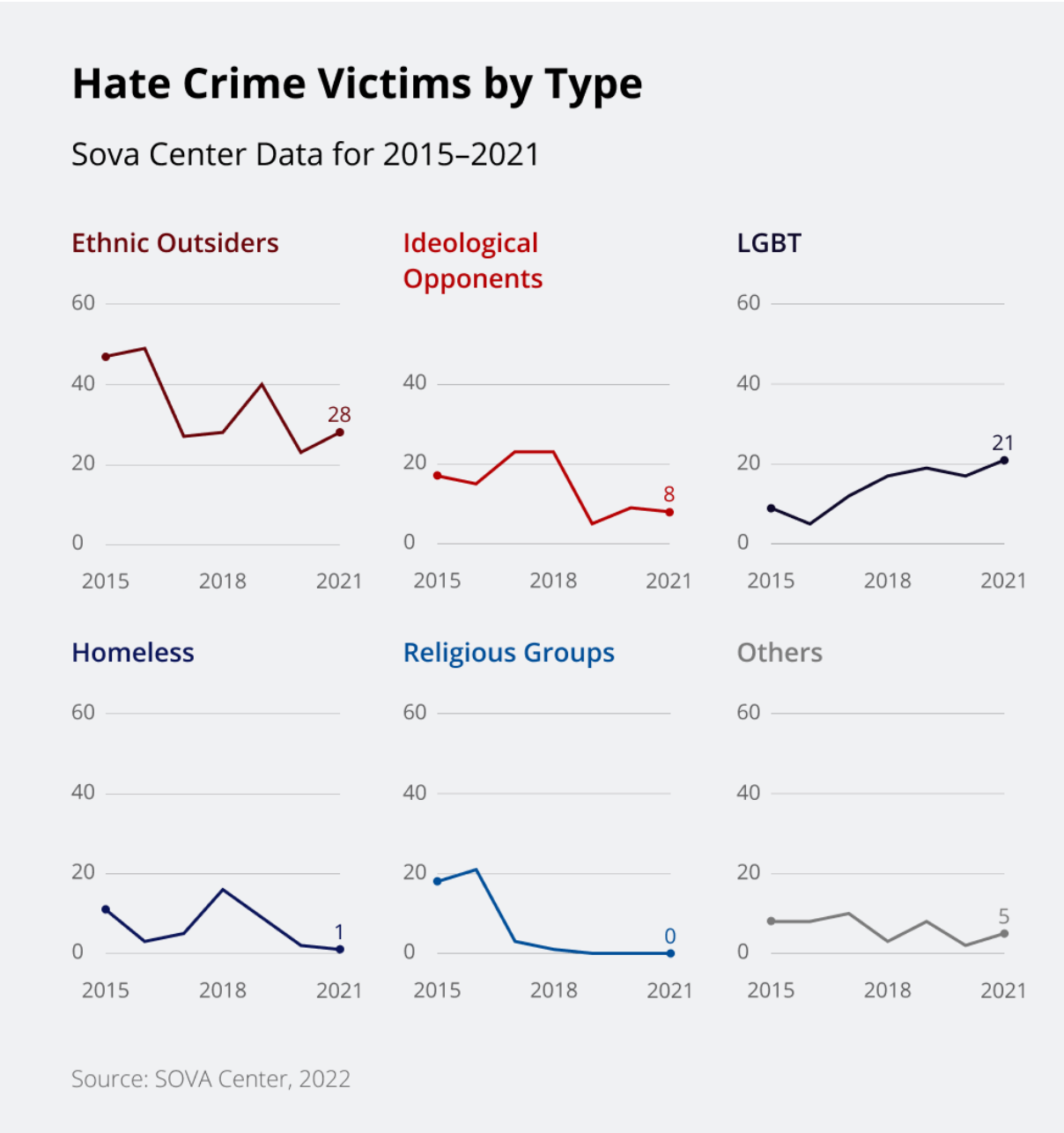
In the past year, assaults were reported in the regions where they have not been reported before, namely, in the Belgorod, Leningrad, Moscow, Nizhny Novgorod, and Yaroslavl regions, Primorsky Krai, Krasnoyarsk Krai, and Khabarovsk Krai. At the same time, however, a number of regions disappeared from our statistics: hate crimes were not recorded in the Arkhangelsk, Bryansk, Volgograd, Voronezh, Kursk regions, Stavropol Krai, and Khanty-Mansi Autonomous Okrug.

According to our data, in the past ten years, in addition to Moscow, St. Petersburg, and the Moscow and Leningrad regions, crimes have been recorded practically annually in the Volgograd, Vologda, Voronezh, Kaluga, Kirov, Nizhny Novgorod, Novosibirsk, Omsk, Samara, Sverdlovsk, Rostov, and Tula regions, Primorsky Krai, Krasnodar Krai, Khabarovsk Krai, and the Republic of Tatarstan. Additionally, over the past five years, criminal activity in the Kaliningrad, and Orenburg regions, Perm Krai, Zabaykalsky Krai, and the Republic of Karelia has intensified.

However, it is also possible that the incident reporting is just better organized in these regions.



7. Here and below, all chart data is based on the monitoring of SOVA Center.



Attacks Against “Ethnic Outsiders”

Those perceived as “ethnic outsiders” remain the largest group of victims. Their numbers are slightly higher compared to the previous year: in 2021, we recorded 28 ethnically motivated attacks, 23 in 2020, and 40 in 2019.

Victims in this category include natives of Central Asia (one killed, three beaten compared to four beaten in 2020) and the Caucasus (three beaten compared to one killed, eight beaten in 2020); individuals of unidentified “non-Slavic appearance” (2 killed 13 beaten compared to 6 beaten in 2020). In 2021, we are aware of other attacks on ethnic grounds, including on one Jew and one Russian. An attack and xenophobic insults against two women

from Buryatia received media coverage after one of the victims posted a video of the incident on Instagram on April 14.

Some attacks were marked by outrageous brutality. For example, in June, a citizen of Uzbekistan was attacked in the Leningrad region: the attackers cut off his ear, doused him with gasoline, and set him on fire. In the Moscow metro, two migrants were beaten with bats by a group of aggressive young men in the somewhat forgotten tradition of Nazi skinhead attacks of the early 2000s.

The number of incidents of xenophobic street violence against black people has been growing for the third straight year. In 2021, we have information about five victims (two beaten a year earlier, and one beaten per year in 2017–2019). The level of intolerance towards black people was made obvious by the hate campaign against Natalia Eluemunor, the widow of a Nigerian student who drowned while rescuing a drowning woman: Natalia received racist insults in response to a farewell post on Instagram. The number of xenophobic threats and attacks has increased greatly after the Telegram channel of the founder of Male State Vladislav Pozdnyakov published a link to her page. Eluemunor told reporters that it was not the first time she had to face the manifestations of racism in Russia. “We didn’t like walking around the city, because many people reacted very aggressively...” she said.⁸ In addition to persecuting individuals, Male State also organized harassment campaigns against businesses for featuring black men in their ads.⁹

The war in Nagorno-Karabakh spilled over into in Russia.¹⁰ In November 2021, news appeared about the conflicts between the natives of Armenia and Azerbaijan in Moscow. On November 16, a native of Armenia living in Moscow live streamed in TikTok negative comments about the natives of Azerbaijan. He was found, beaten, and forced to apologize on camera. On November 27, a video appeared with the apologies of another native of Armenia, who was found and beaten by natives of Azerbaijan. After that, groups of Armenian youth began to hunt around for the offenders. The Azerbaijani Telegram channels also announced the recruitment of “Azerbaijanis from Moscow and the Moscow Region over 18+, self-confident men able to fight and ready to defend the honor of their nation at any moment.”¹¹

In February, Azerbaijani natives beat a visitor from Dagestan and forced him to apologize on camera for supporting the Armenians in the war in Nagorno-Karabakh.

8. The widow of a Nigerian man who died while rescuing a girl is harassed online // Izvestiya. 2021. 20 July. (<https://iz.ru/1196109/2021-07-21/vdovu-pogibshego-pri-spasenii-devushki-nigeriitca-zatravili-v-seti>).

9. For more on this and other inflammatory campaigns of Male State see: Alperovich, “You die and start again from the beginning...”

10. See: Yudina, “Potius sero, quam nunquam.”

11. In Moscow, the Armenian-Azerbaijani war starts again. The diasporas mobilize combat-ready members to fight each other // Readovka. 2021. 27 November (<https://t.me/readovkanews/23575>).

Attacks Against the LGBT

The number of attacks against the LGBT community was higher than in the previous year. SOVA Center has recorded 21 victims of beatings (compared to 17 in 2020). We have written more than once about the reasons for the increase in the number of attacks on LGBT people in recent years.¹²

Anti-pedophile raids following the death of a well-known neo-Nazi, the former leader of the far-right Restrukt movement and the founder of the *Occupy Pedophilia* movement Maxim (Tesak) Martsinkevich¹³ have been going on for the second straight year. These raids took place in Vyborg, Leningrad region, in February, in Tver in February and March, in Perm in March, and in Tyumen in December. Tesak supporters contacted men online and lured them to dates, where they were humiliated, kicked, their faces beaten, passport pages with their names shown on camera, and in one case, the page with the registered address; they were forced to say their names on camera, shout “Occupy!”, kneel, and apologize.

In 2021, we recorded attacks against individuals connected in one way or another with LGBT activity (for example, those handing out LGBT-themed leaflets and visitors to cafes popular among LGBT people) and locally known LGBT activists (for example, the attack on Yaroslav Sirotkin and Alexander Derek in Yaroslavl, both of whom suffered severe burns to eyes). Attacks against those who were mistaken for LGBT also took place. For example, on August 7 and 29 in Novosibirsk at the Royal Park shopping mall, a group of teenagers with sticks attacked anime fans, shouting homophobic insults. As a result, several people were severely injured. In Moscow, St. Petersburg, and Krasnoyarsk, earrings and dyed hair were enough to provoke attacks and accusations of non-traditional sexual orientation against the young men.

LGBT supporters have received quite serious threats. TikToker Leo Velez, who is openly gay, filed a report with the police after his personal data had appeared in a homophobic Telegram channel and he had begun receiving calls from unknown numbers and messages with threats, insults, and blackmail. The Radio Liberty correspondent and author of the telegram channel FemVremya Karina Merkurieva received a series of threats and demands for public apologies from three different Telegram communities for her “LGBT propaganda and insults against men.” And once again, Male State was the most ardent harassment organizer: its activists are responsible for threats against activist Daria Serenko and the reporters for TV Rain (Dozhd) Anna Mongait, Maria Borzunova, and Anna Fimina for publishing an interview with the same-sex couple that had appeared on the cover of Elle magazine.¹⁴

12. See: Yudina, “Potius sero, quam nunquam.”

13. Maxim “Tesak” Martsinkevich in Brief // SOVA Center. 2020. 1 October (<https://www.sova-center.ru/en/xenophobia/news-releases/2020/10/d42991/>).

14. And also, for the release of stories dedicated to family relations in the Caucasus. For more information about threats, see: Alperovich, “You die and start again from the beginning...”

Attacks Against Ideological Opponents

In 2021, the number of attacks by the ultra-right against their political, ideological, or “stylistic” opponents – eight beaten – decreased slightly compared to the nine beaten in 2020 and five in 2019.¹⁵ Among the beaten were anti-fascists from St. Petersburg and a socialist from the Tula region. Vlad Tupikin, the editor of Volya magazine, also became a victim of an attack: on March 27 in Moscow, an unknown person ran up to Tupikin, who was heading to the presentation of the almanac Moloko+, and hit him in the face, shouting, “*Don’t you talk about neo-Nazis here!*”

The violent clash between the far-right and antifa before the start of the ultra-right Asgardsrei festival in Moscow brings back memories of the street wars of the early 2000s. The far-right, carrying flags with Nazi symbols, attacked anti-fascists before the concert organized by the White Nights Skins group. Judging by the video, traumatic guns were used. The day after the fight, Sergei Nelyudov, a supporter of the Popular Resistance Association (ANS), and Andrei (Bloodma) Pronsky, convicted in 2013 of xenophobic murder, were among the far-right detainees. (One of the above-mentioned videos sent to SOVA Center by the M.K.U. included footage from the old NS/WP Nevograd video “The Destruction of the Little Jew,” made by Pronsky.)

As is customary, attacks by pro-government groups on liberal opponents have been active throughout the year. SouthEast Radical Block (SERB) was most radical. On April 9, several SERB activists attacked director Vitaly Mansky. Earlier, the SERB leader boasted that he “*has disrupted the screening of the Russophobe Mansky’s film Summer War, which “glorifies members of the terrorist organization ‘Azov.’”*¹⁶

The other groups limited themselves to verbal attacks, hooligan antics, and threats. For example, on September 2, 2021, on the day of the 80th birthday of the famous human rights activist Lev Ponomarev, insults were written on the door of his office and on the hall floor in his building, and a leaflet was pasted next to the apartment, calling Ponomarev “a defender of terrorists.” Activists of the National Liberation Movement (NOD) came to Cafe MART, where the birthday celebration was taking place, but the security personnel did not let them in.

On May 8, Zakhar Prilepin’s Guard brought to the editorial offices of the Echo of Moscow radio station a lampshade with the inscription “This could have been Shenderovich” and a letter saying that “*Under the Nazis, in all likelihood, the unrespectable Viktor would have to serve the Third Reich! In some capacity, anyway – a lampshade, for example...*”¹⁷ The Guards were outraged by Shenderovich’s broadcast of “Special Opinion” on May 6, during which the host had mentioned the responsibility of the Soviet Union, along with Hitler, for unleashing World War II.

15. Attacks of this type peaked in 2007 (7 killed, 118 injured); the numbers have since been steadily declining. After 2013, trends have been unstable.

16. SERB activists attack director Mansky during the Artdokfest festival // SOVA Center. 2021. 9 April (<https://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2021/04/d44027/>).

17. For more details see: Natalia Yudina, The Well-forgotten Old: Hate crimes and countering xenophobia and radical Nationalism in Russia in the first half of 2021 // SOVA Center. 2021. 30 July (<https://www.sova-center.ru/en/xenophobia/reports-analyses/2021/07/d44639/>).

Members of Prilepin’s Za Pravdu (Russian for “For Truth”) came to the Moscow office of Memorial on January 11 and tried to break into the building (which was locked for quarantine) while filming their attempts and shouting, “*Look, Memorial is afraid to communicate with the people,*” and scattering leaflets that said “Let’s rid Stalin of foreign agents!”¹⁸

During the final hearing on the liquidation of International Memorial (recognized as a foreign agent), activists from the National Liberation Movement (NOD) gathered in front of the Supreme Court building in Moscow, addressed provocative questions to the Memorial supporters, and held signs accusing Memorial of defending Nazi criminals.

Other Attacks

In 2021, we are aware of 1 attack on a homeless person (same as in 2020). This data is obviously too fragmentary and therefore does not tell us anything about the true scope of violence and the dynamics of xenophobic attacks on those whom the attackers call “bio-garbage” and the filth they propose to “cleanse” the country of.

This past year once again saw a case of xenophobic violence in the army, another area that is completely insulated from and inscrutable for the public. Reserve private Ramzan Albakov, “*threatening conscript soldiers with physical violence, wrote the word “Ingushetia” with shaving foam on their backs... did a photo shoot against their background and posted these photos on social networks.*”¹⁹

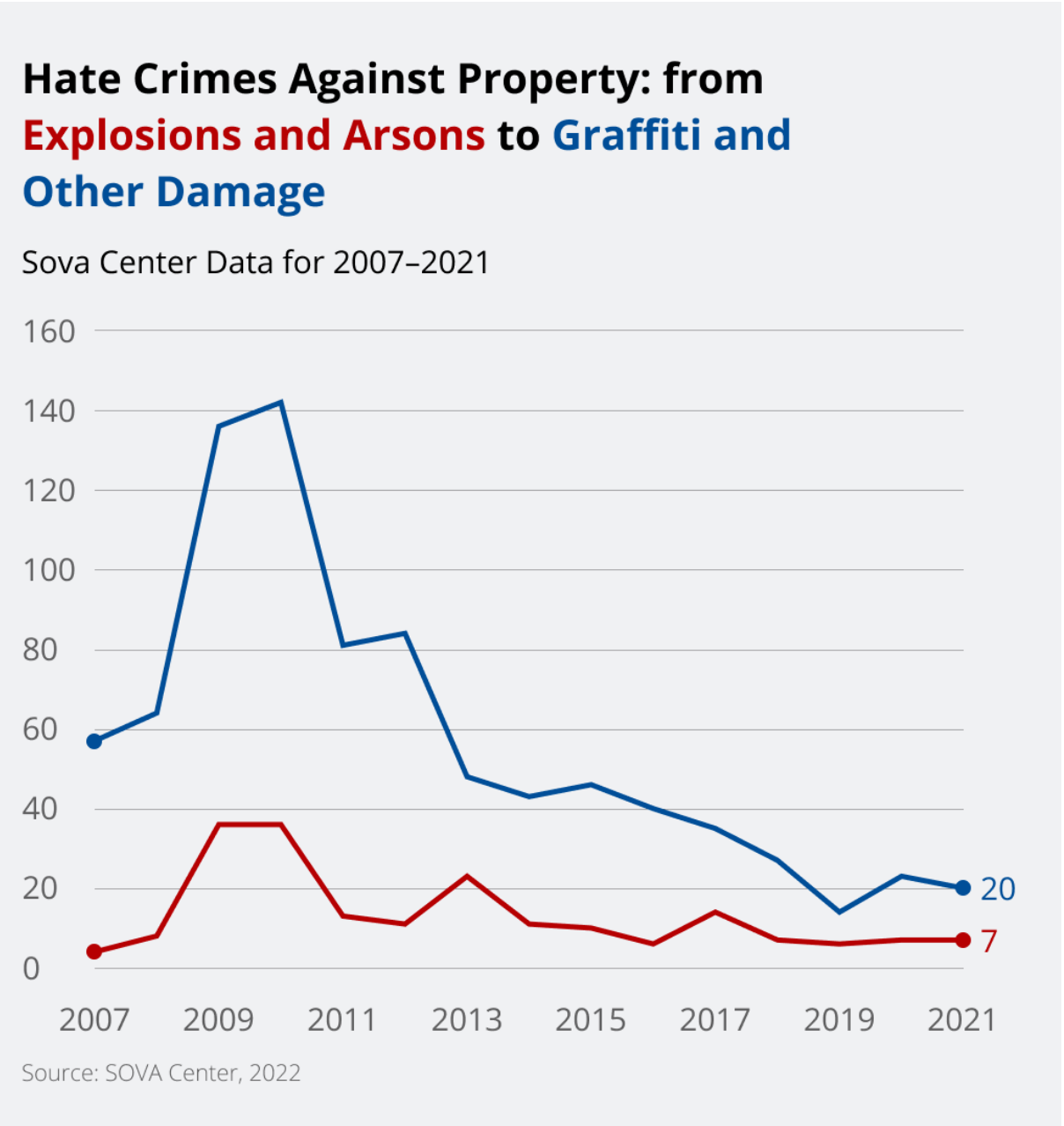
Our data for 2021 include victims who suffered by association – such as a girl who was walking down the street with a dark-skinned companion and those who expressed disapproval of the behavior or symbolism of the ultra-right, like a Yekaterinburg school student, who was beaten for expressing disapproval of Nazi skinheads.

Crimes Against Property

Crimes against property include damage to cemeteries, monuments, various cultural sites, and property in general. They are categorized under several different articles of the Criminal Code, but the enforcement is not always consistent. Such acts are usually referred to as vandalism, but we rejected this term a few years ago, as the term “vandalism,” be it in the Criminal Code or everyday language, clearly does not encompass all possible types of damage to property.

18. Ibid.

19. Ramzan Albakov sentenced to two years of probation. See: A court in Irkutsk sentenced a serviceman to probation for writing on the backs of colleagues while threatening them // Interfax. 2021. 21 December (<https://www.interfax-russia.ru/siberia/news/sud-v-irkutsk-irgovoril-k-uslovnomu-sroku-voennosluzhashchego-za-nadpis-na-spinah-sosluzhivcev-pod-ugrozoy-raspravy>).

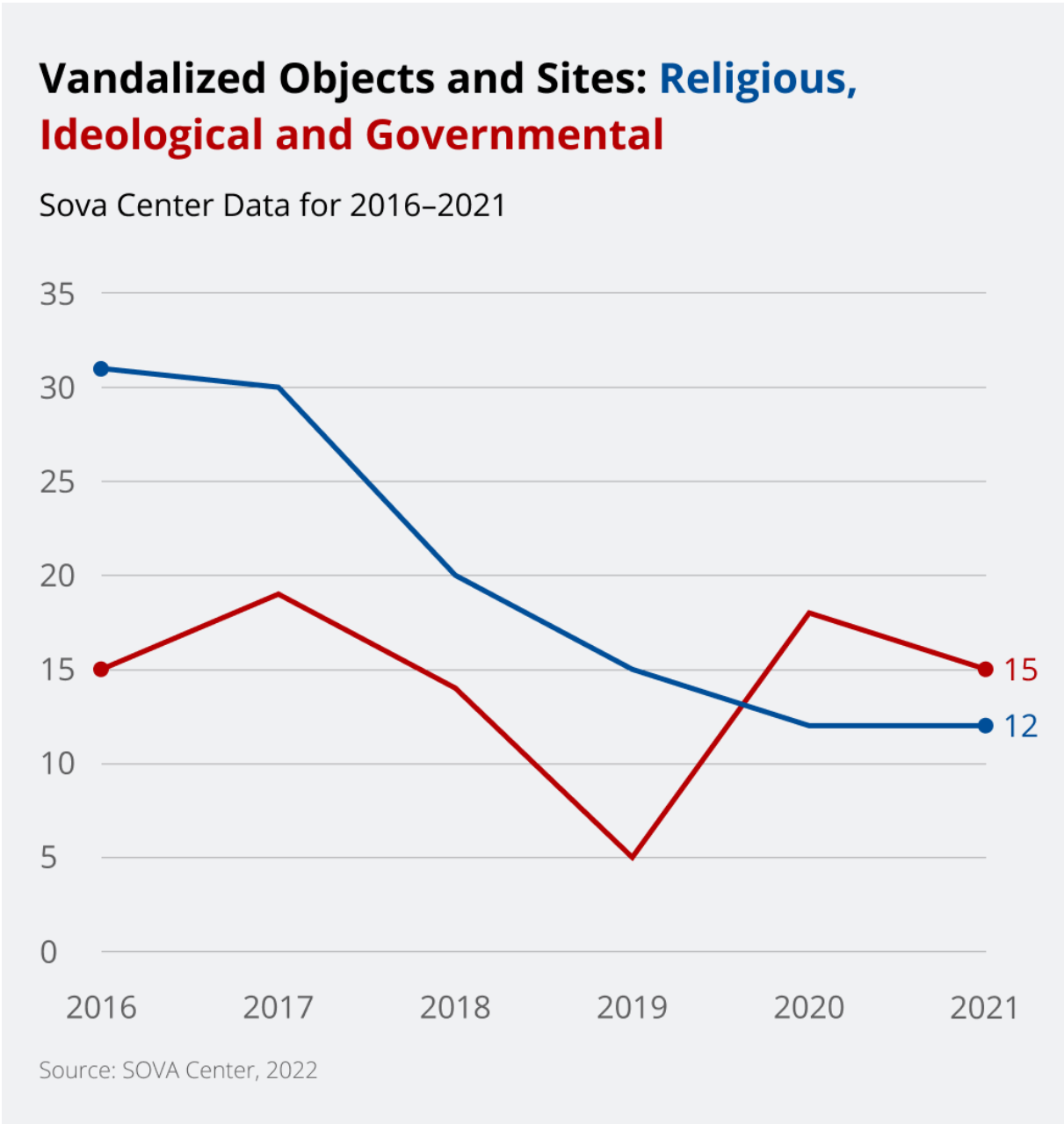


In 2021, the number of religious, ethnic, or ideological hate crimes against property was slightly lower than in 2020: 27 incidents in 20 regions of the country in 2021 (at least 30 in 21 regions in 2020, at least 20 in 17 regions in 2019). Our statistics does not include isolated cases of neo-Nazi graffiti and drawings on buildings and fences, but it does include serial graffiti (law enforcement considers graffiti to be either a form of vandalism or a means of public statement).

In 2021, 13 ideological sites and one government site were targeted;²⁰ this is higher than the ten attacks on ideological sites and one on a government site recorded in 2020. The sites that sustained damage included monuments to Lenin, Kirov, “Eternal Flame,” and a

20. Administration of Judicial Department, Moscow.

memorial to the heroes of the Great Patriotic War. A separate case is Navalny’s headquarters in Murmansk, where swastikas were drawn on the walls and the equipment broken. There was also a case of an attack on an LGBT cafe.



As is usually the case, most of these acts target religious sites and objects. As in 2020, Russian Orthodox churches and crosses were the most frequent target of desecration, (four incidents compared to eight in 2020); unexpectedly, pagan sites were targeted equally frequently (four attacks vs. three in 2020). Jewish sites come in second with 3 attacks, just like in the previous year. One protestant site was attacked (two in 2020).

On the overall, the number of attacks against religious sites has decreased: 12 in 2021 (19 in 2020 and 15 in 2019). The number of the most dangerous acts – arson and explosions – has remained the same as in the previous year and the share therefore represents 26%, or 7 out of 27 (7 out of 30 in 2020).

One notable case was setting fire to the building of the Shamir synagogue in Moscow on April 20, that is, on Hitler’s birthday. A swastika was also drawn on the walls of the synagogue.

The regional distribution has changed noticeably. In 2021, this type of crime was reported in 12 new regions: Volgograd, Leningrad, Novgorod, Omsk, Orenburg, Samara, and Yaroslavl regions, Krasnodar Krai, the Republics of Buryatia, Crimea, Yakutia (Sakha), and Tatarstan; the following 14 regions where such crimes have been reported before went off the list: Arkhangelsk, Astrakhan, Bryansk, Vologda, Voronezh, Nizhny Novgorod, Ryazan, and Chelyabinsk regions, the Kabardino-Balkarian Republic, the Altai Republic, Bashkortostan, Khakassia, Krasnoyarsk Krai, and Khanty-Mansi Autonomous Okrug.

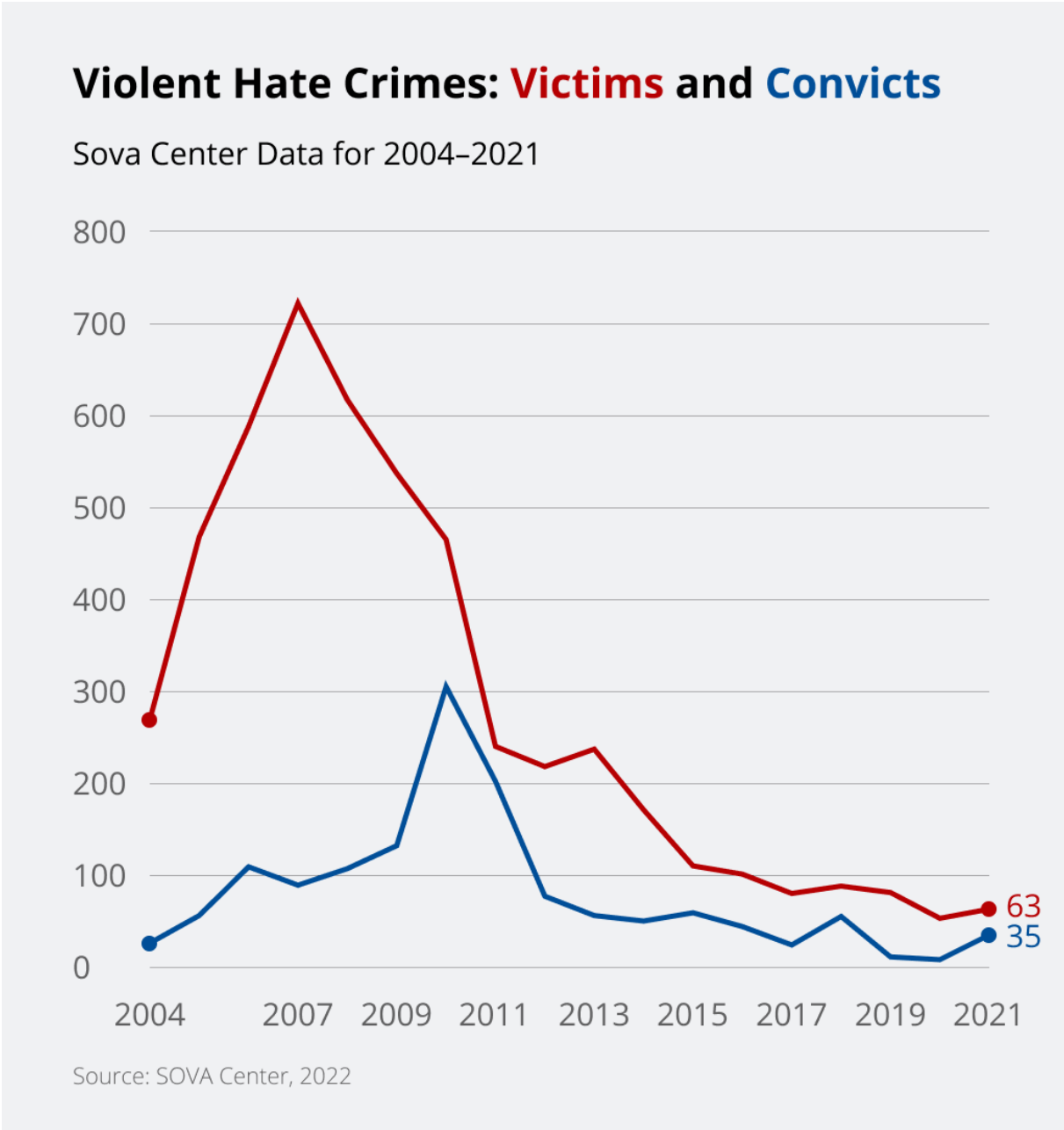
And this is the third consecutive year when the geographical spread of the xenophobic vandalism (20 regions) turned out to be wider than that of the acts of violence (18 regions).

Both types of crimes were recorded in nine regions (five in 2020 and 2019): in Moscow, St. Petersburg, and the Moscow, Leningrad, and Kaluga regions, (coincides with the data for 2019), the Omsk and Yaroslavl regions, Primorsky Krai, and Krasnoyarsk Krai.

Criminal Prosecution for Violence

In 2021, the number of those convicted of violent hate crimes was more than four times higher than in the previous year. In 2021, not less than 10 guilty verdicts where the hate motive was officially recognized by courts were issued in 10 regions of the country.²¹ Unfortunately, official statistics on sentences with hate motive are not available, since this qualifying feature does not constitute part of an article of the Criminal Code, but only a paragraph, and the sentencing statistics are published by the Supreme Court by parts of the articles. 35 people were found guilty in these trials (eight were convicted in 2020, and 11 in 2019). Most of the convicted were tried in joint trials.

21. Only the verdicts in which the hate motive was officially recognized and which we consider appropriate are included in this count.



Racist violence was categorized under the following articles containing hate motive as a categorizing attribute: Murder (Paragraph L of Part 2, Article 105 of the Criminal Code), Hooliganism (Paragraphs B and C of Part 1, Article 213 of the Criminal Code), Intentional Infliction of Injury to Health of Average Gravity (Paragraph E of Part 2 of Article 112), Intentional Infliction of a Grave Injury (Paragraph E of Part 2 of Article 111), and Threat of Murder (Part 2 of Article 119). This is a standard set of articles used in the last few years.

In one sentence, Article 117 of the Criminal Code, a quite rare one in our practice, was applied (Torture against two or more persons, against a pregnant woman, against a minor, motivated by hatred) with two qualifying signs (Paragraphs B and Z). This article, together with Article 213 of the Criminal Code, was applied in Tatarstan in the verdict to a lo-

cal resident Albert Khabibullin for beating pregnant women because of “hostility towards women.”

Article 282 of the Criminal Code (Incitement of Hatred) was applied in two guilty verdicts for violent crimes (in one in 2020). Interestingly, both attacks targeted anti-fascists and in both cases, suspended sentences were imposed (Paragraph A of Part 2).

In Omsk, young men beat up two people of “non-Slavic appearance” and attacked two “anti-fascist anarchists.” The attacks were accompanied by xenophobic insults. On the day of the attacks, the criminals put up leaflets of “*right-wing radical content*” in the city center. In Ryazan, three young men beat a 26-year-old anti-fascist and shouted humiliating insults. The attack was filmed with a mobile phone.

We believe that in this case it would be more appropriate to apply another article with the categorizing attribute, perhaps Article 111 or 112 of the Criminal Code (depending on the severity of the inflicted injuries). However, this application of Article 282 is also possible: the Resolution of the Plenum of the Supreme Court of the Russian Federation of 28 June 2011 No. 11 “On Court Practice on Criminal Cases on Crimes of an Extremist Nature”²² clarifies that Article 282 of the Criminal Code may be applied to violent crimes if they are aimed at inciting hatred in third parties, for example, in the case of a public and demonstrative ideologically motivated attack.

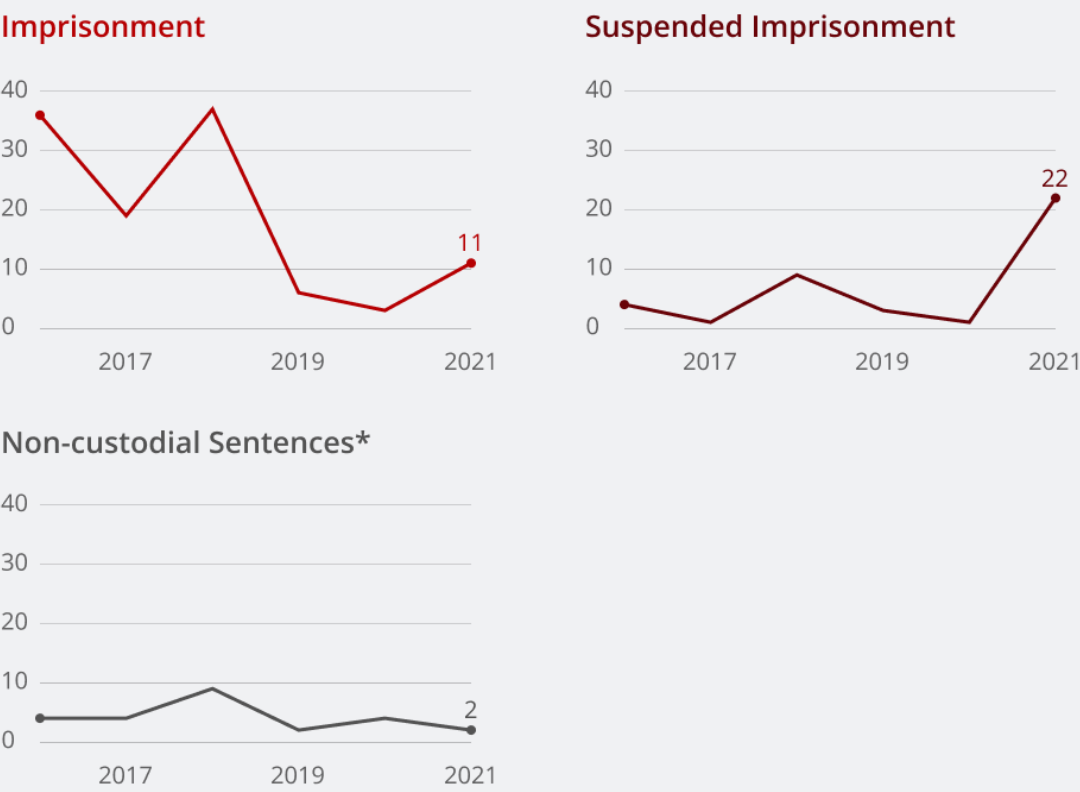
Penalties for violent acts were distributed as follows:

- 2 persons sentenced to more than 10 years in prison;
- 3 persons sentenced to up to 10 years in prison;
- 1 person sentenced to up to 5 years in prison;
- 5 persons sentenced to up to 3 years in prison;
- 22 persons received suspended sentence;
- 2 persons sentenced to fines.

22. For more on this see: Vera Alperovich, Alexander Verkhovsky, Natalia Yudina, Between Manezhnaya and Bolotnaya: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2011 // SOVA Center. 2012. 5 April (<https://www.sova-center.ru/en/xenophobia/reports-analyses/2012/04/d24088/>).

Sentences for Ideologically Motivated Violence

Sova Center Data for 2016–2021



* This category also includes compulsory psychiatric treatment and expiry of statute of limitations.
Source: SOVA Center, 2022

The suspended sentences in the aforementioned sentences for attacks on anti-fascists are apparently justified by the attackers being underage and by their active repentance. Suspended sentences were also given to other minor members of an ultra-right group in St. Petersburg, who carried out several attacks on “natives of Asian countries,” and the members of the ultra-right community in the Kirov region, who carried out at least five attacks on “people of non-Slavic appearance” and “drugs and alcohol users.”

In addition, six accomplices of Andrei Kleschin (the famous neo-Nazi Andrei Linok²³) got off with suspended sentences for attacking an anti-fascist concert at the Tsokol club.

23. In the past, Andrei Linok headed the right-wing radical gang Lincoln-88, which between August and December 2007 committed at least 12 racist attacks, including two murders, in St. Petersburg. In May 2011,

Kleshchin himself received 2 years and 3 months in a general regime colony, but did not go to prison, as he was released after serving the term in the pre-trial detention center. Interestingly, Linok has changed his name again, and now he is Ivanov.

In addition to the above, two of the three convicted members of the Black Bloc community, Artem Vorobyov and Dmitry Nikitin, received suspended sentences for participating in an extremist community and attacking two participants of an LGBT conference.²⁴

All these sentences, especially in the case of ultra-right gangs like Linok’s, raise doubt about the adequacy of the punishments. As is obvious from the example of Linok, sentences such as these do practically nothing to prevent the ideological far-right from carrying out similar acts in the future.

The fines were handed down to one of the participants of the above-mentioned Black Bloc community for participating in an attack on LGBT people, and to a minor resident of the Tula region for attacking an anti-fascist.

The others convicted in 2021 were sentenced to terms of various lengths, which seems to be quite proportionate to their crimes. Among those sentenced to prison terms of between 6 and 9.5 years were Andrei Skvortsov and his accomplices, convicted of attacking Kyrgyz citizens in the center of Moscow on July 26, 2019.²⁵ Earlier, Andrei (Bely) Skvortsov was for some time a member of the ultra-right National Conservative Movement (NKD) headed by Mikhail Ochkin and Valentina Bobrova and was also one of the leaders of the right-wing radical community Cherny Corpus (Russian for “Black Corps”), later renamed White National Unity (BNE).

2021 saw the end of the trial of the widely covered case of the murder of Timur Gavrilov, a 17-year-old medical student from Azerbaijan. 22-year-old Vitaly Vasiliev was sentenced under Paragraph 1 of Part 2 of Article 105 of the Criminal Code, Part 1 of Article 223 of the Criminal Code (Illegal alteration of firearms), Part 2 of Article 222 of the Criminal Code (Illegal acquisition, storage, transportation of firearms committed by a group of persons by prior agreement), and Part 1 of Article 222¹ of the Criminal Code (Illegal acquisition, storage, transportation of explosives) to 19 years of imprisonment in a high-security penal colony, a subsequent restriction on liberty for one and a half years, and a fine of 100 thousand rubles.²⁶

We are aware of several other sentences, which, it seems to us, were handed down for xenophobic violence, although the hate motive was not included in the charge or we are

the court found 21 gang members guilty and sentenced 10 of them to terms ranging from 3.5 to 9 years in prison. Linok was released in 2017 and soon changed his name to Kleshchin.

24. The third person found guilty, Viktor Trofimov, was fined 50 thousand rubles. The leader of the Black Bloc Vladimir Komarnitsky (Ratnikov) fled house arrest on February 15, 2021 and was put on the wanted list. According to some reports, he is in Lithuania and is awaiting political asylum. Another leader, Dmitry Sporykhin, also escaped house arrest at the end of 2020, was put on the wanted list, and arrested in absentia.

25. Verdict passed for the attack on the natives of Kyrgyzstan // SOVA Center. 2021. 20 December (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/12/d45495/>).

26. A medical student from Azerbaijan murdered in Volgograd // SOVA Center. 2020. 23 June (<https://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2020/06/d42576/>); The verdict on the murder of a medical student from Azerbaijan comes into force // SOVA Center. 2022. 21 January (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/10/d45184/>).

not aware of it. It is significant that three out of four such sentences were handed down for homophobic attacks in Moscow, St. Petersburg, and Yekaterinburg. According to our experience and observations, the homophobic motive is rarely taken into account during court proceedings, and the above-mentioned sentence to the participants of the Black Bloc, where the motive of hatred against LGBT as a “social group” was taken into account, is rather an exception.

Investigations into old criminal cases of murders committed in the early 2000s are also ongoing. They came to light a year earlier,²⁷ after the news of the arrests of neo-Nazis mentioned in the testimony given by the late Martsinkevich during the investigation into the infamous brutal murder of two people, a video of which appeared online in the summer of 2007. In August, the Main Investigative Department of the Russian Investigative Committee charged Sergei (Malyuta, Boatswain) Korotkikh, another formerly well-known neo-Nazi and a former officer of the Azov regiment, with murder committed by an organized group motivated by national hatred; Basmanny District Court arrested Korotkikh, who is in Ukraine, in absentia.

FSB officers were constantly reporting detentions all over the country of supporters of the organization repeatedly mentioned in this report under the ominous name “Maniacs. Murder Cult” (M.K.U.) (another version is “The Youth that Smiles”). In February, the FSB reported the detention of M.K.U. members in Voronezh,²⁸ in March in Gelendzhik and Yaroslavl,²⁹ in April in Irkutsk, Krasnodar, Saratov, Tambov, Tyumen, Chita, Anapa, Pushchino (the Moscow region), and Pereslavl-Zalessky (the Yaroslavl region),³⁰ in May in the Saratov region,³¹ in July in Belgorod. On December 13, the FSB reported that 106 neo-Nazis were detained in 37 regions on suspicion of preparing terrorist attacks and mass murders in Russia,³² and on December 17 they reported the detention of an M.K.U. supporter who planned an attack on a journalist in the Rostov region.³³ Detentions continued in 2022. As early as on January 11, 2022, the FSB Public Relations Center reported the detention in the Tver region of another M.K.U. member, who planned to commit terrorist attacks on public transport.³⁴

27. Yudina, “Potius sero, quam nunquam.”

28. Voronezh: preventive measure determined for four detainees // SOVA Center. 2021. 18 February (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/02/d43699/>).

29. Members of the M.K.U. group detained in Gelendzhik and Yaroslavl // SOVA Center. 2021. 19 March (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/02/d43699/>).

30. Supporters of M.K.U. detained in several cities // SOVA Center. 2021. 29 April (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/04/d44136/>).

31. The Saratov region: suspects in the creation of an ultra-right community detained // SOVA Center. 2021. 28 May (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/05/d44298/>).

32. Supporters of M.K.U. detained // SOVA Center. 2021. 13 December (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/12/d45440/>).

33. New arrest of an M.K.U. supporter // SOVA Center. 2021. 17 December (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/12/d45479/>).

34. Another arrest of an M.K.U. supporter // SOVA Center. 2022. 11 January (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/01/d45587/>).

Until January 30, 2021, M.K.U. was not heard of anywhere; it was first mentioned in the *Rokot* and *Kremlyovskaya Prachka* [The Kremlin Laundrywoman] Telegram channels. Apparently, the M.K.U. group used to be a public page in one of the social networks, where videos of violent attacks and other materials cultivating misanthropic ideas were posted. As the media reported, “initially, the members of M.K.U. were focused on calls for the cleansing of the race, but later began calling for riots and attacks on law enforcement officers.”³⁵

FSB reports refer to M.K.U. as a “Ukrainian radical youth group,” based on the fact that it was created in 2018 by a resident of Ukraine, Yegor (Zon, Maniac, the German, Yegor Yakovlev) Krasnov, born in 2000. The M.K.U. Telegram channel published a map showing several groups (or individual participants) located in Russia, Ukraine, and even in some other countries.

Krasnov attracted the attention of Ukrainian law enforcement after the publication of a number of videos that showed beatings and stabbings. On January 10, 2020, the Ukrainian police detained Krasnov after he and two friends attacked a young man with a knife on the Dnieper embankment. Out of at least 10 crimes in Yegor Krasnov’s case, three are being tried in court: an attack on a Syrian, the massacre on the Dnieper embankment, and a “hop-stop” in Taras Shevchenko Park with five victims.³⁶ Criminal charges have also been filed against him in Russia. On March 11, some ultra-right Telegram channels reported that on March 6 Krasnov was found dead in the Dnieper pre-trial detention center. Later this information could not be confirmed.

Apparently, some of those detained in Russia did commit some kind of attacks and acts of vandalism. But so far not a single trial of M.K.U. has gone ahead. And it is hard to say what exactly those people had to do with M.K.U., just how real this network is, whether it is really an organization or just a Yegor Maniac’s fan club, what connections exist between Russian and Ukrainian participants, how people detained in possession of weapons used those weapons and what exactly they have done.

Criminal Prosecution for Crimes Against Property

In 2021, we are aware of three sentences for crimes against property where hate motive was cited; seven were convicted. (In 2020, we reported one sentence against one person; in 2019, we have no information about such sentences.) As is the case with violent hate crimes, the statistics of sentences published by the Supreme Court does not allow us to isolate the data we need: in Article 244 of the Criminal Code on cemetery vandalism, the motive of hatred is a paragraph, not part of the article, and in Article 214 of the Criminal

35. Extremism found on the fence // Kommersant. 2021. 18 February (<https://www.kommersant.ru/doc/4694712>).

36. Andrei Soshnikov, What is M.K.U. Talk about the “cult” of murders created by Ukrainian skinheads and its followers in Russia // Nastoyashee vremya. 2021. 26 March (<https://www.currenttime.tv/a/chto-takoe-m-k-u/31171118.html>).

Code (Vandalism) it constitutes part of the article together with deeds committed by a group.

The sentences known to us were unrelated to countering xenophobia: those were the cases of setting fire to the office of the United Russia party and damage to a booth at the Prosecutor General’s Office (we question the appropriateness of these sentences). In addition, the justification of the motive of political and ideological hatred or enmity in the article on vandalism is generally questionable.³⁷

Another case, under Article 214 of the Criminal Code, for a xenophobic graffiti on the building of the student dormitory of the Rimsky-Korsakov State Conservatory and a residential building in St. Petersburg was terminated. The accused was fined by the court.

In two sentences for neo-Nazi symbols (a swastika painted on the Garden of Memory information stand dedicated to the war dead in Ukhta, the Komi Republic, and neo-Nazi graffiti and inscriptions on the facade of a building in Sevastopol), the hate motive was not taken into account (both acts were qualified under Part 1 of Article 214 of the Criminal Code). In the first case, the attacker was fined; in the second, he was sent to the penal colony, as he had an outstanding criminal record.

37. For more on this see: In Moscow, three activists were found guilty of vandalism motivated by political enmity // SOVA Center. 2021. 11 May (<https://www.sova-center.ru/misuse/news/persecution/2021/05/d44184/>).

Protecting Oneself: The State Against the Incitement of Hatred and the Political Participation of Nationalists in Russia in 2021

This report focuses on countering the incitement of hatred and political activity of radical groups, primarily nationalists, through the use of anti-extremism legislation. This counter-activity includes a number of articles of the Criminal Code (CC), several articles of the Code of Administrative Offenses (CAO), mechanisms for banning organizations and “information materials,” blocking of Internet sites and resources, etc.

Countering hate crimes is not the subject of this report: that activity is covered in a separate, previously published report.¹ Yet another report, published in parallel, examines the cases of law enforcement that we consider unlawful and inappropriate; it also examines the legislative innovations of the past year in the field of anti-extremism.²

Summary

In 2021, we have witnessed an increase in the scale of criminal prosecution for “extremist statements.” This increase was mainly contributed to by the numbers of those convicted under articles on public appeals to extremism and terrorism. The number of people convicted under other articles on public statements has also increased, but especially those convicted under the article on “insulting believers’ religious feelings.”

The focus of attention of law enforcement officers has undergone a significant shift: far more sentences were handed down last year for aggressive statements against the authorities (including against police and security forces), and the share of these sentences has even exceeded the share of sentences for ethnic xenophobia. And this trend is alarming: it is unlikely that public officials, especially those who carry arms, are in such need of protection under anti-extremism legislation. Increasing penalties for statements are also an issue of concern.

The number of those punished under administrative articles has also increased, mainly due to the article on the demonstration of prohibited symbols. It should be noted that, unlike those prosecuted under a similar article of the Criminal Code, the vast majority of

1. Natalia Yudina, The State Has Taken up Racist Violence Again: Hate Crimes and Counteraction to Them in Russia in 2021.

2. Maria Kravchenko, Inappropriate Enforcement of Anti-Extremism Legislation in Russia in 2021.

those prosecuted for inciting hatred under the Administrative Code articles were punished for ethnic xenophobia.

In 2021, the growth of the Federal List of Extremist Materials slowed down again; although, throughout the years of its existence, law enforcement officers have not familiarized themselves with the basic bibliography rules and guidelines.

The pace of updating the Federal List of Extremist Organizations has increased, but we believe that almost half of the organizations added to it in 2021 were banned unlawfully. The list of organizations designated as terrorist has also been replenished. And while earlier it was primarily Muslim organizations that were being added to it, in 2021 there was only one such instance.

In our recent report on hate crimes, we also noted a sharp increase in the number of people convicted of such offenses: under articles on violence, and especially under articles on hate-motivated vandalism. At the same time, the increase in xenophobic violence in 2021 was not significant, and 2020 even saw a decrease. The level of crimes against property fluctuated slightly.

No official statistics on counteraction to extremism in 2021 are available yet, but the Chief Justice of the Supreme Court Lebedev recently reported that 606 people were convicted of “extremist crimes” last year, compared to 325 a year earlier.³ There has not been such a sharp increase since at least the early 2010s. This category includes hate crimes against people or property, participation in extremist communities, and most of what we call “extremist statements.”

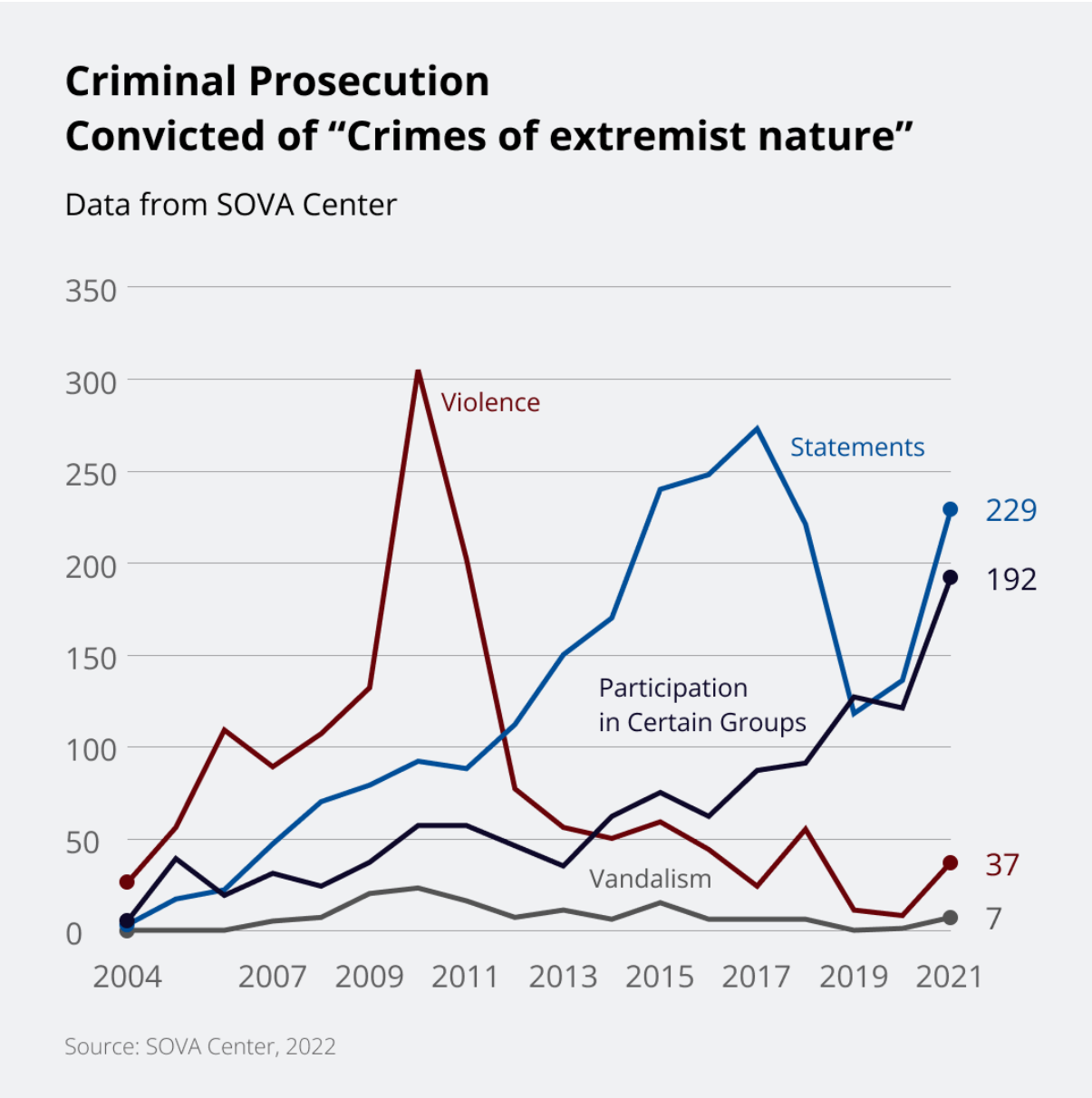
Comparing the overall increase in the number of sentences, quoted by Lebedev, with the data from our two reports, it is possible to claim that in 2021, law enforcement in all types of “extremist crimes” has sharply intensified.

Meanwhile, we see no reason for this. The radicalization of certain movements that pose danger to society (like the radical far-right, for example) or to the political regime could be one reason, but such radicalization is not being observed. At the same time, the intensification of law enforcement activities is observed across the entire political spectrum – in relation to nationalists, various religious movements, the left, and liberals. Major political events of the year, for example, Alexei Navalny’s return to Russia or the September elections might also serve as a reason, but no such connection could be traced in most of the cases.

Thus, the authorities, for no apparent political reason, have practically doubled their repressive efforts in terms of protecting the security of society and, first of all, themselves.

3. In Russia, the number of people convicted of extremism has almost doubled in one year // TASS. 2022. 9 February (<https://tass.ru/obschestvo/13658383>).

Criminal Prosecution



For Public Statements

By persecution for public “extremist statements” we mean statements that were qualified by law enforcement agencies and courts under articles 282 (incitement to hatred), 280 (calls for extremist activity), 280¹ (calls for separatism), 205² (calls for terrorist activity and justification thereof), 354¹ (rehabilitation of Nazi crimes, desecration of symbols of military glory, insulting veterans, etc.) and Parts 1 and 2 of Article 148 (the so-called insults of religious believers’ feelings) of the Criminal Code. The last three articles do not formally refer to “extremist crimes”: Article 205² is an anti-terrorist one, but since it has

little to do with terrorism itself, we view it rather in the broader concept of extremism; the other two are so closely related to extremism that it is a pure accident that they do not qualify as anti-extremist.⁴

According to our incomplete data, the number of convictions for “extremist statements” (incitement to hatred, incitement to extremism or terrorism, etc.) has almost doubled in 2021 in comparison to 2020. SOVA Center has information about 204 sentences against 208 people in 64 regions of the country.⁵ In 2020, we had information about 109 such sentences against 121 people in 47 regions. As is customary, we do not include in this report the sentences that we consider unlawful: in 2021, it was 20 sentences against 21 people.⁶ Thus, this report includes the sentences that we consider lawful and appropriate, those whose appropriateness we doubt, and those about which we do not know enough to assess their lawfulness.

The statistics do not include any acquittals (none in 2021, one in 2020). In addition, we do not include in the statistics and record separately the instances of release from criminal liability with payment of court fines, an alternative introduced in Russian law in 2016. In 2021, we recorded three instances of such releases from liability with payment of court fines, and two in 2020.

Speaking about the overall statistics, our information about convictions is, regrettably, far from complete. According to the data posted on the Supreme Court website,⁷ just in the first half of 2021, 212 people were convicted of “extremist statements,” and this number includes only those for whom this was the main charge.⁸ And this is much more than 132 people that were convicted during the same period a year earlier.⁹ In this report, however, we use our own data, even though it includes only about one half of the total num-

4. According to the Criminal Code, crimes of extremist orientation are crimes committed with the motive of hatred, as defined in Article 63 of the Criminal Code. The law, however, does not establish a list of articles of the Criminal Code that belong to this category.

5. Data as of 22 February 2022.

6. Kravchenko, Inappropriate Enforcement of Anti-Extremism Legislation in Russia in 2021.

7. Consolidated statistics on the state of criminal record in Russia for the first half of 2021 // Website of the Judicial Department at the Supreme Court of the Russian Federation (<http://cdep.ru/index.php?id=79&item=5895>).

8. According to the Supreme Court data, the highest number of criminal convictions for propaganda in the first half of 2021 were issued under Article 280 of the CC (incitement to extremist activities): in 6 months, 124 people were charged. It is followed by Article 205² of the CC (propaganda of terrorism) with 89 convicted in the first half of 2021. 8 people were convicted under Article 354¹ (rehabilitation of Nazism). 6 people were found guilty under Part 1 of Article 148 of the CC (insults of believers’ religious feelings). 2 were convicted under Part 2 of Article 148. Article 282 of the CC (incitement to hatred) was used in guilty verdicts against 13 people in the first half of 2021.

For more information see: Official statistics of the Judicial Department of the Supreme Court on the fight against extremism for the first half of 2021 // SOVA Center. 2021. 21 October (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/10/d45144/>).

9. Consolidated statistics on the activity of federal courts of general jurisdiction and magistrate courts for the first half of 2020 // Official website of the Supreme Court of the Russian Federation (<http://cdep.ru/index.php?id=79&item=5460>).

ber of people convicted of “extremist statements,” since the data of the Supreme Court do not permit a meaningful analysis to be carried out.

Since 2018, we have been using a more detailed approach to conviction classification.¹⁰

We deem appropriate those convictions where we have seen the statements, or are at least familiar with their contents, and believe that the courts have passed convictions in accordance with the law. In our assessment of appropriateness and lawfulness, we apply the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility, or violence, developed by the UN; it contains a six-part assessment of the public danger of public statements, supported by the by the Russian Supreme Court almost in its entirety.¹¹ The Rabat Plan of Action has also been endorsed by the UN Human Rights Council.

In 2021, we considered eight convictions against ten individuals lawful (six convictions against seven people in 2020). An example of such a lawful conviction is the November verdict under Article 282 of the Criminal Code to reserve colonel Mikhail Shendakov for publishing a video titled “Colonel Shendakov told a joke about Rosgvardia,” where he directly called for violence against the Rosgvardia servicemen.¹² Given the colonel’s popularity among retired military personnel, his repeated participation in the “Russian marches,” and a large number of his followers, we agree that such calls can be dangerous.

Unfortunately, in the vast majority of cases – marked as “Unknown” (138 convictions against 139 people) – we are not familiar with the exact content of the materials and therefore cannot assess the appropriateness of the court decisions.

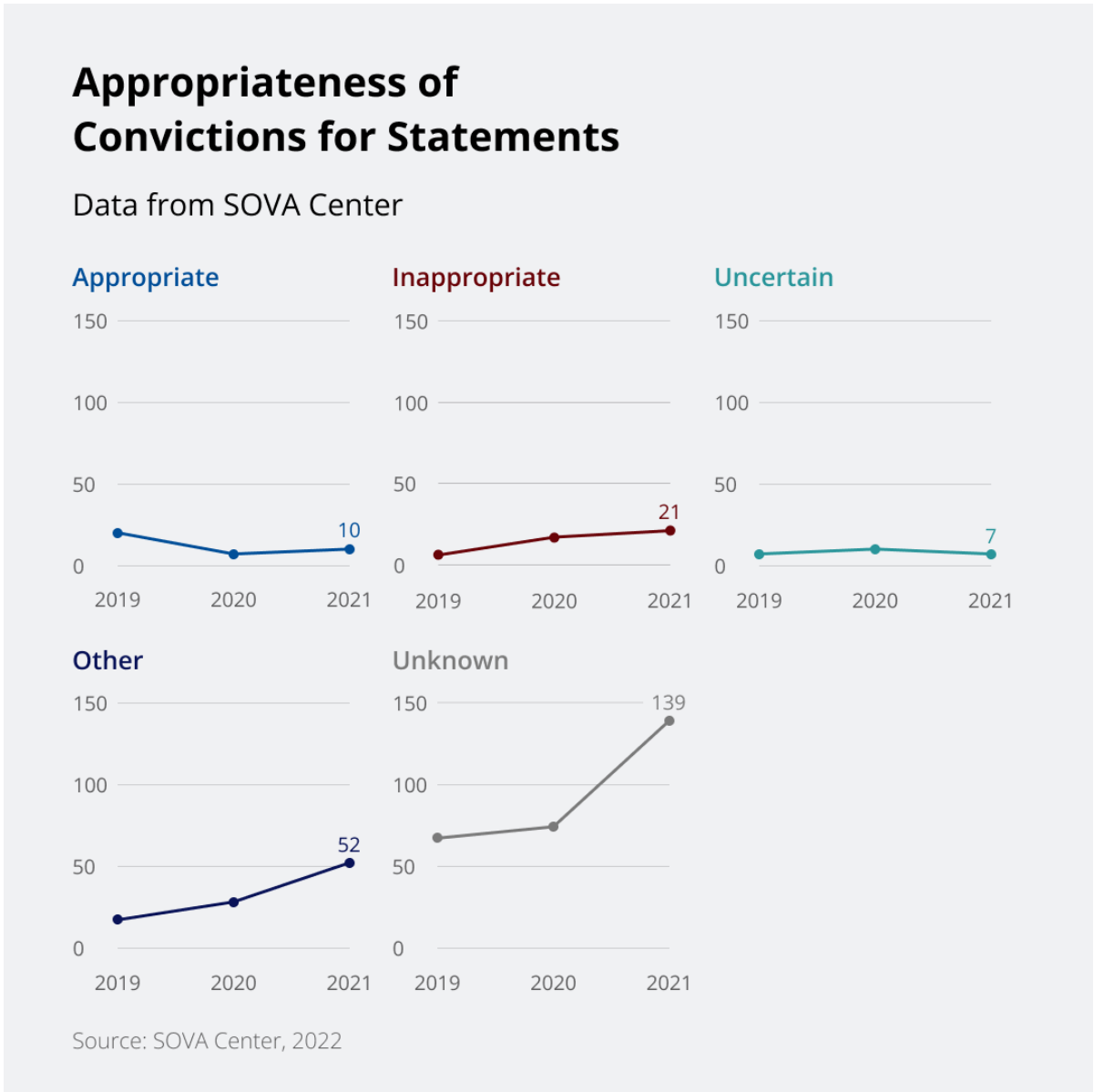
Convictions that we find difficult to assess fall under the category of “Uncertain” (six convictions against seven people): for example, we find one of the charges appropriate but not the other.

Our statistics in the “Other” category (52 convictions against 52 people) included individuals who called for attacks on government officials and those who were convicted under extremism articles of the Criminal Code more appropriately than not but whose prosecution cannot be classified as counteraction to nationalism and xenophobia.

10. Prior to 2018, convictions for statements were divided into “inappropriate” and “all other.”

11. Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence // SOVA Center. 2014. 7 November (<https://www.sova-center.ru/racism-xenophobia/publications/2014/11/d30593/>).

12. Mikhail Shendakov refers to himself as an officer of the USSR and to the Russian Federation as a criminal corporation. In his speeches, he regularly calls out “Putin’s giant squid.” He has repeatedly participated in the “Russian Marches” in Moscow (in 2017–2019) and has previously been repeatedly prosecuted for both criminal and administrative offenses.



According to SOVA Center data, Article 280 of the CC was used in the vast majority of the verdicts:¹³ in 124 verdicts against 124 people. In 81 of these verdicts (82 people) this was the only charge. In some instances, it was combined with other charges, both “antiextremist” (Article 282¹ (participation in an extremist group)) and ordinary criminal articles, for example, Article 228 of the CC (illegal acquisition of narcotic drugs) or Article 222 of the CC (illegal storage of firearms).

Article 282 (incitement to hatred) was applied in 22 convictions known to us against 22 people; for 16 of them this was the main charge. According to the investigative committees, all these people were charged with similar offenses under Article 20.3.1 of the Ad-

13. All further numbers reflect the convictions known to us, although, judging from the Supreme Court data, the actual numbers are about twice as high. But given the volume of available data, it can be assumed that the observed patterns and proportions will hold true for the total number of verdicts.

ministrative Code (incitement to hatred) earlier in the year. Three people were convicted under the combination of Article 280 of the Criminal Code with Article 282 of the Criminal Code. One of them is the above-mentioned Mikhail Shendakov, who was sentenced to two and a half years probation by the Krasnogorsk City Court of the Moscow Region in February for the published video “Surkov promised war to Donbass”; in this video, Shendakov again called for violence against law enforcement officers “across the country” and expressed his support for the shooter who had opened fire near the FSB building on December 19, 2019.

Article 354¹ of the CC (rehabilitation of Nazism) was applied in 14 sentences against 14 people (and in one other case, which was dismissed); in 11 of the above, this was the main charge. In most cases, it was used to punish those who published statements and comments online (in almost all cases known to us – on VKontakte) containing “*approval of Nazis’ actions, denial of the facts established by the verdict of the International Military Tribunal for the Prosecution and Punishment of Major War Criminals.*” Two others, prisoners of colonies in Udmurtia and Khakassia, tried to convince other convicts “*of the correctness of the actions of the Nazis,*” approved Nazism as an ideology, and one of them “*spoke unfavorably about Victory Day.*” Parts 1 and 2 of Article 148 of the CC (public actions expressing obvious disrespect for society and committed in order to offend the religious feelings of believers) were applied in five sentences against seven people. Offensive inscriptions and images and a painted over icon above the church entrance in the village of Umba, Murmansk region, were qualified as such; in other cases, it was comments in a social network directed against “representatives of Islam” and Orthodox Christians, “*which contained linguistic signs of insulting the religious feelings of believers*” or calls for “*hostile actions against the church.*”

Article 205² of the CC (public calls to carry out terrorist activities) has gained popularity among law enforcement officers in recent years. According to the Supreme Court data, in the first half of 2021 a total of 89 people were charged under this article (73 in the first half of 2020). SOVA Center is aware of 64 sentences under Article 205² of the CC handed down to 64 people in 2021 (not including wrongful convictions). In 40 cases, this was the only article applied in the conviction. In 10 other cases, it was applied in combination with Article 280 and in several cases – with other anti-terrorism articles of the Criminal Code, such as Part 1.1 of Article 205¹ of the CC (involvement in terrorist activities).

The application of this article has become much more diverse compared to what it was five years ago, when this article was applied exclusively in convictions for radical Islamic propaganda. However, even this year 27 people have been convicted of radical Islamic statements, including calls to join ISIS or to support other Islamist terrorist organizations, including propaganda in penal colonies (at least 13 cases).

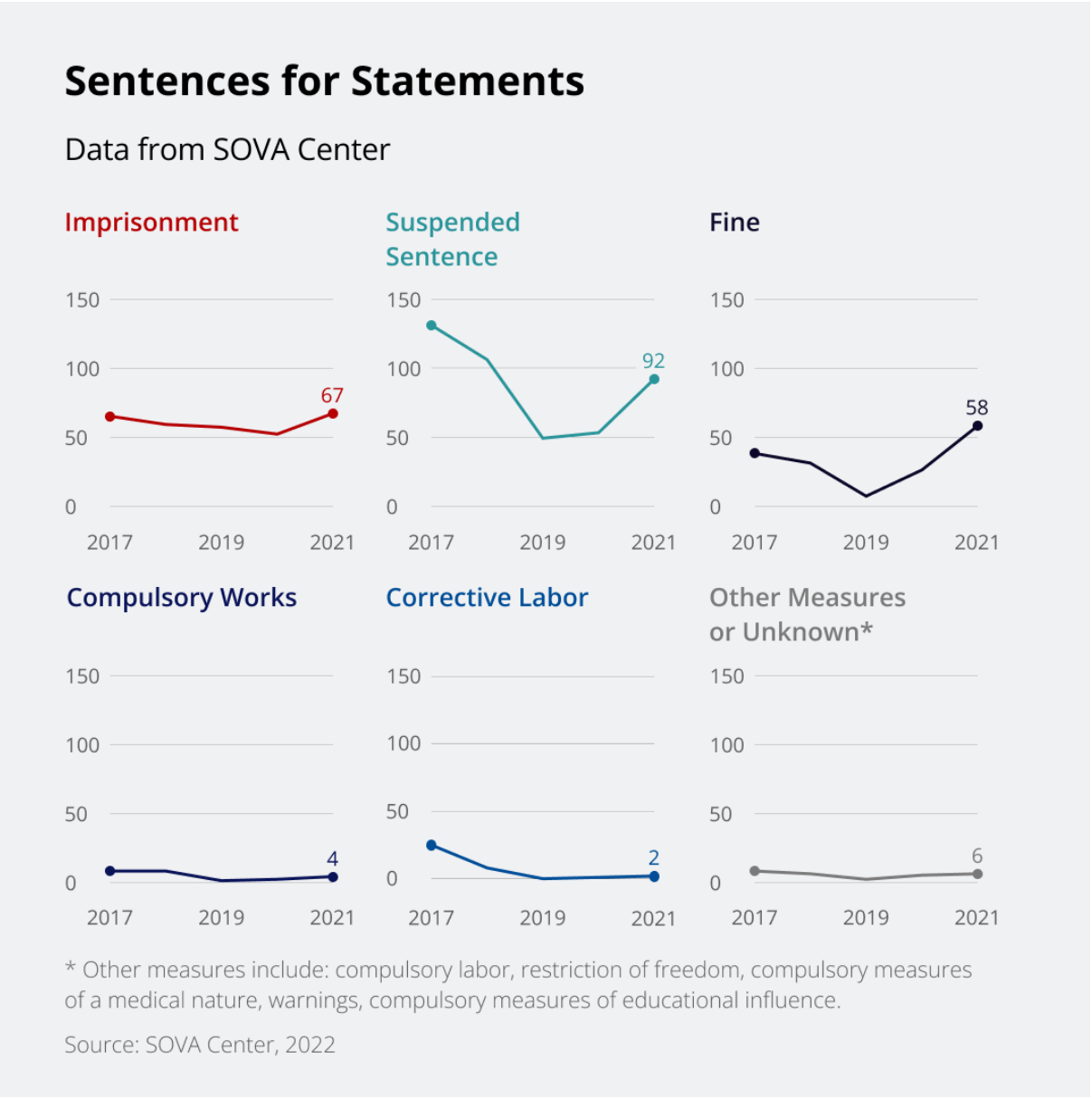
Four sentences were handed down for supporting the Christchurch (New Zealand) mosques terrorist attacks, committed on March 5, 2019.

28 sentences were handed down for inflammatory statements against the authorities, including five for supporting the terrorist attack at the Arkhangelsk FSB office by Mikhail Zhlobitsky and calls for repeat of such actions. Only one of these 28, a supporter of Russian National Unity (RNE) from Novosibirsk, can be identified as ultra-right.

In five cases, we do not know what exactly the calls for terrorism were.

Article 280¹ of the CC was not used at all, and this is not surprising: at the beginning of the year, this article was reformed in the same manner as Article 282 of the Criminal

Code: a similar Article 20.3.2 of the Administrative Code was introduced, and criminal liability under Article 280¹ occurs only a year after administrative sanction.



- Penalties for public statements, excluding wrongful convictions, were distributed as follows:
- 62 people were sentenced to imprisonment;
 - 90 received suspended sentences without any additional measures;
 - 49 were sentenced to various fines;
 - 1 was sentenced to corrective labor;
 - 1 was sentenced to community service;
 - 1 was sentenced to the restriction of liberty;
 - 3 were sentenced to compulsory treatment;
 - to 1 person, compulsory educational measures were applied.

In addition, two cases were terminated due to the expiration of the statute of limitations for criminal prosecution.

The number of people sentenced to imprisonment turned out to be significantly higher than a year earlier: in 2020, we reported 42 prison sentences.

Most of them received prison terms in conjunction with charges other than statements, including participation in extremist and terrorist groups and organizations. Ten were already serving prison time, and their terms were increased. Three were on parole.

On top of that, some of them were convicted under the “anti-terrorism” Article 205² of the CC (see below); two people were sentenced under a combination of Articles 280 and 205².

However, nine people received prison terms in the absence of any of the above-mentioned circumstances that reduce the chances of avoiding incarceration (or, perhaps, in some cases, we just do not know about them). The most notable of them was the “citizen of the USSR” from Krasnodar Krai Marina Melikhova.¹⁴ On March 25, 2021, the Leninsky District Court of Krasnodar sentenced her under Part 2 of Article 280 of the Criminal Code to three and a half years in a penal colony for publishing a video on the VKontakte social network titled “On May 9, 2020, the Putin regime may come to an end! It depends only on us”; it contained statements which FSB officers considered a call for the violent overthrow of the regime.

In her address, Melikhova called on the existing regime “to voluntarily hand over everything it has stolen back to the people by May 9,” “to resign and hand power over to the indigenous peoples of Russia” and called on “the Russian men” to take to the squares on May 9 and take ‘power into their own hands the way the Ossetians did.’” She added that on May 9, “there is a chance to overthrow the occupation regime,” which gave the people “the right to revolt against tyranny and oppression,” adding that “perhaps an uprising won’t be necessary.” In our opinion, Melikhova’s address does contain calls for the violent overthrow of the government, but we consider punishment by imprisonment to be excessive.

A former camera operator for Anti-Corruption Foundation (recognized as a foreign agent in the Russian Federation) Pavel Zelensky was sentenced by the Tushinsky District Court of Moscow under Part 2 of Article 280 of the Criminal Code to two years in a general regime penal colony¹⁵ for publishing two posts on Twitter expressing threats and hostile statements toward the highest authorities of the Russian Federation in relation to the suicide committed by Koza.Press editor-in-chief Irina Murakhtaeva (Slavina).

Less is known about the other convicts. In addition to those mentioned, five other people were convicted under Article 280 of the Criminal Code.

- In the Volgograd region, a court sentenced a local resident to one year in a settlement colony for publishing a comment on the open page of the “Russia against raising the retirement age” VKontakte community with calls “to commit active acts of violence against representatives of the authorities of the Russian Federation and Jews.”
- In the Orenburg region, a court sentenced Victor Maltsev to one year in a settlement colony for posts on VKontakte in which he “called for the expulsion from Russia and for the extermination of” Jews.

14. About her and other “citizens of the USSR” see: Mikhail Akhmetiev, Citizens without the USSR. Communities of “Soviet citizens” in modern Russia. Moscow: SOVA Center, 2021.

15. Later, the Second Court of Cassation commuted the sentence, replacing the general regime colony with a settlement colony (the least strict penal colony).

- In the Astrakhan region, a court sentenced Rinat Galyaudinov to a year in a settlement colony for calls on Instagram *“to carry out extremist activities against law enforcement officers.”*
- In Primorsky Krai, a court sentenced a local resident Vasily Oleinik to two years in a colony-settlement for a video with calls for the murder of *“an unspecified number of law enforcement officers, motivated by political and ideological hatred and enmity.”*
- In the Tula region, a court sentenced Sergei Novikov to a year in prison for publishing certain materials on the VKontakte social network calling for xenophobic violence and violence against law enforcement officers.

One person was sentenced to imprisonment under Article 282 of the Criminal Code alone: in North Ossetia–Alania, a court sentenced a 23-year-old local resident to two and a half years in prison for “negative statements humiliating or degrading persons of a particular group that share one denomination, language, or origin” on VKontakte.

And finally, a court in Khabarovsk sentenced a 56-year-old resident of Amursk under Part 1 of Article 354¹ of the Criminal Code to one year and two months in a strict regime colony for publishing on a social network *“his photo with a red armband, a lead symbol of National Socialism”* and comments *“containing denial of the Holocaust and the responsibility of A. Hitler and the National Socialist German Workers’ Party for the genocide of the Jewish people, as well as false information about the activities of the USSR during World War II.”*

In all these cases (especially in the case of punishment under Article 282 of the Criminal Code), the real prison terms seem to us to be an excessive punishment. What looks strange is the fact that in most of these cases, the imprisonment punishment is not applied for attacks on vulnerable groups, but for calls to attack law enforcement officers, that is, people protected by their special status, often armed and therefore unlikely to be in need of such harsh protective measures, at least not in situations of immediate threat (as, for example, during riots).

In comparison with the previous year, the situation has worsened: in 2020, we reported four convictions “for words only,” i.e. without the above-mentioned aggravating circumstances that increase the chances of incarceration dramatically, 7 in 2019, 12 in 2018, 7 in 2017, 5 in 2016, 16 (the highest number) in 2015, and only 2 in each of the years 2013 and 2014.¹⁶

If we were to look at the share of prison sentences “for words only” (without any of the above-mentioned “aggravating circumstances”) to the total number of those convicted of statements in these years (leaving out the obviously unlawful sentences), we would see that in 2021 the share of such convictions was 4.3%. This parameter doesn’t seem to be showing a consistent trend: it was 3.6% in 2020; 6.8% in 2019, 5.5% in 2018, 2.8% in 2017, 2% in 2016, 6.5% in 2015, and slightly higher than 1% in years 2013 and 2014.

In the above calculations, we have excluded convicts under Article 205² of the CC. Until the previous year, we did not include this article in our calculations, because firstly, the penalties under the “antiterrorism” article are predictably harsher, and, secondly, the degree of our awareness of the specific content of cases under this article is too low; besides, up until 2018 the vast majority of sentences under Article 205² of the CC had nothing to do with countering incitement to hatred.

16. Natalia Yudina, Anti-extremism in Quarantine // SOVA Center. 2020. 4 March (<https://www.sova-center.ru/racism-xenophobia/publications/2021/03/d43757/>).

In 2021, 13 people were sentenced to imprisonment under Article 205² of the CC without the circumstances listed above (in 2020, we reported 8 such sentences). If we are to believe the prosecutor’s office, the people convicted in 2021 were calling to join ISIS or other radical Islamic organizations, approved the Christchurch terrorist attacks, and supported the bombing of the Arkhangelsk FSB office. However, we do not have information about the exact content of their publications, the size of their audience, and their popularity. Comparing with the practice of applying Article 280 (see above), we are unable to determine why similar statements were sometimes qualified as calls for extremist and sometimes as calls for terrorist actions.

In 2021, the proportion of suspended sentences remained virtually the same at 43.6% (90 out of 206) compared to the 45% of the previous year. The share of the convicts whose sentences did not involve prison time (actual or suspended), i.e. those sentenced mostly to fines, has declined again. This is the fifth year that we are seeing this trend.

Almost all the sentences mention additional bans on activities related to the administration of websites and on the use of the Internet in general. In one case, a ban on working with children was imposed. In five cases, the confiscation of the “instruments of crime” (routers, laptops, mobile phones) was reported.

As is becoming a tradition, the vast majority of sentences were imposed for materials posted on the Internet – 187 out of 204, or 91%, compared to 87% in 2020.

As far as we were able to understand from the reports about the sentences, these materials were posted on:

- social networks – 138 (74 on VKontakte, 1 on Facebook; 6 on Instagram; 2 on Odnoklassniki; 1 on TikTok; 1 on Twitter; 53 on unidentified social networks);¹⁷
- messengers – 6 (2 in Telegram; 4 in WhatsApp);
- YouTube – 3;
- public chats – 2;
- online media – 6;
- on the Immortal Regiment website – 4;¹⁸
- unspecified online resources – 28.

The types of content are as follows (different types of content may have been posted in the same account or even on the same page):

- comments and remarks, correspondence in chats – 59;
- other texts – 60;
- videos – 27;
- images (drawings and photographs) – 10;
- audio (songs) – 6;
- administration of groups and communities – 2;
- unspecified – 26.

17. Very likely mostly on VKontakte.

18. Not including the obviously unlawful ones.

The breakdown reflected in the first list has remained roughly the same for the past ten years (see previous annual reports on this topic, as well as reports on the persecution for extremism on the Internet).¹⁹ The second list reflects the diversity of the formats of incriminated statements, first noted in 2020²⁰: they include many comments and remarks posted on social networks, whereas previously it was mainly videos and images.²¹

The number of convictions for offline statements (17 for 19 people) turned out to be roughly the same as in 2020 (12 for 20 people). They were distributed as follows:

- propaganda in prison targeting fellow prisoners – 10 (7 – verbal propaganda, 3 – showing videos);
- propaganda in the army – 1;
- shouts during attacks – 1;
- propaganda during lessons – 1;
- speech at a rally – 1;
- distribution of prohibited literature – 1;
- graffiti – 2 sentences (to 4 people).²²

Interestingly, a little more than half of those convicted of offline propaganda carried it out in prisons. As we have written many times before,²³ we have doubts about the lawfulness of the sentences for terrorist propaganda given to those who are already in prison. There are certainly quite a lot of individuals prone to violence among prison population; therefore, any promotion of hatred in prison is, by definition, dangerous. However, it is not clear whether the key parameter in the articles of law applicable to statements – the audience size – has been taken into account: it is hardly possible to consider a conversation in a narrow circle of several cellmates to be public.

The issue of propaganda in the army is more complicated: the possibilities there are similarly limited, but access to weapons raises the likelihood of serious consequences.

We tend to consider sentences for speaking at rallies or disseminating propaganda in educational institutions lawful and appropriate (depending on the size of the audience). However, we doubt the need for criminal prosecution for individual graffiti on fences and buildings.

In the vast majority of cases, we were unable to get access to the materials that were the subject of the trial; still, based on the descriptions provided by the prosecutor's offices, investigative committees, and the media,²⁴ we identified the following targets of hos-

tility in the sentences passed in 2021 (some of the materials expressed hostility toward several groups):

- ethnic enemies – 75, including: Jews – 17; natives of Central Asia – 8; natives of the Caucasus – 10; Kalmyks – 1; Ingush – 1; Russians – 4; Ukrainians – 1; Ossetians – 1; dark-skinned people – 1; non-Slavs in general – 4; unspecified ethnic enemies – 27;
- representatives of the state – 84, including: public officials – 22; law enforcement officials – 16; top politicians, senior state officials – 12; members of the United Russia party – 2; FSB officers – 9; police and security forces (siloviki) – 18; Presidents of the Russian Federation (former and present) – 1; Kuzbass government – 1; bailiffs – 1; military – 2;
- religious enemies – 47, including: Christians – 5; clergy – 1; Muslims – 18; followers of Judaism – 1 (separately from Jews); infidels from the point of view of Islam (romanticizing militants, calls to join ISIS and jihad) – 14; the motive of religious hatred for an unspecified object – 8;
- people who drink alcohol – 1;
- communists – 1;
- anti-fascists – 1;
- capital city residents – 1;
- senior management of Russian businesses – 1;
- athletes – 1;
- children – 1;
- unknown – 39.

As can be seen from the above data, the situation has changed significantly compared to previous years: the three largest groups of enemies remained the same – ethnic, religious, and state, but whereas the shares of the first two have changed little, the representatives of the state, which used to equal half the number of ethnic enemies in this rating, took the first place in 2021. That is, sentences were passed most often for statements against the authorities and their repressive apparatus, although the total number of criminal prosecutions for ethnic and religious xenophobia still outstrip prosecutions for political enmity: 122 against 86 cases. It is noteworthy that among the cases known to us, there was only one verdict for offline political hostility.

19. See for example: Natalia Yudina, *Anti-Extremism in Virtual Russia in 2014-2015* // SOVA Center. 2016.

29 June (<http://www.sova-center.ru/racism-xenophobia/publications/2016/06/d34913/>).

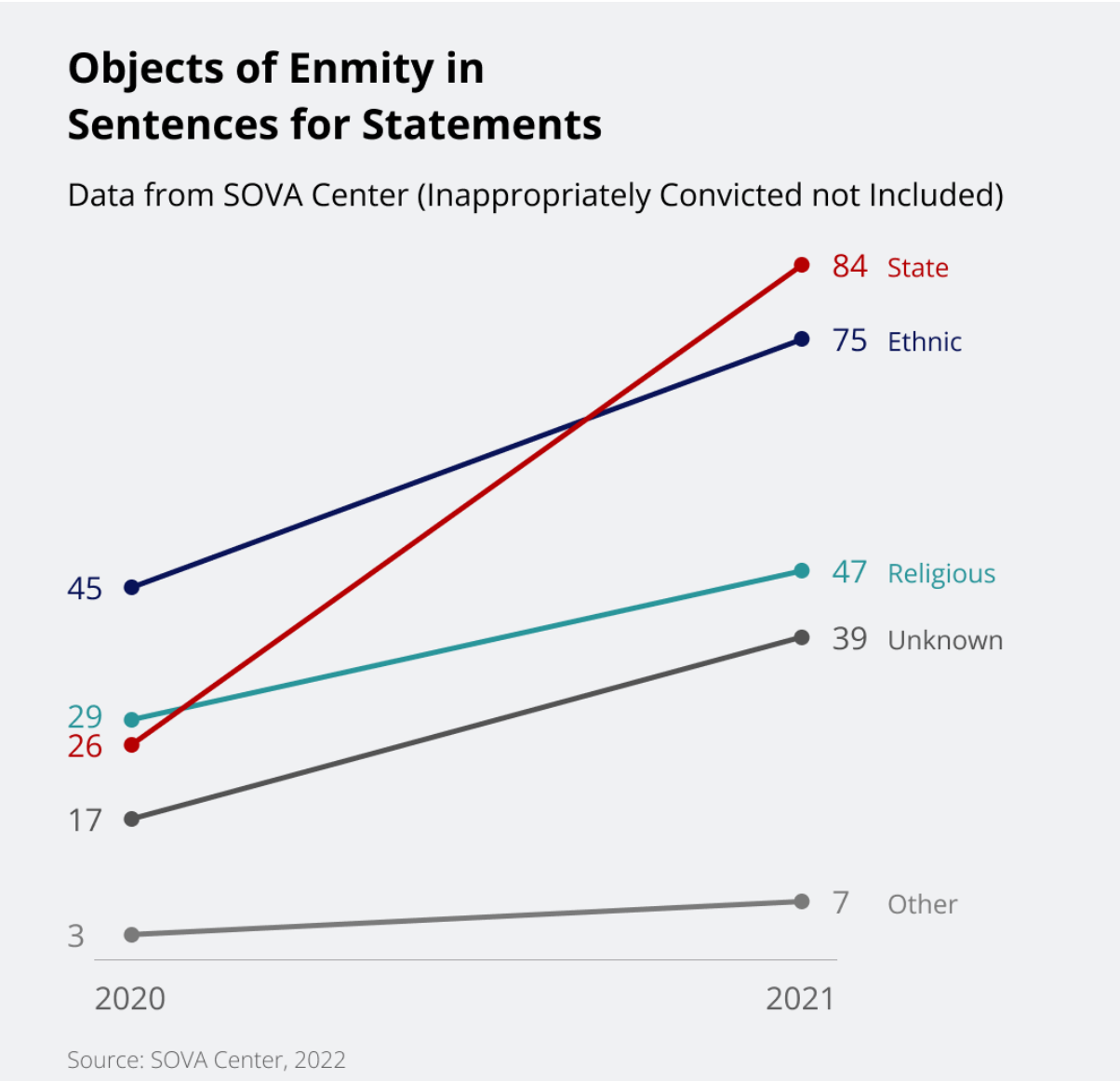
20. Yudina, *Anti-extremism in Quarantine*.

21. Natalia Yudina, *In the Absence of the Familiar Article. The State Against the Incitement of Hatred and the Political Participation of Nationalists in Russia in 2019* // SOVA Center. 2020. 27 February (<https://www.sova-center.ru/racism-xenophobia/publications/2020/02/d42132/>).

22. In one case, graffiti was painted on a fence, in another – on the wall of a church.

23. See: *Cases of terrorist propaganda in pre-trial detention centers and places of detention* // SOVA Center. 2019. 15 April (<https://www.sova-center.ru/misuse/news/persecution/2019/04/d40881/>).

24. Although their descriptions are, regrettably, not always accurate.



For Participation in Extremist and Terrorist Groups and Banned Organizations

In 2021, we have information about 20 verdicts against 28 offenders under articles 282¹ (organizing an extremist group), 282² (organizing the activity of an extremist organization), 205⁵ (participation in the activities of a terrorist organization), and 205⁴ of the CC (participation in the activities of a terrorist group), which is slightly less than in 2020, when we wrote about 14 sentences against 36 people. These numbers do not include inappropriate convictions, whose number in the past year was again much higher than in other categories: we have deemed inappropriate 95 sentences against 164 people.²⁵ If we look at the total number of convicts under these articles, then according to both

25. See: Kravchenko, Inappropriate Enforcement of Anti-Extremism Legislation in Russia in 2021.

the Supreme Court²⁶ and our data (and we have information about a little more than half of the sentences), we can say that the number of convicts was about one third higher in 2019 and 2021 than in 2017 and 2018. At the same time, our data for 2021 again show an increase of about one third, while the extrapolation of the Supreme Court data for the first half of the year would suggest even a slight decrease. Perhaps our data have become more complete, but it should still be assumed that extrapolation in this case significantly underestimates the actual number of convicts per year. And indeed, even according to our data, an acceleration is visible in the second half of the year, regardless of the lawfulness of the sentences.

In 2021, Article 282¹ of the CC was applied in six verdicts against 10 people. As is customary, it was primarily applied against members of ultra-right groups.

Two members of Black Bloc, Artem Vorobyov and Dmitry Nikitin from Moscow, and three members of an ultra-right community from the Kirov region, were convicted of participating in the extremist community (and xenophobic attacks).²⁷ Interestingly, they all received suspended sentences.

In Ryazan, a court sentenced local far-right activists Artem Smorchkov and Yuri Lunin to six years of probation and one year and three months in a strict-regime penal colony.²⁸ According to the prosecutor's office, they carried out several attacks on anti-fascists, filmed the attacks, and posted the videos online along with texts promoting ideological violence.²⁹

In Tambov, the garrison military court found Sergeant Egor Metlin guilty under Part 1 of Article 282¹ of the CC in combination with Part 3 of Article 30 of the CC (attempt to create an extremist community) and fined him 600 thousand rubles.³⁰ According to investigators, Metlin in conversations with colleagues "called for xenophobic violence and also distributed banned literature" and planned to set fire to houses of "representatives of non-Slavic nationalities." On July 27, 2019, he was detained with two bottles of flammable mixture and arrested.

The other two sentences were directly or indirectly related to Ukraine, which is atypical for this article. Usually, Article 282² has been applied in connection with Ukraine.

In Crimea, in the case of complicity in the creation of an extremist community (Part 3 of Article 33 of the CC and Part 1 of Article 282¹ of the CC) and a knowingly false report about the mining of the Crimean Bridge (Part 3 of Article 207 of the CC), Ukrainian citizen Alexander Dolzhenkov received six years in prison. It is unclear which actions the verdict on the creation of an extremist community is related to.

26. In the first half of 2021, 57 people were convicted under Article 282² of the CC, for 54 of them this was the main charge. Three were convicted under Article 282¹, 35 people under Article 205⁵, and 17 – under Article 205⁴.

27. The sentences are also taken into account in the calculation of sentences for hate crimes. See: Yudina, The State Has Taken up Racist Violence Again.

28. Earlier, Yuri Lunin had already been convicted under Part 4 of Article 111 of the Criminal Code (intentional infliction of serious, life-threatening harm to health, resulting in death by negligence of the victim) and sentenced to six years in prison; in 2015, he was released on parole.

29. At least three other people were involved in the case, but the cases against them were terminated "due to active repentance" and "reconciliation of the parties," after payment of material compensation to the victims.

30. However, Metlin was released from paying a fine due to the time he spent in jail during the investigation.

In the Rostov region, Sergei Shurygin, a regional coordinator of the Left Front political movement, got 6.5 years of suspended sentence and additional punishment in the form of restriction of freedom for a year, as well as a ban on engaging in activities related to the management and organization of the work of political, religious, and public organizations and associations for three years under Parts 1 and 1.1 of Article 282¹ (organization of and recruitment into an extremist community) and Part 2 of Article 280 of the CC. Shurygin has created and was managing the Union of the World Liberation Movement People’s Brotherhood AllatRa (The Union of the Peoples of the Sun and the Peoples of the Crescent), “based on the ideology of the foreign religious association International Social Movement AllatRa.” The movement was created on the basis of the new Ukrainian organization Allatra, whose central ideological element is the fight against “world Zionism.” It is also characterized by Stalinism and the Messianic idea that the Russian nation should save humanity and unite the peoples of the world around itself.

Article 282² of the CC was invoked in ten sentences against 13 people. In Stavropol Krai, Yuri Korobov was sentenced to two years and 10 months of imprisonment in a high-security penal colony, with a restriction of freedom for a period of 10 months for funding and participating in the activities of the Ukrainian organization Praviy Sektor (Right Sector), banned in Russia.

Six people in the Tula region, Stavropol Krai, Volgograd, and Mari El were sentenced for terms ranging from two-year suspended sentence to three years in a strict regime colony for participating in the activities of the banned Union of Slavic Forces of Russia (USSR).³¹ A “citizen of the USSR” from Mari El was sent for compulsory treatment. All these “citizens of the USSR” from different regions convened and held meetings and disseminated the community’s ideology. Some sold passport inserts “attesting citizenship of the Union of Soviet Socialist Republics.” One “citizen of the USSR” from Stavropol propagandized his views in his correspondence with local authorities, thereby following in the footsteps of another banned exotic association Spiritual-Ancestral Empire Rus.³²

Five people in Dagestan, Adygea, and Samara were sentenced to terms from one and a half to seven years in a penal colony for involvement in At-Takfir Wal-Hijra, recognized as extremist in Russia. It is reported that they attended meetings, distributed literature, recruited new participants, “planned to commit a number of serious crimes, and then go to Syria and join the ranks of one of the international terrorist organizations.”³³

31. For more see: Akhmetiev, Citizens without the USSR. Communities of “Soviet citizens” in modern Russia.
32. On Spiritual-Ancestral Empire Rus see for example: In Krasnodar Krai, a verdict was passed in the case against members of the Spiritual-Ancestral Empire Rus // SOVA Center. 2017. 27 December (<http://www.sova-center.ru/racism-xenophobia/news/counteraction/2017/12/d38580/>).
33. Memorial Human Rights Center usually recognizes those convicted in the cases related to At-Takfir Wal-Hijra as political prisoners, as it sees neither the evidence of their involvement in this organization, nor that of its very existence. See, for example: Dagestan: extremism charges for talking about religion? // Memorial Human Rights Center. 2020. 22 August (<https://memohrc.org/ru/special-projects/dagestan-obvinenie-v-ekstremizme-za-besedy-na-religioznye-temy>).
The appropriateness of the verdict on anti-extremism articles in these last cases seems questionable to us, but we cannot make any definite judgment on these cases.

In Adygea, a local resident was found guilty of participating in the A.U.E. criminal sub-culture, which for some reason is recognized as an extremist organization,³⁴ and received a 2.5-year suspended sentence with restriction of liberty for six months and a 2.5-year probation. According to the prosecutor’s office, he promoted a criminal lifestyle, the A.U.E. agenda, and hostility toward representatives of the authorities, and posted A.U.E. symbols and slogans on social networks.

We are not aware of any verdicts under Article 205⁴ in 2021. Article 205⁵ was applied against two supporters of ex-colonel Vladimir Kvachkov. Yuri Yekishev was sentenced to 15 years and Pavel Antonov to 10 years in a high-security penal colony.³⁵ Both were prosecuted for their participation in the banned movement Minin and Pozharsky People’s Militia (NOMP)³⁶ and the preparation of an armed attack on a police station. During searches, leaflets, propaganda materials, Osa handguns and Saiga rifles were found in the suspects’ apartments.

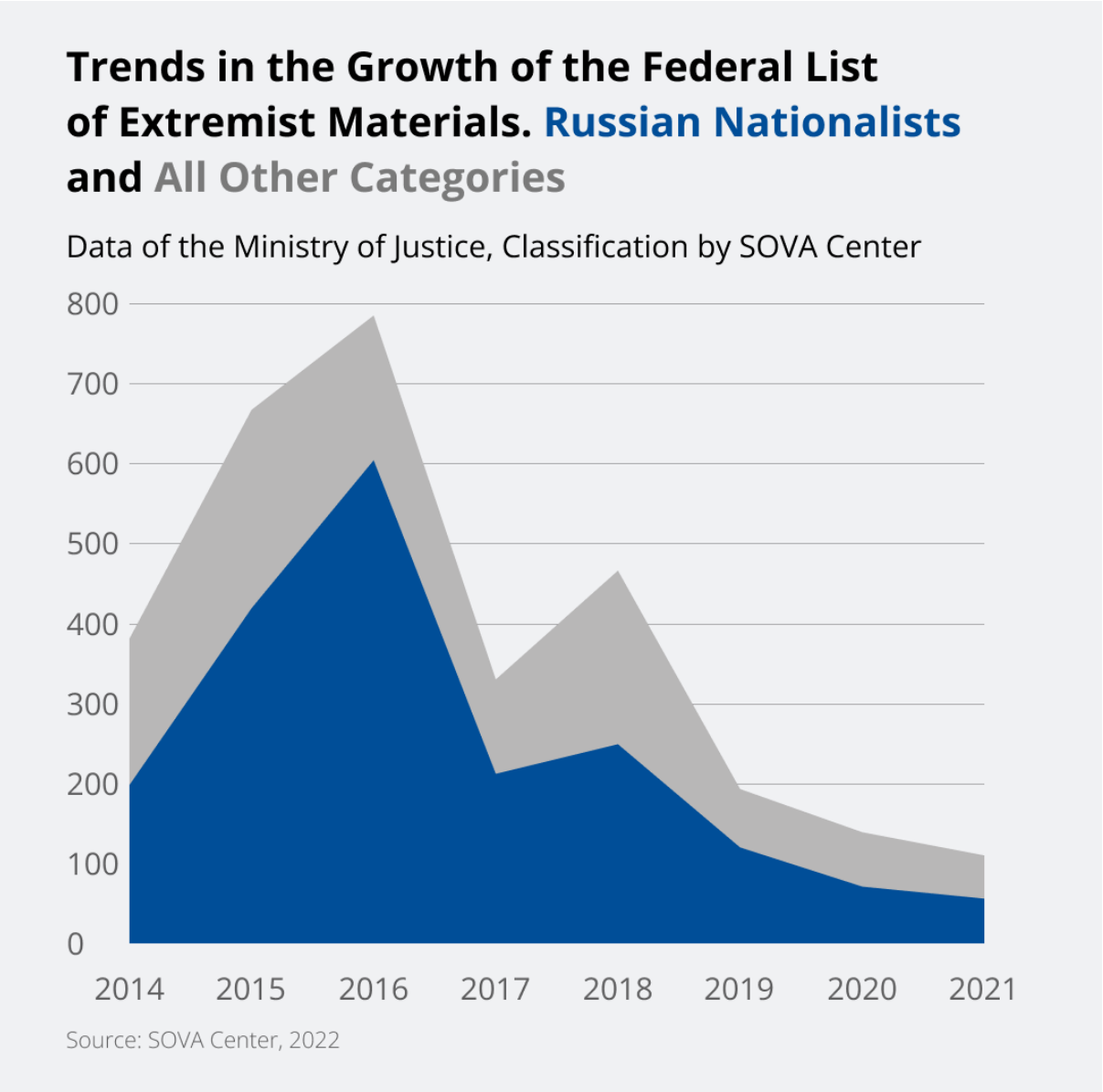
Federal List of Extremist Materials

In 2021, the Federal List of Extremist Materials was expanding somewhat slower than in 2020: it was updated 23 times with 110 entries (139 in 2020). Thus, the total entries grew from 5144 to 5253.³⁷

- New entries fall into the following categories:
- xenophobic materials of contemporary Russian nationalists – 56;
 - materials of Islamic militants and other calls for violence by political Islamists – 8;
 - other Islamic materials – 10;
 - materials of Orthodox fundamentalists – 1;
 - materials by other peaceful worshippers (writings of Jehovah’s Witnesses) – 1;
 - extremely radical materials from Ukraine – 3;
 - anti-government materials inciting to riots and violence – 12;
 - works by classical fascist and neo-fascist authors – 2;
 - parody banned as serious materials – 6;
 - people-haters’ materials – 1;
 - A.U.E. materials – 8;
 - fiction – 1;
 - unidentified materials – 1.

34. The A.U.E. movement is recognized as extremist // SOVA Center. 2020. 17 August (<https://www.sova-center.ru/misuse/news/persecution/2020/08/d42774/>).
35. Sergei Finagin, detained together with Yekishev and Antonov, was sent by the 2nd Western District Military Court to compulsory treatment on April 28, 2021.
36. Court recognizes NOMP as a terrorist organization // SOVA Center. 2015. 18 February (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2015/02/d31308/>).
37. As of February 19, 2022, the list has 5259 entries.

As in the previous years, the majority of the new entries are Russian nationalists’ materials, although the number of new entries in this category is lower this year. New categories that appeared in 2021 are materials promoting A.U.E. and the ideology of people-hate. Other than that, the categories have not changed compared to previous years, but a significant decrease is evident.



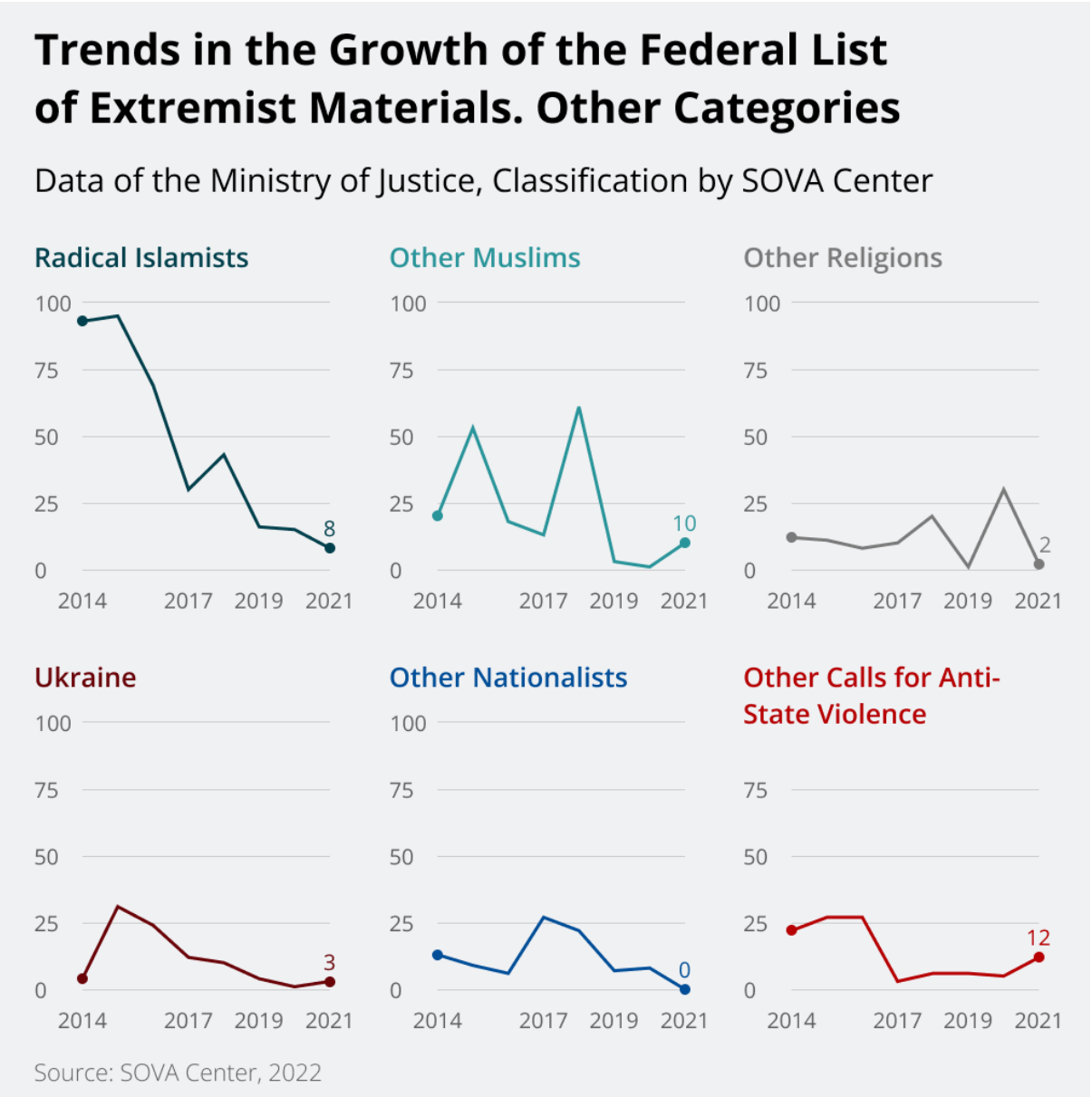
At least 88 entries out of 110 refer to online content: video and audio clips, long texts, and images. Offline sources include books by Russian nationalists and Salafi Muslim authors and a fiction book about the rapes of German women by Soviet soldiers.

However, for a number of entries, it is unclear where the banned materials were published. This mainly concerns songs or videos: the entry contains the title of the material and, at best, its author. For example, entry 5165, described as “We are Here” (an audio recording of a song by the Yarovit band), provides no publication data. The song *White Power* by the Seytar band is included in the list twice: as an audio recording (entry 5209) and

as a text (entry 5210). No source is provided in either entry. In any case, we are not sure which of the following descriptions is more correct: the one that contains just the title of the song or the band or the one that provides the description “freely available on the Internet” (entries 5250 and 5251). While in 2021 slightly fewer grammatical errors were observed than before, bibliography rules are still not being followed.

As is frequently the case, some entries were described in such a way that it is not clear what they mean exactly. For instance, entry 5169 is described as “We the Mujahideen the Army of Allah...” (audio recording). A search for this title returns multiple different audio recordings, and which of them is prohibited remains a mystery.

As usual, some of the materials added to the list are those obviously unlawfully recognized as extremist: in 2021, not less than 19 such entries were recorded (compared to 25 in 2020).³⁸



38. See: Kravchenko, Inappropriate Enforcement of Anti-Extremism Legislation in Russia in 2021.

The Banning of Organizations as Extremist

In 2021, nine organizations were added to the Federal List of Extremist Organizations published on the website of the Ministry of Justice (compared with five in 2020).

Slightly more than half of the organizations newly added to the list are nationalist.

The Nation and Freedom Committee (KNS) was recognized as extremist by the Krasnoyarsk Regional Court on July 28, 2020. KNS was founded in September 2014 by Vladimir (Basmanov) Potkin and was one of the main fragments of the banned association Russkie (Russians).³⁹ The entry contains a detailed description of the organization's symbols, including the emblem and the flag of the KNS, which is only the second time such details have been entered.

Russian Patriotic Club-Novokuznetsk / RPC was recognized as extremist by the Central District Court of Novokuznetsk, the Kemerovo region, on December 7, 2020. The club, founded in early 2012, had several dozen members; they distributed anti-migrant materials, picketed the construction of mosques in the city, fought against the construction of a synagogue and against organizations dealing with adaptation of migrants, opposed an LGBT festival, and collected money for neo-Nazi prisoners.

Two radical fan organizations were also added to the list.

The W.H.C. organization (White Hooligans Capital, Belye Khuligany Stolitsy, White Hardcore Cats, SIBERIAN FRONT, Sibirsky Front) was recognized as extremist by the Central District Court of Barnaul on September 16, 2020. The group, founded by Yevgey (Ratibor) Dergilev in 2015, included 25–30 hockey fans. They organized sports training sessions in Barnaul, participated in mass fights with other fans, and attacked anti-fascists. Some members of the Siberian Front were charged with administrative and criminal offenses.⁴⁰

A football fans group Irtysh Ultras (Brutal Jokers, Fluss Geboren) was recognized as extremist by the Central District Court of Omsk on November 27, 2020. The group, founded in January 2017, consisted of 26 members who wore military-style clothes but rejected military service and celebrated Hitler's birthday every year. On VKontakte, the Irtysh Ultras group had 525 participants; the group was also present on Instagram.⁴¹

Two more organizations that have joined the list are quite exotic and make one question the mental adequacy of their participants.

39. For more see: The Nation and Freedom Committee is recognized as extremist // SOVA Center. 2021. 29 July (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2020/07/d42712/>).

40. Including for the attack on Egyptian nationals in 2018 and the attack on anti-fascists in July 2018.

41. In 2015, the group leader was convicted under Article 111 of the Criminal Code (intentional infliction of serious harm to health). From 2015 to 2020, he committed three offenses of posting extremist materials on the Internet (Article 20.29 of the Administrative Code) and public display of Nazi symbols (Article 20.3 of the Administrative Code). 12 other members of the group were prosecuted under the same articles of the Administrative Code. One of them also received a 1.5-year suspended sentence under Article 115 of the CC (intentional infliction of minor injury to health) for attacking natives of the Caucasus. Four other participants of Irtysh Ultras in 2015 and 2018 were convicted under Article 282 of the Criminal Code.

A pagan movement Siberian Sovereign Union (also known as Union of Glorious Clans of Rus, Slavic Warriors Brotherhood, Siberian-Ukrainian Movement, Spiritual-Political Movement "Liberation") was recognized as extremist by the Supreme Court of the Altai Republic on March 19, 2021. The organization Slavic Warriors Brotherhood, founded by Alexander (Svyatozar) Budnikov in 2006, was part of the spiritual and political community Rus Rodoslavnaya and advocated the separation of Siberia from the Russian Federation and the creation of an independent Siberian republic, as well as the creation of the spiritual and cultural center AzGrad in Altai. Its branches, numbering more than 20 members each, existed in the Novosibirsk region and other Siberian regions. Budnikov himself has already been tried for xenophobic agitation.⁴²

The Council of Citizens of the USSR of Prikubansky District of Krasnodar was recognized as an extremist organization by the Prikubansky District Court of Krasnodar on June 29, 2021. The Council was founded in June 2019 by Marina Melikhova, already mentioned in this report (see the section Prosecution for statements). In addition to the issue that is key for "citizens of the USSR" – the illegitimacy of the authorities of the Russian Federation, the Council members discussed the priority that should be given to "indigenous peoples," the invalidity of Bank of Russia notes, the harm of the law on priority development areas, according to which the Russian territories are, allegedly, to be distributed to foreigners, etc. The Council especially abused anti-Semitic rhetoric. Members of the Council have repeatedly been prosecuted in criminal cases.⁴³ In 2020, "citizens of the USSR" from Krasnodar, 60-year-old Alexander Dudarenko and 70-year-old Zoya Malova, who ordered the murder of Yuri Tkach, the head of the Jewish community of Krasnodar, were detained. The perpetrator was promised a high post in the Citizens of the USSR organization as a reward for assassination. An operative responded to the ad and met with the customers, who handed him a boxcutter, a mask, and a stocking. The police staged the assassination and sent photos to the customers. After that, the organizers of the murder were detained. In December 2021, the Pervomaisky District Court of Krasnodar sentenced Zoya Malova to six years in prison for attempted murder.

We find other bans unlawful. Khakassian Regional Public Organization for Spiritual and Physical Self-Improvement of a Person under the Great Falun Law Falun Dafa was recognized as extremist in November 2020.⁴⁴ Three pro-Navalny organizations – Anti-Corruption Foundation, the Citizens' Rights Protection Foundation and "Navalny's headquarters" – were declared extremist by the Moscow City Court on June 9, 2021.⁴⁵

Thus, as of February 10, 2021, the list includes 89 organizations,⁴⁶ whose activity is banned by court order and continuation thereof is punishable by Article 282² of the CC.

42. Budnikov was previously convicted on October 3, 2008 for distributing anti-Semitic and extremist publications under Part 1 of Article 280 and received a 2-year suspended sentence with a probation period of two years. Since the mid-2010s, he has been living in Ukraine.

43. For more see: Akhmeteyev, Citizens without the USSR. Communities of "Soviet citizens" in modern Russia.

44. The court of cassation upholds the decision to recognize Falun Dafa as an extremist organization // SOVA Center. 2021. 12 July (<https://www.sova-center.ru/misuse/news/persecution/2021/07/d44548/>).

45. Court of Appeal upholds ban on FBK, FZPG, and Navalny Headquarters // SOVA Center. 2021. 5 August (<https://www.sova-center.ru/misuse/news/persecution/2021/08/d44675/>).

46. Not counting 395 local organizations of Jehovah's Witnesses, banned together with their Management Center and listed under the same entry.

The list of terrorist organizations published on the website of the FSB was updated with three new entries in 2021 (none in 2020).

On May 21, 2021, the Supreme Court declared NS/WP (National Socialism / White Power, NS/WP Crew Sparrows, Crew / White Power) a terrorist organization. Sounds intimidating, but from this list of names it is impossible to understand which organization the court meant. According to the Prosecutor General's Office, NS/WP has existed in Russia since 2010 as a network movement, whose leaders have organized at least 18 neo-Nazi groups. Indeed, the abbreviation NS/WP was and still is used by many far-right groups; there is no doubt that personal or even structural ties exist between them, but not necessarily the ties that interconnect them all. We do not have sufficient information on this matter (and we believe that neither does the Prosecutor General's Office).

The most notorious of these groups was NS/WP Nevograd, whose verdict was passed in St. Petersburg in June 2014. And Sparrows Crew (not "Crew Sparrows" as written in the court decision) is a Yekaterinburg group that published online and, possibly, filmed its own videos of xenophobic attacks. The connection between these two groups is unknown to us.

A little later, on October 25, this time based on a claim of the St. Petersburg prosecutor's office, not the Prosecutor General's, a group with a similar name, Nevograd (Nevograd-2, BTO-Nevograd, First Line Nevograd) was recognized as extremist;⁴⁷ Nevograd has not yet been included in the list on the Ministry of Justice website. Judging by the claim of the prosecutor's office, this case was against several St. Petersburg neo-Nazi groups connected with Andrei Linok in one way or another.⁴⁸

The impression one gets is that a decision was made to ban not a specific NS/WP organization, but the entire popular "brand," which will make it possible in the future to bring criminal charges against supporters of various far-right groups that have used this "brand" in the past. This is not the first time such a method is being used: recall the prohibition of the A.U.E. subculture; perhaps the banning of At-Takfir wal-Hijra is used in the same way.

NS/WP may be too broad a name, but "The terrorist community created by V.V. Maltsev from among the participants of the Interregional Public Movement Artpodgotovka" is, on the contrary, extremely specific and strangely narrow. The decision to ban it is based on the verdict in the case of a terrorist group, issued by the 2nd Western District Military Court on July 18, 2020 and entered into force on July 7, 2021. This decision also requires clarification. The Artpodgotovka movement itself was recognized as extremist by the Krasnoyarsk Regional Court on October 26, 2017, and it is included in the Federal List of Extremist Organizations. This may have caused confusion, leading some media to mistakenly report that Artpodgotovka was moved from the list of extremist organizations to the list of terrorist ones. However, this is not the case.

On July 18, 2020, three Artpodgotovka supporters (Yuri Korniy, Andrei Keptya, and Andrei Tolkachev) were sentenced for attempting to set fire to pallets of hay left on Manezhnaya Square in Moscow after a city fair on October 12, 2017.⁴⁹ They were convicted not only under Paragraph A of Part 2 of Article 205 of the Criminal Code in combination with

47. The Nevograd group is recognized as extremist // SOVA Center. 2021. 21 October (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/10/d45172/>).

48. About him, see: Yudina, The State Has Taken up Racist Violence Again.

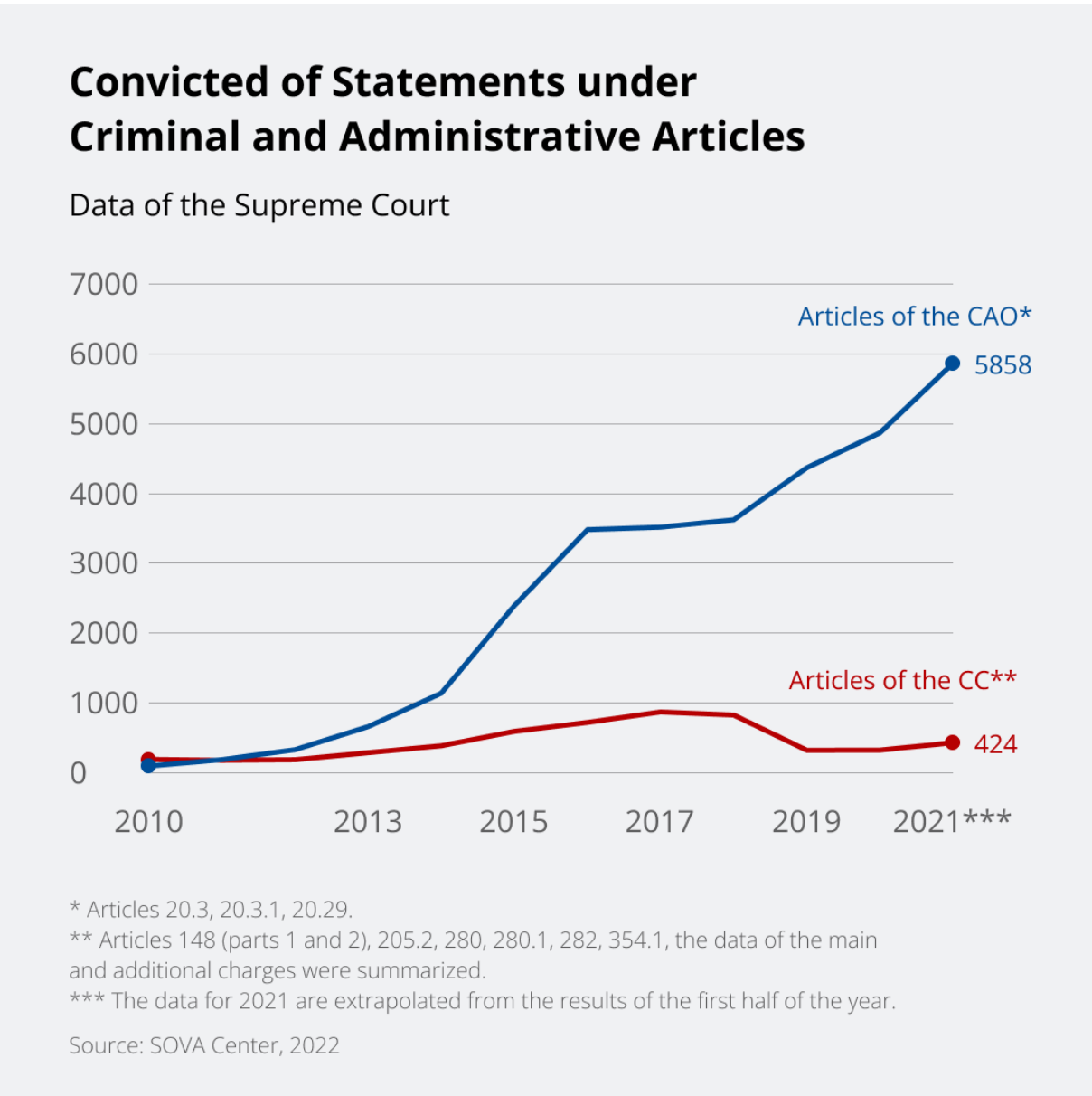
49. The verdict in the case of three supporters of Artpodgotovka comes into force // SOVA Center. 2021. 4 July (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/06/d44892/>).

Part 1 of Article 30 of the Criminal Code (preparation of a terrorist act by a group of persons), but also under Part 2 of Article 205⁴ of the CC. According to anti-terrorism legislation, the establishing of the existence of a terrorist group should entail banning it as a terrorist organization and adding it to the list on the FSB website, with the possibility of prosecution for attempts to continue the activities of this organization under Article 205⁵ of the Criminal Code. According to the court decision of July 18, 2020, this group included seven people, three of whom were convicted, and four more, including Artpodgotovka leader Vyacheslav Maltsev, went into hiding. Thus, the entire Artpodgotovka movement has never been declared terrorist; only a small group of people was given this status. Of course, the question is whether this particular group continued to exist after 2017 and what can be considered a continuation of its activities. This is far from the first case when a group that has long and definitely ceased to exist is added to one list of banned organizations or another (the most extreme case is perhaps that of Noble Order of the Devil)⁵⁰, and we are unaware of any further cases under Articles 205⁵ and 282² where any of these groups are mentioned.

Finally, in 2021, the group Jamaat Red Plowman was added to the list after it was recognized as terrorist by the Krasnoglinsky District Court of Samara in July. In 2016, more than 50 people were detained on suspicion of involvement in the activities of this organization after an explosive device was found in a prayer house. In 2019, FSB officers detained 16 more members of the jamaat in Ivashevka. Some of those detained were convicted, and some of the literature confiscated from the prayer house was recognized as extremist.

50. A non-existent organization of Satanists has been recognized as extremist // SOVA Center. 2011. 4 February (<https://www.sova-center.ru/misuse/news/persecution/2011/02/d20924/>).

Sanctions for Administrative Offences



The number of those punished under administrative “extremism” articles, according to our rather incomplete data, increased in 2021. According to the Supreme Court data, if we extrapolate the numbers for the first half of the year, there was an increase of about 20%, which is twice as high as the increase in 2019.

The data provided below do not include the decisions we deem obviously inappropriate.⁵¹

51. For more see: Kravchenko, Inappropriate Enforcement of Anti-Extremism Legislation in Russia in 2021.

Article 20.3.1 of the CAO (incitement to national hatred) was introduced after the amendments that introduced the mechanism of administrative prejudice to Part 1 of Article 282 of the CC were passed in 2018. Article 20.3.1 of the CAO is identical in content with Part 1 of Article 282 of the CC, but the administrative penalties are incomparably milder than the criminal ones.

According to the SOVA Center’s data, 168 rulings were passed under Article 20.3.1 of the CAO in 2021 (at least one was against a minor), while in 2020 we reported 126 rulings. According to the data of the Supreme Court, in the first half of 2021 alone, 461 persons were punished.⁵²

The vast majority were punished for posts on social networks (primarily on VKontakte but also on Odnoklassniki, Instagram, Facebook, Twitter, in a Telegram chat), on WhatsApp (in a large group), YouTube, and TikTok with comments, texts, videos, and images with xenophobic insults against natives of Central Asia and the Caucasus, Roma, Russians, Ukrainians, Jews, Kazakhs, Tatars, Yakuts, Chinese, dark-skinned, Arabs, non-Slavs, and other ethnic others; also against Orthodox Christians, Orthodox priests, Muslims, homosexuals, police officers, government officials, deputies of the State Duma, bailiffs, emergency medical personnel, Ministry of Emergency Situations personnel, and Gazprom employees.

Three people were punished for offline offenses, such as shouting insults at neighbors. Among them were two residents of Moscow, who in April 2021 attacked two girls from Buryatia, Saryuna Rinchinova and Irina Darnaeva, in one of the Moscow courtyards, screaming xenophobic insults.⁵³

The majority were fined for between five thousand and 10 thousand rubles. 11 people were arrested for terms between five and 15 days, eight were punished with community service, one received a warning.

The most famous of those punished was Vsevolod Moguchev, an associate of the infamous former schema-hegumen Sergius (Romanov), in the past the leader of the Yekaterinburg branch of the far-right Party for the Protection of the Russian Constitution Rus and of the local branch of the banned Movement against Illegal Immigration, and later the head of the regional squad of the youth organization Nashi and a member of the LDPR. Moguchev was arrested twice in one year. First, he received 15 days of administrative arrest for publishing a video titled “Who is Preparing Slavery in Russia” with a sermon by Father Sergius, which contained xenophobic statements, on his personal VKontakte page in June 2020, and on January 25 he received another 15 days of administrative arrest for publishing another video on YouTube.

In 2021, we have information about 166 individuals punished under Article 20.3 of the CAO (propaganda or public display of Nazi paraphernalia or symbols, or parapherna-

52. Consolidated statistics on the activity of federal courts of general jurisdiction and magistrate courts for the first half of 2020.

53. One of the attackers, G. Shtykina, was also sentenced to community service under Article 116 of the Criminal Code (beatings motivated by national hatred). The two girls from Buryatia, Saryuna Rinchinova and Irina Darnaeva, were attacked in one of the courtyards on Yan Rainis Boulevard in Moscow. One of the victims posted a video about the incident on Instagram; the video received a wide public response, and the Plenipotentiary representative of the Republic of Buryatia in Moscow intervened.

lia or symbols of extremist organizations, or other symbols whose propaganda or public display are banned by federal law), including seven counts against one person, two against one person, and at least five charges against minors. In 2020, we reported 158 people punished under this article. But whereas our data does not indicate growth, the statistics of the Supreme Court hints at a very significant increase: in the first half of 2021, this article was used to impose penalties in 1704 (one against a legal entity, one against an official, four against entrepreneurs without legal entities), compared to 1052 in the first half of 2020.

114 of those punished under this article posted images of Nazi symbols (mostly swastikas), runes, and in some cases symbols of such banned organizations as the Northern Brotherhood and ISIS on social networks, mainly on VKontakte, but also on Odnoklassniki, Instagram, in Telegram, and in a WhatsApp group.

52 people were punished for offline offenses.

The number of inmates punished for displaying their Nazi tattoos, has increased. In 2021, we are aware of 46 such instances (and one other individual displayed not a swastika, but an embroidery with Nazi symbols), compared to 27 we reported in 2020.

Four people displayed their tattoos outside of prison. In addition, one person painted a flag of the Third Reich on the facade of a building, and another displayed a ring with a swastika.

The majority of the offenders under Article 20.3 were fined for between one thousand and three thousand rubles. At least five were punished with administrative arrests of between three and 15 days.

We are aware of 130 persons punished under Article 20.29 of the CAO (production and dissemination of extremist materials), at least two of them minors. In 2020, we reported 162 persons. According to the Supreme Court statistics, in the first half of 2021, Article 20.29 of the CAO was used to impose 764 sanctions (four against officials, three against entrepreneurs without legal entities), compared to 856 in 2020.

Most of the offenders paid moderate fines between one thousand and three thousand rubles. At least two were placed under administrative arrests.

In the majority of the cases, the offenders were punished for posting on social networks VKontakte, Odnoklassniki, Instagram, and in a WhatsApp group nationalists' materials, such as 88 Precepts by David Lane; songs by bands popular among the neo-Nazis (Kolovrat, Russky Styag [Russian Flag], Div, 25/17, Buchenwald Flava, Shmeli [Bumblebees], Korrozia Metalla [Corrosion of metal]); books by Nikolai Levashov, the pamphlet "The Prophecy of the Qams," the Neo-pagan film "Games of the Gods," the poem "Christian slavery," and radical-Islamist materials, for example, songs by the singer-songwriter of the armed Chechen resistance Timur Mutsurayev. Several people have published symbols of ISIS and other radical Muslim organizations. In at least six cases, CDs were confiscated as objects of an administrative offense.

One person was fined for selling books that are on the Federal List of Extremist Materials in the hall of a shopping center. Another person was charged with storing prohibited literature "with the purpose of selling it."

At least 13 people faced sanctions under combined articles 20.3 and 20.29 of the CAO in 2020. Two were punished under combined Articles 20.3.1 and 20.29 of the CAO. Two – under a combination of Articles 20.3 and 20.3.1 of the CAO. Three people were punished under a combination of all three articles (20.3.1, 20.3, and 20.29). All of them were fined.

In addition, at least two people were fined under the new article 20.3.2 of the Administrative Code (public calls for separatism). There was no data on this article in the statistics of the Supreme Court for the first half of the year.

We have covered the decisions that we consider more or less lawful. At the same time, we have information about 22 more instances of inappropriate penalties under Article 20.3.1 of the CAO, 47 under Article 20.3 of the CAO, 83 under Article 20.29 of the CAO, and 6 under Article 20.3.2 of the CAO. Thus, for 466 lawful and appropriate rulings (including those we are unable to assess) there are 158 inappropriate ones, and the share of the latter (about 34%) has increased again in comparison with the previous year (in 2020, we recorded 103 inappropriate rulings and 446 appropriate, or 23%).

Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2021

Summary

This report presents an analytical review of anti-extremist legislation and its misuse¹ in 2021. SOVA Center has been publishing these reports annually to summarize the results of monitoring carried out by our center continuously since the mid-2000s.

In 2021, preceding the parliamentary elections, Russian authorities used the repressive potential inherent in the broad language and various legal instruments of the current anti-extremist legislation and its associated norms against their opponents. The ban on organizations associated with Alexei Navalny brought the debate over the enforcement of anti-extremist legislation into the mainstream of Russian politics. Although the outcomes of the criminal cases brought against Navalny and his supporters under articles targeting extremism are still unclear; the damage done to the political atmosphere in the country is already obvious.

At the same time, previous trends persisted – tightening control over the Internet, new laws against “foreign agents,” and active application of these laws against a wide range of opponents. The “combats pour l’histoire” continue as well – the legislation against the “rehabilitation of Nazism” has increased in severity and expanded in scope, the corresponding article of the Criminal Code has been actively implemented, although not yet on a massive scale. The intensified sanctions for “insulting the feelings of believers” can be understood as the growing role of moral conservatism in the law enforcement. In general, the enforcement of anti-extremist laws appears increasingly to be the repressive means of propaganda and schooling of citizens.

The repressive policy towards religious minorities has remained more or less unchanged – authorities are actively pressuring religious organizations and movements of foreign origin, both Western and Eastern, which they consider unconventional and unwelcome in Russia. As in the previous year, Jehovah’s Witnesses hold the first place for the number of believers that have faced criminal charges for continuing their religious practice. The increase in the total number of inappropriate convictions under anti-extremist articles from 40 verdicts against 66 people in 2020 to 105 verdicts against 160 people in 2021 can be explained by the fact that the criminal cases against Jehovah’s Witnesses (opened over the previous two years on allegations of continued activity) finally reached the courts in 2021. The Supreme

1. Speaking about the appropriateness of court decisions, we consider them only on the merits, in most cases omitting any discussion of possible procedural violations.

Court issued a clarification in October 2021 that the purely religious worship of adherents of banned religious associations should not be interpreted as participation in the activity of a banned organization, which is a criminal offence. However, this decision of the Supreme Court has so far had little effect on the established legal practices.

As for the 2021 statistics in our area of interest, we noted a greater than twofold increase in the number of criminal verdicts that we view as inappropriate both under articles that cover public speech and under articles that pertain to involvement in banned organizations. The number of penalties inappropriately imposed under the anti-extremist articles of the Code of Administrative Offenses has grown as well. However, this growth was not uniform across articles.

All law enforcement agencies have escalated their fight against associations and groups that they perceive as dangerous, and this campaign led to a much greater number of inappropriate sentences compared to the preceding years. However, the picture becomes more complicated if we shift our focus to sanctions for public speech. We see a sharp increase in the number of criminal cases under articles that are purely ideological in nature, such as the one pertaining to historical narrative or the one on offending the “feelings of believers.” Meanwhile, the judicial practices under the criminal articles on incitement to terrorism, extremism and hatred demonstrate a different trend – despite the overall significant increase in the number of verdicts, we found almost none of them completely inappropriate – that is, failing to directly correspond to the substance of the corresponding articles of the Criminal Code. Many verdicts punishing speech ought to raise serious doubts over the adequacy of the sanctions or extent of public danger of a given statement. However, based on the information we currently have (we only know the details for a fraction of the court decisions), we observed a somewhat unexpected trend in 2021 – while the Investigative Committee and the Ministry of Internal Affairs were increasingly issuing inappropriate criminal and administrative punishments for speech (with the exception of Article 282 of the Criminal Code), the FSB kept closer to the letter of the law in this regard.

Throughout 2021 the European Court of Human Rights continued, in response to the complaints submitted by Russian citizens, to repeatedly point out the inconsistencies between the anti-extremist legislation and legal practice and Russia’s obligations under the European Convention to guarantee the right to freedom of expression, freedom of conscience and freedom of association.

However, the ECHR decisions, which had already not been properly followed in prior years, are unlikely to reverse the trend towards increasingly repressive legal practices.

Lawmaking

On the eve of the elections, the legislative process in our area of interest has been aimed entirely at increasing the severity of the existing legislation and introducing new harsh norms. Obviously, at this stage, the Russian authorities viewed suppressing independent public activity and intensifying the atmosphere of fear as the best way to maintain their control over the country. The legislators slowed down somewhat after the elections, but the vector of their activity remained the same.

2021 marks a new stage in the tightening of the Internet regulation.

On February 12, the government adopted a resolution based on the “sovereign Internet” law that allowed Roskomnadzor to slow down the traffic of popular platforms in order to restrict access to information that poses a threat to the country’s security including the information prohibited from distribution by Russian laws. In March, these measures were applied to Twitter, which, according to the Russian authorities, had failed to promptly remove content banned in Russia.

On February 24, amendments to the Code of Administrative Offenses were signed into law. Among other changes, the amendments establish administrative liability for owners of Internet resources, regardless of their size, who discriminate against Russian citizens on ethnic, religious and other grounds or on the basis of sanctions imposed against Russia, delete “publicly significant information” and generally impose “restrictions, violating the right of citizens of the Russian Federation to freely seek, receive, transmit, produce and distribute information in any legal way” – that is, liability for any content restrictions that are not prescribed by the Russian law. Fines were introduced for violators (in millions of rubles for legal entities); access to the resources could be restricted as well (traffic slowdown or complete blocking). Thus, defending the Internet projects of Russian media the authorities gave online platforms a set of practically impossible requirements, under which a resource would not be able to remove content that violates its internal rules, unless it is also prohibited by Russian law.

On July 1, the president signed the “landing” law that mandated foreign Internet companies to open representative offices in Russia if the daily audience of their sites exceeded 500 thousand users from the Russian Federation; the same obligations – regardless of the size of their Russian audience – were imposed on foreign hosting providers working with Russians, as well as owners of mail services, messengers, and advertising networks. Among other requirements, the law stipulates that these companies must restrict access to materials prohibited in Russia. Various coercive measures are provided for failure to comply with this demand: informing search engines users that a resource violates Russian legislation, a ban on the distribution of its advertising in Russia, a ban against advertising on the company’s websites, restrictions on accepting monetary transfers and payments from Russian individuals and legal entities, a ban on being delivered by search engines, and the prohibition on collecting and cross-border transfer of personal data. A refusal to interact with Roskomnadzor, to open a representative office, or to store personal data of Russians on the Russian territory can entail measures such as partial or complete restriction of access to the resource.

The list of information subject to extrajudicial blocking was also expanded. A law giving election commissions the right to decide on the temporary blocking of illegal campaigning websites was signed on March 8. Under a law signed on July 1, Roskomnadzor got a mandate to block false allegations of committing a crime; users can send requests to prosecutors containing a “reasoned justification” of the information’s inaccuracy and requesting that it is removed or blocked.

On December 30, a law was signed on extrajudicial blocking of the information “defending and (or) justifying extremist activities, including terrorist activities.” In our opinion, by adopting this law, authorities created the mechanism to interpret any academic research or discussion of political radicalism as “justification” of extremist or terrorist activities. Information materials of organizations prohibited under the law “On Combating Extremist Activity” or “On Countering Terrorism” will also be blocked; the same is true for the “information allowing access” to these materials. The same law also

provides for blocking false reporting on acts of terrorism and advertisements for the sale of forged documents.

In addition, in late July, an interdepartmental Russian delegation submitted a draft convention on countering cybercrime to the UN special committee. The draft includes 23 offenses that can be committed using information and communication technologies. The wording proposed by the Prosecutor General’s Office is based on the terminology used in the Criminal Code of the Russian Federation in the context of countering terrorism and extremism, so it includes such categories as “humiliation of dignity” on the basis of belonging to various groups or “justification” of various illegal acts.

New restrictions were introduced in 2021 for individuals, whom the authorities consider involved in extremist and terrorist activities.

On April 5, Putin signed amendments to the law “On Freedom of Conscience and Religious Associations.” They indicate that the following types of persons are not allowed to be leaders or members of religious groups: a foreign citizen or a stateless person, whose continued stay in the Russian Federation has been deemed undesirable; a person included on the Rosfinmonitoring List of Extremists and Terrorists (which includes even those merely suspected of a crime); a person in respect of whom a court decision established that their actions amounted to extremist activity; an individual whose accounts are frozen by the Interdepartmental Commission on Countering the Financing of Terrorism. Thus, the requirements already present in the legislation on non-profit organizations, including religious ones, are being extended to include the leaders and members of religious groups. In our opinion, these new restrictions represent an excessive intrusion into the exercise of the right to freedom of religion – even involvement in illegal activities should not deprive a person of the opportunity to be a member of a religious organization or group because this right is guaranteed by the constitutional provision regarding the right to profess one’s religion “together with others” (Article 28 of the Constitution).

Another round of restrictions for those on the Rosfinmonitoring List – this time a ban on working in aviation – is envisioned in the draft law “On Amendments to the Air Code of the Russian Federation,” submitted to the State Duma on October 28 (it was adopted in the first reading in February 2022).

The most important pre-election step was the signing on June 4 of a law prohibiting those “involved” in the activities of an extremist or terrorist organization from being election candidates. The passive suffrage restriction applies to everyone who, during the period starting three years before the entry into force of the decision to ban or liquidate the relevant organization, held the position of its founder, member of its collegiate governing body, head, deputy head, head or deputy head of a structural unit, or a member, participant, employee, or “another person involved in the activities” of the organization. For founders and leaders, the restriction of passive suffrage remains in effect for five years from the ban’s entry into force; for members and others the restriction is in place for three years after that date. Involvement in the activities of an extremist or terrorist organization is established by a court decision. It is defined as “direct implementation of the goals and/or activities (including individual events) that caused the organization to be recognized as extremist or terrorist,” “statements in support of” such goals and activities (including online), as well as providing support for the organization itself including financial, property, organizational, methodological, advisory and other assistance. Such broad restrictions on passive suffrage, especially for actions committed prior to the ban

against the organization and even prior to the filing of charges against it, looked extremely doubtful in terms of compliance with Article 54 of the Constitution, but also happened to coincide with the recognition of Alexei Navalny's organizations as extremist. On the eve of the parliamentary elections, the Russian authorities provided themselves with the mechanism to legally exclude members of opposition from participating and then actively used this opportunity.

Another notable legislative initiative is a draft federal law developed by Rosfinmonitoring and published on October 11. It gives the heads of the FSB, the Ministry of Internal Affairs and Rosfinmonitoring, as well as their deputies and individual heads of the territorial branches of the FSB and the Ministry of Internal Affairs, the authority to order urgent extrajudicial blocking of money transfers from cards and electronic wallets, if they have been informed that the money was being used to finance "extremist activities, including extremist mass riots; the activities aimed at organizing and/or holding public events in violation of the established procedure that can lead to riots, pogroms, arson, disruption of the functioning of life support facilities, transport or infrastructure, or other similar negative consequences;" or to finance drug trafficking. The law enforcement decisions to block such operations can be made only in urgent cases, can be challenged by the Prosecutor General's Office, and are valid for ten days, at which point the decision to restrict financial transactions must be made in court. The bill provides for a court-appointed monthly allowance to meet the day-to-day needs of the people affected. The document states that courts must establish monthly payments to protect the livelihoods of people whose financial transactions are blocked and of their family members. Decisions to block monetary transfers will not apply to transactions made to pay for labor, taxes, fees, fines, utility bills, etc. Expanding the powers of law enforcement agencies at the expense of courts is always a cause for concern, since it increases the risk of abuse and generally contradicts the principle of separation of powers, which is fundamental for a democratic society.

In accordance with the law signed on June 28, Russian media has to accompany any references to organizations recognized in Russia as terrorist with explicit indications that their activities have been banned. Failure to comply with this requirement leads to fines. Until now, such a requirement existed only for references to organizations recognized as extremist. In our opinion, such purely formal requirements are superfluous, and their implementation leads to numerous mishaps. Instead of monitoring for the presence of particular disclaimers in informational publications, the authorities should be ensuring that Russian media does not promote misanthropic ideas.

However, the absence of required labels offers a convenient pretext for bringing objectionable actors to justice. On February 24, the president signed a law that reintroduced or tightened the already established administrative liability for all categories of "foreign agents" for violating the regulations governing their activity by not labeling their materials appropriately, failure to provide information or providing incomplete information about themselves and their status. The changes also affected Article 13.15 of the Code of Administrative Offenses on the abuse of freedom of the mass media, which now includes fines for disseminating in the media of information produced by "foreign agents" or information about them without appropriate labeling. On April 30, the president also signed a law establishing administrative responsibility for the media for distributing materials by "foreign agents" media without specifying this status.

"Foreign agents" participating in the elections were also obliged to disclose their status. Amendments, adopted on April 20, introduced two new legislative concepts – "a candidate affiliated with a person or entity performing the functions of a foreign agent" and "a candidate who is a person performing the functions of a foreign agent." The former means any candidate who, within two years prior to the scheduling of an election, worked for a "foreign agent" non-profit organization, was the head or member of a "foreign agent" unregistered public association, was an employee of a "foreign agent" media resource or received money or material assistance from any foreign agents while carrying out political activities (in the very broad sense described by the "foreign agent" laws). The latter category includes individuals recognized as "foreign agents" or "foreign agent media." Under the amendments, an election commission must inform the voters about candidates' "foreign agent" status; and candidates should also include this information on their signature lists and all their campaign materials, including debates. This requirement also applies to a party from which a "foreign agent" candidate has been nominated. In addition, the law extends the ban on participation in election campaigns, already in place for "foreign agent" NPOs, to unregistered public associations recognized as "foreign agents" or as "foreign agent media."

On April 5, a law was signed to tighten the reporting requirements for non-profit "foreign agent" organizations. The law required them to submit their programs "declared for implementation" to the Ministry of Justice prior to implementing them, and must also submit to the Ministry their annual reports on the implementation of programs and events, or inform the Ministry that certain events never took place. The Ministry of Justice can ban the entire NPO program or any part of it; if a prohibited program is implemented, the NPO is subject to liquidation (until now, such a procedure was in effect only for representative offices of foreign NPOs). The Ministry of Justice later issued an order postponing the actual enactment of the law pending the filing of applications for 2023 programs.

In the summer, the FSB published a draft order "On Approving the List of Information in the Field of Military and Military-Technical Activities of the Russian Federation Which, When Received by a Foreign State, its State Agencies, an International or Foreign Organization, Foreign Citizens or Stateless Persons, Can Be Used to Threaten the Security of the Russian Federation." The order was approved later, on September 28, with some changes; it was developed to be applied in the context of the law, according to which collecting the information on Russia's military and military-technical activities that can be used "against the security" of Russia by a foreign recipient in the interests of foreign states and citizens constitutes possible grounds for recognizing an individual as a "foreign agent," if no signs of treason and espionage are present. The list consists of 60 entries and provides many opportunities for excessive restrictions on access to information or on freedom of speech. Such is, for example, a clause prohibiting the collection of "information on the progress and results of the crime report reviews and preliminary investigations carried out by investigators" of the FSB and the military agencies of the Investigative Committee, except for information made public with permission from these agencies. Designating an individual collecting such data as a foreign agent already constitutes an excessive restriction on these freedoms. However, in reality, this step also implies an immediate threat of criminal prosecution – if a person becomes a "foreign agent" specifically due to collecting such information, then any violation of the foreign agents' legislation committed by this person will be punished immediately under the criminal

rather than administrative procedure. For example, if they fail to declare themselves a “foreign agent” and never ask to be included in the appropriate registry, they could receive five years in prison for this violation alone.

In the spring, the authorities once again increased the sanctions for the “rehabilitation of Nazism.” The corresponding package of laws, signed on April 5, increases criminal liability for the rehabilitation of Nazism on the Internet, introduces penalties for “insulting the memory of the defenders of the Fatherland,” humiliating the honor and dignity of veterans and slander against them. The amendments increase the likelihood of the already poorly formulated Article 354¹ of the Criminal Code on the rehabilitation of Nazism being used to impose unjustified restrictions on freedom of speech. The article has come to include a broad interpretation of “abasement of honor and dignity” – the concept used by Article 5.61 of the Code of Administrative Offenses (insult). The vague term “insulting the memory” does not specify the historical events for which the memory of the participants is in need of protection. The amendments also expanded the administrative responsibility for the “rehabilitation of Nazism” for legal entities.

On July 1, the symbolic “fight against Nazism” was marked by the signing of two additional laws. Both laws are vaguely worded and threaten freedom of expression for no apparent reason. The law “On Immortalization of the Victory of the Soviet People in the Great Patriotic War” now includes the ban against “publicly equating the goals, decisions and actions of the USSR leadership, the USSR commanders and military personnel with the goals, decisions and actions of the Nazi Germany leadership or commanders and military personnel of Nazi Germany and the Axis countries during World War II, as well as denying the decisive role of the Soviet people in the defeat of Nazi Germany and the humanitarian mission of the USSR in the liberation of the European countries.” It is not clear what kind of statements will be regarded as “equating” in practice. In late October, a draft law was submitted to the State Duma establishing administrative liability in the form of fines and other sanctions for violation of the ban against “equating” (citizens may face up to 15 days of arrest; repeated violations lead to temporary disqualification for officials and to suspension of activities for legal entities). The bill was passed in the first reading in February 2022.

The other law signed in July has provided the instrument for recognizing portraits of Nazi criminals and collaborators as extremist materials. The mechanism for combating the display of such images described in the law is so poorly thought out that its application was de-facto impossible, so, in the fall, the Ministry of Justice had to provide clarifications on this issue assuring the publishing industry that it was still possible to distribute books with portraits of Nazis without fear of retribution provided that they do not promote Nazism and condemn it.

Several amendments to the federal law “On Education” were also signed into law on April 5. The amendments provide for the introduction into the law of the concept of “educational activities,” defined as activities to disseminate various knowledge and experience carried out outside the framework of educational programs. According to the law, the procedure, conditions, and forms of conducting this broadly defined “educational activity” should be determined by the government. The federal government bodies are also responsible for coordinating the participation of educational organizations in international scientific cooperation. The law thus unreasonably expands the government’s control in the field of education – in fact, it expands its control over any communications. Besides, by analogy with the existing restrictions on pedagogical activity, the law introduces a ban on the use

of educational activities to incite hatred or advocate the exceptionalism on the basis of various group affiliations, “including by reporting inaccurate information about the historical, national, religious and cultural traditions of peoples, or information intended to encourage actions that contradict the Constitution of the Russian Federation.” In our opinion, this formula sets the stage for imposing unreasonable restrictions on the historical discussion.

It should also be noted that, on July 2, the president signed a decree approving a new National Security Strategy. The updated Strategy differs significantly from the previous version adopted in late 2015. Its emphasis is on protecting traditional Russian spiritual and moral values, culture and historical memory and countering the Western influence, especially on the Internet. It is easy to see that the legislative innovations described above fit well into this scheme.

The Supreme Court plenary resolution of October 28 became an important event for the enforcement of anti-extremist legislation.² The plenum amended Resolution No. 11 of June 28, 2011 “On Judicial Practice in Criminal Cases Concerning Crimes of Extremism,” (the previous amendments to the resolution were made in 2016 and 2018).³

Among other changes, important clarifications were issued for two articles on public statements. Article 280 of the Criminal Code (calls for extremist activity) and Article 280¹ (calls for violating the territorial integrity of Russia) have become subject to the instructions that previously pertained only to actions on the Internet falling under Article 282 of the Criminal Code. The Supreme Court pointed out that, when qualifying or reviewing such cases, the courts should take into account the information indicating the social danger of the action or lack thereof, including the intended purpose or motive for committing the corresponding actions. It should be noted that the previous wording did not mention the “intended purpose” of the person when making a problematic post.

The Supreme Court also indicated that involving others in the activities of the organization or community, when committed by its organizer (leader), is covered under Article 282¹ Part 1 (organizing the activities of an extremist community) or Article 282² Part 1 of the Criminal Code (organizing the activities of an extremist organization) and does not require additional qualifications under Article 282¹ Part 1.1 or Article 282² Part 1.1 of the Criminal Code, which specifically punish involving other people in the corresponding crimes. The Supreme Court did not extend this clarification to ordinary participants, so a participant who involved others in the activities of a banned organization might face a more severe cumulative punishment than the organization’s leader.

Finally, the most important amendment was the Supreme Court’s recommendation regarding prosecution for being involved in the activities of organizations recognized as extremist. The Court indicated that for criminal proceedings under Article 282² of the Criminal Code courts should name specific socially dangerous actions committed

2. Resolution of the Plenum of the Supreme Court of October 28, 2021 No. 32 “On Amendments to Certain Resolutions of the Plenum of the Supreme Court of the Russian Federation on Criminal Cases” // Supreme Court of the Russian Federation. November 2021 (<https://vsrf.ru/documents/own/30487/>).

3. Resolution of the Plenum of the Supreme Court of June 28, 2011 No. 11 “On Judicial Practice in Criminal Cases on Crimes of an Extremist Nature” // Supreme Court of the Russian Federation. 2011. June 29 (<https://vsrf.ru/documents/own/8255/>).

by the guilty party, indicate the significance of these actions for continuing or resuming the activities of a prohibited organization, and state the motives for committing these actions. With regard to former members of banned religious associations, the Supreme Court indicated that their actions, *“not related to continuing or resuming the activities of an extremist organization but performed solely in exercise of their right to freedom of conscience and freedom of religion, including through individual or joint religious worship, conducting services or other religious rites and ceremonies”* do not, in and of themselves, constitute a crime under Article 282² Part 2 of the Criminal Code. In our opinion, this clarification is less-than-perfectly worded and is unlikely to completely eliminate numerous cases of prosecution on the charges of continuing the activities of extremist organizations for essentially non-criminal activities. The problem could be fully resolved only by changing Article 282² of the Criminal Code. Nevertheless, the Russian courts now have the option to cite this Supreme Court clarification in order to avoid at least the most absurd sentences for continuing religious practice, which directly violate the constitutional right to freedom of religion. We believe that, based on the same considerations, the former members of such organizations should have an opportunity to continue their political activity when it is not directly aimed at resuming the activities of banned organizations.

It should be noted that, on the basis of this Supreme Court decision, Jehovah’s Witness Dmitry Barmakin was acquitted, and several other cases of Jehovah’s Witnesses were sent for review in late 2021. However, we can’t say that these clarifications by the Supreme Court have been widely applied.

The Practice of the European Court of Human Rights

In 2021, the European Court of Human Rights (ECHR) issued several significant decisions on complaints from Russian citizens related to enforcement of anti-extremist legislation.

On May 11, the court satisfied a complaint filed by *Novaya Gazeta* in connection with a caution from Roskomnadzor received in 2010 for quoting the program of the ultra-right organization Russky Obraz and displaying symbols similar to Nazi symbols. The ECHR ruled that the interference with freedom of expression in this case was not necessary in a democratic society. The ECHR noted that the quotes from the Russky Obraz manifested only illustrated the unequivocally expressed message of the article’s author and the editorial board regarding the illegal nature of the organization’s activities, while the published symbols were clearly related to the article and used in the context of public discussion. The Russian courts, in which *Novaya Gazeta* tried to challenge the caution, never investigated the context, in which these symbols had been displayed.

It is also important to note the first decision of the ECHR on the complaint against the use of Article 20.3 of the Code of Administrative Offenses on propaganda or demonstration of prohibited symbols. The applicant, Vladimir Karataev, challenged the fine of one thousand rubles imposed on him in 2007 under Article 20.3 Part 1 of the Code of Administrative Offenses. He was fined for publishing photographs of household and religious worship items of Slavic peoples decorated with solar symbols in the article “In Defense of the Swastika” that appeared in *Zakubanye* (the newspaper issued by the

Union of Slavs of Adygea). The article discussed the initiative of British Hindu organizations that launched a public campaign to rehabilitate the swastika, which *“in the course of the previous century, has turned into the main symbol of fascism for most people,”* but was, in fact, an ancient symbol used in different religions and by different ethnic groups. Karataev insisted that he had not published Nazi symbols but had instead informed his readers about an important public campaign. These arguments failed to convince the Russian courts, which simply stated that the symbols shown in the article were similar to the Nazi symbols to the extent of confusion. When reviewing Karataev’s complaint, the ECHR referred to several of its own earlier decisions and pointed out that, guided by the then-current wording of Article 20.3 of the Code of Administrative Offenses, the Russian courts made their decision without the necessary consideration of the content, context and purposes of the publication, thus violating the applicant’s right to freedom of expression.

On June 15, 2021, the European Court of Human Rights ruled on the complaint of Olga Kurnosova, an opposition activist from St. Petersburg. Kurnosova’s complaint pertained to the events that took place in 2007, when she was fined 1 thousand rubles under Article 20.2 Part 1 of the Code of Administrative Offenses (violating the established procedure for arranging or conducting a mass event). The charges were related to an article published by St. Petersburg branch newspaper of the Yabloko Party and written by Andrei Dmitriev, the leader of the National Bolsheviks of St. Petersburg. The article called on the NBP supporters to join the Dissenters’ March. At that time, the activities of the NBP were suspended in connection with the ongoing review of a claim to ban the party as an extremist organization. After considering the case, a magistrates’ court ruled that, by publishing Dmitriev’s article, Kurnosova, as the Dissenters’ March organizer, had involved members of the NBP in this public event while the party’s activities had been suspended. According to the ECHR, the magistrates’ court used an expansive and unpredictable interpretation of the legal norm, since the law defines an extremist organization as an organization that has been dissolved or banned by a judicial decision currently in force, rather than simply suspended. Thus, Kurnosova could not reasonably foresee that by publishing an article she would breach this provision. The ECHR ruled that the case against Kurnosova was legally unfounded, and Russia had violated Kurnosova’s right to freedom of expression, guaranteed by Article 10 of the European Convention on Human Rights on protecting freedom of expression interpreted in the light of Article 11 on protecting freedom of assembly.

The ECHR has continued its review of complaints related to the activities of the NBP, which was repeatedly denied registration and later banned as an extremist organization – in our opinion, without due justification. On June 29, the Strasbourg Court issued its decision in the case of Sergei Yezhov, Oleg Bepalov and Grigory Tishin, three former NBP members sentenced in 2004 to five years in prison for group hooliganism and the destruction of or large-scale damage to property (the terms were later reduced on appeal). In August 2004, the three men participated in the action against the adoption of the law intended to transform the in-kind social benefits into monetary compensation. In the course of the action, the NBP members entered the Ministry of Health and Social Development building while shouting the slogan “Benefits for the People; Executions for Ministers,” barricaded themselves in several offices, waved NBP flags out of the office windows, and threw Vladimir Putin’s portrait out of a window. The ECHR concluded that Russia had imposed disproportionately severe penalties on the applicants and had also vi-

olated the applicants' right to freedom of expression since the court had been biased against their political views.

In September, the Strasbourg court ruled on a complaint by several members of the National Bolshevik Party Inter-Regional Civil Organization (*Mezhregional'naya obschestvennaya organizatsiya "Natsional-bol'shevistskaya partiya,"* MOO NBP) against its liquidation and the denial of registration as a political party. The ECHR did not review the ban against the NBP as an extremist organization, pointing out that the events used as a justification for this measure (in particular, the public actions that Russian courts had interpreted as the obstruction of legitimate official activities linked to violence or the threat of violence, mass riots, or propaganda of extremism) occurred after the NBP had been repeatedly denied registration and after the organization had been liquidated. The ECHR concluded that Russia had violated the applicants' right to freedom of association, guaranteed by Article 11 of the European Convention on Human Rights, since the national courts had failed to provide sufficient grounds for refusing to register a party. The Russian law on political parties indeed does not allow the creation of parties based on ethnicity, and the ECHR previously agreed with the legality of such a rule. However, the courts were unable to present convincing arguments to support the claim that the NBP was created specifically on an ethnic basis, or that its activities threatened the peaceful coexistence of ethnic communities and could lead to discrimination on ethnic grounds. Thus, denying the registration to the NBP was unfounded, according to the ECHR. The Court ruled that the liquidation of the NBP solely on the grounds that it didn't submit reports on its activities on time and failed to choose the name not containing the word "party" for their organization (as required by the law on public associations) had been a disproportionate measure that could not be considered necessary in a democratic society. Thus, the applicants' rights guaranteed by Article 11 of the Convention were violated in this case as well.

On December 7, the Strasbourg court found that the prosecution against activist Maxim Yefimov under Article 282 Part 1 of the Criminal Code (incitement to hatred or enmity) and the subsequent liquidation of the Youth Human Rights Group (*Molodezhnaya pravozashchitnaya gruppа*, MPG) of Karelia, of which he was the leader, violated Article 10 and Article 11 of the European Convention on Human Rights. A criminal case against Yefimov was initiated in 2012 in connection with an anti-clerical note he had posted online. Law enforcement agencies concluded that the text of the note contained statements that publicly humiliated the dignity of a person or group of persons on the basis of their attitude toward religion. Yefimov left Russia, was put on the wanted list and was added to the Rosfinmonitoring List of Terrorists and Extremists. Efforts to have the case dismissed undertaken by his lawyers in 2013 and 2014 were unsuccessful. According to the ECHR, such interference with his freedom of expression was not necessary in a democratic society. The liquidation of the MPG of Karelia, which exhibited no signs of extremism in its activities, merely for its failure to remove Yefimov's name as its founder once he was added to the Rosfinmonitoring List had no clear and predictable legal basis at all. The ECHR criticized the norms of the Russian anti-extremist legislation, which do not allow challenging one's placement on the Rosfinmonitoring List on the merits and lead to liquidating an organization merely on the formal basis of its founder's inclusion on the List.

On December 14, the ECHR published a ruling on a joint complaint by Scientologists against several decisions of Russian courts recognizing L. Ron Hubbard's books as extremist, refusing to re-register the Church of Scientology of Moscow and ordering its liquidation in 2015. The ECHR ruled that the decisions of the Russian courts violated the

applicants' rights guaranteed by Article 9 (freedom of religion), 10 and 11 of the European Convention. According to the ECHR, the banning of books by L. Ron Hubbard was not necessary in a democratic society, and the dissolution of the church on formal grounds was a disproportionate measure.

With regard to the bans against Hubbard's materials, the ECHR pointed out that the Russian courts did not analyze the form, content and context of specific statements contained in the materials that they found objectionable in terms of inciting religious and social hatred or exerting a special "psychological impact" on the audience. The courts failed to demonstrate how the materials justified or promoted violence or could lead to dangerous consequences. At the same time, the applicants had no opportunity to present an alternative expert opinion, and all their arguments were rejected by the courts on general terms, without a specific justification. In addition, the ECHR reminded that no religious groups were immune from criticism; they all must accept the fact that others can deny their beliefs and even promote doctrines hostile to their faith. The same logic applies to non-religious beliefs including atheism and agnosticism. In this case, there was no evidence that the prohibited texts contained insults, ridicule or slander against people who do not belong to Scientologists, or insults against their sacred objects. The ECHR also emphasized that Scientologists were not charged with criminal offenses or socially dangerous activities, while the formal claims provided no grounds for such drastic measures as the liquidation of the organization.

On the same day, December 14, the ECHR found the 2009 verdict against editor Yuri Mukhin under Article 280 Part 2 of the Criminal Code (public calls for extremist activities using the media) to violate Article 10 of the Convention. Mukhin had been punished for having published an anti-Semitic letter from a reader in his newspaper, the *Duel*. The court found that the liquidation of the *Duel* for disseminating extremist materials after two warnings also violated Article 10. According to the ECHR, the Russian courts that reviewed the case failed to provide sufficient grounds for Mukhin's guilty verdict under Article 280 of the Criminal Code, and his suspended sentence was a disproportionate punishment. The liquidation of the *Duel* was based on the formal grounds only, and, according to the ECHR, the Russian courts were unable to convincingly demonstrate the adequacy of such a harsh measure.

Sanctions Against Ideological Opponents of the Regime

Sanctions Against Alexei Navalny, His Organizations and Supporters

In the period leading to the elections, neutralization of Alexei Navalny and his supporters became a separate and very wide-reaching direction in the enforcement of anti-extremist legislation. The authorities used all imaginable instruments to prevent the opposition from participating in the elections. The suppression mechanism gained momentum and has not stopped even after the elections were over.

Back in February, a criminal case under Article 239 Part 1 of the Criminal Code (creating a public association whose activity is fraught with violence against citizens and operation of such an association) was initiated against Alexei Navalny and his associates, FBK Director Ivan Zhdanov and former Head of Navalny's Headquarters Leonid Volkov. They were charged in August with their acts reclassified under Article 239 Part 2 of the Criminal Code (creating a non-profit association whose activity is fraught with inducement of individuals to refuse to discharge their civil duties or to commit other unlawful deeds, and operation of such an association). According to the investigation, the activities of the Anti-Corruption Foundation (FBK) created by Navalny and headed by him together with Zhdanov and Volkov, were associated with the inducement of citizens to commit illegal acts. In particular, Navalny and his associates organized, on their personal webpages and on the FBK pages, the online distribution of publications that called on Russian citizens to participate in uncoordinated rallies in January 2021, despite the fact that the illegal nature of these events and the administrative liability for participation in them was "reliably known in advance." Despite the fact that Article 239 of the Criminal Code is not classified as part of anti-extremist legislation, we mention this case against Navalny, Zhdanov and Volkov because it later served as the basis for charging them and their organizations with extremism.

On June 9, the Moscow City Court satisfied the administrative claim of the Moscow Prosecutor General and recognized the Anti-Corruption Foundation (FBK), the Citizens Rights Defense Fund (FZPG, created in 2020 after the FBK was liquidated as a legal entity; both organizations had been recognized as foreign agents), and the Navalny Headquarters public movement as extremist organizations. We view this decision as inappropriate. The prosecutor's office argued that the FBK, the FZPG and the Navalny Headquarters were "*acting in active coordination with and were commissioned by various foreign centers conducting destructive actions against Russia*" and engaging in extremist activities "*by calling for violent actions, extremist activities, mass riots, and by attempting to involve minors in illegal activities, as was confirmed in a number of cases by the judicial acts that have entered into legal force.*" The materials of the lawsuit mentioned the criminal case initiated against Navalny, Zhdanov, and Leonid Volkov under Article 239 of the Criminal Code, despite the fact that this case has not yet been tried in court. The claim also contained several lists of people previously prosecuted for extremist offenses and crimes, violating the legislation on public events or participating in the ac-

tivities of an "undesirable organization." Notably, the lists included not only the staff of the Navalny Headquarters or the FBK but also people whose connections with Navalny's organizations have never been confirmed in any way; some of them were subscribed to social network pages associated with Navalny. Acts, such as violating the legislation on public gatherings, participating in "undesirable organizations," or committing actions that fall under Article 239 of the Criminal Code, are not listed in the definition of extremist activity. The claim presented no evidence to indicate that employees of the Navalny Headquarters, the FBK, and the FZPG systematically faced charges specifically for their extremist activities. In our opinion, there is no cause-and-effect relationship between the activities of Navalny's organizations and isolated sanctions under the "extremist" articles of the Criminal Code against subscribers to the social network pages of the Navalny Headquarters or the FBK. We see no reason to classify all the heated political discussions by social network users in the Navalny headquarters' online groups as activities of the headquarters. Nevertheless, the First Court of Appeal of General Jurisdiction upheld the decision of the Moscow City Court on August 4.

In addition, a separate case was opened against Volkov and Zhdanov in August, under 282³ Part 1 of the Criminal Code (collection of funds, knowingly intended to support the activities of an extremist organization). The charges were evidently based on a video published in early August, in which Volkov and Zhdanov called for financial support for Navalny's team following the ban on their three organizations.

Meanwhile, in late September, a case under Article 282¹ Parts 1 and 2 of the Criminal Code (creating an extremist community and participating in it) was opened against Alexei Navalny and his supporters. Navalny, Leonid Volkov, Ivan Zhdanov and "other persons" (not named in the Investigative Committee's announcement) became suspects under Part 1. Lyubov Sobol, Georgy Alburov, Ruslan Shaveddinov, Vyacheslav Gimadi, Pavel Zelensky (serving two years in a penal colony under Article 280 Part 2) and Rustem Mulyukov and unnamed "other persons" became suspects under Part 2.

According to the investigators, Navalny, as the FBK director, created an "extremist community" in 2014. Later, the politician and his supporters created the Navalny Headquarters public movement as well as eight other non-profit organizations "to expand the scope of criminal activity" of the FBK. The Investigative Committee provided several examples of "extremist" crimes committed by members of the "criminal community." However, it remains unclear why this list of crimes included the cases opened under articles completely unrelated to anti-extremist legislation (under above-mentioned Article 239 of the Criminal Code and Article 151² on the involvement of minors in activities that pose a danger to their lives). The Investigative Committee also failed to explain the nature of the links between the "community" members – it is unclear why, for example, the investigation viewed activist Mulyukov from Ufa and former FBK camera operator Zelensky as members of this community, but not thousands of other activists and dozens of people employed by Navalny's structures.

Apparently, law enforcement agencies have specifically chosen Article 282¹ as a convenient tool to prosecute anyone involved in activities related to Navalny over the past few years.

In November, as part of the investigation of this case, a series of searches and interrogations took place in the Kemerovo Region and Bashkortostan; subsequently, ex-coordinator of the local Navalny headquarters Lilia Chanysheva was detained in Ufa, and

then transferred to Moscow; at the same time, the investigators also interrogated Rustem Mulyukov and released him under travel restrictions.

A new round of investigations took place in late December. The courts imposed preventive measures in the form of a ban on certain actions on Ksenia Fadeeva, Zakhar Sarapulov, Vadim Ostanin and Yegor Butakov, the ex-heads of Navalny's headquarters in Tomsk, Irkutsk, Barnaul and Arkhangelsk respectively. All of them were charged with participating in an extremist community (Article 282¹). Fadeeva, a deputy of the Tomsk City Duma, faces charges under Article 282¹ Part 3 ("with the use of official status") and Article 239 Part 3 of the Criminal Code (participating in a non-profit organization that infringes upon the liberties and rights of individuals).

Once the decision to ban Navalny's organizations came into force, several activists in different regions of Russia faced sanctions under Article 20.3 of the Code of Administrative Offenses for distributing Smart Voting materials with the campaign's logo (the red exclamation mark), even though this symbol was not the emblem of any recognized extremist organization. Later, law enforcement agencies began to file cases for posts featuring the symbols of FBK and other projects associated with Navalny. We know of 14 such cases. In four cases, the offenders faced administrative arrest (one of them was replaced by a fine), six people were fined, the outcome of two cases is unknown to us, and two remaining cases were dismissed.

In addition, law enforcement agencies continued to punish social media users under Article 20.29 of the Code of Administrative Offenses for sharing the banned video "Let's Remind Crooks and Thieves about Their Manifesto-2002," created by supporters of Alexei Navalny. We recorded 49 such cases in 2021 (vs. 34 in 2020). The perpetrators were fined in the amounts ranging between one and two thousand rubles. This video, banned as extremist in 2013, merely lists a number of unrealized campaign promises made by United Russia in its 2002 draft manifesto and calls to vote for any other party. We regard the prohibition of this video and the sanctions for its distribution as unfounded. Law enforcement agencies actively monitor the distribution of this video, since searching for it on social networks makes it easy to carry out the "preventive measures" in the form of administrative sanctions against opposition-minded Internet users. While in previous years, the Belgorod Region had the largest number of people punished for sharing this video, now, according to our data, the Altai Territory (18 persons fined) and the Republic of Mari El (17 persons fined) took the first place.

In June through September, during the election season, election commissions and courts across the country were actively removing from ballots on various levels the candidates in any way connected with the activities of Alexei Navalny's organizations. These removals were based on the law that came into force in June and prohibited persons "involved" in the activities of organizations recognized as extremist and terrorist from running for office. The cases tended to use a very expansive definition of "involvement," but this worried neither election commissions nor courts that readily upheld their decisions. Not only former members of Navalny's organizations but also candidates who participated in rallies in his support or spoke out on social networks against his prosecution were removed from the ballot. In total, at least 35 people in different regions of Russia were removed from elections at various levels under the pretext of their involvement in Navalny's organizations.

On July 26, Roskomnadzor blocked access to 49 websites associated with Navalny's organizations based on the decision by the Prosecutor General's Office and demanded (albeit unsuccessfully) that global networks block a number of personal accounts of Navalny's associates. As it turned out later, the corresponding request of the Prosecutor General's Of-

fice mentioned 173 resources connected in one way or another with Navalny's organizations or supporters, including pages on Instagram, Twitter, TikTok, Facebook, YouTube, VKontakte, Odnoklassniki and Yandex Zen, as well as channels and bots in Telegram and websites of the individual projects. On October 11, the Tverskoy District Court ruled that the demands of the Prosecutor General's Office and the actions of Roskomnadzor were legally sound.

It should also be noted that, on August 6, the Moscow Arbitration Court dismissed the American Google LLC's lawsuit against Roskomnadzor that challenged the agency's demand that access to certain materials on YouTube be restricted. The lawsuit filed in April pertained to 12 hyperlinks to identical videos that called for participation in rallies held without permission in January 2021. Google argued that Roskomnadzor had no legal basis for blocking the YouTube links since the Deputy Prosecutor General request received by the agency did not include these links at all, only a link to a similar TikTok video. The court ruled that all Roskomnadzor's actions fell within the scope of its legislative powers, since its mandate included "preventive and suppressive measures," and since the request of the Prosecutor General's Office mentioned that the information was also to be blocked on "other Internet resources."

On September 6, Roskomnadzor started blocking the Smart Voting website, after the Russian Prosecutor General's Office requested that access to information resources associated with the FBK, recognized as extremist, be restricted. On the first day of the elections, September 17, Apple and Google removed the "Navalny" app, which allowed access to the Smart Voting list, from their stores. Apple also disabled for its Russian users the Private Node service, which masks the IP address and encrypts traffic. On September 18, YouTube blocked three Smart Voting videos, while Google blocked the lists of Smart Voting candidates shared via Google Docs.

Already after the end of the elections, on September 21, supporters of Alexei Navalny started complaining that, based on the same request from the Prosecutor General's Office, VKontakte has started blocking Russian users' access to the supporters' personal pages.

Other Criminal Cases

Let us now turn to other changes in the ways anti-extremist and related legal norms were applied in 2021.

We regard as inappropriate 20 verdicts against 21 people⁴ issued in 2021 under anti-extremist or similar criminal articles for various kinds of public speech.⁵ During this period, law enforcement agencies also opened new criminal cases without due justification.

4. The count does not include sentences that were issued but then overturned.

5. Speaking of sanctions for public "extremist statements," we mean statements that were qualified by law enforcement agencies and courts under Articles 282 (incitement of hatred), 280 (calls for extremist activity), 280¹ (calls for separatism), 205² (calls for terrorist activities and justification thereof), 354¹ (rehabilitation of Nazi crimes, desecration of symbols of military glory, insulting veterans, and so on) and Article 148 Parts 1 and 2 (known as "offending the feelings of believers") of the Criminal Code. The last three articles do not formally cover "extremist crimes." Article 205² is viewed as part of anti-terrorist legislation, but since it has little to do with terrorism per se, we prefer to regard it as pertaining to "extremism" in a broader sense of the term. The other two legal norms, in our opinion, are also closely related to the understanding of extremism in the framework law.

Calls for Extremist Activity and Incitement to Hatred

On February 11, the Zheleznodorozhny District Court of Chita found blogger Alexei Zakrzhny, known on social networks under the nickname Lyokha Kochegar, guilty under Article 280 Part 2 of the Criminal Code (public calls for extremist activity) and Article 212 Part 3 of the Criminal Code (calls for mass riots) and issued a suspended sentence of two years and three months with a subsequent probationary period of three years and a three-year ban on website administration with confiscation of equipment. The case was opened based on a YouTube stream, in which the blogger criticized the pandemic-related ban on visiting cemeteries for the “parents’ day” and called for “demolishing the cordons” at the entrance to the cemetery grounds and thus launching a “bloodless revolution.” In our opinion, the blogger’s statement contained no calls for violent actions. The Trans-Baikal Regional Court also had its doubts about the verdict, overturning the decision of the first instance in May and returning the case to the prosecutor. However, already in February 2022, Zakrzhny was once again sentenced on the original charge. The same district court issued a suspended sentence of two years and two months with a probationary period of one year and 11 months, a two-year ban on posting materials on the network and confiscation of the equipment by the state.

On May 31, the Second Western District Military Court sentenced Daria Polyudova under Article 205² Part 2 (public justification of terrorism on the Internet) and Article 280 Part 1 (public calls for extremist activity) of the Criminal Code to six years in prison. We doubt the appropriateness of this verdict. On the one hand, the charges under Article 205² Part 1 were based on the fact that she had publicly shared on VKontakte a post that approved of armed separatism leading to legitimate concern of law enforcement agencies. On the other hand, the episode, on which Polyudova’s guilty verdict under Article 280 Part 1 was based – approving the actions of Yevgeny Manyurov, who opened fire at the FSB building in Moscow in 2019 – should not have been regarded as public propaganda, since the activist’s statement could be heard by at most a few people. The charge was linked to a video recording found on the activist’s phone. In the video, Polyudova, in a conversation with her colleague, commented on the armed attack against the FSB building on Lubyanka on December 19, 2019. The conversation took place on the day of the incident and Polyudova was physically on Lubyanka. The investigation claimed that Polyudova’s statements, which approved of the actions of shooter Yevgeny Manyurov, were heard by people around her. The investigators tracked down the guards of Detsky Mir and of the Nautilus shopping center, who reported that they saw “a woman with white hair, expressing her regret that not all FSB officers had been killed” on the day of the shooting. In our opinion, the objective side of the crime covered under Article 280 of the Criminal Code (or Article 205² of the Criminal Code) implies that the speech must be public – that is, addressed to a relatively wide group or an indefinite circle of people. Despite the testimony of the guards mentioned in the media, we doubt that many people could hear Polyudova’s words. The subjective side of the crime is characterized by direct intent. If the statements in question were made in a private conversation that was not intended for prying ears, this means that Polyudova did not have criminal intent in this case either. We also believe that the punishment imposed on Polyudova is disproportionately severe. However, on October 7, the Military Appellate Court upheld the verdict against the activist. Then, based on the activities of the *Levoe Soprotivlenie* [Left Resistance] group founded by Polyudova, a criminal case on the creation of an extremist community was opened in November (more on this below).

In March, Alexei Popov, a Marxist activist from Kamensk-Shakhtinsky, became a suspect under Article 280 Part 2 of the Criminal Code. The case was based on Popov’s VKontakte posts, in particular, the entry that said that, in the event of imperialist war, one should “raise arms against one’s own liberal government,” and then “move the fire of the revolution to a country or a bloc of countries at war with Russia.” According to Popov, his case file indicates that his posts contain signs of inciting hatred towards the social group “billionaires.” In our opinion, Popov’s statement about the imperialist war gave no reason to charge him with calling for the violent overthrow of the regime, since he discussed a purely speculative and unlikely situation. As for billionaires, in our opinion, they do not form a vulnerable social group in need of protection from manifestations of hatred.

In July, a criminal case was opened in Kemerovo, against local blogger Mikhail Alferov under Article 282 Part 1 of the Criminal Code (inciting hatred towards a social group). As a preventive measure, the Kirovsky District Court put him under house arrest. The charges were based on a video *Vrag svinosobak* [the Enemy of Pigdogs] published on his YouTube channel and dedicated to the detention of Alexei Navalny upon his return to Moscow. In this video, Alferov expresses his support for the opposition leader, discussed the detention procedure, criticizes the actions of law enforcement agencies calling them criminals more dangerous than street robbers, and calls the current government in the country “criminal.”

We view the prosecution of Alferov under Article 282 of the Criminal Code as inappropriate. In his video, he sharply condemned the actions of law enforcement agencies and judges but did not call for violence or any illegal actions. We believe that police officers should not be considered a vulnerable group in need of special protection by anti-extremist legislation – on the contrary, they should be extremely tolerant of criticism, unless a real threat of violence is present.

Justification of Terrorism

In May, a criminal case under Article 205² Part 2 of the Criminal Code (public justification of terrorism on the Internet) was opened against artist Maxim Smolnikov from Khabarovsk, known as *Xadad*. He remained under arrest from May to September, then this preventive measure was replaced with a ban on certain actions. The prosecution was based on the artist’s post published on October 31, 2018, on his VKontakte public page, in which he discussed the explosion organized by anarcho-communist Mikhail Zhlobitsky in the FSB regional headquarters building in Arkhangelsk. According to Smolnikov, the repressive policy of the state and, in particular, the torture methods practiced by officers of the Federal Penal Enforcement Service and the FSB had motivated Zhlobitsky to take such a radical step. The artist noted that the explosion was closer to “an act of self-immolation” than to a “guerilla act or terrorist attack.” He called the incident “too high of a cost [of the political struggle]” and expressed his condolences to the family and friends of the deceased anarchist. We regard the prosecution against Smolnikov as inappropriate, since we cannot see in his statements any signs of public justification or propaganda of terrorism, as defined in the footnotes to Article 205² of the Criminal Code. The artist’s text contained no statements on the appropriateness or permissibility of terrorism. In mid-November, it was reported that the prosecutor’s office did not approve the indictment and returned the case to the investigation for a comprehensive psychological and linguistic examination.

In early June, a criminal case under Article 205² Part 2 of the Criminal Code (public justification of terrorism on the Internet) was initiated against video blogger Yuri Khovansky from St. Petersburg. He was taken into custody, and, only in late December, this preven-

tive measure was replaced by a ban on certain actions. The case was based on the song about the terrorist attack on Moscow's Dubrovka Theater in 2002, which Khovansky performed in 2012 as part of the stream of another blogger, Andrei Nifyodov. The song began with the line "Nord-Ost – it was *** [great]," and called terrorists Shamil Basayev and Salman Raduyev "real heroes." According to the expert opinion, cited by the Investigative Committee, the song contained "*signs of public calls to carry out terrorist activities, public justification of terrorism and its propaganda; signs of threats, humiliation, and use of violence against a group of persons based on ethnicity, as well as calls and justifications of the need to carry out aggressive, violent and brutal actions (terrorist acts), endangering human lives.*" We doubt the legitimacy of prosecuting Khovansky under Article 205² of the Criminal Code. Although the song he performed was obviously provocative, in our opinion, it was intended not to advocate for terrorist activity, but to ridicule the discourse that had developed around this topic – both the incitement by the supporters of militant Islamism and the official tactics of using the threat of terrorism to instill fear in the population. Taking into account the song's tone, the audience of Khovansky and Nifedov, as well as the Russian live streamers' culture of irony, we believe that the public danger of this performance was extremely small. At the same time, relatives of those killed in the terrorist attack on Dubrovka may find such creative output offensive, and a discussion about the ethics and acceptability of such "black humor" would be a completely natural social reaction. Nevertheless, the criminal article that covers justification of terrorism does not imply penalties for insults or unethical irony.

Article 205² of the Criminal Code appeared in three sentences issued in 2021 against four people for justifying the activities of the radical Islamic party Hizb ut-Tahrir, recognized in Russia as a terrorist organization, despite the absence of any evidence of its involvement in terrorist activities. We describe these verdicts below in the section on sanctions for involvement in banned religious organizations. One of them, which involved two people, was overturned and sent for retrial.

Finally, in the second half of October, we learned about a criminal case under Article 205² Part 1 of the Criminal Code (public justification of terrorism) against activist Olga Smirnova from St. Petersburg. She is accused of taking part in pickets in support of Crimean Tatars persecuted for their involvement in Hizb ut-Tahrir. According to the investigators, during the picket of the open-ended "Strategy-18" action in August, Smirnova, "*addressing an indefinite circle of people, for the purpose of forming the ideology of terrorism, publicly showed a poster with the text and accompanied this action with personal statements that contained a positive assessment of persons and their actions related to the activities of an organization recognized as terrorist on the territory of the Russian Federation.*" In our opinion, refusing to recognize as terrorist the peaceful activity of Hizb ut-Tahrir and supporting the party's followers who are being inappropriately prosecuted should not be regarded as justification of terrorism, and thus the case against Smirnova should be discontinued.

Hooliganism and Vandalism

In June, a resident of Krasnodar, Vladimir Yegorov, received a two-year suspended sentence under Article 213 Part 1 Paragraph "b" of the Criminal Code (hooliganism based on hatred or enmity towards a social group) for climbing a Kuban Cossacks monument (in the form of a Cossack on horseback) during a rally in support of Alexei Navalny in January, turning towards the administrative building and slapping his buttocks. The court ruled that Yegorov had committed a crime motivated by hatred and enmity towards the Kuban

Cossack Host and the regional administration. We believe that these groups are not vulnerable and do not need special protection from manifestations of hatred. Yegorov's actions should be more appropriately qualified as disorderly conduct and not a gross violation of public order that requires criminal prosecution.

On January 14, the Tsentralny District Court of Chelyabinsk acquitted Oksana Yeremina and Yuri Vashurin, who had been charged with hooliganism, motivated by political hatred committed by an organized group (Article 213 Part 2 of the Criminal Code). The charge was related to breaking through the police cordon during the "He Is Not Our Tsar" protest action, which took place in Chelyabinsk on May 5, 2018. According to the case materials, the activists "*filled the intersection*" and thus grossly violated public order with their actions expressing obvious disrespect for society motivated by political hatred of Vladimir Putin. We welcome the acquittal of Yeremina and Vashurin. From our point of view, their actions should not be regarded as hooliganism, since they didn't violate working or recreational environment for citizens, work of institutions, etc.; thus, there was no gross violation of public order. These actions also should not be interpreted as expressing a clear disrespect for society, since the participants only expressed their political position, and did not set themselves against the community by violating generally accepted standards of behavior. It should also be noted that the manifestation of political hostility is, in and of itself, not criminalized, and in our opinion, this motive should be taken into account in the criminal charges only when the display of political hostility is associated with violence or manifestations of xenophobia.

On September 10, the same court sentenced local anarchists Dmitry Tsibukovsky and his wife Anastasia Safonova to two and a half and two years in prison respectively, under Article 213 Part 2 of the Criminal Code. They were found guilty of hooliganism committed by a group of persons by prior conspiracy with the use of weapons and motivated by political hatred and enmity. The charge was related to the anarchists' action held on a February night in 2018, when they placed a banner with the inscription "The FSB is the Main Terrorist" on the fence of the Chelyabinsk FSB Office and also threw a flare over the fence. A video recording of the action was published by the People's Self-Defense VKontakte community. We believe that the action did not constitute a gross violation of public order, so the hooliganism charge in this case is unfounded. On November 24, the Chelyabinsk Regional Court overturned this verdict, sending the case back to the district court for a new trial. The spouses were released from pre-trial detention with restrictions of certain activities.

In early March, a criminal case similar to that of Yeremina and Vashurin, was initiated in Izhevsk under Article 213 Part 1 Paragraph "b" of the Criminal Code. Anastasia Ponkina, an activist of the Russian Socialist Movement (RSD), became a suspect. According to the investigation, on January 23, 2021, Ponkina, "*carrying out active actions to protest against the current political regime of the Udmurt Republic and the Russian Federation,*" led the citizens, who gathered in support of Navalny on Tsentralnaya Square in Izhevsk, onto the traffic area of the adjacent street, where a mass event of at least two thousand people subsequently took place. The investigation believes that the activist violated generally recognized norms and rules of conduct, and also created a threat to public order and security. The Oktyabrsky District Court of Izhevsk began reviewing Ponkina's case in early October; as of February 2022, the trial had not yet been completed.

We doubt the validity of sanctions for politically motivated vandalism. In our opinion, in fact, we are talking about a form of political advocacy. As we pointed out above, the man-

ifestation of political hostility in itself has not been criminalized, and unless such vandalism is associated with the promotion of violence and xenophobia, the degree of its public danger is small and does not merit criminal prosecution. Minor property damage in such cases could be seen as an administrative offense. Out of the two decisions below, we view the second one, in which the criminal prosecution was terminated with the imposition of a court fine, as more reasonable.

On May 11 the Moscow Magistrates' Court No.369 found activists Olga Misik, Ivan Vorobyevsky and Igor Basharimov guilty under Article 214 Part 2 of the Criminal Code (vandalism motivated by political hostility). Misik was sentenced to two years of restriction of freedom, and both Vorobyevsky and Basharimov – to one year and nine months of restriction of freedom. The case was opened based on an action dubbed by the media as “the booth of federal importance,” undertaken in protest against the verdict in the New Greatness (*Novoe velichie*) case. In August 2020, the activists poured paint on the wall of the entrance checkpoint booth of the General Prosecutor's Office and decorated it with sanitary pads and a poster with a crude caption; they also glued sanitary pads and posters to the fence of the Lyublinsky District Court.

On July 30, the Magistrate's court of Court District No. 3 in Perm terminated the criminal case of Pavel Lisin charged under Article 214 Part 2 of the Criminal Code (vandalism motivated by political enmity) and sentenced him to a court fine of 20 thousand rubles. The case was based on the incident, in which Lisin, while under the influence of alcohol, painted the statement “Putin Is a Thief” on the walls of two houses. The damage to building management companies amounted to 285 and 263 rubles respectively. The court fine was imposed due to the fact that the defendant had fully admitted his guilt, compensated for the damage he had caused and even personally repainted the walls of the houses.

In St. Petersburg, a criminal case was opened in late April under Article 214 Part 2 of the Criminal Code (vandalism committed by a group of persons motivated by political enmity). The case was based on the graffiti painted on an electric cabin in the Petrogradsky District – a portrait of Alexei Navalny captioned “The Hero of the New Times.” The image appeared on the cabin at night and was immediately painted over by municipal services. We believe that this criminal case was initiated inappropriately. In our opinion, neither the image of Alexei Navalny with his hands folded in a shape of a heart nor the image caption contained signs of inciting political enmity. In June, the decision to open the case was canceled as unfounded and not based on law.

Sanctions for Anti-Government Group Initiatives

We classify four verdicts issued against ten people in the cases on organized politically-directed extremist activities as inappropriate.

On May 20, the Yevpatoria City Court sentenced Ukrainian citizen Alexander Dolzhenkov, a student in the School of Geology and Geography in the Odessa University, guilty under Article 282¹ Part 1 of the Criminal Code and sentenced him to a year in prison with a ban on administering Internet websites for one year. Dolzhenkov was a member of the “Ukrainian Resistance in Crimea” VKontakte community, which published various materials critical of the annexation of Crimea to Russia and called for facilitating the peninsula's return to Ukraine. We found no calls for violent actions aimed at returning the territory among the materials available on the community page. Initially, Dolzhenkov had been charged under Article 280¹ Part 1 of the Criminal Code (public calls for violating the territorial integrity of the Russian Federation), but due to the partial decriminalization of this

article the charge was removed – instead, he was accused of creating an extremist community. As a reminder, we consider sanctions against calling for the secession of a particular territory from Russia to be unduly restrictive of freedom of expression, unless the calls are for violent separatism.

On December 15, The Kislovodsk City Court, at its visiting session in Yessentuki, issued sentences against the leaders of the protest movement that took place in Ingushetia in 2018–2019. Akhmed Barakhoev, Musa Malsagov and Malsag Uzhakhov were sentenced to nine years in a minimum-security colony under Article 33 Part 3 and Article 318 part 2 of the Criminal Code (organizing violence against representatives of the authorities motivated by political enmity in connection with the discharge of their official duties) and under Article 282¹ Part 1 of the Criminal Code (organizing an extremist community). Uzhakhov was also found guilty under Article 33 Part 3 and Article 239 Part 2 of the Criminal Code (creating a non-profit organization associated with inducement of individuals to commit other unlawful deeds based on political enmity), and Barakhoev – under Article 239 Part 3 of the Criminal Code (participating in such an organization). Ismail Nalgiev, Bagaudin Khautiev and Barakh Chemurziev were sentenced to eight years in a penal colony under Article 33 Part 3, Article 318 Part 2 and Article 282¹ Part 2 (participating in an extremist community) of the Criminal Code. Zarifa Sautieva was sentenced on the same charges to seven and a half years in a penal colony.

According to the investigation, in 2018, the offenders, united by their political enmity towards President Yunus-Bek Yevkurov of the Republic of Ingushetia, created an extremist community, which disseminated in the media and on social networks the calls for participation in protests held without permits. They also organized such actions, created a “shadow government,” and intended to achieve the resignation of Ingushetia's leadership in order to establish in the republic a government under their control. The investigation also argued that, during the rally of March 27, 2019, they deliberately incited participants to violence against government officials.

We consider the verdict against the activists from Ingushetia inappropriate both under Article 282¹ and Article 318 of the Criminal Code. We have no reason to believe either that the activists had planned in advance to provoke violence, or that appeals they made (whether planned or voiced spontaneously) were intended to incite the audience to violence. Moreover, we have no reason to interpret peaceful political criticism and organizing peaceful assemblies as socially dangerous acts committed out of hatred. Thus, on the one hand, the association of activists cannot be regarded as an extremist community, that is, as a group of persons formed for committing extremist crimes. On the other hand, their calls cannot be interpreted as actions to instigate violence. As far as we know, the convicted activists never initiated the clashes with the police – on the contrary, they tried to stop the violence.

In early November, the FSB Directorate for Moscow and the Moscow Region opened a new criminal case under Article 282¹ Parts 1 and 2 of the Criminal Code on creating an extremist community in Moscow. The defendants were the alleged members of the Left Resistance movement, Moscow-based activists Daria Polyudova, Kirill Kotov, Sergei Kirsanov and Alena Krylova, journalist Igor Kuznetsov from Tomsk, and labor activist Andrei Romanov, who has received asylum in Finland.

Polyudova has been charged under Article 282¹ Part 1 of the Criminal Code for, no later than October 2017, creating an extremist community “based on her negative attitude toward the existing system of government in the Russian Federation and its federal structure,” with intent “to prepare and commit extremist crimes,” “namely, public justification of terrorism and pub-

lic calls for extremist activity.” Other alleged members of the Left Resistance were charged under Article 282¹ Part 2 of the Criminal Code for “*performing functional duties to ensure its activities*” – specifically, for organizing rallies, processions and pickets “*aimed at discrediting the authorities and provoking clashes with police officers*” – as well as for administering the Left Resistance VKontakte community page and promoting the community’s activities on the Internet.

Thus, Kirill Kotov has been charged with administering the community page and holding five pickets in Moscow and one in Tomsk in 2019, despite the fact that his picket posters, in our opinion, contained no calls for violent actions and provided no grounds for criminal prosecution. Kotov faced administrative responsibility under Article 20.2 of the Code of Administrative Offenses for two of these actions. However, violating the procedure for holding public events is not an extremist activity.

Daria Polyudova created the Left Resistance movement in 2017 under the slogans of adherence to true Marxism, the revival of “anti-Stalinist” communist international, and the “democratic revolution in Russia,” which would begin as “*decolonization of the regions and peoples of Russia*” and continue as “*an international revolution to liberate all peoples and regions of the planet.*” All the acts, for which Polyudova was convicted, are listed in the court case on creating the Left Resistance as her extremist activity. However, none of these acts were associated with posts on the Left Resistance page, and none of them involved other alleged community members. Actually, Polyudova is not charged for any joint actions with the other defendants except for the very fact of creating a community. Thus, it is not clear what all the individuals charged under Article 282.1 of the Criminal Code have in common except their VKontakte page (and there are no charges related to any specific publications on this page), and what is basis for prosecuting them specifically for joint extremist activities.

Two additional verdicts related to the organized extremist activity issued under other articles of the Criminal Code are also worth noting.

On September 6, the Oktyabrsky District Court of Ufa issued a three-year suspended sentence to 60-year-old retiree Ilmira Bikbaeva under Article 282³ Part 1 of the Criminal Code for making several small monetary transfers in 2018–2019 to the account that belonged to the mother of Bashkir nationalist Airat Dilmukhametov. Airat Dilmukhametov was sentenced to nine years in a maximum-security colony in August 2020. He was found guilty under four articles of the Criminal Code for his public statements. We are inclined to consider all these charges inappropriate. Therefore, we regard the criminal prosecution against Bikbaeva as unfounded, even if the transferred funds were related to the activities for which Dilmukhametov had been punished – although she claims they were not related.

On December 10, the Leninsky District Court of Chelyabinsk sentenced a local activist to a fine of 300 thousand rubles under Article 282² Part 2 of the Criminal Code (participating in the activities of an extremist organization). According to the investigation’s version, upheld by the court, he was a member of the banned National Bolshevik Party (NBP) and helped his party comrades to prepare a sledgehammer attack against the Czechoslovak Legion monument and an arson attack against the Leninsky District Prosecutor’s Office in Chelyabinsk. We view as inappropriate both the ban against the NBP and the sanctions against activists for participating in the organization. The attempts to destroy the monument and set the prosecutor’s office on fire should have been qualified under other articles of the Criminal Code.

We also know of approximately 20 criminal cases initiated under Article 282² of the Criminal Code in connection with the activities of the Prisoners Criminal Unity [*Arestantskoe*

Ugolovnoe Yedinstvo, AUE] movement recognized as extremist. It is worth reminding here that we have no doubts regarding the illegal nature of the AUE as a criminal subculture that is, by its very nature, incompatible with the implementation of the constitutional rights of citizens. Activities to spread such an ideology can be banned and criminalized, but this ideology is not political and not aimed at changing the constitutional order, and, therefore, in our opinion, should not fall under the anti-extremist legal regulation.

Other Sanctions for Anti-Government Statements

Statements against the authorities are often punished under Article 20.3.1 of the Code of Administrative Offenses on inciting hatred, hostility and humiliation of human dignity on the basis of belonging to a specific social group; Article 20.3.1 was introduced into the Code of Administrative Offenses as a result of partial decriminalization of Article 282 Part 1 of the Criminal Code on inciting hatred. Reviewing the use of this legal norm reported in 2021, we classify as inappropriate 23 instances of sanctions against individuals (with one person punished three times) and one case concerning a legal entity (the All-Tatar Public Center [*Vsetatarsky Obschestvennyi Tsent*, VTOTs] that we discuss in detail below). A fine was imposed in 13 cases, community service in four, in five cases people were placed under arrest for a period ranging from five to 13 days, one case was closed, and the outcome of one case is unknown.

In 20 cases, sanctions were a response to statements by Internet users against law enforcement agencies and authorities that were rude but not inciting to violence.

For example, in May, the Tsentralny District Court of Novosibirsk fined activist Viktor Sorokin 18 thousand rubles. The case was based on the video “Urgent!!! Appeal to the Prosecutor General of Russia,” which the activist published on social networks in March. In the video message addressed to the Prosecutor General of Russia he accused Novosibirsk Regional Prosecutor Yakov Khoroshev and other law enforcement officials of corruption and, in particular, of defending the interests of cement producers associated with ex-Governor Viktor Tolokonsky. Sorokin’s video included the words “bandits in uniform” and a derogatory term for police officers (“*menty*”). A linguistic expert examination found in the activist’s speech the signs of incitement to hatred against a group of people united by occupation “prosecutors and law enforcement agencies.” It must be noted that Sorokin did not criticize all the employees of the prosecutor’s office and the Ministry of Internal Affairs, but only those who, in his opinion, were violating the law. He used no obscene words and did not call for any illegal actions – on the contrary, he called for the rule of law.

We regard persecution for such and even more rude statements as inappropriate. Law enforcement officers should not be considered a vulnerable social group protected by anti-extremist legislation: The European Court of Human Rights has repeatedly noted that law enforcement agencies should show exceptional tolerance for criticism, if it is not a real threat of violence. With regard to public officials, the Supreme Court of the Russian Federation, in its Decree “On Judicial Practice in Criminal Cases Concerning Crimes of Extremism” dated June 28, 2011,⁶ emphasized that the permissible limits for criticism against them are wider than those for criticism of individuals.

6. See: Resolution of the Plenum of the Supreme Court of June 28, 2011 No. 11 “On Judicial Practice in Criminal Cases on Crimes of an Extremist Nature.”

The case of stand-up comedian Idrak Mirzalizade charged under Article 20.3.1 of the Code of Administrative Offenses stands apart from the others. In early August, the Tagansky District Court of Moscow placed Mirzalizade under administrative arrest for ten days, and the Moscow City Court approved this decision. The case against Mirzalizade was based on the statements he made on his YouTube show *Razgony* about discrimination faced by non-Slavs when looking for housing. Months after its publication, the Tsargrad TV channel and Vladislav Pozdnyakov (the Male State founder) drew attention to the video, and TV presenter Vladimir Solovyov called Mirzalizade a scoundrel and wondered why the comedian had not yet been convicted under the article on incitement to hatred. Mirzalizade faced bullying, was the victim of an assault, and finally faced administrative responsibility. The grounds for Mirzalizade's arrest were insufficient. His speech, albeit somewhat provocative, was intended as critical of xenophobia faced by natives of the Caucasus, and the comedian directly emphasized his negative attitude towards any nationalism. However, the sanctions did not stop at his arrest. In late August, the Ministry of Internal Affairs of Russia announced that the presence of the comedian on the Russian territory was undesirable for life. Mirzalizade is a citizen of Belarus, who received a residence permit in Russia in March 2021. The life ban was an obviously disproportionate response to a minor administrative offence. The comedian's defense challenged the Interior Ministry's decision, and, in October, the Zamoskvoretsky District Court of Moscow ordered the Interior Ministry to impose a reasonable ban on stay in Russia for Mirzalizade. This decision was upheld by a higher court. Already in February 2022, the Ministry of Internal Affairs complied with the court's requirement having decided on a "reasonable" term of 14 years.

According to our information, there were at least 37 cases filed under Article 20.1 Parts 3–5 of the Code of Administrative Offenses for dissemination of information expressing in indecent form disrespect for the state and society on the Internet in 2021. There were at least 30 such cases a year earlier and 56 in 2019. In 2021, a fine was imposed 19 times, one case (repeated offense) led to a three-day arrest, and eight cases were terminated. Almost all charges had to do with disrespect for government officials (mainly for the president, but also for officials, policemen, judges, and even for "an indefinite circle of people)."

We know of eleven citizens, including activists from across the political spectrum, who faced responsibility under Article 20.3 of the Code of Administrative Offenses (propaganda or demonstration of Nazi symbols or symbols of extremist organizations) for using the swastika as a means of political criticism in posts expressing opposition to the government. Seven of these people were fined; four were placed under administrative arrest. A case in point is the decision of the Kuibyshevsky District Court of Omsk made in December to fine local opposition activist Richard Roman King 2 thousand rubles. King posted an image on VKontakte that included a film still of Nazis in SS uniforms taking away a woman prisoner next to a photograph of Russian Interior Ministry officers detaining a woman protester. The caption on top of the image read "Do you feel the difference? Not anymore..."

In addition, we are aware of 12 cases of sanctions for displaying the symbols of the banned National Bolshevik Party or the symbols of the Other Russia of E.V. Limonov (which law enforcement agencies and courts regard as the symbols of the NBP, although they are not identical). Administrative arrest was imposed as punishment in nine of these cases. Notably, Ivan Kislitsin, a member of the Communist Party from Omsk, who most likely never intended to promote the activities of the NBP, also found himself among

the penalized National Bolshevik activists. In November, the Tsentralny District Court of Omsk fined the communist 2 thousand rubles for publishing on VKontakte in 2012 a concert recording of the song *And the Battle Is Going Again* [I vnov' prodolzhaetsya boy] by the punk band Grazhdanskaya Oborona with a visible flag of the banned National Bolshevik Party (NBP) and for subsequently sharing archival photographs of the band's leading singer Yegor Letov from the public page of the Other Russia of E. V. Limonov with a visible party logo.

We know of seven cases filed under Article 20.3.2 of the Code of Administrative Offenses for calls to violate the territorial integrity of Russia not accompanied by calls for any violent separatist actions. In such cases, we regard sanctions for discussions of territorial issues as inappropriate. One case was dismissed and six people were fined. In the latter group, two cases involved speakers who proposed separating Moscow from Russia, one case pertained to the status of Crimea, one to the rights of the republic of Tatarstan, one to Chukotka, yet another one to the citizenship of the Buryats, Sakhas, Tuvans and Kalmyks, and the final one – to the separation of Siberia.

Banning Organizations for Extremism

In mid-January, the prosecutor's office of Tatarstan filed a lawsuit to liquidate the All-Tatar Public Center (VTOTs) and recognize it as an extremist organization. The lawsuit lists several reasons for banning the organization: a warning issued to the VTOTs in 2017 for addressing deputies on the status of the Tatar language; recognition of the VTOTs Naberezhnye Chelny branch headed by Rafis Kashapov (convicted for inciting separatism and hatred) as an extremist organization; a warning issued in 2019 prior to a rally in memory of the Kazan defenders; the fact that VTOTs members who participated in the rally faced administrative responsibility under Article 20.3.1 (incitement to hatred) and the organization's refusal to publicly distance itself from their statements; the allegedly separatist and discriminatory provisions in the VTOTs charter.

We are not familiar with the VTOTs charter, but have to point out that we regarded the warning issued by the prosecutor's office in 2017 as inappropriate, doubted the charges under Article 20.3.1 of the Code of Administrative Offenses against the 2019 Kazan rally participants, and viewed the verdict against Kashapov for incitement to separatism as clearly inappropriate (and, therefore, considered the prosecutorial arguments in favor of liquidating the VTOTs Naberezhnye Chelny branch less than convincing). The trial began in late February, and, in July, the proceedings were suspended to conduct an expert examination.

On October 21, a case under Article 20.3.1 of the Code of Administrative Offenses was opened against VTOTs. The claim was based on the address to the State Council of Tatarstan delivered by a member of the VTOTs Presidium Abdullazyan Zalyalov at the VTOTs rally on October 15, 2021. The expert examination reviewed it and found "*possible presence of a hostile context*" with respect to the Russians, as well as contrasting the Russians and the Tatars as "*the state-forming people*" and "*the colonized people*." The address stated that the addition to the Constitution of Russia in 2020 of Article 68 Part 1, which referred to the state-forming status of the Russian people, raises the question of the status of non-Russian primarily indigenous peoples. It further argued that, when ratifying the law on amending the Constitution, the State Council of Tatarstan should have also deter-

mined the status of the Tatar people. We believe that this address provided no grounds for proceedings under Article 20.3.1 of the Code of Administrative Offenses. It shows no intent to incite ethnic hatred. The document merely criticizes the historical colonial policy of the Russian Empire as well as modern supporters of the idea of mono-ethnic Russia and contains peaceful calls to recognize the state-forming status of the Tatar people in Tatarstan. However, on December 7, the Vakhitovsky District Court of Kazan fined VTOTs in the amount of 250 thousand rubles. The Supreme Court of Tatarstan upheld this decision in January 2022.

In October, once the case under Article 20.3.1 of the Code of Administrative Offenses was opened, the prosecutor's office suspended the activities of VTOTs, while the claim to liquidate it was being considered. As a justification for this measure, the prosecutors argued that the organization was continuing its extremist activities. The order of the prosecutor's office is valid until a decision is issued on the liquidation of VTOTs, and its violation entails administrative responsibility.

Liquidation of the “Memorials” and Blocking of the OVD-Info Website

On December 28 and 29, the Supreme Court and the Moscow City Court satisfied the claims of the Prosecutor's Office to liquidate the International Memorial and the Memorial Human Rights Centre (HRC). The claims against both organizations were related to violations of labeling requirements for the materials distributed by “foreign agent” NPOs. We consider the liquidation of organizations on such grounds a disproportionate measure and are generally convinced that the persecution of “foreign agents” should be stopped, and the relevant legislation should be repealed as contrary to international human rights law and the constitutional rights of Russian citizens.

The prosecutorial claim to liquidate the Memorial HRC, citing a psycholinguistic study carried out by the Center for Sociocultural Expertise, insisted that the materials of the Memorial Human Rights Center “contain linguistic and psychological signs of justifying the activities of participants in international terrorist and extremist organizations,” “deny the facts established by the decisions of the Supreme Court of the Russian Federation that have come into force, forming an opinion that they were not legal or legally binding.” The incriminating material in question is the list of political prisoners, maintained by Memorial since 2008 as part of its program to support defendants in the criminal cases they viewed as politically motivated, and the information about these cases posted on the center's website. These prosecutorial considerations were not included in the court decision on the liquidation.

However, on December 25, Roskomnadzor blocked the website of the independent human rights media project OVD-Info, a partner of the Memorial HRC also recognized as a “foreign agent,” and issued an order for the social networks to block the project's accounts. The agency's actions followed the decision by the Lukhovitsky District Court of the Moscow Region, which had ruled to recognize the information contained on the OVD-Info website and social network pages as prohibited from distribution on the territory of Russia. The information was allegedly aimed at justifying the activities of extremist and terrorist associations and justified the actions of their members and other people convicted of extremist and terrorist crimes. The text of the court decision provides no specific de-

tails – it contains only brief characteristics of several OVD-Info materials with references to the expert opinion available in the materials of the case.

In our opinion, the materials of Memorial HRC and OVD-Info contain no signs of justifying extremism and terrorism. We believe that by making such claims against human rights organizations, Russian law enforcement agencies are trying to silence the uncomfortable questions arising from dubious bans against organizations not involved in either violence or incitement to hatred possibly leading to violence or discrimination or from other anti-extremist sanctions that we view as inappropriate. Disagreement with the position of law enforcement agencies or courts over their decisions to recognize someone as a terrorist or an extremist by no means implies support for violence, an ideology of hatred or any other ideology that persons involved in criminal cases might follow.

Side Effects of the Fight for Tolerance

Sanctions for “Rehabilitation of Nazism”

In 2021, law enforcement agencies continued to initiate criminal cases under Article 354¹ Parts 1, 2 and 3 of the Criminal Code that covers the rehabilitation of Nazism (denial of the facts established by the Nuremberg Tribunal, or approval of Nazi crimes, the same acts committed over the Internet, and dissemination of information expressing obvious disrespect to society about the days and symbols of Russia's military glory⁷) for attempts to upload photographs of the Third Reich leaders or famous collaborators (in particular, Adolf Hitler and Andrei Vlasov, but under different names) to the websites of the Immortal Regiment movement or the related Memory Bank project on the eve of May 9. We believe that the actions of the internet users were qualified incorrectly.

In our opinion, unless they are accompanied by Nazi propaganda, such actions should not be interpreted as justifying Nazism or disseminating disrespectful information about the date of May 9 – obviously, the images per se do not carry such information, and in general, such actions constitute Internet trolling, the motives of which may vary.

It is also worth noting that, in all known cases except one, the offense consisted only of submitting photographs; the images were filtered out during pre-moderation and were, in fact, never posted on the sites. Previously, in several such cases, the courts passed sentences under Article 30 Part 3 of the Criminal Code on attempted crime. However, all of them were later reconsidered, since the Supreme Court, as an appellate instance, has ruled that the composition of Article 354¹ of the Criminal Code is formal, which means that the crime should be viewed as completed from the moment the actions aimed at the rehabilitation of Nazism were committed. In addition, according to the Supreme Court,

7. It should be borne in mind that Article 354¹ of the Criminal Code was amended in 2021 (see above), therefore, in the criminal cases mentioned in this chapter, different parts of this article may appear in both the old and new editions, depending on when the incriminating incidents took place.

such uploads are necessarily public in nature, because they are available to “*an unlimited circle of people – moderators, volunteers, site administrators.*”⁸

As we were informed, about 15 such cases were initiated in 2021.

Verdicts were issued in ten cases:

- On May 27, the Voronezh Regional Court found 63-year-old Alexander Khoroshiltsev guilty under Article 354¹ Part 1 of the Criminal and sentenced him to a fine of 90 thousand rubles. According to investigators, on May 4, 2020, Khoroshiltsev posted a photograph of Adolf Hitler to the Memory Bank website to be displayed as part of the Immortal Regiment online campaign. Khoroshiltsev explained that that in the spring of 2020 he received a letter from the Immortal Regiment project with an offer to publish a photograph of a war veteran on the website. In response, he uploaded Hitler’s photo onto the site because “*he didn’t like the site*” and in order to “*no longer be spammed.*”
- On July 30, the Orenburg Regional Court found Andrei Akimov, a 32-year-old resident of Orsk, guilty under Article 354¹ Part 2 Paragraph “c” (condoning the crimes established by the Nuremberg Tribunal using the Internet) and sentenced him to a year of imprisonment, which was replaced by a year of compulsory labor with 15% salary deduction and a two-year ban on administering Internet websites – also for uploading a Hitler photo to the Memory Bank website.
- On August 5, the Perm Regional Court sentenced local resident Maxim Gusev to a fine of 180 thousand rubles under Article 354¹ Part 1 for uploading to the Immortal Regiment website a photograph of SS Gruppenfuehrer Andrei Shkuro.
- On August 13, the Nizhny Novgorod Regional Court sentenced a 20-year-old resident of Sarov, Maxim Dobrykh, under Article 354¹ Part 3 of the Criminal Code to a fine of 120 thousand rubles to be paid over one year. He was charged for uploading to the Memory Bank a photograph of a Wehrmacht soldier while indicating that it depicted a Soviet soldier. In this case, the photo has passed moderation.
- On August 20, the Primorsky Regional Court sentenced Roman Kostishin, a resident of Vladivostok, to a fine of 50 thousand rubles under Article 354¹ Part 3 of the Criminal Code for uploading a photograph of Joseph Goebbels to the same website.
- On September 7, the Chelyabinsk Regional Court fined Ivan Kvitko, a 19-year-old resident of the Roza settlement in the Korkinsky District, under Article 354¹ Part 1 of the Criminal Code 50 thousand rubles for submitting a photograph of Hitler to be displayed as part of the Immortal Regiment Online project.
- On October 11, the same court fined Alexei Galishko 60 thousand rubles under the same part of the article for a similar act.
- On October 29, the Irkutsk Regional Court issued a verdict against Semyon Shtrung, a 21-year-old resident of Bratsk, under Article 354¹ Part 1 of the Criminal Code for uploading a photograph of Hitler to the Memory Bank website. He was sentenced to a fine of 100 thousand rubles with confiscation of the smartphone “*and other means of committing a crime.*”
- On December 17, the Tomsk Regional Court issued a two-year suspended sentence to local resident Sergei Sakharov along with a fine of 200 thousand rubles and a ban on engaging in activities related to “*posting appeals and other materials*” on the Internet for a

8. See: Ruling in case No. 81-UDP21-14-A5 // Supreme Court of the Russian Federation. 2021. July 20 (http://vsrf.ru/stor_pdf.php?id=2018092).

period of two years. He was found guilty under Article 354¹ Part 1 and Part 2 Paragraph “c” for uploading a photograph of Goebbels to be displayed on the Immortal Regiment website in May 2020 and in May 2021.

- On December 29, the Primorsky Regional Court sentenced Alexei Shulgin, a resident of Vladivostok, charged under Article 354¹ Part 3 of the Criminal Code, to ten months of corrective labor with a 15% state deduction from his wages for uploading a photo of Hitler to the Immortal Regiment website in May 2020.

Two additional sentences under Article 354¹ of the Criminal Code deserve to be mentioned separately.

On November 18, the Kemerovo Regional Court sentenced local opposition blogger Mikhail Alferov to 470 hours of community service under Article 354¹ Part 3 for publicly desecrating the symbols of Russia’s military glory and under Article 319 of the Criminal Code for insulting a government official. He was also given an additional punishment in the form of a fine and a ban on posting appeals and other materials on the Internet for two years and 10 months. The prosecution under Article 354¹ was based on a video that Alferov posted on YouTube on May 9, 2020. In the video, he criticized in harsh terms the lavish decoration of the city for Victory Day in contrast to the unsatisfactory condition of residential buildings. The blogger also expressed his dissatisfaction with the symbolic use of the St. George ribbon demanding that the police remove it from their uniforms. We consider the verdict against Alferov inappropriate in terms of the charges under Article 354¹ of the Criminal Code. In our opinion, statements about certain symbols, even if they are regarded as offensive, should not be equated with the desecration of the symbol itself. Moreover, Russian legislation never defines the concept of “symbols of military glory.”

On December 24, the Moscow City Court sentenced 19-year-old student Matvei Yuferov to four years in prison under Article 354¹ Part 4 (desecration of the symbols of Russian military glory, insulting the memory of the defenders of the Fatherland or humiliating the honor and dignity of a veteran of the Great Patriotic War, committed publicly on the Internet) for urinating on the portrait of a World War II veteran and posting a video of the incident on his Instagram story. We believe that Yuferov’s actions clearly constitute disorderly conduct and could be qualified under Article 20.1 of the Code of Administrative Offenses (petty hooliganism). Of course, these actions could be perceived as offensive and immoral, especially by veterans and their relatives; however, criminal prosecution for such acts is unjustified. Yuferov did not promote violence, hatred or discrimination. Protection of abstract objects – such as days of military glory, memorable dates, or symbols of military glory – from criticism, does not, in our opinion, require criminal sanctions. It is worth reminding that in General Comment No. 34 to Article 19 (Freedoms of opinion and expression) of the International Covenant on Civil and Political Rights, the UN Human Rights Committee expresses its concern about laws on such actions as, in particular, disrespect for flags and symbols, and also states that “*laws should not provide for more severe penalties solely on the basis of the identity of the person that may have been impugned.*” Issues related to protecting the honor and dignity of veterans, as well as other persons, should, in our opinion, be considered in civil proceedings.

The same line of reasoning seems to apply to several new criminal cases filed in 2021.

Thus, in August, a case under Article 354¹ Part 4 of the Criminal Code was initiated in Ingushetia in connection with the publication of the “Day of Shame” video. Its author Islam Belokiev, 32, has long lived outside of Russia. In this video, the blogger argued that Muslims should not celebrate Victory Day or use the St. George ribbon as a memorial symbol, since

the history of the war is associated with the deportations and death of their ancestors. He also believes that Muslims should not congratulate war veterans, since many of them served in the NKVD and took part in the persecution against peoples of the Caucasus.

A case under Article 354¹ Part 3 of the Criminal Code was initiated in Miass against a 40-year-old homeless man suffering from a mental disorder. He was taken into custody in October. One night in late September, the defendant damaged the “Grieving Mother” memorial by placing a wreath over the Eternal Flame so that he could dry his belongings. After that, the flame had to be turned off for a while to restore the damaged memorial. In this case, it is also necessary to take into account that, most likely, the homeless person had no intention to desecrate the symbols of military glory and was not guided by any ideological considerations.

In December a 54-year-old Volgograd resident became a defendant under Article 242 Part 3 paragraph “b” of the Criminal Code (illegal production or public demonstration of pornographic materials, committed using information and telecommunication networks) and Article 354¹ part 3 of the Criminal Code for posting on Odnoklassniki a pornographic collage that included a photograph of a veteran decorated with the Order of the Patriotic War.

Also in December, Alexei Chervyakov, a resident of Safonovo in the Smolensk Region, was detained and placed under house arrest as a defendant under Article 354¹ Part 4 of the Criminal Code. In his comments to a VKontakte post about a graffiti portrait of a veteran on a school building wall, Chervyakov stated that he opposed the cult of war and the “victory madness,” believed that only the “scum” and “psychopaths” were capable of killing their fellow humans, and that “making heroes out of them is immoral.” Later, in February 2022, Part 2 Paragraph “c” and Part 3 of the same article were added to his charges based on other similar statements, the exact content of which is unknown.

More abstract statements can also lead to criminal prosecution for the “rehabilitation of Nazism” if seen as contradicting the idealistic notion of the role of the USSR in World War II, which, as the authorities believe, should be upheld in the interests of the current state. A similar criminal case under Article 354¹ Part 4 of the Criminal Code was opened in August in Rostov-on-Don, and local journalist Sergei Reznik, who had also previously been prosecuted and served almost a three-year sentence under several articles of the Criminal Code, was charged in absentia in October.⁹ Reznik was put on the federal wanted list. The case was based on his remark on his personal Telegram channel dated June 22, 2021, in which he said that, on June 22, 1941, “*fascist German troops launched an operation to enforce peace and protect the constitutional order in the East.*” The expert in the case regarded

9. Sergei Reznik in 2013 and 2015 was sentenced under several articles of the Criminal Code to two years and 11 months in a minimum-security penal colony with loss of the right to engage in journalistic activities for a year and ten months; he was released in October 2016. The charges against him included bribery, deliberately false reporting of a crime, and insulting a government official. According to investigators, he was planning to attract public attention to himself and his journalistic activities by publishing information about the threats against him. Reznik pleaded not guilty. The Memorial Human Rights Center then classified him as a political prisoner, pointing out that he “*is an opposition journalist and blogger who has criticized representatives of the Rostov political elite in a number of his materials,*” and has been “*repeatedly subjected to extrajudicial pressure in the form of attacks, threats, and destruction of his property since 2011.*”

this statement as demonstrating “*a falsified attitude to the historical past and historical memory as well as discreditation of the Nuremberg International Military Tribunal*” and aimed at “*concealing Nazi atrocities and justifying the regime of the Third Reich.*” We believe that Reznik’s statement is ironic and intended not to rehabilitate the reputation of the Third Reich in the eyes of its readers, but to criticize the military operations involving Russia in recent decades (“enforcing peace” alludes to the events in South Ossetia, and “protection of the constitutional order” – to the events in Chechnya). The allegory was obviously intended to convey to the reader the author’s idea that the actions of the Russian armed forces in these cases did not correspond to their stated goals.

A high-profile case of administrative punishment was the one against Radio Free Europe/Radio Liberty filed under Article 13.15 Part 4.1 of the Code of Administrative Offenses on abusing the freedom of the press, the wording of which is identical to that of Article 354¹ Part 1 of the Criminal Code. Roskomnadzor compiled a relevant protocol in November 2021, and, on January 26, 2022, the Simonovsky District Court decided to fine the publication in the amount of three million rubles. The claims were related to the article by controversial historian Boris Sokolov *Senseless and merciless. Why Stalin issued Order No. 270*. According to Roskomnadzor, the text contains some false information about the activities of the USSR during the Second World War or about the veterans of the Great Patriotic War. The charges were prompted by the segment, in which the author mentioned “ciphered telegram No. 4976” sent by Georgy Zhukov, then the Commander of the Leningrad Front, in September 1941 following Stalin’s Order No. 270 issued in August. Sokolov described it as a “draconian order” and a “sinister directive.” The document in question has not survived, but was cited in one of the surviving documents as follows: “*Explain to all personnel that all the families of those who surrender to the enemy will be shot and, upon their return from captivity, they will also all be shot.*” Roskomnadzor stated that Zhukov’s instruction constituted not an order but an “explanation,” and that by calling Zhukov’s actions “draconian” and “sinister” the author sought to discredit him. It is unclear on what grounds Roskomnadzor deemed it appropriate to intervene in the historical discussion in this case. Scholarly debates on whether the ciphered telegram ever existed, and whether it should be considered a directive or a free interpretation of the quite inhumane Order No. 270 have nothing to do with propaganda of Nazism, pose no danger to society and do not call for the severe sanctions established by the law. In our opinion, Russian legislation on the “rehabilitation of Nazism” is full of vague formulas and allows the state to unreasonably restrict the right to freedom of expression in order to censor historical research and maintain ideological control.

In late November, Martha Hillers’ book *A Woman in Berlin: A Diary from April 20 to June 22, 1945* was included on the Federal List of Extremist Materials. The book was declared extremist in September 2021 by the Abakan City Court of the Republic of Khakassia. It is a diary by German journalist Martha Hillers on the experiences of women in post-war Berlin, published in 1954; among other detail, the book tells about alleged rapes of women in Berlin by Soviet soldiers. Hillers’ memoirs contain no propaganda of Nazism. The lawsuit to ban the diary was based on an expert opinion, which, in particular, stated that “*at present, this work fits entirely into the general concept espoused by the radical Western historiography that pursues the purpose of forming an exclusively negative image of Russia’s historical past, in particular, of devaluing the role of the USSR in defeating Nazi Germany,*” and therefore “*the encounter of ordinary readers, who have no documented historical facts at their disposal, with this work can lead to distor-*

tion of the objective historical picture of the Berlin military operation and form an exclusively negative image of the Red Army soldiers.”

In late December, the Oktyabrsky District Court of Murmansk received an administrative claim from the Murmansk Regional Prosecutor requesting to recognize Agnesa Khaykara’s book *Neizvestnaya severnaya istoriya* [Unknown Northern History] as extremist material. Under the terms of the governor’s grant for the book’s publication part of its print run was intended for libraries but seized by the FSB in December 2020. The case was based on a psychological and linguistic examination of the publication conducted by experts Natalia Kryukova and Alexander Tarasov of the Center for Socio-cultural Expertise, who found the book to contain “*negative information about the actions of the Russians*,” toward the Finnish and Norwegian people and concluded that the book can form in its readers “distorted biased notions” regarding the Russians, the Finns and the Norwegians and contribute to the incitement to hatred. We believe that there are no grounds for recognizing the work as extremist. The historical and ethnographic study by the enthusiast focuses on the fate of Norwegians and Finns who moved to the Kola Peninsula in the 19th century at the invitation of the Russian government to develop undeveloped territories. An original ethnic, cultural and religious community arose on the peninsula but was completely destroyed during the years of Stalinist terror, and most of its people were physically destroyed in the purges – the entire families of local Finns and Norwegians were arbitrarily sentenced to capital punishment or long terms of imprisonment, exiled to uninhabitable territories, and so on. Khaykara describes these events in her book based on official documents and stories of the settlers’ descendants including those of her own relatives; ten people in her family suffered in the purges. The book contains no xenophobic or anti-government statements – it would be strange to expect anything else given that Khaykara, a well-known and respected public figure in the region, spent 17 years working in the regional Duma. The principal message of *Neizvestnaya severnaya istoriya* is that historical memory must be preserved. In early February 2022, the court sent Khaykara’s book for a new expert examination. At the same time, the book was also sent for examination as part of the preliminary investigation review targeting the author under Article 282 (inciting national hatred) of the Criminal Code.

Sanctions for Display of Extremist Symbols

According to statistics from the Judicial Department of the Supreme Court, there were 1704 cases of punishment under Article 20.3 of the Code of Administrative Offenses in the first half of 2021 for the public demonstration of Nazi or other prohibited symbols (compared to 2279 cases for the entire 2020).¹⁰ Thus, the number of sanctions imposed under this article for the entire year can possibly turn out to be much higher than the year before.

10. See: Consolidated statistical data on the activities of federal courts of general jurisdiction and magistrates’ courts for the first half of 2021 // Judicial Department at the Supreme Court of the Russian Federation. 2021 (<http://cdep.ru/index.php?id=79&item=5896>); Consolidated statistical data on the activities of federal courts of general jurisdiction and magistrates’ courts for 2020 // Judicial Department at the Supreme Court of the Russian Federation. 2020 (<http://www.cdep.ru/index.php?id=79&item=5461>).

As usual, we know the details of the corresponding administrative cases and can assess their appropriateness only for some of these incidents. We noted more cases filed inappropriately in 2021 than in 2020. People faced sanctions without proper grounds on at least 55 occasions (we counted 44 such cases in 2020). All defendants were individuals, primarily activists (in 43 cases), but ordinary social network users as well. We know that a fine was imposed in 24 cases, administrative arrest in 23, and five out of 55 cases were dismissed; we have no information on the outcome of three cases.

In 24 cases, the charges were filed for demonstration of Nazi symbols, specifically, the swastika.

In 11 cases out of 24 the swastika was used as a visual means of criticizing the authorities. In eight cases it was presented in a satirical or humorous context, such as the Tom and Jerry meme, in which the cat is dressed in a German military cap, with a superimposed flag of the Third Reich (sanctions for posting these videos were reported in the previous year as well). In five cases the context was neutral.

Three cases were based on symbols that law enforcement agencies and courts considered similar to the Nazi or to the symbols of banned neo-Nazi organizations (Svarog Square, Kolovrat, the Odal rune); one case involved the AUE symbols and one more – the ISIS symbols. All of them were shown outside of the propaganda context.

We can still say that the introduction, in 2020, of a note to Article 20.3 (stating that the article does not apply to cases, in which negative attitude towards the ideology of Nazism and extremism is being formed, and there are no signs of propaganda or justification of Nazi or extremist ideology) could not fundamentally improve the situation. It failed to limit the sanctions only to cases, in which banned symbols were actually displayed in order to promote a dangerous ideology.

26 cases involved demonstrating the symbols of organizations that, in our opinion, are banned inappropriately. People faced responsibility for demonstrating the symbols of the National Bolshevik Party or the Other Russia of E.V. Limonov that were considered similar to the symbols of the NBP in 12 cases. Administrative arrest was imposed as a punishment in nine of them. 14 cases were based on social network posts containing the symbols of Smart Voting, FBK and other projects related to Alexei Navalny.

Fight Against Insults to “the Religious Feelings of Believers”

In 2021, the charges of public insult against the feelings of believers were mostly applied to publication on social media of atheistic or anticlerical posts and comments as well as various videos and photos taken near places of worship and depicting people in their underwear or in various degrees of nudity. We see no need to prosecute people for publishing “blasphemous” materials, unless they contain aggressive appeals against believers. In our point of view, such publications pose no danger to society, and sanctions for their dissemination can be regarded as unjustified interference with freedom of expression related to religion. In addition, we are convinced that the concept of “insulting the feelings of believers” introduced into texts of Article 148 Parts 1 and 2 of the Criminal Code has no clear legal meaning at all and should be excluded from the legislation altogether.

We classify five sentences under Article 148 of the Criminal Code, issued in 2021 against six people as inappropriate.

On January 13, the Magistrate of the Verkhovsky District in the Oryol Region sentenced Alexei Savkov, a resident of the village of Verkhovye, to a fine of 75 thousand rubles under Article 148 Part 1 of the Criminal Code (public actions expressing clear disrespect for society and committed in order to insult the religious feelings of believers) for posting a comment in one of the communities on VKontakte, in which he mocked the concept of the Annunciation.

On March 9, 18-year-old blogger Vitaly Miroshnikov was sentenced in Chita to 120 hours of community service under Article 148 Part 2 of the Criminal Code (public actions expressing clear disrespect for society and committed in order to offend the religious feelings of believers in places specially designed for worship) for publishing a TikTok video, which shows him entering the Cathedral of the Kazan Icon of the Mother of God, making the sign of the cross and then lighting up a cigarette from a church candle. Although Chita resident violated the rules of conduct in the temple, there were no other visitors in the vicinity, and his actions did not attract anyone's attention, caused no damage to religious objects, and, in general, did not pose a significant danger to society, therefore we believe that in this case criminal prosecution was unnecessary.

On April 14, the Magistrate of Judicial Sector No. 4 of Oktyabrsky District of Penza fined local resident Igor Gladkov 20 thousand rubles under Article 148 Part 1 of the Criminal Code. Gladkov made a number of comments and posts on the city's public webpages, which contained negative assessment of *"clergy and their activities," "the baptismal cross as an object of Christian worship," "religion as a form of social consciousness, a set of spiritual ideas based on belief in supernatural forces and beings that are the subject of worship," "treatment of believers by clergy" and "believers" themselves.* The defendant pleaded guilty, and the case was tried under a special procedure.

On October 5, the Magistrate of the Judicial Sector No. 1 of Penzensky District of the Penza Region sentenced local resident Pavel Pischulin, charged under Article 148 Part 1 of the Criminal Code (insulting the religious feelings of believers), to 180 hours of community service for a number of various atheistic or anticlerical posts. Pischulin pleaded guilty, and the case was tried under a special procedure. Pischulin is the head of ALL-Russian Social Unity (*Vserossiyskoe sotsialnoe edinstvo*), a left-leaning patriotic organization. He had previously received a one-year suspended sentence with two-year loss of the right to post on the Internet for inciting extremism online.

On October 29, the Magistrate of Judicial Sector No. 370 of Tverskoy District of Moscow sentenced blogger Ruslan Bobiev and his girlfriend Anastasia Chistova to 10 months in a penal colony under Article 148 Part 1 of the Criminal Code. The case was based on a provocative photograph that depicted Bobiev and Chistova imitating oral sex in front of the St. Basil's Cathedral in Moscow; the young woman, wearing a jacket that had "Police" imprinted on the back, was squatting in front of Bobiev, while he was holding her by the hair. The actions of the defendants, who took the staged photo, could hardly be noticed and understood by passers-by, whether believers or not, and did not violate public order. Notably, that this is the only real prison sentence under Article 148 in the entire history of using this Criminal Code article.

On July 7, the Magistrate of Judicial Sector No. 11 in Moscow dismissed a similar case due to the reconciliation of the parties. The case under Article 148 Part 1 was opened a month before against Alina Vlaskina, Maxim Zamyslaev, A. Barsukov and E. Ispolinova. The prosecution was based on an incident that took place in the course of recording a TikTok video on Nagorny Boulevard. Two young men were pretending to have a feast, us-

ing a girl as a table, with an Orthodox icon standing on the ground nearby. Once the case was officially opened, Vlaskina recorded a video apologizing to believers. The Russian Orthodox Church accepted her apology, and the injured party filed a motion to terminate the proceedings.

We know of four new cases, all initiated in the second half of the year: one in Kemerovo for publishing atheist comments, and three more – one in Moscow and two in St. Petersburg – for shooting "inappropriate" scenes in front of temples and posting them online. It is worth noting that some of these cases have been opened based on complaints from vigilantes, such as associates of Vladislav Pozdnyakov, the founder of the banned movement Male State.

We also would like to note two cases of inappropriate administrative sanctions imposed for similar acts. Two residents of the Tula Region – one from Plavsk and the other one from Schekinsky District were each fined 30 thousand rubles in January and May 2021 respectively. The charges against them under Article 5.26 Part 2 of the Code of Administrative Offenses (deliberate public desecration of articles, marks and emblems relating to the world outlook symbols thereof). In the first case, a resident of Plavsk posted on his social network page a number of satirical cartoon images of Orthodox icons, such as the face of Christ with a washbasin tap from the *Moidodyr* cartoon, icons of Saints David and Jonathan, presented as a visual continuation of the LGBT flag, and so on. The second case was based on the social network post of an image stylized as an Orthodox icon depicting Joseph Stalin as a saint. In our opinion, posting such images should not, in and of itself, be interpreted as a desecration of objects of religious worship. Publishing collages implies no active action with actual religious paraphernalia. It is also worth noting that the legislation fails to define the concept of "desecration" in any way.

Persecution Against Religious Associations

We know at least 95 inappropriate verdicts issued against 164 individuals in 2021 on charges of involvement in organized extremist and terrorist activities (vs. 43 such verdicts against 88 persons in the preceding year).¹¹ 91 of those cases, involving 154 persons, pertained to religious organizations.

Hizb ut-Tahrir

Eight sentences, issued under the articles of the Criminal Code on organizing the activities of a terrorist organization, participating and involving others in such an organization, pertained to Hizb ut-Tahrir, an Islamic religious party banned in Russia as a terror-

11. Verdicts that were issued but then overturned are not included in the statistics.

ist despite the absence of any information about its involvement in terrorist activities.¹² 23 Hizb ut-Tahrir followers were sentenced to long terms of imprisonment – from 11 to 23 years in a maximum-security colony. In some cases, part of the term had to be served in prison, and various additional restrictions were imposed, but we do not specify them here. One sentence against two Muslims from Tolyatti was overturned, so we do not include it in our total, although we provide the information on it below. For comparison, in the preceding year, we recorded 12 convictions against 31 people. Over the past two years, we have seen a decrease in the number of those convicted for involvement in Hizb ut-Tahrir. On the other hand, it should be noted that during 2021, at least 35 defendants in new criminal cases were arrested on similar charges in various regions of Russia (likely more, but reports from law enforcement agencies and the media provide insufficient information for us to calculate the exact number of new defendants).

Here are the relevant court decisions issued in 2021:

- On January 12, the Southern District Military Court delivered a verdict in the so-called Belogorsk Hizb ut-Tahrir case in Crimea. Enver Omerov was sentenced to 18 years in prison, and Aider Dzhapparov – to 17 years under Article 30 Part 1, Article 278 (preparation for forcible seizure of power) and Article 205⁵ Part 1 (organizing the activities of a terrorist organization) of the Criminal Code. Riza Omerov (Enver's son) received 13 years of incarceration under Article 30 Part 1, Article 278 and Article 205⁵ Part 2 (participation in the activities of a terrorist organization) of the Criminal Code.
- On March 2, the Central District Military Court in Samara issued a verdict in the case of Radik Khairutdinov and Elmar Mamedov. Mamedov was sentenced to 12 years of imprisonment under Article 205⁵ Part 2 and Article 205² Part 2 (public calls for terrorist activities committed on the Internet), Khairutdinov – to 11 years of imprisonment under Article 205⁵ Part 2. On June 17, the Military Court of Appeal of the Russian Federation overturned this verdict and sent the case to the Central District Military Court for a new trial.
- On April 22, the Central District Military Court in Yekaterinburg found Rais Mavlyutov, who was detained along with Khairutdinov and Mamedov in Tolyatti, guilty under Article 205¹ Part 1 (incitement to terrorist activities), Article 205 Part 2 and Article 205⁵ Parts 1 and 2 of the Criminal Code and sentenced him to 23 years behind bars.
- On March 5, the Central District Military Court in Yekaterinburg sentenced Ildar Ibragi-

12. Our position is based, in particular, on the ECHR judgment on the activities of Hizb ut-Tahrir, which was made as part of the decision on the complaint of two convicted members of the organization against the actions of the Russian authorities. The ECHR stated that although neither the teachings nor the practice of Hizb ut-Tahrir allow us to consider the party a terrorist organization and it does not explicitly call for violence, its prohibition on other grounds would be justified, since it presumes, in the future, the overthrow of some existing political systems with the aim of establishing a dictatorship based on the Sharia law; it is also characterized by anti-Semitism and radical anti-Israeli propaganda (for which Hizb ut-Tahrir was banned in Germany in 2003), as well as categorical rejection of democracy and equal rights and recognition of violence against the countries, which the party considers as aggressors against the "land of Islam," as legitimate. The goals of Hizb ut-Tahrir clearly contradict the values of the European Convention on Human Rights, in particular, the commitment to the peaceful settlement of international conflicts and the inviolability of human life, the recognition of civil and political rights and democracy. Activities for such purposes are not protected by the European Convention on Human Rights.

mov from Kazan to 16 years of imprisonment under Article 205⁵ Part 1 of the Criminal Code.

- On August 5, the Central District Military Court found inmate Asgat Khafizov guilty under Article 205⁵ Part 2 and Article 205¹ Part 1.1 (involvement of others in the activities of a terrorist organization, as well as financing of terrorism) of the Criminal Code and sentenced him to 16 years of incarceration; in 2017, Khafizov was sentenced to 19 years behind bars for his involvement in Hizb ut-Tahrir, so his total term of imprisonment has now reached 23 years.
- On August 16, the Southern District Military Court issued a verdict against four residents of Crimea – defendants in the Alushta Hizb ut-Tahrir case. Lenur Khalilov and Ruslan Mesutov were found guilty under Article 30 Part 1, Article 278 and Article 205⁵ Part 1 of the Criminal Code and sentenced to 18 years of imprisonment each. Ruslan Nagayev was sentenced to 13 years and Eldar Kantimirov – to 12 years under Article 30 Part 1, Article 278 and Article 205⁵ Part 2 of the Criminal Code.
- On October 29, the Southern District Military Court delivered a verdict in the case of four Crimeans from Bakhchisaray. The court sentenced Seytumer Seytumerov to 17 years of imprisonment under Article 205⁵ Part 1, Article 30 Part 1 and Article 278 of the Criminal Code. Osman Seytumerov, Rustem Seitmemetov and Amet Suleymanov were sentenced under Article 205⁵ Part 2 of the Criminal Code in combination with Article 30 Part 1 and Article 278 of the Criminal Code to 14, 13 and 12 years of imprisonment respectively.
- On December 21, the Central District Military Court at its visiting session in Ufa sentenced Azat Lukmanov to 11 years of imprisonment in a colony under Article 205⁵ Part 2 of the Criminal Code.
- On December 24, the Second Western District Military Court in Moscow issued a verdict against eight citizens of Uzbekistan and the Kyrgyz Republic. Marifdzhon Mamedaliev and Ikbolzhon Sultonov were sentenced to 16 and 18 years in a penal colony under Article 205⁵ Part 1 of the Criminal Code (organizing the activities of a terrorist organization). Kamaldin Abdullaev, Farhodzhon Kimsanov, Marufzhon Malikov, Ikromiddin Tukhtasinov, Gulomzhon Kholdarov and Azizbek Kholmatov were found guilty under Article 205⁵ Part 2 of the Criminal Code (participating in the activities of a terrorist organization); their sentences range from 11 to 12 years in a penal colony.

Two additional sentences issued in 2021 and related to Hizb ut-Tahrir are worth mentioning.

On September 28, the Second Western District Military Court found Khamid Igamberdyev guilty of publicly justifying terrorism under Article 205² Part 1 of the Criminal Code; Igamberdyev was previously sentenced to 16 years in a penal colony in September 2019 in the Hizb ut-Tahrir case of the so-called "Moscow Nine" under Article 205⁵ Part 1 of the Criminal Code. The court added three more years of imprisonment, so, taking his previous sentence into account, his total term amounts to 17 and a half years. The criminal case was initiated in connection with the conversations that Igamberdyev had had with his cellmates in pre-trial detention. He was accused of denying the terrorist nature of the Hizb ut-Tahrir activities in a conversation with three cellmates – an act that can hardly be regarded as public propaganda.

On February 15, the Nakhimovsky District Court of Sevastopol found Ruslan Bekirov guilty under Article 307 Part 1 of the Criminal Code (giving false evidence) and sentenced him to 300 hours of community service. Bekirov was a witness in the case of Enver Seitov-

manov, sentenced to 17 years behind bars in 2019 under Article 205⁵ Part 1 the Criminal Code. Bekirov testified against Seitosmanov incriminating him as a member of Hizb ut-Tahrir, but later stated at the trial that his testimony had been obtained under pressure from FSB officers, who had threatened him with a prison term, a fine, and an exposure to tuberculosis. The fact that Bekirov made a statement in court about the pressure used against him by the investigation and claimed to have no information on Seitosmanov's involvement in Hizb ut-Tahrir was interpreted as an attempt to *"help his acquaintance, Seitosmanov, avoid criminal responsibility."*

Tablighi Jamaat

In 2021, at least 13 sentences against 20 people were issued under Article 282² of the Criminal Code for continuing the activities of the Tablighi Jamaat religious movement recognized as extremist in Russia. It was banned in Russia in 2009, and we view this ban as unfounded. This movement is engaged in propaganda of fundamentalist Islam, but has never been implicated in any calls for violence; therefore, we consider the sanctions against its supporters inappropriate.

- On May 18, the Babushkinsky District Court of Moscow passed a sentence on Altynbek Kozonov, a citizen of the Kyrgyz Republic charged under Article 282² Part 1 of the Criminal Code (organizing the activities of an extremist organization). We have no information on the details of his sentence;
- On July 7, the Babushkinsky District Court of Moscow found six other citizens of the Kyrgyz Republic detained along with Kozonov guilty as well. Artyk Kalbaev and Aibek Mamazhunusov were charged under Article 282² Part 1 of the Criminal Code. Sharabidin Asan uulu, Murzy Kushuev, Mederbek Seidaliev and Aibek Khalmatov faced charges under Part 2 of the same article (participating in the activities of an extremist organization). We have no information about the details of their sentences;
- On August 19, the Proletarsky District Court of Saransk fined Ryais Tyshkin and Aisu Aizatullin 500 thousand rubles under Article 282² Part 1 of the Criminal Code; Khafiz Aizatullin was fined 300 thousand rubles under Article 282² Part 2 of the Criminal Code. The Supreme Court of Mordovia ruled this sentence to be excessively lenient and, on October 21, sentenced Aisa Aizatullin to three years in a minimum-security colony and a two-year ban on activities related to the leadership of and participation in civic and religious organizations. Tyshkin was sentenced to three years in a minimum-security colony and Khafiz Aizatullin – to one year in a minimum-security colony;
- On August 25, Volzhsky District Court of Saratov issued a verdict against a 46-year-old Muslim man from the Volgograd Region. He was found guilty under Article 282² Part 2 of the Criminal Code and received a two-year suspended sentence and six months' restriction of liberty;
- In October–December, the same court issued seven more sentences to Tablighi Jamaat followers. Five Muslims who pleaded guilty received suspended sentences of two to three years under Article 282² Part 2 of the Criminal Code with a two-year probationary period followed by restriction of liberty for six months. Two defendants who pleaded not guilty were sentenced to two years of imprisonment to be served in a minimum-security penal colony;
- On December 2, the Sovietsky District Court of Volgograd sentenced Mikhail Koloti-

lin to three years in a minimum-security penal colony under Article 282² Part 1 of the Criminal Code;

- On December 23, the Apsheronsky District Court of the Krasnodar Territory sentenced a 32-year-old resident of the village of Sredny Karachan in the Voronezh Region to seven years in a minimum-security penal colony with restriction of freedom for a year and a half under Part 1.1 (recruitment to an extremist organization) and Part 2 of Article 282². New criminal cases were opened against the alleged followers of Tablighi Jamaat under Article 282² Part 2 of the Criminal Code – specifically, against a resident of the Ivanovo Region and a resident of Saratov. In the Omsk Region, 11 people were detained under Article 282² Parts 1 and 2, three of whom became defendants in the case, four more were brought in as witnesses, and the others (citizens of the Kyrgyz Republic and Kazakhstan) were deported from Russia by court decisions.

Followers of Said Nursi

As a result of the unjustified bans against the books of moderate Islamic Turkish theologian Said Nursi for promoting the superiority of Islam over other religions, a decision was made in Russia in 2008 to ban an alleged organization under the name of Nurcular. Russian Muslims studying Nursi's legacy do not, in fact, form a single organization, but this did not prevent the Supreme Court from banning Nurcular, which never existed in reality. Currently, Muslims reading and discussing Nursi's books can be prosecuted under Article 282² for involvement in an extremist organization and face real terms of imprisonment. The European Court of Human Rights ruled in 2018 that the Russian courts had violated Article 10 of the European Convention on Freedom of Expression by banning Nursi's books. However, the situation has not changed; criminal cases against Muslims who study Nursi's books are initiated in Russia every year.

On August 31, the Naberezhnye Chelny City Court issued a two-year suspended sentence to 63-year-old Nakia Sharifullina under Article 282² Part 1 of the Criminal Code. Sharifullina was found guilty of creating a Nurcular cell in 2015. Under the guise of conducting Quran study sessions and Turkish language classes, she allegedly gathered citizens and introduced them to the works of Said Nursi including the banned ones. Sharifullina was also convicted under the same article back in 2014 and fined 100 thousand rubles.

It is worth noting that on April 19, the Naberezhnye Chelny City Court recognized as extremist 163 publications in different languages seized as part of the investigation in Sharifullina's criminal case; 160 of them are works by Said Nursi. However, on July 9, the Supreme Court of Tatarstan overturned this decision and sent the case for a new trial to the city court, which has not yet been completed, since the court sent the books for translation. The Naberezhnye Chelny Court set a new record for the number of simultaneously banned books. The previous record was 68 books (also Islamic) recognized as extremist in 2012 in Orenburg; the bans on most of them were later revised.

On November 2, the Privolzhsky District Court of Kazan sentenced the former imam and teacher Gabdrakhman (Albert) Naumov under Article 282² Part 1 and Article 282³ Part 1 of the Criminal Code (financing of extremism). He was sentenced to six and a half years in a minimum-security colony. According to the investigators, whose version was accepted by the court, Naumov *"organized the activities of conspiratorial groups"* since 2015 and held *"secret Nurcular propaganda meetings."* Furthermore, in November 2015, he allegedly organized and

financed the Sunday courses on the foundations of Islam for village schoolchildren of Tatarstan in order to increase the number of followers of the banned association in the republic.

In November, six people in Kazan and Naberezhnye Chelny were detained and then arrested as defendants under Article 282² Parts 1 and 2, who, according to the investigation, were members of Nurcular cells.

Throughout the year, there were several reports regarding criminal cases against alleged Nurcular followers in Dagestan. Meanwhile, in September–October, the Izberbash City Court of Dagestan dropped seven criminal cases under Article 282² Part 2 of the Criminal Code. The relevant court decisions were published in two cases, and they were based on the charges of involvement in the local Nurcular “cell.” We assume that the other five closed cases under the same article also involved allegations related to the activities of this banned association. However, it is likely that not all such cases against local Muslims were discontinued.

Jehovah’s Witnesses

In 2021, the persecution against Jehovah’s Witnesses continued actively. Their organizations registered in Russia (395 local communities along with the Jehovah’s Witnesses Administrative Center) were all banned as extremist in 2017. According to Jehovah’s Witnesses, criminal cases against 597 believers in 70 regions of the country have been opened since 2017. In 2021, new criminal cases for continuation of the activities of the banned Jehovah’s Witnesses organizations and their financing (Articles 282² and 282³ of the Criminal Code) were initiated against at least 142 believers. In 2019, at least 213 believers faced charges; at least 146 were charged in 2020. Thus, we can say that the scope of the persecution of Jehovah’s Witnesses in 2021 remained approximately the same as the previous year.

Numerous criminal cases initiated earlier reached the court in 2021. At least 68 verdicts against 105 Jehovah’s Witnesses were issued under Article 282² and Article 282³, which was added to the charges against 13 believers (a year earlier, we recorded 25 verdicts against 46 believers). Three sentences against three believers were overturned, and we do not include them in our numbers, although the actual cases are described below. The convicted offenders included 77 men and 28 women; five women were sentenced to imprisonment.¹³ The group also included elderly people, such as Boris Burylov, 80, and Elena Savelyeva, also 80, who received suspended sentences, and 70-year-old Valentina Baranovskaya, who suffered a stroke during the investigation and was nevertheless sentenced to two years in a penal colony.

33 people were sentenced to imprisonment in a minimum-security penal colony (in 18 separate verdicts):

1. On February 10, the Abinsky District Court of the Krasnodar Territory sentenced 63-year-old Alexander Ivshin to seven and a half years of imprisonment under Article 282² Part 1 of the Criminal Code;
2. On February 24, the Abakan City Court of Khakassia sentenced Roman Baranovsky

13. Here we provide information only about the principal punishment, without additional ones, although additional penalties, such as restriction of freedom or a ban on participation in public organizations for a certain period of time, were often assigned.

to six years behind bars under Article 282² Part 1 of the Criminal Code and his 69-year-old mother, Valentina Baranovskaya, to two years of imprisonment under Article 282² Part 2 of the Criminal Code;

3. On March 29, the Gagarinsky District Court of Sevastopol sentenced Viktor Stashevsky to six and a half years of imprisonment under Article 282² Part 1 of the Criminal Code;
4. On March 30, the Abinsky District Court of Krasnodar Krai sentenced Oleg Danilov from the village of Kholmskaya to three years of imprisonment under Article 282² Part 2 of the Criminal Code;
5. On April 6, the Abinsky District Court of Krasnodar Krai sentenced Alexander Shcherbina to three years of imprisonment under Article 282² Part 2 of the Criminal Code. In June, a regional court reduced his sentence from three years to two years;
6. On May 20, the Leninsky District Court of Saratov sentenced Rustam Seidkuliev to two and a half years behind bars under Article 282² Part 2 of the Criminal Code;
7. On June 3, the Zheleznodorozhny District Court of Krasnoyarsk sentenced Andrei Stupnikov to six years of imprisonment under Article 282² Part 1 of the Criminal Code;
8. On June 3, the Promyshlenny District Court of Kursk sentenced Andrei Andreev to four and a half years of imprisonment under Article 282² Part 1. Three other believers were sentenced under Article 282² Part 2: Andrei Ryshkov to three years in a penal colony, Artem Bagratyan to two and a half years, Alevtina Bagratyan to two years in a penal colony, and yet another believer received a suspended sentence (see below);
9. On June 30, the Blagoveshchensk City Court of the Amur region sentenced Alexei Berchuk to eight years behind bars under Article 282² Part 1 and Dmitry Golik – to seven years of imprisonment under Article 282² Part 1 and Part 1.1 of the Criminal Code. In early September, the regional court reviewed the appeal, dropped the charge against Golik under Part 1.1 and reduced his sentence to six years and two months of imprisonment;
10. On July 29, the Leninsky District Court of Rostov-on-Don sentenced Arsen Avanesov and Alexander Parkov to six and a half years of imprisonment, and Vilen Avanesov to six years under Article 282² Part 1 of the Criminal Code;
11. On August 11, the Abinsky District Court of Krasnodar Krai sentenced Vasily Melshko from the village of Kholmskaya to three years of imprisonment under Article 282² Part 2 of the Criminal Code;
12. On September 6, the Sverdlovsky District Court of Kostroma sentenced Dmitry Terebilov to three years in a maximum-security penal colony under Article 282² Part 2 of the Criminal Code (Terebilov was considered a repeated offender, because he had a criminal record prior to becoming a Jehovah’s Witness);
13. On September 23, the Traktorozavodsky District Court of Volgograd sentenced Sergei Melnik and Igor Egozaryan to six years of imprisonment under Article 282² Part 1 of the Criminal Code, Valery Rogozin – to six and a half years under Article 282² Part 1 and Article 282³ Part 1 and Vyacheslav Osipov and Denis Peresunko – to six years and three months under the same articles;
14. On October 11, the Pavlovsky District Court of Krasnodar Krai sentenced Vladimir Skachidub to four years and two months behind bars under Article 282² Part 1.1 and Part 2 of the Criminal Code;
15. On October 22, the Gagarinsky District Court of Sevastopol sentenced Igor Shmidt to six years of imprisonment under Article 282² Part 1 of the Criminal Code;
16. On October 25, the Trusovsky District Court of Astrakhan issued the most severe

verdict against Jehovah's Witnesses seen in recent years: Yevgeny Ivanov, Ruslan Diarov, and Sergei Klikunov received eight years behind bars each under Article 282² Part 1 and Article 282³ Part 1 of the Criminal Code; Olga Ivanova was sentenced to three and a half years under Article 282² Part 2 of the Criminal Code;

17. On December 2, the Abinsky District Court of Krasnodar Krai sentenced Anna Yermak and Olga Ponomaryova from the village of Kholmskaya to four and a half and five years of imprisonment under Article 282² Part 1.1 of the Criminal Code;
18. On December 23, the Abinsky District Court of Krasnodar Krai sentenced Alexander Nikolaev to two and a half years of imprisonment under Article 282² Part 2 of the Criminal Code.

66 individuals (in 48 verdicts) received suspended sentences:

1. On January 20, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Yevgeny Golik to two and a half years under Article 282² Part 2 of the Criminal Code;
2. On January 21, the Obluchensky District Court of the Jewish Autonomous Region sentenced Anastasia Sycheva to two years under Article 282² Part 2 of the Criminal Code;
3. On January 26, the Leninsky District Court of Rostov-on-Don sentenced Galina Parkova to two years and three months under Article 282² Part 2 of the Criminal Code;
4. On February 2, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Artur Lokhvitsky to two and a half years under Article 282² Part 2 the Criminal Code;
5. On February 12, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Igor Tsarev to two and a half years under Article 282² Part 2 of the Criminal Code;
6. On February 12, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Larisa Artamonova to a fine of 10 thousand rubles under Article 282² Part 2 of the Criminal Code. In April, however, the regional court, satisfied the prosecutorial appeal and replaced this small fine with the suspended sentence of two and a half years;
7. On February 15, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Svetlana Monis to a fine of 10 thousand rubles under Article 282² Part 2 of the Criminal Code. Once again, the regional court replaced the fine with a suspended sentence of two and a half years, but the Ninth Appellate Court of General Jurisdiction in Vladivostok returned the Monis case for a new trial in the regional court in December;
8. On February 16, the Birobidzhansky District Court of the Jewish Autonomous Region issued a sentence in the case of 54-year-old Yulia Kaganovich, imposing a fine of 10 thousand rubles under Article 282² Part 2 the Criminal Code on a five-year installment plan. This punishment was also replaced on appeal with a suspended sentence of two and a half years in May;
9. On February 16, the Birobidzhansky District Court of the Jewish Autonomous Region issued a verdict in the case of Elena Reino-Chernyshova, and also fined her 10 thousand rubles under Article 282² Part 2 of the Criminal Code, but, as in the preceding cases, the regional court changed her punishment in April to a suspended sentence of two and a half years;
10. On February 18, the Birobidzhansky District Court of the Jewish Autonomous Re-

gion sentenced Konstantin Guzev to two and a half years under Article 282² Part 2 of the Criminal Code; the verdict was upheld by the regional court, but, in December, the Ninth Appellate Court of General Jurisdiction returned the case for a new trial to a differently staffed appellate court;

11. On March 5, the Prioksky District Court of Nizhny Novgorod sentenced Sergei Verkhoturov to six years under Article 282² Part 1 of the Criminal Code;
12. On March 11, the Metallurgicheskyy District Court of Chelyabinsk sentenced 73-year-old Valentina Suvorova to two years under Article 282² Part 2 of the Criminal Code;
13. On March 15, the Nadezhdinsky District Court of Primorsky Krai sentenced 77-year-old Vladimir Filippov to six years under Article 282² Part 1;
14. On April 1, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Tatyana Zagulina to two and a half years under Article 282² Part 2 of the Criminal Code;
15. On April 22, the Sychevsky District Court of the Smolensk Region sentenced Maria Troshina and Natalia Sorokina to six years each under Article 282² Part 1;
16. On April 23, the Promyshlenny District Court of Smolensk sentenced Valery Shalev and Ruslan Korolev to six and a half years, and Yevgeny Deshko – to six years under Article 282² Part 1 of the Criminal Code; the prosecution against Viktor Malkov in the same case was terminated by the court due to the defendant's death;
17. On May 12, the Industrialny District Court of Perm sentenced 80-year-old Boris Burylov and Viktor Kuchkov under Article 282² Part 1 of the Criminal Code, and Alexander Inozemtsev and Yuri Vaag – under Article 282² Part 2 of the Criminal Code to two and a half years. Igor Turik was sentenced to seven years under Article 282² Part 1 and Article 282³ Part 1 of the Criminal Code;
18. On May 18, the Leninsky District Court of Rostov-on-Don sentenced 71-year-old Lyudmila Ponomarenko to two years under Article 282² Part 2 of the Criminal Code;
19. On May 19, the Nadezhdinsky District Court of Primorsky Krai sentenced 73-year-old Lyudmila Shut to four years under Article 282² Part 2 of the Criminal Code;
20. On May 21, the Leninsky District Court of Novosibirsk sentenced Vitaly Popov to three years under Article 282² Part 2 of the Criminal Code and Article 282³ Part 1 of the Criminal Code;
21. On May 24, the Chekhov City Court of the Moscow Region sentenced Yuri Krutyakov under Article 282² Parts 1, 2, and 1.1 of the Criminal Code to six years, and Zinaida Krutyakova, Konstantin Zherebtsov and Vitaly Nikiforov – to two years under Article 282² Part 2 of the Criminal Code;
22. On May 31, the Gornomariysky District Court of the Republic of Mari El sentenced Ekaterina Pegasheva to six and a half years under Article 282² Part 1 of the Criminal Code;
23. On June 2, the Zeysky District Court of the Amur Region sentenced 78-year-old Vasily Reznichenko to two years under Article 282² Part 2 of the Criminal Code;
24. On June 4, the Tsentralny District Court of Komsomolsk-on-Amur, Khabarovsk Krai, sentenced Nikolai Aliev to four and a half years under Article 282² Parts 1.1 and 2 of the Criminal Code;
25. On June 7, the Tsentralny District Court of Chelyabinsk sentenced Dmitry Vinogradov to two years under Article 282² Part 2 the Criminal Code;
26. On June 21, the Birobidzhansky District Court of the Jewish Autonomous Region

- sentenced Yevgeny Yegorov to two and a half years under Article 282² Part 2 of the Criminal Code;
27. On June 22, the Zavodskoy District Court of Kemerovo sentenced Alexander Bondarchuk and Sergei Yavushkin to four years under Article 282² Part 2 and Article 282³ Part 1 of the Criminal Code;
 28. On June 25, 2021, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Tatiana Sholner to two and a half years under Article 282² Part 2 of the Criminal Code;
 29. On July 1, the Metallurgichesky District Court of Chelyabinsk sentenced 75-year-old Vladimir Suvorov to six years under Article 282² Part 1 of the Criminal Code;
 30. On July 13, the Voroshilovsky District Court of Rostov-on-Don sentenced Olga Ganusha to two years under Article 282² Part 2 of the Criminal Code;
 31. On July 14, the Zeysky District Court of the Amur Region sentenced Konstantin Moiseyenko to six years under Article 282² Part 1;
 32. On July 19, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Irina Lokhvitskaya to two and a half years under Article 282² Part 2 of the Criminal Code;
 33. On July 20, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Anna Lokhvitskaya to two and a half years under Article 282² Part 2 of the Criminal Code;
 34. On July 30, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Natalya Kriger to two and a half years under Article 282² Part 2 of the Criminal Code;
 35. On August 2, the Leninsky District Court of Rostov-on-Don sentenced Andrei Okhrimchuk to four years under Article 282² Part 2 of the Criminal Code and Article 282³ Part 1 of the Criminal Code;
 36. On August 11, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Anastasia Guzeva to two and a half years under Article 282² Part 2 of the Criminal Code;
 37. On September 7, the Porkhovsky District Court of the Pskov Region sentenced Alexei Khabarov to three years under Article 282² Part 2 of the Criminal Code; in November, the Pskov Regional Court overturned the verdict and sent Khabarov's case for retrial in the same but differently staffed district court;
 38. On September 9, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Andrei Gubin to two and a half years under Article 282² Part 2 of the Criminal Code;
 39. On September 27, the Leninsky District Court of Ufa sentenced Anatoly Vilitkevich to two years under Article 282² Part 2 of the Criminal Code;
 40. On October 25, the Sharypovo City Court of Krasnoyarsk Krai sentenced Anton Ostapenko to six years and three months under Article 282² Part 1 of the Criminal Code;
 41. On October 25, the Pavlovsk City Court of the Nizhny Novgorod Region sentenced Alexei Oreshkov, Alexander Vavilov and Alexander Rakovsky to three years under Article 282² Part 2 of the Criminal Code;
 42. On November 17, the Seversk City Court of the Tomsk Region sentenced 80-year-old Elena Savelyeva to four years under Article 282² Part 1.1 of the Criminal Code;
 43. On November 29, the Prioksky District Court of Nizhny Novgorod sentenced Victoria Verkhoturova to four years under Article 282² Part 2 of the Criminal Code;

44. On December 6, the Cherkessk City Court of the Karachay-Cherkess Republic sentenced Alexander Batchaev to six years under Article 282² Part 1 of the Criminal Code;
45. On December 16, the Cherkessk City Court of the Karachay-Cherkess Republic sentenced Elena Menchikova to five years under Article 282² Parts 2 and 1.1 of the Criminal Code;
46. On December 16, the Naberezhnye Chelny City Court of the Republic of Tatarstan sentenced Vladimir Myakushin to three years and one month under Article 282² Part 1 and Article 282³ Part 1 of the Criminal Code, Aidar Yulmetyev – to two years nine months under Article 282² Part 1, Ilkham Karimov and Konstantin Matrashov – to two and a half years each on the same charge;
47. On December 21, the Zheleznodorozhny District Court of Krasnoyarsk sentenced Vitaly Sukhov to six years under Article 282² Part 1 of the Criminal Code;
48. On December 30, the Nikolsky District Court of the Penza Region sentenced Pyotr Krupnov and Maya Krupnova to two years each under Article 282² Part 2 of the Criminal Code.

In addition, on June 3, the Promyshlenny District Court of Kursk issued a two-year suspended sentence under Article 282² Part 2 to Alexander Vospitanyuk. His case involved four additional defendants who received real terms of imprisonment.

Nine people were sentenced to fines in five separate verdicts:

1. On June 2, the Minusinsk City Court of Krasnoyarsk Krai sentenced Dmitry Maslov to a fine of 450 thousand rubles under Article 282² Part 1 of the Criminal Code;
2. On July 19, the Leninsky District Court of Kirov sentenced Andrei Schepin, Alexander Shamov and Yevgeny Udintsev to fines of 500, 420 and 200 thousand rubles, respectively, under Article 282² Part 1 of the Criminal Code;
3. On July 19, the Solombalsky District Court of Arkhangelsk sentenced Yevgeny Yaku to a fine of 850 thousand rubles under Parts 1, 1.1 and 2 of Article 282 2;
4. On November 25, the Sovetsky District Court of Lipetsk sentenced Viktor Bachurin, Alexander Kostrov and Artur Netreba under Article 282² Part 2 of the Criminal Code to a fine of 500 thousand rubles each, but took their detention during the investigation into account and reduced their fines to 300 thousand rubles;
5. On December 24, the Uray Town Court of the Khanty-Mansi Autonomous Okrug sentenced Andrei Sazonov to a fine of 500 thousand rubles under Article 282² Part 1 and Article 282³ Part 1 of the Criminal Code.

The acquittal in the case of Jehovah's Witness Dmitry Barmakin, by the Pervorechensky District Court of Vladivostok on November 22, 2021 sets an important precedent. Barmakin was charged under Article 282² Part 1 of the Criminal Code). In the acquittal, judge Stanislav Salnikov cited the latest resolution of the plenary meeting of the Supreme Court of the Russian Federation adopted on October 28, 2021. According to the clarifications given by the Supreme Court, for criminal proceedings under Article 282², courts should name specific socially dangerous actions committed by the guilty party, the significance of these actions for continuing or resuming the activities of a prohibited organization, and the motives for committing them. In addition, the Supreme Court indicated that, in the event of a ban against a religious organization, individual or joint religious worship by its former members should not be interpreted as participation in an extremist

organization. The verdict of the Pervorechensky District Court is the first one based on the new Supreme Court decision. In the course of Barmakin's trial, judge Salnikov showed his consistent commitment to the constitutional right to freedom of religion.

Administrative Sanctions for Distributing Religious Literature

The number of known cases for distribution of religious literature that we believe to have been banned unreasonably is quite small. Nineteen people in various regions of Russia were fined under Article 20.29 of the Code of Administrative Offenses. However, it should be noted that we have information only on a small fraction (a little over two hundred) of all the decisions issued under this article in 2021; meanwhile, just in the first half of the year, the courts imposed such sanctions 764 times.

Seventeen cases pertained to Islamic materials: five to the *Miracles of the Quran* movie (in the Mari El Republic), six to the *Fortress of the Muslim* collection of prayers (in Karachay-Cherkessia), and six to *The Future Belongs to Islam*, a book by Sayyid Qutb (also in Karachay-Cherkessia). All these materials are peaceful but appear in similar administrative cases year after year.

In addition, a resident of Glazov (Udmurtia) was fined for publishing on Avito an advertisement for the sale of issues of *Zvezda Selennoi*. This banned magazine was published by Allya-Ayat (Elle-Ayat), a religious group recognized as extremist and banned in several regions. Adherents of the Allya-Ayat preach that any illness can be cured by applying this magazine to the body, pronouncing a certain "formula of life," drinking special tea and engaging in prolonged contemplation of the sun. In our opinion, there were no grounds for recognizing the Allya-Ayat magazines as extremist. Despite the fact that *Zvezda Selennoi* contains negative remarks about the world religions, it includes no aggressive appeals against their followers. Accordingly, we regard sanctions for distributing magazines as extremist materials as inappropriate.

Recognizing Religious Materials as Extremist

On March 31, the Oktyabrsky District Court of St. Petersburg declared the JW Library mobile application banned for distribution in Russia. The St. Petersburg City Court upheld this decision on appeal on September 27. The decision was based on the fact that the app contained Jehovah's Witnesses' materials recognized as extremist, including the New World Translation of the Bible. Evidently, the app was declared prohibited for distribution under Chapter 27.1 of the Code of Administrative Judicial Procedure, under the procedure that was developed to block specific materials previously recognized as extremist, and, in theory, should not apply to entire online libraries containing other materials besides the prohibited ones.

On April 30, a court in Moscow recognized *The Rose of the Seraphites: The Bogomil Gospel* as extremist. This book was written by Bishop Veniamin Bereslavsky of the Orthodox Church of the Sovereign Mother of God. According to the experts, the book contained statements regarding the superiority or inferiority of people depending on their religious affiliation, "calls for introducing restrictions or preferences in family relations for a group defined

on religious grounds," and "justification of hate and hostile, intolerant, antagonistic attitude towards a group of individuals identified by their religious affiliation." We see no reason to ban *The Rose of the Seraphites* as an extremist material. The book contains the statements about the doctrine espoused by the author, which is extolled as the truth and the salvation, as well as the statements critical of Orthodoxy, Catholicism, Judaism, modern church institutions and secular life. All this, however, has nothing to do with incitement to hatred, since the disagreements in question are religious and philosophical and do not result in any calls for aggressive actions or discrimination against other believers. The book's stand on family relations, psychological effects the book can have on readers, or its difference from the doctrinal literature of the religious movements considered "traditional for Russia" cannot, in and of themselves, serve as grounds for its prohibition, since they do not constitute signs of extremism.

On August 2, the Tsentralny District Court of Kemerovo satisfied the claim of the Kemerovo Region Prosecutor and recognized the *Novy mirovoy poryadok/New World Order*, a book by Alexei Ledyayev, as extremist. Ledyayev is a Pentecostal pastor and the leader of the New Generation Christian movement. The text was recognized as extremist because, according to the expert opinion, it contains "statements on the superiority of people depending on their religious affiliation," as well as "manipulative techniques to purposefully convey negative emotional assessments, negative attitudes and motivations to act against a group of persons defined as belonging to the social group 'authorities.'" The author seeks to convince the reader of the truth of the Christian doctrine and insists that this doctrine should become the basis of the state systems for all countries of the world. However, the book contains no incitement to violence or discrimination against any religious group. It also does not call for violence against government representatives – the criticism against them is limited to an assertion of their alleged connection with the pagans and the Masons. Therefore, we believe that there were no grounds for recognizing Ledyayev's book as extremist. It is worth noting that, in August, the Prosecutor General's Office recognized as undesirable the activities in Russia of four foreign religious organizations that belonged to the New Generation movement (two of them based in Latvia and two in Ukraine). Russia is also a home to many Pentecostal organizations historically associated with Ledyayev's New Generation.

On December 9, the Laishevsky District Court of the Republic of Tatarstan recognized the following materials as extremist: the first volume of the *Interpretation of the Holy Quran* by Abd ar-Rahman ibn Nasir as-Sa'di translated by Elmir Kuliev, one of the main Sunni collections of hadiths *Sahih al-Bukhari* as summarized by 15th Century imam al-Zubaidi, and *Bulugh Al-Maram* by al-Asqalani – a collection of 14th and 15th Century hadiths translated by Kuliev. Attempts to prohibit hadith collections, including the authoritative *Sahih al-Bukhari*, constitute an obvious mistake of the authorities, which discredits them in the eyes of Muslims. As we have repeatedly pointed out, modern notions of tolerance are not applicable to medieval Islamic literature, since it describes the era of religious wars and reflects the attitudes of that era. The ideological orientation of translations and modern commentaries on Islamic doctrinal literature still remains a concern; however, the translations and comments to all the Hadith collections reviewed by the court are, in our opinion, neutral and cannot serve as a basis for recognizing these publications as extremist.

Tafsir (interpretation of the Quran) *as-Sa'di*, written in 1923–25, indeed contains repeated direct calls for an aggressive war against non-believers; however, it is questionable whether such appeals, made a century ago, constitute sufficient grounds for modern publishers of religious literature to refrain from printing the Russian translation of this au-

thoritative interpretation of the Quran. In general, we believe that the authorities should address not the materials per se but the actions of propaganda purveyors who use a variety of instruments, including religious literature, to justify xenophobic violence in the modern world.

Notably, other courts had previously prohibited a selection of quotes on jihad from *al-Bukhari* hadiths and a different edition of the first volume of *Tafsir as-Sa’di*.

A Bit of Statistics

Let us first turn to the general statistics collected by SOVA Center in 2021 in the field of criminal law enforcement.

We know at least ten verdicts against 35 people issued for violent hate crimes, three verdicts against seven people for ideologically motivated vandalism,¹⁴ 224 verdicts against 229 people for public speech, and 115 verdicts against 192 people for their involvement in banned organizations. Providing these figures, we traditionally clarify that our data differs significantly from the numbers published semiannually in the statistical reports compiled by the Judicial Department of the Supreme Court of the Russian Federation. We only know of the sentences that are reported by the press, law enforcement agencies, courts, convicted offenders themselves or their lawyers, and so on, and such information does not always become public.

Of the 224 verdicts against 229 individuals issued for public speech, we view eight verdicts against ten persons as appropriate and intended to stop manifestations of xenophobia; another 52 verdicts against 52 people, in our opinion, are likely appropriate and issued in connection with propaganda of violence against government officials. We regard 20 convictions against 21 people as inappropriate. We are not sure about the legitimacy of six verdicts against seven people, and we do not know (or have insufficient information on) the charges that led to 138 sentences against 139 people.¹⁵

Of the 115 verdicts against 192 people issued for involvement in banned organizations, we recognize seven sentences against 13 people as appropriate. We are unable to evaluate 13 verdicts against 15 people due to lack or vagueness of information. 95 verdicts against 164 people we consider inappropriate.

Now let’s shift our focus to the data on the criminal sentences that we view as inappropriate in the categories listed above. If we take into account the problematic decisions made under both anti-terrorist and anti-extremist articles, the total for 2021 comes to 115 verdicts against 185 people (compared to 54 verdicts against 99 people in 2020), while 20 verdicts against 21 people (compared to 13 verdicts against 19 people in 2020) were associated with public speech. 95 verdicts against 164 people (vs. 43 verdicts against 88 peo-

14. For more on this, see: Natalia Yudina, The State Has Taken up Racist Violence Again: Hate Crimes and Counteraction to Them in Russia in 2021.

15. See: Natalia Yudina, Protecting Oneself: The State against the Incitement of Hatred and the Political Participation of Nationalists in Russia in 2021.

ple in 2020) were associated with involvement in the activities of banned organizations, primarily religious.¹⁶

Out of this total, 105 inappropriate verdicts against 160 people were issued under anti-extremist criminal articles in 2021 (vs. 40 sentences against 66 people a year earlier). 18 sentences against 19 people were issued for “extremist” speech (we recorded nine such sentences against nine people in 2020), and 87 verdicts against 141 people for involvement in the activities of extremist organizations (compared to 31 verdicts against 57 individuals in 2020).

Below in this chapter, we present the results of tallying the court decisions and newly initiated criminal cases that we view as either completely inappropriate or highly problematic, grouping them according to articles of the Criminal Code (the cases themselves are discussed in the relevant chapters of the report).

In 2021, as in 2020, we saw no inappropriate verdicts under Article 282 of the Criminal Code. Only one new case – against a blogger from Kemerovo – was opened without due justification under this article.

A change in data was observed for sanctions under Article 148 Part 1 of the Criminal Code, which punishes “insulting the feelings of believers.” While in 2020, as in the preceding year of 2019, our data indicated one inappropriate sentence issued against one person, we recorded five such against six people in 2021 (in the Oryol Region, Chita, Penza and Moscow); one more case in Moscow was terminated due to the reconciliation of the parties. The court sentenced two defendants to 10 months in a penal colony and two to community service; two defendants were fined. Four new criminal cases were initiated under Article 148 against five people from Kemerovo, Moscow and St. Petersburg.

At least 15 new cases were inappropriately opened under Article 354¹ of the Criminal Code (rehabilitation of Nazism) in 2021. Verdicts were issued against 12 individuals from different regions of Russia in 12 cases (a year earlier six verdicts against six people were issued under this article). One person was sentenced to four years of incarceration, three to community service, compulsory or corrective labor, and the remaining eight people were sentenced to fines.

We noted one inappropriate sentence under Article 280 of the Criminal Code on incitement to extremism in 2021 against a blogger from Chita, but it was overturned (two inappropriate sentences under this article were reported in 2020). We also doubt the validity of another verdict issued against a left-wing activist in Moscow. We view one newly initiated case under Article 280 of the Criminal Code against a Marxist activist from the Rostov Region as inappropriate.

No inappropriate sentences were issued under Article 280¹ of the Criminal Code for calls for separatism as a result of the partial decriminalization of this article in 2021 (one such case was reported in 2020), and no new cases were inappropriately opened. Moreover, the charge was dropped in a number of existing cases. On the other hand, we know about several fines under the new similar article 20.3.2 of the Code of Administrative Offenses (see more on this below).

In 2021, one inappropriate verdict was issued under Article 213 of the Criminal Code (no such sentences reported in 2020) against an activist from Krasnodar for hooliganism

16. Some sentences are based on the aggregation of articles, including articles on public speech and articles on involvement in banned organizations.

based on the motive of social and political hatred. Two defendants were acquitted by the court in Chelyabinsk; the sentence for two other defendants was sent for review; one new case was initiated without proper justification in Udmurtia.

We doubt the validity of one verdict under Article 214 against three activists in Moscow for vandalism motivated by political hostility. We know of no such verdicts issued in the preceding year.

Two verdicts were inappropriately issued under Article 282¹ of the Criminal Code on the organization of an extremist community and participation in such a community – one against a citizen of Ukraine who participated in the Ukrainian Resistance in Crimea community on VKontakte, and the other one against seven Ingush oppositionists charged with creating an extremist community in order to organize mass riots in the republic. Two new cases that we view as inappropriate were opened under this article – one against Alexei Navalny and a number of his associates (by February, 2022, the case involved at least 14 defendants) and the other one against six members of the Left Resistance.

At least 84 inappropriate verdicts against 132 people were issued in 2021 under Article 282² of the Criminal Code (according to our data, 31 inappropriate verdicts against 57 people were issued under this article in the previous year). Of these, 68 verdicts against 105 people (compared to 25 verdicts against 46 individuals in 2020) pertained to continuing the activities of Jehovah's Witness communities – 33 defendants were sentenced to imprisonment (the maximum term was eight years in a minimum-security penal colony), 63 people received suspended sentences, nine people were fined. 13 verdicts against 20 people were issued for organizing cells of the banned Islamic movement Tablighi Jamaat or participating in their activities (a year earlier, we recorded two verdicts against seven people). Two verdicts were issued in Tatarstan for involvement in the activities of the banned Nurcular organization against two Muslims who studied the books of Said Nursi. Another verdict was issued against a National-Bolshevik in Chelyabinsk, who received a suspended sentence for continuing the activities of the banned National Bolshevik Party (according to our information, there were three such sentences against three activists in 2020). The number of those inappropriately prosecuted under Article 282² in the cases opened in 2021 reaches at least 200, the majority of them Jehovah's Witnesses (142 defendants in new cases). For comparison, in 2020 we counted about 130 new cases under Article 282² of the Criminal Code.

We consider one sentence under Article 282³ on the financing of extremist activities inappropriate. It was issued against a resident of Ufa who sent money to the mother of a local activist convicted under a number of articles of the Criminal Code. We would like to point out that this article also appeared, in combination with Article 282², in the verdicts of 13 Jehovah's Witnesses and of one person convicted for his involvement in Nurcular. Throughout the year, a number of Jehovah's Witnesses and Alexei Navalny's supporters faced charges under this article among others.

In total, we are aware of new criminal cases against approximately 243 people inappropriately initiated in 2021 under anti-extremist articles – a significantly higher number than in 2020, when, according to our estimates, about 145 people faced unfounded prosecution.

As mentioned above, we view as inappropriate the sentences for continuing the activities of Hizb ut-Tahrir issued under the anti-terrorist articles of the Criminal Code. The party's supporters are charged under Article 205⁵ of the Criminal Code (organizing the activities of a terrorist organization or participating in such an organization), sometimes in combination with Article 278 and Article 30 (preparing for forcible seizure of power) or Article 205¹ (assistance in terrorist activities), as well as Article 205² (justification of

terrorism). In 2021, there were eight such verdicts against 23 people (compared to 12 verdicts against 31 individuals in 2020). The convicted offenders received from three to 23 years in prison in a maximum or super-maximum security colony, sometimes with part of the term to be served in prison, and with various additional restrictions. About 35 people were arrested in 2021 on the charges of involvement in Hizb ut-Tahrir (30 arrests were reported in 2020).

One Hizb ut-Tahrir follower from Moscow, who is currently serving a term for his involvement in the organization, was additionally convicted under Article 205² for his conversations with fellow inmates in pre-trial detention, in which he argued that Hizb ut-Tahrir was not engaged in terrorism. We consider this sentence inappropriate as well. Among the new cases initiated under this article in 2021, we classify two – one against an artist from Khabarovsk and the other one against a blogger from St. Petersburg – as inappropriate.

Before proceeding to our data on the use of the Code of Administrative Offenses articles aimed at combating extremism, we would like to remind that, in reality, there are hundreds or even thousands of cases filed under these articles. Thus, according to the statistics provided by the Judicial Department of the Supreme Court, only in the first half of 2021, sanctions were imposed 461 times under Article 20.3.1 of the Code of Administrative Offenses (vs. 757 for the entire 2020), 1704 times under Article 20.3 of the Code of Administrative Offenses (vs. 2279 times for the entire 2020) and 764 times under Article 20.29 of the Code of Administrative Offenses (vs. 1826 times for the entire 2020).¹⁷ However, we have sufficient information on the reason for the sanctions and are able to evaluate the legitimacy only for several dozen cases.

We regard as inappropriate 23 administrative cases filed against the same number of individuals (vs. eleven individuals in 2021) and one case against a legal entity under Article 20.3.1 of the Code of Administrative Offenses for inciting hatred. A fine was imposed in 13 such cases, community service in four cases, an arrest for a period of five to 13 days in five cases, one case was closed, and the outcome of the final one is unknown. In almost all of these cases, the sanctions were based on harsh statements against the authorities and law enforcement agencies. For comparison, we classified 168 decisions we know to have been issued under Article 20.3.1 as appropriate.

We know of seven cases under Article 20.3.2 of the Code of Administrative Offenses for incitement to violating the territorial integrity of Russia, not accompanied by calls for any violent separatist actions (in such cases, we regard sanctions for discussing territorial issues as inappropriate). One of these cases was dropped, and six people were fined.

The sanctions for public demonstration of Nazi or other prohibited symbols, that is, under Article 20.3 of the Code of Administrative Offenses, were, according to our data, inappropriate in at least 55 cases (vs. 44 in 2020). The offenders were individuals in all cases, primarily activists (43 cases) but also ordinary social media users. A fine was imposed

17. See: Consolidated statistical data on the activities of federal courts of general jurisdiction and magistrates' courts for the first half of 2021 // Judicial Department at the Supreme Court of the Russian Federation. 2021 (<http://cdep.ru/index.php?id=79&item=5896>); Consolidated statistical data on the activities of federal courts of general jurisdiction and magistrates' courts for 2020 // Judicial Department at the Supreme Court of the Russian Federation. 2020 (<http://cdep.ru/index.php?id=79&item=5671>).

in 24 cases, administrative arrest in 23 cases and five out of 55 cases were dismissed; the outcome of three remaining cases is unknown to us.

According to our information, at least inappropriate 90 cases were filed under Article 20.29 for mass distribution of extremist materials or for storage of such materials with intent to distribute (vs. 58 in 2020). The defendants included 85 individuals and five legal entities. We know that in 82 of these cases the courts imposed a fine as punishment (one of them was later cancelled); two cases resulted in arrest, four cases were discontinued, and the outcome of two remaining cases is unknown. Inappropriately punished individuals primarily included ordinary users of social networks, opposition activists and believers that belonged to various religious movements. As a rule, these people did not engage in the actual mass distribution of banned materials.

At least 37 cases were filed in 2021 under Article 20.1 Parts 3–5 of the Code of Administrative Offenses (dissemination of information expressing disrespect for the state and the society in indecent form on the Internet). A year earlier, there were at least 30 such cases, and in 2019, their number was as high as 56. A fine was imposed on 19 occasions; a repeated offender was placed under arrest in one case; proceedings in eight cases were terminated. In almost all cases, the charges were related to disrespect for government representatives.

The Federal List of Extremist Materials increased by 110 entries in 2021 (from No. 5144 to No. 5253), compared to 139 new entries in 2020, so the downward trend of the recent years has continued. We regard 19 items as included on the list inappropriately (vs. 25 items in 2020). They include peaceful Islamic materials, the books *The New World Order* by Pentecostal pastor Alexei Ledyaev, *A Woman in Berlin* by Martha Hillers and the new batch of songs by the band *The Ensemble of Christ the Savior and the Crude Mother Earth*. We have to add, as usual, that we are not familiar with all the materials on the Federal List, and some other materials could also have been banned inappropriately. Basically, we believe that the mechanism of banning materials and adding them to a special list, which reached 5253 entries by the end of 2021, is ineffective and leads to sanctions for disseminating information that poses no actual danger to society.

Freedom of Conscience in Russia: Restrictions and Challenges in 2021

We present a report that is based on monitoring conducted by our Center to collect the whole range of the information during 2021. Information is presented on the Center's website in the section "Religion in a secular society" (www.sova-center.ru/religion), including links to sources in the media and on the Internet; the report provides links only to the sources that are not marked on the site. For the events of the previous year,¹ only necessary updates are given. Our aim is not to give a complete description of all events in the public religious sphere; the events mentioned in the report tend to illustrate the actual trends.

Problems and stories related to the abuse of anti-extremist legislation are mainly presented in a separate report devoted to this topic.²

Summary

The state policy to discriminate religious minorities, which we noted over the past few years, has been preserved. Accordingly, as before, freedom of religion was most abused by the authorities, and not by other actors.

Commitment to this course was declared in one of the sections of the new National Security Strategy, approved in July by President Putin, the one that was devoted to the protection of spiritual and moral values. The priorities of it in particular mention the support of "religious organizations of traditional confessions, ensuring their participation in activities aimed at preserving traditional Russian spiritual and moral values and culture, protecting historical truth and preserving historical memory."³ Thus, it is a small group of major religious organizations that are promised support. And at the same time, they are included in the activities to strengthen the ideological projects of the authorities.

The most dramatic example of discrimination policy against minorities remains the repressions towards Jehovah's Witnesses. The number of those convicted for continuing to practice their religion and posing as a religious organization has more than doubled com-

1. Olga Sibireva, Freedom of Conscience in Russia: Restrictions and Challenges in 2020 // SOVA Center. 2021. 29 April (<https://www.sova-center.ru/en/religion/publications/2021/04/d44133/>).

2. Maria Kravchenko, Misuse of anti-extremist legislation in Russia in 2021.

3. Decree of the President of the Russian Federation of 2 July, 2021 No. 400 "On the National Security Strategy of the Russian Federation" // Official Internet portal of legal information. 2021. 2 July (<http://publication.pravo.gov.ru/Document/View/0001202107030001>).

pared to 2020: from 46 to 105, with 33 followers were convicted to serve real time. For the first time since 2017, a Jehovah's Witness was acquitted, but the situation as a whole was not reversed. New criminal cases continued to be opened and proceedings were accompanied by searches with numerous violations, and violence was often used against followers.

Similar persecutions intensified against peaceful Muslim minorities recognized as extremist – Tablighi Jamaat and followers of Said Nursi.

The persecution of followers and religious organizations for “illegal” missionary activity also continued although less actively: the number of cases under Article 5.26 of the Code of Administrative Offenses slightly decreased again. Various religious organizations' representatives were tried for the violations of administrative responsibility, however Protestants became more often the target of “anti-missionary” amendments, as it was until 2020 when Muslims were the most affected.

An innovation of 2021 was the inclusion, among those whose activities are recognized as undesirable in Russia, of a number of religious organizations. This measure affected several foreign organizations of Scientologists and the New Generation Church of Evangelical Christians (Pentecostals). Organizations recognized as undesirable cannot create their own divisions and implement projects on the territory of Russia and cooperation with them is prosecuted in administrative and sometimes criminal proceedings. So far the inclusion of religious organizations on the list of undesirables has had one actual consequence: the disruption of a pastoral conference in Ramenskoye near Moscow which was attended by ministers of various Protestant organizations including the Russian New Generation Churches.

The state much more often acted as the initiator of mostly criminal prosecution for insulting religious feelings. The number of sentences under Article 148 of the Criminal Code drastically increased although in recent years it has been used extremely reluctantly. In most cases, the reason for persecution was “obscene” photos and videos posted on social networks and taken with the religious objects, more often Orthodox but sometimes Muslim, at the background. As a rule, there were no complaints about the infliction of moral harm during the shooting of these photographs and videos, that is, the police and investigative committees instead of followers, determined what should offend their feelings.

The scale of the state persecution of “offenders” seemed to be excessive even by the defendants themselves, because representatives of the Russian Orthodox Church have repeatedly said that they do not call for criminal punishment of the authors of “blasphemous” publications. At the same time, the activity of public defenders of religious feelings was even lower in comparison to such activities in the quarantine year 2020.

Conflicts around the development of religious buildings arose with approximately the same frequency as before and in many cases the conflicting parties managed to reach a compromise. There seems to be less conflict over the use of existing buildings.

Defamatory materials about religious minorities, apparently, also became less in numbers but they were still published, including on federal channels.

For that reason, it is impossible to say that relations between secular citizens and religious ones or between groups of citizens of different faiths have become worse in 2021. But the state is more and more ideologizing its policy in this area and the number of cases of persecution of peaceful religious minorities that the state classifies as extremist has increased.

Legal Regulation

This chapter will be regarded to the laws and other normative acts that in one way or another affect the life of religious organizations.

On 20 March Prime Minister Mikhail Mishustin signed a resolution amending the “Basic Provisions for the Formation and State Regulation of Gas Prices,” according to which religious organizations will be able to pay 20 per cent less for gas.

On 1 July Vladimir Putin signed a law specifying the procedure for the use of religious property owned by the religious organizations. Now religious organizations can not only use such property, even if it cannot be transferred to them and remains in state or municipal ownership, but also receive compensation for repairs or landscaping/remodeling if the agreement on the costless use of this property is terminated. The law refers to real estate – premises, buildings, including objects of cultural heritage, intended for worship and religious rites, religious education, monastic and charitable activities, religious worship, as well as the interior decoration of buildings and objects intended for worship and other religious purposes.

On 2 July, Putin signed a law amending Article 26 of the Law “On Banks and Banking.” The amendments oblige banks to provide the Ministry of Justice with access to the financial documents of all non-profit organizations excluding religious ones. According to these amendments the Ministry of Justice cannot request information about the financial and economic activities of religious organizations.

However, the amendments to the law “On Freedom of Conscience and Religious Associations” adopted by the State Duma on 24 March, approved by the Federation Council on 31 March and signed by V. Putin on 5 April caused the greatest speculation. On the one hand, these amendments simplified the registration of religious organizations. But on the other hand, they extended to religious groups a number of repressive norms that had previously been introduced for NGOs. In particular, the amendments prohibit foreign citizens and stateless persons whose stay in the Russian Federation is considered undesirable to become the leader and even a member of a religious group; persons whose actions the court recognized as extremist; persons on the Rosfinmonitoring list of extremists and terrorists (in addition to the previous category, the list may also include those under investigation in such cases); as well as those whose accounts are frozen by the Interdepartmental Commission on Combating the Financing of Terrorism. All the mentioned persons are actually deprived of the constitutional right to collectively profess their religion.

In addition, the law significantly expands the possibilities for state interference in the internal affairs of religious organizations. In particular, it obliges clerics and employees of religious organizations who have received religious education abroad to undergo recertification and receive additional professional education in Russia. This rule does not apply to religious figures already serving in Russia – only to those who are going to serve in Russia and are receiving or planning to receive education abroad. This requirement discriminates against religious organizations that do not have their own theological schools in Russia, and its implementation is fraught with numerous difficulties and abuses: there are not enough religious educational institutions that could provide the necessary additional education, and secular universities, even those with departments of theology, cannot take into account the specifics of all religious organizations.

The amendments entered into force 180 days after signing.

The parliaments of the subjects of the federation, in order to bring regional legislation into line with the federal one, also made changes to regional laws affecting the activities of religious organizations. For example, in September the Legislative Assembly of the Trans-Baikal Territory approved amendments to the local law on meetings, rallies, demonstrations, marches and picketing, excluding religious organizations from the list of places where the said actions are prohibited. In September, the State Council of Tatarstan approved amendments to the republican law “On Freedom of Conscience and Religious Associations.” These amendments duplicated the federal requirement for the recertification of the clergy. In addition, the amendments clarified the regulation of the participation of children – it is expressly prohibited “involving minors in religious associations, as well as teaching minors religion against their will and without the consent of their parents or persons replacing them.”

Projects That are Not (Yet) Developed

In January, the State Duma adopted in the first reading a bill “On Amendments to the Federal Law ‘On Combating the Legalization (Laundering) of Proceeds from Crime and the Financing of Terrorism’ in Part of Clarifying the Requirements for Religious Organizations and the Legal Entities They Create.” The proposed amendments, in particular, relieve banks, insurance companies and other organizations dealing with finance from the obligation to collect, store and provide information on the beneficial owners of religious organizations. The second reading in 2021 did not take place, the exact date for it at the time of writing the report was not set.

In addition, in December, the government approved the “Action Plan for the implementation in 2022–2025 of the Strategy of the state national policy of the Russian Federation for the period up to 2025.” Among other things, this plan provides for three types of monitoring affecting the activities of religious organizations:

1. “Monitoring of citizens’ appeals about violations of the principle of equality of citizens regardless of race, nationality, language, attitude to religion, beliefs, membership in public associations, as well as other circumstances including when hiring, filling positions when forming a personnel reserve at the federal and regional levels.”
2. “Monitoring media coverage of facts of violation of the principle of equality of citizens regardless of race, nationality, language, attitude to religion, beliefs, membership in public associations as well as other circumstances, including when hiring, filling positions when forming a personnel reserve at the federal and regional levels.”
3. “Monitoring the activities of public associations, religious and other non-profit organizations, exchanging information on identifying the facts of extremist manifestations on national and religious grounds by these associations, including possible attempts to spread extremist ideology and literature.”

The Federal Agency for Ethnic Affairs of the Russian Federation (FADN) and the Ministry of Labor and Social Protection of the Russian Federation are responsible for the first monitoring, the FADN for the second, and the Ministry of Justice, the Ministry of Internal Affairs and the Prosecutor General’s Office for the third. At the same time, quantitative or qualitative performance indicators for the implementation of all three of the above-mentioned monitoring sectors are not indicated. It is likely that the determination of these in-

dicators will be entrusted to the implementing agencies. In any case, the additional close attention of the aforementioned departments to religious organizations urges us to suggest further tightening of control over the activities of these organizations.

At the request of the President, the Supreme Court in October considered the question of how, in the event of tagging a religious organization as extremist, to distinguish between the criminally punishable continuation of the organization’s activities and the legitimate religious activities of followers. The resolution of the plenum of the Supreme Court declared the need for such a distinction but did not clarify the question of how to make it.⁴

Issues Related to Places of Worship

Problems Related to the Development of Churches

As it was before, conflicts arose from time to time around the development of religious buildings. In Moscow, the implementation of the program for the development of modular churches, as in the previous year, did not create social tension. All the conflicts we know about the development of churches took place in other regions. In particular, such conflicts were noted in St. Petersburg, Astrakhan, Irkutsk, Krasnodar, Miass, Nizhnyaya Tura, Sverdlovsk region, Novosibirsk, Odintsovo, Tolyatti. As in previous years, these conflicts were most often caused by an unsuccessful choice of a development site, violations during public hearings or refusal to hold them. One of the most painful problems is development in green areas.

One of the biggest amongst such conflicts was the confrontation resumed in Irkutsk in connection with the development of a church in the Primorsky district. The townspeople are unhappy that the authorities again set out to build a church on the site of a grove planted by the builders of the Irkutsk hydroelectric power station, although in 2016 they abandoned this idea after public protests. This time, the mayor of the city, Yevgeny Khartanov, said that a building permit could only be revoked in court, after which a group of opponents of the development appealed there. The townspeople organized a petition to collect signatures against cutting down the grove and set up a tent camp, which was removed after representatives of the regional administration promised to find another site for the church. However, in January 2022, it was revealed that development within the park was still being considered. During the trial on the claim of opponents of the development, a representative of the mayor’s office said that regardless of the court’s decision, the church will be built on the site of the grove. It is noteworthy that in this case the position of the city and regional administrations diverged. The mayor’s office told the protesters that the diocese had rejected another site offered to it, but agreed to reduce the height and area of the church, while the regional administration said they had not agreed on such an option.

4. Kravchenko, Misuse of anti-extremist legislation in Russia in 2021.

New conflicts arose in St. Petersburg: local residents opposed the development of the Exaltation of the Cross church on Krestovsky Island for the sake of which a patch of birches was cut down. A similar conflict in the village of Metallostroy led to the arson of a change house at the construction site, which began despite the results of the hearings held in 2017. It is noteworthy that the administration of the Kolpinsky district did not confirm the issuance of a permit to the parish to conduct development work.

Residents of Tolyatti demanded that the authorities cancel the permit for the development of the church of St. Mary Magdalene in the park opposite the “Rusich Palace of Culture” and hold public hearings on changing the purpose of the land plot allocated for development from a zone with permitted development of religious buildings to a public landscaping zone. The appeal notes that this park is the only place of recreation for residents of the micro district.

In other cases, opponents of the development wanted to see another object on the site intended for the church. Residents of the Novaya Trekhgorka micro district in Odintsovo protested against the development of an Orthodox church on Chistyakova Street, as they would prefer to arrange parking for patients of the local medical center under development at this site. Residents of Novosibirsk opposed the appearance of an Orthodox church on Adrien Lejeune Street, since a children’s sports ground could be destroyed during that development. However, the Novosibirsk diocese on its website promised not to destroy the site and even equip another playground on the territory of the future church. Residents of Nizhnyaya Tura, Sverdlovsk region, collected signatures against the development of a church near the art school and a playground, and many would like to see a school, swimming pool or hospital in this place. Most people didn’t know that these hearings took place.

Residents of Astrakhan also collected signatures against the development of the church of Alexander Nevsky at the merge of the Volga and Kutum near the wedding palace. Opponents of the development were not satisfied with the chosen place since the church would violate the architectural ensemble of the Astrakhan Stock Exchange and reduce the recreational space for the citizens. *“We believe that the favor of the authorities of one of the religions creates an unequal position with other religious denominations, violating their rights and inciting an inter-religious conflict. We believe that among other things the main problem is the lack of dialogue with society,”*⁵ says the text of the petition.

In a number of cases, the authorities took into account the wishes of local residents, and the warring parties managed to reach a compromise. So, for example, the authorities of Krasnodar sent for revision a project for the development of a church in the Yubileiny borough. Opponents of the development feared that the development of the church on the embankment would deprive the townspeople of a popular place of recreation, and pointed out that the development in this place was contrary to the previously adopted master plan. They were also outraged that they were not properly notified of the public hearings.

At the beginning a compromise was reached on the development of a church in the Newlyweds Public Garden in Omsk: the diocese had to cut down less trees for the de-

5. Astrakhan residents sign a petition against the development of the Alexander Nevsky Cathedral // Astrakhan FM. 2021. 15 September (<https://astrakhanfm.ru/obshhestvo/72110-astrahancy-podpisyvajut-peticiju-protiv-stroitelstva-hrama-aleksandra-nevskogo.htm>).

velopment than originally planned, pay for the felling, and plant a certain number of large trees as compensation. As of the end of the year the site in the garden was fenced off but development had not yet begun – perhaps the diocese decided to abandon the development of the church on these terms.

Some conflicts were resolved in favor of opponents of the development. For example, the Public Municipal Commission of Bryansk approved the amended projects for the improvement of the Energy Workers and Proletarians miniparks, excluding the development of a church in Proletarsky from the project, which local residents have been opposed to since 2016. Landscaping involves only the installation of benches, a fountain and designing a playground.

In Saratov, the conflict over the restoration of the Alexander Nevsky Cathedral, which would require moving the Dynamo stadium to another location, has ended after flaring up periodically since 2003. The diocese agreed to build the cathedral not in a historical place, but on a different site. Metropolitan of Saratov and Volsk Ignatius (Deputatov) stated: “The experience of other cities shows that it is far from always advisable to restore a destroyed church in its original place.”⁶

The Legislative Assembly of St. Petersburg adopted a bill to include a site in the Malinovka park in the list of green areas for common use, as local residents have been protesting for several years against the development of a church there. Now development on this site is prohibited by law, and the area of the park will be increased.

The inhabitants of Nizhny Novgorod as well managed to defend the parkland on Rodionov Street which was supposed to be cut down for the development of the church. After the opponents of the development appealed to the governor and the prosecutor’s office, the diocese first agreed to build a chapel instead of the church, then completely abandoned the development in this place. The authorities decided to improve the parkland.

However, in a number of cases, the opinion of the opponents of the development was still ignored. Thus, the residents of Obninsk were unable to challenge the legitimacy of public hearings in 2017, as a result of which a decision was made to build a church in honor of Alexander Nevsky in the Old City. The court recognized that some of the votes against the development were indeed not taken into account, but the hearings in any case are only advisory in nature. The court considered it inexpedient to hold the second hearings. In September, the ceremony of consecrating the foundation of the church took place.

In Ulyanovsk the development of the church of St. Alexander Nevsky in the park opposite the UAZ Palace of Culture has started. Since 2019 such development has been opposed by local residents who are dissatisfied with the cutting down the trees. However, in 2020, the City Duma transferred the territory of the park from the category of public green spaces to the functional zone of community centers with associated residential development. So the diocese received a building permit on this site and has now started development work.

The authorities of Petrozavodsk announced the development of a church on the embankment, which the locals have also opposed since 2019.

As in previous years, not only Orthodox, but also other religious organizations had to deal with protests during the development of places of worship. In most cases, the dissat-

6. The Diocese made a compromise // Kommersant – Middle Volga. 2021. 6 October (<https://www.kommersant.ru/doc/5018767>).

isfaction of the opponents of the development was caused by the same reasons: the absence of public hearings or their conduct with violations, an inappropriate choice of location, or a desire to see another object in the place intended for a religious building.

For example, as a result of public hearings in the village of Novopushkinsky near Engels, Saratov Region, the authorities did not agree on changing the designation of land plots on Izumrudnaya Street from private subsidiary farm to “religious use” for the subsequent development of a mosque. Only three participants of the hearings spoke out in support of the development, and more than 180 did not approve the idea, fearing “violation of peace and quiet,” and suggested building a mosque in another place that would suit “all residents of numerous nationalities and religions.”

In Kazan, during the year, there were disputes about the development site of a large cathedral mosque, three options were discussed, each of them had supporters and opponents. However, in January 2022, President of Tatarstan Rustam Minnikhanov announced that a site for development had already been chosen – on the opposite bank of the Kazanka river from the local Kremlin. This statement caused dissatisfaction of the townspeople: in less than a month, a petition against the development in this place gained almost four thousand signatures. Opponents of the development note that the development of a mosque in this place will require aggregation of the bank of the river and back filling of the very river itself. This will worsen the ecological situation, as well as deprive the townspeople of their favorite vacation spot. Dissatisfaction was also expressed by the residents of nearby houses, who bought apartments in this place, including for the sake of a panoramic view of the Kremlin and the river that the mosque will close.

It seems that in this case the authorities intend to ignore the opinion of local residents. The reaction of one of the co-authors of the Kul-Sharif mosque project, Aivar Sattarov, is indicative. To quote: *“One should understand that the issue [sic!] about the church development is always made by the sovereign. This way it was at all times – both before the revolution and now. Such decisions are made at the highest level and not by the general public. If you take into account the opinion of the inhabitants then there is no suitable place anywhere in the city.”*⁷

As before, protests against the development of mosques often raise xenophobic arguments. For example, in Stupino, near Moscow, after the premises of the former military unit were transferred to the Muslim community for the creation of an Islamic center, opponents of its appearance distributed leaflets in the city. In particular, they said that the emergence of an Islamic center *“may have a negative impact on inter-ethnic conflicts,”* and would also entail the spread of drugs and the “introduction of Sharia norms.” The protesters were also supported by some deputies of the city council, in particular, Nikolai Kuznetsov, deputy from the Party of Growth, and Boris Degtyarev, member of United Russia. Despite this, local authorities urged the citizens to remain calm and assured that the Islamic center would not harm the life of the city.

Residents of Magnitogorsk were also cutting up rough in social networks about the allocation of land for the development of a mosque on Tevosyan Street. In addition to pointing out the inconsistency with the previous master plan and the lack of sports grounds,

7. Olga Yukhnovskaya, “This place is completely useless”: the architect of Kul Sharif opposed the development of a cathedral mosque near the “bowl” // Evening Kazan. 2022. 19 January (<https://www.evening-kazan.ru/articles/eto-mesto-sovsem-negodnoe-arhitektorkul-sharif-vystupil-protiv-stroitelstva-sobornoy-mecheti-u-chashi.html>).

schools, kindergartens, modern housing in the city, some users expressed their fear that “soon there will be more mosques in our city than churches” and confidence that a new mosque is only needed for “foreign workers,” and local Muslims have enough of one already operating in Magnitogorsk.

We also add that in Novosibirsk, The Church of Jesus Christ of Latter-day Saints filed a lawsuit against the Department of Development and Architecture in the arbitration court in order to challenge the approval of the town-planning committee’s project according to which the site allocated to the Church back in 2014 now was included in the landscaping zone. This made it impossible to build a religious or administrative building there. However, the lawsuit was dropped a month later because the department provided the religious organization with a new site plan before the hearing began, in which these restrictions were lifted.

And the Perm authorities issued a permit to the Chabad Lubavitch community to build a Jewish community center, which also includes a synagogue. For several years, a xenophobic group led by Roman Yushkov, who was repeatedly prosecuted for inciting hostility, opposed the emergence of this center.

Problems with the Exploitation of Existing Buildings

As before, religious organizations have periodically encountered problems exploiting existing buildings, but the number of such conflicts has at least not increased, and may even have slightly decreased compared to 2020.

First of all, this concerns Protestant organizations – here the situation looks much better than a year earlier, when we noted a series of attempts to demolish prayer houses belonging to various Protestant denominations, and many of these attempts were successful. In 2021, we are aware of only two conflicts around Protestant buildings. One case, unfortunately, also ended in demolition: in Samara, by decision of the city department of urban planning, the building of the Presbyterian Church “Good News” in the village of Mekhzavod was demolished as an illegal construction. The reason was that the building stood on two sites at once, exceeded the design height and did not have a kitchen envisaged by the project. However, both sites occupied by the church belonged to the Church, and the religious organization eliminated the violations identified by the department: they removed the cross from the roof, reducing the height of the building, and equipped the kitchen. The inter-church inter-confessional council of the Samara region spoke out in defense of the Church, accusing the department of inciting inter-confessional hatred.

Another conflict known to us is connected with the House of the Gospel belonging to the Union of Churches of Evangelical Baptist Christians in St. Petersburg and the Leningrad Region. After several years of unsuccessful attempts to gain access to the building surrounded by the territory of the Elektroapparat factory, the religious organization filed a lawsuit with the St. Petersburg Arbitration Court to establish an easement (limited use right) to the site on which the building is located. We do not know the outcome of the lawsuit.

On at least two occasions Muslim organizations have experienced problems with the exploitation of buildings. In the Voronezh region, the administration of the Nizhnekara-chansky rural settlement of the Gribanovsky district went to court seeking the demolition of a Muslim prayer house as an illegal building. The prayer house, where the community gathers, was attached to a private household. The administration saw in the build-

ing “signs of an object of religious worship,” erected without the appropriate permission and transfer of the land plot to another category. In February 2021, the court granted the administration’s claim. The community intends to appeal this decision and is ready to change the appearance of the extension.

The administration of Troitsk near Moscow also filed a lawsuit to demolish a residential building used by Muslims for worship. This appeal was preceded by a complaint from local residents who were dissatisfied with the fact that “a lot of cars come to the prayer house” on holidays. However, the immediate reason for the complaint was an incident in November in Novye Vatulinki, neighboring Troitsk, where natives of Azerbaijan with Russian citizenship participated in a fight that arose as a result of a domestic conflict. After that, the residents of Troitsk held a rally demanding “put things in order on the streets.”

Other religious organizations also had difficulty using existing buildings from time to time. The long-term conflict around the Buddhist monastery “Shedrub Ling” on Mount Kachkanar in the Sverdlovsk region continued. In February, the monks left the monastery, which is part of the sanitary zone of the quarry owned by Evraz Group. An agreement was reached with the mining and processing company that the buildings of the monastery would not be demolished, and the community would have the opportunity to return there weekly from Friday to Sunday. However, a few days later it became known that the community had doubts about the preservation of the monastery complex and organized a petition with the collection of signatures for its preservation, since the written agreements referred only to a three-year moratorium on the destruction of the monastery buildings.

The seizure of the remaining property from Jehovah’s Witnesses continued. In Tyumen and Aleksin, Tula Region, the courts recognized agreements on the transfer of buildings and land plots to foreign organizations as fictitious and turned the property into state ownership. The prosecutor’s office of Prokhladny (Kabardino-Balkaria) filed a similar lawsuit with the court regarding the property of Jehovah’s Witnesses in the city of Maisky.

The Arbitration Court of the Krasnoyarsk Territory satisfied the claim of the regional Ministry of Forestry to terminate the agreement with the community of the Church of the Last Testament on the use of the forest area. The plaintiff considered that the community violated the terms of the agreement and used the site not only for religious activities: residential buildings were built on the site, and the territory was littered with waste. And the Krasnoyarsk Regional Court confiscated more than 200 plots from the religious organization, declaring the master plan invalid, in accordance with which the plots belonging to the forest fund were transferred to it.

From time to time, the Orthodox also encountered difficulties with the exploitation of buildings. For example, in Tomsk, the court recognized the St. Nicholas church on the Irkutsk Road as unauthorized development and ordered the diocese to demolish the building. According to the city administration, the diocese built the church on illegally occupied sites, and the building itself did not meet fire safety requirements. Violation of fire safety rules was the reason for the ban on the parish of the Iveron Icon of the Mother of God in Novokuznetsk to use the building of the chapel.

However, the few examples of positive decisions known to us, when religious organizations managed to defend the buildings they use, relate specifically to Orthodox organizations. So, in Samara, an Orthodox parish in honor of the martyrs Vera, Nadezhda, Liubov and their mother Sophia managed to confirm the ownership of the building of the baptismal church in the court. The Orthodox parish of the Nativity of the Most Holy Theotokos

in the village of Zubovo, Belozersky District, obtained through the decision of the court the recognition of ownership of the church built by the community.

Conflicts Around the Transfer of Property to Religious Organizations

In most cases, the property was transferred to the Russian Orthodox Church. For example, in Moscow the church in the estate Pokrovskoye-Streshnevo was transferred to the ownership of the Church; the estate is considered an object of cultural heritage of federal significance and has been used by the Russian Orthodox Church since 1992 – the patriarchal homestead is located there.

Property was transferred to religious organizations not only in Moscow, but also in the regions. For example, the authorities of the Astrakhan region handed over to the Russian Orthodox Church the complex of the Annunciation Monastery, which until recently housed the military registration and enlistment office, which has now moved to another building.

Other religious organizations also sometimes managed to get property. As, for example, the Roman Catholic Archdiocese of the Mother of God, whose ownership was transferred to the building of the church of Peter and Paul in Veliky Novgorod, used by the Catholic community since the mid-1990s.

It should be noted that what was transferred did not always refer to religious property. So, in Tambov, the building of the former trolleybus substation was transferred to the local diocese of the Russian Orthodox Church for free use, which, after a major renewal is planned to be used for household needs.

In most cases, the transfer took place peacefully. In the event that the transfer affected the interests of other organizations the authorities tried to compensate the loss to the former owners. For example, the authorities of the Kirov region decided to transfer 20 premises in Kirov to the Vyatka diocese (Vyatka was renamed Kirov after his assassination in Stalin’s era, the diocese uses the traditional name). For that it would be necessary to resettle the residents of the transferred houses and find premises for the Yunost sports school. It is planned to spend 11.9 million rubles on this from the regional and federal budgets.

Sometimes religious organizations had to go to court to get the property they claimed. In the Tambov region, in this way the Old Believer community managed to obtain the building of the former prayer house in the village of Tekino, Sampursky district, and the land plot on which the building is located.

Some religious organizations failed to secure the transfer of property. Thus, the authorities of St. Petersburg refused to transfer to the Russian Evangelical Reformed Church of Moscow the building of the Dutch church on Nevsky Prospekt, and the Hosanna Evangelical Christian Church, which claimed the premises of the Anglican Church on the English Embankment, got a refusal as well. In both cases, the authorities did not see the continuity of the claiming religious organizations with the historical owners of the premises.

In Smolensk, the Catholic community for several years has not been able to transfer the building of the church of the Immaculate Conception of the Virgin Mary. The building is an architectural monument of federal significance, but neither the federal Ministry of Culture nor the regional authorities can find funds for its restoration. At the same

time, the authorities of the region refuse to transfer the building to the use of the Catholic community, which is ready to take on the restoration work.

The Kirov Catholics once again failed to appeal against the refusal to transfer the church building occupied by the regional philharmonic society. In May, the Arbitration Court of the Volga-Vyatka District refused the Catholic parish of the Sacred Heart of Jesus to satisfy the complaint against the decision of the court of the previous instance.

A number of conflicts were resolved that began in previous years related to the transfer of property of cultural and educational institutions to the Russian Orthodox Church. As a rule, conflicts were resolved in favor of the Church.

The Arbitration Court of the Ryazan region satisfied the claim of the Ryazan diocese to invalidate the refusal of the city administration to transfer the building of French school No. 6 into the ownership of the church. The decision provoked protests from the townspeople, who held a series of one-man pickets against the transfer of the school building. A petition demanding not to hand over the building gathered more than 35 thousand signatures in two weeks. The Ryazan City Hall appealed this decision to the 20th Arbitration Court of Appeal in Tula. However, in February 2022 City Hall announced the parties' readiness to conclude a settlement agreement and began preparations for the development of a new school building in the city center.

In St. Petersburg, the second floor of the Annunciation church of the Alexander Nevsky Lavra, previously occupied by the Museum of Urban Sculpture, was officially transferred to the Russian Orthodox Church. The premises on Nevsky prospekt was given to the museum in exchange.

The Property Relations Committee of St. Petersburg continued to select premises for the sports school, the building of which was transferred to the Spaso-Pargolovsky parish, but the school remained in its former building for all this time.

The authorities of the Perm Territory announced preparations for the development of a new building for the Perm Gallery. The removal of the Gallery from the building of the Transfiguration Cathedral remained the subject of public discussion. In October, the governor of the region, Dmitry Makhonin, announced that the building for the temporary accommodation of the gallery was already ready and the design documentation for the new museum complex, where the gallery should move on a permanent basis, was developed as well as a land plot was selected. The gallery's move to temporary premises began as early as 2022.

There were no new significant conflicts related to the transfer of property. In Chita, a discussion has resumed on the transfer of the Archangel Michael church, in which the Museum of the Decembrists has been operating for many years, to the diocese. The Governor of the Trans-Baikal Territory, Alexander Osipov, publicly supported the idea of resuming worship in this church. The former governor Ravil Geniatullin, representatives of the museum community, students and teachers of Zabaikalsky State University spoke out against this idea. Opponents of the possible transfer noted that the museum would attract much more tourists if it remained in its historical place, and the exhibits might not survive the move. When the discussion heated up, Alexander Osipov accused journalists of fanning the conflict and said that the transfer of the museum building to the church was not yet planned – it is only about finding funding for the redevelopment of the church.

And in Nevinnomyssk, an Orthodox seminary tried to sue the authorities for a building that houses an Orthodox gymnasium school. It is noteworthy that until 1917 an Orthodox gymnasium school also operated in this building. We don't know how the legal battle ended.

Discrimination Based on the Attitude to Religion

Criminal Prosecution

Repressions against Jehovah's Witnesses continued. The number of sentences handed down in previously instituted criminal cases under articles 282² (organization and participation in the activities of an extremist organization) and 282³ of the Criminal Code (financing of extremist activities) significantly increased. During the year, at least 68 such sentences were handed down (25 in 2021) against at least 105 followers. 33 of them were sentenced to a real time (from two to eight years), 63 to suspended sentences and nine to fines (from 200 thousand to 850 thousand rubles).

Let us mention that one of the cruelest sentences is the sentence against Jehovah's Witnesses from Khakassia – Roman and Valentina Baranovsky who are son and mother. In February, the Abakan city court found Roman guilty under Part 1 of Article 282² of the Criminal Code (organization of the activities of an extremist organization), and his 70-year-old mother – under part 2 of the same article (participation in the activities of an extremist organization). During the investigation an elderly woman suffered a stroke but nevertheless was sentenced to two years in prison, and her son to six years.

As of the end of February 2021, there were at least 83 people in prison camps and pre-trial detention centers. In total according to the Jehovah's Witnesses themselves, since the ban on the centralized and local organizations in 2017, 597 followers have already been subjected to criminal prosecution by the beginning of 2022.

An important difference from previous years was the passing of the first acquittal sentence for a Jehovah's Witness. In November the Pervorechensky District Court of Vladivostok acquitted Dmitry Barmakin, who was charged under Part 1 of Article 282². However, this verdict did not change the situation as a whole.

During the year, new criminal cases were initiated against Jehovah's Witnesses, albeit in a smaller number than a year earlier.⁸ As it was before, the initiation of new cases was accompanied by searches, during which numerous procedural violations were committed, and in a number of cases, violence was used against followers. Thus, for example, during the February searches in Moscow and the Moscow Region, two followers were beaten, their hands were tied, and they were held like that until the end of the search. One of the followers was pushed so that he fell. In October, followers in Irkutsk suffered from the actions of special forces and the National Guard. 31-year-old believer Anatoly Razdabarov was thrown to the floor, kicked in the head and kidneys, lifted by his hands, handcuffed behind his back. His wife Greta was also handcuffed, and 23-year-old Nikolai Merinov was hit in the face with a heavy object so that he lost consciousness, his teeth were broken. His wife Lilia was dragged out of bed by her hair and also beaten. In Votkinsk, secu-

8. For more information about the persecution of Jehovah's Witnesses, see: Kravchenko, Misuse of anti-extremist legislation in Russia in 2021.

rity forces conducted raids not only on the homes of followers, but also on their places of work.

Not only Jehovah's Witnesses were subjected to criminal prosecution, but also followers of other religious organizations, mainly representatives of religious minorities.

There are several cases of persecution of followers under part 1 of Article 239 of the Criminal Code (creation of a religious or public association, whose activities are connected with violence against citizens or other harm to their health, as well as the leadership of such an association). In Omsk, a case under this article was initiated against the pastor of the Church of Evangelical Christians New Creation Stanislav Moskvitin, who is suspected of exerting psychological pressure on parishioners. During the searches in this case, law enforcement officials disrupted the service.

In Ryazan, a case under the same part of the same article was initiated against the leader of a group of Evangelical Christians, Svetlana Kolyshkina. The Group is not part of any centralized organization. The prosecution alleges that Kolyshkina caused moral harm to the victim G. by committing psychological violence. At the same time G. herself did not mention the violence and claimed that she attended the meetings of the group voluntarily. This court case is also notable for the fact that psychiatric examinations were carried out in relation to Kolyshkina and her religious teachings, based on video recordings of the service. In November, the court changed Kolyshkina's preventive measure from house arrest to a written undertaking not to leave.

Against the leaders of the Church of the Last Testament, Sergei Torop (Vissarion), Vadim Redkin and Vladimir Vedernikov, accused under the same article since 2020, a new criminal case was opened – under articles 111 and 112 of the Criminal Code of the Russian Federation (deliberate infliction of severe and moderate bodily harm). The reason for initiating a new case was the psychological violence that they allegedly used against their adherents in the 1990s and early 2000s and which led to mental disorders.

Let us add that in February, Vedernikov, who is held in a pre-trial detention center, complained about torture: he told his solicitor that two cellmates tortured him, demanding to confess and cooperate with the investigation. In March, Human Rights Ombudsman in the Krasnoyarsk Territory Mark Denisov urged law enforcement agencies to *“ensure the safety of three persons under investigation and protect them from the use of unauthorized methods of obtaining testimony in a criminal case”* and *“to prevent the criminal prosecution of Sergei Torop, Vadim Redkin and Vladimir Vedernikov from transforming into harassment on religious grounds of five thousand inhabitants of several taiga villages of the region.”*⁹

Restriction on Missionary Activity

The number of administrative cases under Article 5.26 of the Code of Administrative Offenses of the Russian Federation (violation of legislation on freedom of conscience, freedom of religion and religious associations) has again decreased compared to the previous year, but followers are still actively persecuted for “illegal” missionary work. According to the data of the Judicial Department under the Supreme Court of the Russian

9. The Krasnoyarsk Ombudsman urged not to harass members of the Vissarion community on religious grounds // Kommersant. 2021.18 March (<https://www.kommersant.ru/doc/4731955>).

Federation for the first half of 2020 (data for the second were not yet available at the time of writing the report), 153 cases under this article were considered (for the same period of 2020 it was 201). 92 persons were punished, including 56 individuals, 33 legal entities and three officials (in 2020 – 132, 90, 39 and three, respectively).

Fines continue to be the most commonly used punishment for this offense: they were imposed in 89 cases (in 2020 – in 180), in nine cases written warnings were issued. Sometimes an additional punishment was added to the main one: in five cases, confiscation was imposed in this capacity, in one – administrative expulsion from the country.¹⁰

Most often, Protestant Churches were held accountable for “illegal” missionary work: according to the Institute of the Rule of Law, there were at least 116 such cases. Muslims, who were surpassed by Protestants a year earlier in this anti-rating, were prosecuted at least 12 times.¹¹

For example, in Prokhladny (Kabardino-Balkaria) in November, the Adventist community was fined 30 thousand rubles under Part 3 of Article 5.26 of the Code of Administrative Offenses (religious organization conducting activities without indicating its official full name, including the release or distribution of literature with incomplete or deliberately false labeling as part of missionary activities). According to Church pastor Timofei Boronin, it was a book “of a general Christian direction about physical and emotional health. Such literature was indeed purchased by Seventh-day Adventist Christians but for the last ten years it has not been used.” The pastor noted that one of the witnesses claimed that the books were distributed on Tuesday and Wednesday, while services in the prayer house are held exclusively on Saturdays, and none of the parishioners fits the description of the distributor of literature given by the second witness.

Soon after, Nina Boronina, the owner of a gift shop in Prokhladny, was fined six thousand rubles under the same article for distributing the same book, although the books were not for sale: the saleswoman read them herself and gave them as a present to some customers.

In Belgorod, baptist A. Sheremet, a person with Type 3 disabilities who does not belong to any religious organization, was fined five thousand rubles for the distribution of Bibles in a shopping center, under Part 4 of Article 5.26 of the Code of Administrative Offenses (carrying out missionary activities in violation of the requirements of legislation on freedom of conscience, freedom of religion and religious associations). His friends organized an exhibition of religious literature at the Sputnik shopping center, and he himself told those who wondered about the Bible and gave this book as a gift.

Vitaly Glebov, a minister of the Church of Evangelical Baptist Christians in Obninsk, was fined for the same amount under the same article. The opening of an administrative case against him was preceded by the presence of strangers at a Bible study meeting he was holding, after which an FSB officer came to visit Glebov.

10. Summary of the statistical information on the activities of federal courts of general jurisdiction and magistrates' courts for the 1st half of 2021 // Website of the Judicial Department at the Supreme Court of the Russian Federation. 2021. 18 October (<http://cdep.ru/index.php?id=79&item=5896>).

11. Moisei Kondrashin, Stanislav Kulov, Report of the Rule of Law Institute: the Right to Freedom of Thought, Conscience and Religion in 2020-2021 // SOVA Center. 2022. 2 February (<https://www.sova-center.ru/religion/publications/2022/02/d45733/>).

Foreign followers have been prosecuted several times for illegal missionary work. So, for example, in Bryansk, according to Part 5 of Article 5.26 of the Code of Administrative Offenses of the Russian Federation (implementation of missionary activity in violation of the requirements of the legislation on freedom of conscience, committed by a foreign citizen), a citizen of Belarus, a member of the Church of Christians Dmitry Okovito, was fined 30 thousand rubles; and in Kabardino-Balkaria for the same amount and under the same article – Baptist pastor Pavel Gerashchenko, a citizen of Ukraine. US citizen C. Shepherd was also found guilty in Astrakhan under the same article, but, in addition to a similar fine, the court ordered him to be deported from the country. And a British citizen, a member of the society of Evangelical Baptist Christians, who was preparing an international conference of Evangelical Christians in the Altai Republic, was fined in March under part 1.1 of Article 18.2 of the Code of Administrative Offenses (violation of the rules of temporary stay by a foreign citizen) and was deported from Russia.

The former Imam of Ingushetia Isa Khamkhoev was fined three times under Part 4 of Article 5.26 of the Code of Administrative Offenses for preaching in a mosque in the city of Sunzha, since he is no longer the head or official imam of a registered religious organization and at the same time does not have a permit to conduct missionary activities. In one case, he was released from paying a fine due to the expiration of the statute of limitations.

Representatives of other religious organizations were also punished for “illegal” missionary work. So, in Yevpatoria, according to part 3 of Article 5.26 of the Code of Administrative Offenses, the Hava Nagila synagogue of Messianic Jews was fined because of the fact that the videos distributed by the community on the Internet do not bear the official full name of the organization. The amount of the fine was 30 thousand rubles.

In the Rostov region, the head of the Yingliist community of Slavic native faith was brought to justice for illegal missionary work. The pagan festivities organized by him on the banks of the Don river with round dances, a fire and the glorification of god Perun became the reason for a fine of seven thousand rubles under Part 4 of Article 5.26 of the Code of Administrative Offenses.

It should be noted that often followers were held accountable under other administrative articles for activities outside the religious building. For example, in Chita, a group of Hare Krishnas dancing in the street was detained. They were prosecuted under Article 20.6.1 of the Code of Administrative Offenses (failure to comply with the rules of conduct in an emergency or the threat of its occurrence). And in Stavropol, three Muslims were found guilty under Part 2 of Article 20.2 of the Code of Administrative Offenses (organization or holding of a public event without submitting a notice of a public event in the prescribed manner) for organizing a prayer meeting in the banquet hall “with the holding of sermons by theologians and the performance of religious chants (nasheeds).”

Recognition of the Activities of Religious Organizations as Undesirable

Threatening news was the inclusion of a number of foreign religious organizations in the list of those whose activities are recognized as undesirable on the territory of Russia. On August 23, the General Prosecutor’s Office of the Russian Federation recognized as undesirable the activities in Russia of four religious organizations of the New Generation Church based in Latvia and Ukraine:

1. The New Generation International Christian Movement (Republic of Latvia)
2. Evangelisko kristiesu baznica Jauna Paudze [New Generation Evangelical Christian Church, Republic of Latvia]
3. Духовне Управління Євангельських Християн Української Християнської Церкви «Нове Покоління» [The Spiritual Administration of the Evangelical Christians of the Ukrainian New Generation Christian Church]
4. Духовний Навчальний Заклад Міжнародний Біблійний Коледж «Нове Покоління» [The New Generation International Bible College, Ukraine]

On 24 September 2021 activities of two American organizations of the Church of Scientology, the World Institute of Scientology Enterprises International (USA) and the Church of Spiritual Technology (L. Ron Hubbard Library, USA) were declared undesirable in Russia by the Prosecutor General’s Office.

According to its statement, the activities of all these organizations pose a threat to the foundations of the constitutional order and the security of the Russian Federation, but what this threat consists of was not explained. Recognition of the activities of any organization as undesirable means that this organization will not be able to create its branches on the territory of Russia and must stop the activities of existing ones. To say even more, any cooperation with it becomes an administrative offense and, in some cases, a criminal offense.

The inclusion of the New Generation on the list of undesirable foreign organizations has already had practical consequences. In December, armed officers from the FSB, Center E (The Centre for Combating Extremism, a unit within the Ministry of Internal Affairs in Russia), and the prosecutor’s office stormed a conference in Ramenskoye, near Moscow, attended by Protestant clergy, including representatives of Russia’s New Generation Churches. The participants of the conference, including women, were laid on the floor, the musician of the worship group was beaten. Armed security forces also broke into the room where the children were. More than 60 people drew up protocols under Article 20.33 (participation in the activities of a foreign or international non-governmental organization, in respect of which a decision has been made to recognize its activities as undesirable on the territory of the Russian Federation). It is noteworthy that the protocols indicated the International Movement of Christian Churches New Generation as the organizer of the conference, while in reality the organizer was the Russian organization – the Centralized Religious Organization of Evangelical Christians (Pentecostals), also titled New Generation.

In addition, in December, a Ukrainian citizen who had lived in the Krasnodar Territory since 2019 was denied a residence permit because, according to the FSB, he belongs to the New Generation Church and “actively spreads the ideas” of this Church. The believer himself denies any connection with the New Generation and claims that he belongs to a religious group of Evangelical Christians, which is part of one of the Russian Protestant unions.

Representatives of the Church of Scientology have not yet felt the consequences of the inclusion of foreign organizations of this Church in the list of undesirable entities.

Other Forms of Discrimination

We are aware of one case of the liquidation of a religious organization: in Kurgan, they liquidated an Orthodox parish in honor of the Holy Trinity, which was not under the jurisdiction of the Moscow Patriarchate. The Reverend of the parish was Archbishop Varukh (Tishchenkov), who changed several Orthodox jurisdictions and then moved “to an independent position.” The Kurgan Regional Court, followed by the Court of Appeal, came to the conclusion that the religious organization misled Orthodox followers about its ecclesiastical jurisdiction and thereby encroached on their constitutional freedom of religion.

The pressure on religious educational institutions continued, albeit on a smaller scale. Roskomnadzor has canceled the license for educational activities of the Theological Institute of the Evangelical Lutheran Church of Ingria, located in the village of Kolbino near St. Petersburg. In addition, the license of the Theological Seminary of the Evangelical Lutheran Church in the village of Novosaratovka in Vsevolozhsk District was suspended.

And at the end of September, even before the above-mentioned amendments to the law “On Freedom of Conscience and Religious Associations” came into force, the Department of National Policy and Interregional Relations of the city of Moscow sent a letter to religious organizations asking them to provide data on clergy and employees of religious organizations who were trained abroad. Although the law does not specify which state body is authorized to request such information.

As in previous years, there were facts of police interference in the activities of Muslim organizations. In March, during an inspection of a mosque on Basovskaya Street in Moscow, police officers blocked the exit from the mosque and did not let the crowd out for several hours, checking documents and personal belongings. In August, in several mosques in Moscow and the Moscow region, law enforcement officers staged a large-scale check of the documents of those who had gathered for Friday prayers. Near the Moscow cathedral mosque, the documents of those gathered for prayer were checked by OMON fighters. In Kotelniki, 140 people were detained and taken to the police station. If Russian citizens were released immediately after checking their documents, then foreign citizens were released only after DNA samples were collected.

The actions of the police caused outrage among followers – many Muslim leaders expressed dissatisfaction with this form of verification. Perhaps this prompted the leadership of the law enforcement agencies responsible for carrying out such actions to change their behavior. During the regular inspection that followed the incident in Kotelniki in Kolomna, near Moscow, there were no disruptions to worship and unjustified detentions. The chairman of the Fatikha community, Idris Khatikov, described the actions of law enforcement officers during the inspection as an example of grace. According to him, the inspection took place at the end of the service and after the chairman of the community gave his consent to its holding.

In October, inmates of CF (correctional facility) No. 2 in the Kurgan region complained about the staff of the facility. According to the prisoners, in August the CF’s officers confiscated their religious belongings, in particular, they threw the Koran on the floor and trampled on it.

As in previous years, non-state discrimination also took place. The few examples of such discrimination known to us concerned Muslims. In July, a resident of the Moscow district of Khamovniki drove a Muslim who was performing namaz from a playground. She

demanded not to perform a “religious rite” because “in our country it is not welcome.” A passer-by interceded for the believer.

In November, a passenger on the Moscow underground drew attention to a Muslim who was praying in the underpass: he began filming the man praying on his phone and demanding police response. However, the police officers said that it was not prohibited by the rules for using the tube, and there was nothing illegal in the actions of the believer.

Positive Decisions

In some cases, religious organizations and their followers managed to defend their rights including in the court hearings.

On several occasions, followers have been able to challenge prosecutions for “illegal” missionary work. For example, in April, the Uzlovskaya City Court of the Tula Region overturned the decision of the magistrate’s court, which fined the defendants under Part 4 of Article 5.26 of the Code of Administrative Offenses as members of the Seventh-day Adventist Church, Presbyter Sergei Rudnev and his assistant Zhanna Kuzina, for five thousand rubles each. And in February, the case against the pastor of this Church, Vadim Zhe-lik, who was accused under part 3 of the same article, was dismissed.

In Ulyanovsk, the magistrate’s court did not see an offense in the actions of a believer in one of the Evangelical Churches, accused under Part 4 of Article 5.26 of the Code of Administrative Offenses, and dismissed the case.

In Arkhangelsk, the magistrate’s court, due to the absence of an offense, terminated the proceedings under Part 2 of Article 20.35 of the Code of Administrative Offenses (violation of the requirements for anti-terrorist security of objects (territories) of religious organizations or obstruction of the activity of a person in fulfilling the assigned obligation to fulfill or ensure the requirements for anti-terrorist protection of objects (territories) of religious organizations) in relation to the Church of Seventh-day Adventist Christians. The reason for initiating the case was the incident with a dummy explosive device thrown into the church on 22 May.

The Moscow Theological Seminary of Evangelical Christian Baptists, which a year earlier, at the request of Rosobrnadzor, was deprived of a license for educational activities, managed to obtain a new license.

Some organizations managed to achieve a positive decision in the European Court of Human Rights. Thus, in September, the ECHR ruled in the case of Vladimir Kuropyatnik, a member of the Church of Scientology, who challenged the illegal detention in 2010 and the inclusion of his name in the Surveillance Database to track people allegedly involved in extremist activities. The Court ordered the Russian Federation to pay the applicant five thousand euros in respect of non-pecuniary damage caused by unlawful detentions and inclusion in the database of possible extremists, and three thousand euros in respect of legal costs.

In December, the ECHR upheld the complaint of the Center for Societies for Krishna Consciousness in Russia and lawyer Mikhail Frolov about the inability of the Russian authorities to protect Hare Krishnas from defamation. In particular, he mentioned the project “Beware of sects!” organized by the authorities of Ulyanovsk in 2008, during which an “anti-sectarian” brochure was distributed, and the ban by the Moscow authorities on the street action of Hare Krishnas. The court decided to recover from the Russian Feder-

ation seven and a half thousand euros in favor of each of the applicants as compensation for non-pecuniary damage.

In addition, the ECHR communicated the complaint of St. Petersburg Scientologists, who are accused under a number of criminal articles, about the measure of restraint chosen for them: for Sahib Aliyev and Anastasia Terentyeva – a ban on certain actions, for Galina Shurina and Konstantsiya Yesaulkova – travel restrictions, for Ivan Matsitsky – detention.

Protecting the Feelings of Believers

Protection from Above

Compared to the previous year we know of eight sentences (one in 2020) under Parts 1 and 2 of Article 148 of the Criminal Code (public actions expressing clear disrespect for society and committed in order to offend the religious feelings of believers).

The most severe sentence under this article – 10 months in prison – was handed down to blogger Ruslan Bobiev and his girlfriend Anastasia Chistova, who published a video with imitation of oral sex against the backdrop of St. Basil's Cathedral, while the girl was wearing a jacket with the inscription "police."

In other cases, convicts under this article were assigned either fines or compulsory work. For example, Alexei Savkov, a resident of the Oryol region, was fined 75 thousand rubles for posting on VKontakte an offensive comment about the Annunciation. Igor Gladkov, a resident of Penza, was fined 20 thousand rubles for comments and posts in which he compared the pectoral cross with a "murder weapon," spoke negatively about the Church, clergy and followers. A resident of the Penza region, Pavel Pischulin, was sentenced to 180 hours of compulsory labor for a number of negative statements about Christianity and the Church. Vitaly Mirosnikov, a resident of Chita, was sentenced by a court to 120 hours of compulsory labor for a video posted on a social network in which he himself lights a cigarette from a church candle. We consider all the sentences mentioned to be unlawful.

In addition, the Baltic Fleet servicemen Rasul Saikhanov and Jamaldin Magomedov, who "washed their feet" in the holy spring, were convicted under the same article. They were sentenced to fines of 100 thousand and 200 thousand rubles, respectively. An 18-year-old resident of the Arkhangelsk region and a 16-year-old resident of the village of Umba in Murmansk region, who a year earlier made offensive inscriptions on an Orthodox church and ruined an icon, were fined 15 thousand rubles and a warning and transfer under the supervision of a legal representative, respectively.

In another case, the sentence was passed under Article 148 in combination with other charges. A resident of Cherepovets was sentenced to two years' imprisonment with probation for two years under Part 1 of Article 148 and part 2 of Article 280 of the Criminal Code (public calls for the implementation of extremist activities, committed using the media and the Internet).

Insulting religious feelings was also prosecuted administratively. Two residents of the Tula region under Article 5.26 of the Code of Administrative Offenses (deliberate public desecration of objects of religious veneration, signs or emblems of ideological symbols and accoutrements) were fined 30 thousand rubles each for caricature images of icons.

During the year, several new cases were opened under Article 148 of the Criminal Code. One of these cases was initiated against a resident of Buryatia, who, while intoxicated, climbed onto the roof of the cathedral and urinated there. The remaining cases (at least four) were opened for the publication of photographic and video materials, in which people were depicted looking inappropriately, according to law enforcement officials, against the background of religious objects. The initiators of opening cases were the law enforcement agencies themselves: as a rule, there were no complaints from believers who considered themselves offended by these publications.

It is noteworthy that the increased criminal prosecution for such offenses seemed redundant even to representatives of religious organizations. For example, the head of the communications sector of the St. Petersburg diocese of the Russian Orthodox Church, Natalya Rodomanova, commenting on the outrageous photo of two young people against the backdrop of the Savior on Spilled Blood with trousers and shorts lowered, said that the diocese is not going to react: *"We can't be bothered to react to every blogger's prank. It's somehow not very smart actually."*¹²

Vakhtang Kipshidze, Deputy Chairman of the Synodal Department for Church Relations with Society and the Media, commenting on one of the new cases, said that he thinks that the task of Article 148 of the Criminal Code *"is not that as many people as possible receive indictment terms, but that as few people as possible try to sow discord in our society on religious grounds."*¹³

We add that the Deputy Chairman of the State Duma Committee on Science and Higher Education Oleg Smolin proposed to drastically reform the composition of parts 1 and 2 of Article 148. First, he believes that public works will suffice as a punishment for deliberate insults to religious feelings. Secondly, in his opinion, the situation is not normal, in which *"according to the Constitution, followers and atheists are equal in our country. But according to the law, it turns out that only the feelings of believers can be offended."* Smolin believes that *"offending the feelings of believers is possible only in the church, or where other ritual actions are performed."*¹⁴

Let us note a few more examples of protection of religious feelings "from above." The Oktyabrsky District Court of St. Petersburg satisfied the claim of the prosecutor's office of the Admiralteysky district of the city in defense of an indefinite circle of persons and banned the distribution in Russia of a video published on YouTube, in which musician Marilyn Manson tears pages from the Bible. The prosecutor's office, and after it the court, regarded the singer's actions as a deliberate insult to the religious feelings of believers and an expression of "obvious disrespect for society."

Sergei Gavrilov, Chairman of the State Duma Committee on the Development of Civil Society, Issues of Public and Religious Associations, appealed to the Prosecutor General's Office with a request to check the video clip "New Wave" by Morgenstern and DJ Smash for signs of insulting religious feelings. Gavrilov saw the insult in the fact that the

12. The St. Petersburg diocese decided not to notice the photo without pants against the background of the church // Ridus. 2021. 19 November (<https://www.ridus.ru/news/366748>).

13. Did photos in thongs drive the ROC into a trap? // Rosbalt. 2021. 6 November (<https://www.rosbalt.ru/moscow/2021/11/06/1929684.html>).

14. The State Duma called for the removal of the article on insulting the feelings of believers from the Criminal Code // Govorit Moskva. 2021. 2 November (<https://govoritmoskva.ru/news/293357/>).

clip was published on the eve of Easter according to the Gregorian calendar, the participants use costumes “stylized as Catholic cassocks,” and the clip takes place in a building similar to a catholic church.

It is also worth mentioning a commercial dispute in which the theme of insulting religious feelings was used. Two wine companies, Wine Style LLC and Aleksandrovy Pogreba LLC, argued about the right to the SAINT VINCENT trademark. Wine Style managed to deprive a competitor of the right to a trademark, convincing the court that the use of the saint’s name in the wine trademark offends the feelings of believers. As in the cases described above, the process did not include the opinions of followers who would be offended by the use of this name for alcoholic products. Well-known religious scholars and sociologists involved in the process did not see signs of insulting religious feelings either. However, the head of the Legal Department of the Moscow Patriarchate, Abbess Xenia (Chernega), speaking on the side of Wine Style, said that the Church’s position “*is not that wine named after a saint can offend someone, but that you can’t make the name of a saint an object of commercial circulation.*”¹⁵ At the same time, the company that won the dispute did not itself refuse to sell the mentioned wine.

Protection from Below

Unlike defenders from the “high level,” public defenders of religious feelings were inactive throughout the year, despite the easing of quarantine restrictions. From time to time they publicly expressed dissatisfaction with this or that phenomenon in social or cultural life, however, as a year earlier, they did not resort to forceful methods.

The only exception known to us was a minor incident in St. Petersburg: in August, during an autograph session of journalist Alexander Nevzorov at the Helvetia Hotel, one of those who came up for an autograph slapped the journalist with the words “enough insulting the Orthodox faith.” The guard pulled the attacker away and handed him over to the summoned officers of the National Guard. Nevzorov himself did not write a statement to the police and asked to release the detainee. The autograph session continued after the incident.

All other public protests against insulting religious feelings known to us were expressed by the Orthodox. As a rule, those who complained about insulting religious feelings appealed to various authorities. For example, a resident of Krasnoyarsk complained to the police about a performance staged by local artist Maria Gasanova on 2 May, Easter Day. She posted on her Instagram a series of photographs showing a man in white robes talking to passers-by on the Yenisei embankment and handing out fruits to them. The applicant considered this artistic action an attempt to “parody the Lord.” It is true though he made a reservation that he did not want the authors and participants of the performance to receive a term: in his opinion, they “*should repent, get some kind of lesson, maybe work on the construction of the church.*”

Noteworthy is the reaction to this incident of the Metropolitan of Krasnoyarsk and Achinsk Panteleimon (Kutovoy). According to him, the action was blasphemous, and its

15. Xenia Chernega, The dispute between winemakers and the feelings of believers // Arguments and Facts. 2022. 15 February (https://aif.ru/society/religion/spor_vinodelov_i_chuvstva_veruyushchih).

authors were driven by the desire to “promote” themselves. However, he did not see the need to insist on holding “*some kind of show trial,*” since “*there are also questions regarding the motives of the one who complained.*”

The organization Sorok Sorokov (Forty Forties, a number alluding to a multitude of churches in historical Moscow) appealed to the Investigative Committee of the Russian Federation with a request to initiate a criminal case under Part 1 of Article 148 of the Criminal Code against the head of Navalny’s headquarters in Nizhny Novgorod, Maria Chistyakova. The reason was the post she published with the image of the Virgin in her undergarment, which the authors of the statement considered “disrespectful actions against God and shrines.” Arguing their point of view, the applicants referred to the Church documents, as well as amendments to the Constitution, which mention the “ideals and faith in God” transmitted by the ancestors.

In some cases, authorities took the side of the complainants. So, for example, the Ministry of Culture of the Russian Federation, in response to a complaint from the same Sorok Sorokov, who considered the fragment of Paul Verhoeven’s *Temptation* offensive, refused to issue a permit for the distribution of this film in Russia. Orthodox considered offensive the scene in which a dildo was made from the statue of the Mother of God.

In St. Petersburg, a concert was canceled at which 10 poems by Shostakovich were to be performed based on verse by revolutionary poets of the late 19th and early 20th centuries. The concert was supposed to take place in the church of the Savior on Spilled Blood as part of the Arts Square festival. Officially, the concert was canceled “due to technical reasons,” but the cancellation was preceded by a number of publications, including on the Tsargrad TV channel, the authors of which appealed to “*Russian Orthodox people, monarchists, conservatives, traditionalists*” with a call to prevent “*this disgrace,*” because “*only church music can be performed in the church.*”

And in Moscow, according to part 1 of Article 6.17 of the Code of Administrative Offenses of the Russian Federation (violation of the established requirements for the distribution among children of information products containing information harmful to their health and (or) development) fines were issued for Rotex, the organizer of the educational exhibition of the German pathologist Günther von Hagens “Body Worlds” and its CEO Dmitry Protsenko. The inspection, the initiation of proceedings and the trial were preceded by a protest against the holding of this exhibition by a number of public organizations, including the Russian Orthodox Church and the Communists of Russia. However, Church representatives then preferred not to reduce the protest to an insult to religious feelings, emphasizing that the reaction to this event “*goes beyond the feelings of believers or non-believers and rather lies in the cultural plane.*” According to Vladimir Legoyda, chairman of the synodal department for relations between the Church, society and the media, “posthumous treatment of the human body cannot be the subject of an exclusively commercial contract,” and “*education of doctors who save lives is not the same as entertaining a bored public with the contemplation of corpses.*”¹⁶

16. The Russian Orthodox Church called the exhibition “Body World” shocking content // RIA Novosti.

2021. 13 March (<https://ria.ru/20210313/vystavka-1601071544.html>).

Lack of Protection Against Attacks and Defamation

Violence and Vandalism

Acts of religiously motivated violence, like a year earlier, are unknown to us as well. Although, of course, in some cases, we simply may not have information about the motive for the crime. It is worth mentioning, for example, the explosion on the territory of the Vvedensky Vladychny female convent in Serpukhov, which was arranged by Vladislav Struzhenkov, a former pupil of the gymnasium school operating at the monastery. The investigation believes that he could have had a conflict with other pupils and teachers. A case was initiated against him under Part 3 of Article 30, part 3 of Article 105 (attempted murder) and Article 223¹ of the Criminal Code of the Russian Federation (illicit trafficking of explosives). Struzhenkov himself was taken into custody.

The level of religiously motivated vandalism has also decreased compared to the previous year: we are aware of 12 such cases against 18 in 2020.

More often than others, Orthodox objects were attacked by vandals – at least in four cases (compared to at least eight a year earlier). No less than two of these cases were caused by conflicts with the local population. In St. Petersburg, as mentioned above, unknown people set fire to a change house at the construction site of a church in the village of Metallostroy.

In Tatarstan, a cross was cut down at one of the graves of the cemetery in the village of Aktanysh in the Aktanysh district. At the same time, a relative of the deceased, who spoke about the act of vandalism in local public pages, received a lot of xenophobic comments, and local authorities persuaded her not to restore the cross, referring to the opinion of the head of the district administration. The conflict received a wide public outcry and forced the secular and spiritual leaders of the republic to intervene. Tatarstan President Rustam Minnikhanov issued a stern warning to Engel Fattakhov, the head of the district, and demanded that work be done to restore the grave taking into account the wishes of the deceased's family. Imam of Tatarstan Kamil Samigullin instructed local imams to talk with parishioners about the need to respect the rights of followers during burial, regardless of their religion. Raykhan Galimyanova, deputy head of the district administration, resigned.

In two more cases, vandals inflicted graffiti on Orthodox objects. In the village of Bronitsa, Novgorod Region, a swastika was painted on the wall of an inactive, collapsing church, and in the village of Bogdanovka, Samara Region, in addition to putting the inscriptions “death to the Urus” and “Allah Akbar” on the chapel and the water spring, the attackers poured diesel fuel into the spring and into the baptismal font.

The same number – at least four acts of vandalism were committed in relation to pagan objects. The pagan temple in Bitza Park in Moscow was attacked by vandals at least twice during the year. In June, a resident of Moscow Ilya Shulikov on his page on VKontakte reported that he had poured urine over this temple. In the photograph, the young man is shown wearing a T-shirt with the imperial tricolor and the inscription “Russian Lives Matter.” In August, vandals painted this temple with paint and left insulting inscriptions. The community does not exclude participation in this act of vandalism of the same Shulikov.

On a sacrificial stone in Kaluga, the vandals depicted an Orthodox cross. This temple also used to be the object of attack – in 2020. And in Veliky Novgorod, unknown people tried to burn the idol of Veles.

Jewish objects suffered at least three times at the hands of vandals. Holocaust memorials were desecrated in Volgograd and Pushkin. In Pushkin, vandals wrote the abbreviation ENO (the far-right group Ethnic National Union) and a slogan calling for violence on the memorial. In Volgograd they scribbled offensive anti-Semitic inscriptions and Nazi symbols. In both cases, the alleged vandals were apprehended and an investigation is underway. And in Moscow, on Hitler's birthday, 20 April, the Shamir synagogue, which had already been attacked by vandals a year earlier, was set on fire. In addition, the vandals painted a swastika on the wall of the building. No one was hurt; the damage to the building is estimated at 100 thousand rubles.

Another act of vandalism known to us was directed against a Protestant object: a resident of the village of Tagda in Buryatia, being in a state of intoxication, set fire to the building of the Church of Christians of the Evangelical faith Christ the Savior. A case was initiated against him under Part 2 of Article 167 of the Criminal Code of the Russian Federation (deliberate destruction or damage to another's property by arson).

Defamation of Religious Minorities

Probably, the number of defamatory publications about religious minorities in the official media has decreased, but such publications still existed, including on federal channels.

The objects of attacks, as before, often became Scientologists. In December, the NTV channel aired the film “Business Sect” dedicated to the Church of Scientology. The film, like many similar materials, has an “anti-sectarian” orientation, exposes the “destructive nature of Hubbard's ideas” and the “leading staff” of the organization, which is, according to the film's authors, “all criminals and bandits.”

Another federal channel, Ren TV, in a June story about embezzlement during road construction, mentioned Scientologists in a negative context: as follows from the story, the unscrupulous head of the large road development company DSK Autobahn, Alexei Andreev, was accused of having ties with the Church of Scientology and that he “could be the biggest sponsor of the sectarians.” Traditionally, Alexander Dvorkin, a “sect scholar” was involved as an expert.

Defamatory material also surfaced about The Church of Jesus Christ of Latter-day Saints. In late February – early March, during the program *An Evening with Vladimir Solovyov* on the Russia 1TV channel, political scientist Sergei Kurginyan said that the Russian authorities were involved in “placement of Mormons” in the authorities of strategically important regions, in particular, in the administration of South Ossetia. The guest of the program repeated the thesis, popular among the fighters against “sects,” about the connection of the Mormons with the CIA.

Summary Statistics of Crimes and Punishments

Data as of 22 February 2022

Types of Violence and Victims of Violent Hate Crimes

	2007		2008		2009		2010		2011		2012	
K – killed, B – beaten, wounded	K	B	K	B	K	B	K	B	K	B	K	B
Total**	94	625	116	501	94	443	44	421	27	213	20	198
Dark-skinned	0	34	2	26	2	59	1	28	1	19	0	26
People from Central Asia	36	95	57	133	40	92	20	86	10	38	8	38
Caucasus	27	77	22	71	18	78	5	45	8	18	4	15
People from the Middle East and North Africa	1	22	0	15	0	2	0	2	0	5	0	2
From other Asian countries	9	76	9	40	14	37	3	19	0	15	0	5
People of “non-Slav appearance”	9	67	13	57	9	62	7	104	1	26	1	16
Ideological opponents	8	174	3	103	5	77	3	67	1	40	1	57
Homeless	1	3	4	1	4	0	1	3	3	3	6	2
Russians	0	22	3	12	0	7	1	8	1	9	0	5
Jews	0	9	0	6	0	3	0	3	1	2	0	0
Religious groups	0	9	0	6	1	2	0	22	0	24	0	10
LGBT	0	7	1	6	0	0	0	3	0	3	0	12
Others or unknown	3	30	2	25	1	24	3	31	1	11	0	10

* The data is still far from complete.
** not including the victims of mass clashes; not including the victims in the North Caucasus republics and in Crimea prior to 2016. For the data for the years 2004-2006, see previous reports.

		2013		2014		2015		2016		2017		2018		2019		2020		2021*	
K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B
28	209	37	134	14	96	12	89	9	71	9	79	9	72	1	52	3	61		
0	7	0	15	0	6	1	0	1	0	0	1	0	1	0	2	0	5		
15	62	14	30	7	7	4	24	0	11	2	3	3	12	0	4	1	3		
3	28	3	14	0	8	2	1	0	4	0	0	0	1	1	8	0	3		
0	1	0	6	1	3	0	0	0	0	0	4	0	0	0	0	0	0		
0	7	1	5	0	2	1	4	0	3	0	3	0	2	0	1	0	0		
0	34	3	8	0	10	1	8	0	8	4	11	0	19	0	6	2	13		
0	7	0	18	0	17	0	15	4	19	0	23	0	5	0	9	0	8		
2	3	13	1	3	8	2	1	4	1	1	15	1	8	0	2	0	2		
0	4	0	5	0	0	0	4	0	2	0	0	0	1	0	0	0	0		
0	2	0	1	2	1	0	3	0	0	0	0	0	1	0	1	0	1		
0	21	2	12	0	18	0	21	0	3	0	1	0	0	0	0	0	0		
2	25	0	9	0	9	1	4	0	12	2	15	5	14	0	17	0	21		
6	8	1	12	1	7	0	4	0	8	0	3	0	8	0	2	0	5		

We have not included serious death threats. In 2010, we have information about 6 persons who received such threats, in 2011 – 10, in 2012 – 2, in 2013 – 10, in 2014 –2, in 2015 – 8, in 2016 – 3, in 2017-18 – 0, in 2019 – 3, in 2020 – 5.

Ideologically Motivated Attacks Against Property

	2009		2010		2011		2012		2013		2014	
D – dangerous assaults O – other assaults *	D	O	D	O	D	O	D	O	D	O	D	O
Total	36	136	36	143	13	81	11	84	23	50	11	43
Religious targets	14	45	17	44	12	53	10	61	23	43	6	26
Russian Orthodox	5	11	8	8	3	9	5	33	12	19	2	8
Muslim	3	5	2	7	1	16	1	5	5	4	4	4
Jewish	1	21	1	14	1	13	1	7	3	7	0	5
New religious movements	1	3	4	11	5	11	2	11	2	11	0	8
Catholic	0	1	0	0	0	0	0	1	0	0	0	0
Protestant	2	2	2	1	2	3	1	4	1	0	0	1
Armenian	2	2	0	2	0	0	0	0	0	0	0	0
Other religious ***	0	0	0	1	0	1	0	0	0	2	0	0
Other targets	22	91	19	99	1	28	1	23	0	7	5	17
State facilities	9	0	12	1	0	0	0	0	0	0	1	4
Ideological targets	13	91	5	95	1	27	1	23	0	7	4	13
Other ****	0	0	2	3	0	1	0	0	0	0	0	0

* The most dangerous assaults are explosions and arson, others - various breakdowns, as well as other damage, including graffiti (but excluding individual graffiti on the walls).
This table does not include data on Crimea prior to 2016 and on the North Caucasus.
** The data is still far from complete.

2015		2016		2017		2018		2019		2020		2021**	
D	O	D	O	D	O	D	O	D	O	D	O	D	O
10	46	6	40	14	35	7	27	6	14	7	23	7	20
9	24	6	25	9	21	7	13	6	9	7	11	4	8
4	5	2	8	4	7	4	7	3	3	3	5	1	3
2	5	0	4	0	0	0	1	0	1	0	2	0	0
1	4	1	4	1	0	3	1	1	4	1	2	1	2
2	9	3	7	3	11	0	0	1	1	0	0	0	0
0	0	0	0	0	0	0	0	1	0	0	0	0	0
0	0	0	0	1	1	0	2	0	0	2	0	1	0
0	0	0	0	0	0	0	1	0	0	0	0	0	0
0	1	0	2	0	2	0	1	0	0	1	2	1	3
1	22	0	15	5	14	0	14	0	5	0	12	3	12
0	4	0	1	0	0	0	0	0	0	0	1	0	1
1	18	0	14	4	14	0	14	0	5	0	7	3	10
0	0	0	0	1	0	0	0	0	0	0	4	0	1

*** These include Buddhist targets and other religions that were not mentioned and religious objects that could not be attributed.
**** These include objects that do not fall into any of the other categories or those that could not be attributed.

Guilty Verdicts for “Crimes of an Extremist Nature”

In addition to hate propaganda and crimes that are directly related to the concept of «extremism», this table includes sentences for ordinary hate crimes.

In addition to hate propaganda and crimes that are directly related to the concept of «extremism», this table includes sentences for ordinary hate crimes.

year	numbers of verdicts (in which at least one defedant was found guilty)			
crimes	against persons	against property	public statements	membership in a group*
2004	9/0/0	_****	3/0/0	3/2/0
2005	17/0/0	-	12/1/0	2/4/8
2006	33/0/0	-	17/2/0	3/1/3
2007	38/0/0	4/0/0	30/1/1	2/0/8
2008	33/0/0	8/0/0	49/2/1	3/0/4
2009	52/0/1	10/0/0	56/4/0	5/13/2
2010	91/0/0	13/0/1	69/8/3	9/6/8
2011	62/1/3	9/0/0	72/6/1	12/7/7
2012	32/2/2	5/0/0	87/4/1	6/9/3
2013	32/1/0	8/0/0	130/7/3	7/8/6
2014	22/0/2	4/0/0	153/4/6	7/9/14
2015	24/1/0	8/1/0	211/14/9	11/16/3
2016	18/2/0	5/0/0	208/17/9	8/22/1
2017	10/0/0	4/0/0	216/17/21	4/27/3
2018***	15/0/2	2/0/0	60/11/137	4/25/3
2019	5/0/0	0/0/0	15/6/91	7/27/6
2020	5/0/0	1/0/0	6/11/102	3/42/11
2021**	13/0/1	0/0/3	8/20/196	7/95/13

* This includes participation in an “extremist community” or an organization banned for extremism, as well as in Hizb ut-Tahrir under Article 205⁵ of the Criminal Code.

Data on the sentences of members of some Islamist organizations for the years 2004-2011 have not yet been included in the table

** The data is still far from complete.

*** Since 2018, we have been using the ‘undeterminable’ category in the assessment of the verdicts in a much broader manner (see the report); in the table above, this category includes the verdicts that are not related to countering nationalism and xenophobia. **** The hyphen means that the data for this period has not yet been collected.

year	number of convicts			
crimes	against persons	against property	public statements	membership in a group*
2004	26/0/0	-	3/0/0	3/2/0
2005	56/0/0	-	15/2/0	2/18/19
2006	109/0/0	-	20/2/0	15/1/3
2007	89/0/0	5/0/0	41/1/5	4/0/27
2008	107/0/0	7/0/0	67/3/0	10/0/14
2009	130/0/2	20/0/0	74/5/0	9/25/2
2010	305/0/0	22/0/1	78/9/5	32/6/19
2011	195/4/3	16/0/0	80/7/1	26/12/19
2012	70/4/3	7/0/0	100/11/1	9/24/13
2013	55/1/0	11/0/0	136/7/4	8/16/11
2014	47/0/3	6/0/0	158/4/8	15/22/26
2015	58/1/0	14/1/0	220/16/9	25/44/6
2016	42/2/0	6/0/0	227/18/9	20/38/2
2017	24/0/0	6/0/0	235/18/22	6/76/5
2018***	48/0/7	6/0/0	70/12/137	9/76/6
2019	11/0/0	0/0/0	19/6/92	15/94/14
2020	8/0/0	1/0/0	7/17/92	8/85/28
2021**	36/0/1	0/0/7	10/21/198	13/164/15

year	suspendend sentences of released from punishment			
crimes	against persons	against property	public statements	membership in a group*
2004	5/0/0	-	2/0/0	2/0/0
2005	5/0/0	-	6/0/0	0/1/9
2006	24/0/0	-	7/1/0	0/0/0
2007	12/0/0	5/0/0	9/0/0	0/0/6
2008	22/0/0	6/0/0	27/3/0	2/0/7
2009	35/0/1	7/0/0	33/1/0	2/12/1
2010	119/0/0	5/0/1	35/5/4	5/5/8
2011	77/4/1	4/0/0	33/2/1	3/7/4
2012	13/0/2	1/0/0	15/6/0	1/12/4
2013	14/0/0	1/0/0	14/3/3	1/3/3
2014	7/0/1	0/0/0	14/2/0	2/5/4
2015	12/0/0	2/0/0	41/2/3	7/20/0
2016	6/0/0	0/0/0	99/3/3	14/1/0
2017	1/0/0	0/0/0	116/7/9	4/6/0
2018***	9/0/0	0/0/0	22/5/80	1/1/0
2019	4/0/0	0/0/0	8/2/40	4/10/1
2020	1/0/0	1/0/0	4/1/48	1/28/7
2021**	22/0/0	0/0/2	4/2/86	9/75/5

Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2021:
A collection of annual reports by SOVA Center for Information and Analysis

Cover design: **Verstak Design Bureau**
Infographics: **Tatiana Tsvirova**
Layout: **Maria Konkova**

Signed to print on May 16, 2022. Format 60x90/8. Headset Circe

Published Sheets: 11.2.

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18+