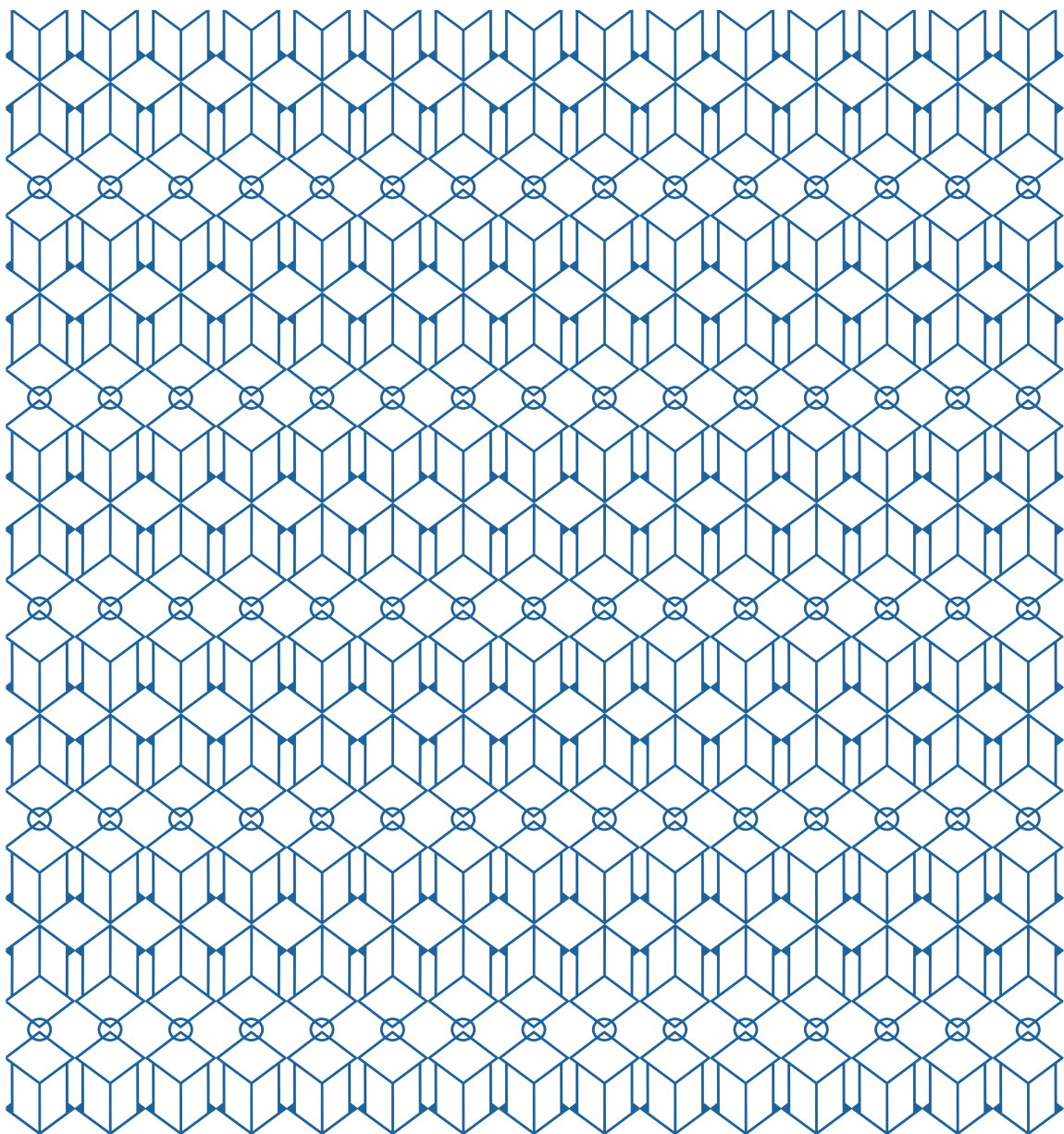


Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2023



SOVA Research
Center.
A collection of
annual reports



Moscow, 2024

SOVA Research Center. A collection of annual reports

Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2023

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Reports focus 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 March 11, 2024.



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Table of Contents

Natalia Yudina	
The New Generation of the Far-Right and Their Victims: Hate Crimes and Counteraction to Them in Russia in 2023	6
Summary.....	6
Systematic Racist and Neo-Nazi Violence.....	7
Attacks Against “Ethnic Outsiders”.....	11
Attacks Against Ideological Opponents.....	15
Attacks Against the LGBT.....	14
Attacks in “Defense of Morality”.....	14
Religiously Motivated Attacks.....	15
Crimes Against Property.....	16
Criminal Prosecution for Violence.....	19
Criminal Prosecution for Crimes Against Property.....	24
Along the Beaten Track: Anti-Extremism Law Enforcement in Russia in 2023 With Regard to Countering Public Statements and Organized Activity, Including Radical Nationalism	
Summary.....	25
Criminal Prosecution.....	26
For Public Statements.....	26
For Participation in Extremist and Terrorist Groups and Banned Organizations.....	41
Federal List of Extremist Materials.....	44
Banning Organizations as Extremist.....	46
Prosecution for Administrative Offences.....	49
Maria Kravchenko	
Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2023	54
Summary.....	54
Lawmaking.....	56
On State Security.....	56
On Discreditation and “Fakes”.....	58
On Extremists.....	59
On Control over the Internet.....	60
On Non-Profit Organizations.....	62
Sanctions for Anti-Government Statements.....	63
Calls for Extremist and Terrorist Activities.....	63

Prosecutions under Article 205 ²	65
Prosecutions under Article 280.....	67
Incitement of Hatred.....	68
Displaying Banned Symbols.....	70
Discrediting the Military and Government Agencies.....	71
Spreading “Fake News” about the Special Military Operation Motivated by Hatred.....	73
Other Anti-Government Statements.....	75
Vandalism Motivated by Hatred.....	75
Hooliganism Motivated by Hatred.....	77
Involvement in Banned Oppositional Organizations.....	78
Persecution of Alexei Navalny and His Supporters.....	78
Sanctions against Vesna Movement Participants.....	80
Banning Oppositional Organizations.....	82
The State on Guard of Morality.....	82
Sanctions for “Rehabilitating Nazism”.....	82
Ban on the “International LGBT Movement”.....	85
Sanctions for Insulting the Religious Feelings of Believers.....	86
Persecution against Religious Associations.....	88
Jehovah’s Witnesses.....	89
Scientologists.....	90
Allya-Ayat.....	90
Hizb ut-Tahrir.....	91
Followers of Said Nursi.....	93
Tablighi Jamaat.....	93
A Bit of Statistics.....	94

Olga Sibireva

Challenges to Freedom of Conscience in Russia in 2023	101
Summary.....	101
Legal Regulation.....	102
Problems Concerning Places of Worship.....	103
Problems Concerning the Construction of Temples.....	103
Problems With the Use of Existing Buildings.....	106
Conflicts Over the Transfer of State and Municipal Property to Religious Organizations.....	108
Discrimination Based on Religion.....	110
Recognition of the Activities of Religious Organizations as Undesirable and of Religious Figures as Foreign Agents.....	110
Liquidation of Religious Organizations.....	111
Criminal Prosecution.....	111
Restriction of Missionary Activity.....	112
Other Examples of Discrimination.....	114
Positive Verdicts.....	115
Protecting the Feelings of Believers.....	118
Protection from Above.....	118
Protection from Below.....	120

Insufficient Protection from Defamation and Attacks.....	123
Violence and Vandalism.....	123
Defamation of Religious Minorities.....	125
Persecution of Clergy for Criticism of the Armed Conflict with Ukraine.....	126
Summary Statistics of Crimes and Punishments	130
Types of Violence and Victims of Violent Hate Crimes.....	130
Ideologically Motivated Attacks Against Property.....	134
Convictions for “crimes of extremist nature”.....	136

The New Generation of the Far-Right and Their Victims: Hate Crimes and Counteraction to Them in Russia in 2023

This report by SOVA Center focuses on the phenomenon of hate crimes, that is, criminal offenses that were committed on the grounds of ethnic, religious, or similar hostility or prejudice,¹ and on the state's countermeasures to such crimes.

Russian legislation also classifies crimes motivated by political and ideological enmity as hate crimes. The inclusion of these types of enmity in the definition of hate crime is quite rare in democratic countries and remains controversial. We do not consider such crimes in our report unless they are committed by groups oriented toward committing hate crimes in general, for xenophobic motives.

Summary

The results of the past year are alarming. Since the spring of 2023, we have recorded a rapid increase in racist violence. This growth was for the most part due to those attacked on the basis of ethnicity. However, the number of attacks on all other groups of victims – youth subculture groups, political opponents (anti-fascists, anarchists, and communists), LGBT+ people, and those who the attackers believed led an inappropriate lifestyle (homeless, drunk, drug users, etc.) – has also increased markedly.

This violence was committed mainly by autonomous nationalist groups. So far, judging by the photos and detention data, most of the new autonomous offenders are teenagers appealing to the aesthetics of the Nazi skinheads of the early 2000s. We know very little about the ideological views of these groups (apart from hostility towards migrants). For example, we do not know anything about their attitude to military operations in Ukraine.

So far, much of the activity of the new autonomous offenders consists of not overly dangerous episodes of violence and damage to the property belonging to “outsiders.” Young neo-Nazis sprayed gas cans in the face of victims, slashed tires, smashed windows, damaged goods in stalls, and so on. However, we fear that as the actions grow in number

1. Hate Crime Law: A Practical Guide. Warsaw: OSCE/ODIHR, 2009 (available on the website of the OSCE in several languages, including Russian: <http://www.osce.org/odihr/36426>); Verkhovsky Alexander. Criminal Law on Hate Crime, Incitement to Hatred and Hate Speech in OSCE Participating States (2nd edition, revised and expanded). Moscow, 2015 (available on the website of SOVA Center: <http://www.sova-center.ru/files/books/cl15-text.pdf>).

and as perpetrators mature, their brutality will inevitably grow. We are already seeing an increase in brutality in group beatings. Last year saw at least three murders.

The number of cases of everyday xenophobia has also increased. This is facilitated by state anti-migrant propaganda and the practice of combating any otherness.

In 2023, there were slightly fewer cases of damage to material objects (buildings, monuments, cemeteries, various cultural sites) motivated by ethnic or ideological hatred. At the same time, the number of attacks on religious sites remained the same for the third consecutive year.

The number of convictions for hate-motivated violence increased insignificantly compared to the previous year. For the most part, law enforcement in the past year has followed the rut of previous years, finishing the high-profile trials that had been initiated earlier. Formerly famous neo-Nazis, whose arrests had been reported two years ago, were convicted for murders committed in 2003 and 2007. In 2023, several individuals who had been detained in the previous two years in a massive country-wide roundup of the M.K.U., designated a terrorist organization, received sentences.

Some group cases are still ongoing. For example, the case of the revived NS/WP cell is ongoing (only one member was sent to compulsory treatment). In 2023, an investigation began into the activities of another group, Paragraph-88. As a whole, we are aware of much fewer cases of people prosecuted for xenophobic violent crimes than a year before.

Thus, after a comparative lull of a number of years and a sharp decline in violence in 2022, we are once again witnessing a rapid increase in racist violence in Russian society. And law enforcement agencies have not yet reacted to this properly. They are predominantly finishing the cases started earlier or prioritizing the investigation of those new ones that have something to do with the confrontation with Ukraine.

Systematic Racist and Neo-Nazi Violence

According to the Sova Center monitoring data, in 2023 ideologically motivated violence affected 121 people, three of whom died. In addition, one person received a serious death threat. Thus, we recorded an increase in the number of ideologically motivated serious attacks that is unprecedented in the entire time of observation: in 2022 we have information on 29 victims, in 2021 – 72 victims.² If we compare not even with the abnormally low figures of 2022,³ but with the three years that preceded it, the increase is about two-thirds; this had only been observed in the mid-2000s. According to our data, the level of violence has returned to the level of 2015 and even exceeded it (111 victims), that is, to the period when the far-right was already in crisis but had not yet been completely defeated (after

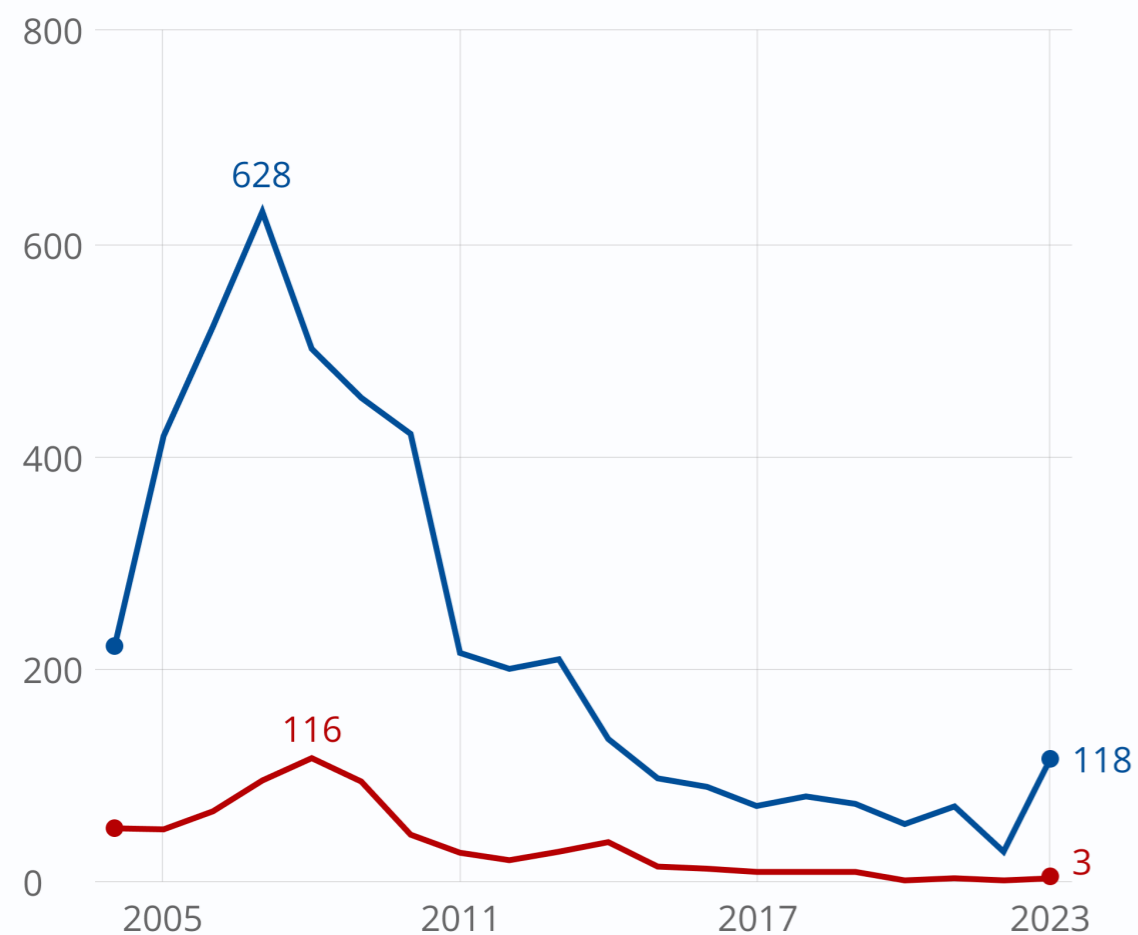
2. Here and below, the data are provided as of March 11, 2024.

3. Probably the reason is that after February 24, 2022, the entire Russian society, including the radical ultra-right, was in a state of shock after the beginning of the military campaign in Ukraine.

2015, the figures were lower every year). And we should also keep in mind that the data for last year are not final, as we learn about many attacks with a delay.⁴

Hate Crimes Victims: **Dead** and **Injured**

SOVA Center Data for 2004–2023



Source: SOVA Research Center, 2024

Our data on hate crimes in Russia cannot be compared with any other statistics, since no other open statistics exist.

4. Compare, for example, with the data from the previous report: N. Yudina. The Old and the New Names in the Reports. Hate Crimes and Counteraction to Them in Russia in 2022 // Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2022. Moscow: SOVA Center, 2023. P. 6–20 (<https://www.sova-center.ru/en/xenophobia/reports-analyses/2023/01/d47028/>).

Unfortunately, we cannot include the data on the republics of the North Caucasus in our calculations as our methodology does not work there.⁵ We also know very little about incidents between different minority groups motivated by ethnic hatred. As a result, our data are incomplete and can in no way reflect the level of racist violence in Russia. But we can assess the dynamics and major trends at least to some extent, because our methodology has not changed since 2004.⁶

We have repeatedly written about the difficulties associated with collecting information⁷. Monitoring based on the media or reports of victims' appeals to human rights organizations and the police remains difficult. But the situation with public reporting by the far-right itself has changed radically: the new autonomous youth groups have returned to the old practice of mass posting of videos of their "direct actions."

According to our observations, the sharp increase in the number of violent crimes committed with a hate motive began in the spring of 2023, and the lion's share of violent incident statistics are attacks committed by far-right autonomous groups composed mainly of very young people reviving the aesthetics and ideology of the Nazi skinheads of the 2000s.⁸ The victims of attacks by such groups were most often people of "non-Slavic appearance," but also homeless people, people under the influence of alcohol or drugs, and those whom the attackers considered pedophiles.

Such video reports have appeared and continue to appear in large numbers⁹ in the far-right Telegram channels. According to the anti-fascist Nazi Video Monitoring Project, 49 video clips reporting neo-Nazi actions were published in December, 51 in November, 68 in October, and 71 in September. These videos show 52 attacks on people in December, 48 in November, 59 in October, and 62 in September.¹⁰

So far, most attacks are not the most brutal violence. The most popular form being the spraying of tear gas in the victim's face; such minor incidents were not included in our calculations. Unfortunately, the far-right did not limit themselves to this: very serious beatings were not uncommon. In the summer and fall, we learned of three hate-motivated murders.

In the past year, we recorded attacks in 26 regions of the country (in 2022 in 11 regions, and in 2021 – in 21). Moscow and St. Petersburg traditionally lead in terms of the level of

5. All the more so, the four regions of Ukraine that were included in the Russian jurisdiction in the fall, are not taken into account. But Crimea is: the real regime there in recent years is already very similar to that in the regions of southern Russia.

6. Here and below, all chart data are based on the monitoring by SOVA Center.

7. See: N. Yudina. The State Has Taken Up Racist Violence Again. Hate Crimes and Counteraction to Them in Russia in 2021 // Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2022. Moscow: SOVA Center, 2023. P.21–50. (<https://www.sova-center.ru/files/books/pe22-text.pdf>).

8. For more on this see: Alperovich Vera. Nationalists "tame" and "wild". Public activity of far-right groups, summer-fall 2023 // SOVA Center. 2024. 12 January (<https://www.sova-center.ru/racism-xenophobia/publications/2024/01/d49146/>).

9. See for example a selection of videos from the first two weeks of 2024. Videos of far-right violence // SOVA Center. 2024. 17 January (<https://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2024/01/d49174/>).

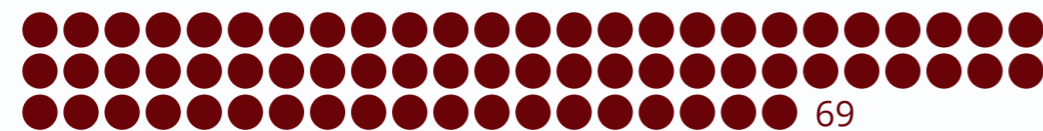
10. Nazi attack video statistics from December 2023 // Telegram channel Nazi Video Monitoring Project. 2023. 9 January (<https://t.me/Nazivideomonitoring/929>).

violence, and this is the second consecutive year that St. Petersburg comes in first, with 21 victims (14 in Moscow). These are followed by the Moscow, the Orenburg, and the Chelyabinsk regions and the Republic of Sakha (six victims in the Moscow region, and five in each of the other regions). In addition to Moscow and St. Petersburg, attacks were carried out in the Nizhny Novgorod, the Novosibirsk, and the Chelyabinsk regions for the second year in a row.

Hate Crime Victims by Type in 2023

SOVA Center Data

Ethnic Outsiders



LGBT+



Other «Moral Enemies»



Ideological Opponents



Religious Groups



Others or Unknown

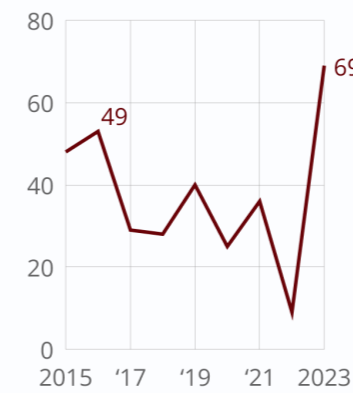


Source: SOVA Research Center, 2024

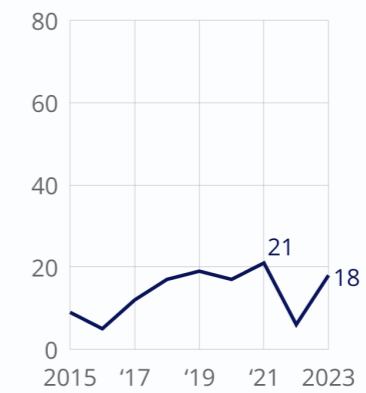
Hate Crime Victims by Type

SOVA Center Data for 2015–2023

Ethnic Outsiders



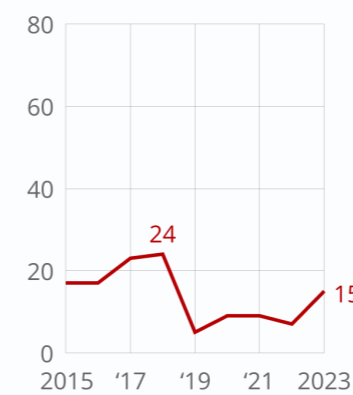
LGBT+



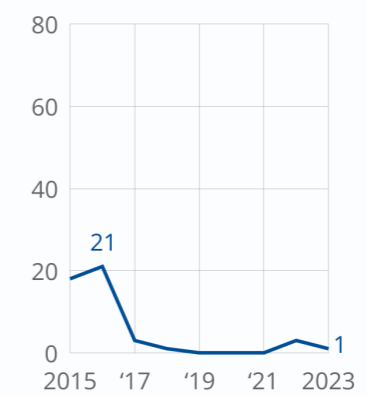
Other «Moral Enemies»



Ideological Opponents



Religious Groups



Others or Unknown



Source: SOVA Research Center, 2024

Attacks Against “Ethnic Outsiders”

In 2023, we recorded 69 ethnically motivated attacks, that is, attacks on those whom the attackers visually perceived as ethnic outsiders. In 2022, nine ethnically motivated attacks were recorded. But even if we exclude the exceptional year of 2022 with its incredibly low number of violent acts and compare 2023 to 2021 instead, the increase in this category of victims is stark: in 2021, we have information on 36 such attacks.

Victims in this category include natives of Central Asia, the Caucasus, and India, and people of unidentified “non-Slavic appearance.”

The lion’s share of them are victims of the autonomous teenage Nazi groups mentioned above, which are not always limited to minor violence. Also present are cases of every-

day xenophobia. For example, in November, one passenger attacked another on a bus, mistaking him for an “Uzbek,” and as a result, the victim was kicked out of the bus face-first onto the pavement amid shouts that he was a “blockhead” and “doesn’t respect the Russians.”¹¹

Attacks on people of color continue. In 2023, at least five people became victims of such attacks (in 2022, three were reported, in 2021 – five), one of whom died. We are talking about Francois Njelassili, Ural Federal University graduate student from Gabon, who was stabbed to death inside a Burger King in Yekaterinburg on August 18. His attackers called him racist slurs.¹² An ambulance arrived and tried to save him, but he died on the way to the hospital.¹³ It is indicative that the traffic police inspectors who witnessed the murder did not interfere: they stayed inside their vehicle, watched and commented on the attack, joking and making rude remarks about the participants. Other witnesses approached the officers several times and asked them to intervene, but when they finally did so, it was too late¹⁴.

There were other cases of intolerance toward people of color. For example, in February in Ulyanovsk, at the end of the Volga vs. Zenit match, Zenit midfielder Marcus Wendel Valle da Silva had a banana thrown under his feet.

We know relatively little about hate crimes among ethnic minorities. But such cases are not uncommon; we record them almost annually. For example, in December, a video went viral where natives of Dagestan beat up an ethnic Tajik and then forced him to apologize on camera to “all the peoples of Dagestan” for “hanging out with a Dagestani girl.”

There are also attacks motivated by ethnic hatred against ethnic Russians. We are aware of six such attacks in the last year. Most of them appeared in the videos, circulated online and in the Zhizn brodyagi [Life of a Bum] Telegram channel, of young people who call themselves the Azerbaijani Mafia attacking people of Slavic appearance.¹⁵

The war between Israel and Hamas provoked a sharp rise in anti-Israeli and even anti-Semitic acts, which carried the danger of a resurgence of almost extinct hate crimes against Jews. However, this phenomenon did not spread beyond the North Caucasus.¹⁶ One could mention the incident at the Hello, India! Restaurant in Moscow, where two men armed with a knife and a gas pistol harassed patrons, raised their hands in a Nazi salute, and screamed pro-Palestinian and anti-Semitic slogans. In a Moscow suburb, someone drew a Star of David and wrote the word “Jude” on the fence of a private house where a Jewish person lives.

11. A minute of denazification on a bus near Moscow – a passenger attacked his neighbor because he was allegedly an “Uzbek” // BAZA. 2023. 20 November (<https://t.me/bazabazon/23077>).

12. The assailant was apprehended.

13. Yekaterinburg: Racist murder of a graduate student from Gabon // SOVA Center. 2023. 18 August (<https://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2023/08/d48539/>).

14. “This is not our problem...” What Yekaterinburg police officers were talking about when an African graduate student was being murdered in front of their eyes // 74.ru. 2023. 24 October (<https://74.ru/text/criminal/2023/10/24/72840989/>).

15. Teenagers who attacked passers-by have been detained // SOVA Center. 2023. 19 October (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/10/d48806/>).

16. Anti-Semitic riots in the North Caucasus // SOVA Center. 2023. 30 October (<https://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2023/10/d48837/>).

Attacks Against Ideological Opponents

The number of attacks by the ultra-right against their political, ideological, or “stylistic” opponents also grew last year – 15 beaten (seven in 2022, and nine in 2021).¹⁷ Among the victims were non-ideological, non-political non-conformists (furries, punks, etc.), ideological opponents (Communists, anarchists, anti-fascists, or those who have merely been mistaken for such¹⁸), and simply those who publicly expressed outrage over racist slogans.

Among this category of victims, the teenagers commonly associated with the subculture of PMC Ryodan are worth mentioning in 2023. In late February and early March, mass arrests were carried out all over Russia of fans of the Hunter x Hunter anime series, featuring the Gen’ei Ryodan (the Phantom Troupe) band of thieves. The teenager fans’ distinctive outfits (sweatshirts with a spider logo and plaid pants) drew the attention of other teenage groups, leading to a series of conflicts involving soccer fans, ethnic bands, and other groups. All of these clashes were widely covered by the press. The totally apolitical adepts of the spider aesthetics began to be called PMC [private military company] Ryodan. The number of teenagers detained in different cities, both hypothetical participants of PMC Ryodan and others, reached tens and hundreds. For example, on February 24 and 25, police detained about 200 teenagers after mass fights in the Gallery shopping mall in St. Petersburg. Similar reports came from Kazan, Kursk, Novosibirsk, Kurgan, as well as from Ukraine and Belarus. Reports about PMC Ryodan quickly resulted in “moral panic,” teenagers were assessed and analyzed by many politicians, even the presidential press secretary, and the police reported that PMC Ryodan acted “against both football fans and natives of the Caucasus and migrants.” There were also allegations that PMC Ryodan was Ukraine-inspired (Ukraine responded with a symmetrical reaction). The mass media wave provoked new fights and group attacks on the alleged participants of PMC Ryodan. For example, in Surgut on March 2, a 15-year-old girl was caught and beaten because of a photo with a spider on her V Kontakte page.

In addition to single attacks on political opponents, there were also mass attacks on participants at various events, as happened on August 21 in Rostov-on-Don, where a group of around 15 ultra-right persons wearing medical masks attacked anti-fascist concert attendees at the Quadrupel bar with traumatic guns and firecrackers.

Pro-Kremlin activists of the National Liberation Movement (NLM or NOD), headed by United Russia deputy Yevgeny Fedorov, and the SERB group, led by Igor Beketov (who goes by the pseudonym Gosha Tarasevich)¹⁹ were not very visible last year. The only one of note

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

18. For example, in Novosibirsk, three young men harassed a brother and sister, 17 and 16 years old, inside a KFC restaurant because of the red shoelaces the teenagers were wearing: they demanded that they take off their laces and say on camera that “anti-fascists are bad people.” Red laces in Russia are believed to be worn by anti-fascists or members of the S.H.A.R.P. subculture (Skinheads Against Racial Prejudices).

19. For more details on their actions, see, for example: Alperovich V., N. Yudina. Calm Before the Storm? Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2014 // Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2014. Moscow: SOVA Center, 2015. P.5–66. (<https://www.sova-center.ru/files/books/pe14-text.pdf>).

is the May attack by NOD activists on a cameraman who was recording K-pop dancing; the activists shouted, “You are broadcasting lechery.”²⁰ SERB members, according to our data, limited themselves to minor provocations.

Attacks Against the LGBT+

The number of attacks against the LGBT+ community also went up compared to the previous year. SOVA Center has recorded 18 victims (six in 2022, 21 in 2021).

People directly or indirectly associated with anything concerning LGBT+ find themselves, expectedly, under threat. For example, on July 24 in Moscow, near the Ostankinsky district court, a young man sprayed paint from a can inside a cab carrying defenders and representatives of Delo LGBT+ [LGBT+ Cause]. Seven people were injured (six activists and the cab driver).

Amid the official fight against “LGBT propaganda,” homophobia in Russian society is only worsening and assuming the nature of a “witch hunt”: people are attacked with homophobic slurs simply for looking like LGBT+, because their clothing, hairstyles, or symbols seemed inappropriate to the attackers.

Attacks in “Defense of Morality”

One type of far-right violence is attacks on people who are seen as elements that undermine the “moral level of the nation.” Ethnically, such victims may also be “one’s own,” although “outsiders” are certainly favored. The far-right often refer to this category of victims as “biowaste” or “human garbage.” Homeless people have always belonged to this category.²¹ Since the emergence of the Nazi Straight Edge movement²² in Russia, drunks, drug users, and drug dealers have been added to it (the degree of hatred is raised by reports on far-right resources, which state that the business of drug trafficking, storage, and distribution is mostly carried out by people from the Caucasus, Central Asia, and Africa and by Roma people). Since the Occupy-Pedophiliay project was founded in the 2010s by the well-known neo-Nazi Maksim (Tesak) Martsinkevich²³, this group of victims also in-

20. Polygon Media identified one of the attackers, NOD activist Dmitry Sobolev.

21. See for example: Alperovich V., N. Yudina. The Ultra-Right on the Streets with a Pro-Democracy Poster in Their Hands or a Knife in Their Pocket: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2012 // Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2012. Moscow: SOVA Center, 2013. P.5–60. (<https://www.sova-center.ru/files/books/pe12-text.pdf>).

22. Originally, Straight Edge (sXe for short) was an apolitical movement that promoted total abstinence from drugs, alcohol, tobacco, and promiscuity. However, with time, Straight Edge began to attract supporters of neo-Nazi ideology, who brought with them their ideas of the struggle for the purity of the race, including the violent imposition of their lifestyle, the fight against “biowaste,” etc. In Russia, NS sXe spread since the 2000s, after the first NS music collectives appeared promoting the idea of a “healthy nation.”

23. Nationalist Maksim Martsinkevich dies in pre-trial detention center // SOVA Center. 2020. 16 September (<https://www.sova-center.ru/racism-xenophobia/news/2020/09/d42916/>).

cluded alleged pedophiles. In Tesak’s time, young men were used as bait; new projects use underage girls. In some cases, the motive of the attack can be mixed: today’s far-right groups prefer to lure to fake dates people with “non-Slavic appearance.”

Collecting information on this category of victims is particularly difficult due to the anti-social nature of many victims and the difficulty in extracting motive from the description of the attack. Nevertheless, in 2023, we found out about 15 such attacks²⁴ (two in 2022 and four in 2021).

Among other things, we learned about one brutal xenophobically motivated murder of a homeless man: a far-right Telegram channel posted a video of a sleeping homeless man being stabbed several times to hateful comments. Another brutal murder was committed in Novosibirsk²⁵: a group of schoolchildren calling themselves “cleaners” murdered a man they mistook for a drug addict.

Religiously Motivated Attacks

Violence motivated by religious xenophobia in Russia is far less common than that motivated by ethnic xenophobia. For example, in the last year we have information about one case: a Jehovah’s Witness was attacked in Tyumen²⁶.

Muslims as a religious group are constant targets of hostility on far-right Internet resources, but they are rarely attacked as members of a religious group; instead, they are targeted as ethnic “outsiders.” In September, however, several instances at once came to light of assaults and public threats against women wearing Muslim head coverings.²⁷

Last year, we also witnessed attacks by Muslims concerned about the dress code, not only in the republics of the North Caucasus, but also in Nakhabino, near Moscow. Media widely circulated a story of a 20-year-old man from Tajikistan attacking a girl for being “inappropriately dressed” while jogging (the girl was wearing long sports shorts). The suspect, who had been undergoing treatment at a mental health facility, was detained. In the video that circulated on the Internet, when asked why he had hit the girl, he explained that he “saved her from sin.”

24. Primarily from videos posted by the far-right themselves.

25. A year earlier, we already drew attention to videos posted online of teenage gangs attacking drunk people in Novosibirsk. See: N. Yudina. The Old and the New Names...

26. The repressive state campaign against the Jehovah’s Witnesses has been ongoing since at least 2009 and triggered a wave of xenophobic attacks against them. After the Supreme Court banned the activities of the religious organization “Administrative Center of Jehovah’s Witnesses in Russia” and all of its 395 regional branches in April 2017, such attacks became rare. This is not surprising, since the organization no longer has any premises and cannot engage in missionary work openly, so typical violence has been extinguished.

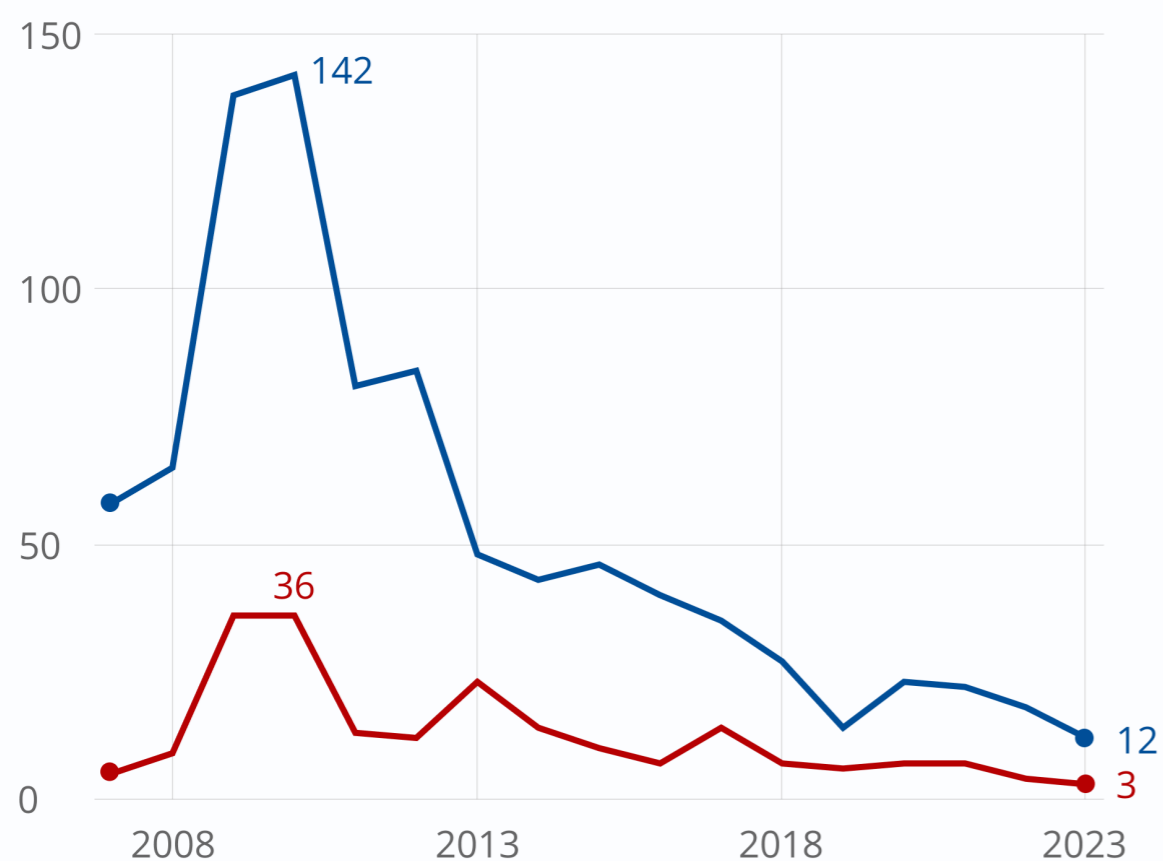
27. This is described in more detail in the report on freedom of conscience, which will be published in March 2024.

Crimes Against Property

Crimes against property include damage to cemeteries, monuments, various cultural objects, and various property in general. The Criminal Code qualifies these cases under different articles, but law enforcement in this sense is not always consistent. Such actions are usually referred to as vandalism, but for several years now we have preferred not to use this term, since the concept of “vandalism,” not only in the Criminal Code, but also in everyday language, clearly does not describe all possible types of damage to material objects.

Hate Crimes Against Property: from Explosions and Arsons to Graffiti and Other Damage

SOVA Center Data for 2007–2023



Source: SOVA Research Center, 2024

The number of property crimes motivated by religious, ethnic or ideological hatred has been gradually declining year by year: in 2023 we know of 15 cases in 12 regions of the country, in 2022 – 22 cases in 14 regions of the country, and in 2021 – 29 cases.

Our statistics does not include isolated cases of neo-Nazi graffiti and drawings on buildings and fences, but it does include serial graffiti (though law enforcement considers graffiti to be either a form of vandalism or a means of public statement).

As with violent crimes, we do not include in our counts attacks on material objects for political or ideological reasons (which have become particularly numerous since 2022), unless these ideological reasons are themselves linked to xenophobia. Neither do we include episodes qualified as attacks on a material object, such as the “Eternal Flame,” in which material damage was not inflicted.²⁸

These statistics also do not include insignificant incidents, including those committed by the ultra-right, such as damage to cars with license plates from the Caucasus regions (tire punctures, broken windows, arson), attacks on retail outlets that employ people with “non-Slavic appearance” (broken windows, damaged goods), broken windows in construction trailers, and so on. According to the Nazi Video Monitoring Project, the numbers of such acts were as follows: 16 in December, 33 in November, 62 in October, and 34 in September.²⁹

According to the SOVA Center, in 2023, eight sites were targeted for ideological rather than religious reasons (including hostility to ethnic groups or LGBT+), which is less than a year earlier (10 in 2022 and 16 in 2021, including one state-owned site). Traditionally, the Lenin monument and monuments to the heroes of the Great Patriotic War were among the targeted sites. On January 19 in Yekaterinburg, ultra-right activists painted over graffiti at the site of the memorial to slain lawyer Stanislav Markelov and journalist Anastasia Baburova; on November 14 in St. Petersburg, the memorial to the murdered anti-fascist activist and musician Timur Kacharava was desecrated; and on August 21 in Yekaterinburg, the makeshift memorial in memory of the above-mentioned murdered graduate student from Gabon was vandalized.

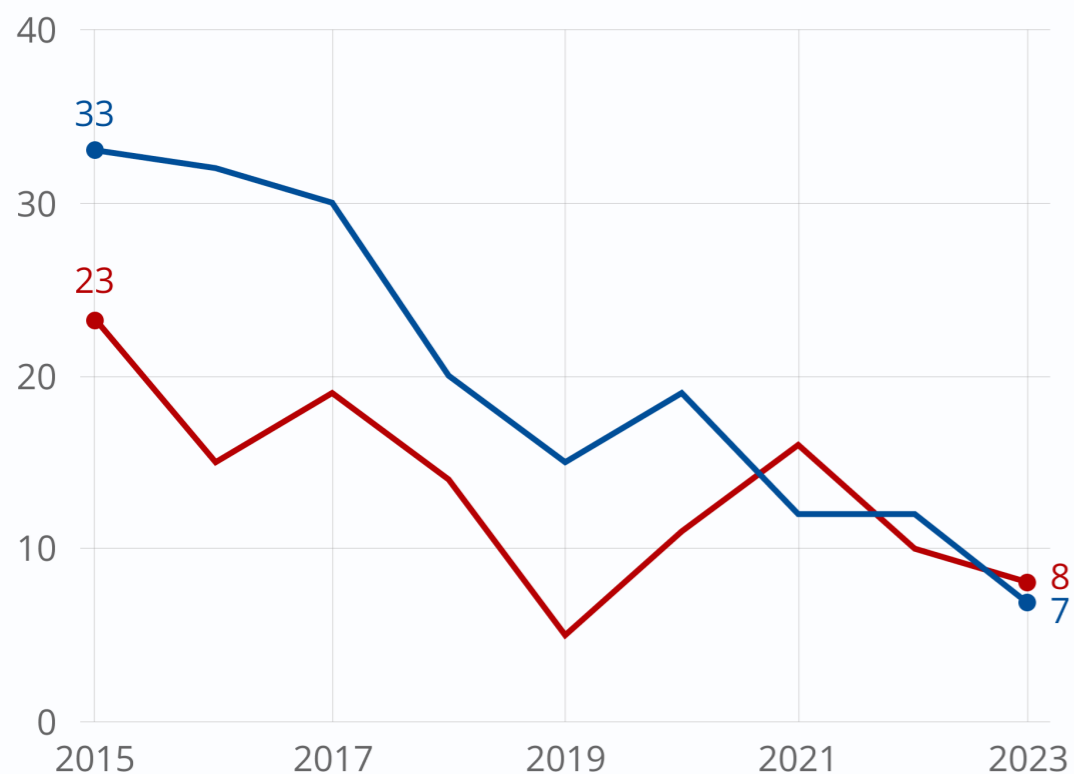
In addition, in June, more than a dozen tombstones at Roma gravesites were destroyed in the Tosnensky district of the Leningrad region.

28. The eternal flame may have been put out with snowballs, or used as a bonfire for domestic needs, or someone danced around it. Such incidents are often qualified under Article 354.1 of the Criminal Code.

29. Nazi attack video statistics for December 2023 // Nazi Video Monitoring Project Telegram channel. 2023. 9 January (<https://t.me/Nazivideomonitoring/929>).

Vandalized Objects and Sites: Religious and Ideological*

SOVA Center Data for 2015–2023



* Acts of vandalism for ideological reasons that have nothing to do with xenophobia are not taken into account.

Source: SOVA Research Center, 2024

Religious sites traditionally represent a significant proportion of the targets. In 2023, their total number – seven sites – was twice less than in the two previous years. Orthodox churches and crosses were the most frequent target with four incidents (five in 2022 and four in 2021). Muslim objects and sites were targeted in two incidents (one in 2022, none in 2021). Contrary to our expectations (due to Israel’s war against Hamas), only one Jewish site was affected (five in 2022, three in 2021).

The share of the most dangerous acts – arson and explosions – remained the same as a year earlier: two arsons and one explosion (compared with four arsons in 2022). Hence, the share of such acts increased slightly and reached 21% (18% a year earlier, while in 2021 there were seven out of 29, or 24%).

The geography of the acts of violence (26 regions) in 2023 was noticeably wider than that of the vandals’ crimes (12 regions), while for four years in a row prior to 2023 the opposite was true. Both types of crimes were recorded in six regions (four in 2022, nine in

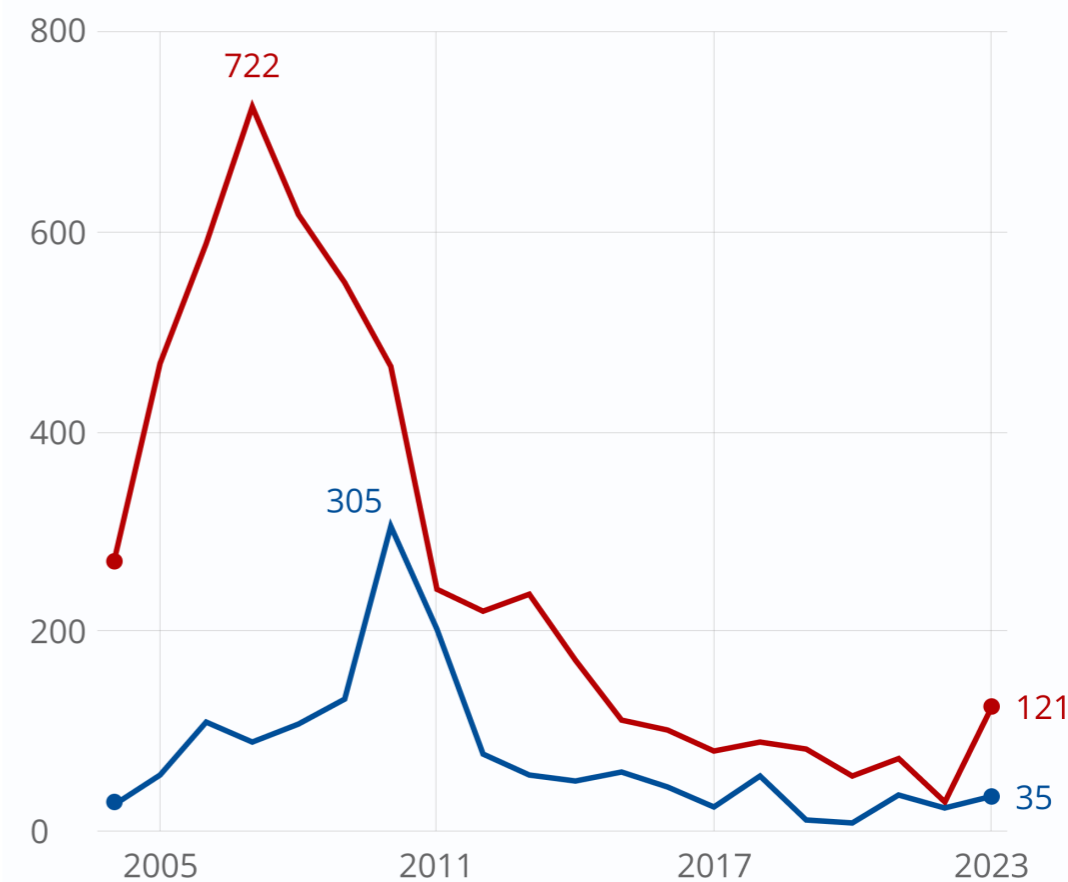
2021): Moscow and St. Petersburg, the Volgograd, the Kaluga, the Novosibirsk, and the Sverdlovsk regions, and Krasnoyarsk Krai.

Criminal Prosecution for Violence

In 2023, the number of those convicted of violent hate crimes known to us was higher than a year earlier. Not less than 17 guilty verdicts where the hate motive was officially recognized by courts were issued in 14 regions. 35 suspects were found guilty in these trials.³⁰ (In 2022, 23 suspects were found guilty, 36 in 2021, and 8 in 2020). Official statistics on sentences with hate motive are not available, as this qualifying characteristic 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.

Violent Hate Crimes: Victims and Convicts

SOVA Center Data for 2004–2023



Source: SOVA Research Center. 2024

30. Only the verdicts where a hate motive was officially recognized and which we believe to be legitimate and appropriate are included in this count. We are also aware of two cases motivated by political hatred. As already mentioned, they are not taken into account in this report.

Racist violence was categorized under the following articles containing hate motive as a categorizing attribute: Murder Art. 105 (Paragraph L of Part 2), Intentional Infliction of Injury to Health of Average Gravity Art. 112 (Paragraph E of Part 2), Intentional Infliction of Light Injury to Health Art. 115 (Paragraph B of Part 2), Battery Art. 116, Hooliganism Art. 213 (Part 2).

In another case, in the city of Kamensk-Uralskiy, the Sverdlovsk region, two young men were sentenced to imprisonment³¹ for beating a girl on August 1 and attempting to drown her in a fountain while shouting that they had recently returned from the “special military operation.” The reason for the attack was that the girl “looked Jewish and had blue hair.” Unfortunately, it is unclear whether the hate motive was taken into account in the sentence under part 2 of Art. 213 of the Criminal Code and in relation to which group, so we cannot include it in our statistics.

We are not aware of the application of Art. 282 of the Criminal Code (incitement to hatred) to violent crimes in the past year. (In 2022, this article was used in one guilty verdict, and in two in 2021).

Penalties for violent acts were distributed as follows:

- 1 person sentenced to 20 years and 3 months in prison;
- 4 persons sentenced to up to 20 years in prison;
- 4 persons sentenced to up to 15 years in prison;
- 4 persons sentenced to up to 10 years in prison;
- 1 person sentenced to up to 5 years in prison;
- 6 persons sentenced to up to 3 years in prison;
- 3 persons sentenced to up to 1 year in prison;
- 11 persons received suspended prison sentence;
- 1 person received suspended correctional labor sentence.

1 person sent for compulsory treatment without conviction.

31. One got 3 years, and the other – 3 years and 2 months.

Sentences for Ideologically Motivated Violence

SOVA Center Data for 2015–2023

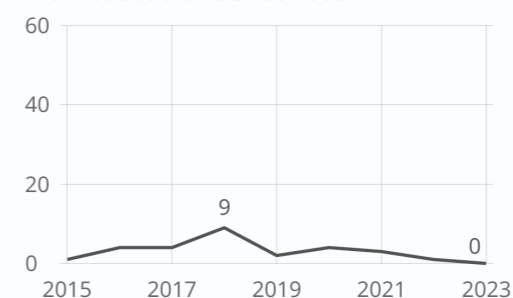
Imprisonment



Suspended Imprisonment



Non-custodial Sentences*



* This category also includes compulsory psychiatric treatment and expiry of statute of limitations.

Source: SOVA Research Center, 2024

Nearly a third of those convicted in 2023 (11 out of 35, that is, 31%) got suspended sentences. We are highly skeptical about suspended sentences for violent hate crimes, as during years of monitoring we have repeatedly seen that suspended sentences for violence are not perceived as punishment by the offenders and do not prevent them from committing similar crimes in the future. In some cases we can understand the motivation of the court and accept the admissibility of its decision, but in 2023, there were several cases where we did not consider suspended sentences to be proportionate to the crimes committed.

We understand why suspended sentences were given to three people in Bashkortostan, who were on their way to the village of Karmaskaly “in order to carry out direct actions (inflicting bodily harm, damaging property, extorting money) against persons of Armenian ethnicity residing in the area”:³² the offenders did not have time to carry out their intentions. The suspended sentences given to two teenagers in Kirov for attacking a passerby who had

32. In Bashkiria, a sentence is issued for an attempted assault in the village of Karmaskaly // SOVA Center. 2023. 10 January (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/01/d47471/>).

reprimanded them for “shouting nationalist slogans” can probably be explained by the fact that the attackers were minors and the victim was not badly hurt.

Most likely, the suspended sentence issued to the 15-year-old who, together with an M.K.U. supporter Inna Belesikova, attacked two foreigners is also explained by him being underage. But we doubt that a suspended sentence is an adequate punishment for “stabbing vital organs” from the back. Finally, we find the sentence handed down to four young people in Belgorod³³ for repeatedly beating foreigners to be inexplicably lenient.

The other offenders were sentenced to terms of various lengths.

In particular, two trials for murders committed in 2003 and 2007 have ended with long sentences. In August, six veteran neo-Nazis – Semyon Tokmakov, Andrei Kail, Alexei Gudilin, Pavel Khrulev, Alexander Lysenkov and Maxim Khotulev – were sentenced in the Moscow region for a series of brutal murders of migrants in September-October 2003³⁴. The proceedings against their associate Maksim (Tesak) Martsinkevich were terminated by the Mytishchi City Court of the Moscow region due to his death.³⁵ And in September in Tula, two far-right activists who had already served time, Denis (Filkin) Makarov and Vladimir Ovsyannikov, went to jail again for the 2007 murder of an Uzbek native.³⁶

The accused in more recent criminal cases were also sentenced. In Kazan, Vladislav Konyshchev, a member of a far-right group whose supporters were convicted in 2019 for the notorious murder of a student from the Republic of Chad, was sentenced to 6 years and 10 months in prison for the brutal group beating of a citizen of Azerbaijan³⁷. Konyshchev’s case was separated into a separate proceeding, as he was involved in only one attack. In the course of the trial, the lawyer particularly emphasized the fact that his client had few tattoos: *“Look at Khalilov and Arkhipov, they have Nazi tattoos, while our defendant has only one, and even that one is Orthodox Christian.”*³⁸

33. Depending on the role played in the crime, they were found guilty under Part 2 of Art. 2821 (participation in an extremist community), paragraphs G, E, I of Part 2 of Art. 112, Art. 116, and Art. 115 of the Criminal Code.

34. For more on this see: N. Yudina. “Potius sero, quam nunquam”: Hate Crimes and Counteraction to Them in Russia in 2020 // *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2020*. Moscow: SOVA Center, 2021. P.5–19. (<https://www.sova-center.ru/files/books/pe20-text.pdf>).

35. Tesak’s case dismissed // SOVA Center. 2023. 22 February (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/02/d47701/>).

36. In Tula, a verdict passed for the 2007 murder // SOVA Center. 2023. 6 September (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/09/d48617/>).

37. For more details about the sentence, see: N. Yudina. Criminal Activity of the Ultra-Right. Hate Crimes and Counteraction to Them in Russia in 2019 // SOVA Center. 2020. 4 February (<https://www.sova-center.ru/en/xenophobia/reports-analyses/2020/02/d42031/>).

38. Dmitry Shatrov. The last of the skinheads: a member of a well-known extremist group convicted in Kazan // *Tatar-inform*. 2023. 14 March (<https://www.tatar-inform.ru/news/nikto-takogo-ne-ozidal-deduskacastnika-gruppirovki-skinxedov-o-prigovore-vnuku-5899267>).

The ultra-right activists who were detained in 2021 and 2022 as part of a raid on the Maniacs. Cult of Murder (M.K.U.) group, recognized as a terrorist organization in early 2023,³⁹ were sentenced to imprisonment.

In January, Inna Belesikova, a native of the Voronezh region, received a three-and-a-half-year sentence in Moscow for two attacks on passers-by: she pepper-sprayed a shawarma vendor and then, together with the 15-year-old accomplice mentioned above, attacked two migrants with a knife.

In January, seven far-right activists, three of them minors, were sentenced to various prison terms in Saratov for several armed attacks on five city residents. It was previously reported that they were members of the M.K.U., but their involvement in the organization could not be proved in court.

In April, a 19-year-old resident of the Orenburg region who was a member of the M.K.U.’s Vkontakte group received a lengthy prison sentence for, among other things, planning to blow up a mosque in Orenburg.

To date, we know of a total of 25 persons convicted under various articles of the Criminal Code among those who had previously been detained in connection with the M.K.U., but the connection with the M.K.U. has been established in only about half of the cases.

Of special note is the sentence of 17 years imposed on Polina Dvorkina in July: in 2022, motivated by man-hating, she killed her father and came to kindergarten with a gun with the intent of shooting at boys, but was disarmed.

Vasily Strizhakov, a member of a cell of another network revived in 2021, NS/WP, also recognized as a terrorist organization, was released from criminal responsibility in November and sent to compulsory treatment. He and other members of the same group were accused of planning an assassination attempt on TV host Vladimir Solovyov and other crimes.⁴⁰ The case of the other group members is still in court.

Another group of neo-Nazis, whose members are suspected by the FSB of planning an attempted assassination of media personalities, was detained last summer in Moscow and the Ryazan region. According to the FSB, the Paragraph-88 group was planning an assassination attempt on media manager Margarita Simonyan and journalist Ksenia Sobchak on the assignment of the special services of Ukraine. But so far, according to the court press release, they are not being charged with that, but with at least three attacks on migrants in the area of Bitsevsky Park and Novoyasenevskaya metro station in Moscow.

In 2023 some of the attackers seen this year on the abovementioned Telegram channels were detained. Thus, in December, cases were opened in St. Petersburg against 16-year-old college students detained on suspicion of at least five attacks on janitors from Uzbekistan and Tajikistan. In Novosibirsk the abovementioned “cleaners” were arrested on suspicion in murdering a homeless man. And in October nine Azerbaijani teenagers charged with hooliganism and incitement to hatred for assaults on Russians, also mentioned above, were arrested in St. Petersburg.

According to our incomplete data, a total of 33 criminal cases for ideologically motivated violence were open last year (in 2022 it was 43).

39. For more information about the M.K.U. see: The Supreme Court has recognized the M.K.U. as a terrorist organization // SOVA Center. 2023. 16 January (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/01/d47493/>).

40. For more details on the arrests of NS/WP members see: N. Yudina. The Old and the New Names...

Criminal Prosecution for Crimes Against Property

In 2023, we learned of seven convictions for crimes against property where, we believe, a hate motive was imputed, excluding cases in which we see convictions as illegitimate. Ten people were convicted under these seven convictions (12 in 2022, none in 2021, and two in 2020).

If to add here 25 illegitimate convictions against 31 persons, in 2023 we know of 32 convictions for crimes against property against 41 people. (In 2022, we were aware of 38 convicted, in 2021 there were 8, and even fewer earlier.) The fact is that in 2023, the vast majority of convictions were related to attacks on material objects that were a form of protest against the military operation in Ukraine.

As in the case of violent hate crimes, we cannot rely on official data, as the statistics of sentences published by the Supreme Court do not allow us to isolate the data we need: in Article 244 of the Criminal Code on cemetery vandalism, the hate motive is a paragraph, not a part of the article, and in Article 214 of the Criminal Code (vandalism) it is a part of the article, but together with an act committed by a group.

Along the Beaten Track: Anti-Extremism Law Enforcement in Russia in 2023 with Regard to Countering Public Statements and Organized Activity, Including Radical Nationalism

This report focuses on countering the incitement of hatred, calls for violent action, and political activity of radical groups, through the use of anti-extremism legislation. We are primarily interested in countering nationalism and xenophobia, but in reality the government's anti-extremism policy is focused far more broadly, as reflected in the report. This counteraction relies on a number of articles of both the Criminal Code (CC) and the Code of Administrative Offenses (CAO), mechanisms for banning organizations and "informational materials," blocking online content, etc.

This report does not address countering hate crimes: they were covered in an earlier report.¹ 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

This report examines anti-extremism law enforcement; excluding two major sections – hate crime prosecutions and clearly abusive, inappropriate enforcement, subjects of two separate reports.

In 2023, the number of sentences for speech increased, although not as drastically as it did in 2022. While convictions for online speech undoubtedly dominate, as usual, 2023 saw a marked increase in the proportion of those convicted for offline acts compared to the previous year: this was mainly due to those convicted for campaigning in prison and for repeated displaying of Nazi symbols, most often their own tattoos. The trends we have been observing since 2021 – growing numbers and political diversity of those convicted under the article for calls for terrorist acts and of those convicted for speaking out against the authorities – have

1. See in this volume: N. Yudina. The New Generation of the Far-Right and Their Victims. Hate Crimes and Counteraction to Them in Russia in 2023.

2. See in this volume: M. Kravchenko. Inappropriate Enforcement of Anti-Extremism Legislation in Russia in 2023 (further: M. Kravchenko. Inappropriate Enforcement...).

worsened. The penalties became harsher, and the number of those sentenced to imprisonment for statements without circumstances clearly calling for prison time increased.

And all this does not include the clearly inappropriate convictions, which in 2023 amounted to an unprecedented 35 % of known decisions (in the past, this number has never risen above 15 %).

This is the second year in a row that we are observing an increase in the number of people convicted for participation in extremist and terrorist communities and organizations of almost all political and even non-political shades: last year, sentences were handed down for involvement in far-right organizations (M.K.U., NORD), “Citizens of the USSR,” the Ukrainian Pravyj Sektor (Right Sector), A.U.E., radical Islamist organizations (ISIS, the Caucasus Emirate, etc.), schoolshooters, leftists, and neo-pagans (Old Believers-Ynglings):

The list of extremist organizations was not very actively expanded in 2023: three organizations were added, and we can consider the ban of only one of them legitimate. In the first months of 2024, however, the list was expanded to include three more organizations banned last year. The most resonant was the banning of the “International LGBT public movement.”

The expansion of the list of terrorist organizations was similarly not very active: the people-haters’ association M.K.U., two units of Russian citizens fighting on the side of Ukraine (the Freedom of Russia Legion and the Russian Volunteer Corps), as well as the Ukrainian Aidar battalion.

The number of those punished under administrative articles has decreased slightly. However, the law enforcement in this part has already gained momentum, and the number of those punished administratively exceeded 5200, of which almost 4000 were prosecuted for displaying prohibited symbols.

Thus, in general, according to our observations, after a rapid growth in 2022, criminal anti-extremism law enforcement is developing at a much slower pace in 2023, but has not quite stabilized, and is compensating for some slowdown by a greater severity of sentences. As for administrative enforcement, viewed by the authorities more as a preventive measure, it has become slightly less active.

Criminal Prosecution

For Public Statements

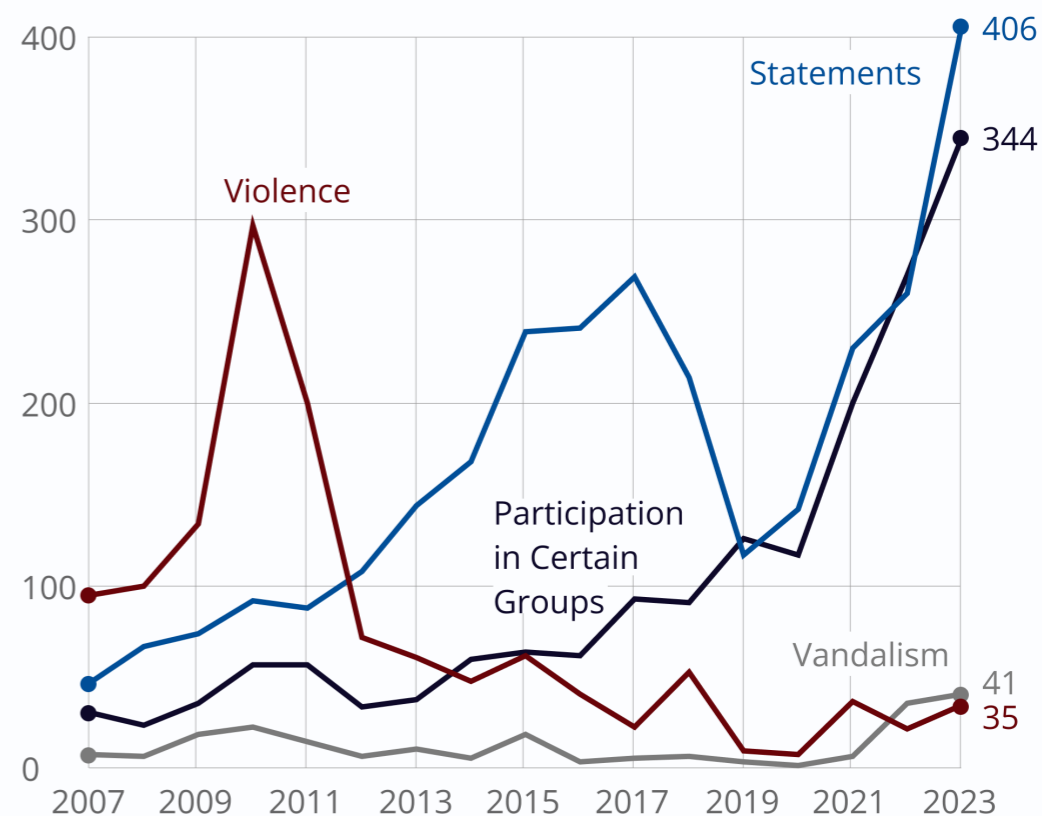
By persecution for public “extremist statements” we mean statements that were qualified by law enforcement agencies and courts under Parts 1 and 2 of Art. 148 of the Criminal Code (the so-called violation of the feelings of the believers), Art. 205² (public calls for committing of terrorist activity or public justification thereof), Paragraph D of Part 2 of Art. 207³ (“fakes” about the army, if the act is motivated by hatred³), Art. 280 (calls for extremist activity), 280¹ (calls for separatism), 280³ (repeated discrediting of the actions of the army and officials abroad; but the use of this article is wholly unlawful, as well as Art.

3. Other cases of use of Art. 2073 cannot be classified as anti-extremism law enforcement, those are more akin to libel. Still, we believe that criminalization of both “fakes” about the army and libel is generally wrong.

207³, as long as it doesn’t involve calls for violence.), 280⁴ (public calls to carry out activities against the security of the state), 282 (incitement to hatred), 282⁴ (repeated display of prohibited symbols), and to some extent under Art. 354¹ of the Criminal Code (rehabilitation of Nazi crimes, desecration of symbols of military glory, insulting veterans, etc.) – excluding those acts that should have been classified as vandalism (this section of law enforcement is reflected in the two separate reports mentioned above).

Criminal Prosecution Convicted of “Crimes of extremist nature”

SOVA Center data. Including inappropriate convictions



Source: SOVA Research Center, 2024

This does not comply with the official interpretation of the term.⁴ Thus, Article 205² is categorized as terrorism, but too often it has little to do with terrorism itself, and we consider it within the broader concept of extremism. Articles 148 and 354¹ are officially con-

4. According to the Criminal Code, extremist crimes are crimes committed with a hate motive, as defined in Art. 63 of the CC. The list of offenses classified as “extremist” in the CC is currently established by directive of the Prosecutor General’s Office and the Ministry of Internal Affairs. See: What constitutes an “extremist crime” // SOVA Center (<https://www.sova-center.ru/directory/2010/06/d19018/>).

sidered “extremist” only when a hate motive is established, but they are so closely related to extremism that we prefer to consider them at all times. Of course, some other articles of the Criminal Code may also be classified as “extremist statements” if a “hate motive” is established as an aggravating circumstance, but we are not aware of any such cases.

Beginning this year, we take a different approach in our reports to accounting for sentences for statements written or drawn on objects and structures. These acts have the characteristics of both public statements and vandalism, and law enforcement in this sense is not always consistent: the same acts (for example, drawing swastikas on the walls of residential buildings or writing slogans on an icebreaker under construction) may be qualified both under Article 214 of the Criminal Code (vandalism) and under articles on statements. So far, we have followed the judicial qualifications, and therefore some of the sentences of similar nature were included into our hate crime reports and some into reports on anti-extremism law enforcement. We have now decided to count all sentences for crimes against property (damage to monuments, various cultural objects and property) as sentences for “vandalism” rather than for public statements, even if the sentence uses one of the CC articles listed above. This change⁵ would not affect our statistics for previous years too much: very few such sentences were handed down. For example, in preparing this report, only three sentences were reclassified from “statements” to “vandalism.”

In 2023, according to our incomplete data, the number of convictions for “extremist statements” increased slightly compared to 2022. SOVA Center has information about 237 sentences against 283 people in 75 regions of the country.⁶ In 2022, there were 214 such convictions against 229 people in 64 regions.

We do not include in this report the sentences that we consider completely unlawful, and they are further excluded from all calculations in this report. Our statistics do not include any acquittals (none are known in both 2022 and 2023). Also not included are court decisions on people sent for psychiatric treatment in cases where criminal prosecution was terminated (in 2023 we know of 12 such decisions, in 2022, of two). For example, the court sentenced reserve colonel Mikhail Shendakov to compulsory treatment under a combination of Articles 280 and 282 of the Criminal Code for publishing a video with calls “*to carry out violent actions against law enforcement officers and representatives of the authorities.*”

For 2023, we know of cases opened against 326 people, but this data is certainly far from complete.

Overall, we know of only about half of the “extremist statements” cases. According to the data posted on the Supreme Court website,⁷ in the first half of 2023 alone, 314 people were convicted of “extremist statements,” and this number includes only those for whom this was the main charge⁸. And this is more than the 267 convicted during the same peri-

5. We do not include wrongful convictions for damage to material objects. On those, see in this volume: M. Kravchenko. Inappropriate Enforcement...

6. Data as of March 11, 2024.

7. Consolidated statistics on the state of criminal record in Russia for the first half of 2023 // Website of the Judicial Department at the Supreme Court of the Russian Federation. 2023. October 17 (<http://www.cdep.ru/index.php?id=79&item=7900>).

8. Art. 2052 of the CC was first in terms of the number of convictions for statements – 167 people (318 for the entire year 2022). It is followed by Art. 280 of the CC with 149 people, (356 for the entire 2022). Art. 282 of the CC – 34 people (51 in 2022); Art. 3541 of the CC – 31 people (42 in 2022). Art. 2803 of the

od in 2022⁹. In this report, we use our own data, as the Supreme Court data does not allow for meaningful analysis and is very late.

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 six-part assessment of the public danger of public statements¹¹, supported by the Russian Supreme Court and the UN Human Rights Council almost in its entirety.

In 2023, we consider 23 convictions against 36 people appropriate (17 convictions against 24 people in 2022). An example of an appropriate verdict is a court’s decision in the Orenburg region against a member of the vKontakte group of the people-haters’ community Maniacs. Cult of Murder (M.K.U.), who posted photos and videos with scenes of beatings and violence against “*representatives of other nationalities and religions*” and “*tried to recruit a minor to the community, ... offering him, as a condition for joining, to commit the murder and record the killing process on video.*”¹²

Unfortunately, in too many cases – marked as “Unknown” (167 convictions against 179 people) – we do not know enough or don’t know at all about the content of the incriminating material and therefore cannot assess the appropriateness of the court decisions.

The “Uncertain” category (three verdicts against three people) includes those court decisions that we find difficult to evaluate: for example, we tend to consider one of the episodes of the prosecution as lawful and another as not, or we have reasons to consider the sentence to be unlawful, but there is not enough information to make a confident judgment about it.

The “Other” category (55 verdicts against 59 people) includes sentences under “extremist” articles of the Criminal Code, which we cannot definitely consider unlawful and which cannot be attributed to anti-nationalism and xenophobia. Rather, these sentences were lawful, but in some cases we cannot judge the appropriateness due to a lack of information.

Some sentences may fall into more than one category if different episodes are evaluated differently. So, for example, a conviction may be wrongful on one episode and rightful or “different” on another. In total for 2023, we counted 133 convictions for public statements in 140 people that were wrongful on at least one episode¹³.

CC – 15 people, Part 2 of Art. 2073 of the CC – 10 people. Art. 2824 – 9 people. Part 1 of Art. 148 of the CC – 7 people (14 in 2022). For more information see: Official statistics of the Judicial Department of the Supreme Court on the fight against extremism for the first half of 2023 // SOVA Center. 2023. October 18 (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/10/d48791/>).

9. Consolidated statistics on the activity of federal courts of general jurisdiction and magistrate courts for the first half of 2022 // SOVA Center. 2022. October 15 (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/10/d47063/>).

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

11. Text included in: The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility, or violence // UN. 2013. 13 January (https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf).

12. The court sentenced a member of a neo-Nazi community who recruited a minor and prepared a terrorist act // Official website of the 1st Eastern District Military Court. 2023. April 23 (http://1vovs.hbr.sudrf.ru/modules.php?name=press_dep&op=1&did=724).

13. See in this volume: M. Kravchenko. Inappropriate enforcement...

Appropriateness of Convictions for Statements in 2023

SOVA Center data

Appropriate



Inappropriate



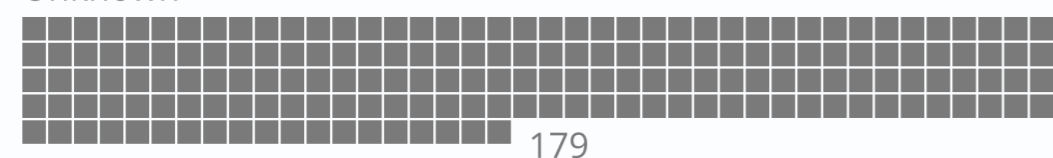
Other



Uncertain



Unknown



Source: SOVA Research Center, 2024

In the article-by-article analysis below, we rely on the number of convicts who had one or another article of the CC appear in their sentence, whether as a main or supplementary one.

Art. 205² of the CC (public calls for terrorist activities) overtook the previous leader in convictions, Art. 280 of the CC (public calls for extremist activities).

According to the Supreme Court data, in the first half of the past year, a total of 149 people were found guilty under Art. 280 (161 people in the first half of 2022), and 167 people on Art. 205² (126 people in the first half of 2022).

According to SOVA Center data, in 2023, Art. 280 of the CC was used¹⁴ in 111 verdicts against 118 people, and in about 50 % of the cases, this was the only charge. In the new cases known to us in 2023, 88 people had this article.

SOVA Center is aware of 105 verdicts on Art. 205² of the CC against 120 people. In approximately 45 cases, this was the only charge, and in approximately 30 cases it was com-

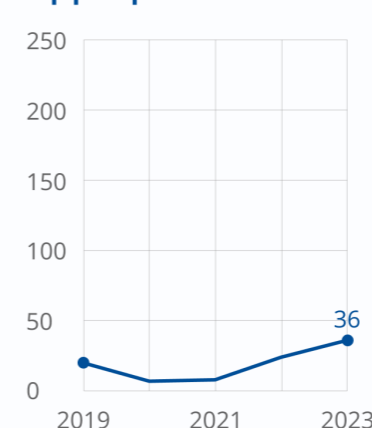
14. All of the numbers below are based on the sentences that we know about. But with the available volume of data, we can assume that the observed patterns and proportions will be approximately the same for the entire volume of sentences.

bined with Art. 280 of the CC. Art. 205² of the CC was combined with other anti-terrorism articles of the Criminal Code, such as Part 1.1 of Art. 205¹ of the CC (involvement in terrorist activities) or Art. 205⁵ of the CC (participation in the activities of a terrorist organization). In the new cases known to us in 2023, 153 people had this article.

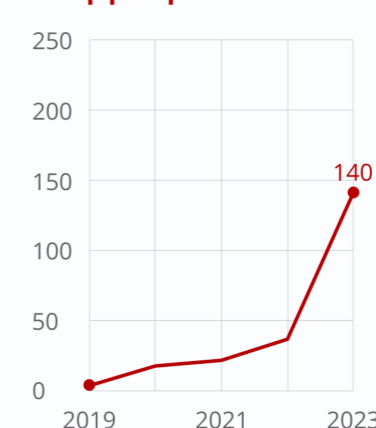
Appropriateness of Convictions for Statements

SOVA Center data

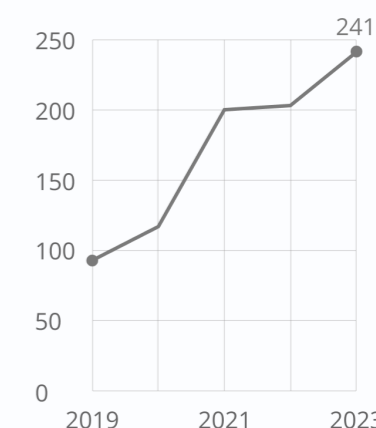
Appropriate



Inappropriate



All others



Source: SOVA Research Center, 2024

Whereas the article for public calls for terrorist activities was applied exclusively to radical Islamists only a few years ago, in the past three years it has also been used widely, against virtually all types of political groups: radical ultra-rightists, “citizens of the USSR,”¹⁵ representatives of left-wing organizations, liberal-democratic opponents of the authorities, simply opponents of the war, and people whose political views are unknown to us.

Art. 282 of the CC was used in 15 sentences known to us against 26 people. In seven of them, this was the only charge. Among these was, for example, the former hieroschimonk Sergius (Nikolai Romanov) and his assistant Vsevolod Moguchev for distributing videos inciting hatred against Jews, Catholics, and Muslims.¹⁶ The same article was used in the sentences against ultra-right activists from Voronezh and Saratov and an M.K.U. support-

15. On “Citizens of the USSR,” see: Mikhail Akhmetiev. Citizens without the USSR. Communities of “Soviet citizens” in modern Russia. Moscow: SOVA Center, 2022.

16. For more details, see in this volume: O. Sibireva. Challenges to Freedom of Conscience in Russia in 2023 (further: O. Sibireva. Challenges to Freedom of Conscience...).

er from Orenburg mentioned in the report on hate crimes.¹⁷ In the new cases known to us in 2023, 40 people had this article.

In this report, we note 23 verdicts against 23 people under Art. 354¹ of the CC (rehabilitation of Nazism); for 18 of them, this was the only charge. In most cases, these people were convicted of Holocaust denial or anti-Semitic publications justifying Hitler's extermination of Jews during World War II. For example, Alexei Naumov from St. Petersburg commented on posts in the Rasa (Race) community and referred to texts by Oswald Mosley, the leader of the British Union of Fascists, and Holocaust deniers Robert Faurisson and Ursula Haverbeck. In his comments to the post by the veteran of the nationalist movement Alexander Turik¹⁸ in memory of Yegor Prosvirnin¹⁹, Naumov expressed his approval of the crimes identified by the Nuremberg Tribunal, referred to Hitler's Mein Kampf, etc.²⁰ In the new cases known to us in 2023, 31 people had this article.

Part 1 of Art. 148 of the CC (public actions expressing clear disrespect for society and committed for the purpose of insulting the religious feelings of believers) was applied in three verdicts against four people. This article was the only one in the verdict against two teenagers who burned an icon of Anastasia Uzoreshitel'nitsa [Deliverer from Bonds] on a bonfire, shouting "Sieg Heil!" and "Glory to Hitler!" and demonstrating a Nazi salute, and then posted the video online, and against a resident of Krasnoyarsk who scattered the remains of mutton in an Orthodox church on the day of Eid al-Adha celebrations.²¹ In other cases, it was combined with other "extremist" and "terrorist" articles: Art. 205² and 282 in one case and Art. 280 of the Criminal Code in another. In the new cases known to us in 2023, six people got this article.

Art. 282⁴ of the CC (repeated propaganda or public display of Nazi attributes or symbols or the attributes or symbols of extremist organizations) was applied in 20 verdicts against 20 people.²² The vast majority were convicted under this article for repeatedly displaying their own tattoos with Nazi and other prohibited symbols, including seven with A.U.E. symbols (i.e. criminal tattoos). In the new cases known to us in 2023, 22 people had this article.

Art. 207³ of the CC (the article on "fakes," where the hate motive is taken into account) was used in six sentences against six people.²³ All cases involved online publications, and

17. See in this volume: N. Yudina. The New Generation of the Far-Right and Their Victims...

18. Turik Alexander // SOVA Center Directory (https://ref-book.sova-center.ru/index.php/%D0%A2%D1%83%D1%80%D0%B8%D0%BA_%D0%90%D0%BB%D0%B5%D0%BA%D1%81%D0%B0%D0%BD%D0%B4%D1%80).

19. Yegor Prosvirnin // SOVA Center Directory (https://ref-book.sova-center.ru/index.php/%D0%9F%D1%80%D0%BE%D1%81%D0%B2%D0%B8%D1%80%D0%BD%D0%B8%D0%BD_%D0%95%D0%B3%D0%BE%D1%80).

20. See: In St. Petersburg, a verdict was passed in the case of denial of the Holocaust and the heroic feat of Zoya Kosmodemyanskaya // SOVA Center. 2023. August 24 (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/09/d46908/>).

21. For more details, see: O. Sibireva. Challenges to Freedom of Conscience...

22. Art. 282⁴ of the CC criminalizes the repeated violation under Art. 20.3 of the CAO by a person penalized under this article (it should be borne in mind that according to Art. 4.6 of the CAO the violator is considered to have been penalized within one year from the date of entry into force of the ruling on imposing a penalty until the expiration of one year from the date of completion of execution of this ruling).

23. Note that this report does not take into account clearly wrongful convictions.

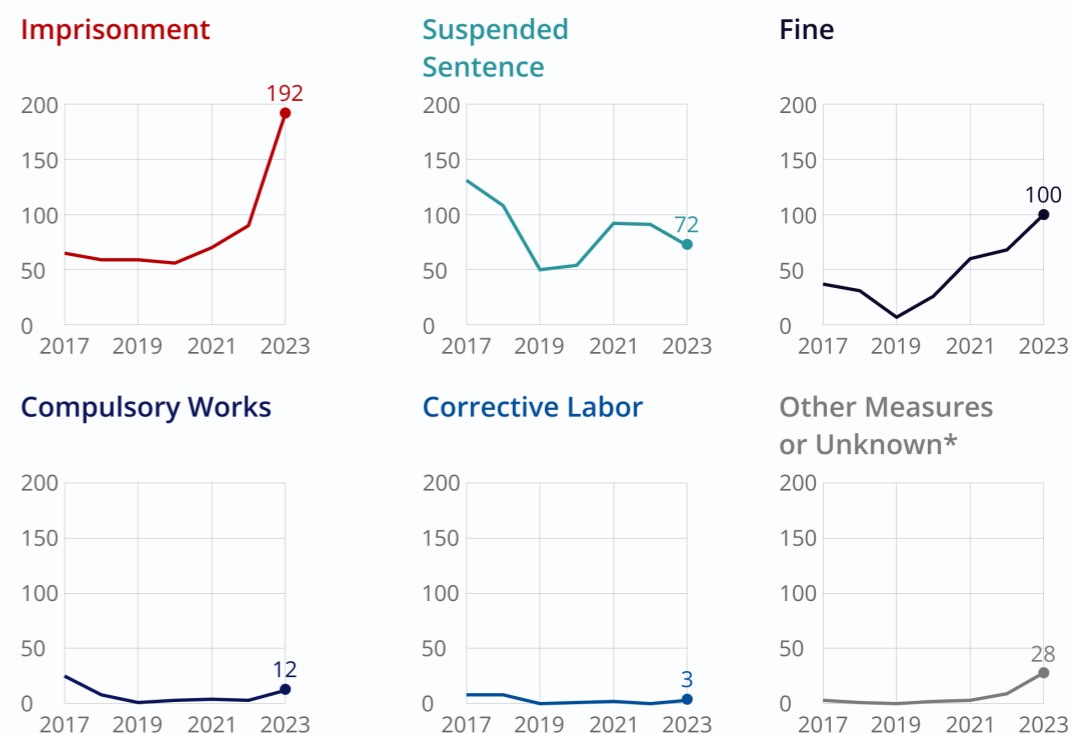
in only two cases the article was the only charge. In all cases, we do not know which publications the charges under Art 207³ of the CC were related to, and we cannot assess the appropriateness of prosecution under this article. In the new cases known to us in 2023, 14 people had this article (we emphasize that often we are simply unable to assess the lawfulness of cases at this stage).

Art. 280⁴ of the CC (public calls to carry out activities that threaten the security of the Russian Federation) was applied in four sentences against four people. In the new cases known to us in 2023, 11 people had this article.

Just like in 2022, we are not aware of any verdicts or new cases under Art. 280¹ of the CC (calls for separatism).²⁴

Sentences for Statements

SOVA Center data. Including inappropriate convictions



* Other measures include: compulsory labor, restriction of freedom, compulsory measures of a medical nature, warnings, compulsory measures of educational influence.

Source: SOVA Research Center, 2024

24. Remember that since the beginning of 2021, this article was partially decriminalized, a similar Art. 20.3.2 of the COA was introduced, and criminal liability under Art. 280¹ only occurs one year after imposition of administrative sanctions.

In 2023, penalties for public statements, excluding wrongful convictions, were distributed as follows:

- 133 people were sentenced to imprisonment;
- 65 received suspended sentences without any additional measures;
- 52 were sentenced to various fines;
- 7 were sentenced to mandatory labor;
- 11 were sentenced to forced labor;
- 3 were sentenced to correctional labor;
- 1 was sentenced to correctional labor, suspended;
- 3 were sentenced to the restriction of liberty;
- 1 was found guilty, but no punishment was imposed due to his death.

The case against another person was dismissed due to the expiration of the statute of limitations.

As we can see, the number of those sentenced to imprisonment has significantly increased compared to a year earlier (47 %): in 2022, we reported 71 sentenced to imprisonment (32 %).

Most of them received prison terms in conjunction with charges other than statements. It could have been articles of weapons possession or violence. Some were already serving prison time, and their terms were increased. Some were previously released on parole or were on probation.

However, 30 people received prison terms in the absence of any of the above-mentioned circumstances that reduce the chances of avoiding incarceration (or we just do not know about them). They are listed by article of the CC below.

Art. 280 of the CC: three incarcerated.

- A young man from Saratov was sentenced for publishing comments in vKontakte “*calling for attacks on residents of the Caucasus and Central Asia*” to one year in a strict regime colony and was deprived of the right to engage in activities related to the administration of sites and channels online (hereinafter such restrictions will be referred to as “Internet ban”) for one year.
- Ruslan Fatkhelbayanov from Ufa was sentenced to one and a half years in a penal colony for publishing comments in a Telegram group with “*calls for extremist actions against law enforcement officers and the use of weapons*”, with an Internet ban and a ban on participation in public events, both for two years.
- A 39-year-old from Astrakhan was sentenced to one year in a penal colony for publishing a post on vKontakte “*in which he called for violence against representatives of state authorities.*”
- Art. 354¹ of the CC: three incarcerated.
- 20-year-old Nikita Karpov from Omsk was sentenced to one and a half years in a general regime colony with an Internet ban for publishing a post “*containing an approving attitude to Nazi ideology*” and “*false information about memorable dates related to the Great Patriotic War*” in one of the social networks.
- In the Leningrad region, A. Yaskovich was sentenced to two years in a penal colony with an Internet ban for publishing texts and photos of Nazi criminals, Nazi symbols, and other materials “*with signs of approval of war crimes committed by the leaders of the Third Reich*” in the open vKontakte group Dewingston 2.0.
- Igor Veshnyakov, 56, from the village of Palatka in the Magadan region, was sentenced

to two years in a penal colony with an Internet ban for publishing a message denying the facts established by the Nuremberg Tribunal in a WhatsApp messenger group.

Art. 282⁴ of the CC: two incarcerated.

Both of them were previously charged with Part 1 of Art. 20.3 of the Administrative Code (propaganda and public display of Nazi symbols).

- In Sochi, a 19-year-old young man was sentenced to 10 months in prison for showing a Luftwaffe Pilot qualification badge and the emblem of the SS tank division Dead Head (Totenkopf) to traffic police officers who stopped him to check his documents, and displaying an image of the flag of Nazi Germany on his phone.
- In Crimea, 53-year-old Vladimir Blagov was sentenced to two years in a strict regime colony for posting eight images with Nazi symbols in a social network.

Art. 205² of the CC: 13 incarcerated. They were adherents of a variety of political views: supporters of ISIS, “Citizens of the USSR,” anarchists, opponents of military action in Ukraine, and people whose political views we do not know.

- A 26-year-old from Novokuznetsk was sentenced to two years in a general regime colony for comments calling for terrorist activities, including assassinations of officials.
- Syktyvkar resident Vyacheslav Rossokhin was sentenced to two and a half years in a general regime colony with an Internet ban for comments “*with public calls for attacks on the life of a Russian public official*”.
- A Kazan resident was sentenced to two years in a general regime colony with an Internet ban for disseminating unknown materials in a social network with calls for terrorist activity towards “*a group of persons singled out on religious grounds.*”
- “Citizen of the USSR” from Orel Ilya Florinsky was sentenced to six years in prison with an Internet ban for his reposts in vKontakte and Telegram²⁵ of the video “*Scheme of liberation from the regime*” with calls “*for Muscovites to take to the street and seize the Kremlin*” and for an anti-vaxxer post.
- O. from Samara was sentenced to two years in a general regime colony with an Internet ban for calling for terrorist activity of unknown content.
- A resident of Novorossiysk was sentenced to two and a half years in a general regime colony with an Internet ban for recording several video messages calling for terrorist activity and posting them in a messenger chat room.
- Anarchist Yaroslav Vilchevsky, 32, from the Far East was sentenced to two years in a general regime colony with an Internet ban for his post about Mikhail Zhlobitsky, who blew himself up in the Arkhangelsk FSB building.
- The leader of a cell of ISIS supporters was sentenced to three years in a strict regime colony with an Internet ban (region unknown).
- A resident of the Astrakhan region received two years in a general regime colony for posting public calls for terrorist activity “*against those who do not profess Islam*” in a popular social network.

25. The group “Citizens of the USSR. Orel,” where the materials were allegedly published, had been blocked for two years by the time the criminal case was initiated. Florinsky claimed that he first saw the video during interrogation.

With the beginning of the conflict in Ukraine, more publications with calls for violent actions against the Russian authorities appeared in the Russian Internet. Consequently, the content of the materials that attracted the attention of law enforcement became harsher, and the number of people imprisoned under Article 205² of the Criminal Code for statements in connection with the special military operation increased.

- Monk of the Russian Orthodox Church Abroad (ROCA)²⁶ Ilarion (Nikolay Shatkovsky, the Belgorod region) was sentenced to five years in a general regime colony with an Internet ban for publishing posts supporting Ukraine. We do not know which of his statements led to the criminal case, but in a video available on TikTok, the monk addresses Russians, blames the war on the “*demon*” Putin and his “*team of Yid-demons oligarchs*” and calls not only to “*criticize*” the president, but also to “*kill*.”
- A native of the city of Ukhta (the Komi Republic) was sentenced to five and a half years in a penal colony for calling on social media to set fire to military enlistment offices and commit other sabotage.
- A 20-year-old student of Balakhta agricultural college (Krasnoyarsk Krai) was sentenced to two years in a general regime colony for creating a Telegram channel where he published calls for arson and bombing of government buildings and attacks on law enforcement officers, as well as instructions on how to make explosives and information on methods of conspiracy and personal security.
- Andrey Anfalov from Nizhny Novgorod was sentenced to five and a half years in a general regime colony with an Internet ban for posts on his Odnoklassniki page calling for arson attacks on military recruitment centers and “*attempts on the life of one of the Russian public officials*.”
- Seven people were convicted under a combination of Art. 280 and 205² of the CC.
- A. Autlev from Adygea, was sentenced to five and a half years for propaganda of the activities of the “Islamic State” and calls “*to commit crimes against law enforcement officers and persons who do not profess Islam*.”
- Denis Anokhin from the Tula region received a four-year prison sentence with an Internet ban for publishing comments in vKontakte calling for violence against the military, urging people not to go to the military recruitment centers and to avoid serving in the army.
- A Tomsk resident got two years in a general regime penal colony with an Internet ban for calls in social networks “*to commit crimes against state and religious figures*.”
- A resident of Petropavlovsk-Kamchatsky was sentenced to four years in a general regime colony with an Internet ban for publishing texts in vKontakte about “*the need to kill Russians and representatives of the authorities*.”
- A resident of Novy Urengoy (Yamalo-Nenets Autonomous District) was sentenced to seven years’ imprisonment for publishing texts, photos, and comments of unknown content with approval of violence on social networks, with the first three years to be served in prison and the rest in a general regime penal colony.
- A resident of Kansk, Krasnoyarsk Krai, was sentenced to seven years in a special regime colony for calling for violence against Russians and for blowing up the Crimean bridge.
- Igor Orlovsky from Krasnoyarsk received three years in a general regime colony with an Internet ban for comments on social media calling for the killing of “*Russian occupiers*”

26. It is not known which branch of the ROCA he belongs to.

and for world peace (cessation of war), as well as for the assassination of Vladimir Putin, whom he called an “*old fascist*.”

In all of these cases, we cannot assess the “words-only” sentences as wrongful because the publications clearly contained calls for violence. However, we doubt that the courts properly assessed the degree of public danger of these calls in all cases. With regard to Art. 280⁴ of the CC, we know of two such convictions.

- Parvinakhan Abuzarova from Tatarstan was sentenced to three years in a general regime colony for posting on social media “*calls on the Russian servicemen taking part in a special military operation in Ukraine to desert*.”
- Sergei Korneev from Miass, the Chelyabinsk region, was sentenced to two years in a general regime colony for calls in one of the social networks “*to sabotage mobilization and military activities, as well as to damage military equipment and weapons*.”

Prior to 2021, we did not include in our calculations those convicted to imprisonment under Art. 205² of the CC as “terrorist,” since we believed that the penalties under the anti-terrorism article were traditionally more severe and our knowledge of the specific content of cases was always limited; additionally, prior to 2018, the vast majority of sentences under Art. 205² of the CC had nothing to do with countering incitement to hatred. In 2021 and 2022, we counted and described those sentenced to incarceration under this article alone (without additional circumstances) separately from the others. However, as we have already written above, law enforcement under this article is expanding, and now it is not that different from law enforcement, say, under Art. 280 of the Criminal Code, often both of these articles are imputed simultaneously, so we decided to count those convicted under Art. 205² of the CC together with all the others. To ensure the comparisons with previous years are correct, we calculated the 2021-2022 data in the same way.

Compared to previous years, enforcement has become tougher in this sense: in 2022, we reported 16 such convictions, and 22 in 2021. But if we look at percentages, we cannot say that this parameter shows any stable dynamics: in 2023, the share of those sentenced to imprisonment “for words only” without circumstances clearly implying imprisonment amounted to 10.9 %, in 2022 – 7 %, in 2021 – 10.6 %.

In 2023, the share of suspended sentences decreased from 36 % (in 2022) to 23 % (65 out of 281). The share of the remaining convicts sentenced to punishments involving neither real nor suspended imprisonment, i.e. mainly fines, was 27.4 %, practically the same as the 27.5 % in 2022.

Almost all sentences mention additional bans on activities related to the administration of Internet sites, bans on publications on the Internet, or on the use of the Internet in general.

As has become a tradition, the overwhelming majority of convictions were for materials posted online – 190 out of 237. However, the share of such materials has been decreasing for the second year in a row and amounted to 80 % (88.5 % in 2022, 91 % in 2021).

As far as we were able to understand from the reports of the verdicts, these materials were posted on (possibly more than one):

- social networks – 124 (55 on vKontakte, 2 on Facebook, 2 on Instagram, 2 on TikTok, 3 on Odnoklassniki, 60 on unspecified social networks);
- instant messenger groups and channels – 33 (27 in Telegram, 2 in WhatsApp, 1 in Discord, 1 in Viber, 2 in unspecified messengers);

- YouTube – 5;
- unspecified online resources – 35.

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 – 71,
- other texts – 42,
- videos – 24,
- films – 2,
- images (drawings and photographs) – 15,
- audio (songs) – 3,
- administration of groups and communities – 2,
- unspecified – 55.

As for placement, little changed over the past 10 years (see previous reports on this topic, as well as reports on prosecuting online extremism in the 2010s²⁷): law enforcement monitoring remains focused on social media; the share of cases for publications in messengers increased, however. In terms of genre distribution, the trend observed since 2020 continues²⁸ – sentences are more often handed down “for words” in the literal sense, that is, mostly for comments and remarks, although as recently as 2019 the bulk of sentences were handed down for videos and images²⁹.

The number of convictions for offline statements turned out to be twice as high as a year earlier: 47 convictions for 66 people, compared to 24 convictions for 31 people in 2022.

Sentences were imposed for the following offline acts:

- agitation in prison – 19 (28 people);
- repeated demonstration of tattoos with Nazi symbols and symbols of the A.U.E. or Ukrainian nationalist organizations banned in Russia – 13 (16 people); including repeated demonstration of tattoos in prison or colony – 6 (7 people);
- posting stickers and leaflets – 8 (8 people);
- to a far-right group for unknown episodes of propaganda – 1 (7 people);
- shouts during attacks – 1 (2 people);
- demonstration of prohibited symbols to traffic police officers – 1 person;
- verbal threats with shaking a bat – 1 person;

27. See for example: N. Yudina. *Anti-Extremism in Virtual Russia in 2014-2015*. // SOVA Center. 2016. August 24 (<https://www.sova-center.ru/en/misuse/reports-analyses/2016/08/d35262/>).

28. N. Yudina. *Anti-extremism in Quarantine: The State Against the Incitement of Hatred and the Political Participation of Nationalists in Russia in 2020* // *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2020*. Moscow: SOVA Center, 2021. P.20–46. (<https://www.sova-center.ru/files/books/pe20-text.pdf>).

29. N. 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* // *Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2019*. Moscow: SOVA Center, 2020. P.22–46. (<https://www.sova-center.ru/files/books/pe19-text.pdf>).

- agitation in college – 1 person;
- appearance on Ukrainian television – 1 person;
- private conversations with colleagues – 1 person.

As can be seen, the introduction of Art. 282⁴ of the CC contributed significantly to our statistics with convictions for repeated display of tattoos. Previously, such acts entailed only administrative liability. These demonstrations occurred also in places of detention. We find criminal prosecution for such acts questionable: it is not always possible to avoid displaying an existing tattoo, for example while changing clothes or in the shower. And it is difficult to remove or change tattoos in places of detention.

In general, the proportion of people sentenced for acts committed in places of detention has increased significantly compared to 2022. This is especially evident in the increased number of people punished for verbal agitation in prisons. The prison environment is quite closed, and we rarely know the details of such cases. We have repeatedly noted that we have doubts about such sentences.³⁰ It is true that there is a significant proportion of people who are prone to violence among prisoners, so radical agitation (whether jihadist or far-right) in this environment is always dangerous. But the key criterion of the size of the audience remains unclear in cases of public statements: for example, it is unlikely that a conversation in a narrow circle of cellmates can be considered public.

By the same criterion of audience size, we are inclined to recognize as legitimate the sentences for shouts during attacks, for realistic threats, for stickers and leaflets posted on street light poles (leaving aside the content). But we do have doubts about the sentence imposed for a private conversation with colleagues.

We often do not have access to the materials that became the subject of legal proceedings, so as far as the content of statements is concerned, in many cases we are forced to focus on the descriptions of prosecutors, investigative committees, or the media, although these descriptions, unfortunately, are not always accurate, and in some cases they simply do not exist. Therefore, we can conduct an analysis of the direction of incriminated statements only for some of the cases we are aware of.

We identified the following targets of hostility in the sentences passed in 2023 (some of the incriminated materials expressed hostility toward more than one group):

- ethnic enemies – 54, including: Jews – 15, Russians – 7, natives of the Caucasus – 8, natives of Central Asia – 4, Sinti and Roma – 2, Poles – 1, non-Slavs in general – 2, Iranians and their sympathizers – 1, unspecified ethnic enemies – 14;
- religious enemies – 32, including: Orthodox Christians, including priests – 3, Jews – 2, Catholics – 2, Muslims – 3, infidels from the Islamic point of view (romanticizing militants, calls to join ISIS and jihad) – 17, unspecified religious enemies – 5;
- representatives of the state – 134, including: the state and the authorities in general – 59, FSB officers – 4, police officers – 5, law enforcement officials in general – 19, military – 33, president personally – 9, MPs – 2, government officials in general – 2, head of the Komi Republic – 1;

30. Cases of terrorist propaganda in pre-trial detention centers and places of detention. 2023 // SOVA Center. 2023. June 6 (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/06/d48204/>).

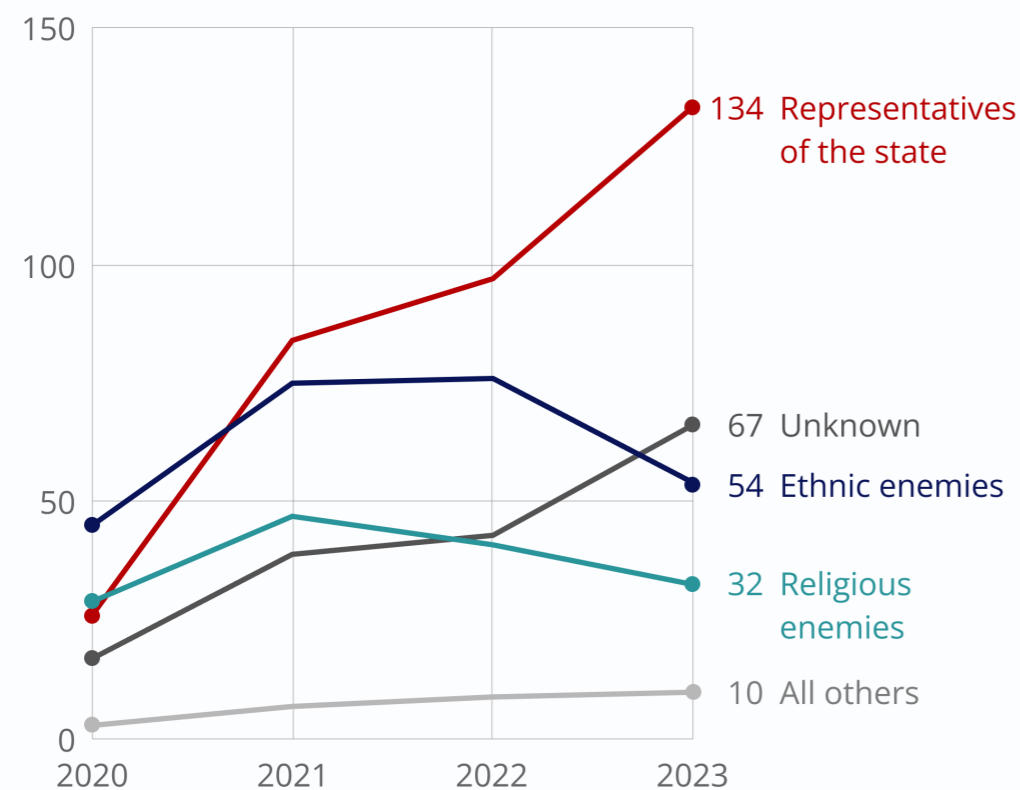
- residents of the LPR and DNR – 1;
- Russians and all those who support the special military operation – 5;
- low-level government employees, perceived as officials – 3, including: employees of the housing and utilities services – 1, healthcare professionals – 1, municipal officials – 1;
- schoolchildren (related to the Columbine movement) – 1;
- unspecified object of hostility expressed through the display of Nazi symbols and portraits of Nazi leaders – 23;
- completely unknown – 44.

According to our estimates, at least 70 convictions in 2023 were for statements related to military conflict in Ukraine (or approximately 30 % of those included in this report).

In the past three years, the three main groups of enemies – ethnic, religious, and state representatives – remain the same. The share of representatives of state authorities again increased significantly and amounted to 56.5 % (in 46 % of sentences in 2022 and 41 % in 2021).

Objects of Enmity in Sentences for Statements

SOVA Center data. Inappropriately convicted not included



Source: SOVA Research Center, 2024

For Participation in Extremist and Terrorist Groups and Banned Organizations

The number of those convicted for participation in extremist and terrorist communities and organizations increased again. In 2023, we have information about 92 verdicts against 149 people under articles 282¹ (organizing, recruiting, or participating in an extremist community), 282² (the same for a banned extremist organization), 205⁴ (the same for a terrorist community, excluding recruitment), 205⁵ (the same for a banned terrorist organization), and 282³ of the CC (financing of extremist activities). This is twice as high as in 2022 (47 convictions against 85 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 unlawful 90 verdicts against 195 people³¹ (all of the convictions known to us under Art. 282³ were unlawful). In 2023, we know of 60 new cases, but this data is far from complete.

According to the Supreme Court data,³² 271 people were convicted under these articles, if we count only the main charge, in the first half of 2023 alone³³ (430 in the entire 2022). Thus, assuming that such sentencing continued with the same intensity in the second half of the year as in the first half, the number of convicts in this category increased by almost a third again, but there are usually more convictions in the second half of the year than in the first.

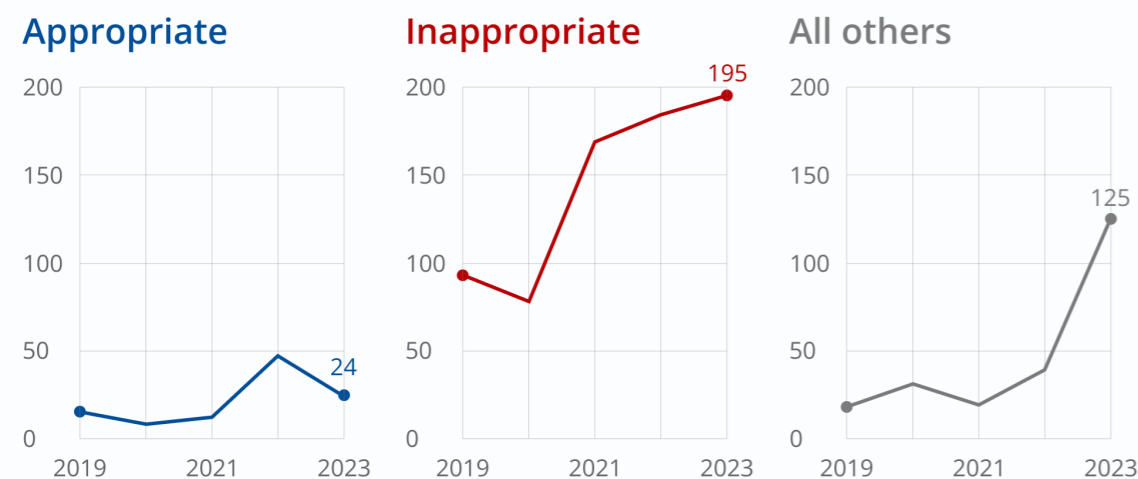
31 . See in this volume: M. Kravchenko. Inappropriate Enforcement...

32 . Consolidated statistics on the state of criminal record in Russia for the first half of 2023 // Judicial Department under the Supreme Court of the Russian Federation. 2023. October 17 (<http://www.cdep.ru/index.php?id=79&item=7900>).

33 . In terms of the number of convicted persons, Art. 2822 tops the list, as usual, with 150 people; Art. 2055 was used against 77 people; Art. 2821 against 23 people, and Art. 2054 against 21 people. Note also that in the first half of 2023, 13 people were convicted under Part 1 of Art. 2823 on the financing of extremist activities.

Appropriateness of Convictions for Participation in Certain Groups

SOVA Center data



Source: SOVA Research Center, 2024

According to our data, out of the total number of convicted persons, the share of those convicted for involvement in ultra-right organizations was 13,4 % (20 out of 149), in the “Citizens of the USSR” organizations – 12,8 % (19), in Pravyj Sektor and other banned Ukrainian organizations – 14,8 % (22), in A.U.E. – 38,9 % (58), in radical Islamist organizations and groups – 14 % (21), in others – less than 1 %: 2 in the Columbine movement, 1 in left-wing organizations, 1 in the Old Believers-Ynglings,³⁴ in organizations unknown to us – 3 % (5).

According to our data, in 2023, Art. 282¹ of the CC was applied in 12 convictions against 23 people. In the new cases known to us in 2023, 17 people got this article.

This article has traditionally been applied primarily to members of far-right groups.

Some of them were already mentioned in our report on hate crimes³⁵ and in this report. Among them are: members of an ultra-right group from Voronezh, who received suspended sentences; a 19-year-old M.K.U. member from the Orenburg region, who received 17 years in prison; a member of an ultra-right group from Kazan, who received four years and 10 months in a penal colony; members of an ultra-right group from Belgorod, who received suspended sentences; and ultra-right activists from Saratov, who were detained during the hunt for M.K.U. members and received sentences ranging from two and a half years in a general regime colony to 10 months in a penal colony.

34. For more details, see: Court decision on liquidation of right-wing radical organizations in Omsk // SOVA Center. 2004. April 30 (<https://www.sova-center.ru/racism-xenophobia/docs/2004/04/d8899/>).

35. See: N. Yudina. The New Generation...

Below we list other far-right activists convicted of participation in an extremist community.

- Kirill Vasyutin and Dmitry Lobov from Omsk were sentenced to prison time for creating a group People’s Association of Russian Movement (NORD) on vKontakte and publishing materials promoting right-wing radical ideology, calling for the use of violence, and “justifying fascism.” The participants planned attacks on people of non-Slavic appearance, natives of Central Asia and the Caucasus, anti-fascists, and LGBT people. At least one street attack is known to be committed by members of the group on a random person, motivated by ethnic hatred. During the investigation, items depicting swastikas, a gas gun, folding knives, brass knuckles, bats, and gas and pepper spray were seized from the organizers and members of the group.
- Maxim Tikhomirov, 18, tried to create an ultra-right-wing group in Novorossiysk and received a three and a half year general regime colony. According to the prosecutor’s office, he created a group with five members in one of the messengers; the group published materials about “preparing xenophobic attacks motivated by hatred and actions against the current government.”

In addition, in the Volgograd region, participants of one of the numerous organizations of “Citizens of the USSR,” and in Moscow, Alena Krylova, a defendant in the Left Resistance case, were sentenced to imprisonment under Article 282¹.

According to our data, Art. 282² of the CC was used in 65 verdicts against 105 people. In the new cases known to us in 2023, this article appeared in 32 people. The composition of the groups of those convicted under this article is almost identical to that of last year.

As has become customary, members of the banned “Citizens of the USSR” have traditionally been actively persecuted under this article. According to our data, at least 16 people from Moscow, the Bryansk region, Dagestan, Karachay-Cherkessia, Kirov, Krasnoyarsk, Altai Krai, and Khakassia were found guilty of membership in these organizations. 11 of them were sentenced to imprisonment in a high-security colony, and five received suspended sentences.

18 people in Moscow, Adygea, Stavropol Krai, Karachay-Cherkessia, and in the Kursk, Lipetsk, and Rostov regions were convicted of involvement in Pravyj Sektor (Right Sector). Seven of them were already in custody. Some of the convicts were sentenced to imprisonment on charges of intending to travel to Ukraine to join Pravyj Sektor, others – on charges of recruiting into Pravyj Sektor, including in places of detention, and others were charged with creating propaganda materials, taking the oath, and preparing terrorist attacks.

Five people in Dagestan and the Ivanov and Rostov regions were sentenced to imprisonment for involvement in the activities of the radical Islamist organization Takfir Wal-Hijra. Although the organization by that name has long ceased to exist, there have indeed been and probably still are followers of some of its ideas in Russia; we are unable to assess the extent of their radicalism and the content of their actual activities.

58 people across the country were found guilty of participating in AUE., recognized as extremist,³⁶ although there is no doubt that no such organization exists, and all we can talk about is not even a subculture, but a brand used to exploit the romanticization of

36. A.U.E. movement recognized as extremist // SOVA Center. 2020. August 17 (<https://www.sova-center.ru/misuse/news/persecution/2020/08/d42774/>)

crime.³⁷ The vast majority of them had already been in prison, and had to serve additional prison time. It seems that often these are not A.U.E. leaders, but organizers or active participants of criminal communities.

Additionally, a former deputy of the Ostrov settlement of the Pskov region, a supporter of the Ancient Russian Yngliist Church of the Orthodox Old Believers-Ynglings, a neo-Pagan association banned in Russia back in 2004, was sentenced to imprisonment; he posted videos of this organization on YouTube.

In 2023, we know of seven people convicted under Art. 205⁴ of the CC. All of them were already in custody and were convicted of involvement in a radical Islamist organization. All seven also had Art. 205² of the CC in their verdicts. We are not aware of any new cases under Art. 205⁴ of the CC in 2023.

We are aware of nine convictions of nine people under Art. 205⁵ of the CC. They were sentenced to imprisonment for their involvement in a neo-Nazi organization NS/WP (National Socialism / White Power), jihadist organizations (ISIS, Katibat al-Tawhid wal-Jihad – 6 people), and the subculture of schoolshooting (the Columbine movement – 2 people). In the new cases known to us in 2023, eight people had this article.

Federal List of Extremist Materials

In 2023, the growth rate of the Federal List of Extremist Materials remained approximately the same as a year earlier: the list was updated 28 times with 82 entries (81 in 2022). As of March 4, 2024, the number of entries on the list has reached 5417.

New entries fall into the following categories:

- xenophobic materials of contemporary Russian nationalists – 41;
- materials of other nationalists – 3;
- materials of Orthodox fundamentalists – 8;
- materials of Islamic militants and other calls for violence by political Islamists – 1;
- other Islamic materials – 1;
- materials by other peaceful worshippers (writings of Jehovah's Witnesses) – 1;
- peaceful opposition websites – 2;
- materials from the Ukrainian media and the Internet – 2;
- extremely radical speeches from Ukraine (usually far-right) – 2;
- other anti-government materials inciting riots and violence – 3;
- works by classical fascist and neo-fascist authors – 2;
- parody banned as serious materials – 2;
- A.U.E. materials – 1;
- people-haters' materials – 2;
- fiction – 3;
- Citizens of the USSR's materials – 8.

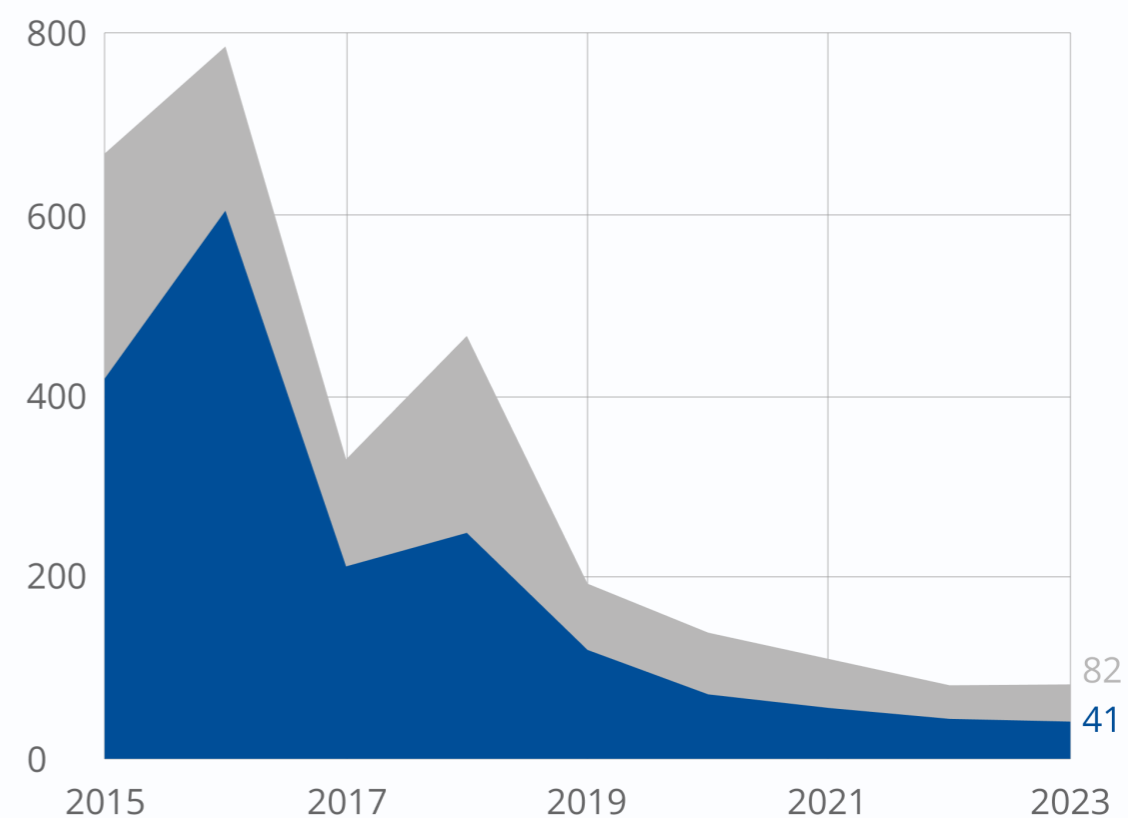
37. Dmitry Gromov. AUE: kriminalizatsiya molodezhi i moralnaya panika. Moscow: Institute of Ethnology and Anthropology of the Russian Academy of Sciences, 2022.

As in previous years, half of the new entries are materials by Russian nationalists. At least 67 of the new 82 entries are online materials: video and audio clips and various texts. Offline materials include books by Russian, Ukrainian, and other nationalists, and Islamic literature. However, sometimes the materials are described in such a way that it is completely unclear whether they were published online or offline. The slowing down of the process of adding new entries to the list does not reduce the number of errors of all kinds, which we mention every year.

As usual, some of the newly added materials were declared extremist clearly unlawfully and inappropriately; their number is slightly higher than in 2022: 13 compared to 8.³⁸

Trends in the Growth of the Federal List of Extremist Materials. Russian Nationalists and All Other Categories

The Ministry of Justice data. Classification by SOVA Center

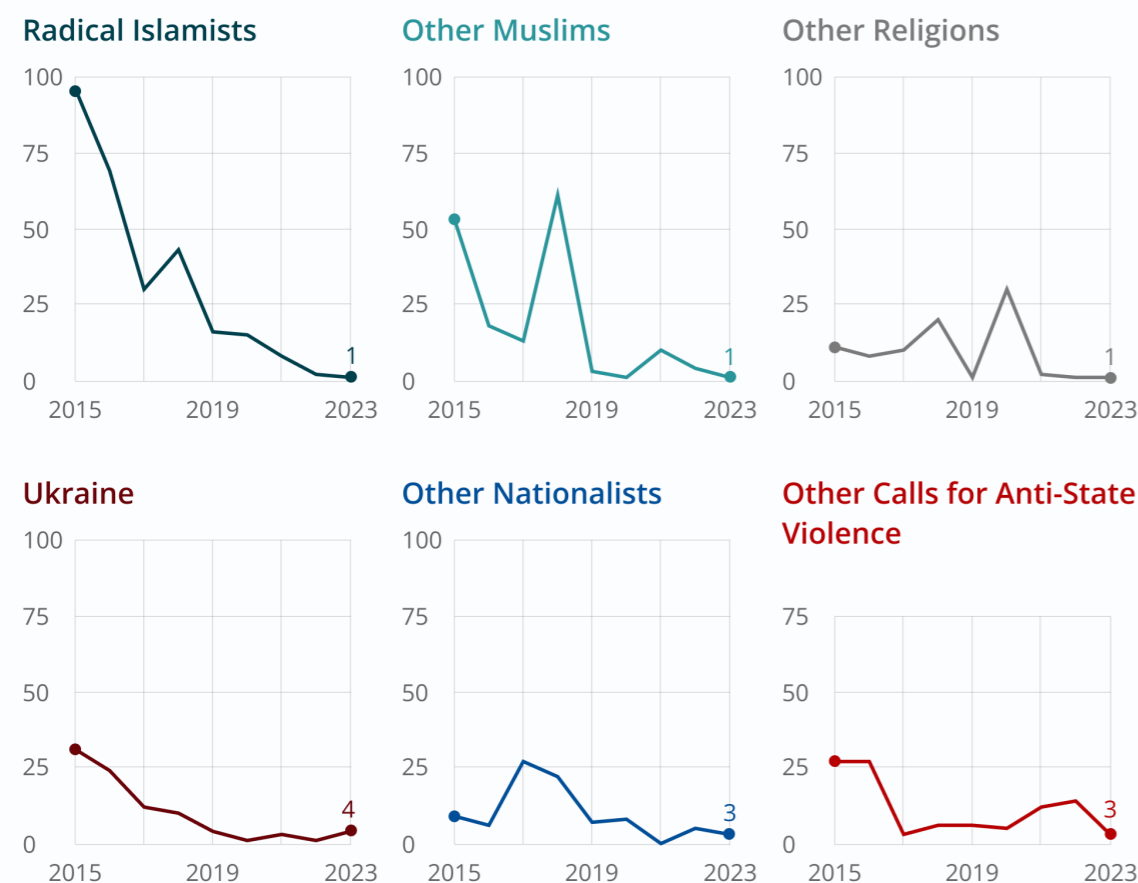


Source: SOVA Research Center, 2024

38. See in this volume: M. Kravchenko. Inappropriate Enforcement...

Trends in the Growth of the Federal List of Extremist Materials. Other Categories

The Ministry of Justice data. Classification by SOVA Center



Source: SOVA Research Center, 2024

Banning Organizations as Extremist and Terrorist

Lists of extremist and terrorist organizations were expanding at a far slower rate than the year before.

In 2023, three organizations were added to the Federal List of Extremist Organizations, published on the website of the Ministry of Justice (13 in 2022).

At least in part, the ban on yet another organization of “Citizens of the USSR” can be considered legitimate: The Supreme Council of the Tatar Autonomous Soviet Socialist Republic (The Supreme Council (VS) of the TASSR, The Supreme Council of the Ta-

tar ASSR/RSFSR/USSR), was recognized as extremist on February 1, 2023, by the Supreme Court of Tatarstan. This group was headed by Tatyana Loskutnikova from Kazan, who said in court that the VS TASSR was “recreated” on August 6, 2019 and dissolved on April 8, 2022. But the court decided that VS TASSR continued its activities after that date. According to the Sova Center, Loskutnikova’s structure was part of Valentina Reunova’s Supreme Council of the USSR, and after its split in the spring of 2020, it became part of another Supreme Council of the USSR, headed by Marina Pugacheva, Elena Tomenko, Olga Reichert, and others. The activities of the Supreme Soviet of the USSR were mainly limited to sending letters to the Russian authorities and holding various congresses and disputes over who and how should dispose of the money of the “recreated” USSR in the future. This movement was not known to be violent. However, some of Loskutnikova’s appeals contained anti-Semitic statements.³⁹

We consider unlawful and inappropriate the inclusion on the list of the Vesna (Spring) movement, recognized as extremist by the St. Petersburg City Court on December 6, 2022, and the Congress of the Oirat-Kalmyk People, recognized as extremist by the Supreme Court of the Republic of Kalmykia on August 23, 2023.⁴⁰

The landmark event of the past year was the recognition by the Supreme Court on November 30, 2023 of “International LGBT public movement” as an extremist organization. The movement was included in the list of extremist organizations on March 1, 2024. We believe that the ban on the LGBT movement is a clearly discriminatory measure, since it deprives a part of society of the opportunity to defend their rights and peacefully express their views.⁴¹

On October 16, 2023, the Central District Court of Khabarovsk recognized the Public Association Ethnic National Association (ENO, E.N.O.) as an extremist organization. According to some reports, the association was created by former activists of the National Socialist Society⁴² and participants of other far-right groups. Photos and videos of the group’s “direct action” with attacks on Roma, LGBT people, arson attacks on various public buildings and structures, and acts of desecration of monuments to Holocaust victims periodically appeared on the organization’s platforms. The police believe that Yevgeny Manyurov, who opened fire outside the FSB building at Lubyanka Square on December

39. For more details, see: A group of “Citizens of the USSR” from Tatarstan recognized as extremist // SOVA Center. 2023. June 13 (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/07/d48374/>).

40. See in this volume: M. Kravchenko. Inappropriate Enforcement...

41. The Supreme Court has recognized the “International LGBT public movement” as an extremist organization // SOVA Center. 2023. November 31 (<https://www.sova-center.ru/misuse/news/persecution/2023/11/d49011/>).

42. The National Socialist Society // SOVA Center Directory ([https://ref-book.sova-center.ru/index.php/%D0%9D%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%B0%D0%BB-%D1%81%D0%BE%D1%86%D0%B8%D0%B0%D0%BB%D0%B8%D1%81%D1%82%D0%B8%D1%87%D0%B5%D1%81%D0%BA%D0%BE%D0%B5_%D0%BE%D0%B1%D1%89%D0%B5%D1%81%D1%82%D0%B2%D0%BE_\(%D0%9D%D0%A1%D0%9E\)](https://ref-book.sova-center.ru/index.php/%D0%9D%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%B0%D0%BB-%D1%81%D0%BE%D1%86%D0%B8%D0%B0%D0%BB%D0%B8%D1%81%D1%82%D0%B8%D1%87%D0%B5%D1%81%D0%BA%D0%BE%D0%B5_%D0%BE%D0%B1%D1%89%D0%B5%D1%81%D1%82%D0%B2%D0%BE_(%D0%9D%D0%A1%D0%9E))).

19, 2019, and was behind the thwarted attempt to blow up a mosque in Barnaul in 2021, is associated with ENO.⁴³ The organization was included in the list on February 29, 2024.

On December 7, 2023, the Krasnoyarsk Regional Court recognized another organization of “Citizens of the USSR,” the Executive Committee of the Council of People’s Deputies of the Krasnoyarsk Territory, as extremist.⁴⁴ The organization was added to the list on February 1, 2024.

Thus, as of March 4, 2024, the list included 107 organizations,⁴⁵ whose activities are prohibited by court and their continuation is punishable under Art. 282² of the CC.

The list of terrorist organizations, published on the website of the FSB, was updated in 2023 with four organizations (seven in 2022). Thus, the list now has 50 organizations.

The list was updated with:

- people-hate movement M.K.U., repeatedly mentioned in this and previous reports (also known as Maniacs. Cult of Murders, Youth that Smiles [abbreviated as M.K.U.]), declared terrorist by the Supreme Court in January;⁴⁶
- two units of Russian volunteers fighting on the side of Ukraine: The Freedom of Russia Legion,⁴⁷ declared terrorist by the Supreme Court on March 16, and the Russian Volunteer Corps (RVC),⁴⁸ declared terrorist on November 16 by the 2nd Western District Military Court;
- The Ukrainian assault battalion Aidar, recognized as terrorist by the Southern District Military Court on September 25.

43. In February 2023, the suspect charged with attempting to blow up a mosque was sentenced to 16 years under Art. 2053 of the CC (training in order to carry out terrorist activities).

44. For more details, see: Another organization of “Citizens of the USSR” banned in Krasnoyarsk // SOVA Center. 2024. February 8 (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2024/02/d49270/>).

45. Not counting the 395 local Jehovah’s Witness organizations banned along with their Management Center and listed in the same paragraph with it.

46. For more details, see: N. Yudina. Attack on Organizations...

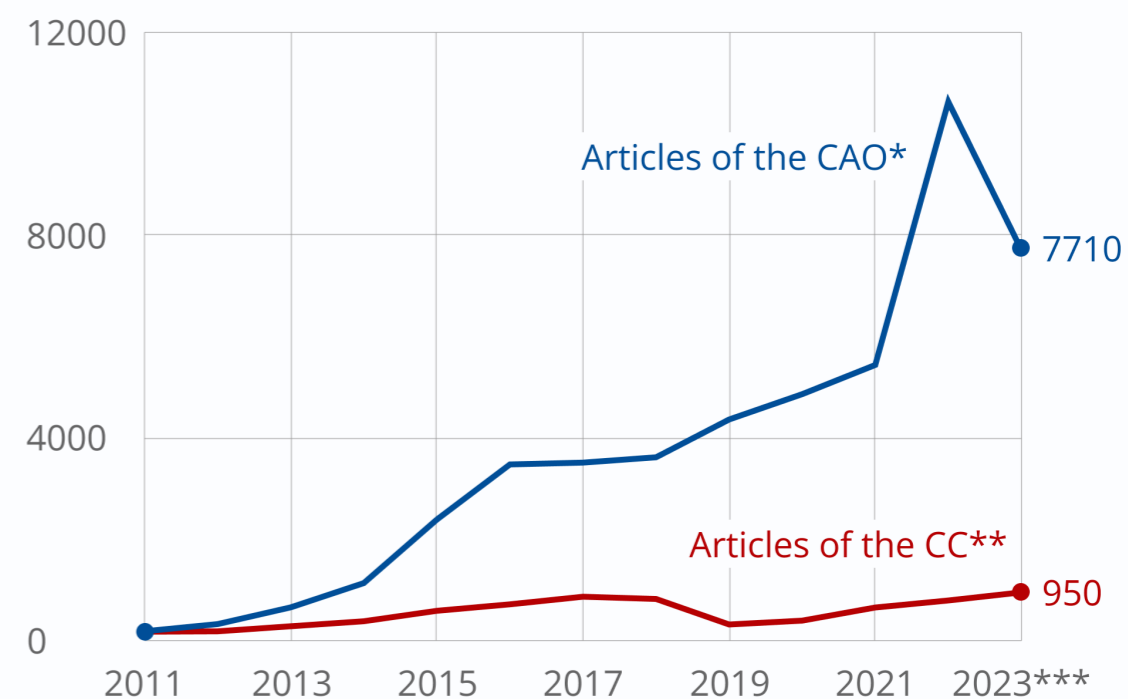
47. Vera Alperovich. The Nationalists Are Building up the Pace. Public Activity of Far-Right Groups, Winter-Spring 2023 // SOVA Center. 2023. June 10 (<https://www.sova-center.ru/racism-xenophobia/publications/2023/07/d48353/>).

48. Russian Volunteer Corps // SOVA Center Directory (https://ref-book.sova-center.ru/index.php/%D0%A0%D1%83%D1%81%D1%81%D0%BA%D0%B8%D0%B9_%D0%B4%D0%BE%D0%B1%D1%80%D0%BE%D0%B2%D0%BE%D0%BB%D1%8C%D1%87%D0%B5%D1%81%D0%BA%D0%B8%D0%B9_%D0%BA%D0%BE%D1%80%D0%BF%D1%83%D1%81).

Prosecution for Administrative Offences

Convicted of Statements under Criminal and Administrative Articles

The Supreme Court data



* Articles 20.3, 20.3.1, 20.3.2, 20.3.3, 20.29.

** Articles 148 (parts 1, 2), 205.2, 207.3 (parts 2, 3), 280, 280.1, 280.3, 280.4, 282, 282.4, 354.1. The data of the main and additional charges were summarized.

*** The data for 2022 are extrapolated from the results of the first half of the year.

Source: SOVA Research Center, 2024

We classify several articles of the Administrative Code as “anti-extremist”: Art. 20.3 (display of prohibited symbols), 20.29 (distribution of prohibited materials), 20.3.1 (incitement to hatred), 20.3.2 (separatism), Parts 3-5 of Art. 20.1 (indecent statements about the authorities and symbols of the state), 13.48 (equating Stalin’s crimes with those of Hitler), as well as articles 20.3.3 (discrediting the actions of the army and officials abroad)

and 20.3.4 (calls for sanctions against Russia)⁴⁹ introduced in 2022. However, we categorize the application of the last four articles as entirely unlawful⁵⁰, and our data in this report, including when analyzing articles of the Administrative Code, exclude unlawful and inappropriate decisions.

Thanks to cooperation with OVD-Info, for the second year, we have been using a better method of finding decisions on the Administrative Offenses Code on the courts' websites, which could not but affect the effectiveness of our data collection. However, we managed to process about a third of the decisions made during the past year. According to the Supreme Court, if we assume that the enforcement in the second half of the year was the same as in the first half, and according to the OVD-Info parser, there was a slight decrease in the number of people punished under all the articles of the Administrative Code considered in this report.⁵¹

It should be mentioned that we cannot fully compare the data for 2022 and 2023, but we can do it approximately. We have the Supreme Court data for 2022, which are calculated according to decisions that have already entered into force (that is, after an appeal, if there was one). For 2023, we have this data for the first half of the year, which can be doubled, and the data from the OVD-Info parser for the whole year (available as of the beginning of March 2024), but according to the decisions of the courts of first instance.

About 1200 decisions came into force in 2022 under Article 20.3.1 of the CAO. Unfortunately, it is impossible to give a more precise number, because starting in 2022 the Supreme Court has combined the data under Articles 20.3 and 20.3.1, but we have determined the approximate ratio based on our data and that of OVD-Info. In 2023, it seems that fewer than 900 sentences were imposed under this article.

In 2023, SOVA Center considered 328 sentences under this article.

The vast majority were punished for publications on social networks, primarily on vKontakte, but also on Odnoklassniki, Instagram, TikTok, Telegram, WhatsApp (messages in a large group), Pikabu, and YouTube.

Incriminating comments, remarks, videos, and images on the object of hostility referred to:

- ethnic “others” – 285 (including the natives of Central Asia – 54, natives of the Caucasus – 52, Jews – 39, Russians – 39, Sinti and Roma – 11, dark-skinned people – 10, Ukrainians – 5, non-Slavs in general – 6, other ethnic groups – 69);
- religious “others” – 18 (Jews – 3, Muslims – 6, Christians, including ministers of the Orthodox Church – 7, “infidels”, that is, those who do not profess Islam – 1; Buddhists – 1);
- representatives of the state – 51 (police and the siloviki – 23, military – 2, representatives of the authorities, including government officials and deputies of the State Duma – 16, President of the Russian Federation personally – 4, bailiffs – 1, other government officials – 5);

49. There are also articles of the Administrative Code applicable to non-enforcement of decisions regarding restrictions on access to Internet resources, as well as some parts of Article 13.15 of the Administrative Code, related to the publication in the media of materials corresponding in content to several anti-extremist articles of the Criminal Code, but we have no information on the application of these norms.

50. For more details, see in this volume: M. Kravchenko. Inappropriate Enforcement...

51. Consolidated statistics on the state of criminal record in Russia for the first half of 2023 // Judicial Department of the Supreme Court of the Russian Federation. 2023. October 17 (<http://www.cdep.ru/index.php?id=79&item=7900>).

- citizens of the Russian Federation – 6;
- anti-fascists – 2;
- communists – 1;
- other “social groups” (for example, veterans, defenders of the Fatherland, residents of Moscow, women, men, children) – 26;
- unknown – 68.

That is, the trend of the previous year continues: administrative prosecution for inciting hatred, unlike criminal, is mainly applied to ethnoxenophobic statements; anti-state statements are still in second place, with almost a sixfold margin, and statements related to religion take third place.

25 people were punished for offline acts (9 in 2022).

- Alexander Yakovlev, the editor-in-chief of the Yakut newspaper Tuimaada, and Yuri Mekumyanov, the author of two articles published in that newspaper, were sentenced to fines. In the articles written in the Yakut language, linguistic examination found statements containing a negative assessment of Russian people and the Russian language and saw “*signs of the putting one or more languages over another... through the open, as well as indirect belittling of language and culture, and through them... the Russian people.*”
- A colony inmate received administrative arrest for encouraging other prisoners to beat and even kill Federal Penitentiary Service (FSIN) officers.
- The rest were punished for xenophobic insults and shouts (directed at Russians, natives of the Caucasus and Central Asia, and “non-Russians” in general) in public places (on the bus (to the ticket controller), on the street, from the balcony of the house, in the hospital, in a hotel, in a store).

Most of those charged under this article were fined between 10000 and 20000 rubles. 24 people were placed under administrative arrest for between three and 15 days. 18 were sentenced to mandatory labor. One person received a warning.

According to the Supreme Court, a little more than 4,000 decisions under Article 20.3 of the CAO came into force in 2022. Unfortunately, for the above-mentioned reason, it is impossible to give a more precise number. In 2023, there were probably about 3900 such sentences.

We analyzed 683 cases (10 of them against minors).

Punishments were imposed under Article 20.3 of the CAO for posting the following materials with symbols on social networks (VKontakte, Odnoklassniki, Instagram, My World) and Telegram and WhatsApp messengers (in some cases, symbols from two categories were present):

- Nazi Germany or neo-Nazi Germany (runes, etc.) in various contexts – 568;
- Al-Qaeda, ISIS, the Caucasus Emirate, and other banned Islamist groups – 41;
- Azov and other banned Ukrainian organizations (including slogans) – 38;
- pagan – 19;
- other – 9;
- unknown – 38.

250 people were punished for offline acts (203 in 2022).

Among them are 179 cases of punishment for displaying one's own tattoos with Nazi symbols. 72 out of 179 were inmates of the colonies (in addition, some prisoners did not have tattoos, but other objects with Nazi symbols such as pendants and cards). The rest showed off their tattoos beyond prison walls, for example, at football matches or in the park.

Nine people did a Nazi salute or shouted "Sieg Heil!" in public places, 12 people were prosecuted for painting graffiti and three for pasting stickers with Nazi symbols on the facades of residential buildings, five people displayed on their clothes, three hung it in dorm rooms, five pasted it on their own vehicles, and three people were punished for selling items (hats and belts) with Nazi symbols. One person arranged flower beds in his garden in the shape of a swastika. One person turned on an audio recording of Hitler's speech in German using a loud-speaker at a railway station. Another set the Nazi march as a ringtone in his mobile phone. The last examples illustrate the blurring of the notion of what can be considered "symbols and attributes," as stipulated by the law. In addition to the above, six people pasted leaflets with the symbols of the Ukrainian Pravyj Sektor and the Freedom of Russia Legion, both banned in Russia. Another emailed a letter with the symbols of the Volunteer Rukh [Movement] of the Organization of Ukrainian Nationalists, addressed to the magistrate.

Most of the offenders under Article 20.3 were fined between 1000 and 3000 rubles. 127 people were sentenced to administrative arrests (between three and 15 days), one person was sentenced to compulsory labor, and one person also received a warning. In several cases, confiscation of items of an administrative offense (clothes, a drum, a mobile phone) was reported.

According to the Supreme Court, in 2022, 869 decisions under Art. 20.29 of the CAO came into force. Official data for the first half of 2023 lists about 440 such decisions, but the OVD-Info parser has only about 370, so probably the actual number is between 400 and 440.

In 2023, we examined 123 sentences under Art. 20.29 of the CAO. In the vast majority of cases, offenders were punished for posting on social networks, mainly on VKontakte, but also on Odnoklassniki, Instagram, Telegram, and the local network of the Ural State University of Railway Transport. The offenders were punished for publishing the following types of materials:

- materials of Russian nationalists – 72 (including songs popular among Russian nationalists, such as the Kolovrat band, or racist videos with scenes of violence – 8);
- books by the leaders of Nazi Germany – 3;
- Islamist materials – 15 (including materials of militant Islamic groups and songs by the bard of the armed Chechen resistance, Timur Mutsuraev);
- Ukrainian materials – 6.

Two people were punished for offline acts: the administrator of the Muzik box store in Ingushetia, who distributed Mutsuraev's CDs (three protocols), and a prisoner of the Lipetsk colony who gave other prisoners a banned Islamic book to read.⁵² In addition,

52. One of the following three books: Abu Abdallah Muhammad ibn Salih al-Uthaymeen. *The Ideal Rules on the Beautiful Names and Attributes of Allah*; Abdul-Ghani al-Jamma. *Al-Iqtisadu fil-i'tikad* =

the Alushta Muslim community was fined after two books that are on the Federal List of Extremist Materials were found in its Yukhara-Jami mosque, *The Prophet Muhammad Mustafa-2* by Osman Nuri Topbash and *The Values of Dhikr* by Sheikh Muhammad Zakaria Kandhlavi.⁵³

According to our data, most of them paid fines ranging between 1000 and 3000 rubles. Seven people were sentenced to administrative arrests.

According to the Supreme Court, 54 decisions under Article 20.3.2 of the CAO came into force in 2022. In 2023, there were at least 35 decisions under this article.

We know of only two cases of punishment under Part 2 of this article (online calls to carry out actions aimed at violating the territorial integrity of the Russian Federation).

In Tyva, a resident of Kyzyl was fined 70000 rubles for publishing a post on VKontakte with calls for armed action against the current authorities in order to seize power and ensure the republic's secession from the Russian Federation. In Karelia, a local resident was fined 35000 rubles for a post of unknown content on VKontakte.

We have mentioned in this report the 1136 sentences which we have no reason to consider unlawful. However, excluding the new articles of the CAO that we consider unlawful in general, we have to add that we are aware of 58 more cases of unlawful punishment under Article 20.3.1, 147 – under Article 20.3, 38 – under Article 20.29, and 3 – under Article 20.3.2, with a total of 246 decisions. Thus, the proportion of unlawful decisions on the same set of articles of the Code of Administrative Offences decreased compared to the previous year (282 unlawful vs. 966), from 22.6 % down to 17.8 %.

The Middle Ground in Belief; Abu Abdallah Muhammad ibn Ahmad al-Zahabi. *Al-Kabir. The Book About Great Sins and Explaining Forbidden Deeds*.

53. We consider the ban of one of the two books, *The Values of Dhikr*, to be unlawful: we did not find any aggressive statements in it, and it has a peaceful nature in general.

Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2023

Summary

This report presents an analytical review of anti-extremist legislation and its misuse in 2023.¹ SOVA Center has been publishing these reports annually to summarize the results of monitoring carried out by our center continuously since the mid-2000s.

We define anti-extremist legislation as the policy of criminalizing actions that are politically or ideologically motivated in a broad sense. Our analysis goes beyond the formal framework – we also monitor restrictions relating to acts not classified by the law “On Countering Extremist Activities” as “extremist crimes.”²

The trends that emerged in 2022, when efforts by all three branches of government to maintain control over society focused on suppressing anti-war protests, generally continued in 2023. Despite these efforts, various protest activities also continued in 2023, but individually or in small groups rather than as mass events.

Legislation in our area of interest developed less rapidly than a year earlier, although we cannot say that the repressive legislative potential was exhausted in 2022. Deputies simply did not introduce new norms but expanded and tightened existing ones. The new legislative activity included amendments to articles that covered discrediting the army, “fakes” about the army, and attempts to establish responsibility for justifying extremism, newly introduced fines to social networks for evading content moderation, and amendments to the legislation on NGOs. However, in addition to that, several entirely new norms were incorporated into the Criminal Code (CC) and the Code of Administrative Offenses (CAO).

The widespread implementation of repressive law enforcement, as detailed in our report from a year ago, naturally influenced the number of sentences handed down in 2023. As of the publication of this report, our records indicate that 360 people were convicted in 2023 (compared to 240 in 2022) under anti-extremist and related articles without proper grounds. Additionally, we noted another 350 individuals (compared to 265 in 2022) facing charges whose cases have not yet proceeded to trial.

The above number includes 172 people arbitrarily convicted for public statements (compared to 55 in 2022) and 195 convicted for involvement in banned organizations’ activities

1. The information provided in the report is based on the materials published in the “Misuse of Anti-Extremism” section of SOVA Center’s website. See: Misuse of Anti-Extremism, SOVA Center (<https://www.sova-center.ru/misuse/>). The principles of the section can be found on the following page: About Misuse of Anti-Extremism Section // SOVA Center, 2022 (<https://www.sova-center.ru/static-pages/anti-about/>).

2. See: What is an “extremist crime” // SOVA Center (<https://www.sova-center.ru/directory/2010/06/d19018/>).

(compared to 185 in 2022), with the majority of these cases involving religious associations. Thus, we see that both the total number and the percentage of individuals convicted for speech have increased sharply. This increase can be attributed to the widespread application of criminal provisions in cases involving repeated discrediting and “fakes” about the army, opened back in 2022, that reached the courts in 2023. We also noted a large number of inappropriate convictions under articles on the rehabilitation of Nazism, mostly for disorderly conduct at the Great Patriotic War memorials and for anti-war actions that were qualified as vandalism motivated by political or ideological hatred.

Targeted sanctions against opposition activists persisted throughout the year, with a noticeable increase in the number of individuals charged in the “extremist community” cases against Alexei Navalny and his supporters. The court sentenced Navalny to 19 years in prison; while serving this sentence, he died in a maximum-security penal colony in February 2024. Several regional coordinators of his headquarters also received harsh sentences. Approximately 20 activists of the Spring (*Vesna*) movement were charged with organizing an extremist community.

The persecution campaign against Jehovah’s Witnesses continued throughout the country throughout the year and even intensified compared to the previous year. 153 believers were sentenced (vs. 116 a year earlier), and at least 107 more became involved in new criminal cases (compared to at least 77 a year earlier).

The number of cases under anti-extremist articles of CAO decreased in 2023, in particular, we saw a sharp drop of almost 50% in the cases under the article on discrediting the army, which was so popular a year earlier. The change is due to the above-mentioned absence of mass anti-war actions. Meanwhile, the equally numerous sanctions for displaying prohibited symbols remained at approximately the same level. In this report, we note inappropriate punishments for the publication of images with swastikas used as a means of visual criticism of the authorities and for Ukrainian slogans and symbols. People continue to face sanctions under the administrative article of incitement to hatred for expressing strongly worded criticism of the president, officials, and law enforcement officers.

Moscow became the absolute leader in the number of wrongful convictions in 2023, primarily due to verdicts on the dissemination of “fakes” about the army motivated by hatred. Such verdicts were issued in large numbers in absentia against prominent residents of the capital, who have left Russia – public figures, journalists, political scientists, etc. In general, prosecution and imprisonment of prominent opponents of the regime for their public statements, including anti-war ones, has become a trend in the last two years. It could be argued that the authorities use “show trials” as a means of ideological prevention. High-profile examples of such cases include the cases of Igor Strelkov and Boris Kagarlitsky, who opposed the authorities from opposite sides of the political spectrum, for incitement to extremism and justification of terrorism respectively; the case of theater director and author of famous anti-war poems Evgenia Berkovich and her colleague screenwriter Svetlana Petriyuchuk on trumped-up charges of promoting Islamic terrorism; and criminal charges against Oleg Orlov, a co-chair of the HRDC “Memorial” for the repeated discrediting of the army.

Crimea ranked second among regions in terms of the number of arbitrary convictions. While Moscow saw more sentences issued under articles related to public statements, Crimea had a higher number of cases related to involvement with the Islamic party Hizb ut-Tahrir, recognized as a terrorist organization in Russia.

Crimea was among the leaders in the number of those facing administrative sanctions illustrating another important trend of the past two years, particularly noticeable on the peninsula: the increased activity of initiative groups aligned with law enforcement agencies. These groups identify fellow citizens perceived as disloyal to the authorities and file legal complaints against them.

Overall, the search for internal enemies – a characteristic manipulation tactic of authoritarian regimes – is increasingly entrenched in the country as a daily practice. The apex of the Russian authorities' efforts to uphold moral purity in 2023 was the ban imposed on the "international LGBT movement" as an extremist organization. This ban effectively stripped LGBT individuals of the opportunity not only to openly advocate for their rights but also to live their lives without hiding or constant risk of persecution.

Lawmaking

In 2023, new norms were adopted, continuing the course set in the preceding year and directly related to military actions in Ukraine. These norms were primarily aimed at supporting state security and combating any form of obstruction against the "special military operation."

On State Security

In April, the president signed a law that increased responsibility for sabotage and terrorist crimes³ and introduced a new legal norm into the Criminal Code against assisting foreign entities that prosecute Russian officials and military personnel. The new Article 284³ CC punishes "assistance in carrying out decisions of foreign government entities or international organizations, in which the Russian Federation does not participate, that involve criminal prosecution against government officials of the Russian Federation in connection with their official activities, or against other persons in connection with their military service or participation in volunteer formations that contribute to the fulfillment of the tasks assigned to the Armed Forces of the Russian Federation." At the same time, the effect of Article 280⁴ CC (public calls to carry out activities directed against the security of the state) was extended to calls to commit a crime under the new Article 284³ CC.

In the same month, the president also signed a new federal law "On Citizenship of the Russian Federation." Among other considerations, this law clarifies and expands the grounds for terminating Russian citizenship acquired either by application or as a result of a federal constitutional law or an international treaty. The grounds include a court verdict, which has entered into legal force, issued under one of the Criminal Code articles

3. The new law increases the penalties under certain parts of Article 205 CC (an act of terrorism), Article 205¹ CC (contributing to terrorist activity), Article 205⁴ CC (participating in a terrorist community), Article 275 CC (high treason – up to life imprisonment), Article 281 CC (sabotage), Article 360 CC (assaults on persons or institutions enjoying international protection), and Article 361 CC (an act of international terrorism). The scope of Articles 281 and 360 CC was also expanded.

specifically listed in the law. The list includes many articles regulating and limiting public statements and events, as well as organizational activities.⁴ Thus, according to the new law, offenders convicted under a wide range of Criminal Code articles can be deprived of their acquired Russian citizenship. Some of these norms, in our opinion, should not have been introduced at all, while others have been poorly worded, and still others are often applied inappropriately. We also believe that many crimes covered by the articles later added to the list do not pose sufficient danger to society to warrant depriving people who committed them of their acquired Russian citizenship. It should be noted that many people who acquired Russian citizenship at some point in their lives have no other citizenship at this point; some of them have lived in Russia since childhood. Separately, we should pay attention to the fact that the procedure for canceling the decision to grant citizenship will also apply to residents of territories recently annexed to Russia who have acquired Russian citizenship, starting with Crimea.

Another basis for the termination of citizenship is "committing actions that pose a threat to the national security of the Russian Federation," and the statute of limitations does not apply to these offenses. The FSB is expected to submit a conclusion that such actions indeed took place. Previously, a temporary residence permit could be revoked based on undisclosed FSB orders, and now this practice will expand to revoking one's citizenship. This norm reinforces the department's full discretion over an issue that affects basic human rights.

The adoption of the new law on citizenship did not stop the flow of new parliamentary initiatives in this area. Some even proposed depriving offenders of their birth citizenship on the same grounds in order to bring the rights of all Russians in line with those of residents of the annexed territories, but this idea did not receive support.

4. Including Article 205² Part 2 CC (propaganda or justification of terrorism), Article 208 CC (organizing an illegal armed formation), Article 212 Part 1 CC (organizing mass riots), Article 282¹ CC (organizing an extremist community or participation in it), Article 282² CC (organizing the activities of or participating in an extremist organization), Article 282³ CC (financing extremist activities), Article 205⁴ CC (organizing and participating in a terrorist community), Article 205⁵ CC (organizing the activities of a terrorist organization), Article 278 CC (forcible seizure of power), Article 207³ CC ("fakes" about the army), Article 212¹ CC (repeated violation of "the rally legislation"), Article 239 Parts 1 and 2 CC (creation of a non-profit organization that infringes upon the liberties and rights of individuals), Article 243⁴ CC (destruction or damage to military graves), Article 280 (public calls for extremist activity), Article 280¹ CC (public calls for actions violating the territorial integrity of Russia), Article 280² CC (violation of the territorial integrity of Russia), Article 280³ CC (discrediting the use of Russian armed forces and the activities of government agencies abroad), Article 282 CC (incitement of hatred or enmity, as well as humiliation of human dignity), Article 284¹ CC (carrying out the activities of an organization recognized as undesirable), Article 284² CC (calls for sanctions against Russia, its citizens and organizations), Article 330¹ CC (avoidance of responsibilities stipulated by the legislation on foreign agents), Article 354¹ CC (rehabilitation of Nazism), and so on.

On Discrediting and “Fakes”

Legislators continued to pay particular attention to suppressing criticism of the special military operation.

Thus, according to the laws signed in March, public dissemination of knowingly false information and repeated discreditation are criminalized not only when pertaining to activities of the armed forces and Russian state bodies abroad but also to activities of volunteer formations, organizations, and individuals, who support the armed forces of Russia in carrying out their assigned tasks.

Meanwhile, sanctions under Article 207³ Part 1 CC became more severe with the maximum punishment under it increasing from three to five years of imprisonment. The change meant that the acts punishable under Part 1 of both articles ceased to be a crime of minor gravity. Therefore, it became possible to use arrest as a preventive measure and impose real prison terms in the absence of aggravating circumstances. The terms of imprisonment under Article 280³ Part 2 CC (discreditation of the army resulting in death by negligence and (or) causing harm to the health of citizens, property, mass violations of public order, and (or) public security) increased from five to seven years of imprisonment. The terms under Parts 2 and 3 of Article 207³ CC remained the same, from five to ten and from ten to fifteen years of imprisonment respectively.

Liability under Article 20.3.3 CAO, used to punish public discreditation committed for the first time in 12 months, was expanded to statements about volunteer formations, individuals, and organizations that contribute to the fulfillment of the Russian Army’s objectives. The punishment under this article remained the same.

In December, the President signed two laws to expand the scope of Article 20.3.3 CAO, Article 280³, and Article 207³ CC, as well as the recently introduced Article 284³ CC, which punishes assistance to international organizations in executing their decisions on criminal prosecution of Russian officials and military personnel. Volunteer formations, which the Russian Guard had been authorized to create, also came under the protection of all these norms.

We should also note that in May, the Constitutional Court of Russia issued rulings refusing to accept for consideration 13 complaints by citizens against Article 20.3.3 Part 1 CAO that the claimants saw as violating their constitutional rights. The applicants argued that the clause on “discrediting” was discriminatory and violated their rights to freedom of speech, the right to freedom of assembly, and the constitutional prohibition on the introduction of compulsory ideology. They emphasized that the state could not rank value judgments and beliefs as correct or incorrect, and criticism of the use of the military should not form the basis for stigmatization and ostracism. The Constitutional Court ruled that this article does not contradict the Russian Constitution. The court found that the article used the concept of discreditation in its generally accepted meaning, “undermining the confidence of individual citizens and the society as a whole in ‘someone’s actions (activities).” According to the Constitutional Court, the assertion that decisions of state bodies are motivated by the need to protect the interests of Russia, peacekeeping and security considerations should not be questioned “arbitrarily, solely based on subjective assessment and perception,” and, additionally, the military requires public support to uphold their morale and psychological condition. A negative assessment made in public can “support the forces that oppose the interests of the Russian Federation and its citizens,” even if the author of the statement had no such intent. The Constitutional Court

believes that Article 20.3.3 CAO does not introduce a mandatory ideology, is not aimed at war propaganda, is not discriminatory, and does not encroach on the freedom to hold certain beliefs, “because such freedom does not presuppose that a person commits an offense. The latter assertion by the Constitutional Court could be construed as permitting any additional limitations on freedom of belief, if a law categorizes the expression of certain beliefs as an offense, regardless of the limitations’ compliance with the Constitution. This approach calls into question the very purpose of the Constitutional Court.

The order of the Russian Ministry of Internal Affairs changing the instructions for the community police inspectors was signed in November. The innovations included imposing on district police officers the responsibility to carry out individual preventive work with citizens who have committed administrative offenses under Article 20.3.3 or Article 20.3 (public display of prohibited symbols). Those facing responsibility for offenses that infringe on the order of governance, committed during public and sports events, also became subject to preventive efforts – primarily for the offenses under Article 19.3 CAO (disobeying a lawful order of a police officer). Previously, prevention measures targeted offenders charged after public events specifically under Article 20.2 CAO (violation of the procedure for holding public events) or Article 20.31 CAO (violation of rules of conduct by spectators at sporting competitions).

On Extremism

Deputies from the United Russia party took another decisive step in the fight against extremism in 2023. In July, a bill was introduced to the State Duma to expand the scope of Article 280 CC, which covers public calls for extremist activity. The deputies suggested that the article should also cover public justification and propaganda of extremism. In addition to changing the scope, the deputies proposed to supplement Article 280 CC with notes to provide definitions of justification and propaganda of extremism similar to those found in Article 205² CC (public calls for terrorism, public justification of terrorism, or propaganda of terrorism). They proposed to define public justification of extremism as “a public statement that recognizes the ideology and practice of extremism as correct and deserving of support and imitation,” and propaganda – as “the activity of disseminating materials and (or) information aimed at imparting on others the ideology of extremism, belief in its attractiveness or the idea that extremist activities are permissible.”

The bill was adopted in the first reading in September, but its discussion resulted in a heated debate, both in the Committee on State Building and Legislation and at the plenary session. Representatives of the Communist Party faction noted that the proposed “vague wording can lead to law enforcement abuses.” They further expressed their indignation against the current anti-extremist legislation for allowing the punishment of their fellow communists and stated that the amendments would criminalize “mentioning in a positive context such events in Russia’s history as the Decembrist uprising, the February Revolution, the 1991 State Emergency Committee coup attempt or the shelling of the White House in 1993, as well as works of art such as “The Internationale.” The Communist Party of the Russian Federation voted against the bill; the majority of deputies from the SRZP (*Spravedlivaya Rossiya – Za pravdu*, “A Just Russia – For Truth” Socialist Political Party) abstained, while New People (*Novyye lyudi*) and the Liberal Democratic Party of Russia did not take part in the vote. The bill was adopted in the first reading only by the votes of United Russia members.

It should be noted that the concept of “ideology of extremism,” which the deputies propose to use in the footnote to Article 280 CC, is not defined by law and can be interpreted broadly. The same is true for the concept of “ideology of terrorism” from Article 205² CC. However, the very definition of extremist activity (extremism) in the relevant federal law is formulated more expansively and less clearly than the definition of terrorist activity – the factor that could also lead to law enforcement abuses.

We should also add that, under the amendments that came into force in December 2021, materials that contained “defense and (or) justification” of extremist activity are already subject to extrajudicial blocking. Another law adopted in 2022 gave the Prosecutor General’s Office the authority to suspend and revoke the registration of media outlets for disseminating such materials.

In 2023, the State Duma adopted, after a number of changes, a bill to change the procedure for recognizing materials as extremist, initiated in January by the Chechen parliament (the president signed it into law in February 2024). According to this law, the courts of the Federation’s constituent entities, rather than district courts, are authorized to consider cases of declaring materials extremist. Copyright holders, publishers, authors of works and (or) translations of materials, if they are known, should be involved in the process. They get the status of interested parties rather than defendants and thus incur no legal costs unless their actions “caused” the claim. If the claim pertains to a publication of a “religious nature,” the court needs to involve an expert “with special knowledge of the relevant religion.” In our opinion, all these provisions of the bill are justified. However, in general, we also believe that problems with the composition and use of the Federal List of Extremist Materials will remain, since the very mechanism for recognizing materials as extremist is ineffective and leads to inappropriate sanctions.

Meanwhile, in June, the president signed a law broadening the scope of Article 20.29 CAO that covers the production and mass distribution of extremist materials. A person became liable not only for distributing materials included on the Federal List of Extremist Materials, as was the case before, but also for materials not yet included on the list, if a court decides that their content meets the definition provided in the law “On Countering Extremist Activity” (or other relevant federal laws that might be adopted in the future).

We also note that Russian Prime Minister Mikhail Mishustin signed a decree in March introducing new forensic examination restrictions. Experts from non-state institutions were deprived of the right to conduct linguistic or psycholinguistic forensic examinations in criminal cases related to terrorism and extremism. In our opinion, these innovations might have a negative impact on the adversarial system of justice since the parties lost an opportunity to involve independent experts.

On Control over the Internet

In July, the president approved a law that introduced fines for social networks for evading content moderation. According to another law, in force since February 2021, a social network is defined as a service that includes personal pages of users, advertising aimed at a Russian audience, and daily traffic of over 500 thousand users from Russia. Roskomnadzor maintains the register of social networks. The entities included in it must, upon notifications from Roskomnadzor or based on user complaints and results of their own monitoring, block a wide range of content that is considered illegal in Russia. In mid-July, the

deputies suddenly undertook the second reading of the bill on fines, which had seen no movement since April 2018, and promptly adopted it. The amendments introduced administrative liability for the owners of social networks; new articles were added to the CAO with fines ranging from 50 thousand for citizens to eight million for legal entities.

In December, three bills aimed at countering online broadcasts of illegal violent actions or calls for such actions were submitted to the parliament. Primarily, the legislation targets trash-streaming, but they are not the only materials that can fall under the proposed wording.

The first bill introduces a new aggravating circumstance into the Criminal Code (clause “t” of Article 63 Part 1) worded as follows: “committing an intentional crime with its public demonstration, including in the media or on information and telecommunication networks (including the Internet).” The same formula is proposed as a qualifying feature for many intentional violent crimes. At the same time, the proposal allows for imposing an additional punishment under most of the relevant articles of the CC in the form of the loss of the right to hold certain positions or engage in certain activities for a period of up to three years. We consider this bill useful since public displays of violence can – or even should – be considered an aggravating circumstance.

The second bill introduces a ban in the sphere of mass media, namely a new Part 12 of Article 13.15 CAO: “Illegal distribution of information on telecommunication networks, including the Internet, of photos and videos depicting illegal acts committed with cruelty, their consequences, calls to commit such acts for material gain or as hooliganism, as well as actions motivated by racial, national, or religious hatred or enmity, or by hatred or enmity against any social group, unless these actions constitute a criminal offense.” Sanctions for citizens and officials involve fines of up to 700 thousand rubles “with confiscation of equipment used for production of such materials.”

The new part of the article is accompanied by an important note that it does not apply to “works of science, literature, or art that have historical, artistic or cultural value, materials by registered media, as well as photographic and video materials intended for academic or medical purposes, or for study stipulated by federal educational standards and federal educational programs.”

This bill raises some doubts. The word “illegal” at the beginning of the proposed formula is unclear and will inevitably produce controversy and abuse. We believe that public display of violence can only be an administrative offense, if the material in question contains, at the very least, an approval of such violence. If this consideration is taken into account and included in the formula, the word “illegal” becomes unnecessary. Obviously, these changes would mean that the list of exceptions included in the note is unnecessary or needs revision. Currently, the particularly alarming part of the note is the clause stipulating that works of science, literature, and art must possess historical, artistic, or cultural value. It is unclear who and how will determine this value, especially in the context of a rapid trial for an administrative offense.

The two aforementioned bills were adopted in the first reading in January 2024, unlike the third bill from the same package that pertains to the extrajudicial blocking of online materials. The deputies proposed adding a new paragraph to the list of information prohibited for distribution and subject to blocking contained in the Law “On Information”: “photos and videos depicting illegal acts committed with cruelty, their consequences, or calls for the commission of these acts.” The authors of the bill propose blocking such materials by adding them to the Unified Register of Banned Websites. Social networks will also have to identify these materials independently. In addition, such information must be regarded as prohibited for distribution among minors with appropriate legal conse-

quences. We believe that this bill is fundamentally misguided. It lacks reservations and assumes the blocking of all scenes depicting violence. However, the language on blocking in the legislation should not be broader than the language used in the Criminal Codes and the Code of Administrative Offenses. This bill can be amended in the same manner as the second one.

On Non-Profit Organizations

As in recent years, a significant part of the measures to strengthen control over society involved further tightening the legislation on NPOs; the relevant laws were signed by the president in July–August.

An article was added to the current federal law “On Control over the Activities of Persons under Foreign Influence,” requiring not only government agencies but also any organizations, office holders, and individuals to take into account the restrictions associated with the “foreign agent” status.

Simultaneously, the Ministry of Justice was empowered to exercise state control not only over “foreign agents” but also over overall compliance with the legislation regulating their activities. Upon request from citizens, organizations, or authorities, the Ministry must conduct unscheduled inspections of any persons or entities that, through their actions or inaction, contribute to violations of the “foreign agents” legislation. The Ministry must then issue warnings with orders to rectify the violations within a month.

In addition, Article 19.5 CAO was amended to include a new clause, Part 42, regarding liability for not complying within the prescribed period with warnings or orders from an agency overseeing the activities of “foreign agents.” This new part stipulates fines and, if the offenders acted in their official capacity, their disqualification for up to two years. Liability is imposed if the violations communicated by the Ministry of Justice to a “foreign agent” or another contributing entity are not rectified within a month.

Administrative and criminal liability was introduced for participation in the activities on Russian territory of foreign or international non-governmental non-profit organizations (NGOs) that have no structural subdivisions registered in the country. First, liability for such a violation follows under the new Article 19.34.2. Offenders, already punished twice in the past 12 months or previously convicted under Article 284¹ CC (involvement in the activities of an organization recognized as undesirable in Russia), are also liable under Part 1 of the new Article 330.3 CC. Part 2 of the same article established liability for organizers of the work of NGOs that have no registered branches in Russia; it does not require prior administrative sanctions. Thus, involvement in the activities of any foreign or international NGOs that have no branches in Russia entails liability almost as severe as participation in “undesirable organizations.”

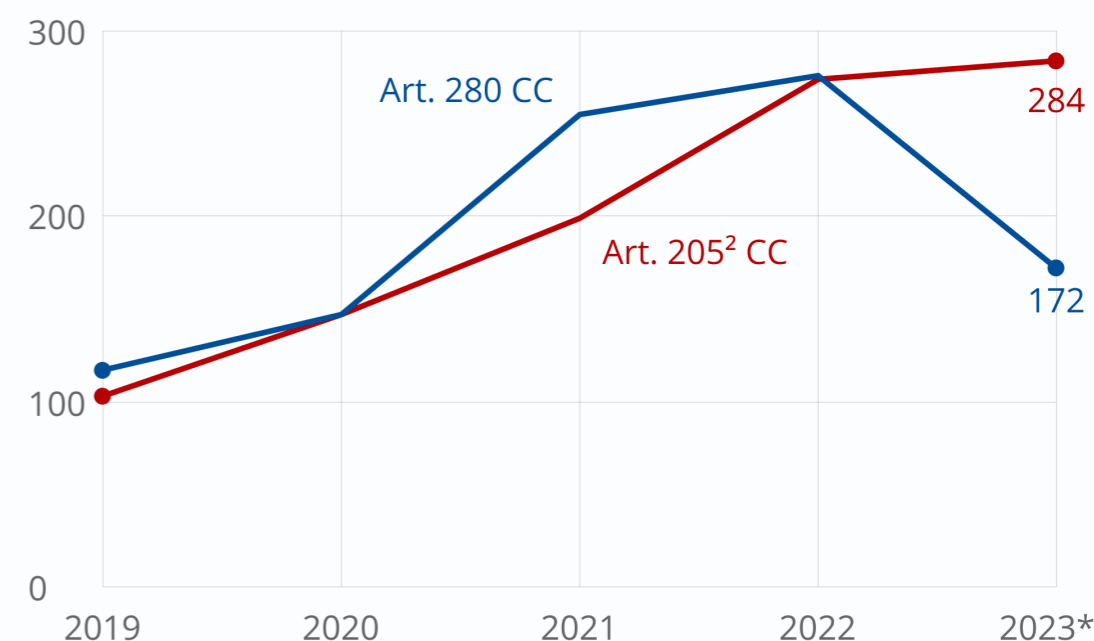
In October, a group of deputies and senators introduced in the State Duma a bill on NPOs, which defined the procedure for the withdrawal and expulsion from the list of NPO founders, including religious organizations. The bill also stipulated the case of expulsion from the founders of an NPO of a person whose actions contain signs of extremist activity, according to a court decision. In addition, the bill proposed banning any legal entity included in the list of “undesirable organizations” from being a founder (participant, member) of an NPO or civic association.

Sanctions for Anti-Government Statements

Calls for Extremist and Terrorist Activities

Convicted of Public Calls to Extremism and Propaganda or Public Justification of Terrorism

Data from the Judicial Department of the Supreme Court of Russia (main charge)



* The data for 2023 are extrapolated from the results for the first half of the year.

Source: SOVA Research Center, 2024

The Supreme Court statistics⁵ show the law enforcement dynamics in cases related to calls for extremist activity (Article 280 CC) and calls for terrorism, its justification, and propagan-

5. See: Judicial Statistics // Judicial Department at the Supreme Court of the Russian Federation. 2024. March (<http://www.cdep.ru/?id=79>).

da (Article 205² CC). The number of people convicted on the main charge under Article 280 CC increased for five years until 2022, when their number reached 276 (this article appeared as an additional charge in the sentences of approximately eighty additional individuals). The number of people convicted on the main charge under Article 205² CC, has grown steadily over eleven years and reached 274 people in 2022 (an additional charge under this article appeared in the sentences of two people). The Supreme Court has not yet published its statistics for the entire year of 2023, only for its first half. A simple doubling of these figures can only be viewed as a very rough estimate, but based on it, we can assume that the number of those convicted under Article 205² CC has increased again, while the corresponding number under Article 280 CC has decreased slightly.⁶

The Ministry of Internal Affairs has already published its data on the state of crime for 2023,⁷ and it shows the same trend, but only for the cases initiated during the year, not for the verdicts issued.

The number of reported extremist crimes in 2023 totaled 1340 (a drop of 14.4% compared to 2022), but, in 2022 we saw not just an increase but a 48.2% jump. Among the extremist crimes committed in 2023, 367 were classified under Article 280 Part 2 CC as public calls for extremism made on the Internet (25.6% decrease). In 2022, this indicator showed an increase of 8.4%.

In 2023, 2,382 terrorist crimes were registered (a 6.7% increase over 2022), of which 548 (an 11.8% increase) were classified under Article 205² Part 2 CC as a public justification of terrorism committed on the Internet. For comparison, the overall increase in terrorist crimes in 2022 constituted 4.5%, while the number of crimes under Article 205² Part 2 CC grew by 55.6%.

Thus, the scope of prosecution under terrorism charges increased in 2023 even more than in 2022, but mainly no longer due to Article 205² Part 2, although charges under it showed some increase as well. On the other hand, we see fewer cases under anti-extremist articles, including under Article 280 Part 2 CC. This situation is expected to affect the number of convictions later, in 2024–2025, when cases filed by law enforcement agencies in 2023 reach the court.

It is worth reiterating that, as much as we criticize the definitions and norms of Russian legislation related to the concepts of “extremism” and “terrorism,” we believe that there are some instances, in which the state, in accordance with the norms of international law and the Russian Constitution, can legitimately prosecute public statements under criminal procedure as socially dangerous incitement.

In our “Misuse of Anti-Extremism” section on SOVA website, we report only the cases opened for acts that either presented no danger to the state and society, or the danger was clearly insufficient to merit criminal prosecution. However, court decisions in such cases are mostly not published due to the broadly interpreted ban on publishing the texts

6. Summary statistical information on criminal records in Russia for the 1st half of 2023 // Judicial Department of the Supreme Court of the Russian Federation. 2023. October 17 (<http://www.cdep.ru/index.php?id=79&item=7900>).

7. Brief description of crime in the Russian Federation for January–December 2023 // Ministry of Internal Affairs of the Russian Federation. 2024. January 20 (<https://xn--b1aew.xn--p1ai/reports/item/47055751/>).

of judicial acts issued in cases “affecting the security of the state.” The information available from other sources is often insufficient to assess the legitimacy of these decisions.

Meanwhile, law enforcement actions related to the two articles specified above remain not only closed but also particularly repressive. First, there is an accusatorial bias in the proceedings: in principle, public danger should be assessed based not only on the content of the incriminating statement but also on other parameters, including its form, as well as the size and type of the audience or the likelihood that this public statement will lead to grave consequences. However, practice shows that courts very rarely take into account the small likelihood of serious consequences resulting from a statement. Next, a very significant percentage of verdicts under these articles lead to imprisonment, although both articles provide for other punishments as well. The law does not establish clear criteria to determine if incarceration is justified. A court obviously takes into account many circumstances when determining punishment, including the situation in society, which it perceives as tense, and strives to act in line with the legislative and executive branches of government. However, SOVA Center believes that imprisonment, even in case of public calls for violence, is appropriate only when it represents deliberate propaganda of violence (more or less systematic and having at least some chance of implementation) rather than individual emotional outbursts.⁸

More information about sentences under these articles for 2023 is provided in the simultaneously published report by Natalia Yudina.⁹

Prosecutions under Article 205²

We classified only four sentences handed down in 2023 against four people under Article 205² Part 2 as decidedly inappropriate. All these verdicts pertain to the cases, in which the courts not only failed to assess the extent of the statement’s danger but also classified it incorrectly even from a purely formal standpoint. Two people were fined 300 thousand rubles, while two others were sent to a penal colony.

In particular, the Western District Military Court, at its visiting session in Syktyvkar in December, sentenced left-wing publicist and political scientist Boris Kagarlitsky, the editor-in-chief of *Rabkor* media to a fine of 800 thousand rubles, which was later reduced to 600 thousand rubles taking into account the fact that the defendant had been in pre-trial detention since July. However, the state prosecutor appealed the verdict and, in February 2024, succeeded in imposing a tougher punishment. The political scientist was sentenced to five years in a penal colony and taken into custody in the courtroom.

Kagarlitsky was punished for the video dedicated to the explosion on the Crimean Bridge that took place on October 8, 2022. The video titled “Explosive Congratulations of Bridgie (*Mostik*) the Cat: Nervous People and Events, Strikes against Infrastructure” was posted on October 19, 2022, on the *Rabkor* YouTube channel, as well as on VKontakte and Telegram.

8. For more details, see Commentary on the growing number of convictions under articles on incitement to terrorism and extremism by SOVA Center // SOVA Center. 2022. August 26 (<https://www.sova-center.ru/en/misuse/reports-analyses/2022/11/d47023/>).

9. See in this volume: N. Yudina, Along the Beaten Track. Anti-extremism law enforcement in Russia in 2023 with regard to countering public statements and organized activity, including radical nationalism (N. Yudina, Along the Beaten Track...).

We believe that the verdict is inappropriate, because, in the video, which served as the basis for the prosecution, the political scientist only discussed the circumstances, military-strategic significance, and political consequences of the explosion on the bridge but did not express his approval of it. According to Kagarlitsky and his lawyer, the investigation claims were primarily based on the video's title. However, in our opinion, neither the video nor its title contains any statement "recognizing the ideology and practice of terrorism as correct, in need of support and imitation" (the definition of "justification of terrorism," according to the note to Article 205² CC).

The actions of Prokhor Neizhnikov – a refugee from the war zone in Ukraine and another person sentenced to imprisonment – also did not correspond to the article's provisions. The Western District Military Court sentenced him to three years of imprisonment for messages he sent in November 2022 to the "Vladimir Gang" (*Vladimirskaia banda*) Telegram chat. Neizhnikov wrote that Russia with its "imperial ambitions" was destroying Ukraine, that due to Vladimir Putin's policies, he had "no home, education and everything else," and that "Ukraine will negotiate with Russia only after Putin is overthrown." In our opinion, the phrase "we will not negotiate with Putin... overthrow him and then let's go ahead" is too abstract to be considered a call to terrorism – in fact, it says nothing about the methods of "overthrowing."

In 2023, seven new similar cases against eight people were opened but not tried in courts by the end of the year.

The most notorious of them is the case of the play *Finist the Bright Falcon*. In May, the creators of the play – director Evgenia Berkovich and the play's author Svetlana Petriyuk (who is also a screenwriter and a theater teacher) were detained and then placed in pre-trial detention.

The case was based on the video of the *Finist the Bright Falcon* reading at the Lyubimovka Young Drama Festival, published online in 2019. The corresponding performance was staged by the SOSO Daughters Theater project in 2021. The play tells the story of women who were recruited into militant Islamic organizations recognized as terrorist. The authors raise the question of what exactly allows recruiters – often also women, who conduct correspondence, including love letters, posing as men – to successfully deceive their correspondents, convincing them to get married online and then reunite with their virtual spouses in Syria. The play is partially documentary as it draws inspiration from various sources, including court decisions under Article 208 CC (regarding participation in illegal armed groups) and messages from peaceful Islamic educational websites. It weaves together these documentary textual elements with fragments from Russian folk tales and scenes from well-known Walt Disney Studio cartoons.

In our opinion, the play contained no elements of propaganda or endorsement of the ideology of ISIS or militant Islamism. On the contrary, the play clearly aims to combat the ideologies and actions of terrorists. Moreover, the performance also received the national Golden Mask award in 2022 and had a successful three-year theater run. The sudden keen interest in this play, clearly unfounded law enforcement claims, and the fact that the defendants have been subject to the most severe measure of restraint can likely be explained by the public activities of the director. Evgenia Berkovich is a well-known blogger and a poet renowned for her series of anti-war poems.

The prosecution initially based its arguments on the expert opinion compiled by religious scholar Roman Silantyev, a notorious fighter against "sects" and "non-traditional Islam," and his colleagues at the Moscow State Linguistic University. The head of the Human Rights Center

of the World Russian People's Council, Silantyev invented his own field of science, "destrucology," which he now applies to a wide range of social phenomena including various banned associations. According to the expert opinion, the play contains "signs of destructive ideologies," namely the ideologies of ISIS, jihadism, and caliphism, as well as "signs of the destructive subculture of Russian neophyte wives of terrorists and extremists." In addition, the experts found elements of the "radical feminist ideology" in the materials of the performance. After the text of the examination was made public and caused predictable public outrage, a new examination was ordered.

The next expertise was conducted by Svetlana Mochalova, an expert at the FSB department for the Sverdlovsk Region, whose conclusions have been repeatedly used as evidence of guilt in "extremist" cases, in particular, in cases against Muslims or cases on recognizing Islamic materials as extremist. Mochalova felt that the playwright and director specifically created a "romantic image of a terrorist" in the play to make him "interesting and attractive to girls and women," in contrast to Russian men, whom the play's female characters characterize negatively. Mochalova's expert opinion offered exceedingly dubious interpretations of Islamic traditions, ignored the general and quite obvious idea of the play, and made not only linguistic but also legal conclusions, thus stepping outside her area of expertise.

The final version of the charges against Berkovich and Petriyuk was brought only in late February 2024. In March, their pre-trial detention was extended once again.

Prosecutions under Article 280

We classified three sentences handed down under this article in 2023 as inappropriate; all three offenders were sentenced to imprisonment.

The case of amateur military graves finder Oleg Belousov under Article 280 CC was based on three comments in the "St. Petersburg Diggers" (*Peterskiye Kopateli*) VKontakte community that criticized the actions of the Russian armed forces in Ukraine. In one of them, Belousov called Vladimir Putin a war criminal; in the second one, he spoke of Putin's involvement in the murder of civilians in Ukraine; in the third comment, as part of a dispute with another social network user who accused Ukrainians of trying to "ban the Russian language," Belousov rhetorically asked whether the appropriate response required the destruction of Russian-speaking cities of Ukraine.

Considering the first two comments, the court relied on the provision of the Law on Countering Extremist Activity, according to which publicly falsely accusing state officials of extremism constitutes extremist activity. We believe that the law should have no place for such a provision. False accusations of any crime brought by one person against another, regardless of the social status of either party, can be reviewed in court as a libel case. It should also be noted that Article 280 CC punishes calls for extremist activity, but Belousov's statement about the president being a criminal contained no appeals. Law enforcement agencies and the court interpreted the third comment, about Russian-speaking cities, as a call for the destruction of Kharkiv and Mariupol completely ignoring its context. Under the aggregation of Article 280 Part 2 CC and paragraph "e" of Article 207.3 Part 2 CC about "fakes about the army" (we write more about this norm below), the court sentenced Belousov to five and a half years in a minimum-security penal colony.

We classified as inappropriate charges under Article 280 CC filed against four more people.

A very well-known figure was among those inappropriately charged under this article. Strelkov (Girkin) – a popular military blogger and former Minister of Defense of the Donetsk

People's Republic (DPR) was arrested in Moscow in July. Strelkov, the leader of the "Angry Patriots' Club," was one of the most ardent critics of the way the special military operation has been conducted, despite viewing it as necessary and even stating that its goals have been set too narrowly. The criminal case against Strelkov was based on his Telegram post dated May 22, 2022. The post, read by over 432 thousand people, discussed the non-payment of salaries to soldiers of the 105th and 107th regiments of the DPR Armed Forces. Strelkov wrote that an "execution is not enough" to punish those responsible for such situations. We believe that Strelkov, in this post, merely expressed his emotions. He was talking figuratively, and it is unlikely that his words could be regarded as a call to shoot people, even taking his combat experience and wide audience into account.¹⁰

Incitement of Hatred

In 2023, we recorded 58 instances of inappropriate charges under Article 20.3.1 CAO for incitement to hatred or enmity or for humiliation of human dignity based on belonging to a particular group (a year earlier we noted 65 such cases). 56 individuals faced punishment. A fine was imposed in 47 cases (in most cases of 10 thousand rubles), and arrest in nine. Two cases were closed.

In the vast majority of cases, inappropriate sanctions targeted internet users for their critical statements against the authorities and law enforcement agencies.

We classify sanctions for crudely worded critical statements about government officials as inappropriate.¹¹ In our view, unlike members of groups based on ethnicity, religion, sexual orientation gender identity, homelessness, or disability, people in positions of power do not have a vulnerability that requires special protection from expressions of hatred. We would like to reiterate that we advocate excluding the nebulous term "social group" from the norms on incitement to hatred due to its vagueness, which leads to an expansive interpretation.

In more than a third of all cases, the charges under Article 20.3.1 CAO were based on harsh statements about representatives of law enforcement agencies that contained no calls for violence. Sanctions were also imposed following immoderate remarks against officials, the military, representatives of the ruling party, the authorities in general, and the president personally; this speech was also regarded as inciting social hatred. The critics expressed dissatisfaction with the armed actions against Ukraine or addressed police brutality and abuses perpetuated by local officials.

Political or social criticism aimed at Russian citizens (expressed most frequently by other Russian citizens) for supporting the regime's policies (especially toward Ukraine) or for passivity, cowardice, laziness, etc. also often incurred sanctions, since law enforcement

10. On January 25, 2024, the Moscow City Court sentenced Igor Strelkov to four years in a minimum-security penal colony under Article 280 Part 2 CC.

11. The European Court of Human Rights has repeatedly noted that law enforcement agencies should show exceptional tolerance to criticism unless facing a credible threat of violence. The Supreme Court of the Russian Federation, in the Resolution "On Judicial Practice in Criminal Cases of Extremist Crimes" dated June 28, 2011, emphasized that the permissible limits of criticism against officials are wider than the permissible limits of criticism of private individuals.

agencies and courts interpreted it as inciting national hatred or hatred towards a social group (for example, towards groups defined as "the special military operation supporters," "the citizens of Russia," etc.)

In 2023, we recorded three inappropriate verdicts against eight people under Article 282 CC on incitement to hatred with aggravating circumstances.

In particular, a verdict in the Mayakovskiy Poetry Readings case was pronounced in Moscow in December. The court sentenced Artyom Kamardin to seven years in a minimum-security penal colony, and Yegor Shtovba – to five and a half years. They were found guilty of inciting hatred by an organized group under paragraph "c" Article 282 Part 2 CC and of calls for anti-state activities, also as part of an organized group, under Article 280⁴ Part 3 CC. Earlier, the third defendant in the case, Nikolai Daineko, was sentenced to four years in a minimum-security penal colony; he entered a pre-trial agreement with the investigation. The poets faced criminal responsibility after the readings that took place on September 25, 2023 at Triumfalnaya Square (formerly Mayakovskiy Square) in Moscow. Participants called them "anti-mobilization readings." During the readings, among his other statements, Kamardin characterized the Donbas militia as terrorists and recited two poems. According to the investigation, Shtovba and Daineko repeated the words of one of the poems, "Kill me, Militiaman!" Law enforcement agencies concluded that the statements contained signs of inciting hatred or enmity against volunteer armed groups of the DPR/LPR and called for violence against them and their families. In our opinion, Kamardin's poem could be characterized as provocative, and seen as offensive, but it contained no incitement to violence. The charge under Article 280⁴ was related to the fact that law enforcement agencies found statements about the need to "resist" partial mobilization in the post on the Mayakovskiy Poetry Readings Telegram channel announcing the event. However, Kamardin, Shtovba, and Daineko did not call for the commission of crimes. They wrote about a failure to report to a military enlistment office upon receiving a mobilization summons, which constitutes an administrative offense. Accordingly, we regard their prosecution under the criminal article as inappropriate.¹²

Six out of the seven remaining cases in 2023, which were not concluded before the end of the year, were opened under Article 282 Part 1 CC. This article is applied in cases of repeated charges for inciting hatred within a year. One case was initiated under Part 2 due to aggravating circumstances.

Thus, in October, a criminal case was opened in the Kemerovo Region under Article 282 Part 1 CC against Lenard Valeev, a resident of Prokopyevsk. The case was based on a comment left by Valeev on the "The Lower Depths" (*Na Dne*) VKontakte public page under a post about a criminal case opened in connection with the Wagner Group's armed rebellion. Valeev wrote that "Prigozhin disturbed the Russian chicken coop, in which everyone sits on their allotted roost," but nothing came out of it other than noise, since "in this semi-state made of plywood and cardboard" there are no citizens, "only fakes and the cowardly population, who can't do a damn thing." The experts who examined the comment concluded that "the post contains statements that incite hatred, enmity and humiliate the human dignity of citizens," "residents of the Russian Federation." Previously, Valeev had faced administrative sanctions for his com-

12. In 2023, we noted one similar new case under Article 2804: Ilfat Gareev from Naberezhnye Chelny left a comment on a social network in which he called on Muslims not to report to enlistment offices, because "to fight for Russia is like fighting for Satan."

ment under a video in a certain newsgroup, which contained a negative assessment of a social group identified “on the basis of being residents of Russia’s regions.”

Displaying Banned Symbols

The Judicial Department of the Supreme Court, in its statistics on the application of the CAO for the first half of 2023, as in 2022, for an unknown reason combined Article 20.3 CAO (propaganda and display of banned symbols) in the same group with Article 20.3.1 CAO on incitement to hatred. In the entire 2022, sanctions under these two articles were imposed 5,720 times, and in the first half of 2023, their number reached 2,617. So, the numbers remain approximately the same as last year even though, over the preceding years, the application of Article 20.3 had grown rapidly.

As usual, we know the details of the corresponding administrative cases and can assess their appropriateness only for some of these incidents. We view sanctions under Article 20.3 CAO for the display of symbols with no intent to promote Nazism or extremist ideology as inappropriate. We noted more cases opened inappropriately in 2023 than in 2022. According to our information, at least 147 people faced charges without proper justification (we recorded 120 such cases in 2022).

Courts imposed a fine in 99 cases, administrative arrest in 41 cases, a ban on “visiting the venues of official sports competitions on the days of their holding” in one case, and in one case, the punishment is unknown. Two cases were dismissed and one person was released from liability due to age.

Most cases involve the display of a prohibited symbol as part of a political discussion or in a neutral context that is for some reason perceived as extremist by law enforcement agencies.

As in previous years, public displays of Nazi symbols often took place not to promote Nazism, but as a means of visually criticizing political opponents – in most cases the Russian authorities. We counted 35 such episodes. Mostly, the images involved the swastika superimposed on a photo of the president or Russian state symbols, or the swastika compared with the symbols of the special military operation.

In 31 cases, the offense consisted of the use of the slogan “Glory to Ukraine” (in any form – oral or written, offline and online), or images with the Ukrainian national emblem, the trident. Both are often interpreted by law enforcement agencies and courts as attributes of banned Ukrainian nationalist organizations, even though the slogan has been ubiquitous in Ukraine in recent years and has been an official greeting in the Ukrainian army and police since 2018, and the trident is the central element of Ukraine’s state emblem. This approach provides law enforcement officers with yet another way to use sanctions against supporters of Ukraine.

According to our records, 25 of the cases involved the display of a white-blue-white flag (in images published on social networks, as well as in the form of ribbons, stickers, balloons, etc.) Russian law enforcement agencies and courts view it as the emblem of the Freedom of Russia Legion (recognized as a terrorist organization), although the Legion’s version of the flag has an image of a fist superimposed on it. The white-blue-white flag as such appeared among Russian emigrants in late February 2022, before the creation of the legion, and is still widely used as a symbol of opposition to the Russian authorities, including without any connection with the legion. Thus, people are often punished inappropriately.

In addition, many convicted offenders apparently did not display the white-blue-white flag intentionally but became victims of provocation. It is possible that, in 2023, activists in some regions pasted white-blue-white stickers on license plates of parked cars or covered up the red stripe on Russian flags. There were at least 13 such cases. A resident of Birobidzhan fined for this offense explained in court that he had recently bought a car with state license plates, paid no attention to the colors of the flags, and had never heard of the Freedom of Russia Legion. However, the court found that “the owner of the car did not show the necessary diligence required of him to know what was displayed on his car,” while “information about the symbols of this organization is available on the Internet.”

Another significant group consisted of 16 people who faced sanctions for demonstrating the symbols of Alexei Navalny’s structures. See below for more information on them.

We know of five cases initiated without proper grounds in 2023 under Article 282⁴ CC on repeated demonstration of prohibited symbols. Two of them were related to the demonstration of the white-blue-white flag on Telegram; three more were related to the repeated demonstration of Nazi symbols not aimed at promoting Nazism. Two of the five cases resulted in convictions in 2023.

There was one guilty verdict. Dmitry Lyalyaev from Kireyevsk of the Tula Region was sentenced to two years in an open prison under Article 282⁴ Part 1 and Article 280 Part 2 CC for multiple publications of images of Vladimir Putin with Nazi symbols and AUE symbols.

The other verdict was an acquittal. A “Citizen of the USSR,” Sanan Ulanov from Elista, published materials on VKontakte intended to prove that the Vlasov Army had used the Russian tricolor; these materials featured military personnel wearing the Russian Liberation Army chevrons. Ulanov was first fined for his post with a similar image back in 2020. Considering himself a “citizen of the USSR” and not recognizing the legitimacy of the Russian Federation’s authorities, he did not pay the fine and, thus, continued to be considered a convicted offender under Article 20.3 Part 1 CAO. Thus, he faced criminal charges after posting on his VKontakte page, on two separate occasions, a link to a YouTube video of the song “Take the Vlasov banner off the Golden-Domed Kremlin!” that contained Nazi symbols. In September 2023, the city court sentenced Ulanov to two years in a settlement colony. In early December, the Supreme Court of Kalmykia considered an appeal against the verdict. The court rightly pointed out that the ban on displaying symbols does not apply to statements that formed a negative attitude to the ideology of Nazism and extremism and contained no signs of propaganda or justification of Nazi and extremist ideology. The court noted that the video disseminated by Ulanov was not intended to form a positive attitude toward Nazism, nor did it insult the memory of the Great Patriotic War victims. The verdict was overturned, and Ulanov was completely acquitted. The decision was made posthumously, as, according to the Federal Penitentiary Service, the defendant committed suicide in a pre-trial detention center.

Discrediting the Military and Government Agencies

We view punishment for disseminating knowingly false information about the actions of Russian military and government agencies abroad or discrediting them as an inappropriate restriction on the right to freedom of speech. In our opinion, the only reason for

imposing these sanctions was the desire of the authorities to limit the dissemination of independent information about events in Ukraine and criticism of the actions of the Russian government and military forces.

According to the data of the State Automated System “Pravosudie” collected by the OVD-Info project, 2830 cases under Article 20.3.3 CAO on discrediting the use of the armed forces and government agencies, were submitted to Russian courts for review in 2023 (compared to 5518 in 2022, according to the data provided by the Mediazona portal in the second half of December 2022). OVD-Info attributes the almost 50% drop in the number of claims under Article 20.3.3 CAO in 2023 primarily to the absence of mass anti-war actions, for which people were punished in 2022. According to OVD-Info, the greatest number of cases were opened in Crimea, followed by Moscow, St. Petersburg, Krasnodar Krai, and the Sverdlovsk Region.¹³ The courts reviewed 2,707 out of the 2,830 cases and punished 2,113 people (according to the Supreme Court data, 4,440 people were punished in 2022).

Most often, people face sanctions for their anti-war statements made online, but also for offline statements in front of audiences of varying sizes, for displaying posters, distributing printed propaganda materials, etc.

While in 2022, the courts managed to pass only three sentences against three people under Article 280³ CC on repeated discrediting of the actions of the Russian army and officials abroad, at least 67 people were found guilty under this article in 2023.¹⁴ In addition, in one case the court terminated the proceedings due to the defendant’s death. Of the 67 convicted offenders, 63 verdicts were, in our opinion, clearly inappropriate; in four other cases, the charges included violence, dangerous vandalism, or threats of violence. One of the 63 had his conviction overturned in 2024; the case was remanded for a new trial.

Of the 62 wrongfully convicted individuals, 11 people were sentenced to imprisonment, two to compulsory labor, seven people received suspended sentences, 38 people were sentenced to fines from 100 to 500 thousand rubles, and we do not know the type of punishment imposed in the four remaining cases.

One of the most high-profile cases of repeated discrediting of the army was the case of Alexei Moskalyov, a resident of Yefremov in the Tula Region. In April 2022, after a scandal at his daughter’s school because of her anti-war drawing, Moskalyov was fined under Article 20.3.3 Part 1 CAO for his posts on Odnoklassniki about the rape of Ukrainian women by Russian soldiers. The criminal charges were based on other posts he made on the same social network, in particular, regarding the events in Bucha and the death of prisoners of war in Yelenovka. After a search and interrogation by the FSB, Moskalyov and his daughter, whom he was raising alone, left the city, and he was put on the wanted list. In early March 2023, Moskalyov was detained and placed under house arrest the next day since he had failed to appear on time when ordered by the investigator. Meanwhile, his 13-year-old daughter was placed in a social rehabilitation center for minors. She remained there until her mother, who had not taken part in her upbringing for several years, took her out.

13 . Repressions in Russia in 2023. OVD-Info Review // OVD-Info. 2024. January 17 (<https://en.ovdinfo.org/repression-russia-2023-ovd-info-overview#1>).

14 . 64 people were convicted under Part 1 of Article 280³ CC and only three – under Part 2, i.e., taking into account the property damage.

On the eve of the verdict, Moskalyov escaped from under arrest and was detained in Minsk two days later. On March 28, the Yefremov Interdistrict Court of the Tula Region sentenced him to two years of imprisonment. In early 2024, the regional court reduced his term by two months.

Another high-profile case under Article 280³ Part 1 CC was the case of Oleg Orlov, a co-chairman of the HRDC “Memorial.” The case against Orlov was based on his Facebook post made in November 2022. The post contained the Russian text of Orlov’s article “They Wanted Fascism. They Got It,” previously published in French by Mediapart. On October 11, 2023, the Golovinsky District Court of Moscow sentenced Orlov to a fine of 150 thousand rubles. The prosecution appealed this verdict, demanding a tougher punishment, and then asked the appellate instance to return the case to the prosecutors altogether, so that the investigation could establish a motive for the crime. The court granted this request overturning the sentence imposed on Orlov. The new version of the indictment added aggravating circumstances: according to investigators, Orlov committed a crime motivated by “ideological enmity towards traditional spiritual, moral and patriotic values,” as well as hatred of the social group “military personnel.” In late February 2024, the same Golovinsky District Court sentenced Orlov to two and a half years of imprisonment. The wording of the charge directly indicated that Orlov was punished for speaking out against the official ideology.

In addition to those convicted in 2023 under Article 280³ CC, we know of 59 people who were wrongfully prosecuted under this article but not yet sentenced by the end of the year (we knew of approximately 40 in 2022). Two of them died, and one case was dropped; thus, at least 56 people still face charges.

Spreading “Fake News” about the Special Military Operation Motivated by Hatred

We believe that allegations of defamation should be subject to civil, rather than criminal, proceedings. Moreover, regarding Article 207³ CC, it is not clear to us why the dissemination of false information about the activities of military personnel or officials requires a separate legal norm with disproportionately severe sanctions.¹⁵

SOVA Center includes in its monitoring only libel charges that are filed with a hate motive as an aggravating circumstance. In our view, when using Article 207³, the motive of ideological and political hatred is applied inappropriately. People who publish information about the military operations in Ukraine that differs from the official line obviously tend to ideologically and politically disagree with the course pursued by the authorities – that is, in most of these cases, their acts are a form of political criticism.¹⁶ As for social hatred, groups such as military personnel or officials do not require protec-

15 . 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 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.”

16 . In addition, the manifestation of political or ideological hatred, in and of itself, is not criminalized, and we believe that this motive is appropriately used as an aggravating circumstance only in articles on crimes that pose a serious public danger, namely, in articles on the use of violence.

tion from its manifestations being well-protected by other legal norms. However, we do not classify the cases under Article 207³ CC as inappropriate if the relevant statements contain obvious signs of inciting national hatred or calls for violence.

According to our information, at least 52 verdicts against 54 people were issued under clause “e” of Article 207³ Part 2 CC (disseminating knowingly false information about the actions of the armed forces motivated by hatred) in 2023, but one of them was overturned and sent for a re-trial. Five more people were released from criminal liability and referred for compulsory treatment.

Of the 51 guilty verdicts that remain in force, we consider 47 sentences to 49 individuals to be inappropriate. 44 offenders were sentenced to real terms of incarceration, mostly from five to ten years, often with additional sanctions, such as several-year bans on posting information online. Two defendants received suspended sentences, one was fined 1.8 million rubles, and we do not know what punishment was imposed on the remaining two.¹⁷

It should be noted that 17 sentences against 18 people were pronounced in absentia, mainly those targeting well-known opponents of the regime living abroad (including, for example, publicist Alexander Nevzorov, blogger Maxim Kats, media managers Nika Belotserkovskaya and Ilya Krasilschik, activist Ruslan Leviev, journalist Michael Nacke, writer Dmitry Glukhovskiy, and others).

However, those who ended up behind bars were in the majority. For example, activist Olga Smirnova from St. Petersburg received six years in a minimum-security penal colony for publishing seven posts in the “Democratic St. Petersburg – Peaceful Resistance” group on VKontakte in March 2022. They were dedicated to the destruction in Ukrainian cities, victims in Zaporizhzhia, Kharkiv, Kyiv, and Izyum, the fire at the Zaporizhzhia Nuclear Power Plant, damage to the Babi Yar Holocaust memorial, and deaths of Mariupol residents. Blogger Alexander Nozdrinov from Novokubansk of Krasnodar Krai was sentenced to eight and a half years in a penal colony under paragraphs “e” and “d” (for financial gain) of Article 207³ Part 2 CC. He was found guilty of posting on his Telegram channel a photograph of a destroyed Ukrainian city and a comment underneath it. The blogger had allegedly received a thousand rubles for the post.

The charge of disseminating “fake news” also appeared in the case of politician and journalist Vladimir Kara-Murza sentenced to 25 years in a maximum-security penal colony and several additional punishments through the partial aggregation of sentences imposed under three articles – paragraph “e” of Article 207³ Part 2 CC (seven years), Article 284¹ Part 1 CC on the activities of an “undesirable organization” (three years), and Article 275 CC on high treason (18 years). The case for spreading “fakes about the army” was based on Kara-Murza’s speech in the Arizona House of Representatives in the United States on March 15, 2022, in which he said that Russian troops were committing war crimes on the territory of Ukraine.

Article 207³ CC has become an instrument of intimidation for the Russian authorities to limit the dissemination of independent information about the military operation in Ukraine. Hence the demonstrative initiation of criminal cases against well-known figures, and severe sanctions against ordinary citizens.

We know of at least 66 people charged under paragraph “e” of Article 207³ Part 2 CC in 2023, whose cases were not yet tried in courts by the end of the year. Once

17. Sentences for “fakes about the army” motivated by hatred issued in 2023 // SOVA Center. 2024. March (<https://www.sova-center.ru/misuse/news/persecution/2023/02/d47622/>).

again, this group includes many prominent figures, who have left Russia (mostly journalists, political scientists, and public activists), as well as several well-known Ukrainians, but also numerous ordinary citizens who resided in Russia and were taken into custody. A separate group of 15 defendants in the case of the Vesna movement face charges under several criminal articles, including this one. For comparison, by the end of 2022 (Article 207³ was added to the Criminal Code in March), we also knew of more than 60 people charged with distributing “military fakes” motivated by hatred; courts managed to issue sentences against another nine defendants before the year ended.

Other Anti-Government Statements

According to our data, at least 28 cases were opened in 2023 under Article 20.1 Parts 3–5 CAO for disseminating information that expresses disrespect for the state and society in an indecent form on the Internet. There were at least 22 such cases a year earlier, at least 37 in 2021, at least 30 in 2020, and 56 in 2019. In 2023, fines were imposed in 27 cases (from 30 to 80 thousand rubles under Article 20.1 Part 1 CAO and from 100 to 250 thousand under Parts 4–5), and one case was dismissed. Almost all charges were related to disrespect toward the president, occasionally – disrespect toward other high-ranking officials, the authorities in general, and state symbols.

The majority of cases known to us took place in Crimea. This can be attributed to the activity of the “Crimean SMERSH” Telegram channel, which is owned by local activist Alexander Talipov. He actively monitors the social networks of Crimean residents and submits statements to law enforcement agencies. For instance, Crimean Olga Dibrova was fined 80 thousand rubles under Article 20.1 Part 3 CAO. She was detained after a video was published on “Crimean SMERSH,” which showed her using obscene language directed at President Putin when her electricity was turned off.

For the first half of 2023, the Judicial Department of the Supreme Court reported a total of 16 individuals punished under Article 20.3.2 CAO (calling for violation of the territorial integrity of Russia) and Article 20.3.4 CAO (calling for sanctions against Russia, its organizations and citizens), but we have no information about anyone facing sanctions under Article 20.3.4 CAO. According to the data provided by the State Automated System “Pravosudie,” no cases were opened on repeated calls for sanctions under Article 284² CC. As for Article 20.3.2 CAO, we know of only five such cases. Three of them were not related to calls for any violent separatist actions, so we regard these sanctions for discussions on territorial issues as inappropriate (we also recorded three such cases in 2022). All three inappropriately charged defendants faced fines: one of 30 thousand rubles, and two – of 70 thousand rubles. The issue under discussion in all cases pertained to territories seized from Ukraine.

According to the data provided by the State Automated System “Pravosudie,” there were no cases of charges under Article 280¹ CC for repeated calls for violation of the territorial integrity of Russia in 2023. There were no such cases in 2022 either.

Vandalism Motivated by Hatred

We know of 11 clearly inappropriate verdicts under Article 214 Part 2 CC (vandalism motivated by political or ideological hatred) issued in 2023 against 15 people for protests

against the special military operation (in 2022, we recorded 12 such sentences against 13 people, but two sentences were subsequently overturned). Seven people were sentenced to restriction of freedom, four to imprisonment (for all four, Article 214 CC was not the only charge against them), and in one case we have no information about the punishment imposed. Two more cases were dismissed by the court due to the expiry of the limitation period, and one person was referred for compulsory treatment and released from liability.

Similarly to the preceding year, most of the offenses involved writing anti-war or pro-Ukrainian slogans in public places or inflicting damage on posters dedicated to the special military operation. We include in our monitoring only the cases, in which law enforcement agencies charge defendants with vandalism motivated by ideological or political hatred, although the presence or absence of the hate motive in such cases obviously depends solely on the discretion of specific law enforcement officers, and not on the actual circumstances of an incident. We see no need to prosecute people for vandalism motivated by political or ideological hatred. In our opinion, in most cases, such actions represent a form of political criticism. We also believe, as we wrote above, that the motive of political or ideological hatred should be used as an aggravating circumstance only in articles on violent crimes.

In addition, when property damage is minor, in our opinion, cases under Article 214 should be terminated for insignificance or with the imposition of a court fine. For those cases where the damage is relatively small, it might be helpful to introduce an article similar to Article 7.17 CAO covering the destruction or damage of other people's property or to clarify the existing article by adding vandalism that did not cause major damage.

One of the offenders sentenced in 2023 was Sergei Khozyaykin from Belovo of the Kemerovo Region, sentenced to six months of restricted freedom for throwing the shells from two eggs filled with red enamel at a banner with the image of Vladimir Putin "thus imitating blood as a symbol of bloodshed and violence." The court found that Khozyaykin had acted "with the intent of creating false associations and inciting hatred and enmity in an indefinitely wide group of people."

Meanwhile, Alexei Arbuzenko from Togliatti, who, together with his teenage son "motivated by hooliganism" threw paint on banners depicting Russian military personnel and covered them with certain "cynical slogans," was charged not only under Article 214 Part 2 but also under Article 280³ Part 2 and Article 150 Part 4 CC (involvement of a minor in a criminal group or the commission of a crime motivated by political, ideological, racial, national or religious hatred). The court sentenced him to six years in a minimal-security penal colony.

We have information about 11 other similar cases initiated under Article 214 Part 2 CC in 2023 against 12 people that either did not go to trial by the end of the year, or of which we do not know the outcome. Once again, the charges are based on graffiti and damage to banners. The defendants in criminal cases, for example, include a 62-year-old woman, resident of Balaklava, who painted Ukrainian flags on the building walls, bus stops, benches, lamp posts, park fences, and town squares as well as famous Moscow graffiti artist Filipp Kozlov (Philippenzo). The case against Kozlov was based on his work "Izrossilovanie" [a wordplay based on the words "rape" and "Russia"] – a graffiti under the Elektrozavodsky Bridge on the Yauza embankment depicting this caption and the Russian coat of arms. The artist has left Russia and was placed on the wanted list.

We also note that in 2023, the court issued a two-year suspended sentence followed by a two-year probationary period to retiree Irina Tsybaneva from St. Petersburg, whose case we mentioned in our 2022 report. The court found her guilty of desecrating burial places with the motive of political hatred (paragraph "b" of Article 244 Part 2 CC). Tsybaneva left a note on the grave of Vladimir Putin's parents at the Serafimovskoye Cemetery, in which she wished their son, "who has caused so much pain and trouble," dead. In our opinion, Tsybaneva did not cause any harm to the grave.

Hooliganism Motivated by Hatred

We classify as inappropriate the cases under paragraph "b" of Article 213 Part 2 CC (hooliganism motivated by political, ideological, or social hatred) that were initiated against participants in public actions that, in our opinion, should not be regarded as gross violations of public order and disrespect for society. On the contrary, the purpose of such actions was obviously to draw public attention to important social and political issues. Besides, here, as in the cases of vandalism (see above), we consider the motive of ideological or political hatred unnecessary, since these are not violent crimes but a form of socio-political expression.

At least two criminal cases in this category were opened in 2023¹⁸ (we recorded three such verdicts against four people in 2022; one more case was likely closed).

Konstantin Kochanov, an electrician from Moscow, was arrested in Moscow in May. On the night of May 9, he painted at least three red crosses on the pavement near houses on Bolshoy Kozlovsky Lane and Nizhnyaya Krasnoselskaya Street. Later, photographs of the graffiti were posted on Ukrainian Telegram channels as allegedly special marks to be used for a drone attack on the capital. According to law enforcement officers, Kochanov's actions expressed "his disagreement with Russia's ongoing special military operation in Ukraine," and he "performed public actions that created a credible threat to the state security and a threat of harm to the life and health of citizens." At first, the Ministry of Internal Affairs did not want to initiate a case; the Telegram channel "War on Fakes," affiliated with the law enforcement agencies, wrote that the marks indicated geodesical points. Obviously, the signs painted by Kochanov had no practical meaning and did not lead to a gross violation of public order. Later he was also charged under Article 214 Part 1 CC, even though he painted crosses on the pavement rather than buildings or structures. Despite his serious illness, Kochanov spent about six months in pre-trial detention before his preventive measure was changed.

Artyom Lazarenko faced charges in September after he "took off all his clothes" and "began to demonstrate his naked body" in front of the FSB building. The investigation decided that he grossly violated public order and was acting out of hatred towards law enforcement officers. However, Lazarenko acted at night and therefore did not disrupt citizens' work or leisure, or the work of institutions. In our opinion, the administrative charges under Article 20.1 CAO (disorderly conduct) would have sufficed.¹⁹

18. Paragraph "b" of Article 213 Part 1 CC also appeared in one clearly inappropriate verdict in 2023 but in combination with Article 148 CC, see below for more information.

19. On January 29, 2024, the Tsentralny District Court of Omsk sentenced Artyom Lazarenko to 240 hours of community service under paragraph "b" of Article 213 Part 1 CC.

Involvement in Banned Oppositional Organizations

Persecution of Alexei Navalny and His Supporters

Throughout 2023, the authorities continued to persecute Alexei Navalny and his supporters. As we reported earlier, the structures associated with Navalny – the Alexei Navalny Headquarters, the Anti-Corruption Foundation (FBK), and the Citizens’ Rights Defense Fund (FZPG) – were recognized as extremist organizations in the summer of 2021.

Since September 2021, the Investigative Committee has viewed the activities carried out (even before the ban) by Navalny’s structures and supporters as the activities of an extremist community. Then the Main Investigation Department of the Investigative Committee opened a case under Article 282¹ against Navalny personally and against a number of his supporters on the charges of creating an extremist community no later than 2014. This case was later combined with the cases of money laundering (paragraph “b” of Article 174 Part 4 CC),²⁰ creating a non-profit organization whose activities involved inciting citizens to commit unlawful acts and participating in such an organization (Article 239 Parts 2 and 3 CC), financing extremism (Article 282³ Part 1 CC), and involving minors in dangerous activities (paragraphs “a,” and “c” of Article 151² Part 2 CC). Subsequently, regional activists, who had participated in Navalny’s structures, and even his lawyers, became defendants in cases under Articles 282¹ and, sometimes, also under Article 239 CC.

In our opinion, the reasoning used by the Investigative Committee to substantiate the charges brought against Navalny and his supporters is far from convincing. According to the Investigative Committee, the activists created an “extremist community” aiming to “discredit government bodies and their policies, destabilize the situation in the regions, and create the protest sentiment among the population.” However, according to the note to Article 282¹ CC, an “extremist community” is a community created for the purpose of preparing or committing crimes of an extremist nature, that is, motivated by “political, ideological, racial, national or religious hatred or enmity, or hatred or enmity toward any social groups.” The aims that the investigation attributed to Navalny and his supporters do not correspond to this definition. The same applies to the vague wording “forming public opinion on the need for a violent regime change” – only publishing calls for a violent regime change constitutes an extremist crime. The goal such as “organizing and conducting protest actions that develop into mass riots,” is also insufficiently clear – since Navalny’s supporters were not charged with either the organization of mass riots or calls for them. Thus, we view the charges against Navalny and his supporters under Article 282¹ as inappropriate.

In 2023, four sentences were issued to six defendants in these cases.

In August, the Moscow City Court announced a verdict against Navalny and Daniel Kholodny, the former technical director of the Navalny LIVE YouTube channel. Taking into account the previous sentence he was serving at that time, Navalny was sentenced to 19 years in a maximum-security penal colony, a fine of 500 thousand rubles, three years of

20. Apparently, this charge was later excluded from the combined case.

restriction of freedom, and a ban on posting on the Internet for ten years. He was found guilty under Article 282¹ Part 1 CC, Article 282³ Part 1 CC, Article 151² Part 2 CC, Article 239 Part 2 CC, Article 354¹ Part 3 CC (public desecration of symbols of Russian military glory), and Parts 1 and 2 of Article 280 CC. At the same time, Navalny was released from liability under Article 239 Part 2 CC, Article 354¹ Part 3 CC, Article 151² Part 2 CC, and Article 280 Part 1 CC due to the expiry of the limitation period.²¹ In February 2024, Alexei Navalny died in a colony under questionable circumstances.

The court found Kholodny guilty under Article 282³ Part 1 and Article 282¹ Part 2 CC (participating in the activities of an extremist community) and sentenced him to eight years in a minimum-security penal colony with a four-year ban on posting materials on the Internet.

In Ufa, the former head of Navalny’s local headquarters, Liliya Chanyшева, was sentenced in June under Article 282¹ Part 1 CC, Article 239 Part 3 CC, and Article 280 Part 1 CC to seven and a half years in a minimum-security penal colony and a fine of 400 thousand rubles.²² Activist Rustem Mulyukov, involved in the same case, was sentenced under Article 282¹ Part 2 CC to two and a half years in a minimum-security penal colony despite his serious illness. In March 2024, the verdict was overturned in cassation and returned to the appellate court.

In July, the former head of Navalny’s headquarters in Barnaul, Vadim Ostanin, was sentenced under Article 282¹ Part 1 and Article 239 Part 3 CC to nine years in a minimum-security penal colony. He was found guilty of collaborating with Navalny’s team in Biysk in 2017–2018 and in Barnaul in 2019–2021.

In December, Ksenia Fadeeva – an ex-coordinator of Navalny’s local headquarters and a city Duma deputy – was sentenced in Tomsk to nine years in a minimum-security penal colony with a fine of 500 thousand rubles under Article 282¹ Part 3 (creating an extremist community using official position) and Article 239 Part 3 CC. She was released from punishment on the second charge due to the expiry of the limitation period.

By the end of 2022, the number of defendants in such cases reached 23; nine more people joined their ranks in 2023.

Artemy Perevozchikov from Izhevsk, Alina Olekhovich and Ivan Trofimov from Moscow, as well as Sergei Streknev from Rybinsk and Alexei Malyarevsky from the Moscow Region, were initially charged under Article 282² Part 2 (participating in the activities of an organization recognized as extremist), but then their charges were reclassified to Article 282¹ Part 2. Probably the same would have happened to the charge under Article 282² Part 2 brought against ex-coordinator of the Lipetsk Navalny headquarters Ilya Danilov; however, he had left Russia even before the initiation of the case, and we do not know whether any investigative actions have been taking place.

21. Navalny was charged under Article 280 CC Part 1 in connection with statements by Ufa activist Rustem Mulyukov, under Part 2 of the same article for tweets by FBK operator Pavel Zelensky that contained harsh criticism of the authorities, and under Article 354¹ CC – in connection with the collage published by Volgograd activist Alexei Volkov depicting the “The Motherland Calls” monument covered in brilliant green. All of them had already been punished for these acts by the time the case was opened. The grounds, on which Navalny was found guilty of these actions of his supporters, are unclear.

22. Chanyшева was charged with calling for extremist activities in connection with the same 2017 speech by Mulyukov, which also appeared in the Navalny case.

In October, Alexei Navalny's lawyers Igor Sergunin, Alexei Liptser, and Vadim Kobzev were arrested as defendants under Article 282¹ Part 2 CC. According to the investigation, "the lawyers, using their status to gain access to the correctional facility, ensured regular transfer of information between the leaders and participants of the extremist community and A. A. Navalny, who thereby continued to exercise the functions of the leader and director of the extremist community."

Two of Navalny's supporters were found guilty in 2023 of financing extremist activities under Article 282³ Part 1. Alexei Konovalov from Magadan was fined 500 thousand rubles, and hacker Andrei Kovalenko from Temryuk was fined 200 thousand rubles (at the same time, he received five years behind bars for his computer hacking activities). The latter's sentence was overturned and sent for review. Nine more people, including the above-mentioned Malyarevsky, became defendants in new criminal cases under this article.

Navalny's supporters also faced administrative charges in 2023. Thus, we know of at least 16 people punished under Article 20.3 CAO for acts that law enforcement agencies and, subsequently, the courts interpreted as displaying symbols of Navalny's banned structures. The cases could be based on posters and T-shirts in support of the politician (a series of such actions took place to mark his birthday in July) or leaflets and videos with the symbols of FBK or the Navalny Headquarters. Ten people were fined, five were placed under administrative arrest, and a ban on attending official sporting events was imposed in one case. Among the offenders was Yekaterinburg politician Yevgeny Roizman, whom the court sentenced to 14 days under arrest because an FBK video "Why is Putin imprisoning Navalny?" with the foundation's symbols was found in a VKontakte group named "Yevgeny Roizman." Roizman claimed that he had no connection to this group and did not use VKontakte at all but failed to convince the court.²³

In addition, in 2023, law enforcement agencies continued to charge people under Article 20.29 CAO for distributing a banned video by Navalny's supporters "Let's Remind Crooks and Thieves about their Manifesto-2002." We are aware of 20 cases (compared to 65 in 2022), but it is worth noting that Article 20.29 has seen decreasing usage in recent years. The perpetrators faced fines ranging from one to three thousand rubles. The video, recognized 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 consider the ban against this video and sanctions for its distribution unfounded. Law enforcement agencies are actively monitoring the distribution of this video, since searching for it on social networks makes it easy to carry out "prevention" in the form of administrative sanctions imposed on opposition-minded Internet users.

Sanctions against Vesna Movement Participants

In June 2023, a criminal case was opened against members of the Vesna youth democratic movement declared extremist in December 2022. Six people were arrested in different cities: Yan Ksenzhepolsky, Yevgeny Zateev, Valentin Khoroshenin, Anna Arkhipova, Pavel

23. Yevgeny Roizman was also among those convicted in 2023 under Article 280³ Part 1: in May the court fined him 260 thousand rubles.

Sinelnikov, and Vasily Neustroev. In September, they and a number of other activists who left Russia – 21 people in total – were placed on the Rosfinmonitoring list.

The case involves six articles CC, with the main charge against all defendants falling under Article 282¹ (extremist community), similar to the case of Navalny and his supporters. The charges under this article are based on the text of the Vesna manifesto, which, in our opinion, contains no calls for extremism or any illegal activity whatsoever.

The defendants in the Vesna case also face charges under several additional criminal articles in different combinations depending on the role assigned to each of them by the investigation.

- Charges under paragraphs "b" and "e" of Article 207³ Part 2 were brought in connection with publishing reports on the number of dead Russian soldiers, as well as on the events in Bucha and other settlements of the Kyiv Region.
- Charges under Article 280⁴ Part 3 CC (public calls for activities directed against the security of the state, committed by an organized group, motivated by political hatred towards the social group "representatives of the government authorities of the Russian Federation") are related to Vesna's calls for military personnel to refuse to participate in hostilities or to surrender. The call was distributed in September 2022; the movement disavowed it in November of the same year.
- Charges under Article 354¹ Part 4 CC (dissemination of information expressing obvious disrespect for society about the days of military glory and memorable dates of Russia, committed by a group of people) were based on posts on Telegram and VKontakte, which contained criticism of the state-sanctioned methods of celebrating Victory Day. We believe that such expression of opinion should not be limited.

Only Vasily Neustroev (chairman of the Frunzensky District Branch of the St. Petersburg Yabloko party, who, according to party comrades, was not a member of Vesna and had nothing to do with the movement for the past several years) faces charges under two additional articles: Article 239 Part 2 CC for calling for mass protests and Article 212 Part 1.1 CC (incitement to organize mass riots) for his message proposing to use violence against law enforcement officers following the example of Euromaidan.

One more criminal case against a Vesna supporter, initiated in 2023, should be noted. Polina Piskeeva, a resident of Ulyanovsk, was charged under Article 282² Part 2 CC for posting anti-war leaflets produced by Vesna around the city in the summer and autumn of 2023. The leaflets contained criticism of the mobilization and the activities of the United Russia party.²⁴

24. In January 2024, Polina Piskeeva received a three-year suspended sentence with eight months of restricted freedom.

Banning Oppositional Organizations

In August, the Supreme Court of the Republic of Kalmykia upheld the claim of the republican prosecutor's office and recognized the Congress of the Oirat-Kalmyk People as an extremist organization. The Congress coordinated the people's congresses of national activists held in Elista since 2015.

A number of activists faced charges in 2022 for disagreeing with the government's course and the special military operation. Some members of Congress emigrated. Thus, Altan Ochirov, an activist and ex-employee of the city mayor's office, was sentenced in 2022 to five years in a minimum-security penal colony under clauses "b" and "e" of Article 207³ Part 2 CC for publications about the events in Ukraine in the "Volny Ulus" Telegram channel. Erentsen Dolyaev, a defendant in the same criminal case, has left Russia. The head of the Congress, Arslang Sandzhiev, and three of his deputies were fined under Article 20.3.3 Part 1 CAO after they published a collective anti-war appeal on March 7, 2022.

In addition, in June, the Elista City Court recognized the declaration "On State Independence of the Republic of Kalmykia," adopted by the Congress in 2022, as extremist material. The declaration contained criticism of the policies of the Russian authorities and an unambiguous call for Kalmykia to gain independence. However, the document said nothing about methods of achieving independence, that is, contained no calls for violent separatism. Therefore, in our opinion, there were no grounds for its ban.

The text of the claim filed by the Republic's Prosecutor's Office to ban the Congress of the Oirat-Kalmyk People was never made public but was likely based on the court decisions discussed above. Since we view all these decisions as inappropriate, we also consider the ban against the organization unfounded.

The State on Guard of Morality

Sanctions for "Rehabilitating Nazism"

In 2023, law enforcement agencies continued to prosecute citizens under Article 354¹ CC on the "rehabilitation of Nazism" that punishes a wide range of acts: denying or approving Nazi crimes, disseminating false information about the activities of the USSR during the Second World War, desecrating symbols of military glory, insulting veterans, etc.

We view 23 sentences passed under this article in 2023 against 25 people, including two minors, as unfounded and unrelated to the actual justification of Nazism (in 2022 we recorded 18 verdicts against 21 people). The courts dismissed two more cases due to the death of the defendants.

Ten people received various terms of imprisonment, not exceeding three years in the absence of other charges, four people were sentenced to compulsory labor, three to community service, two to corrective labor, three were fined (one in the amount of 1.4 million rubles and two – in the amount of two million rubles), one was sentenced to restriction

of freedom, one received a suspended sentence, and in one case we have no information about the punishment imposed.

In most cases, sanctions followed the actions that law enforcement agencies interpreted as "desecration of symbols of Russia's military glory."

It should be noted here that only the St. George Ribbon (and only since the beginning of 2023) has officially been granted the status of a symbol of military glory. However, most criminal cases pertain not to the ribbon but to various memorials for those killed during the Great Patriotic War, especially one specific element – the eternal flame. This element often arouses increased interest among adult citizens and children. These irresponsible adults and minors, in turn, have caught the increased interest of Alexander Bastrykin, the head of the Investigative Committee, who has taken their criminal cases under his personal control.

It must be said that in most cases, memorials suffer no noticeable damage from such antics. What's important for the authorities is the ideological component of such actions: they're regarded as an attack on historical memory and the memory of veterans. Amid military operations in Ukraine, the sanctity of this memory has become an integral part of the state ideology.

Meanwhile, only a small part of those convicted acted for ideological reasons, for example, Alexander Kudryashov, a resident of Vsevolozhsk of the Leningrad Region. He was sentenced to a fine of 1.4 million rubles under Article 354¹ Part 3 CC (public dissemination of information expressing obvious disrespect for society about days of military glory and memorable dates of Russia related to the defense of the Fatherland, as well as desecration of symbols of Russia's military glory that insult the memory of defenders of the Fatherland). Kudryashov painted graffiti that consisted of the letter "Z," an equal sign, and a swastika on a kilometer sign and an anti-aircraft gun pedestal. These objects formed part of the "Broken Ring" memorial, erected on the shore of Lake Ladoga to commemorate the Siege of Leningrad. The paint washed off the memorial structures naturally, and thus no damage was caused. The court found that the crime was committed on January 27, 2022, i.e., on the anniversary of the liberation of Leningrad from the siege, and thus Kudryashov not only desecrated the symbols but also expressed disrespect for the memorable date. However, the investigation previously reported that the incident occurred in October 2022 – a much more likely scenario, since large-scale military operations in Ukraine did not yet start in January 2022, and the "Z" symbol was not used.

Often the offenders were simply hooligans. Thus, in Orenburg, the court sentenced Viktor Ogly to two years, and Ashraf Ibaev to a year of imprisonment, replacing this punishment with compulsory labor. On the territory of their local memorial complex, they climbed onto the memorial with their feet, smoked cigarettes, and ate sunflower seeds throwing out cigarette butts and husks "near the Eternal Flame." They also used obscene language.

Another group of offenders clearly did not think about damage to monuments at all – homeless or unemployed people who warmed themselves, drank and ate near an Eternal flame, or burned off the insulation of the wire they had collected, before selling it for scrap. Denis Davydov, a previously convicted resident of Yoshkar-Ola, was sentenced under Article 354¹ Part 3 CC to three years in a maximum-security penal colony simply for "stomping" on the pedestal of the memorial complex.

In our opinion, the actions described above, which served as the basis for 14 criminal sentences against 16 people under Parts 3–4 of Article 354¹ CC (depending on whether they were accompanied by publications on the Internet) would have been best qualified under Article 20.1 CAO on disorderly conduct or Article 214 CC on vandalism, in cases of actual damage caused to memorials.

Six cases under Article 354¹ Part 4 CC were based on actions committed exclusively online – social network posts with disrespectful statements about symbols of military glory or the Victory Day celebration.

Three people were convicted under paragraph “c” of Article 354¹ Part 2 CC for disseminating on the Internet deliberately false information about the activities of the USSR during the Second World War. Thus, architect Sergei Volkov from Ivanovo was fined two million rubles for a post he made on his Telegram channel in 2021. The post stated that during the Great Patriotic War, German troops did not close a complete ring around Leningrad – it was no coincidence that the charges related to the siege of Leningrad against the defendants at the Nuremberg trial were dropped – so the Soviet authorities still had the opportunity to send food there, but “Stalin abandoned the city as useless and almost captured.” Volkov also said that until 1941, “Stalin and Hitler were tight allies,” and National Socialism during that period was “quite strongly celebrated in the USSR.” Finally, the author argued that Stalin was personally guilty of starting the war “no less than Hitler,” since he “fueled this mess without expecting that it would turn against him.” We would like to add that the case was tried twice. The first time, the jury acquitted Volkov, but then the judge dismissed the jury; the second time the guilty verdict was returned.

According to our data, the cases of at least 50 people inappropriately charged under Article 354¹ CC in 2023, were not yet considered in courts by the end of the year. Many of them, as in 2022, faced criminal charges for hooliganism at war monuments. However, the majority was prosecuted under Article 354¹ Part 4 CC for online attacks on symbols and dates.

Thus, the case of 23-year-old Samara resident Alyona Agafonova became widely known. Agafonova posted as her Instagram story a video, in which she stood near the monument “The Motherland Calls” and moved her fingers in a way that made it appear as if she was tickling the sculpture’s chest while humming a popular circus tune, the “Entry of the Gladiators” march by composer Julius Fučík. Agafonova then left Russia and was put on the wanted list. Upon returning to the country in February 2024, she was detained at one of the Moscow airports and then arrested.

One of the cases involves 18 defendants at once. They are the above-mentioned members of Vesna, charged for posing in the spring of 2022 texts on Telegram and VKontakte dedicated to the upcoming Victory Day. The posts criticized the state-sanctioned methods of celebrating it and suggested participating in the “Immortal Regiment” action by carrying veterans’ photographs with captions “They didn’t fight for this!”

We also would like to point out the only case known to us when an administrative norm, parallel to Article 354¹ CC was applied – Article 13.48 Part 1 CAO (public identification of the actions of the USSR and Nazi Germany during the Second World War, denial of the decisive role of the Soviet people in the defeat of Nazi Germany and the humanitarian mission of the USSR in the liberation of European countries). In our opinion, this article excessively and unreasonably restricts freedom of speech in peaceful historical discussions. In August, a court in Moscow fined emigrated blogger and bodybuilder Alexander Shpak under this article; the amount of the fine is unknown. The case was based on a video with footage of parades in Nazi Germany and Victory Day celebrations in Russia. The video included Shpak’s comments on the footage, in particular, “This is horrible! You say, ‘We are for peace,’ while giving children weapons and dressing them in military uniforms!”

We should also add that law enforcement agencies continue to show increased vigilance in eradicating Nazi symbols displayed in a purely neutral context.

For example, history student and archaeologist Vladimir Panin was placed under arrest for five days under Article 20.3 Part 1 CAO. Panin was detained in a subway car for holding the book *Peter Noyman. Chyornyy marsh. Vospominaniya ofitsera SS. 1938–1945* [Peter Noyman. Black march. Memoirs of an SS officer. 1938–1945]. The book featured on its cover a historical photo of a German soldier in a helmet with double Sig runes – the symbols of the Nazi SS troops. The book is likely not a genuine diary of an SS officer, but a work of fiction with a pronounced anti-fascist message. The book was published in Russian in 2012 by Tsentrpoligraf in the series “Behind the Front Line. Memoirs”; it has been sold in bookstores and its distribution was never banned. A note to Article 20.3 CAO stipulates that the punishment does not apply to cases, in which banned symbols are used to form a negative attitude towards Nazism and extremism, and there are no signs of propaganda or justification of Nazi ideology. This case perfectly aligns with the description, in our opinion, but the court did not apply the note.

In Novokuznetsk, a model maker interested in the Second World War military equipment was fined a thousand rubles under the same article because a photograph of a tank model with the symbols of Nazi Germany was found on his VKontakte page.

In Volgograd, a court fined a music director and a senior teacher of a daycare center one and a half thousand rubles. Both were punished for inviting their acquaintances, one dressed in the Soviet army uniform and the other in the uniform of a Wehrmacht soldier, to a patriotic matinee dedicated to the 80th anniversary of the Stalingrad victory. A photographic report about the event was posted on the daycare center’s VKontakte page and attracted the attention of parents, who contacted law enforcement agencies. The court found the daycare employees guilty of posting photographs of a man in a Nazi uniform without any comments or explanatory notes that could have formed a negative attitude toward the ideology of Nazism.

Ban on the “International LGBT Movement”

On November 30, the Supreme Court of Russia satisfied the claim submitted by the Ministry of Justice and recognized the “international public LGBT movement” as an extremist organization. The case was considered behind closed doors.

The text of the Supreme Court decision became known only in January 2024. In it, the Supreme Court indicated that the international LGBT social movement, “which arose in the United States in the 1960s as part of a policy of birth control suggesting, among other measures, the encouragement of non-traditional family relationships,” has been operating in Russia since 1984, does not have a unified structure, “is decentralized,” but at the same time consists of well-organized cells, is active in 60 regions of Russia and 25 other countries, and also has 80 Internet resources. The Supreme Court also reported that “281 individuals, who promote LGBT ideology and participate in the activities of the Movement, have been identified.”

Most of the arguments given by the Supreme Court in support of the movement’s ban had nothing to do with the definition of extremism provided in the framework legislation. The court discussed morality, demography, traditions, value confrontation with the West and its ideological “expansion,” the protection of children, and even word coinage. All of this pointed to one idea, not substantiated by any scientific information or statistical calculations, that this movement was harmful and posed a threat to Russia’s national interests.

Charges of inciting hostility towards those who do not support LGBT people, hatred towards bearers of traditional values that leads to suppression (evidently, referring to certain phenomena outside of Russia), promoting exclusivity or inferiority based on sexual orientation and gender identity, and creating “preconditions” for inciting religious hatred were, to some extent, linked to the law on countering extremism. The Supreme Court wrote that the activities of LGBT activists to criticize the authorities and change laws, as well as calls for mass protests and non-compliance with laws, are aimed at inciting hatred towards government officials. However, not a single fact was cited about any specific offense committed by a specific LGBT activist.

SOVA Center believes that the LGBT movement does not have a unified structure and therefore cannot be considered a single organization. There is also no basis for charging LGBT activists with any extremist activity as a single community. We consider this decision a discriminatory measure that impedes the protection of the rights of LGBT people. The ban could lead to persecution of activists, human rights defenders, journalists, and LGBT people who simply express their views openly.

The date of entry of the Supreme Court decision into force was not reported, but this likely happened only around February 13, 2024, when the court refused to consider the last appeal filed against this decision. On March 1, 2024, the Russian Ministry of Justice included the “international public LGBT movement” and its structural divisions in the list of extremist organizations. Attempts to impose sanctions under Article 20.3 CAO for displaying rainbow-decorated objects as LGBT symbols began in mid-December 2023.

Sanctions for Insulting the Religious Feelings of Believers

As in 2022, prosecutions under Article 148 Part 1 CC (insulting the religious feelings of believers) in 2023 were mostly related to social media posts. As before, the attention of law enforcement agencies was often attracted by atheistic or anticlerical texts, memes, and comments. The flow of nude photos next to places of religious worship, so popular in 2022, has dried up, but various manipulations with religious literature and objects of worship have become trendy.

We would like to reiterate that we see no need to prosecute people for publishing “blasphemous” materials unless they contain aggressive appeals against believers. In our opinion, such materials pose no danger to society, and sanctions for their dissemination could constitute unjustified interference with freedom of expression. In addition, we are convinced that the concept of “insulting the feelings of believers” introduced into texts of Article 148 Parts 1 and 2 CC has no clear legal meaning at all and should be excluded from the legislation altogether. As for religious literature and objects, they are protected by the administrative legislation under Article 5.26 Part 2 CAO (deliberate public desecration of religious or liturgical literature, objects of religious veneration, signs or emblems of ideological symbols and paraphernalia, or their damage or destruction).

We classified nine sentences issued in 2023 against nine people as inappropriate (in 2022 we recorded five sentences against five people). One person was released from criminal liability and sent for compulsory treatment. Five offenders out of nine were sentenced to community service, two to a fine, one person to imprisonment, and in one case we have no information about the punishment.

Sayd Abdelrazek, a native of Egypt, was sentenced in Ulyanovsk under Article 148 Part 1 CC and paragraph “b” of Article 213 Part 1 CC (hooliganism motivated by religious hatred or enmity) to one and a half years in an open prison. Taking into account the time he spent in pre-trial detention, Abdelrazek’s final sentence was ten months of imprisonment. He was also fined 150 thousand rubles. Abdelrazek was found guilty of “committing public acts to offend the religious feelings of believers.” One night in July, on a bridge over the Sviyaga River, he trampled on the Quran, poured alcohol on it, and then threw it into the river. He filmed all this and later published a video on the Internet, where he accompanied his actions with statements that the Quran was a “dirty book” that needed to be “thrown underfoot” and “trampled with old boots.” We believe that Abdelrazek should have faced administrative rather than criminal liability. The grounds on which Abdelrazek faced responsibility under Article 213 CC are also unclear. He recorded his video at night, so his actions did not lead to a gross violation of public order.

Meanwhile, a nineteen-year-old Astrakhan man, who burned a pocket-sized paper icon of the Mother of God in broad daylight near a shopping center was not charged with hooliganism. His action remained unnoticed, but he posted the corresponding video on social networks and only faced 200 hours of community service. Again, in our opinion, Article 5.26 Part 2 CAO would have been sufficient.

We must say that this administrative norm is also not always applied appropriately. We believe that its use is appropriate to punish damage to religious books or objects of worship but not against virtual actions such as creating and publishing collages with religious imagery, icons, crosses, and so on. However, law enforcement agencies classify such actions as desecration. Over the year, we noted several cases under Article 5.26 Part 2 CAO for posting images online.

In 2023, at least eight criminal cases were initiated inappropriately against nine people under Article 148 Parts 1 and 2 CC.

The November arrest of singer Eduard Sharlot, who had returned to St. Petersburg from abroad, sparked a significant reaction. He was charged under three criminal articles and placed in pre-trial detention. Charges under Article 148 CC Part 1 (see below) were based on Sharlot’s Instagram video, in which the singer nails his military ID, a photograph of Patriarch Kirill, and a crucifix made of branches to a tree. As yet another demonstrative gesture, the authorities ordered an arrest of activist Nadya Tolokonnikova, convicted in 2012 in the case of the Pussy Riot punk collective and currently residing abroad, in absentia, for her social media posts.

Another resonant case, initiated in 2023 under Article 148 Part 2 CC was that of Nikita Zhuravel sentenced to three and a half years of imprisonment in 2024 for burning the Quran. In our opinion, the case was classified incorrectly. In May 2023, Zhuravel burned the Quran in front of a mosque in Volgograd and filmed the action. Later the video was published on the “Morning Dagestan” Telegram channel with the caption “Volgograd!! May Allah break your back – the country of Islamophobes!!!” During his interrogation, Zhuravel stated that he had burned the Quran at the instigation of Ukrainian intelligence services for a reward of ten thousand rubles and then handed over the recording to a representative of the Security Service of Ukraine.

As to the destruction of the book, we believe that it should have entailed liability under Article 5.26 Part 2 CAO rather than Article 148 Part 1 CC. We also believe that the charge under Article 213 Part 2 CC (hooliganism committed by an organized group by prior conspiracy based on religious hatred or enmity) was inappropriate, since the book burning per se did not violate public order. At the same time, since the video of the Quran burning was published

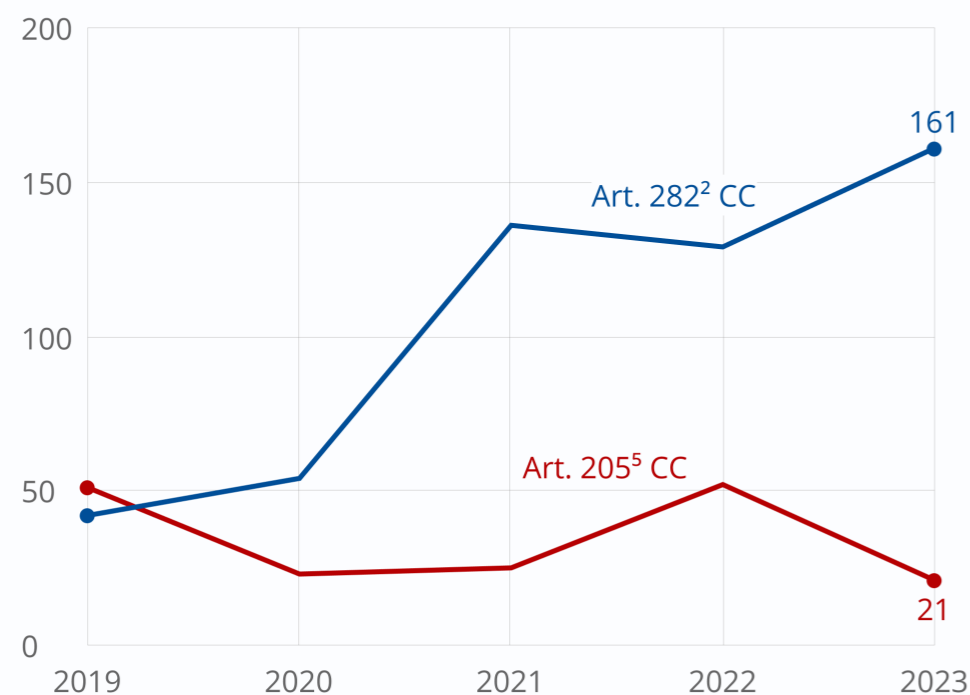
with a comment aimed at inciting hostility, the young man could be punished under Article 20.3.1 CAO – or paragraph “c” of Article 282 Part 2 CC if he acted as part of an organized group. In our opinion, Zhuravel received a disproportionately severe sentence and faced additional extra-legal methods of pressure and punishment. By personal order of the head of the Investigative Committee, the case was transferred for investigation and trial from Volgograd to Grozny, where Ramzan Kadyrov’s son beat him up in a pre-trial detention center.

Persecution against Religious Associations

According to our information, at least 90 guilty verdicts were issued inappropriately against 195 people on charges of involvement in organized extremist and terrorist activities in 2023 (compared to 87 verdicts against 185 people in 2022). 85 of these sentences against 188 people pertained to involvement in religious organizations (compared to 85 sentences against 183 people in the preceding year).

Convicted Inappropriately of Involvement in Organizations Banned as Extremist and Terrorist

SOVA Center data



Source: SOVA Research Center, 2024

Jehovah’s Witnesses

In 2023, authorities continued to persecute Jehovah’s Witnesses whose registered Russian communities were banned in 2017, as extremist organizations. Believers were charged with continuing the activities of banned organizations for holding religious ceremonies (including online), joint reading and discussion of religious literature, preaching, and collecting money for community needs – that is, for peaceful religious practice, which poses no danger to society but, nevertheless, leads to criminal prosecution and severe sanctions. We believe that the ban on Jehovah’s Witnesses organizations had no legal basis and regard it as a manifestation of religious discrimination. In June 2022, the ECHR issued a ruling on the Jehovah’s Witnesses’ complaint, in which it recognized that the ban on their materials and organizations and the persecution of believers contradict the Convention for the Protection of Human Rights and Fundamental Freedoms and demanded that Russia discontinue the criminal cases under Article 282² CC against Jehovah’s Witnesses and release the imprisoned believers.

According to the calculations by SOVA Center, at least 107 believers faced new criminal charges for continuing the activities of banned Jehovah’s Witnesses organizations or financing them (Articles 282² and 282³ CC) in 2023. Jehovah’s Witnesses, whose calculation method is somewhat different from ours, report that 376 such criminal cases were initiated against 789 believers from 2017 through the end of 2023. As of late February 2024, their statistics present the following trend: criminal cases were initiated against one believer in 2017, against 131 in 2018, against 187 in 2019, against 146 in 2020, against 162 in 2021, against 79 in 2022, and 83 in 2023. In any case, we can point out an increase in the number of people facing criminal charges in 2023 compared to the previous one. In 2023, there was a notable occurrence of clustered individual cases against believers residing in the same locality, as well as collective cases involving about ten individuals simultaneously. Approximately one-third of those prosecuted in 2023 were women, and approximately twenty were elderly, with the oldest being 85 years old.

In 2023, there were at least 74 verdicts against 156 Jehovah’s Witnesses under Article 282², as well as under Article 282³, which appeared in the charges against 24 believers along with Article 282², and, in one case, constituted the only charge. Two sentences against three believers were overturned (with the prospect of tougher punishment); 72 sentences against 153 believers remained in force. In 2022, according to our calculations, there were 58 verdicts against 116 believers.

Of the 153 convicted offenders, 48 people were sentenced to imprisonment. 33 of them serve their terms in penal colonies. The majority faced six to seven years behind bars, eight years in one case. The courts sentenced two believers to compulsory labor for a period of three years – the first time such a punishment had been imposed on Jehovah’s Witnesses. 80 defendants received suspended sentences, 43 of them for terms of six to eight years. For 22 people, the main punishment was a fine, most often in amounts of 300 to 550 thousand rubles. We lack information regarding the punishment given to one convicted offender.

In 2023, we recorded only one acquittal of two people. Even this one case was overturned on appeal and sent for a new trial. One person was released from liability based on a note to Article 282² CC, according to which a person, who has committed a crime for the first time and voluntarily ceased participation in the activities of an extremist organization, is exempt from criminal liability unless their actions contain another crime. Only four sentences against five believers were significantly commuted on appeal.

The most severe punishment of 2023 – eight years of imprisonment – was imposed on Dmitry Barmakin from Vladivostok, who was fully acquitted in 2021, but then his acquittal was overturned and the case was sent for re-trial.

Scientologists

In August, a guilty verdict was issued in St. Petersburg in the case of members of the local Church of Scientology, which was initiated back in 2017. The court sentenced the head of the church, Ivan Matsitsky, under Article 282¹ Part 1 CC to six and a half years of imprisonment with a two-year ban on activities in civic associations and religious organizations but took into account the time he had spent in custody and under house arrest and released him in the courtroom. Four more people were sentenced to fines ranging from 600 thousand to 1.3 million rubles, three of them under the same Article 282¹ Part 1 CC and one – under Article 282¹ Part 2. They were all also released from punishment.

All the defendants were found guilty under paragraph “c” of Article 282 Part 2 CC (incitement of hatred or enmity by an organized group). They were also charged with illegal entrepreneurship, but the limitation period for prosecution on these charges has expired; only the church accountant was also convicted of money laundering on a particularly large scale.

Scientologists were charged with creating an extremist community intending to humiliate the dignity of certain followers of the doctrine categorized as the social group “sources of trouble” (obviously, we are talking about the category “potential trouble source” used by Scientologists). In their regard, Matsitsky issued and signed “ethics orders,” one of which banned the offending community members from participating in auditing (the spiritual practice of communicating with a Scientology consultant). Another order prohibited them from studying certain aspects of L. Ron Hubbard’s philosophy. Church members were also charged with distributing Scientology literature, recognized as extremist, and promoting the exclusivity of their religion.

SOVA Center believes that any religion asserts its own exclusivity. The sanctions against Scientologists and the banning of their literature on this basis are unjustified. We doubt the validity of the investigators’ decision to separate certain adherents of Scientology subjected to psychological pressure into a social group protected by anti-extremist legislation. Based on Hubbard’s concept, Scientologists are indeed not supposed to allow certain people to audit and study the teachings and are recommended to ignore such people altogether. However, most religions impose certain restrictions on access to church life and rituals, and the advice to ignore someone cannot be viewed as a call aimed at inciting hatred or humiliation of dignity.

Allya-Ayat

In 2023, we recorded only a couple of cases against sun-worshipping adherents of the Allya-Ayat teaching. The believers advocate a cure for all illnesses through the use of special tea, saying the “life formula,” invoking the sun energy, and repeatedly reading and applying to sore spots the issues of the *Zvezda Selennoy* magazine published by the doctrine’s founders.

In January 2023, the European Court of Human Rights issued a ruling on a complaint that pertained to seven issues of the *Zvezda Selennoy* magazine, recognized as extrem-

ist materials, and to the ban on an Allya-Ayat (Elle-Ayat) religious group in Novosibirsk. The regional court banned the group as extremist. Next, the Supreme Court of Russia overturned the decision to recognize it as extremist but upheld the ban against it for inciting citizens to refuse medical care. Considering the validity of banning the journals, the ECHR once again emphasized that the Russian court based its decision entirely on expert opinions and did not analyze the texts or indicate which specific statements in them encouraged intolerance and proclaimed the superiority of Allya-Ayat followers over other people. The Russian courts also never evaluated the need for a ban and its impact on the applicants’ rights. Thus, according to the ECHR, in this case, Russia also violated Article 10 of the Convention interpreted in the light of Article 9. As for the ban imposed on the religious group in Novosibirsk, according to the ECHR, the fundamental question in the case was whether Allya-Ayat adherents refused medical intervention freely or under pressure. Since no evidence of pressure was ever established, the ECHR decided that there was no urgent public need to ban the religious group. Therefore, this prohibition violated Article 9 of the Convention, interpreted in the light of Article 11, which protects freedom of assembly and association. Russia does not implement ECHR decisions adopted after March 15, 2022, but the court believes that Russia must comply with all decisions relating to events that occurred before September 16, 2022.

The Novosibirsk group is just one of several banned Allya-Ayat groups. Thus, in 2023, the appellate court approved a ban on the activities of the Altay Allya-Ayat group on the same grounds.

Some criminal cases are related to the ban of the Allya-Ayat group in Samara recognized as an extremist organization in 2019. Based on this decision, the teaching’s followers from different regions of Russia started facing charges under Article 282² CC even though their connection to the Samara group was unclear. It was reported in February 2023, that a criminal case under this article had been opened in Kazan. According to investigators, the local believers organized two Ayat centers in the city and thus continued the activities of the Samara Allya-Ayat group.

Activities related to Allya-Ayat are also prosecuted without bringing charges of extremism. Thus, in 2023 they tried to charge an Orenburg resident under Article 239 Part 1 CC for creating a religious association that harms the health of citizens, but, already in early 2024, the court returned her case to the prosecutor’s office. She had previously served time in a penal colony on a similar charge.

Hizb ut-Tahrir

In 2023, Muslims continued to face criminal prosecution under charges of organizing the activities of a terrorist organization, participation in it, and involvement of others in it, based on their involvement in the activities of the Islamic religious party Hizb ut-Tahrir. This party is banned in Russia as a terrorist organization, despite the absence of any information about its involvement in terrorist activities.²⁵

25. 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

The position of SOVA Center regarding such prosecution is as follows: when we know that people who continue their involvement in a banned organization (or face the corresponding charges) are charged only under 205⁵ CC and not substantively charged with any other terrorist crimes, we consider their case inappropriate, especially since it involves a disproportionately severe punishment.

Those involved in criminal cases as followers of Hizb ut-Tahrir face charges for holding meetings and discussing party literature and ideology. Such activities are qualified under Article 205⁵, which implies very severe sanctions. They are also charged with planning a forcible seizure of power in Russia merely because Hizb ut-Tahrir preaches the idea of establishing a worldwide Islamic caliphate. Law enforcement officers and courts do not ask for evidence of any actual plans. The majority of those persecuted in recent years are from Crimea – obviously, charges of involvement in Hizb ut-Tahrir make a convenient tool for suppressing the oppositional activity among the peninsula’s Crimean Tatar population.

We know of 10 sentences issued in 2023 under Article 205⁵. One convicted offender received four years of imprisonment, the rest were sentenced to terms from 10 to 20 years behind bars, with part of the term to be served in prison and various additional restrictions. A total of 21 people were convicted, 17 of them Crimean Tatars. For comparison, a year earlier we knew about 20 verdicts against 52 people (25 of whom were convicted in Crimea in a single criminal case), and two years earlier – about eight verdicts against 23 people. Let us note that sentences to all 17 Crimeans convicted in 2023 also included Article 278 with the use of Article 30 Part 1 CC (preparation for a forcible seizure of power). Ansar Osmanov from Sevastopol, an activist of the Crimean Solidarity association, received the maximum sentence of 2023 – 20 years of imprisonment with the first five years to be served in prison and the rest of the term in a maximum-security penal colony.

We must also point out the verdict issued in Moscow in May against human rights activist Bakhrom Khamroev. The court found him guilty under Article 205⁵ Part 2 CC and Article 205² Part 2 and sentenced him to 14 years of imprisonment, with the first three years to be served in prison and the remainder in a maximum-security penal colony. On appeal, the sentence was reduced by three months. Khamroev has defended the rights of migrants from Central Asia and Russian Muslims for many years, including those accused of participating in Hizb ut-Tahrir, but he always personally distanced himself from this organization, and no convincing evidence of his involvement in it was presented in court. The investigation tried to present his human rights activities as a party activity, but the court did not accept most of these arguments. As for several Facebook posts by Khamroev written in Uzbek, which became the basis

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 and in early 2024 in the United Kingdom after supporting the October 7 attack on Israel), as well as their categorical rejection of democracy and equal rights and recognizing as legitimate violence against the countries, which the party considers as aggressors against the “land of Islam.” 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.

for the charges under Article 205² Part 2 CC as Hizb ut-Tahrir propaganda, we had no opportunity to get acquainted with their exact text, but they could hardly provide the grounds for punishment involving loss of liberty.

During 2023, we learned of two new criminal cases opened under Article 205⁵ CC in Crimea against 12 Muslims. In addition, a new criminal case under Article 205¹ Part 1.1 CC on incitement to terrorist activities was opened against Rais Mavlyutov from Tatarstan, who was previously sentenced to 23 years in prison under two parts of Article 205⁵ CC; possibly, he faced charges for recruiting other prisoners into Hizb ut-Tahrir.

It was reported in November that a criminal case had been opened in Moscow under Article 205² CC against Anna Loiko, an editor of the online news site SOTA. The journalist, who is currently outside Russia, was arrested in absentia. The prosecution against Loiko was based on her 2021 material describing the persecution against Hizb ut-Tahrir supporters. As stated in the text, Russian human rights activists believe that the activities of this party should not be considered terrorist and classify those convicted under terrorist articles in connection with their involvement in Hizb ut-Tahrir as political prisoners. According to the investigation’s version, Loiko thereby defended those convicted in the Hizb ut-Tahrir cases and thus justified terrorist activities. However, the note to Article 205² CC defines public justification of terrorism as “a public statement recognizing the ideology and practice of terrorism as correct, in need of support and imitation.” We found no such statements in the journalist’s article.

Followers of Said Nursi

In 2008, following the unjustified bans against the books of moderate Islamic Turkish theologian Said Nursi, the Supreme Court of Russia decided to recognize an alleged organization of his followers, Nurcular, as extremist for promoting the superiority of Islam over other religions. Russian Muslims studying Nursi’s legacy did not form a single organization, but the Supreme Court banned the non-existent entity. As a result, the authorities can prosecute Muslims who read and discuss Nursi’s books under Article 282². The European Court of Human Rights ruled in 2018 that by banning Nursi’s books the Russian courts had violated Article 10 of the European Convention which guarantees freedom of expression. However, the sanctions against Muslims who study Nursi’s books have continued.

In 2023, two such verdicts were issued under Article 282² CC. Three people were convicted in Naberezhnye Chelny; the court sentenced two of them to two and a half years in a penal colony and one received a suspended sentence of one and a half years. Six more people were sentenced in Moscow to terms ranging from two and a half to six and a half years of imprisonment.

In July, during a migration control raid in Cheryomushkinsky District of Moscow, law enforcement agencies detained and then arrested two Muslims, charging them under Parts 1 and 2 of Article 282² CC for their alleged participation in meetings of Muslims, where they studied Nursi’s books.

Tablighi Jamaat

In 2023, not a single sentence was passed under Article 282² CC for continuing the activities of Tablighi Jamaat, a religious movement recognized as extremist in Russia (a year

earlier, we recorded six sentences against 15 people). We know of one newly initiated criminal case with nine defendants arrested in Moscow in July.

Tablighi Jamaat 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 sanctions against its supporters inappropriate.

A Bit of Statistics

Let us start by reviewing the general criminal law enforcement statistics collected by SOVA Center in 2023.

We know of 17 sentences²⁶ for violent hate crimes against 53 people, 19 sentences against 49 people for attacks on material objects with the same motive (in both cases we include the verdict only if it takes the hate motive into account), 369 sentences against 406 people for public statements, 182 sentences against 344 people for involvement in prohibited organizations or extremist or terrorist communities.²⁷ Several sentences fell into more than one category.

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.²⁸ 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. On the other hand, the department does not include in its statistics all sentences issued during the year, but only those that have come into force.

Of the known guilty verdicts for public statements, we regard 23 verdicts against 36 people as appropriate and intended to stop manifestations of xenophobia. Another 55 verdicts against 59 people, in our opinion, are likely appropriate and issued in connection with the propaganda of another kind of violence, usually against government officials. We regard 159 verdicts against 172 people as inappropriate. We are not sure about the appropriateness of three verdicts against three people, and we do not know (or have insufficient information on) the charges that led to 167 sentences against 179 people.

Of the sentences issued for involvement in banned organizations and extremist or terrorist communities, 13 sentences against 24 people were, in our opinion, justified. We cannot evaluate another 33 sentences against 46 people due to missing or inconclusive information. We regard 90 verdicts against 195 people as inappropriate. Another 46 verdicts against 79 people, strictly speaking, cannot be classified as countering extremism: they were based on charges of involvement in either openly terrorist organizations (including

26. Hereinafter, only sentences that remain in force at the time of writing the report are taken into account.

27. See in this volume: N. Yudina, *Along the Beaten Track...*

28. Judicial Statistics // Judicial Department at the Supreme Court of the Russian Federation. 2024. March (<http://www.cdep.ru/?id=79>).

the Islamic State) or the AUE subculture, which has been classified as an extremist organization on unclear grounds.

It's worth noting that one person's sentence might include details of varying appropriateness.

Our statistics on misuse of anti-extremist legislation include a number of attacks against material objects inconsistently categorized by law enforcement agencies. On the one hand, some cases under Article 214 Part 2 CC, taking into account the motive of hatred, are related to protest graffiti and other actions that caused only minor damage. On the other hand, there were cases under Parts 3 and 4 of Article 354¹ CC on the desecration of military monuments, in which people were prosecuted for inflicting minor damage motivated by hooliganism or political sentiment but not intended to promote Nazism (court decisions on this article do not take the motive of hatred into account).²⁹ What the two categories, activists and hooligans, have in common is, in our opinion, an attitude of the authorities toward them – the state sees an ideological component in their actions and qualifies them accordingly. Thus, in our opinion, the relevant court decisions may be viewed as issued to punish public statements. In our general statistics below, we include these 27 verdicts against 33 people in our totals for public speech. On the same grounds, we also include in the same category the wrongful convictions for hooliganism motivated by hatred.

Now let us review the information on the criminal sentences indicated above that we view as inappropriate.

If we take into account the problematic decisions made under both anti-terrorist and anti-extremist articles, the total for 2023 will be 247 verdicts against 360 people (vs. 137 verdicts against 240 individuals in 2022). At the same time, it is worth repeating that 159 verdicts against 172 people (compared to 50 verdicts against 55 people in 2022) were related to public statements, 90 verdicts against 195 people (we recorded 87 sentences against 185 people in 2022) were issued for involvement in the activities of banned (in the vast majority of cases – religious) organizations.

Moscow, Crimea, Tatarstan, the Kemerovo Region, St. Petersburg, and Khabarovsk Krai took the lead in the number of inappropriate verdicts issued in 2023.

If we exclude sentences involving charges of terrorist crimes, it turns out that in 2023, 233 inappropriate sentences against 337 people were issued on charges of extremism and related crimes (compared to 114 sentences against 186 people a year earlier). Among these, 155 sentences against 168 people were issued for “extremist” statements (including the attacks against material objects and hooliganism motivated by hatred, as mentioned before; there were 48 such sentences against 53 people in 2022), and 80 sentences against 174 people – on charges of involvement in the activities of extremist organizations and communities (there were 66 such verdicts against 133 individuals in 2022).

In addition, we recorded a total of 350 people who faced inappropriate prosecution in 2023 under articles on terrorism or extremism or similar ones, whose cases were not considered by courts before the end of the year (vs. 265 in 2022). Of these, 330 people were charged only under articles of extremism or similar ones (vs. 255 people in 2022).

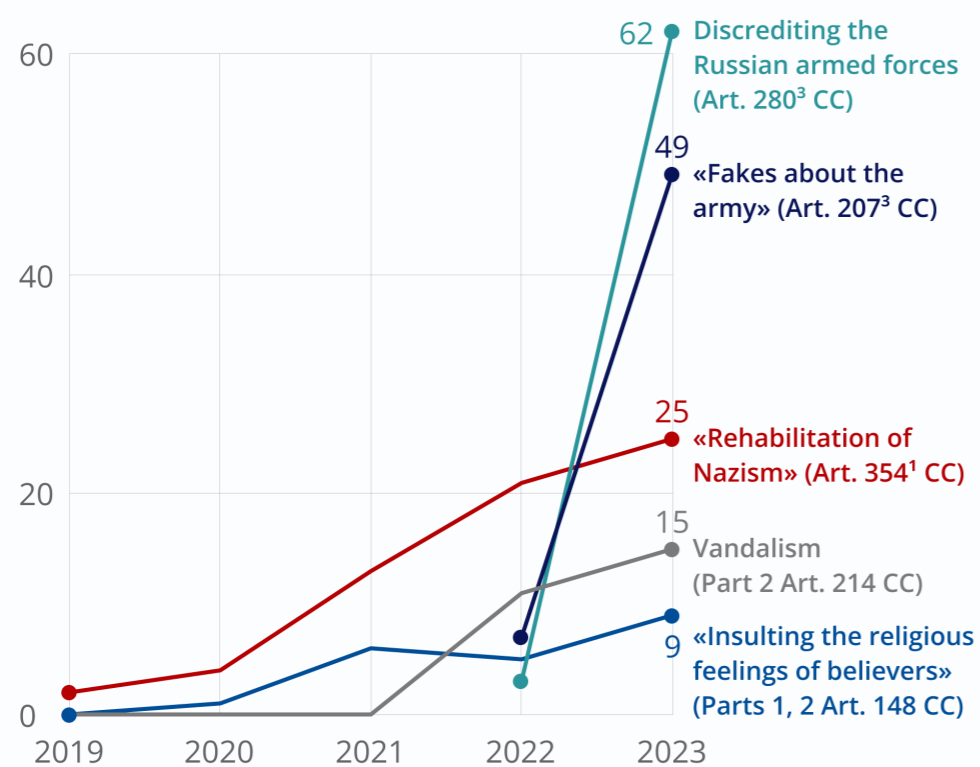
29. Here we include the case under paragraph “b” of Article 244 Part 2 CC (violation of burial places motivated by political hatred), the verdict on which was issued in 2023.

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).

Let's start with articles about public statements in anti-extremist and similar legislation. Grouping the sentences by article and presenting them in descending order by the number of wrongfully convicted, we arrive at the following picture.

Convicted Inappropriately under the Criminal Code Articles on Public Statements

SOVA Center data



Source: SOVA Research Center, 2024

The wrongful convictions in 2023 were most frequently issued under articles about repeated discrediting and “fakes about the army” motivated by hatred. This category now tops the list replacing the article on the rehabilitation of Nazism and the charges of vandalism motivated by hatred, which were the most “popular” categories in 2022.

Article 280³ CC on the repeated discrediting of the army was in the lead with 62 inappropriate verdicts against the same number of people (in 2022, courts managed to pass only three verdicts against three people under this, then recently introduced, article). Of those convicted in 2023, 11 people were sentenced to imprisonment, two to compulsory labor, seven received suspended sentences, 38 people were fined, and in four cases the

amount of punishment is unknown to us. We know of another 56 people who faced inappropriate charges under this article in 2023.

The second place in terms of the number of wrongful convictions goes to sentences under paragraph “d” of Article 207³ Part 2 CC for the dissemination of “fakes” about the actions of the Russian armed forces, motivated by hatred. We view 47 sentences issued on this charge against 49 people as inappropriate (vs. seven sentences against seven people a year earlier). 44 offenders were sentenced to imprisonment (17 such sentences against 18 people were pronounced in absentia against individuals who left Russia), two received suspended sentences, and one person was fined; We do not know the details of the punishment imposed on two of the offenders. The court released four inappropriately charged individuals from liability and referred them for compulsory medical treatment. We know of at least 66 people charged in 2023 under paragraph “e” of Article 207³ Part 2 CC, whose cases were not tried by the year-end.

At least 23 verdicts against 25 people (vs. 18 against 21 in 2022) were inappropriately issued under Article 354¹ CC on the rehabilitation of Nazism (i.e. denial or approval of Nazi crimes, dissemination of false information about the activities of the USSR during the war, desecration of symbols of military glory, insulting veterans, etc.) in 2023. Ten people received various terms of imprisonment, four people were sentenced to compulsory labor, three to community service, two to corrective labor, three were fined, one was sentenced to restriction of freedom, one received a suspended sentence, and in one case we have no information about the punishment. According to our data, at least 50 people faced inappropriate prosecution under Article 354¹ CC in 2023, whose cases were not considered by the end of the year.

In 2023, 11 wrongful convictions were made against 15 activists (compared to 10 versus 11 people in 2022) under Article 214 CC on vandalism with the motive of ideological and/or political hatred. Seven people were sentenced to restriction of freedom, four to imprisonment, in one case we have no information about the punishment imposed. Two more cases were dismissed by the court due to the expiry of the limitation period, and one person was sent for compulsory treatment and released from liability. We also know of one inappropriate sentence under paragraph “b” of Article 244 Part 2 CC (violation of a grave motivated by hatred). We recorded 11 new cases under Article 214 Part 2 CC, opened without proper grounds against 12 people.

We recorded nine sentences against nine people (vs. five against five in 2022) issued in 2023 under Article 148 Part 1 CC, which punishes “insulting the feelings of believers.” Five of the nine convicted offenders were sentenced to community service, two to a fine, one person to imprisonment, and in one case we have no information about the punishment. One person was released from criminal liability and sent for compulsory treatment. We classified eight newly initiated cases against nine people as inappropriate.

We noted three wrongful sentences issued in 2023 against eight people under Article 282 CC, which punishes incitement to hatred, repeated or with aggravating circumstances (there was only one in 2022). Four individuals were sentenced to imprisonment (on a combination of charges), and three were fined. Seven new cases opened inappropriately against seven people were reported during this period.

Three wrongful verdicts under Article 280 CC on calls for extremism were reported in 2023 (compared to two verdicts against two people in 2022); all three defendants were sentenced to imprisonment. The courts did not have enough time to consider four additional new cases against the same number of defendants in 2023.

At least two verdicts against three people, which we see as clearly inappropriate, were issued in 2023 under Article 280⁴ CC (calls for anti-state activities). The court sentenced all of them to imprisonment. Another similar case did not reach court before the end of the year.

One inappropriate verdict was issued in 2023 under Article 282⁴ CC on the repeated display of prohibited symbols (the convicted person was sent to a penal colony based on the aggregated charges), and three more cases were initiated without proper grounds but not tried before the end of the year.

We classified one sentence issued under Article 213 CC on hooliganism with the motive of social and political hatred as inappropriate (vs. three verdicts against four people a year earlier); the offender was sentenced to an open prison. Three more similar cases against three people were not yet considered by the end of the year.

Not a single sentence was passed under Article 280¹ CC on repeated calls for separatism in 2023, according to our information; there were no verdicts in the preceding year as well.

Also, not a single sentence was passed and not a criminal case initiated in 2023 under Article 284² CC on repeated calls for sanctions; there were no such cases in 2022 as well.

Now let us review the enforcement of criminal articles on involvement in extremist organizations and communities.

In 2023, at least 74 wrongful verdicts were passed against 161 people under Article 282² CC on continuing the activities of an organization banned for extremism (a year earlier, according to our data, 63 wrongful verdicts against 129 people were issued under this article). Of these, 72 sentences against 152 people were imposed for continuing the activities of Jehovah's Witnesses communities (57 against 114 in 2022): 48 people were sentenced to imprisonment (the maximum term was eight years in a minimum-security penal colony), 80 people received suspended sentences, 22 people were fined, and two were sentenced to compulsory labor; additional restrictions were often imposed. Two more verdicts were issued against nine followers of the Turkish Islamic theologian Said Nursi charged with involvement in the banned religious organization Nurcular. The number of people, who wrongfully faced criminal charges under Article 282² in cases initiated in 2023 reached at least 120, the majority of whom – 107 people – were Jehovah's Witnesses. For comparison, in our 2022 report, we reported 88 persons charged in the new cases under Article 282² CC, and 77 of them were Jehovah's Witnesses.

We view as inappropriate eight sentences under Article 282³ CC on financing extremist activities issued against 27 people. In 2023, charges under this article, along with others, were brought against at least 16 people.

We noted four wrongful verdicts against nine people under Article 282¹ CC on organizing an extremist community and participating in it. One verdict was pronounced against a group of five Scientologists from St. Petersburg, and three other verdicts – against Alexei Navalny and three of his associates. We know of at least 30 more people who inappropriately faced charges under this article throughout 2023, and 21 of them are involved in the Vesna movement case, while the rest are Navalny's supporters.

As for the anti-terrorist articles of the Criminal Code, as we mentioned above, we view as inappropriate the sentences issued for continuing the activities of the banned Islamic par-

ty Hizb ut-Tahrir. Hizb ut-Tahrir supporters are charged under Article 205⁵ CC (organizing the activities of a terrorist organization or participating in it), sometimes in combination with Article 278 with Article 30 (preparation for forcible seizure of power), less often – Article 205¹ (support for terrorist activities). Ten such verdicts were issued in 2023 against 21 people (vs. 20 against 52 in 2022), 17 of whom were Crimean Tatars. The convicted offenders received from 10 to 20 years of imprisonment in a maximum-security colony (only one was sentenced to four years), most often with part of the term to be served in prison and, in some cases, with various additional restrictions. According to our information, at least 13 Muslims became newly involved in similar cases in 2023, 12 of them were from Crimea.

We regarded as clearly inappropriate four sentences against four people under Article 205² CC on propaganda or justification of terrorism. Seven more such cases were opened against eight people, but courts did not consider them by the end of the year.

Before proceeding to our data on the use of articles of the Code of Administrative Offenses aimed at combating extremism, we would like to reiterate that, in reality, hundreds or even thousands of cases are filed under these articles. Thus, according to the statistics provided by the Judicial Department of the Supreme Court,³⁰ in the first half of 2023, sanctions under Article 20.3 and 20.3.1 CAO were imposed a total of 2617 times (vs. 5720 for the entire 2022), 1308 times under Article 20.3.3 CAO (vs. 4440 for the entire 2022), and 222 times under Article 20.29 CAO (vs. 869 times for the entire 2022). However, in many cases, we have insufficient information on the reason for the sanctions and are unable to evaluate the extent of their legitimacy.

We consider charges under Article 20.3.3 CAO inappropriate in general, since, from our point of view, statements that fall within its scope should not be limited by law.

According to our information, at least 147 people faced inappropriate sanctions for public display of Nazi, extremist, or other prohibited symbols, that is, under Article 20.3 CAO (we reported 120 in 2022). In 99 cases, the courts imposed a fine, in 41 – an administrative arrest, in one case – a ban on visiting the venues of official sports competitions on the days they are held, and in one case the punishment is unknown. Two cases were dismissed and one person was released from liability due to age.

In 2023, we counted only 38 people wrongfully punished under Article 20.29 CAO on the mass distribution of extremist materials or their storage for the purpose of distribution, which is much fewer than in 2022 (94 people inappropriately punished). In all cases the offenders were individuals. 20 cases pertained to the dissemination on social networks of the video by Navalny's supporters about the promises of United Russia. In three cases, the law enforcement officers objected to the film *Assassination of Russia* which discusses the possibility of the FSB's involvement in organizing the apartment bombings in Russia in 1999. In six cases, sanctions followed for the dissemination of peaceful religious materials. Several cases were related to sharing prohibited songs by rapper Oxxxymiron and the humorous song *Kill the Cosmonauts* by the Ensemble of Christ the Savior and the Crude Mother Earth on social networks. We know that in 35 out of 38 cases, the courts

30. Official statistics of the Judicial Department of the Supreme Court in the field of combating extremism for the first half of 2023 // SOVA Center. 2023. October 18.

imposed a fine, in one – an arrest, and in another two cases we have no information about the punishment.

We regard as inappropriate 58 cases when sanctions were imposed under Article 20.3.1 CAO on inciting hatred, enmity, and humiliation of human dignity based on belonging to a social group (a year earlier, we counted 65 such cases). The defendants were 56 individuals. A fine (usually 10 thousand rubles) was imposed in 47 cases, arrest in nine cases, and two cases were closed. The overwhelming majority of cases were based on critical statements made by Internet users against the authorities – most often the president personally or law enforcement agencies.

According to our information, people were punished at least 28 times in 2022 (compared to at least 22 a year earlier) under Article 20.1 Parts 3–5 CAO on the dissemination of information expressing disrespect for the state and society on the Internet in an indecent form. 27 of them were fined (30–80 thousand rubles under Article 20.1 Part 1 CAO and 100–250 thousand rubles under Parts 4 and 5). One case was dismissed.

We know of three cases of sanctions imposed under Article 20.3.2 CAO for calls for violation of the territorial integrity of Russia not accompanied by calls for any violent separatist actions (in 2022, we also recorded three such cases). All three offenders were fined.

We know of only one case when Article 13.48 CAO was used to punish for equating the actions of the USSR and Nazi Germany during the Second World War. A year earlier, we counted five people punished under this article.

We have no information about anyone charged in 2023 under Article 20.3.4 CAO for calling for sanctions against Russia, its organizations, and citizens (a year earlier, it was applied in five cases).

In 2023, we classified as inappropriate the decisions to recognize two organizations as extremist: the “international LGBT movement” and the Congress of the Oirat-Kalmyk people.

The Federal List of Extremist Materials added 82 items in 2023 (entries 5335 through 5416), compared to 81 new entries in 2022. In our opinion, 13 items were included in the list inappropriately (vs. eight in 2022), including the declaration “On the state independence of the Republic of Kalmykia” of the Congress of the Oirat-Kalmyk people, “Citizens of the USSR” leaflets, an article from the *Arsenyevskie Vesti* newspaper, several satirical songs by rappers, etc. We must 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.

Challenges to Freedom of Conscience in Russia in 2023

We present a report based on the information gathered in the course of monitoring conducted by our Center. The information is available on the Center’s website in the section “Religion in Secular Society” (www.sova-center.ru/religion), including links to sources in the media and on the Internet; only sources not noted on the website are referenced in the report. Only necessary updates are given on the events of the previous year.¹ It is not our task to provide a comprehensive description of all events in the religious and public sphere; the events mentioned in the report tend to be illustrative of the observed trends.

Problems and stories related to the abuse of anti-extremism legislation are mainly presented in a separate report dedicated to that topic.²

Summary

In 2023, the major trends we have observed over the past few years have remained: the pattern of discrimination against religious minorities has continued, and the state has continued to play a major role in restricting religious freedom.

The activities of religious organizations were recognized as undesirable in the Russian Federation more often than a year earlier. Believers of those organizations that were recognized as undesirable earlier were prosecuted criminally and administratively, and even sentences with real terms were handed down – for cooperation with the New Generation Pentecostal churches. For the first time religious figures were recognized as foreign agents – three such cases are known.

Such decisions were mainly taken in connection with the armed conflict with Ukraine. A number of clergymen of different denominations who spoke out against the authorities’ decisions related to Ukraine were subjected to criminal and administrative sanctions, and in the case of the Russian Orthodox Church, also by the church leadership. The criminal prosecution of Jehovah’s Witnesses continued and even intensified after an apparent decline a year earlier: the number of defendants in new cases for continuing the activities of an extremist organization and financing such an organization increased, as did the number of convictions, de facto for Jehovah’s Witnesses’ adherence to their religion. The longest prison term was eight years.

The intensity of administrative prosecution of religious organizations for “illegal missionary activity” has probably decreased slightly: we use the statistics of the Supreme Court of the Russian Federation for the first half of the year only. As before, Protestants

1. O. Sibireva. Challenges to Freedom of Conscience in Russia in 2022 // Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2022. Moscow: SOVA Center, 2023. P.126–157 (<https://www.sova-center.ru/files/books/pr23-text.pdf>).

2. See in this volume: M. Kravchenko. Inappropriate Enforcement...

are still most often prosecuted under Article 5.26 of the CAO; however, prosecution targets other religious organizations as well.

Criminal prosecution for “insulting religious feelings” became more intensive, the number of cases under Article 148 of the Criminal Code increased compared to the previous year. The activity of public defenders of the believers’ feelings has also increased. In most cases, the defenders were Orthodox activists from the *Sorok Sorokov* Orthodox movement [Forty of Forties, alluding to the number of churches in Moscow before the revolution], whose main form of activity was the organization of media campaigns and mass filing of complaints to law enforcement agencies against figures and events that they considered offensive to the feelings of believers. Often Orthodox activists acted with the support of right-wing radical organizations.

The number of conflicts around the construction of Orthodox churches has decreased even compared to last year, when we had already noted a decrease in their number, and this applies not only to Moscow, but also to other regions. On the contrary, the construction of mosques often caused conflicts, the largest of which broke out in the Kosino-Ukhtomskoye neighbourhood of Moscow and was accompanied by mass protests, although the official decision on the location and dimensions of the mosque has not yet been made.

Muslims also faced problems with the use of existing prayer premises more often than other confessions. As a result of numerous inspections of houses of worship by various authorities, especially in Moscow and the Moscow suburbs, all kinds of sanctions were imposed on religious organizations, which made their functioning very difficult or impossible. These inspections were often carried out on the basis of complaints from residents displeased with the presence of the house of worship in their neighbourhoods, which in many cases were supported by various right-wing radical organizations. The multiplication of such conflicts led to the idea of banning prayer rooms in residential buildings being discussed at the level of the State Duma and the Presidential Human Rights Council.

We should add that police raids to detect illegal migrants, which often led to the disruption of religious services, also significantly hampered the lives of Muslims. A series of such raids in the Moscow region forced Muslims to appeal to the president for protection, and several dozen believers went on a protest rally.

Legal Regulation

In 2023, several laws were passed that were related to the activities of religious organizations, but most of them adjusted anti-extremism legislation and are analyzed in the other report.³ Here we will mention those few regulations, adopted or just considered, that regulate the activities of religious organizations, but do not relate to anti-extremist policy.

On October 18, the State Duma adopted in the third reading amendments to the law On Amendments to Article 15-3 of the Federal Law “On Information, Information Technologies and Information Security” and Article 16 of the Federal Law “On Freedom of Conscience and on Religious Associations,” which was approved by the Federation Council on October 25 and signed by the President on November 2. The amendments give the right to collect do-

3. See in this volume: M. Kravchenko. Inappropriate Enforcement....

nations related to worship only to centralized religious organizations, local organizations that are part of their structure, and persons authorized by them. The amendments are aimed at combating fraudsters posing as representatives of religious organizations.

On July 13, the first reading of the draft amendments to the laws “On Privatization of State and Municipal Property” and “On Freedom of Conscience and Religious Associations” was held, which provide for a ban on the transfer of religious property from state ownership to all third parties, except for religious organizations. Under these amendments, transactions on alienation of religious property made since 2010 should be recognized as null and void. However, the bill has only passed its first reading so far, and amendments to it have not yet been considered by the Duma’s specialized committee.

A number of other bills have not (yet) seen development. On April 13, a draft amendment to the Labor Code was submitted to the State Duma, providing for the transfer of one of the days off to the Monday after Easter, which, according to the authors of the initiative, a group of LDPR deputies led by Leonid Slutsky and Yaroslav Nilov, “*will demonstrate not only a tribute to the deep historical traditions of the Orthodox community of our country, but will also serve as yet another evidence of the recognition by the state and society of the special role of Orthodoxy in the history of Russia, in the formation and development of its spirituality and culture.*”⁴ The government in its official response considered this initiative redundant, as the mechanism for transferring days off is already contained in the Labor Code. The bill has not received further development.

The State Duma’s profile committee rejected the draft amendments prepared by the Chechen parliament to the law “On Combating Extremist Activity,” which envisaged expanding the list of texts of traditional religions to be prohibited from being recognized as extremist. This list was to be supplemented with “other sacred Christian scriptures” and the works of four Islamic canonical schools (Hanafi, Maliki, Shafi’i, and Hanbali madhhab).

Problems Concerning Places of Worship

Problems Concerning the Construction of Temples

As before, religious organizations occasionally encountered difficulties with the construction of religious buildings. Muslims faced such difficulties more often than others. The most notorious was the conflict over the proposed construction of a mosque in Moscow’s Kosino-Ukhtomskoye neighbourhood. Opponents of the construction were outraged that the mosque could be built near the Holy Lake, a popular pilgrimage site for Orthodox Christians, and the mosque’s size, according to the protesters’ expectations, would overshadow the nearby Church of the Icon of the Mother of God “Life-bearing Spring.”

Remarkably, the protests broke out despite the lack of official confirmation of the construction of the mosque. Moreover, both the Department of Construction and the

4. Bill ID No. 335979-8 // The Legislative Support System. 2023 (<https://sozd.duma.gov.ru/bill/335979-8>).

Spiritual Administration of Muslims of the Russian Federation stated that they did not plan to build a mosque in this very place.

Nevertheless, referring to the media publications about the forthcoming construction of a huge mosque designed to accommodate 60,000 believers, opponents of the construction went on protests that were also attended, in addition to Orthodox activists and local residents, by representatives of right-wing radical organizations, including MMA fighters, in particular, Maksim Divnich. By early April, more than 25,000 signatures were collected against the construction of the mosque on the lakeshore.

In April, Moscow Mayor Sergei Sobyenin promised that another plot would be allocated for the construction of the mosque and explained that the final decision to build a mosque near the lake had not been made: the proposal was only preliminarily considered at the City Planning Commission, and it was not a huge complex for 60,000 people, as opponents of the construction assured, but a much smaller structure with an area of 2,500 square meters.

The proposed construction of a mosque in their neighbourhood was also opposed by residents of South Butovo, who feared transport collapse and increased noise levels in the event of a religious building being built. Note that, as in the previous case, the South Butovo residents' protests began before the official confirmation of the construction site: Ramzan Kadyrov had reported that the idea of building a mosque in that neighbourhood was supported by Putin, but the Moscow authorities have not yet issued an official building permit even at the time of writing this report.

Residents of other regions also opposed the construction of mosques. For example, residents of the town of Nazarovo in Krasnoyarsk Krai opposed the construction of a mosque in the 8th microdistrict, not wanting the religious building to be adjacent to a school and apartment buildings, whose residents would have to "wake up to howling for namaz." Opponents of the construction appealed to the governor of the region Mikhail Kotyukov with a request to intervene. Following the results of the public hearings, no decision was made. However, soon the mayor of Nazarov Vladimir Saar decided not to consider the site in the 8th microdistrict as a suitable place for the construction of a mosque. The imam of the local Muslim community Rafael Mindubaev appealed to him with a request to abandon the idea of construction on that site because Muslims did not wish to have a conflict with local residents.

Possible inconveniences due to the proximity of a mosque prompted Murmansk residents to speak out against the construction of an Islamic center and a mosque on the site of the former *Portovik* club, although the Muslim community bought both the ruins of the club and the land plot in the hope of erecting a religious building on this site. However, the fear of loud calls to prayer and possible demolition of self-styled garages at the construction site was not the only motive for discontent. The *Severpost* newspaper, which organized a survey of citizens' attitudes to the construction, noted that in a number of cases xenophobic motives were present in the responses of the opponents of the mosque, for example: "*Muslims will be coming here, and we have children. We, of course, do not mean to say that they steal children, but you never know.*"

In some cases, Muslims have lost plots of land previously allocated to them for the construction of mosques. For example, a Togliatti court, at a lawsuit filed by the city mayor's office, terminated the contracts of gratuitous use of two plots in the Avtozavodsky district, provided to the Muslim community for the construction of a mosque. The reason for the seizure of the plots was that the developer never started construction of the mosque, and the territory of the plots "*is littered with waste, is in an abandoned state, and is a fire hazard.*" In Chita, the authorities refused to permit the construction of a mosque because the plot previously given to the

Muslim community, which the believers had cleaned up by their own efforts, was included in the protection zone of the Titovskaya Sopka, a protected natural area.

The construction of Orthodox churches has caused conflicts much less often than before. In Moscow, as a year earlier, we know of only one conflict: in Novogireevo, construction of a church began in the "Afghan" park [dedicated to Afghan war veterans], which local residents had been seeking to cancel for several years. After the construction equipment appeared in the park, the residents again came out to protest and appealed to Moscow Mayor Sobyenin and President Putin demanding to stop the construction and move it to a neighbouring block, where old five-storey buildings were being demolished as part of the renovation. They emphasized that they were not against the church, but against any construction in the park.

In other regions, conflicts around the construction of Orthodox churches appear to have become rarer. The largest of them was the protests against the construction of the Church of All Saints in the Kirovsky district of Ufa, on the site of the early medieval archaeological settlement Gorodishche Ufa II. Both citizens and local archaeologists opposed the construction of a church on this site. The protests lasted for several months. The opponents of construction even appealed to the court, demanding that the construction of the church be prohibited. The Ufa City Hall did not support the lawsuit, but in November the Head of the Republic of Bashkortostan, Radiy Khabirov, announced the cancellation of the construction of the church in this place. According to him, the decision was made taking into account the opinion of the public: "*As the leaders of the republic, it is not our task to disturb the residents and do something that bothers them a lot. When the wave rose against building an Orthodox church there. I still don't really understand it, but if they don't want it, so be it.*"⁵ According to Khabirov, there was no cultural layer left at the site, so it was decided to build a depository there.

In other regions, we know of only isolated cases of conflicts over the construction of Orthodox churches. For example, the authorities of Krasnodar gave a plot of land in the village of Berezovyy to the Yekaterinodar Diocese for the construction of a church, despite the objections of the neighbouring manufacturing plants of the military-construction complex. The plants' management was prepared to help with the construction of the church, but requested that the construction be moved to another plot, since at this location the construction would block access roads and interfere with production and shipment. Nevertheless, the authorities decided to proceed and gave the plot to the diocese. In another case, the Voronezh authorities refused to allocate a plot of land on Pilot Zamkin Street for the construction of an Old Believer temple, because all three people who took part in the public hearings were against it: in their opinion, there were not enough members of the Russian Orthodox Church of the Old Believers in the neighbourhood to justify building a church for them.

Speaking of other religious organizations, we know of only one other conflict over construction: the Sochi authorities refused to issue a permit for the religious use of a plot of land where a Jewish cultural center, including a synagogue, was to be built. The refusal was preceded by protests from local residents who wanted to see a public park there and feared that the synagogue would complicate the transportation situation.

5. Gilmanov. "Neutomimye dushi i serdtsa": Khabirov otmenil stroitelstvo khrama na meste Gorodishche Ufa-II // Prufy. 2023. November 29 (https://prufy.ru/news/society/143466-neutomimye_dushi_i_serdtsa_khabirov_obeshchal_postroit_depozitarniy_na_gorodishche_ufa_ii/).

We should note the cases of conflicts around the construction of religious buildings that arose in previous years ending and the decisions taken in favour of religious organizations. In Kazan, the conflict over the construction of a cathedral mosque ended: the city authorities announced the refusal to build a mosque on the site of the Kyrlyay park, because the arguments of opponents of the construction from among local residents and architects were supplemented by rising groundwater, which made construction difficult. It was decided to move the mosque construction site to the Admiralteyskaya Sloboda, near the confluence of the Volga and Kazanka rivers.

The Novosibirsk city authorities have prolonged the permit issued 15 years ago to the cathedral mosque to build a madrassa, despite the fact that the community has never managed to find funding to start the construction.

Problems With the Use of Existing Buildings

Religious organizations occasionally encountered difficulties in operating existing buildings, and most of the cases we are aware of involve Muslims. Inspections of Muslim houses of worship were regularly conducted in Moscow and the Moscow region, often resulting in sanctions imposed on religious organizations that made it difficult or impossible for them to use the building. Thus, in October, law enforcement officers sealed the building of a prayer house in the Moscow district of Mitino, which was rented by the local Muslim religious organization *Rassvet* [The Dawn], and the building of a prayer house of the local Muslim religious organization *Milost* [Mercy] in South Butovo. The reasons for the former are unknown; the closure of the latter was preceded by the seizure of some religious literature “for examination” by the Investigative Committee.

In November, the landlord refused to renew the lease agreement for the premises of a house of worship in Kotelniki, located in a multi-storey apartment building. Half a year earlier, this house of worship had been temporarily closed due to local residents’ complaints and fire safety violations, but after the violations were eliminated, it resumed its work. However, at the end of the year, the tenant refused to cooperate further.

In November, residents of the Nizhegorodsky district of Moscow, displeased with the proximity of a Muslim organization, demanded that criminal proceedings be opened against the Muslim religious organization *Hafizlyk*, which had premises on Basovskaya Street. The discontent was caused by the fact that Muslim children and youth were studying the Koran near the local kindergarten and school. Additionally, according to the complainants, the religious organization acted illegally. At first, the initiation of criminal proceedings was refused, but then the Investigative Committee carried out an additional check, and in February 2024, a case under Part 2 of Article 322¹ of the Criminal Code (organization of illegal migration committed by an organized group of persons) had been initiated against the religious organization.

In the same month, in the Mytishchi district, bailiffs tried to initiate the demolition of a mosque which the Mytishchi City Court recognized as an illegal construction back in 2021. After negotiations with the Muslim community, the demolition was postponed.

Another decision on the demolition of a Muslim prayer house was made in Troitsk: in March, the district court decided to demolish the building as an illegal construction. This decision could not be challenged in court, but apparently, as of the end of 2023, the demolition had not started.

In January, in Pushkino, near Moscow, parents of children taking sports classes at a sports palace complained about the proximity to Muslims, who were renting a sports hall for Friday prayers. The administration managed to agree that children and worshipers would not overlap, and that classes would start after the end of namaz and general cleaning. Nevertheless, after complaints from parents and a statement from the *Tsargrad* Society, the district prosecutor’s office began to check the legality of the provision of the municipally owned premises for the prayer hall.

In December, following complaints from local residents and tenants of the premises of a former sawmill, the Investigative Committee began to check the activities of a Muslim religious organization in Korolev. Local residents claimed that the organization was operating illegally on the territory of the factory, and tenants complained that it was impossible to hold some events (for example, photo shoots for an underwear catalog) because Muslim neighbours considered that indecent behavior. The results of the inspections in both this case and the previous one are unknown to us.

Conflicts around Muslim buildings also occurred in other regions. For example, the administration of the Vyazemsky district of the Smolensk region filed a lawsuit against a local resident Alisher Ch. for the demolition of a prayer house illegally built in a garden community. The lawsuit was preceded by complaints from the *Russian Community* and *Tsargrad*. The regional committee for architecture and land management and the prosecutor’s office conducted an inspection on the fact of illegal seizure of land. At the trial, the defendant accepted the claims in full and agreed to voluntarily demolish the building, but in January 2024 it became known that he dismantled the dome and registered the building as a permanent residence address. Since this is his only residence, it is now legally impossible to demolish the building.

At the lawsuit filed by the Argayash district administration, the Arbitration Court of the Chelyabinsk region seized the mosque building in the village of Ayazgulova from the community of the Spiritual Administration of Muslims of the Asian part of Russia (SAM APR) and transferred it to the Spiritual Administration of Muslims of the Chelyabinsk region (SAM ChR). The mosque was built with the villagers’ funds and was used by the community of the SAM APR for many years, but was not officially registered as property. In 2018, the building was determined to be ownerless and transferred to the balance of the municipality. In 2020, the administration decided to transfer the building to the SAM ChR, but the community of the SAM APR refused to vacate the mosque. Previously, the representatives of this community applied for the registration of the mosque building as property, but were refused because they could not prove the rightful ownership. According to Karim Yagafarov, the chairman of the religious organization of Ayazgulova village, he has been unsuccessfully trying to register the building for ownership since 2009. He believes the reason for the refusals to be the fact that the community is not part of the Central Spiritual Administration of Muslims of Russia. In the end, the community was evicted by bailiffs.

We know of almost no cases of other organizations having problems with using the existing buildings. The seizure of property from Jehovah’s Witnesses continued: in November, a court invalidated the agreement to donate the Kingdom Hall building in Neryungri to the religious organization Jehovah’s Witnesses of Austria.

In Novocherkassk, the Rostov region, firefighters, prosecutors, and Rospotrebnadzor revealed a number of violations in the activities of the Church of Jesus Christ of Latter-day Saints. In particular, it was found that the premises had only one exit, and fire hazardous materials were used for decoration; the religious organization did not have the necessary

documents, including a safety passport; the pastor of the church did not have legal status and religious education. The organization was fined 430,000 rubles and its activities were suspended until the violations were eliminated. We have no information whether the church has resumed its activities.

Here is one example of a conflict over a building belonging to an Orthodox parish. In this case, the problem was caused by church authorities, not secular ones: they ordered the demolition of a wooden church in the Biryulevo district of Moscow. The clergy of the parish and the diocese considered it untenable to keep the dilapidated wooden church after the construction of a new stone one. Parishioners and local residents opposed the demolition, appealing to the memory of the new martyrs associated with the old church, and found a benefactor willing to pay for the renovation of the building and the creation of a museum exhibition in it. Nevertheless, the diocese insisted on the demolition, as it was approved by the patriarchal resolution, and the benefactor was offered to finance the demolition work. Remarkably, the church is on the list of architectural monuments of the Russian Orthodox Church, compiled by the Patriarchal Council for Culture, and the Metropolitan Center for Expertise and Evaluation concluded in its report that *“the building is not in the state of disrepair.”* In December, the Patriarchal Council for Culture assured parishioners that they were “solving the issue” and the wooden church would not be demolished, but in February 2024 it became known that the demolition of the wooden church was to take place and icons were already being removed from it.

Some religious organizations have appealed to the court to legitimize the property already in use, but not always successfully. Thus, the Holy Trinity Church of Christians of Evangelical Faith (Pentecostals) of Saratov was unable to legalize the building it uses on 1 Aptechnaya Street: the regional Ministry of Construction, Housing, and Utilities refused to change the permitted use of the land on which the building is located, citing the religious organization’s failure to comply with various rules and technical regulations.

The Church of Evangelical Christians-Baptists of Biysk appealed to the arbitration court of Altai Krai with a lawsuit against the city administration, seeking recognition of ownership of the prayer house it had built. At the time of writing of this report, the trial was not completed.

Tula Medical Correctional Colony No. 3 tried to challenge through the court the refusal of the Tula administration to commission a church in honor of St. Tryphon, built in the colony in 2016. The outcome of the litigation is unknown to us.

Conflicts Over the Transfer of State and Municipal Property to Religious Organizations

State and municipal property continued to be transferred to religious organizations from time to time, and as before, it was transferred most often to the Russian Orthodox Church. For example, the Novospassky Monastery in Moscow received the building of the chapel on Krestyanskaya Square, which is part of the monastery ensemble. In Yegoryevsk, the Moscow region, the Kolychevsky Kazan Convent received the buildings of the cell block and hotel, which are objects of cultural heritage.

Other organizations also received property. For example, in Volgograd, the Catholic parish of St. Nicholas received a historic church building, which used to be rented by the community. The local religious organization of Muslims in the village of Mishlesh in the

Rutulsky district of Dagestan received a 13th century mosque. And in Tuva, three Buddhist temples that belonged to the republic were transferred in the ownership of the Kamba-Lama administration.

In some cases, religious organizations were unable to obtain the desired property. For example, the St. Petersburg authorities refused to transfer the building of the dermatology and venereology clinic on the Volkovka River to the Nevsky community of the Pomorian Ancient Orthodox Church. The community justified its claim to the building by the fact that the Volkov almshouse, which now houses the clinic, was originally built as a house of worship. However, the St. Petersburg Property Relations Committee, based on archival materials, came to the conclusion that the almshouses in the Volkov cemetery were not subordinated to religious communities, but to boards of trustees and were funded not only by Old Believers’ donations, but also by other believers. Consequently, the Old Believers’ claim was rejected.

In a number of cases, religious organizations have gone to court to seek the transfer of property, such as the Old Believers community in Rostov-on-Don. Previously, the city authorities had twice refused to transfer the building of the former rectory house, the “Panin House” on Ulyanovskaya Street. This time the Old Believers decided to act through the court, but the outcome of the process is unknown to us.

In most cases, the transfer of property was not accompanied by conflicts. We also know of one resolution of an earlier conflict: the Rostov diocese agreed to return the building of the regional puppet theater, whose transfer to it in 2020 caused outrage among both the public and the theater staff. The theater continued to operate in the building the whole time; the diocese never started using it. Since there is no legislative mechanism for returning the property transferred to a religious organization, the authorities and the diocese decided to conclude an exchange agreement: the diocese should transfer the building of the theater to the regional ownership, and in exchange it would receive premises on Moskovskaya Street near the cathedral, which were already used by the diocese and in the renovation of which it had invested funds.

The transfer of museum property to religious organizations also continued – we know only about the transfers to the Russian Orthodox Church. In most cases, the transfer also took place peacefully.

For instance, in St. Petersburg, the memorial complex of Alexander Nevsky’s tomb was transferred to the ROC for free use for a period of 49 years and the building of the Church of the Annunciation of the Blessed Virgin Mary in the complex of the Alexander Nevsky Lavra for 100 years. The Museum of Urban Sculpture, housed in the church, received new premises from the city authorities two years earlier. As for the reliquary, the agreement stipulates that it remains property of the state and part of the museum fund of the Russian Federation, while the church assumes obligations to ensure appropriate storage conditions.

Andrei Rublev’s Trinity, whose temporary relocation in 2022 to the Trinity Lavra of St. Sergius and the Cathedral of Christ the Savior, contrary to the position of the museum community, caused a wide public outcry, in 2023 was officially transferred to the Russian Orthodox Church for gratuitous use – the agreement between the Tretyakov Gallery and the Trinity Lavra was signed on July 12. Experts warned the authorities against this step, pointing out that the transfer of the icon threatens its safety. The Ministry of Culture assured the museum workers that after being on display in the Cathedral of Christ the Savior for the holiday, the icon would be sent for restoration for up to a year, and its safety during transfers would be ensured by a special climate control capsule. However, six months

later, in January 2024, the icon was again brought to the Cathedral of Christ the Savior and exhibited for worship, and the promised capsule was never produced.

It should be noted that we know of one attempt to influence a religious organization that has not fulfilled its obligations to the transferred property: the Kuibyshev District Court of St. Petersburg satisfied the claim of the Committee for State Control, Use, and Protection of Cultural Monuments and obliged the St. Petersburg Diocese to restore the Konevskaya Church on Zagorodny Prospekt, a monument of regional significance. The Committee obliged the diocese to restore the building back in 2015, but the diocese refused to do so, claiming that another organization should handle the restoration. The court has now ruled that the restoration work is the owner's responsibility and obliged the diocese to carry it out within five years. If the diocese fails to comply with this decision, financial sanctions will be imposed in the form of a payment for each overdue month.

Discrimination Based on Religion

Recognition of the Activities of Religious Organizations as Undesirable and of Religious Figures as Foreign Agents

During the year, the list of religious organizations whose activities are recognized as undesirable in Russia was updated three times. In June, the Russian Prosecutor General's Office included in this list the U.S.-based religious organization TCCN Covenant of Churches (Transformation Center Covenant Network TCCN, Transformation Center Church International), a full gospel organization not belonging to any Christian denomination, which aims to "save souls and spread the kingdom of God on earth"; in August, the Ukraine-based international public movement ALLATRA (MOD Allatra, Gromadska Spilka "Mizhnarodnii Gromadskii Rukh "ALLATRA" [International citizens movement ALLATRA association]); in October, three foreign organizations of Jehovah's Witnesses (the German Wachturm Bible und Traktat Gesellschaft der Zeugen Jehovas, the Ukrainian "Religijinii Tsentr Svidkiv Jegovi v Ukraïni," and the Watch Tower Bible and Tract Society of Pennsylvania).

According to the Prosecutor's office, the activities of these organizations are connected with the support of Ukraine and threaten the foundations of Russia's constitutional system.

Believers from organizations, whose activities were deemed undesirable earlier, as well as a year earlier, were subjected to both criminal and administrative persecution. Pastor Nikolai Bogoslovsky of the Christ the Savior Evangelical Christian Church in Anapa was sentenced to a year in a penal colony for contacts with the New Generation Church under Part 1 of Article 284.1 (participation in the activities of a foreign or international non-governmental organization, in respect of which a decision was made to recognize its activities undesirable in the territory of the Russian Federation in accordance with the legislation of the Russian Federation, committed by a person subjected to administrative punishment for a similar act), and pastors Nikolai Ulitin and Svyatoslav Yugov from the Moscow region were sentenced under Part 3 of the same article (organization of the activities of a foreign or international non-governmental organization, in respect of which a

decision was made to recognize its activities as undesirable in the territory of the Russian Federation) to three and a half years in a general regime colony each. At the same time, in Krasnodar Krai, Nikolai Ulitin's children, Kirill and Ekaterina Ulitin, were fined 5000 rubles each under Article 20.33 of the Administrative Code (participation in the activities of a foreign or international non-governmental organization, in respect of which a decision was made to recognize its activities as undesirable in the territory of the Russian Federation).

In Yaroslavl, the Head of the Yaroslavl Mixed Martial Arts Federation, Denis Shibankov, was sentenced under Part 1 of Article 284.1 to 300 hours of compulsory labor for participating in the activities of several international Falun Gong organizations. In Moscow, St. Petersburg, Irkutsk, and the Irkutsk region, the homes of Falun Gong followers were searched. Nadezhda Lai, the Head of the Irkutsk Falun Gong Association, was fined under Article 20.33 of the Administrative Code in January 2024.

In 2023, for the first time, religious figures were declared foreign agents. In January, the Ministry of Justice included in this register the honorary representative of the Dalai Lama in Russia, the CIS countries, and Mongolia, the Supreme Lama of Kalmykia Telo Tulku Rinpoche (Erdni Ombadykov). The decision of the Ministry of Justice was justified by the claim that the Lama "spoke out against the special military operation in Ukraine and openly spoke in support of Ukraine, and is a US citizen. Resides outside the Russian Federation." The day after this decision, Telo Tulku Rinpoche passed on his duties to the abbot of the Kalmyk Central Buddhist Monastery of Geden Sheddup Choi Korling Tendzin Choidak (Mutul Ovyanov) and the administrator Yonten Lodoi (Sergei Kirishov). In August, the Interior Ministry of the Republic of Kalmykia revoked the Russian residence permit of the former supreme Lama.

In June, Pinchas Goldschmidt, the former chief rabbi of Moscow, was included in the number of foreign agents – also for speaking out against the fighting in Ukraine and allegedly spreading false information about the Russian authorities. Goldschmidt left Russia back in March 2022.

In December, the previously defrocked Protodeacon Andrey Kuraev, who had left Russia shortly before this decision, was also listed as foreign agent.

Liquidation of Religious Organizations

We are not aware of liquidations of religious organizations, but in the course of 2023, the court of appeal confirmed the decisions on the liquidation of two organizations made in 2022. In February, the Fifth Court of Appeal of General Jurisdiction in Novosibirsk upheld the decision of the Krasnoyarsk Regional Court on the liquidation of the local religious organization Church of the Last Testament, and in March it upheld the decision of the Altai Regional Court to ban the activities of the religious group Allya Ayat (Elle-Ayat) in the region.

Criminal Prosecution

The criminal prosecution of Jehovah's Witnesses continued. During the year, new criminal cases were opened on the continuation of the activities of an extremist organization. We have information about cases initiated against 107 people, compared to about 80 a

year earlier. In total, according to the Jehovah's Witnesses themselves, since the ban of centralized and local organizations in 2017 and until the end of 2023, 376 cases have been initiated against their co-religionists, involving 789 people aged between 19 and 85, more than a quarter of them more than 60 years old. And this data is incomplete. According to our data, as of the end of February 2024, 127 believers were held in colonies and pre-trial detention centers.

During the year, at least 72 convictions were handed down to 153 Jehovah's Witnesses (in 2022 – 62 convictions against 124 people), two more convictions against three people were overturned. The sentences were passed under Article 282² (organization of the activities of an extremist organization) and 282³ of the Criminal Code (financing the activities of an extremist organization). 48 people received real prison terms.⁶ The longest term, 8 years in a general regime colony and a year of restriction of freedom, was given to Dmitry Barmakin, a believer from Vladivostok, who was acquitted in 2021 on the basis of clarifications of the Supreme Court on this article, but in 2022 it was canceled, and the case was sent for a new trial.

According to Jehovah's Witnesses, 183 searches of believers' homes in 74 regions were carried out during the year; 43 people were detained, 15 of them went through the pre-trial detention center. As in previous years, searches often took place with numerous violations. For example, in April, during a search in St. Petersburg, armed security forces broke down the door of one of the apartments, forced the residents face down on the floor, insulted them, and swore obscenely.

Criminal prosecution of representatives of other religious organizations continued.⁷ For example, Kirovsky District Court in Omsk sentenced pastor of the New Creation Evangelical Christian Church Stanislav Moskvitin under Part 1 of Article 239 of the Criminal Code (creation of a religious or public association whose activities involve violence against citizens or other harm to their health, as well as the leadership of such an association) to one and a half years in a general regime colony. In August, the court of appeal replaced imprisonment with a suspended sentence of the same length. The offense was that during the services, the pastor “used psychological impact technologies that affected the mental health of the victims.”

Restriction of Missionary Activity

The persecution of religious organizations for “illegal” missionary work continued. At the time of writing, the statistics of the Supreme Court of the Russian Federation on the application of Article 5.26 of the Administrative Code (violation of legislation on freedom of conscience, freedom of religion, and on religious associations) was available only for the first half of 2023. According to these data, we can assume that the number of cases under this article decreased slightly in 2023. In the first half of 2023, the number of cases heard by the courts under the mentioned article decreased slightly compared to the same period in 2022: 145 cases against 159. 95 persons were punished under this article, including 59 individuals, 31 legal entities, and 5 officials (in 2022 – 94, 43, 50, and one, respectively).

6. For more information, see in this volume: M. Kravchenko. Inappropriate Enforcement...

7. Ibidem.

Fines continued to be the most frequently used form of punishment for “illegal missionary work”: in the first half of the year, 81 fines were issued, and in 14 cases, written warnings were issued (in 2022 – 82 and 12, respectively). The total fines under the regulations that came into force decreased significantly and amounted to 1,151,000 rubles (in the first half of 2022 – 1,732,000 rubles).⁸

Protestant organizations continue to be the main target of law enforcement under Article 5.26. For example, according to Part 4 of this article (carrying out missionary activities in violation of the requirements of the legislation on freedom of conscience, freedom of religion and religious associations), Mikhail Lipsky, the head of the Church of Evangelical Baptist Christians in Bryansk, was fined for holding a Christmas concert in the premises of the city house of culture, Baptist Alexander Zeibel in Yakutsk for holding divine services without notifying the authorities of starting the activity of a religious group, and two ministers of Evangelical Christian Baptist churches from the Samara region, Alexander Gamm and Vyacheslav Akimov, for a similar offense.

Muslims were also often prosecuted for “illegal missionary work.” For example, Imam Ibrahim Eminov from Volgodonsk and a local religious organization Mahalla No. 2806 from Azov, the Rostov region, were fined under Part 3 of this article (carrying out activities by a religious organization without specifying its official full name, including the release or distribution of literature, printed, audio and video materials without labeling with the specified name or with incomplete or deliberately false labeling) for the storage of unmarked literature of the Turkish religious organization Suleymanji. The Muslim community of Kotelniki of the Moscow region was also fined under Part 3 of this article.

Representatives of other religious organizations have also been prosecuted under this article from time to time. For example, we know of one case where a representative of the Church of Jesus Christ of Latter-day Saints Andrei Mozol from Novochoerkassk was fined 50,000 rubles, and a priest of the True Orthodox Church, Archpriest Sergiy Leonov from Azov, the Rostov region, was fined 5,000 rubles. Both were found guilty under Part 4 of Article 5.26 of the Administrative Code. In the second case, the inspection that revealed the violation and resulted in the fine was initiated by the local FSB office.

Foreign citizens were apparently prosecuted for “illegal” missionary work more often than in 2022. For example, Saidjon Vohidov in Moscow, Shakhmar Safarov in Saratov, Ruslan Huseynov in the Kemerovo region, Ilesbek Baltaev in Krasnodar Krai, and Abdulmashit Abduvaliev and Zhavokhir Abdullayev in Kamchatka were fined under Part 5 of Article 5.26 of the Administrative Code (carrying out missionary activities in violation of the requirements of the legislation on freedom of conscience, freedom of religion, and on religious associations, committed by a foreign citizen).

Foreign citizens Kim Siah and Seo Johan in Nalchik, Mariam Hamit in Krasnoyarsk, Shaban Dincher, Fazli Aghayev, and Sharofiddin Rakhmanov in St. Petersburg, and Kanan Bahram oglu Mehdiyev and Dilshod Turaev in Kamchatka were sentenced, in addition to fines, to administrative expulsion from the country under the same part of this article.

8. Summary statistics on the activities of federal courts of general jurisdiction and magistrate judges for the first half of 2023 // Website of the Judicial Department at the Supreme Court of the Russian Federation. 2023. October 17. (<http://www.cdep.ru/index.php?id=79&item=7041>)

Other Examples of Discrimination

As in previous years, instances of police interference in the life of Muslim organizations were recorded. A series of raids against illegal migrants in mosques near Moscow has caused a wide public outcry. In July, Friday prayers in Kotelniki and Dzerzhinsky were disrupted due to such raids. Believers were detained with the use of physical force and insults. In a statement, the Spiritual Administration of Muslims of the Moscow region described the incident as follows: “*During the raid, the security forces did not allow the believers to complete their prayers, forced them face down on the floor, scared the children to tears, stomped their shoes on carpets, and when the parishioners legitimately demanded to explain the reason for their prolonged detention within the walls of the Muslim Center, one of the riot police officers sprayed a fire extinguisher towards the parishioners.*”⁹

The Muslim community was outraged by such treatment of believers. The Spiritual Administration of Muslims of the Moscow region appealed to the prosecutor’s office with a demand to check the actions of the security forces for insulting religious feelings, but this statement apparently had no consequences. The Kotelniki Muslims appealed to Putin for protection from police brutality. There were calls on social networks to join a mass protest, but only a few dozen believers took part in the march in the center of Moscow. Ramzan Kadyrov and the Head of Dagestan Sergei Melikov issued statements on the inadmissibility of such “provocations” and the need for a more respectful attitude towards the believers. It should be noted that right-wing radical organizations played a significant role in the aggravation of the situation in Kotelniki.¹⁰

Still, in November, a similar raid at the Balashikha prayer house also disrupted worship.

Similar disruptions occurred in other regions as well. For example, in Yekaterinburg in February, an anti-migrant raid was carried out during Friday prayer at the Imam Abu Hanifa mosque. According to eyewitnesses, the security forces fired into the air several times. 73 people were detained and taken to different police stations. Tatyana Merzlyakova, the Commissioner for Human Rights in the Sverdlovsk Region, spoke in defense of Muslims and said that she “*does not like it when people are caught like this during Friday prayers*” and called on police officers to carry out identification checks “*without disturbing people during a religious ceremony.*”

Other cases of abuse by representatives of law enforcement agencies in relation to Muslims should be noted. In February, an employee of the Department of the Ministry of Internal Affairs in the Golovinsky district of Moscow tried to pull off a headscarf worn by a native of Kyrgyzstan who was brought in because she did not have proper registration. The detainee retaliated by hitting a police officer, scratching her, and tearing off her shoulder straps. A criminal case was opened against the woman under Part 1 of Article 318 of the Criminal

9. Statement of the Spiritual Administration of Muslims of the Moscow region regarding the raid of law enforcement agencies in the Muslim center of Kotelniki // Website of the Spiritual Administration of Muslims of the Moscow region. 2023. July 7 (<https://www.dummo.ru/home/events/5046-zayavlenie-dukhnovogo-upravleniya-musulman-moskovskoj-oblasti-otnositelno-rejda-silovykh-struktur-v-musulmanskom-tsentre-g-o-kotelniki>).

10. For more information, see: Vera Alperovich. Nationalists “Tame” and “Wild.” Public Activity of Far-Right Groups, Summer – Fall 2023 // SOVA Center. 2024. January 12 (<https://www.sova-center.ru/racism-xenophobia/publications/2024/01/d49146/>).

Code (use of violence against a government representative). In April, the leadership of correctional colony No. 9 in the Orenburg region did not give Muslim prisoners the opportunity to celebrate the end of the holy month of Ramadan, closing the prayer room the day before the start of Ramadan. In previous years, the prisoners of this colony could celebrate Ramadan and Eid al-Adha unhindered, and the prisoners believe that the closure of the room is a reaction of the administration to prisoners’ complaints of abuse by employees.

It was not only Muslims who experienced the consequences of police intervention. In April, on the eve of Easter, riot police forced the Catholic community of St. Petersburg to hold a fire lighting ceremony inside the Church of St. Catherine, and not at the entrance, as is customary. The reason for this was the absence of permission to hold an event at the entrance to the church, although up to that moment, no permission had been required to perform this rite.

By court decision, two Catholic priests (Polish citizens) were expelled from Russia – the rector of the Belgorod Catholic parish Mark Bakierzynski and the rector of the parish of the Blessed Virgin Mary in Novochoerkassk Fr. Michal Mzhyglud. After Mark Bakierzynski’s departure, law enforcement officials reported that the reason for his expulsion was allegedly his appearance at a strategic facility in the Belgorod region with a thermal imager. The priest was banned from entering Russia for 50 years. Fr. Michal Mzhyglud was found guilty under Part 1 of Art. 18.8 of the Administrative Code (violation by a foreign citizen or a stateless person of the rules of entry into the Russian Federation or the regime of stay (residence) in the Russian Federation) and fined 2000 rubles with administrative expulsion.

As before, discrimination against believers by non-state entities also occurred. In all cases known to us, it was directed against Muslims. In Kabardino-Balkaria, parents of school students in several villages complained that students who wore headscarves were systematically not allowed to attend classes. At the end of September, following a meeting between Mufti of Kabardino-Balkaria Hazrat Ali Dzasezhev and rais-imams of the districts with representatives of authorities and municipalities, the authorities of the republic recommended that school administrations not prevent students wearing headscarves from attending classes. However, in November, a resident of the village of Zalukokoage in the Zolsky district reported that the school administration was collecting data on girls wearing headscarves and was planning to keep them out of classes again, and the director reported the parents who were advocating and protecting the girls to the Center for Countering Extremism. At the same time, the district prosecutor did not see any violations in the school ban on attending lessons wearing religious clothes.

In November, the security personnel of the Red Whale shopping center in Mytishchi, near Moscow, tried to kick two Muslims out following other shoppers’ complaints; the Muslims were praying next to a closed pavilion, away from visitors. According to the video of the incident, the conversation was in raised voices, however, the administration of the shopping center assured that “everything was cultural, polite, there was no conflict,” but referred to some unknown legislative norm prohibiting prayer in public places.

Positive Verdicts

Sometimes believers and religious organizations were able to protect their rights, including through the courts. Thus, the Muslim community of Smolensk managed to challenge one of the two fines for “illegal missionary work.” In 2022, the community was

ined 30,000 rubles in each of the two cases under Part 3 of Article 5.26 of the Administrative Code for the absence of a sign with the name of the organization on the building where the prayer room was located and for the presence of three unmarked books in the room. The believers challenged both fines, pointing out that the sign with the name of the organization was located inside the prayer room and that it was not authorized to label literature not published by the organization. The Zadneprovsky Court of Smolensk canceled the decision on the fine for unmarked literature, considering both violations to be the same administrative offense that should have been considered in the same proceeding. The decision on the fine for the absence of the sign could not be challenged.

The Muslim communities of Kotelnikov and Dzerzhinskiy, who suffered in the police raid, managed to avoid fines for illegal missionary work three times. The courts dismissed two cases against the Kotelnikov community under Part 4 of Article 5.26 of the Administrative Code and one case under the same article against the Dzerzhinskiy community.

The Cherdaklinsky District Court of the Ulyanovsk region closed the proceedings in the case against a foreign citizen Nikita Shestak, bishop of the ROC Tsarist Empire religious group, accused under Part 5 of Article 5.26 of the Administrative Code for organizing a procession in the village of Staraya Maina. Shestak explained that he did not invite any of the citizens he met to join the procession, since the goal was only to show the myrrh-streaming icon, and “*he did not tell the people he met about his religious group, since no one asked.*” The court decided that participation in the procession with a proposal to venerate icons “*is aimed at neutrally informing others about the religious association and its activities and cannot be regarded as missionary activity,*”¹¹ therefore, no offense was committed.

Several conflicts over hijabs have been resolved. Novochoerkassk Medical College reinstated three of the five students expelled for wearing hijab. In a pre-trial order, an agreement was reached that the girls would come to classes in clothes that did not contradict their faith, but also did not violate the rules of the college. Two more expelled students did not want to be reinstated and preferred other educational institutions.

Two conflicts over the wearing of Muslim clothing in Moscow were settled after the intervention of the Commissioner for Human Rights in Chechnya Mansur Soltaev. Two schoolgirls who, because of headscarves, had been refused admission to a gymnasium [school] near the hospital where their mother, a native of Chechnya, was being treated, were accepted to the gymnasium thanks to this intervention. And the management of one of the private organizations, which forbade its employee, also a native of Chechnya, to wear a hijab in the office so as not to “scare away customers,” reconsidered its decision.

In Surgut, the bus driver escaped punishment for delay due to prayer. Passengers complained to the mayor’s office that the driver, in order to perform prayer, dropped off passengers and delayed the departure of the bus. The staff of the Department of Mass Communications of the Mayor’s Office carried out an investigation and concluded that “*no deviations from the route occurred, and the bus driver complied with the schedule,*” as the driver

11. Case No. 5-156/2023 // The Cherdaklinsky District Court of the Ulyanovsk region. 2023 (https://cherdaklinskiy-uln.sudrf.ru/modules.php?name=sud_delo&name_op=case&_id=127895971&_uid=4df40ceb-46de-46b8-a453-c6b10322af12&_deloId=1500001&_caseType=&_new=0&srv_num=1).

prayed during his break, and it did not take 40 minutes, as was stated in the complaint, but only 12 minutes. Still, “*explanatory work*” was carried out with the driver.

The Leningradsky Regional Court upheld the 2022 decision of the Gatchina City Court to declare illegal the decision to conscript believer Pavel Mushumansky, who previously completed alternative civil service. The decision of the Gatchina court was appealed by the military enlistment office. Despite the decision of the court of first instance in favor of the Mushumansky, the believer remained in the military unit until the decision of the court of the second instance was rendered.

The European Court of Human Rights ruled on several complaints from Russian believers, despite the fact that Russia no longer recognizes its jurisdiction. In January, it considered the case of Yakovlev and Others v. Russia, which combined the complaints of 19 applicants detained for participating in protests against the construction of a church in Yekaterinburg in 2019. The Court concluded that there had been a violation of paragraph 1 of art. 5 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (the right to liberty and security) and ordered the Russian Federation to pay each of the applicants 3,900 euros.

In the same month, the ECHR ruled on the case of Nabokikh and Others v. Russia, which combined complaints from Jehovah’s Witnesses from 18 Russian regions about their meetings being disrupted by security forces in 2010-2013. The Court ruled that in all cases there had been a violation of Article 9 of the Convention, which provides for the right to freedom of thought, conscience, and religion. In addition, the court concluded that the actions of the security forces contradicted the decision of the Supreme Court of the Russian Federation, according to which holding religious meetings even in rented premises does not require prior permission or notification of the authorities. The meetings of Jehovah’s Witnesses were peaceful and did not pose a threat to public order, and therefore there was no need to persecute their participants. The Court awarded the applicants a compensation of 345,000 euros each.

At the same time, an ECHR ruling was published on the complaints of followers of the Falun Gong movement Mikhail Sinitsyn and Sergei Alyokhin, who challenged the decision of the Pervomaisky District Court of Krasnodar, dated October 27, 2011, recognizing four materials of the movement as extremist. The ECHR ruled that the ban on these materials violated Articles 9 and 10 of the Convention guaranteeing the right to freedom of expression and freedom of religion and ordered the state to pay Sinitsyn and Alyokhin 7,500 euros each as compensation for moral damage and 3,096 euros, jointly, as compensation for legal costs.

In January, the ECHR ruled in the case of Milstein v. Russia on the complaint of the leader of the Novosibirsk group *Allya Ayat* (or *Elle-Ayat*) Valery Milstein, who challenged the decision to ban the activities of the group and its magazine *Zvezda Selenoy*. The European Court concluded that the decisions of the Russian courts did not comply with Articles 9, 10, and 11 of the Convention and violated the applicant’s rights. The ECHR ruled that the state should pay Milstein 9,750 euros in compensation for moral damage and 5,000 euros in court expenses.

In March, the ECHR ruled in the case of Ossewaarde v. Russia. Baptist Donald J. Ossewaarde, a US citizen, was fined in 2016 for “illegal missionary work,” and de facto for holding Bible meetings in his house without notifying government agencies about the creation of a religious group. The Court found in this case a violation of Article 9 of the Convention, as well as Article 14 guaranteeing the prohibition of discrimination, and ordered the Russian Federation to pay the applicant 592 euros in compensation for pecuniary damage, 10,000 euros in compensation for non-pecuniary damage, and 4,000 euros for court expenses.

Protecting the Feelings of Believers

Protection from Above

Law enforcement under Part 1 of Article 148 of the Criminal Code (public actions expressing clear disrespect to society with the aim to insult religious feelings of believers) was significantly more active than in 2022: we know of 15 convictions under this article (9 in 2022). As in the previous year, most of the sentences concerned the publication of offensive photographs or videos containing images of sacred objects, as well as for insulting statements addressed to believers. Punishments were imposed most often for insulting the feelings of Orthodox Christians, less often for insulting Muslims.

The harshest sentence, one and a half years in a penal colony and a fine of 150,000 rubles, was imposed on Sad Abdel Razek, a native of Egypt, who trampled on the Koran, poured alcohol over it, and threw it into the river. He filmed this and posted the video with the comment that the Koran is a “dirty book” that should be “thrown under your feet” and “trampled with old boots.” In addition to Article 148, he was found guilty under Paragraph “b” of Part 1 of Article 213 of the Criminal Code (hooliganism motivated by religious hatred or enmity).

In other cases, either compulsory work or fines were imposed. The largest number of hours of compulsory work – 200 hours each – were assigned to a resident of Astrakhan for burning an icon next to a shopping center and publishing a video about it and to a resident of Sevastopol for statements with profanities insulting the feelings of “followers of one of the world’s religions” in a Telegram group chat.

Two bloggers were sent for compulsory treatment: Polina Morugina (Polina Face) for publishing a nude photo against the background of an Orthodox church and Stanislav Bazarov (*Stasik Kudryav*) for publishing a video in which he urinates on an icon and calls urine holy water.

Some sentences under this article were imposed for offenses other than publications. Nikita Gomulkin, a resident of St. Petersburg, was fined 5,000 rubles for breaking the cross of worship at the site of the Church of St. Demetrius of Thessalonica while intoxicated and carrying away its fragment. Two teenagers from Perm were sentenced to compulsory labor – 100 hours each – for burning the icon of Anastasia Uzoreshitelnitsa [The Deliverer] accompanied by Nazi shouts. Intigam Aliyev was found guilty not only under Part 1 of Article 148, but also under Part 1 of Article 318 of the Criminal Code (use of violence against a representative of the government) for speaking negatively about Russians and Christians during a conflict at a traffic light with a driver on a St. Petersburg street. The court imposed a fine of 250,000 rubles, but reduced it to 150,000 because of the time spent in the pre-trial detention center.

We also have information on one verdict under Part 2 of this article (the same actions, but committed in places specially designated for worship, other religious rites and ceremonies). A resident of Krasnoyarsk broke into the Church of the Nativity of Christ on the day of the celebration of Eid al-Adha during the service and threw around the sacrificial meat. After a forensic psychiatric examination, he was sent for compulsory treatment.

Punishments for insulting religious feelings were also imposed under administrative articles. For example, Andrei Biryukov, a resident of Moscow, was fined 30,000 rubles under Part 2 of Article 5.26 of the Administrative Code (intentional public desecration of religious or liturgical literature, objects of religious veneration, signs or emblems of ideological symbols and paraphernalia) for publishing photographs publicly desecrating religious literature and objects of religious veneration. Another resident of Moscow, Pavel Petryakov, was fined the same amount for the same part of the same article for a similar offense.

During the year, new cases of insulting the feelings of believers were initiated, both criminal and administrative. Most of the cases were initiated for publications that were “obscene” from the point of view of law enforcement agencies.

Here are other examples of protecting religious feelings “from above.” We know of two cases when regional departments of the Federal Antimonopoly Service prosecuted businesses whose design or advertising was perceived as insulting the feelings of believers. In August, the Coffee Seven coffee house in Izhevsk was prosecuted under Part 1 of Article 14.3 of the Administrative Code (violation of advertising legislation) for a booklet dedicated to the anniversary of the cafe, which showed a teapot pouring tea into the open dome of the bell tower of Alexander Nevsky Cathedral instead of a cup. After consulting with the Izhevsk Diocese, the local Federal Antimonopoly Service (FAS) considered the advertisement to be inappropriate.

In September, the Yaroslavl Federal Antimonopoly Service issued a warning to the Yaroslavl karaoke bar HELL on the complaint of the nationalist organization Call of the People. The bar interior was decorated in black and red “Satanic” colors with “smileys resembling a devil’s tail,” which the department regarded as an insult to the feelings of Christians. The owner of the bar, Denis Martianov, assured that the name was not related to the ideas of Satanism and referred to the works of Mikhail Bulgakov and Dante Alighieri, but after the complaints agreed to change the name first to YES, then to AntiDepressant. However, the FAS still found a reason to issue a warning.

A warning was issued both to *Tatarstan* magazine and its founder, Tatmedia Holding. This was the reaction of Roskomnadzor in February to the complaint of the Sorok Sorokov movement concerning the cover of the January issue dedicated to the year of the cat according to the Chinese calendar, in which the complainants saw incitement to hatred of Orthodoxy. The cover combined two paintings by artist Alfrid Shaimardanov: a black cat against the sunset sky and the Annunciation Cathedral of the Kazan Kremlin and a white cat against the bright sky and the Kul Sharif Mosque, and the caption read: “*From black to white, from old to new, from the past to the future.*” The editor of the magazine, Tatyana Vafina, reported the threats she received from outraged Orthodox activists. She apologized to those who found the cover offensive, and that issue was withdrawn.

As in previous years, the authorities of some regions opposed the “alien” Halloween. For example, the Ministry of Education and Science of the Republic of Sakha (Yakutia) sent letters to educational institutions in the region with a recommendation not to allow Halloween celebrations. The authorities of Krasnodar and Sochi recommended not celebrating Halloween not only for schoolchildren, but also for entrepreneurs, warning the owners of cafes and restaurants that holding Halloween parties was unacceptable.

In June, the Ministry of Culture of the Republic of Dagestan conducted an internal audit of the leadership and teachers of the Makhachkala Art School, where graduation works of fashion design students were criticized by believers because of dresses with

crosses. Despite the explanation that the costumes were designed as theatrical, the director of the school was reprimanded.

In December, Volgograd-24 State Television and Radio Broadcasting Company fired three employees after their participation in a New Year's Eve party in costumes that caused outrage among the public, including believers, those of Harley Quinn, Catwoman, and nuns. Two deputy directors were instructed about "the need to strengthen educational work in the team."

In addition, in May, by order of the Minister of Culture Olga Lyubimova, several film directors and television personalities were removed from the expert councils on feature, documentary, and animated films applying for state funding, and replaced by representatives of the Ministry and the Russian Orthodox Church.

Protection from Below

We observed a higher activity of public defenders of religious feelings than a year earlier, but, as in previous years, they most often defended the feelings of the Orthodox. In the vast majority of cases, this activity came from "professional" defenders – the organizations Sorok Sorokov and Call of the People and, at times, representatives of various ultra-right organizations who occasionally joined them. Their main tactic was to organize public campaigns against figures and events that, according to activists, offended the feelings of believers and to call for mass filing of applications to law enforcement agencies.

As before, defenders of religious feelings often targeted cultural events. Orthodox activists in different regions protested against concerts by performers and musical groups whose music seemed offensive to them. The campaign against Philip Kirkorov's performances continued, but, unlike in the previous year, the protesters' attempts to disrupt his concerts failed. In spring, despite the protests of believers, the artist performed in Novosibirsk and Krasnoyarsk. The Minister of Physical Culture and Sports of the Novosibirsk region Sergei Akhupov announced that the number with the dance on the cross, which caused outrage among believers a year earlier, was excluded from the program, therefore there were no grounds for canceling the concert. Afterwards, Orthodox activists demanded to check the concerts for insults to religious feelings, but these demands had no consequences.

The Sorok Sorokov organization called for the Aria band tour Guest from the Kingdom of Shadows to be canceled: when the song "The Executioner" was performed, a crucifixion appeared on the stage, and the "crucified" soloist, Mikhail Zhitnyakov, said: "... *that madman was nobody, I am your savior! I am near, I am here! The sword is my cross! But you can't crucify me...*" This gave Orthodox activists a reason to accuse the group of Satanism and of the abuse of the image of Christ. Similar accusations were made against the БѢСѢ (Old Russian for Demon) band, which defines its style as "ritual dark black metal with spells in an ancient East Slavic language, which sneaks into this sublunary world with the fetid breath of hellish creatures." The concerts of this band were canceled in at least two Moscow clubs after complaints by Orthodox activists.

Additionally, Sorok Sorokov and their associates demanded that criminal proceedings be initiated for insulting the feelings of believers against the leader of the Little Big band Ilya Prusikin, who published a video on Christmas Day in which he rides a skateboard in the shape of a Catholic cross wearing a clerical collar used by Catholic and Protestant priests;

the St. Petersburg rapper 10AGE (Dmitry Panov) for copying the image of Christ; the rapper Face (Ivan Dremin), recognized as a foreign agent, for the song *Zanyat* (Busy), which contains the words "f*ck God, if I want, I'll kill myself"; and rapper Guf (Alexey Dolmatov), who published a video where his track To Those Who Are With Us was superimposed on a video of an Orthodox divine service. After a complaint from Orthodox activists, Guf deleted the video and apologized to the believers, explaining that he had found the video on the Internet, posted it "inadvertently," and did not intend to offend anyone. In all these cases, law enforcement agencies found no grounds to initiate criminal proceedings.

Orthodox activists also found a number of exhibitions offensive to their feelings. For example, in Perm in spring, defenders of religious feelings opposed several projects presented at the exhibition "They come in large numbers. ART Perm. XXV". Thus, the complaints by Sorok Sorokov and Call of the People about the Easter week exhibition titled God's Return Home – a project by Moscow artists Natalia Voskresenskaya and Dmitry Plotkin – led to a police check for insulting the feelings of believers. Fearing complaints from believers, the organizers of the exhibition closed immediately after the opening the project by a local designer Igor Goryachev titled The Truth Inside, which displayed decorated plaster sculptures of the Buddha; first, the organizers blocked the sculptures with boxes, and then fenced them off with ribbons. The paintings by the artist Alice Sokolova were turned to the wall so as not to offend the feelings of believers. Anastasia Subbotina, director of the regional Department of National and Religious Relations, who visited the exhibition, demanded to remove the paintings as offensive to believers, but the organizers decided to limit themselves to turning them to the wall. According to the artist, the paintings suffered from prolonged contact with the wall.

In August, at the request of Sorok Sorokov, the Mu Mu Garbage Museum in the Kaluga region had to remove from its exhibition an icon assembled from old microcircuit boards, depicting the Virgin and the infant Christ. The Investigative Committee of the Russian Federation in the Kaluga region refused to initiate a criminal case on insulting the feelings of believers.

We know of two instances when defenders of religious feelings threatened to use violence: In June, Sorok Sorokov activists tried to disrupt a BDSM party in one of the Moscow clubs – they broke into the premises and demanded that the participants "voluntarily and quickly leave this institution." The police officers who arrived after the activists' call did not find any violations. In August, a group of far-right activists led by the above-mentioned MMA fighter Maxim Divnich forced stand-up artist Sergei Orlov to apologize for his joke about the lessons of Orthodox culture that there are "only two foundations of Orthodoxy: you drive past the church – you cross yourself, Christ is risen, that's all the basics for you." After that, Divnich said that the comedian apologized to him personally, so it was not necessary to arrange an "Orthodox jihad" for him, but later visited him with some other people and demanded an apology to all Orthodox believers, which Orlov was forced to do.

Of course, not all cases of protection of religious feelings were inspired by the Sorok Sorokov movement and their associates. For example, in November, believers in Perm opposed the magic festival organized by the Two Brooms workshop. Rector of the Peter and Paul Cathedral of Perm Sergey Karmashev called the event a "coven of witches and wizards." A petition to close the workshop was signed by about 700 people. To appease critics, the organizers of the festival announced its cancellation, but still held the planned events. And in Moscow, during Lent, a group of Orthodox activists ensured that sellers of one of

the shops of the Aviapark shopping center removed T-shirts of the *Yunost* brand with an “abominable” image of Jesus Christ from the counter.

Throughout the year, believers in different regions occasionally expressed outrage at various images of temples, mostly schematic ones, on which crosses were not properly drawn. This happened, for example, in the Novgorod region, where a project based on the monument “Millennium of Russia”, from which the designers removed the images of crosses, won the competition for the symbol of the region; in the Savelka district of the Zelenograd Administrative District of Moscow, where, after the coat of arms was renovated, the schematic image of the dome turned out to be without a cross; in the Vladimir region, where the local TV and radio company Gubernia-33 broadcast a video in which schematic images of temples did not have crosses; and in other regions.

These conflicts were resolved in different ways: in some places, the creators of the images could ignore the indignation of the fighters against the “cross fall,” in other places, they had to take their wishes into account, as in the aforementioned Vladimir TV and radio company, which took the video off air after the appeal of the nationalist organizations Russian Community and Northern Man. In some cases, the defenders of the crosses resorted to threats. For example, Andrey Boltushkin, the administrator of the *Rostov Glavny* [Rostov Central] public forum, complained about numerous threats in connection with the publication of images of architectural objects in Rostov-on-Don, including temples with missing crosses. He expressed his willingness to remove the controversial image, but on condition that the threats stop.

Let us note the two biggest victories of the fighters against the “cross fall.” In October, outraged Orthodox attacked a new 1000-ruble banknote, issued by the Central Bank, which depicted the Palace Church of the Kazan Kremlin without a cross and the Suyumbike tower, crowned with a crescent moon. It is noteworthy that in this case, even Vakhtang Kipshidze, vice-chairman of the Synodal Department for Church’s Relations with Society and Mass Media of the Moscow Patriarchate, found there to be “*no problem whatsoever*” with the new banknote, although in general he considers the image of churches without crosses to be a form of blasphemy. The fact is that there really is no cross on the Palace Church because the building houses the Museum of the History of Tatar Statehood. However, indignation at the absence of a cross in the image was supported by some politicians, in particular, Chair of the Federation Council Committee on Constitutional Legislation and State Building Andrei Klishas. As a result, a day after the presentation, the Central Bank suspended the issue of the banknote, promising not to release it into wide circulation before its design is finalized.

In December, the government of the Ryazan region asked partner banks to change the design of a single digital card, which depicted the temples of the Ryazan Kremlin without crosses, at the request of believers. Andrey Ulyanov, the Minister of Digital Development of the region, noted that banks were free to choose this design element, but the government considered it possible to request to change the image.

We have information about isolated cases when not only Orthodox Christians declared their offended feelings. For example, in August, the Duma of Tatarstan demanded to open a criminal case on insulting the feelings of believers against blogger Elnara Kirillova (Belladonna Miloslavskaya), who published a video where she dances to the Tatar song *Epibe* in the Kul Sharif mosque. Kirillova apologized to everyone who was offended by her video, and the case was not initiated.

In October, representatives of the indigenous peoples of the North were outraged by the board game *Iltana: Gods and Spirits*, created on the basis of books from the local history fund of the National Library of the Yamalo-Nenets Autonomous District. According to the rules, players assumed the role of a shaman and fulfilled the requests of members of their tribes. According to the developers, they consulted with experts on Nenets culture and literature and also took into account the comments of local residents. However, according to the offended representatives, including the elders, the creators of the game did not respect the spiritual beliefs of the indigenous peoples of the North and wanted to shake “our spiritual bonds – sacred beliefs.” The creators had to temporarily suspend the distribution of the game.

Insufficient Protection from Defamation and Attacks

Violence and Vandalism

As a year earlier, we know of one case of violence motivated by religious hatred: in June, a resident of Tyumen was beaten by a neighbor for what was, in his opinion, intrusive sermons. The attacker pushed an elderly woman with a cane out of the elevator so that she fell and injured her arm. According to the victim, he had attacked her before.

We also know of several instances of aggression against Muslims that cannot be classified as hate crimes. For example, in the settlement of Moskovsky in New Moscow in August, several local women walking dogs attacked a woman in a hijab walking with her children. The conflict probably occurred because the woman expressed disapproval of walking the dogs near the playground, but the attackers began to insult her because of her hijab, threatened her, and tried to get the dog to attack her. A scuffle ensued, as a result of which the Muslim woman suffered a ligament rupture.

In September, a passenger on the Moscow metro demanded that a passenger in a niqab, Elizaveta Baranovskaya, “*take it off and wear normal clothes.*” Some of the passengers supported Baranovskaya, others sided with the young man who made the remark. The victim appealed to law enforcement agencies with a request to open a case under Part 148 of the Criminal Code (insulting the religious feelings of believers) and Article 282 of the Criminal Code (incitement to hatred). Shortly after the incident, the man who made the remark against the niqab and a man who supported him were detained by police. Baranovskaya and her lawyer reported receiving threats, including from members of right-wing radical groups.

Additionally, in November, in Dzerzhinskiy, near Moscow, an intoxicated attacker broke into a mosque with a fake grenade and disrupted Friday prayer.

The level of religiously motivated vandalism went down in comparison to the previous year: we know of 8 such cases (12 in 2022).

Orthodox sites suffered most often at the hands of vandals – at least 6 times (5 in 2022). One act of vandalism, or rather, its attempt, can be classified as dangerous: in November, unknown people tried to set fire to a wooden church of the Georgian Icon of the Mother of God in the village of Marushkino in New Moscow. Fortunately, the arsonists failed to finish what they started: apparently, someone scared them off, because there were people

inside the church. A church employee found traces of burning on the walls of the building and two bottles with a combustible mixture nearby.

Twice church interior decoration was damaged by vandals. In June, on the day of the celebration of Eid al-Adha, a resident of Krasnoyarsk began to scatter the remains of a ram in the Church of the Nativity of Christ during evening service, behaving aggressively towards believers and expressing dissatisfaction with military operations in Chechnya and Ukraine. He was sent for compulsory medical treatment.

In October, an intoxicated 40-year-old resident of Novomoskovsk of the Tula region staged a pogrom in the Assumption Monastery: he shouted insults at believers, overturned a lectern, smashed two icon cases and a glass vase, and used a metal candlestick as a weapon. He was found guilty of hooliganism and “insulting religious feelings” and fined.

Worship crosses suffered at the hands of vandals twice. In May, Nikita Gomulkin, a resident of St. Petersburg, while intoxicated, broke the cross of worship installed on the site of the Church of St. Demetrius of Thessalonica and took away its fragment. He was fined and helped to restore the cross himself.

In October, a five-meter worship cross on a rock near the Pavlovsky reservoir in the Karaidelsky district of Bashkortostan in memory of the dead priests was demolished. Shortly after the incident, a message by some Bashkir nationalists appeared on social networks that reported that the cross had been “dismantled” by “*batyrs*” and threatened to demolish another cross because the worship crosses were seen as “symbols of occupation.”

In another case of the demolition of the cross, the motive of hatred is not obvious, but it cannot be excluded. In August, unknown persons sawed down the cross of worship at the entrance to the village of Azovo in the Omsk region. Given that the cross had a metal base taller than a man, it can be assumed that the breakdown was not a spontaneous hooligan prank, but a planned action.

There was another case where we do not see a motive of hatred, but which the Novosibirsk Metropolis regarded as an act of barbarism, lawlessness, and an attempt to desecrate a holy place. In May, the sixth commandment, “Thou shalt not kill,” was written on the fence of the Novosibirsk Church in Honor of the New Martyrs of Russia. A representative of the diocese assured that the inscription would be removed.

Muslim facilities were also attacked by vandals, and we know of two such cases (one in 2022).

In Krasnoyarsk in July, a 27-year-old local resident broke into the Cathedral Mosque with a hammer and began to destroy everything in his path, fighting off believers who tried to stop him. After his detention, he explained his act by saying that he was “a resident of heavenly Jerusalem, and the devil was worshiped in the mosque.” The attacker is registered for observation and treatment in a psychiatric clinic.

In Moscow in October, a monument dedicated to Akhmat Kadyrov was damaged by vandals. We regard this incident as directed against Muslims, since local residents opposed the construction of a mosque in this street, and the method chosen by the vandals was obviously intended to offend Muslims: the monument was pelted with bacon, and a pig’s head was placed next to it.

We know of only one case of vandalism against a Jewish object (two a year earlier): In October, participants in anti-Semitic actions, which became a reaction to the aggravation of the Palestinian-Israeli conflict, set fire to a Jewish religious national cultural community center under construction in Nalchik, threw burning tires on its plot, and wrote “Death to the *Yahuds*” on the wall.

Defamation of Religious Minorities

As in previous years, defamatory materials against religious minorities regularly appeared in the media. As before, most of these materials targeted Protestant organizations, less often new religious movements were targeted, and the authors of most of these materials referred to both as “dangerous sects.” “Anti-cult” rhetoric was used by both federal and regional media.

The most notable “anti-sectarian” action was a series of reports aired on federal channels in August after it became known that a criminal case on discrediting the army had been initiated against the former head of the Russian Union of Evangelical Christian Baptists Yuri Sipko. Defamatory reports about Russian Baptists and Sipko personally, as well as about Russian Protestants in general, appeared on Channel One, NTV, and Rossiya TV channels. The video sequence shown on these channels is practically identical, all the materials contain traditional “anti-cult” clichés and accusations of cooperation with US-funded foreign organizations and support for the Russian opposition and the Ukrainian authorities. Roman Silantiev, Larisa Astakhova, and Igor Ivanishko, “sectologists” sympathizing with the ROC were invited as “experts.”

To illustrate the “pro-fascist” views of Russian Protestants, all three mentioned TV channels showed a close-up portrait of Hitler found in the pastor’s house, which was on the cover of a BBC film about the dangers of the Hitler regime. NTV mentioned an “old passport with numerous foreign visas,” found during a search as proof of Sipko’s work under the direction of foreign curators.

Notably, two of these reports mention Pinchas Goldschmidt, the former chief rabbi of Moscow, who left Russia and keeps urging Western leaders to support the Russian opposition.

Last year’s campaign against the New Generation churches of Evangelical Christians (Pentecostals) continued. For example, *Izvestia* newspaper, talking about the July trial of the pastors Yugov and Ulitin, mentioned above, whom the authors of the report refer to as the “so-called pastors,” accused them, in accordance with the “anti-cult” canon, of everything from forcing believers to “hand over their real estate to the sect” to supporting Ukraine. Apparently, as proof of the latter, it was reported that one of the pastors “*possessed a Ukrainian passport and currency.*” The article unexpectedly ends with the message that “*the activities of emissaries of the madrasah of the pro-Turkish international religious organization Suleymanjilar were suppressed in St. Petersburg.*”¹²

Regional media also published defamatory materials about the Protestants. To illustrate the professionalism of the authors of these materials, we will mention the Bryansk News and Bryansk.news reports on the above-mentioned fine for “illegal missionary work” to the head of the local Baptist church, Mikhail Lipsky. Both news outlets confused Baptists and Pentecostals and wrote that Bryansk Baptists “*conducted calls to attend Pentecostal religious meetings, through which they introduce ‘modern’ ways of communication according to*

12. Stali izvestny detali ugovnogo dela sektantov iz “Novogo pokoleniya” // *Izvestiya*. 2023. July 18 (<https://iz.ru/1546126/2023-07-18/stali-izvestny-detali-ugovnogo-dela-sektantov-iz-novogo-pokoleniia>).

“Western standards.” Talking about the fined Baptist, both outlets recalled that earlier the Pentecostal pastor Nikolai Konyakhin was engaged in “anti-Russian agitation.”¹³

Jehovah’s Witnesses also were targets of defamation. For example, the Ren-TV channel, reporting an attack on an elderly Jehovah’s Witness in Tyumen, practically supported the attacker, saying that “the old woman so tortured everyone around her with her sermons and attempts to drag into the forbidden sect of Jehovah’s Witnesses that people’s nerves simply could not take it.” At the same time, the report claims that “adherents” of Jehovah’s Witnesses “promote the rejection of education, ignore family values, and refuse to receive medical care. They are aggressive towards those who do not want to serve the cult and obsessively urge to join their community.”¹⁴

Unfortunately, independent media publish similar materials. Thus, in May, *Takie Dela* [So It Goes] media outlet published an article by Svetlana Lomakina titled Destroy the Idol of Kinship, dedicated to women who joined a “religious microsect,” the Seventh-day Adventist Church, and then into its radical offshoot, and radically changed their lifestyle and broke off all relations with relatives as a result. The article contains many popular “anti-sectarian” postulates. The author cites the instructions of an employee of the Orthodox Center of Irenaeus of Lyon for relatives of “victims of destructive sects” and refers to Alexander Dvorkin. As of March 2024, the article was still present on the *Takie Dela* website without any editorial comment.¹⁵

We also add that in November, the management of Channel One banned doctor Aishat Idarmacheva, who was invited to participate in the *Dobroe Utro* (Good Morning) talk show, from participating in the program in a hijab. The ban was explained by the fact that the subject of the show that morning was “non-religious.” Idarmacheva’s report of this incident on social networks caused a public outcry and resulted in the editor of the program changing his mind and agreeing that the guest would appear on the air wearing a headscarf.

Persecution of Clergy for Criticism of the Armed Conflict with Ukraine

Many clergymen expressed their attitude to the military actions on the territory of Ukraine in one way or another. We wrote about the reaction of the leaders of large religious associations in the previous report. In this article, we mention those few clergymen who publicly criticized the actions of the Russian authorities; they were sanctioned, sometimes by the state, and sometimes by their own religious organizations.

13. Bryanskikh baptistov osudili za nezakonnyuyu missionerskuyu deyatelnost // Novosti Bryanska. 2023. April 14. (https://newsbryansk.ru/fn_1315490.html); Rukovodstvo “Pervoj tserkvi evangelskikh khristian baptistov Bryanska” oshtrafovano za nezakonnyuyu missionerskuyu deyatelnost // Bryansk.news. 2023. April 15 (https://bryansk.news/2023/04/15/church_baptist/).

14. Sosed izbil pensionerku v lifte doma iz-za religioznoj sekty // Ren.tv. 2023. June 14 (<https://ren.tv/news/v-rossii/1113144-sosed-izbil-pensionerku-v-lifte-doma-iz-za-religioznoi-sekty>).

15. S. Lomakina. Unichtozhit idola rodstva // Takie Dela. 2023. May 25 (<https://takiedela.ru/2023/05/unichtozhit-idola-rodstva/>).

In some cases, clergymen were brought to criminal or administrative responsibility for publicly expressing their critical position. In 2022-2023, we know of five cases of criminal prosecution: in two cases, against the clergy of the Russian Orthodox Church, in three – of other religious organizations. Sentences have already been handed down in two cases.

In August 2023, hieromonk of the Metropolitan Agathangelos’ Russian Orthodox Church Abroad, John (Kurmoyarov), defrocked back in 2021, was sentenced for anti-war publications to three years in prison under Paragraphs “d” and “e” of Part 2 of Article 207.3 of the Criminal Code (public dissemination under the guise of reliable reports of deliberately false information containing data on the use of the Armed Forces of the Russian Federation for selfish motives, motivated by political and ideological hatred).

Another hieromonk of the same Church, Nikander (Evgeny Pinchuk), was fined in the spring of 2022 for a VKontakte post under Article 20.3.3 of the Administrative Code (public actions aimed at discrediting the armed forces) and then, in October 2022, for 100,000 rubles under Part 1 of Article 280.3 of the Criminal Code (the same actions committed after being brought to administrative responsibility).

In March 2022, a case was opened against the former cleric of the Kirov Diocese of the Russian Orthodox Church, Deacon Dimitri Baev, under Paragraph “e” of Part 2 of Article 207.3 of the Criminal Code for publications on his VKontakte page. Baev left Russia immediately after the beginning of the military conflict.

In August 2023, a case was initiated against pastor of the Evangelical Christians-Baptists (ECB), Yuri Sipko, under Paragraph “d” of Part 2 of Article 207.3 of the Criminal Code. In the course of the investigation, Sipko’s, bishop of the New Word Church in Kaluga Albert Ratkin’s, and several other people’s homes were searched. Pastor Sipko has left Russia.

A criminal case under Article 280.3 of the Criminal Code was opened against the 86-year-old Archbishop of Slavyansk and South Russia (previously in this capacity belonged to the Russian Orthodox Church, since 2009 outside the jurisdiction) Viktor (Pivovarov) in December 2022; before that, Pivovarov’s home was searched. The court hearings began in 2024. Earlier, in March 2023, Pivovarov was fined 40,000 rubles under Part 1 of Article 20.3.3 of the Administrative Code.

In addition to the clerics mentioned above, at least seven people were brought to administrative responsibility: four from the ROC, three from other organizations.

All four clerics of the Russian Orthodox Church were fined under Article 20.3.3 of the Administrative Code in 2022.

In March, the rector of the Church of the Resurrection of Christ in the village of Karabanovo, the Kostroma region, Priest John Burdin was fined 35,000 rubles for anti-war statements in a sermon and a link to the corresponding petition on the parish website. In 2023 he was banned from serving.

In April, Sochi deacon Sergiy Shcherbyuk was fined 30,000 rubles for expressing doubt in the need for military action in a conversation with one of the parishioners and for requesting to remove the words “Nazis and Banderites” from the call to prayer for the Russian soldiers on the church VKontakte page.

Protodeacon Andrey Kuraev, who had already been banned from serving, was also fined 30,000 rubles in August. He was later defrocked and left Russia.

Priest Gleb Krivoshein was fined 15,000 rubles in September for signing a letter from the clergy against the outbreak of hostilities.

Also in August 2022, the Oryol pastor of the ECB, Alexander Legostaev, was fined 30,000 rubles under the same article for a video message on VKontakte.

Hieromonk of the Russian Orthodox Church Jonah (Ilya Sigida), assistant to the above-mentioned Archbishop Viktor (Pivovarov), was beaten during a search in October and fined 30,000 rubles in November under Articles 20.3.3 and 19.3 of the Administrative Code (disobedience to law enforcement agencies).

Pastor Eduard Charov, who does not belong to any religious organization, was fined 45,000 rubles in April 2023 under Article 20.3.3 of the Administrative Code and 20,000 rubles under Article 20.3.1 (incitement to hatred or enmity) for harsh statements about President Putin and government officials. (In 2024, a case was filed against him, this time under Part 2 of Article 205.2 of the Criminal Code (public justification of terrorism on the Internet), for an ambivalent comment about the arson of the military enlistment office.)

Priests were often punished for their anti-war position by their own religious organizations, in addition to the state, but such cases are known to us only with regard to the clergy of the Russian Orthodox Church. Three of them were defrocked. In 2022, this happened to the aforementioned deacon Dmitry Baev, and to Priest Maxim Nagibin, for whom a protocol was drawn up under Article 20.3.3 of the Administrative Code for anti-war preaching, but the statute of limitations has passed. And in the spring of 2023, the cleric of the Moscow Church of St. Andrew the Apostle Priest John Koval was defrocked for replacing the word “victory” with the word “peace” in the Prayer for Holy Russia, prescribed by the patriarch. He was reinstated to his rank by the Patriarchate of Constantinople and remains under its jurisdiction.

At least three clerics were stripped from ministry. In addition to the above-mentioned Priest John Burdin, these are the cleric of the Znamenskaya Church in the village of Dubrovitsy in Podolsk, Priest Alexy Vtulov (for refusing to recite the Prayer for Holy Russia), and the rector of the St. Nicholas Church in the village of Muzhinovo in the Bryansk region, Priest Alexander Dombrovsky (for anti-war statements in sermons, private conversations, and social networks). After a criminal case was initiated against him (article unknown), Dombrovsky left Russia and joined the Orthodox Church of Ukraine.

At least two priests were removed from their posts. The former rector of the Kazan Church in Tula, Archpriest Vladimir Korolev, in addition to signing the open letter, refused to collect donations “for the special military operation.” A former cleric of the Church of St. John the Baptist of the village of Ivanovskoye in the Noginsk district of the Moscow region, Archpriest Peter Korotaev refused to withdraw his signature from the same open letter at the request of the dean.

At least six other clerics left their posts without waiting for official orders. The most famous of them is Abbot Arseny (Sokolov), who was the first to sign the open letter against the war in Ukraine; he was dismissed from his post of Moscow Patriarchate Representative to the Patriarch of Antioch and from the General Church Postgraduate and Doctoral Studies (OCAD), where he was a professor and chief researcher. The cleric of the Church of St. Konstantin and Elena in Vsevolozhsk, Priest Kirill Kraynyuk was forced to submit his resignation after signing the open letter. The rector of the Church of St. Tatiana in Samara, Archpriest Sergiy Rybakov, has opposed the war since its beginning, including on social networks, and was forced to leave his post due to pressure from the diocese and threats. The rector of the Pokrovsky Church in the village of Turlatovo near Ryazan, Archpriest Sergiy Titkov, resigned after repeated warnings from the diocese for refusing to recite the aforementioned prayer and for anti-war publications. After the announcement of partial mobilization, he left Russia with his son. The rector of two churches in the Sosnovsky district of the Chelyabinsk region, Priest Nikolai Platonov, signed the open letter from the clergy, published anti-war videos, and opposed the Church’s par-

ticipation in ideological work. He resigned and left the country. Hierodeacon of the Epiphany Church of the village of Krugloye Pole (probably in the Republic of Tatarstan) Makarius (surname unknown) was forced to resign “because of his anti-war position.” It is possible that one of the priests who resigned was also banned from serving without publication of the order, but this information has not been confirmed.

Additionally, in a number of cases, the diocesan administration was able to pressure clergymen, without resorting to official prohibitions, in order to force them to publicly renounce their views. For example, the rector of the Church of Elijah the Prophet in the village of Pogoreloe Gorodishche, the Tver region, Priest Elijah Gavryshkiv, who had refused to recite the Prayer for Holy Russia and had signed a letter from the clergy, was forced to publicly repent under threats of being defrocked.

The trend continues in 2024. In January, the popular archpriest Alexei Uminsky, rector of the Moscow Trinity Church in Khokhly, was removed from the parish and expelled from holy orders for his anti-war position.

Summary Statistics of Crimes and Punishments

Types of Violence and Victims of Violent Hate Crimes

Data as of March 11, 2024

	2007	2008	2009	2010	2011	2012	2013	2014
K – killed, B – beaten, wounded	K B	K B	K B	K B	K B	K B	K B	K B
Total**	95 630	116 501	94 455	44 421	27 215	20 200	28 209	37 134
Dark-skinned	0 36	2 26	2 59	1 28	1 20	0 26	0 7	0 15
Natives of Central Asia	37 98	57 133	40 92	20 86	10 38	8 38	15 62	14 30
Natives of the Caucasus	27 77	22 71	18 78	5 45	8 18	4 17	3 28	3 14
Of the Middle East and North Africa	1 22	0 15	0 2	0 2	0 5	0 2	0 1	0 6
Other Asian countries	9 76	9 40	14 37	3 19	0 15	0 5	0 7	1 5
People of “non-Slav appearance”	10 69	13 57	9 62	7 104	1 26	1 16	0 34	3 12
Ideological opponents	8 182	3 103	5 77	3 67	1 40	1 57	0 7	0 16
Homeless	1 3	4 1	4 2	1 3	3 4	6 2	2 3	13 1
Russians	0 22	3 12	0 7	1 8	1 9	0 5	0 4	0 5

	2015	2016	2017	2018	2019	2020	2021	2022	2023*
K B	K B	K B	K B	K B	K B	K B	K B	K B	K B
Total**	14 97	12 89	9 71	9 80	9 73	1 54	3 69	1 28	3 118
Dark-skinned	0 6	1 0	1 0	0 1	0 1	0 2	0 4	0 3	1 4
Natives of Central Asia	7 8	4 24	0 11	2 3	3 12	0 4	1 6	0 1	0 18
Natives of the Caucasus	0 8	2 1	0 4	0 0	0 1	1 8	0 5	0 0	0 7
Of the Middle East and North Africa	1 3	0 0	0 0	0 4	0 0	0 0	0 0	0 0	0 0
Other Asian countries	0 2	1 4	0 3	0 3	0 2	0 1	0 0	0 2	0 3
People of “non-Slav appearance”	0 10	1 8	0 8	4 11	0 19	0 8	2 17	0 3	0 30
Ideological opponents	0 17	0 15	4 19	0 24	0 5	0 9	0 9	0 7	0 15
Homeless	3 8	2 1	4 1	1 1	15 1	8 0	2 0	2 0	0 1
Russians	0 0	0 4	0 2	0 0	0 1	0 0	0 0	0 0	0 6

	2007		2008		2009		2010		2011		2012		2013		2014	
K – killed, B – beaten, wounded	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B
Jews	0	10	0	6	0	4	0	3	1	2	0	0	0	2	0	1
Religious groups	0	9	0	6	2	25	0	22	0	24	0	10	0	21	2	12
LGBT	0	8	1	6	0	1	0	3	0	3	0	12	2	25	0	10
Other or unknown	2	18	2	25	0	9	3	31	1	11	0	10	6	8	1	7

	2015		2016		2017		2018		2019		2020		2021		2022		2023*	
K – killed, B – beaten, wounded	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B
	2	1	0	3	0	0	0	0	0	1	0	1	0	1	0	0	0	0
	0	18	0	21	0	3	0	1	0	0	0	0	0	0	0	3	0	1
	0	9	1	4	0	12	2	15	5	14	0	17	0	21	0	6	0	18
	1	7	0	4	0	8	0	3	0	9	0	2	0	4	1	3	1	16

* 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.

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, in 2021 – 5, in 2022 – 1, in 2023 – 1.

Ideologically Motivated Attacks Against Property

	2007		2008		2009		2010		2011		2012		2013	
	D	O	D	O	D	O	D	O	D	O	D	O	D	O
D – dangerous assaults														
O – other assaults**														
Total	5	58	9	65	36	138	36	142	13	81	12	84	23	48
Religious targets	4	35	7	41	14	46	17	43	12	53	11	61	23	41
Orthodox	1	3	1	2	5	11	8	8	3	9	5	33	12	19
Muslim	2	4	2	4	3	5	2	7	1	16	2	5	5	4
Jewish	1	23	1	34	1	22	1	14	1	13	1	7	3	7
New religious movements	0	3	1	0	1	3	4	10	5	11	2	11	2	9
Catholic	0	0	0	0	0	1	0	0	0	0	0	1	0	0
Protestant	0	0	0	0	2	2	2	1	2	3	1	4	1	0
Armenian	0	2	1	1	2	2	0	2	0	0	0	0	0	0
Other religious***	0	0	1	0	0	0	0	1	0	1	0	0	0	2
Other targets	1	23	2	24	22	92	19	99	1	28	1	23	0	7
State institutions	0	0	0	0	9	0	12	1	0	0	0	0	0	0
Ideological targets	0	22	2	21	13	92	5	95	1	27	1	23	0	7
Other****	1	1	0	3	0	0	2	3	0	1	0	0	0	0

* The data is still far from complete.

** 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).

*** These include Buddhist targets and other religions that were not mentioned and religious objects that could not be attributed.

	2014		2015		2016		2017		2018		2019		2020		2021		2022		2023*	
	D	O	D	O	D	O	D	O	D	O	D	O	D	O	D	O	D	O	D	O
Total	14	43	10	46	7	40	14	35	7	27	6	14	7	23	7	22	4	18	3	12
Religious targets	9	26	9	24	7	25	9	21	7	13	6	9	7	11	4	8	3	9	2	5
Orthodox	5	8	4	5	2	8	4	7	4	7	3	3	3	5	1	3	3	2	1	3
Muslim	4	4	2	5	0	4	0	0	0	1	0	1	0	2	0	0	0	1	0	2
Jewish	0	5	1	4	2	4	1	0	3	1	1	4	1	2	1	2	0	5	1	0
New religious movements	0	8	2	9	3	7	3	11	0	0	1	1	0	0	0	0	0	0	0	0
Catholic	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
Protestant	0	1	0	0	0	0	1	1	0	2	0	0	2	0	1	0	0	0	0	0
Armenian	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
Other religious***	0	0	0	1	0	2	0	2	0	1	0	0	1	2	1	3	0	1	0	0
Other targets	5	17	1	22	0	15	5	14	0	14	0	5	0	12	3	14	1	9	1	7
State institutions	1	4	0	4	0	1	0	0	0	0	0	0	0	1	0	1	0	0	0	0
Ideological targets	4	13	1	18	0	14	4	14	0	14	0	5	0	7	3	11	0	9	1	4
Other****	0	0	0	0	0	0	1	0	0	0	0	0	0	4	0	2	1	0	0	3

**** These include objects that do not fall into any of the other categories or those that could not be attributed.

Not including data on Crimea prior to 2016 and on the North Caucasus.

Convictions for “crimes of 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*.

We can assess the sentences as fully or largely appropriate (lawful), or as fully or largely inappropriate (unlawful); and sometimes we cannot determine the degree of appropriateness (lawfulness) or do not classify the sentences as countering xenophobia even when they are appropriate (lawful)***. In each column, the three numbers refer to lawful, unlawful, and all other sentences.

Year	Sentences (in which at least one defendant was found)				
	crimes	against persons	against property	public statements	membership in a group**
2007		35/0/0	4/0/0	29/0/1	2/0/8
2008		33/0/0	5/0/0	46/2/0	3/0/4
2009		53/0/1	10/0/0	54/3/0	5/12/2
2010		87/0/0	13/0/1	69/8/3	9/6/8
2011		62/1/2	8/0/0	70/7/1	12/7/7
2012		30/2/2	5/0/0	83/4/1	6/7/2
2013		32/1/0	8/0/0	126/5/10	8/7/6
2014		21/0/2	4/0/0	151/4/6	5/8/14
2015		24/1/0	9/1/0	207/13/9	12/16/3
2016		17/2/0	3/0/1	202/14/8	8/22/1
2017		9/0/0	4/0/0	211/15/21	4/27/3
2018***		15/0/2	2/1/0	56/11/136	4/25/3
2019		5/0/0	1/0/0	15/4/92	8/26/6
2020		5/0/0	2/0/0	6/12/106	3/41/13
2021		13/0/1	0/0/3	8/21/197	6/96/15
2022		9/0/1	6/14/5	17/36/197	17/87/31
2023****		13/0/4	1/27/6	23/133/225	13/90/79

* Sentences for violence and vandalism are included if the court has used a hate motive as an aggravating circumstance. The exception is sentences for acts of vandalism, which we also include in cases where the court did not do this, but otherwise recognized the act as ideologically motivated.

** This includes participation in an “extremist community” or an organization banned for extremism, as well as in Hizb ut-Tahrir party under Art. 205.5 of the Criminal Code.

*** Since 2018, we have been using the ‘undeterminable’ category in the assessment of the verdicts in a much broader manner and include the verdicts not related to countering nationalism and xenophobia.

	Number of convicts			
	against persons	against property	public statements	membership in a group**
	95/0/0	8/0/0	42/0/5	4/0/27
	100/0/0	7/0/0	64/3/0	10/0/14
	132/0/2	19/0/0	70/4/0	9/25/2
	297/0/0	22/0/1	78/9/5	32/6/19
	194/4/2	15/0/0	78/9/1	26/12/19
	65/4/3	7/0/0	96/11/1	9/15/10
	60/1/0	11/0/0	128/5/11	12/15/11
	45/0/3	6/0/0	156/4/8	13/21/26
	60/1/0	18/1/0	215/15/9	26/32/6
	39/2/0	4/0/1	217/15/8	22/38/2
	23/0/0	6/0/0	230/17/22	6/76/11
	46/0/7	6/1/0	66/12/136	9/76/6
	10/0/0	4/0/0	20/4/93	15/93/18
	8/0/0	2/0/0	7/18/117	8/78/31
	36/0/1	0/0/7	8/22/200	12/169/19
	16/0/6	11/18/6	24/37/203	47/185/39
	31/0/4	3/33/7	36/140/241	24/191/125

**** The data is still very incomplete. And from 2023, different episodes of the same sentence may fall into different categories of lawfulness, so that the sum of the three numbers in the cell may be greater than the total number of sentences/convicts.

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SOVA-22 Ltd
Phone: (495) 517-92-30.
E-mail: ooo.sova.22@gmail.com

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