Xenophobia and Radical Nationalism in Russia and Efforts to Counteract Them

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SOVA Center for Information and Analysis

Photo by RiMarkin
In the Russian Federation, the trend of decreasing racist and neo-Nazi attacks which was observed in 2014 continued in 2015. There are two main reasons for this: 1) Russian nationalists shifted their attention from anti-migrant campaigning to issues related to the conflict in Ukraine; 2) Authorities started to enforce legislation more strictly and there were more court cases and convictions for racist violence, vandalism and related activities. However, the SOVA Center believes that this decrease in radical nationalism is unfortunately only temporary and not sustainable, as the measures taken by authorities are not systematic and are often targeted at oppositional groups, rather than at combating xenophobia and radical nationalism.

The nationalist and far-right movement remains weakened and divided over the Ukrainian conflict. Some organizations support the annexation of Crimea and war in Eastern Ukraine, viewing it as a just war for the ethnic union of the Russian people and Russian lands. Others oppose it as they view a war in which Russians and Ukrainians are killing each other undermines Slavic unity. Both groups are dissatisfied with the policy of Russian Government towards the conflict. The first group believes Putin's response is too mild – they would prefer Russia's open involvement in a war against the Ukrainian nationalists. The second group is not satisfied because they believe that supporting separatists in Eastern Ukraine contradicts Russian national interests.

Sometimes this ideological split over Ukraine divides the membership of an organization and undermines its former strength. For example “the Russians” Association lost the support of many of its members resulting in the association's de-facto disintegration. Consequently far-right movements were less efficient in organizing traditional nationalist events. The annual “Russian March” event in Moscow and nationally had far fewer participants than in recent years. Other traditional nationalist actions followed this pattern in 2014. Therefore, in 2015 a number of groups have tried to avoid raising Ukrainian issue. The most striking example is the National Socialist Initiative (NSI), which prohibited its associates from demonstrating any position on the subject under the threat of being ousted.

The attitude of authorities to Ukraine-related activities of right-wing movements also changed in 2015. The government took steps to establish more control over the events and discourse related to the conflict in Ukraine. For instance, the leaders of the “Battle for Donbass” coalition (a union of right-wing organizations which emerged as pro-government initiative in 2014) were searched by police – which sent a clear signal that presence of such independent groups in this sphere was no longer desirable. Pro-government nationalist movements – “Anti-Maidan” and the National Liberation Movement (NOD, headed by Yevgeny Fyodorov, a Duma Deputy from the United Russia) managed to organize two really large rallies in February and March, but have not been particularly active since then.

The Russian ultranationalists are not just involved in debating Ukrainian issue, they actually participate in the fighting in Donbass. The ideological split plays out in real life as Russian nationalists join both the Ukrainian forces and the separatists. The number of nationalists fighting for “Novorossiya” is estimated at a few hundred, not counting Cossacks. Several dozens of Russian nationalists are believed to be fighting for Ukrainian side.

Why SOVA believes far-right and nationalist groups will resume violence?

The nature of extremist violence did not change. Most victims were perceived by their attackers as “ethnic outsiders” and include migrants from Central Asia (14 killed and 25 injured in 2014); unidentified “non-Slavic” (2 killed, 9 injured) and from the Caucasus (3 killed and 14 injured), various believers (2 killed and 12 injured, almost all – Jehovah Witnesses), 15 people were injured in 2014 in attacks against people with dark-skin Right-wing radicals increasingly attack their political and ideological adversaries (15 injured in 2014). Also, nationalists attack those whom they consider as “national traitors” or the “fifth column.” In 2015 NOD activists attacked events organised by liberal movements and NGOs. The SERB group tried to organize an attack against the Sakharov Center, which hosted a charity night in support of prisoners of conscience on June 27, 2015.

The para-military activities of far-right organizations are becoming increasingly professional. The far-right organized camps and training in martial arts and combat skills to keep activists “battle ready”. Such activities are now regular and more formalized. Right-wing websites feature calls to learn hand-to-hand combat, combat tactics and shooting.
In 2014, there were 21 court sentences for racist violence, and 45 people were found guilty of hate crimes. This figure was 30% lower than in 2013. In the first half of 2015 the number of court rulings remained on the same level as in 2014 – 11 sentences were handed down with 24 persons convicted. Some sentences for racist violence were too lenient, which leads to a sense of impunity.

The law enforcement authorities actively prosecuted activists of the most notorious nationalist organizations, including those affiliated with the Restrukt! and “The Russians” movements. The Restrukt! leader Maxim “Tesak” Martsinkevich was sentenced to 2 years and 10 months imprisonment for inciting ethnic hatred with the threat of violence. 20 other members of Restrukt! were prosecuted in a group trial and accused of attacking vendors, hooliganism and robbery. Ultra-right activists close to “The Russians” and members of the St. Petersburg group “Russian Sweeps” (Russkie zaschitki) were also brought to justice. Criminal cases have been brought against members of the Ataka movement (a “Restrukt!” splinter group). Nikolai Bondarik, the St. Petersburg leader of the “Russian Sweeps” was sentenced in August 2015.

6 people were sentenced for ethno-religious and neo-Nazi vandalism in 2014 and 4 people in the first half of 2015. Unusually, all convicted offenders received prison sentences ranging from two months to three years.

The number of propaganda-related convictions continued to grow and far exceeded the number of other extremism-related convictions combined. At least 153 guilty verdicts for xenophobic propaganda were issued in 2014 to 158 people. In the first half of 2015, there were at least 85 convictions for xenophobic propaganda against 92 people. (These numbers do not include those sentences which we see as unjust ones.)

There was an increase in cases of administrative prosecution related to “extremism” in 2014. Preliminary data indicates 47 cases of administrative penalties issued under Article 20.3 (“propaganda and public demonstration of Nazi attributes or symbols”), mainly imposed for posting or selling fascist images online. Perpetrators were given fines in most cases, although 7 people were detained for from five to 15 days. Fines were also issued in 43 cases for mass distribution of extremist materials, in cases of sharing materials from the Federal List of Extremist Materials on social networks. Penalties under anti-extremist articles of the Administrative Code were even more numerous in 2015 than in the preceding year. In 2015 convictions for “propaganda or public demonstration of Nazi paraphernalia or symbols” grew significantly – 29 cases against 18 in first half of 2014. Convictions for the “mass distribution of extremist materials, as well as the production or storage with intent to distribute” remained on the same level – 44 cases against 43.

The Federal List of Extremist Materials grew throughout 2014 and the first half of 2015, but its quality remains low and the mechanism remains dysfunctional. The list is compiled and maintained haphazardly, items are described incorrectly and the list includes, for example, scholarly articles on the history of WWII. This indicates that inadequate attention is paid by prosecutors and courts to the exact content of the material they are banning. Other materials, such as texts of the Jehovah’s Witnesses or books by Said Nursi have been incorrectly classified as extremist. over 3000 items were recorded in the list by the end of August 2015.

Prosecutors increased efforts to block access to restricted materials. From mid 2014 onwards, prosecutors and courts began banning whole websites rather than individual texts for “providing information forbidden for dissemination in the Russian Federation”. Such cases are handled through an expedited procedure, in which the Court merely establishes the content of the materials. The courts take decisions based on the Federal List of Extremist Materials, which inevitably leads to numerous inappropriate decisions when web-sites are banned for posting religious literature, for example.

A new system of Internet filtering, based on the Unified Register of Banned Websites is being hastily developed. According to the data on the Roskomsvoboda website, as of summer 2015 there are no less than 216 banned resources (the List has over 10 thousand entries in total). Based on the data available to the SOVA Center 65 resources were added for “extremism” based on court decisions in 2015. Restrictions against ultra-right or Islamist militant videos coexist with blocking of perfectly harmless resources (i.e. Nursi’s books). An observer gets the general feeling that the URLs to be blocked are selected at random – the number of potentially problematic resources is enormous, and restricting all of them is clearly impossible.

The Law on the Register of Banned Websites is supplemented by “Lugovoy’s law,” which provides instruments for extrajudicial blocking of websites inciting to extremist actions or riots. Such bans can be imposed at the request of the Prosecutor General without a court judgment. As of July 2015, 209 resources were blocked under this law, including peaceful oppositional websites, materials from the Ukrainian media, and
radical anti-Russian statements from Ukraine. We estimate that at least one-third of the registry is composed of oppositional websites, clearly demonstrating that extrajudicial blocking, based only upon suspicion of “sedition,” inevitably leads to arbitrariness, abuse of power, and constitutes an attack on freedom of speech.

Recommendations:

More active engagement of the international community is urgently needed to combat xenophobia and radical nationalism in Russia. Several initiatives could be launched in the framework of OSCE and CoE:

- Under OSCE, or as a separate initiative of several EU countries, a working group should be established to monitor the military activities of ultranationalists in the zones of armed conflict in Ukraine. Such group should ensure that war crimes committed by ultranationalists are investigated;
- Strategies should be developed to address the potential threats posed by far-right activists who have participated in the conflict in Ukraine and who may potentially contribute to xenophobic and racist violence either in Ukraine or upon return to their countries;
- Programs should be launched to record and share experience gained from initiatives to combat racist violence including specific criminal investigations, detection and destruction of the groups’ infrastructure, isolation of funding sources, identification of organizers and coordinators of violent actions, etc.;
- A working group should be established to assess the effectiveness of national legislation in terms of countering hate crimes, incitement to hatred and related activities, and make recommendations for legislative improvements;
- Programs to promote cooperation and dialogue with non-governmental organizations which monitor racist groups, and consultation with them on law enforcement issues should be supported and expanded.

The international community should urge the Russian Federation to:

- amend existing anti-extremist legislation to make it easier to implement as an effective tool for fighting those manifestations of racism and xenophobia which are related to violence, and to ensure that anti-extremist legislation is amended to avoid unjustified restrictions of basic human rights;
- amend legislation on hate crimes and related activities, including public incitement, organizing, financing, etc to ensure that legislation prioritizes bringing to justice those who are responsible for dangerous crimes against the person. The internal policies and regulations of law enforcement agencies should reflect the same priorities;
- train law enforcement personnel in the detection and prevention of offenses motivated by racial and xenophobic hatred.
- ensure that far-right activists found guilty of conducting illegal raids on the workplaces and residences of migrants are brought to justice in a fair trial and, if found guilty, given a punishment commensurate with the gravity of the offence.
- instruct public officials not to publicly express intolerance or disrespect in regard to any group based on race, colour, ethnic or national origin, religion or belief. Civil service legislation should include effective sanctions against such actions;
- publish official hate crime statistics, highlighting the different types, regions, and number of victims. These statistics should be based on court decisions and not on the number of criminal cases opened.