In 2015, pressure by law enforcement authorities on nationalist and ultra-right organisations increased greatly. The number of convictions for racist violence and vandalism grew. This led to a drop in the public activity of ultra-right and nationalist groups and the dissolution of several organisations. However, mainly the activities of opposition ultra-right and nationalist groups were prosecuted, whereas pro-government nationalist groups enjoyed a more favourable treatment. Another worrying trend is that measures taken to prosecute extremist groups and convict them for prohibited propaganda lack consistency and transparency.

In 2015, we observed an increase in the number of inappropriate or questionable verdicts handed down against opposition activists. However, these were the outcomes of cases initiated in 2014. The sentences increasingly included real prison terms. Abusive actions by law enforcement authorities can and do serve political purposes, but the importance of “bureaucratic inertia” in law enforcement should not be underestimated either. Increasing pressure was simultaneously applied against radical nationalists, Stalinists, the liberal opposition, Muslim activists (from adherents of terrorist groups to completely peaceful ones), patently harmless Jehovah’s Witnesses and random citizens and organizations.

2015 was marked by continued discriminatory treatment of certain religious organisations and citizens on the basis of their attitude to religion. New legislative changes may result in the institutionalisation of discriminatory practices. The obvious bias of Russian officials in support of the Russian Orthodox Church disadvantages minority religious groups and indirectly manipulates the attitudes of the general public. Such social conditioning is perpetuated by disingenuous reporting on these issues by national and regional-level news outlets. The result is limited social space for members of minority religious communities to observe their beliefs and traditions free from harassment.
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The principal issue in 2015 was greatly increasing pressure by law enforcement authorities on the most active public figures and organizations belonging to the Russian nationalist movement. Far right activists who did not support the so-called Novorossiya project were the first, but not the only ones to be affected. Although the “Ukrainian issue” lost its acuteness from 2014 within this movement, it remained highly important and provided a fairly tortuous demarcation line across the far-right field. This split weakened the movement in general. Meanwhile, Russian nationalists did not come up with any new themes or methods to attract additional support. This led to restructuring of the ultra-right field. Movements with ethno-xenophobic agendas, which are disloyal to the ruling political regime, were increasingly replaced by those willing to tone down or even abandon their opposition rhetoric.

The public activity of the far right continued to decline in 2015. Traditional rallies and marches of the nationalist opposition attracted no more than a half, or even a quarter of their usual number of participants. The nationalists were unable to put a “spin” on any local conflicts. Their “raids” – the most popular type of actions in recent years – were less frequent and their agenda became less aggressive. In the course of the year, the subject of Novorossiya inspired fewer and fewer public actions, while alleged “repression” of the right-wing opposition was the most important issue.

Nationalist organizations loyal to the regime continued to avoid addressing sensitive topics, and their public actions primarily concerned issues consistent with the official political agenda. They supported the president’s political course, expressed hatred against Russia’s “external enemies” (whether in Ukraine, Turkey or the United States), supported the fight against the “fifth column” etc. The last trend was expressed, among others, in attacks on public events of the liberal opposition or other groups adopting opposition slogans. In some cases, such as in St. Petersburg, “loyal” nationalists de facto chased down opposition activists in the street.

“Loyal” nationalists were the only ones able to test their chances in the 2015 elections to decision-making bodies at the regional and local level. However, as demonstrated during the Single Voting Day on 13 September, the majority of even their candidates failed to receive significant support at the regional level. Only in the local elections were several candidates from the government-loyal Motherland (Rodina) and the Great Fatherland (Velikoe otechestvo) parties elected.

There was significantly less far right criminal activity in 2015 than in 2014. A total of 11 people were killed and approximately 82 people were injured in 2015 as a result of racist and neo-Nazi violence, while seven people received credible death threats. In comparison, in 2014, 36 people died and 136 were injured, and two received death threats. The highest level of violence was observed in Moscow (three people were killed and 31 injured), St. Petersburg (three people were killed and 14 injured) and the Moscow Region (no one killed but five people injured). In addition, a significant number of victims was reported in the Khabarovsk Region (four people were injured). The largest group of victims was made up by individuals perceived to be “ethnic outsiders” by the attackers. We recorded incidents
involving a total of 38 victims of such ethnically-motivated attacks. This figure is one third of the corresponding figure in the previous year (101 victims). The number of right-wing attacks against political, ideological or “stylistic” opponents decreased slightly and a total of 13 people were injured in such attacks, compared to 15 in 2014. As previously, migrants from Central Asia constituted a major group of victims with 4 people killed and 6 injured (compared to 14 people killed and 29 injured in 2014) The number of victims of attacks against members of the LGBT community was the same as in 2014: 9 people were injured. The number of victims of attacks against members of the LGBT community was the same as in 2014: 9 people were injured. The number of victims of religious xenophobia was greater than in the preceding year, but the attacks were less brutal: 18 people were injured (vs. two people killed and 12 injured in 2014). Four people received credible murder threats. Most likely, the decrease in the overall number of attacks is related to the active prosecution of radical right-wing activists in general, which affected or intimidated militant groups as well.

Representatives of almost all sectors of the Russian nationalist movement have been increasingly engaged in systematic combat training. Many of the groups involved in such activities said that they were training people to go to the Donbass as volunteers, while others simply tried to keep up with the militaristic fashion.

The number of convictions for racist violence in 2015 was noticeably higher than in the preceding year, which was an exception from the trend of the last few years. Those convicted for violent crimes in 2015 included members of the well-known neo-Nazi groups Piranha-74 from Chelyabinsk, Volkssturmm from Yekaterinburg, the Kazan Nazi Crew from Kazan, the Northern Frontier (Rubezh Severa) from Syktyvykar, the Kamensk-Uralsky branch of the Occupy-pedofiliay and the infamous BORN from Moscow.

The number of convictions for racist propaganda continued to grow rapidly. For the most part, the authorities prosecuted ordinary social media users who shared or republished xenophobic statements, but we also documented sentences against several popular right-wing figures in Moscow and St. Petersburg. The penalties for hate speech and other public incitement of racism were generally harsher than in previous years.

New items were added to the Federal List of Extremist Materials at a growing pace and with the same amount of errors and redundancies as in previous years. Two other lists related to the blocking of “extremist” Internet content, which are managed by the registries of judicial and extrajudicial restrictions, also grew quickly.

New entries were made to these lists in the same haphazard manner and with about the same proportion of inappropriate decisions as to the Federal List of Extremist Materials.

In general, impressions of law enforcement actions on xenophobia and radical nationalism carried out in 2015 are contradictory. On the one hand, law enforcement agencies succeeded in reducing the level of racist violence and activities by socially dangerous groups of nationalists. On the other hand, the measures taken to combat xenophobic expressions all too often appeared meaningless and disorganized and did not achieve the stated goals. Frequent arbitrary actions by law enforcement authorities, as well as excessive or inappropriate restrictions on freedom of speech are not only harmful in and of themselves, but can also discredit the goal of countering radical xenophobia in the public eye.
Misuse of Anti-Extremism provisions

The Russian anti-extremist legislation, with its vague wording, is a convenient tool for prosecuting political opponents or other non-mainstream groups. Measures taken to prosecute individuals under this legislation may or may not be legally appropriate in terms of their compliance with the Russian Constitution and other national legislation. The primary targets of inappropriate law enforcement practices on anti-extremism vary depending on the political situation and public sentiments (currently the primary targets are representatives of so-called alternative Islam and opponents to the Russian government policy on Ukraine).

In 2015, no new repressive anti-extremism laws were adopted, allowing us to talk about a new period of temporary “stabilization” of legislation in this area. Previously adopted laws were, however, more actively used than in earlier years. We recorded the first cases of inappropriate convictions for “incitement to separatism”, as well as the first cases of inappropriate prosecution on charges of “insulting the feelings of believers”.

We observed an increase in the number of inappropriate or questionable verdicts handed down against various opposition activists. However, these were the outcomes of criminal cases initiated in 2014, while the number of new cases opened in 2015 was significantly lower. In total, courts handed down 23 inappropriate verdicts against 28 individuals under anti-extremist articles of the Criminal Code in 2015 (compared to 14 convictions against 26 individuals in 2014). We know of at least 24 criminal cases that were inappropriately initiated in 2015 (compared to 35 such cases in 2014). The sentences for extremism offences increasingly included real prison terms.

The practice of banning extremist materials, as well as restricting online access to extremist content gradually expanded. The Federal Service for Supervision in the Sphere of Telecom, Information Technologies and Mass Communications (Roskomnadzor) increasingly send media outlets inappropriate warnings.

Abusive actions by law enforcement authorities can and do serve political purposes, but the importance of “bureaucratic inertia” in law enforcement should not be underestimated either. This trend was most clearly demonstrated by the practice of blocking Internet resources – this practice became more widespread against the background of growing law enforcement experience in this area. The same applies to the enforcement of the new norms of the Criminal Code and the Code of Administrative Offences. We can assume that law enforcement authorities and consequently courts view harsh sentences as a necessary measure in the fight against groups and trends, which seem dangerous to them and that authorities have failed to counter by applying lesser pressure.

We view as inappropriate seven verdicts handed down against seven individuals under Criminal Code Article 282 (“incitement to hatred”) in 2015 (compared to five such verdicts against seven individuals in 2014). At least 11 new criminal cases that we consider inappropriate were opened

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1 Misuse, or inappropriate use, of anti-extremist legislation can be described as “excessive implementation,” stemming from low quality of the law enforcement training and from the fact that the law enforcement staff is primarily interested in boosting up their reporting statistics, but, most importantly, from poor quality of the anti-extremist legislation that provides increasing opportunities for abuse – for manifestly improper or deliberately disproportionate restrictions on fundamental rights and freedoms.
under this Criminal Code article during the year. This is less than in the previous year, when the number of such cases was about two dozen, although possibly our data is not yet complete.

Four criminal cases were inappropriately opened in 2015 under Article 148, Part 1 of the Criminal Code, which penalizes “insults to the feelings of believers”. We have no information on any inappropriate cases initiated under this article in 2013 or in 2014.

While there were no inappropriate convictions for “public calls for extremist activities” (under Criminal Code Article 280) in 2014, six people were convicted in 2015, either groundlessly or on dubious grounds. These were cases initiated in 2014. Those who were convicted were activists who were found guilty because of for online posts that for the most part were related to Ukraine in one way or another. Four of them were eventually amnestied and faced no punishment, while one refused the amnesty. In 2015, at least one new criminal case was opened under Criminal Code Article 280 on dubious grounds. Article 280-1 of the Criminal Code (which prohibits “public calls for actions aimed at violating the territorial integrity of Russia”) was used to hand down three inappropriate sentences against three men (vs. none in 2014). In addition, at least four new cases against four persons were opened on inappropriate grounds under this article in 2015 (compared to one in 2014).

Five inappropriate verdicts were handed down under Criminal Code Articles 282-1 and 282-22 (organizing activity of an organization banned for extremism or participation in extremism) in 2015. This means that the number of these cases decreased by three from the preceding year. Eight people (Said Nursi readers and a Tablighi Jamaat follower) were convicted, which was less than half of the corresponding number in 2014. However, at least three new cases were initiated on inappropriate grounds under this Criminal Code article.

Two inappropriate verdicts were issued in 2015 under Criminal Code Article 213 (hooliganism) and one under Article 214 (vandalism), where hate motives were taken into account. In contrast, there were no such verdicts in 2014. No new inappropriate cases under these articles, involving considerations of hate motives, were opened during the year under review.

Our data on the implementation of Administrative Code provisions on countering extremism are much less complete than our criminal prosecution data.

We are aware of at least 47 inappropriate convictions handed down against 42 individuals and five legal entities for mass distribution of extremist material or the possession of such material with the intention of distributing it under Article 20.29 of the Administrative Code. In comparison, in 2015, the number of such convictions was at least 46. One of the 2015 sentences was overturned on appeal by a higher court. According to our knowledge, courts imposed fines in 35 cases and administrative arrest in four cases under this article. As a rule, these people were not involved in any actual mass distribution of prohibited materials.

At least 17 individuals and legal entities, including the owners of computer clubs and cafes, a library director and the administrators of several schools, were inappropriately fined under Article 6.17 of the Administrative Code (which penalizes violations of legislation on protecting children from information harmful to their health and (or) development). They were held accountable for insufficient filtering of Internet content. In 2014, there were five such cases.

A total of 39 individuals were improperly penalized for the public demonstration of Nazi or similar symbols under Article 20.3 of the Administrative Code (compared to seven people in 2014). Out of these, 30 people were fined, while nine were subjected to administrative detention.
A total of 667 new items were added to the Federal List of Extremist Materials in (compared to 381 in 2014). We identified 44 items that were added on inappropriate grounds (compared to 21 in 2014).

Increasing pressure was simultaneously applied against radical nationalists, Stalinists, the liberal opposition, Muslim activists (from adherents of terrorist groups to completely peaceful ones), patently harmless Jehovah’s Witnesses and random citizens and organizations, which simply happened to be noticed by the agencies responsible for counteracting extremism. Accordingly, the public was increasingly convinced that counteracting extremism is an area of arbitrary law enforcement, used as a cover for increasing violation of basic human rights and freedoms. The highest political, judicial and law enforcement authorities apparently did not view this situation as problematic and continued to express their confidence in the chosen course.
Freedom of Conscience in Russia: Restrictions and Challenges

In 2015, there were three major legislative developments related to the freedom of religion:

• Changes to the Law on Freedom of Conscience and Religious Associations abolished the requirement for religious groups to prove that they have existed for 15 years in order to be registered as religious organizations, as well as the requirement for religious organizations to provide information about their activities on an annual basis. The teaching of religion and religious education is no longer subject to licensing as it is not considered educational activities. However, unregistered religious groups are now obliged to inform the authorities about their basic creed, the places in which they conduct religious activities and even about all the participants in their groups.

• Amendments to the Law on Combating Extremist Activity stipulate that the sacred books of four world religions may not be deemed extremist: the Bible, the Qur’an, Tanakh and Kanjur. According to these amendments, neither these texts in their entirety nor individual citations from them may be deemed extremist. The texts of other religions are not mentioned at all in the legislation, which allows for the possibility that such texts may be deemed extremist and those who follow their teachings may be face discrimination. Moreover, the new legislation does not mention the issue of translations, or the diverse versions of the Bible, the Qur’an, Tanakh and Kanjur.

• Changes to article 14 of the Correctional Code of the Russian Federation introduced guarantees for the right of prisoners to freedom of conscience and religion. The amendments regulate the procedure for concluding agreements between penitential institutions and religious organizations, as well as the procedure for organizing meetings between prisoners and clergy.

Some of the trends observed in previous years continued and developed further in 2015. Church construction continued to provoke tensions, especially in Moscow. Mostly Orthodox Christians and Muslims experienced problems with the construction of places of worship. For the Orthodox Church, these problems were related to the government supported program of church construction, which often envisages the construction of churches in public spaces, such as parks. Such plans result in conflicts with local communities. In the case of Muslims, conflicts arose when communities failed to secure spots for the construction of places of worship, they failed to obtain the necessary permits, or the construction was deemed illegal.

The issue of defending the feelings of believers is often brought up in public debate in Russia in relation to public statements, internet posts or public events. During 2015, several cases were brought to court under the Criminal Code article on “Infringements of the right to freedom of conscience and religion”. These cases were related to social media posts and printed publications. A whole series of publications received warnings from the prosecutor’s office for reprinting the French magazine Charlie Hebdo’s cartoons of the Prophet Muhammad.

The majority of conflicts concerning the defence of the feelings of believers were related to cultural events and works of art, in which concern was expressed almost exclusively by defenders of Orthodox Christian feelings. Moreover, their protests were often expressed in a very aggressive way.
There were substantially fewer cases in which religious organizations were liquidated in 2015 than in the previous year. One of the most significant cases was the liquidation of the Moscow Church of Scientology. This decision was based on an expert opinion stating that Scientology is not a religion. In March, the local religious organization of the Jehovah’s Witnesses in Abinsk was found extremist and liquidated by Krasnodar Regional Court. The Belgorod Regional Prosecutor’s Office applied to the courts to liquidate two further Jehovah’s Witnesses communities (these communities were liquidated at the beginning of 2016).

Representatives of the authorities often resorted to “anti-sect” rhetoric in public speeches. Members of new religious movements were the primary targets of this “anti-sect” rhetoric, as well as discrimination over the course of the year. The campaign of discrimination against Jehovah’s Witnesses, which began in 2009, continued. For instance, in Krymsk, in Krasnodar region, police officers broke up a three-day convention of Jehovah’s Witnesses with the help of Cossacks. The electricity was turned off at the stadium where the event was being held, and Cossacks pelted believers with stones. In Moscow, two followers of Falun Gong, one of whom was distributing the movement’s brochures and the other of whom was doing exercises, were fined under article 20.2 of the Administrative Code. The capital’s Tversky District Court fined two members of the Novosibirsk Society for Krishna Consciousness for distributing religious literature on Red Square.

Russian Muslims remained at risk. This was primarily the result of anti-extremist and anti-terrorist policies, while there was no new development as regards other types of discrimination towards Muslims. The loyalty demonstrated by high ranking Muslim leaders to the Russian political course of 2014-2015 (including the operation in Syria) in no way enhanced the security of either “alternative” Muslim groups or of local organizations operating under the mainstream Muslim Spiritual Authorities.

No less than 22 individuals were injured due to attacks related to religion. The number of injured people was significantly higher than in 2014, when the corresponding figure was 15. Some of the reported cases were quite serious. A resident of Komsomolsk-on-Amur shot a preacher, injuring him in the chest. A man in Volgodonsk hit the head of a 75-year-old female preacher against a lift wall and kicked her. An 82-year-old missionary in Vladivostok was pushed in such a way that she fell over, hit her head and passed out. Although those who were assaulted in many cases turned to the police, punishments for these types of attacks were an exception rather than the rule.

In comparison with 2014, the level of religiously motivated vandalism fell slightly: from 32 to 28 incidents. Most often vandals targeted Jehovah’s Witnesses’ property: we know of no fewer than 11 such incidents. As in previous years, federal and regional media published xenophobic material. Similarly to in 2014, most of this coverage was directed against Protestant churches and new religious movements.
Recommendations:

The international community should urge the Russian Federation to:

- In accordance with the recommendations of the Venice Commission, amend existing anti-extremist legislation to make it easier to use it as an effective tool for fighting manifestations of racism and xenophobia that are related to violence, as well as to avoid unjustified restrictions on fundamental human rights.

- Stop the practice in which courts ban books and other materials because of "extremist" content or authorise only the Supreme Court to issue such judgements.

- Abolish imprisonment as a form of punishment for statements and actions that are not related to incitement to violence and discrimination, including the denial of Russia’s territorial integrity, humiliating people by ethnicity and other characteristics, etc.

- Amend the legislation on hate crimes and related activities, including public incitement to, organizing and financing such activities to ensure that this 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. Investigators should take into account the severity of the threat posed to the society when evaluating public incitement to hate crimes.

- Train law enforcement personnel in the detection and prevention of offenses motivated by racial and xenophobic hatred.

- Instruct public officials not to publicly express intolerance or disrespect in regard to any group based on race, colour, ethnic or national origin, or religion or belief. Civil service legislation should provide for effective sanctions against such actions.

- Publish official hate crime statistics, detailing the different types of crimes, the regions where they were committed, and the number of victims. These statistics should be based on court decisions and not on the number of criminal cases opened.

- Revise internet filtering policies to ensure that efforts to counteract extremism in this area are more streamlined and transparent. Any extrajudicial procedures related to "extremist" should be discontinued.

- Investigate all incidents of violence and police brutality resulting from religious intolerance and consistently prosecute such violations to the full extent of the law.

- Clarify registration procedures for religious groups and procedures for the non-discriminatory application of legislation governing the acquisition of premises for religious purposes.

- Recognize that religious tolerance should be promoted by the same mechanisms as other forms of tolerance, and refrain from creating separate rules with respect to religious tolerance that restrict other freedoms.

- Prevent the enactment of new laws and other legal acts that are aimed at restricting the public expression of religious beliefs.