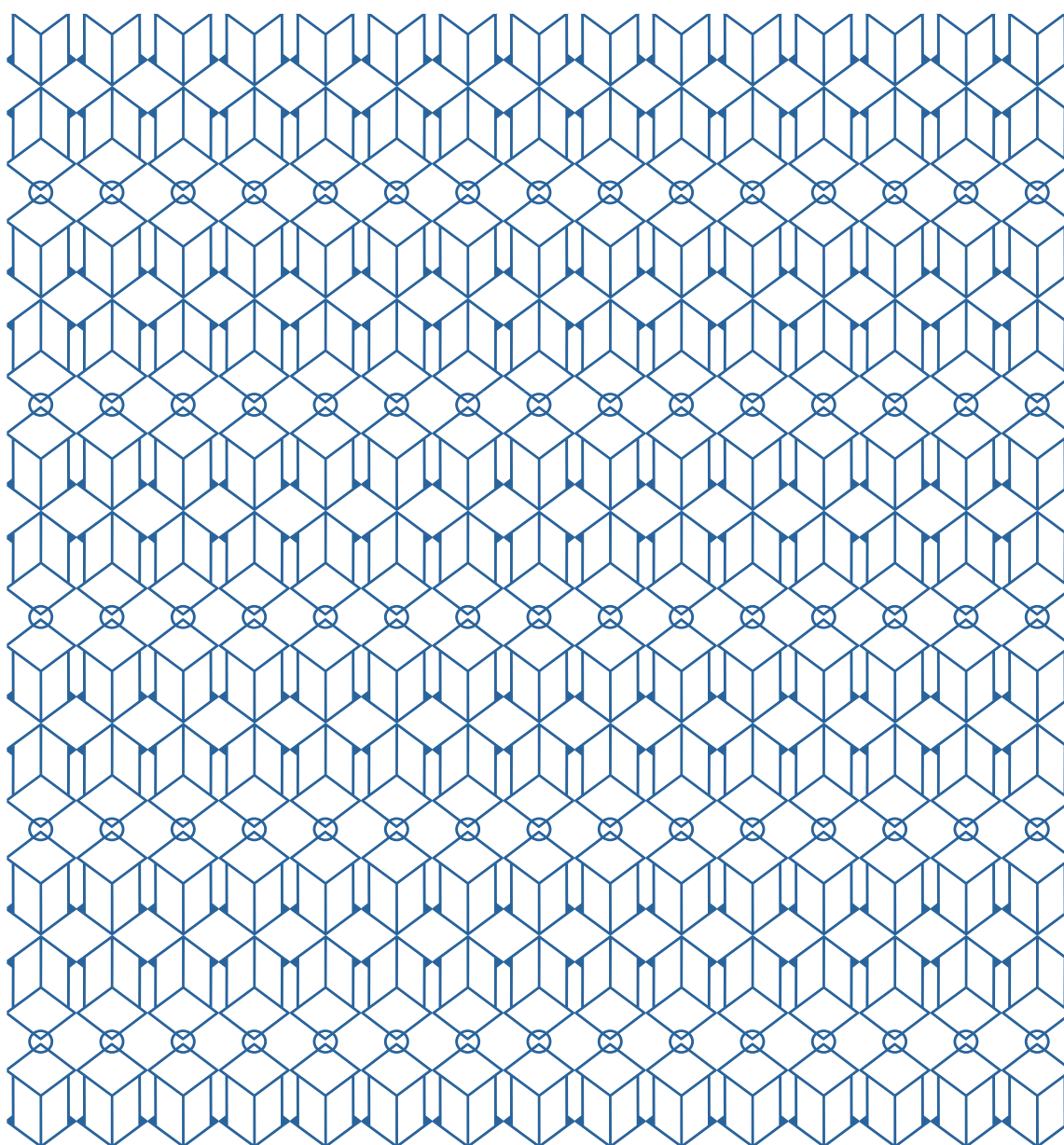


Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2022



SOVA Research
Center.
A collection of
annual reports



Moscow, 2023

Xenophobia, Freedom of Conscience and Anti-Extremism in Russia in 2022

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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 February 26, 2023.

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The Old and the New Names in the Reports: Hate Crimes and Countermeasures to Them in Russia in 2022

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 prejudice¹ and on the state's countermeasures to such crimes.

Summary

According to our incomplete data, the number of xenophobically motivated attacks decreased radically during the past year. This decrease was primarily due to the drop in the number of the targets perceived by the attackers as “ethnic outsiders”. The reason for such a dramatic drop in xenophobic crime is not entirely clear. Perhaps it is a more consistent silencing of this kind of data by law enforcement agencies and the media, or it could also be that since February, many militant far-right activists have shifted their attention to the events in Ukraine, and some of them have simply left the country, including to fight at the front.

Despite the rhetoric being cultivated by the state of fighting for “traditional values,” the number of attacks against LGBT people has also decreased noticeably. The reason probably lies also in the emigration of both many prominent LGBT activists and some of the anti-LGBT activists. However, homophobic sentiments in the Russian society are very strong; most of the victims suffered homophobic attacks only because they looked like LGBT people: an earring, long hair, etc. served as the reason for the beating.

The number of attacks on “ideological opponents” of the ultra-right also decreased during the year, but not so radically.

2022 saw slightly fewer cases of damage to buildings, monuments, cemeteries, and various cultural sites motivated by religious, ethnic, or other xenophobic hatred than the pre-

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>). Alexander Verkhovsky. 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>).

vious year; the number of attacks on religious sites remained the same. The share of dangerous acts such as explosions and arson also decreased this year.

The number of convictions for hate-motivated violence has also declined. In 2022, two formerly well-known neo-Nazis were finally convicted in the murder case, the subject of the viral video titled *Execution of a Tajik and a Dagh*. Apart from that, 2022 saw the names of organizations that date back to the early 2000s resurfaced in criminal reports. Preparations are underway for the trials of former members of the Borovikov-Voyevodin gang for murders committed 20 years ago and of a group of members of the banned organization NS/WP, suspected of planning political murders in more recent years. We also know about the convictions handed down to members of new groups – White City 31 in Belgorod, the Astrakhan National Movement (ANM), and Belaya Ukhta in Komi.

Overall, the analysis of the data on hate crimes and countermeasures to such crimes gives the impression of a certain lull in this area.

Systematic Racist and Neo-Nazi Violence

According to the Sova Center monitoring data, 22 people suffered from ideologically motivated violence in 2022. In addition, one person received a serious death threat. Thus, we record a significant decrease in the number of ideologically motivated serious attacks in our statistics: in 2021, we have information on 68 victims and six death threats.² Of course, the data for the past year are not final, as we learn about some attacks with delay.³ Thus, in November 2022 alone, we learned from a sentencing report that members of the neo-Nazi group White City 31 had committed more than 30 racist attacks on migrants between the year 2019 and June 2021. However, in the absence of any additional information, we were unable to account for these 30 episodes in our statistics.

Our methodology is not universal. It does not work for the republics of the North Caucasus, so we do not include data from that area.⁴ Relatively little is known about incidents between different minority groups motivated by ethnic hatred. In addition, our data on hate crimes in Russia cannot be compared with any other statistics, since no other open statistics exist.

We are not aware of the true extent of racist violence in the country, but since we have hardly changed the methodology since the beginning of our records, we are able, to some extent, to estimate the dynamics and major trends.⁵

2. Data for previous years are provided as of 20 January 2023.

3. Compare, for example, with the data from the previous report: Natalia Yudina. The State Has Taken Up Racist Violence Again: Hate Crimes and Counteraction to Them in Russia in 2021. SOVA Center. 2022. P. 6–24 (further: Yudina Natalia. The State Has Taken Up...).

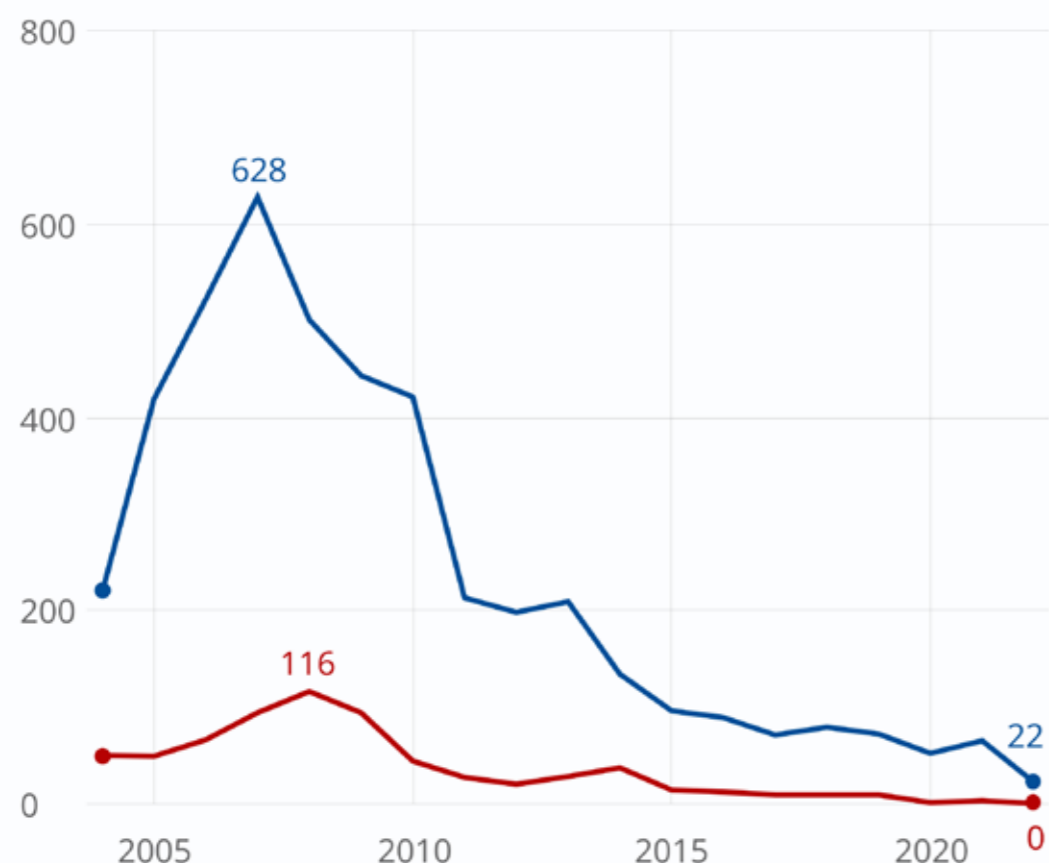
4. Neither do we take into account the four regions of Ukraine that have been under Russian jurisdiction since last fall. But we do account Crimea, whose actual regime in recent years has not differed much from the regions of southern Russia.

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

We have repeatedly written about the difficulties associated with collecting information about these kinds of incidents.⁶ In addition to everything we have been noting earlier (the lack of information and adequate description of incidents in the media, the reluctance of victims to turn to law enforcement or human rights organizations, the precautions the attackers take when posting videos of attacks, etc.), 2022 has added new reasons related to the military operation in Ukraine and Russia’s growing political repressions. As in 2014,⁷ the attention of ultranationalists was drawn to the events in Ukraine, and some of the militant far-right went directly to the places of military action,⁸ although this form of activism did not reach the level of 2014. Some nationalist activists simply left the country, including to escape the draft.

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

Sova Center Data for 2004–2022



Source: SOVA Center, 2023

6. See: Natalia Yudina. The State Has Taken Up.....

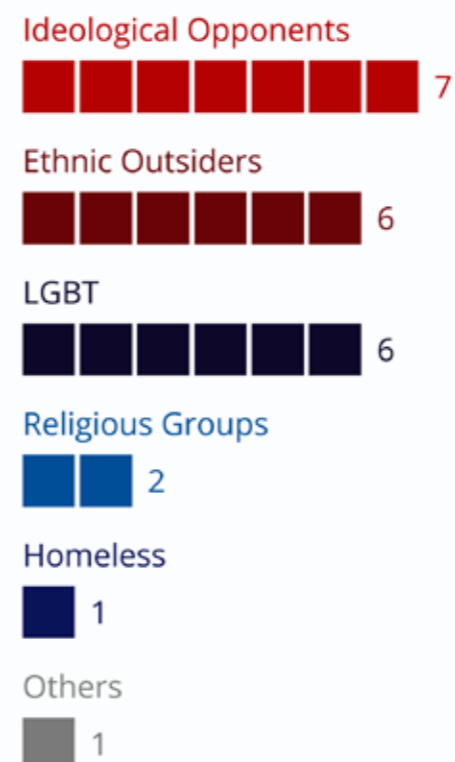
7. Vera Alperovich, Natalia Yudina. The calm before the storm? Xenophobia and radical nationalism and counteraction to Them in Russia in 2014. SOVA Center. 2015. P. 5–66..

8. Vera Alperovich. Russian nationalists on the Ukrainian and ideological “fronts.” Public activity of far-right groups, summer and fall 2022 // SOVA Center. 2022. 29 December (<https://www.sova-center.ru/racism-xenophobia/publications/2022/12/d47447/>).

In the past year, we recorded attacks in eight regions of the country (in 2021 – in 18 regions). Moscow and St. Petersburg traditionally lead in terms of the level of violence, but they do so in the unusual order: seven victims in St. Petersburg and five in Moscow. Next come the Moscow and the Chelyabinsk regions and the Crimea (two victims in each).

Hate Crime Victims by Type in 2022

Sova Center Data



Source: SOVA Center, 2023

Attacks Against “Ethnic Outsiders”

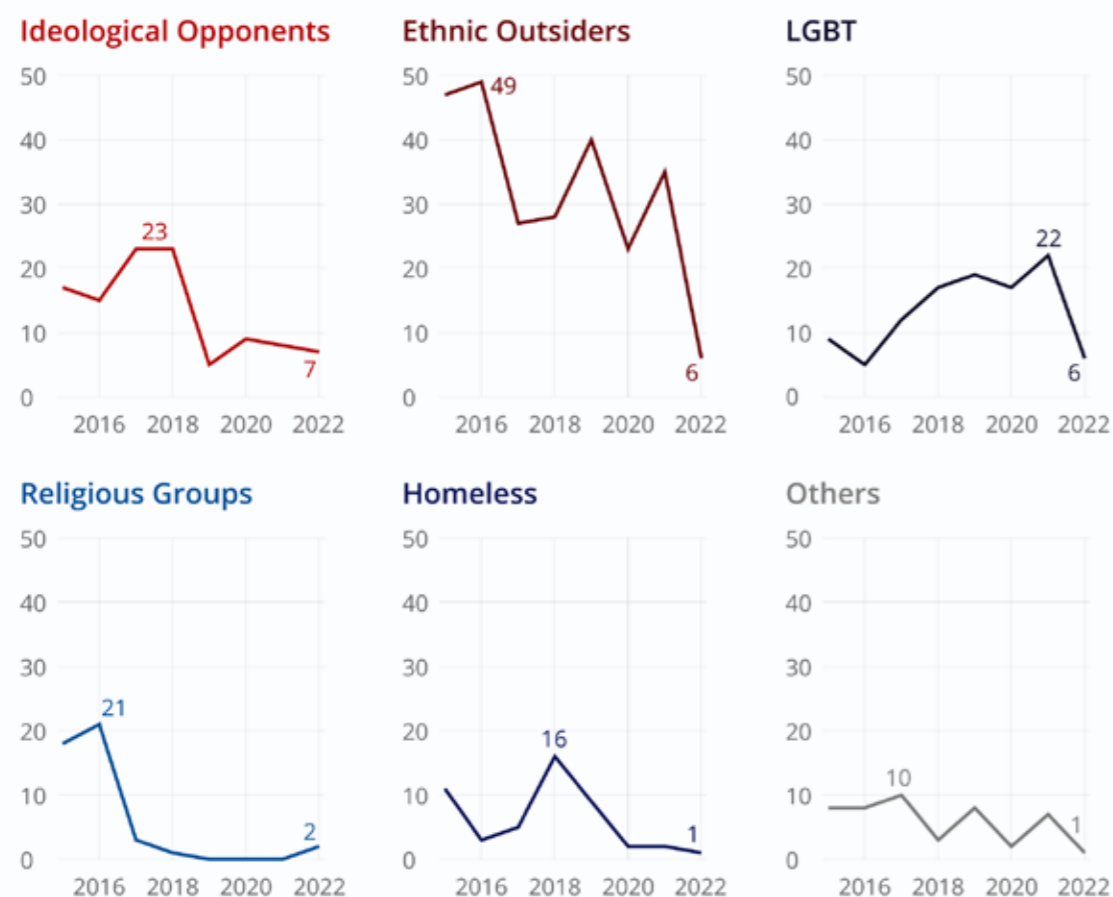
In 2022, we recorded six ethnically motivated attacks, that is, attacks on those whom the attackers perceived as ethnic outsiders. The decline in violence is particularly noticeable in this category. In 2021, 35 ethnically motivated attacks were recorded (23 in 2020, and 40 in 2019).

Victims in this category include natives of Central Asia, Yakuts, and people of color.

The events in Ukraine and the massive anti-American and anti-Western propaganda in the media have added new overtones to such attacks. It is quite telling that the attackers of one of the black victims in St. Petersburg were shouting anti-American slogans and phrases like

Hate Crime Victims by Type

Sova Center Data for 2015–2022



Source: SOVA Center, 2023

“People like you are killing our soldiers.” The racist nature of the attack was corroborated by the fact that the beating continued even after the victim shouted that he was “from Africa”.⁹

Less radical forms of racism toward people of color have not disappeared either in 2022. A June incident during a bus ride in St. Petersburg involving a dark-skinned model, Stella Kaziyake, gained media notoriety: a man sat down next to her and started bullying and xenophobically insulting her, while preventing her from getting off the bus. Fortunately, there was no physical violence, and another passenger interceded for the girl.¹⁰ And xenophobic insults

9. Megapolis and Fontanka: Suspects who violently beat a black man while shouting “People like you are killing our soldiers” detained in St. Petersburg // Mediazona. 2022. 1 August (<https://zona.media/news/2022/08/01/izbienie>).

10. The offender, Nikita Ustyuzhanin, was later detained and sentenced under Article 20.3.1 (inciting hatred or enmity, as well as disparagement of human dignity) and Part 1 Article 20.1 of the Administrative

in sports (especially against people of color) have long stopped surprising anyone. In the past year in Kaliningrad, during one of the timeouts in the Lokomotiv-Uralochka volleyball match, coach Andrey Voronkov made a racist remark about the Cuban player Ailama Montalvo.

In addition to individual attacks in the streets and in public transport, in 2022 we reported one case of a mass brawl between local youths and natives of the Caucasus in the city of Kovdor in Murmansk Oblast on the night of July 4. After a domestic conflict in a cafe near the local shopping center there was a mass brawl involving between 20 and 30 people. After that, large groups of local youths began gathering in the city and chanting xenophobic slogans, and phrases such as “Devils”, “You shall not live”, “Rats, run”, “88,” etc. were spray-painted on businesses owned by migrants. Fortunately, order was restored when reinforced squads of police, Rosgvardia, and traffic police arrived.¹¹

Manifestations of xenophobic aggression are certainly unacceptable in any form, but especially frightening are the cases involving people of authority and government institutions staff, such as the employee of the Voronezh Migration Center, who attacked a visitor from Uzbekistan in July 2022.¹² The incident drew attention after the head of the Uzbek diaspora informed the Prosecutor’s office about it.

Unfortunately, Russian society’s routine xenophobia is not disappearing, and we regularly encounter its manifestations. For example, in Yekaterinburg, two Tuvan women with Russian passports were not allowed into the Air club because of “their appearance and ethnicity”. On similar grounds, dark-skinned young men were later denied entry into the same venue.

Attacks Against Ideological Opponents

Unlike the previous category of victims, the number of attacks by the ultra-right against their political, ideological, or “stylistic” opponents in 2022 – seven beaten – was nearly the same as in the previous year (eight in 2021, and nine in 2020).¹³ As a result, this category of victims is dominant in our statistics. Among the victims were both non-ideological, non-political non-conformists and ideological opponents (anti-fascists), mostly patrons of the San-Galli Garden on Ligovsky Prospect in St. Petersburg, popular among the city’s non-conformist youth because of its proximity to the ETAGI loft space.

Alexei Venediktov, the former editor-in-chief of Ekho Moskvy radio, faced both political hatred and anti-Semitism at the same time: on March 24, a pig’s head with a curly wig

Code (disorderly conduct) to seven days of arrest and 50 hours of community service. See: Suspect detained in St. Petersburg for xenophobically insulting a woman of color on a bus // SOVA Center. 2022. 16 July (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/06/d46448/>).

11. Riots in Kovdor // SOVA Center. 2022. 5 July (<https://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2022/7/d46570/>).

12. A Russian beat up a visitor from Uzbekistan at a migration center and got recorded on video // Lenta.ru. 2022. 7 July (<https://lenta.ru/news/2022/07/07/izbill/>).

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

and a sticker with the Ukrainian coat of arms and the sticker saying “Judensau” (“Jewish pig”) were placed outside his Moscow apartment door.¹⁴

Attacks Against the LGBT

The number of attacks against the LGBT community went down compared to the previous year. SOVA Center has recorded six victims (22 beaten in 2021, 17 in 2020). The reason for this decrease is probably the fact that LGBT activists have not held any actions in the past year, and many of those associated with LGBT activism in one way or another have simply left the country after the start of hostilities in Ukraine. One of the most active organizers of LGBT harassment, the leader of Male State Vladislav Pozdnyakov, has also left the country.

However, homophobic sentiments in Russia have not disappeared, and this is evidenced by the fact that most of the victims in the past year have been beaten and insulted with homophobic slurs simply because they looked like LGBT.

Ultra-right Occupy Pedophilia actions in the spirit of the late Maxim (Tesak) Martsinkevich have also been held.¹⁵ In November, a video of a man being beaten appeared in one of the ultra-right Telegram channels. The creators of the video, posing as a minor, started correspondence with a native of Uzbekistan, lured him to a meeting, threw him on the ground, and beat him.

Members of the ultra-right Russia Conservative movement harassed drag queen Sergey Nechaev, known under a stage name of Bomba Kibersisi (Cybertits), and forced him to apologize on camera for “insulting Russia and the Russian people.” On August 7, Nechaev performed at the Fame club in Yekaterinburg to the Russian anthem sung by Larisa Dolina; nationalists were particularly inflamed about the rainbow flag the artist was holding.¹⁶

Other Attacks

In 2022, we have no information on any attacks against homeless people. We know only about the planning of such a murder in Moscow by members of the *Maniacs. Cult of Murder (M.K.U.)* group, recently recognized in Russia as a terrorist organization.¹⁷ Three teen-

14. Anti-Semitic insults targeting the former head of Ekho Moskvy radio Alexei Venediktov // SOVA Center. 2022. 24 March (<https://www.sova-center.ru/racism-xenophobia/news/racism-nationalism/2022/03/d46000/>).

15. 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/>).

16. A fine and a protocol on improper use of the national anthem were issued against Nechaev (Article 17.10 of the Administrative Code). See: Court punishes the Sverdlovsk travesty-patriot Bomba Kibersisi, who sang the Russian anthem while holding an LGBT flag // Ura.news. 2022. 12 September (<https://ura.news/news/1052586231>).

17. The Supreme Court recognizes M.K.U. as a terrorist organization // SOVA center. 2023. 16 January (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/01/d47493/>).

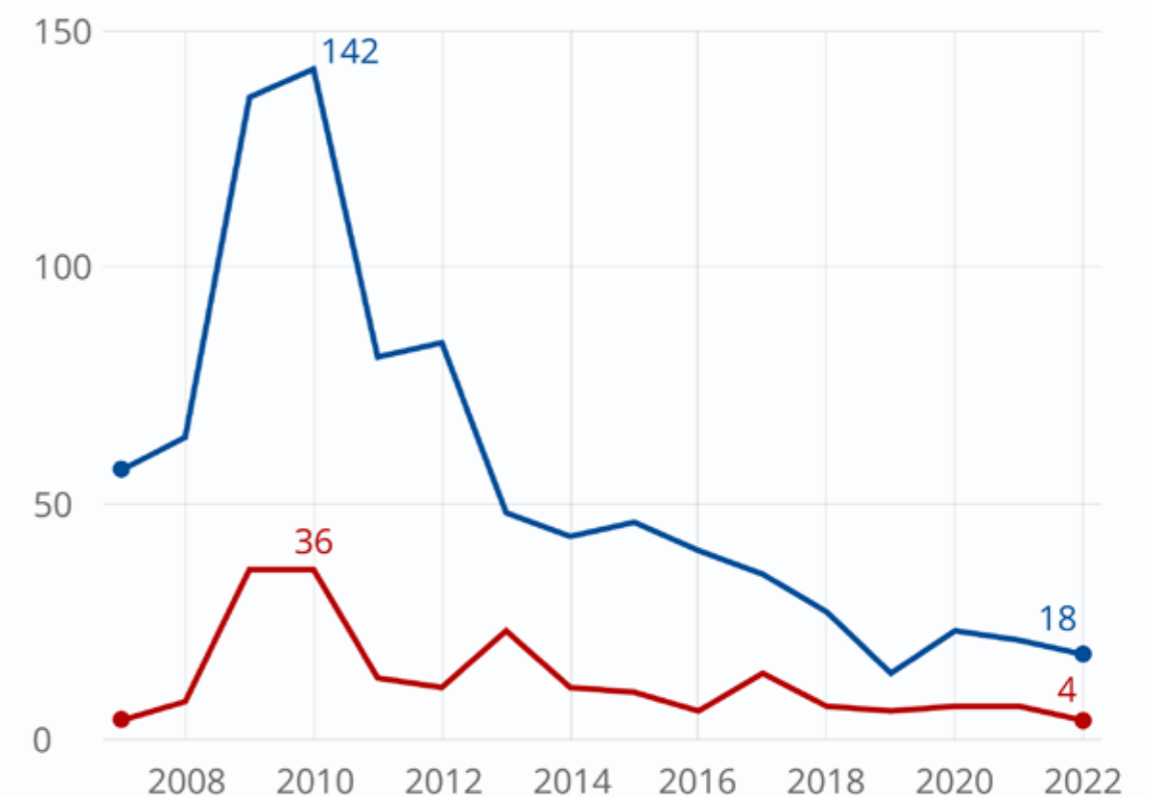
agers were planning to kill homeless people in a wooded area near Kosino railway station, but were detained by law enforcement officers.

A video from Novorossiysk, circulating in the right-wing segment of the Internet, shows a group of young men violently beating people, throwing rocks at them, and spraying the contents of spray cans in their faces. The caption under the video states that a “hunt has been declared” for drunk people in the city’s Yuzhny district, in the spirit of the Nazi Straight Edge subculture, which promotes a healthy lifestyle and calls for “cleansing the country” of “biowaste”.

Crimes Against Property

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

Sova Center Data for 2007–2022

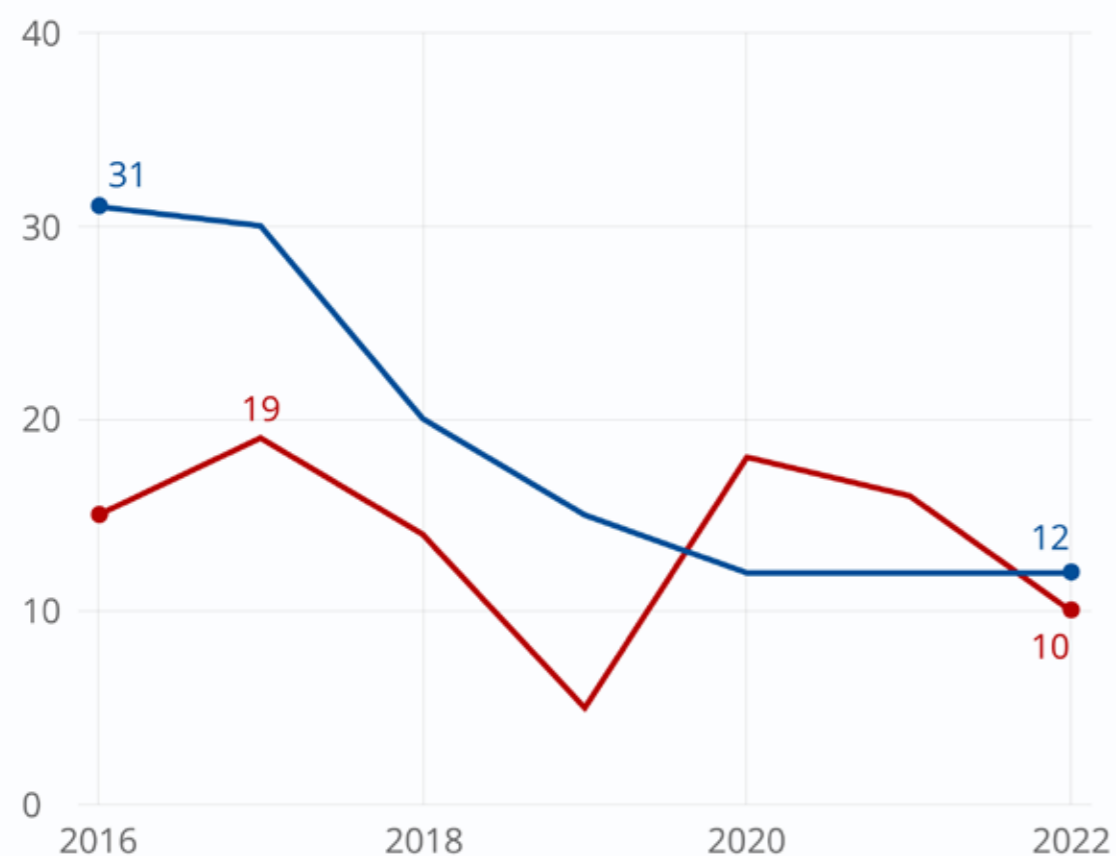


Source: SOVA Center, 2023

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

Vandalized Objects and Sites: Religious, Ideological and Governmental

Sova Center Data for 2016–2022



Source: SOVA Center, 2023

In 2022, the number of religious, ethnic, or ideological hate crimes against property continued to gradually decrease: we have information about 22 incidents in 14 regions (28 in 2021, and 30 in 2020). 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).

In 2022, 10 sites were targeted due to ideological, and not religious, reasons, which is higher than the 16 ideological, including one government, sites targeted in 2021. Among these sites are monuments to Lenin and heroes of the Great Patriotic War. Of special note is setting fire to a hookah lounge in Shakhty, the Rostov region: the video of the arson was published online with “an inscription inciting ethnic strife”.

Our statistics does not include a 19 January 2022 neo-Nazi act at the site of a temporary memorial to Stanislav Markelov and Anastasia Baburova, murdered on that day in 2009: Insulting slogans were written on the photos, and portraits of the former members of the neo-Nazi Combat Organization of Russian Nationalists (BORN) Nikita Tikhonov and Yevgenia Khasis, convicted for the murder in May 2011, were placed at the memorial.

Religious sites traditionally represent a significant share of the targets. The total number of attacks in 2022 was the same as the year before (12 religious sites in both 2022 and 2021), and, unlike the previous year, exceeded the number of attacks on ideological sites. Orthodox churches and crosses, with five incidents (four in 2021), and various Jewish sites, with five incidents (three in 2021) became the most frequent target. Muslim and Buddhist sites had one incident each (none in the year before). Neo-pagan sites were not affected (compared with four in 2021).

The share of the most dangerous acts – arson and explosions – also decreased compared to the previous year (four arsons), and the share of such acts was 18%, or four out of 22 (seven out of 28, or 25%, in 2021).

As in 2021, the regional distribution has changed noticeably. In 2022, this type of crime was reported in 11 new regions (12 in 2021): Kaliningrad, Moscow, Nizhny Novgorod, Novosibirsk, Smolensk, Tver, and Tomsk regions, Perm Krai, the Republics of Altai, Tatarstan, and Khakassia. On the other hand, 15 regions where such crimes have been reported in 2021 went off the list (14 in 2021): St. Petersburg, Amur, Volgograd, Kaluga, Murmansk, Novgorod, Omsk, Orenburg, Samara and Yaroslavl regions, Primorsky Krai, the Republics of Buryatia and Komi, Yakutia, and Crimea.

Again, for the fourth consecutive year, the geographical spread of the xenophobic vandalism (14 regions) turned out to be wider than that of the acts of violence (8 regions).

Both types of crimes were recorded in four regions (nine in 2021, five in 2020–2019): in Moscow, the Moscow and Nizhny Novgorod regions, and Krasnodar Krai.

Criminal Prosecution for Violence

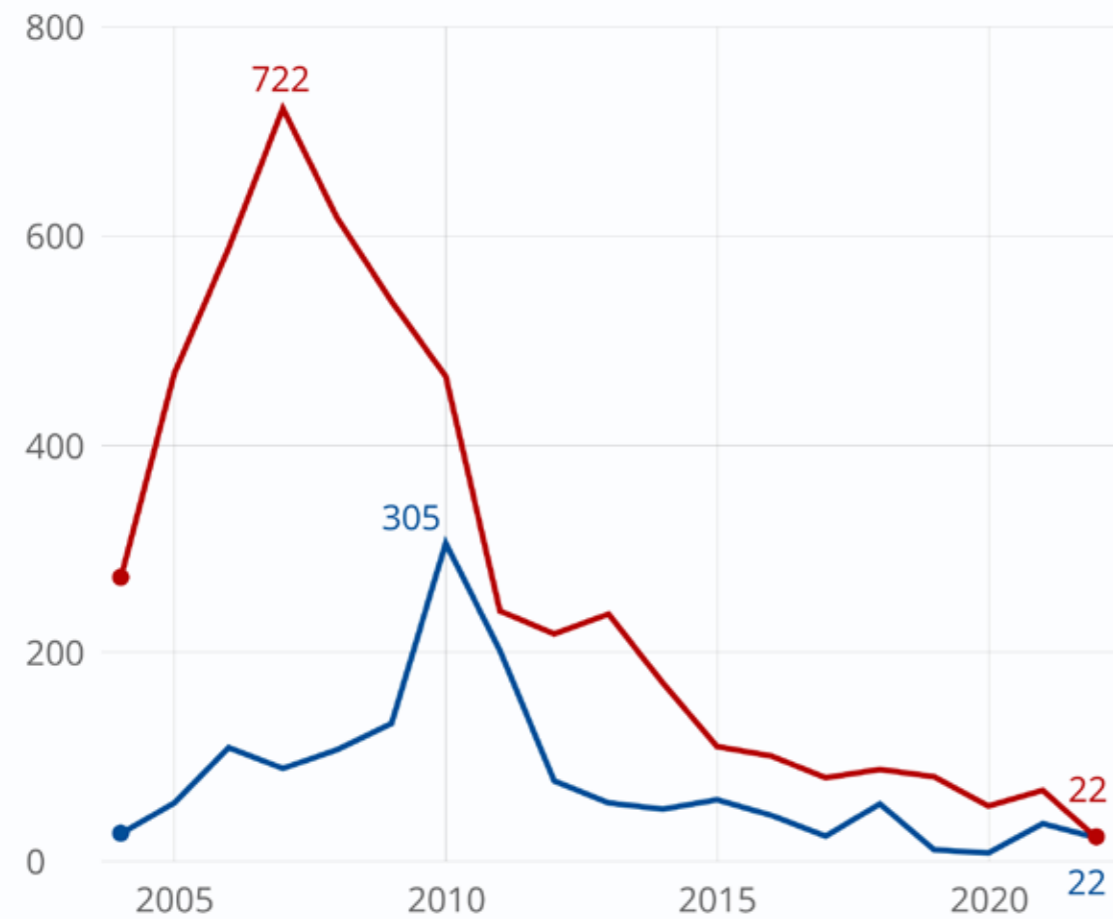
In 2022, the number of those convicted of violent hate crimes known to us was significantly lower than in 2021. In 2022, not less than 10 guilty verdicts where the hate motive was officially recognized by courts were issued in nine regions.¹⁸ 22 suspects were found guilty in these trials (36 in 2021, 8 in 2020). Official statistics on sentences with hate motive are not available, since this qualifying feature does not constitute part of an article

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

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 2004–2022



Source: SOVA Center, 2023

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

Article 282 of the Criminal Code (incitement of enmity) was applied in one guilty verdict for a violent crime (2 in 2021). In St. Petersburg, several Azerbaijan nationals were convicted of assaulting two Armenians while shouting anti-Armenian slogans and insults (“Armenians must be murdered!,” “Whose is Karabakh, Ara?,” etc.) under Paragraph A of Part 2, Article 282 of the Criminal Code (incitement of enmity with the use of violence).

We believe that other articles with the categorizing attribute could have been applied, such as Articles 116, 115, or 112 of the Criminal Code, depending on the severity of the injuries sustained. However, this application of Article 282 is also allowed: the resolution of the Plenum of the Supreme Court of the Russian Federation of 28 June 2011 No.11 “On Judicial Practice in Criminal Cases on Offences of an Extremist Nature”¹⁹ states that Article 282 of the Criminal Code may be applied to violent crimes if they are aimed at inciting hatred or enmity in third parties, such as in the case of a public and demonstrative ideologically motivated attack. In this case, the fact of public demonstration is obvious: the attack was recorded on video and posted online.

Sentences for Ideologically Motivated Violence

Sova Center Data for 2016–2022

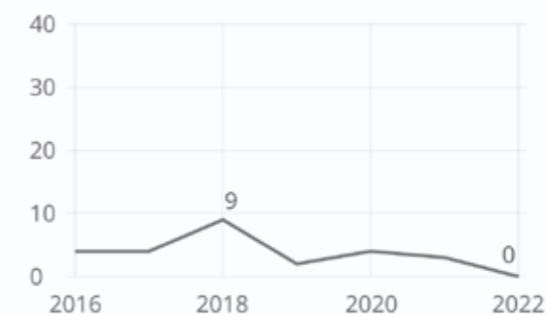
Imprisonment



Suspended Imprisonment



Non-custodial Sentences*



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

Source: SOVA Center, 2023

19. For more on this see: Vera Alperovich., Alexander Verkhovsky, Natalia Yudina. Between Manezhnaya and Bolotnaya: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2011. SOVA Center. 2012. P. 5–61..

Penalties for violent acts were distributed as follows:

- 3 persons sentenced to more than 10 years in prison;
- 4 persons sentenced to up to 10 years in prison;
- 2 persons sentenced to up to 5 years in prison;
- 5 persons sentenced to up to 3 years in prison;
- 8 persons received suspended sentence.

The suspended sentences were given to the underage members of an extremist community in Astrakhan for attacks whose nature is unknown to us and to the leader of the neo-Nazi association Belaya Ukhta for, among other things,²⁰ carrying out, together with others, “direct action” and beating up “people of asocial lifestyles”.

The others convicted in 2022 were sentenced to terms of various lengths, which seem to us to be quite proportionate to their crimes. Among those sentenced to lengthy prison terms were the veterans of the ultra-right movement Sergey Marshakov (Skin Legion, etc.) and Maxim Aristarkhov (Format-18), who got 17 and 16 years in a high-security penal colony in the case of the double murder of Shamil Udamanov (Odamanov) and another, unknown man from Central Asia, recorded in the 2007 viral neo-Nazi video *Execution of a Tajik and a Dagh* in 2007.²¹ The saddest thing is that the neo-Nazis (and not all of them at that) were punished for this murder with a 15-year delay, and the father of the murdered victim, who had identified his son in the video, has not lived to see the first verdict and never found out where his son was buried. However, it seems that law enforcement officials finally got their hands on investigating murders from 15-20 years ago. Two far-right suspects accused of killing an Uzbekistan national in 2007 were recently detained in the Tula region.²² Both of them have been previously prosecuted in other criminal cases. Three former members of the banned neo-Nazi Combat Terrorist Organization (CTO), also known as the Borovikov-Voyevodin gang, were arrested in St. Petersburg on suspicion of two murders committed in 2003. Along with them, Alexei Voevodin, already serving a life sentence, is also suspected.²³

Other members of neo-Nazi gangs also found themselves behind bars in 2022. For example, in Belgorod, three members of White City 31 received prison sentences for a series of racist attacks on migrants from Syria, China, and other countries in 2019-2020. In Astrakhan, the leader of the Astrakhan National Movement got seven years in prison, including for hate-motivated attacks. The already mentioned juvenile members of the same group received suspended sentences.

20. The verdict also cites Article 280 of the Criminal Code (public calls for extremist activity) and Article 354.1 of the Criminal Code (rehabilitation of Nazism).

21. For more on this case see: Natalia Yudina. *Potius sero, quam nunquam: Hate Crimes and Countermeasures in Russia in 2020*. SOVA Center. 2021. P. 5-19.

22. Suspects detained in the 2007 murder case // SOVA Center. 2022. 12 December (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/12/d47342>).

23. Former CTO members are charged with two murders committed 20 years ago // SOVA Center. 2022. 17 November (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/11/d47220/>).

Noteworthy is the arrest in April of a group of members of NS/WP (National Socialism/White Power), a neo-Nazi terrorist organization banned in Russia,²⁴ on suspicion of planning, on the instructions of the Security Service of Ukraine (SBU), the “murder of a public figure, the famous journalist Vladimir Solovyov” and discussing the murder of other prominent propagandists (Dmitry Kiselev, Olga Skabeyeva, Margarita Simonian, and Tigran Keosayan). Among those detained were previously convicted neo-Nazis, including Andrei (Bloodman) Pronsky, a veteran of NS/WP often referred to as the leader of the group, and the Oderint, Dum Metuant Telegram channel administrator, known by the nickname of Signature Illegible. Later, in June, a sixth suspect in the case was detained in Moscow. He had been on the run for almost 1,5 months and during that time had organized several arson attacks on military enlistment offices.²⁵

After reports of the arrests were published, a statement appeared in one of the far-right Telegram channels on behalf of NS/WP confirming the detained individuals’ membership, but denying any connections to the security or special services of Ukraine.

On 20 April, Hitler’s birthday, SOVA Center received an e-mail with the subject line NS/WP WE ARE BACK, in which NS/WP claimed responsibility for arson attacks on vehicles bearing the Z symbol.

Criminal Prosecution for Crimes Against Property

In 2022, we have information about eight sentences for crimes against property, where hate motive was lawfully and appropriately cited; nine suspects were convicted (seven in 2021, one in 2020). In this report, we do not include multiple other convictions whose lawfulness we doubt; the vast majority of the attacks against material objects in question were a form of protest against the military operation in Ukraine, and enforcement of those convictions will be discussed in the report on abusive anti-extremism. In all, in 2022 we know of 21 convictions for crimes against property, qualified as ideologically motivated, against 25 people.

As is the case with violent hate crimes, the statistics of sentences published by the Supreme Court does not allow us to isolate the data we need: in Article 244 of the Criminal Code on cemetery vandalism, the motive of hatred is a paragraph, not part of the article, and in Article 214 of the Criminal Code (Vandalism) it constitutes part of the article together with deeds committed by a group.

Almost all the sentences we are aware of were handed down under Part 2 of Article 214 of the Criminal Code (hate-motivated vandalism). Only two people were charged under this article alone: In Novomoskovsk, the Tula region, two schoolchildren received 10

24. For more on the ban of NS/WP see: Natalia Yudina. *The Well Forgotten Old. Hate Crimes and Countering Xenophobia and Radical Nationalism in Russia in the First Half of 2021* // SOVA Center. 2021. 15 July (<https://www.sova-center.ru/racism-xenophobia/publications/2021/7/d44564/>).

25. Suspects in the plan to assassinate Vladimir Solovyov arrested // SOVA Center. 2022. 25 April (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/04/d46180/>).

months of restricted freedom and a year of educational measures for drawing Nazi symbols on the walls of a house and a garage and recording their actions on video, which they then showed to their friends. In the other cases, Article 214 was combined with other articles.

In Astrakhan, the leader of the Astrakhan National Movement was sentenced to prison and two other members of the same organization received suspended sentences. In addition to acts of violence, the organization members sprayed paint onto the monuments to the Tatar poet Gabdulla Tukai, the Nogay enlightener Abdul-Hamid Dzhanibekov, and the poet Makhtumkuli Fraghi.

In Volgograd, Kirill Zaruykin was sentenced to prison for desecrating a monument to Holocaust victims and for attempted robbery of a pawnshop and Bristol liquor store.

In Zabaykalsky Krai, Kirill Sedyakin, a member of the already mentioned M.K.U., received a suspended sentence under a combination of Part 2 of Article 214 and Article 280 of the Criminal Code (public calls to extremist activity) for drawing neo-Nazi symbols and writing phrases “calling for racial and ethnic hatred” on public buildings in Chita and sending out “specially prepared instructions on how to commit extremist acts” via a messenger.

Attack on Organizations: Anti-extremism law enforcement in Russia in 2022 with regard to countering public statements and organized activity, including countering radical nationalism

This report focuses on countering the incitement of hatred, calls for violent action and political activity of radical groups, primarily nationalists, through the use of anti-extremism legislation. We are primarily interested in countering nationalism and xenophobia, but in reality the government’s anti-extremist policy is focused far more broadly, as reflected in the report. This counteraction is based on a number of articles of both the Criminal Code (CC) and the Code of Administrative Offenses (CAO), on 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

Criminal prosecutions for speech in 2022 remained at about the same level as before. Although we see some quantitative growth in the number of people convicted “for words only,” this growth is not as radical as the year before. The trends we noted last year of an increase in the proportion of convictions for speaking out against the authorities and the number of those convicted under the articles for calls to terrorist actions continued in

1. See in this volume: Natalia Yudina. The Old and the New Names in the Reports. Hate Crimes and Countermeasures to Them in Russia in 2022 (further: Natalia Yudina. The Old and the New Names in the Reports).

2. See in this volume: Maria Kravchenko. Inappropriate Enforcement of Anti-Extremism Legislation in Russia in 2022 (further: Maria Kravchenko. Inappropriate Enforcement in 2022).

2022. The number of those punished under administrative articles also rose. As before, it was mainly due to the article of the Administrative Code on displaying prohibited symbols, not counting the article on “discrediting,” the application of which we fully qualify as unlawful.

Law enforcement in relation to participation in extremist and terrorist communities and organizations, as opposed to prosecution for public statements, has grown very noticeably. The diversity of those charged with these articles of the Criminal Code has also increased, even excluding the unlawful cases. In 2022, members of far-right groups such as the National Revival Path of Russian Patriotism (NVSRP), the United Russian National Party (ERNP), the Astrakhan National Movement, as well as a number of members of “Soviet Citizens” groups, starting with self-proclaimed Soviet President Sergei Taraskin, were convicted. As expected, convictions were handed down for involvement in banned Ukrainian organizations, radical Islamist groups, and, finally, for involvement in the A.U.E. prison subculture, which for some reason was recognized as extremist. Both radical far-right members of the Sakhalin Tactical Nationalists Club (S.T.C.N.) and radical Islamists from ISIS were convicted under articles for participation in terrorist communities and organizations.

The list of extremist organizations was actively expanded in 2022 to include both far-right organizations, the most prominent of which were Men’s State and Nevograd, and Ukrainian and radical Islamist organizations.

This trend is likely to intensify: throughout the past year, law-enforcement officers continued to hunt down members of the people-hating group M.K.U [Maniacs. The Cult of Murders]. In 2022 the first sentences for members of right-wing groups previously detained in connection with M.K.U. were also passed, but many sentences are still to come. And in early 2023, the M.K.U. was recognized as a terrorist organization.

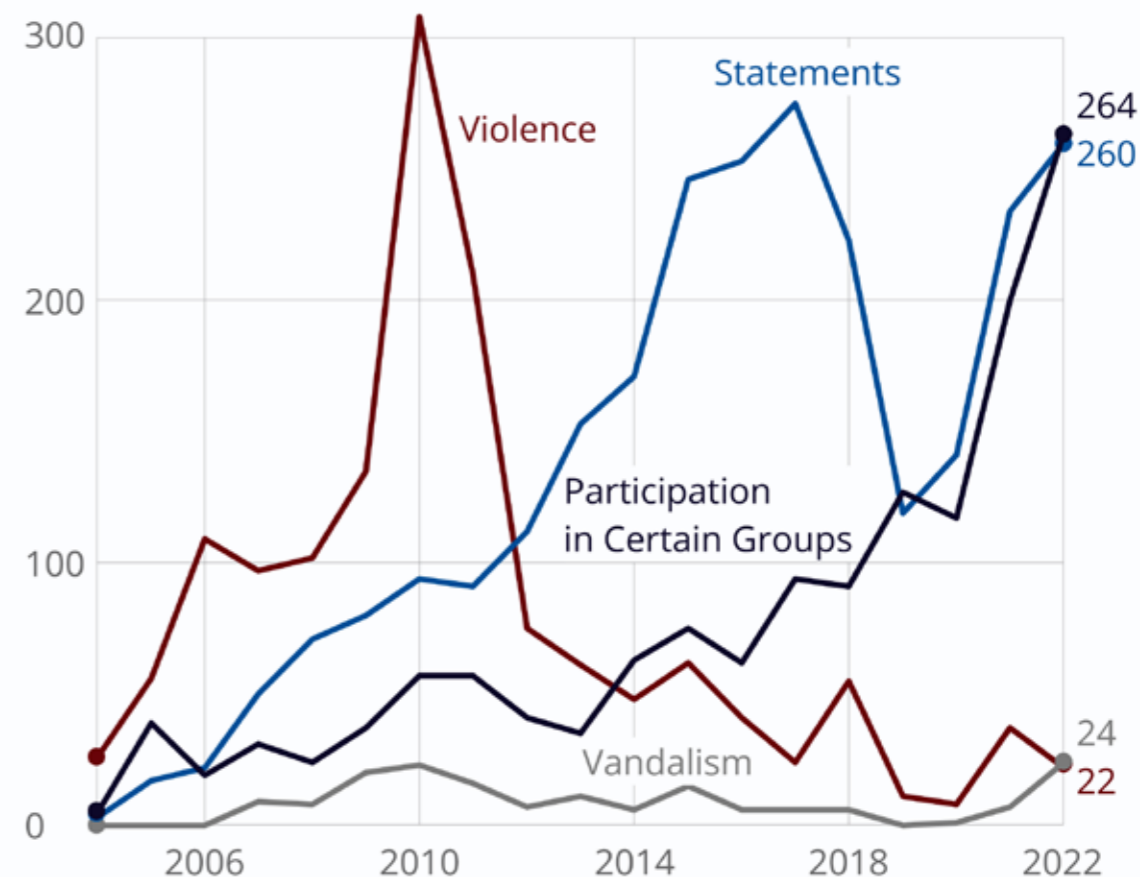
Law enforcement in 2022, which took place almost all year against the backdrop of large-scale military operations in Ukraine, was certainly affected by the latter. But since criminal investigations and the preparation of measures to ban organizations are lengthy processes, court decisions that were made mostly concerned cases opened earlier. We saw how the rapid acceleration of anti-extremist activity, which apparently began in 2020, resulted in a sharp increase in the number of court decisions in 2021. On the other hand, it seems that in 2021, more cases on the activities of organized groups were initiated, and the new cases on “extremist statements” showed at the same time a quantitative stabilization. However, judging by the fact that in 2022, the number of registered “extremist crimes” as a whole (these include violent crimes, public statements, and participation in groups) grew by one and a half times,³ in 2023 we will see another significant increase in the number of convictions.

3. Counter-terrorism and extremism statistics for 2022 published // SOVA Center. 2023. 31 January (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2023/1/d47565/>).

Criminal Prosecution

Criminal Prosecution Convicted of “Crimes of extremist nature”

SOVA Center data. Including inappropriate convictions



Source: SOVA Center, 2023

For Public Statements

By persecution for public “extremist statements” we mean statements that were qualified by law enforcement agencies and courts under articles 282 (incitement to hatred), 280 (calls for extremist activity), 280¹ (calls for separatism), 205² (calls for terrorist activity and justification thereof), 354¹ (rehabilitation of Nazi crimes, desecration of symbols of military glory, insulting veterans, etc.) and Parts 1 and 2 of Article 148 (the so-called insults of

religious believers' feelings) of the Criminal Code. 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 considered "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 with regards to this report.⁵

Taking account of the new offenses related to public statements, which appeared in the Criminal Code in 2022, was problematic. We plan to take into account Art. 282⁴ (repeated display of prohibited symbols), but there have been no convictions under this article yet. We also take into account Art. 280³ (repeatedly discrediting the actions of the army and state officials abroad), but we consider this article to be completely unlawful, and its enforcement is addressed in the report on "inappropriate anti-extremism." As for Art. 207³ (on "fakes" concerning the actions of the army and state officials abroad), it does not generally seem to fall in the "extremist" category, since it is more of a form of slander. We are against the appearance of another article on slander in the Criminal Code, but here we are more interested in the fact that the relevant act may be qualified, among other things, as committed for reasons of racial, political, or other animosity (Paragraph D, Part 2) – and then it is classified as "extremist crime." We proceed from the premise that the statements for which one is prosecuted under Art. 207³, are political, hence, we consider it unreasonable to apply the motive of political or ideological enmity to them as an aggravating circumstance, since any political statement is in some way hostile to political opponents. Accordingly, our report can only take into account those sentences under paragraph D, Part 2 of Article 207³ of the Criminal Code where the motive includes some other enmity (for example, ethnic).

In 2022, according to our incomplete data, the number of convictions for "extremist statements" increased slightly compared to 2021. SOVA Center has information about 208 sentences against 220 people in 62 regions of the country.⁶ In 2021, we have information about 209 such sentences against 212 people in 47 regions. As is customary, we do not include in this report the sentences that we consider unlawful (all exceptions are mentioned below): in 2022, it was 39 sentences against 40 people.⁷ Thus, this report includes the sentences that we consider lawful and appropriate, those whose appropriateness we doubt, those about which we do not know enough to assess their lawfulness, as well as those that are not clearly unlawful and have nothing to do with countering nationalism and xenophobia.

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/>).

5. But such cases of improper enforcement are known and are described in: Maria Kravchenko. Inappropriate Enforcement in 2022.

6. Data as of 26 February 2023.

7. Maria Kravchenko. Inappropriate Enforcement in 2022.

The statistics do not include any acquittals (none in 2022, one in 2021). In addition, we do not include in the statistics and record separately the instances of release from criminal liability with payment of court fines (an alternative introduced in Russian law in 2016). No such releases from liability with payment of court fines were recorded in 2022; in 2021, three such instances occurred.

Overall, we know of only about half of the "extremist statements" cases. According to the data posted on the Supreme Court website,⁸ just in the first half of 2022, 267 people were convicted of "extremist statements," and this number includes only those for whom this was the main charge.⁹ And this is more than the 212 that were convicted during the same period a year earlier.¹⁰ In this report, we use our own data, because 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.¹¹

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 statements,¹² supported by the Russian Supreme Court and the UN Human Rights Council almost in its entirety.

In 2022, we considered 16 convictions against 21 individuals lawful (eight convictions against 10 people in 2021), for instance, sentences for the leader of the Belaya Ukhta movement in Komi or the Chita follower of Maniacs. The Cult of Murders (M.K.U.), recognized as terrorist in 2023.¹³ The sentences handed down to these individuals included episodes of videos with scenes of violence¹⁴ and calls for xenophobic attacks (mostly on VKontakte) and "instructions to commit extremist acts." Given the aggressive readership of such appeals and the fact that we are talking about large communities on the social

8. Consolidated statistics on the state of criminal record in Russia for the first half of 2022 // Website of the Judicial Department at the Supreme Court of the Russian Federation (<http://cdep.ru/index.php?id=79&item=5895>).

9. In terms of which articles of the Criminal Code were used most frequently, Art. 280 was the winner: in the first half of 2022, 161 people were charged. It is followed by Art. 205² (126 people), Art. 282 (22), Art. 354¹ – (14). Part 1 Art. 148 – 6 people. Articles 280¹, 280², 280³, 280⁴, 282⁴ were not used.

For more information see: Official statistics of the Judicial Department of the Supreme Court on the fight against extremism for the first half of 2022 // SOVA Center. 2022. 15 October (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/10/d47063/>).

10. Consolidated statistics on the activity of federal courts of general jurisdiction and magistrate courts for the first half of 2021 // Official website of the Supreme Court of the Russian Federation. (<http://cdep.ru/index.php?id=79&item=5895>).

11. Prior to 2018, convictions for statements were divided into "inappropriate" and "all other".

12. 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 (http://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf).

13. The Supreme Court 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/>).

14. These sentences were therefore also mentioned in the analysis of sentences for hate crimes. Natalia Yudina. The Old and the New Names in the Reports.

network popular with young people or the rapidly gaining in popularity Telegram messenger, such appeals are clearly dangerous.

Unfortunately, in too many cases – marked as “Unknown” (147 convictions against 148 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 (four convictions against four 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 (44 verdicts against 50 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

Appropriateness of Convictions for Statements in 2022

SOVA Center data

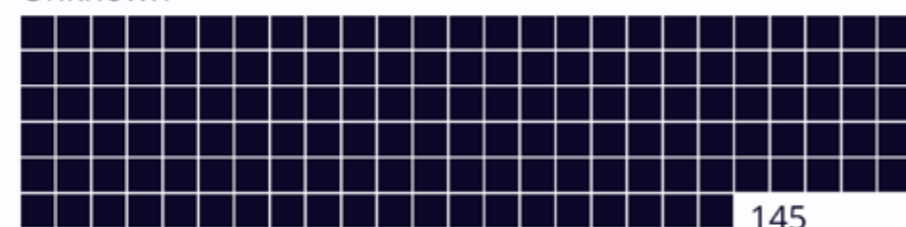
Appropriate



Inappropriate



Unknown



Uncertain



Other



Source: SOVA Center, 2023

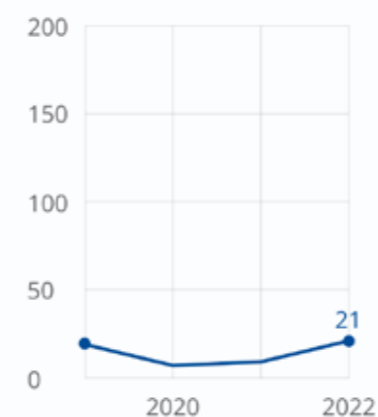
were lawful (mostly for calling for attacks on government officials), but in some cases we cannot judge the appropriateness due to a lack of information.

Some sentences may fall into more than one category if different episodes are evaluated differently.

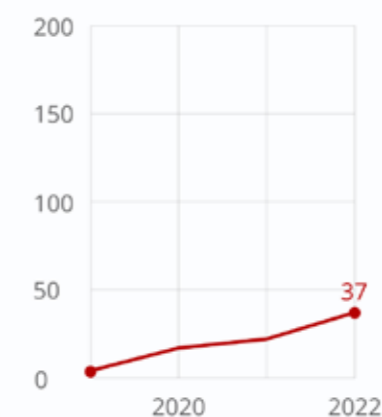
Appropriateness of Convictions for Statements

SOVA Center data

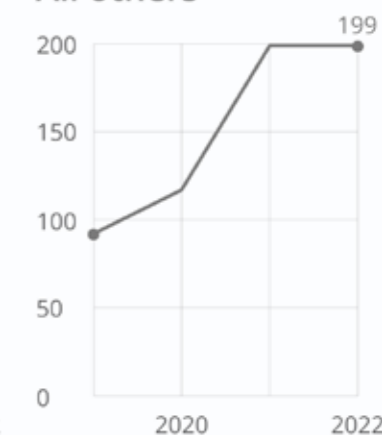
Appropriate



Inappropriate



All others



Source: SOVA Center, 2023

The comments below exclude the sentences that we consider unlawful.

According to SOVA Center data, Article 280 of the CC was applied in slightly more than half of the sentences:¹⁵ in 118 sentences against 120 people; for 81 of these people, this article was the only charge. It could, for example, be combined with other charges, both “extremist,” such as Art. 282² (Participation in an extremist organization), and ordinary criminal articles, for example, Art. 222 of the CC (illegal storage of firearms) or Art. 359 of the CC (mercenaryism).

Art. 205² of the CC (public calls for terrorist activities) was applied even more actively than in previous years. According to the Supreme Court data, in the first half of the past year, a total of 126 people were convicted under this article (73 in the first half of 2021). SOVA Center is aware of 88 convictions of 95 people (not counting wrongful convictions). In 60 cases, this was the only article applied in the conviction. In another 15 cases, it was applied in combination with Art. 280 of the CC, in one other case with Art. 282 of

15. 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.

the CC (incitement to hatred), and in another case – with both of these articles. And in a number of cases this article was combined with other anti-terrorism articles of the Criminal Code, such as Part 1.1 of Article 205¹ of the CC (involvement in terrorist activities) and Article 205⁵ of the CC (participation in the activities of a terrorist organization). For example, in Rostov-on-Don, four ISIS supporters were convicted under a whole range of anti-terrorism articles for their involvement in organizing and preparing terrorist acts during the 2018 FIFA World Cup.

The application of this article is getting more wide-reaching, politically, with every passing year. Whereas it was applied exclusively to radical Islamists only a few years ago, in the past year it was also used against radical far-right (the leader of the already mentioned White City 31 organization), “citizens of the USSR,”¹⁶ representatives of leftist organizations, and other people whose political views are unknown to us.

In 2022, 32 people were convicted for radical Islamist statements, including calls to join ISIS or to support other Islamist terrorist organizations, including propaganda in penal colonies and other places of confinement (not less than seven cases). Three sentences were handed down for supporting the Christchurch (New Zealand) mosque terrorist attacks, committed on March 5, 2019. Nine people were punished for justifying the actions of Mikhail Zhlobitsky, who committed a terrorist attack in the reception room of the Arkhangelsk Oblast FSB building, and calling for such actions to be repeated.

Art. 282 of the CC was used in 19 sentences known to us against 19 people. In 14 of them, it was the only charge. According to reports from prosecutors’ offices, all of these people had previously been held administratively liable under Article 20.3.1 of the Administrative Code, similar in wording (yet for some people, Part 2 of the Article was applied for incitement to violence).

In this report, we note 16 convictions of 19 people in which Art. 354¹ of the CC (rehabilitation of Nazism) appeared; for 13 of them, it was the only article in their sentence. In most cases, people were punished for publishing various materials (mostly statements and comments, and in one case a drawing and a song) on social networks and in messengers (two cases), which contained “approval of Nazi actions and denial of the facts established by the verdict of the International Military Tribunal for the trial and punishment of the major war criminals” and some of which endorsed the Holocaust. One person held similar conversations with other inmates in the detention center. Two wrote offensive graffiti on the grave of a veteran; they were also charged with Article 244 of the Criminal Code (desecration of burial sites).

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 two sentences against two people. Both times it was not the only article in the verdict: in one case it was combined with Article 280, and in the other – with Article 282 of the CC.

Part 3 of Art. 212 of the CC (calls for mass riots) was applied to one person in conjunction with Art. 280 of the CC: an inmate of a penal colony shouted slogans from the window calling for attacks on colony staff, using A.U.E. vocabulary.

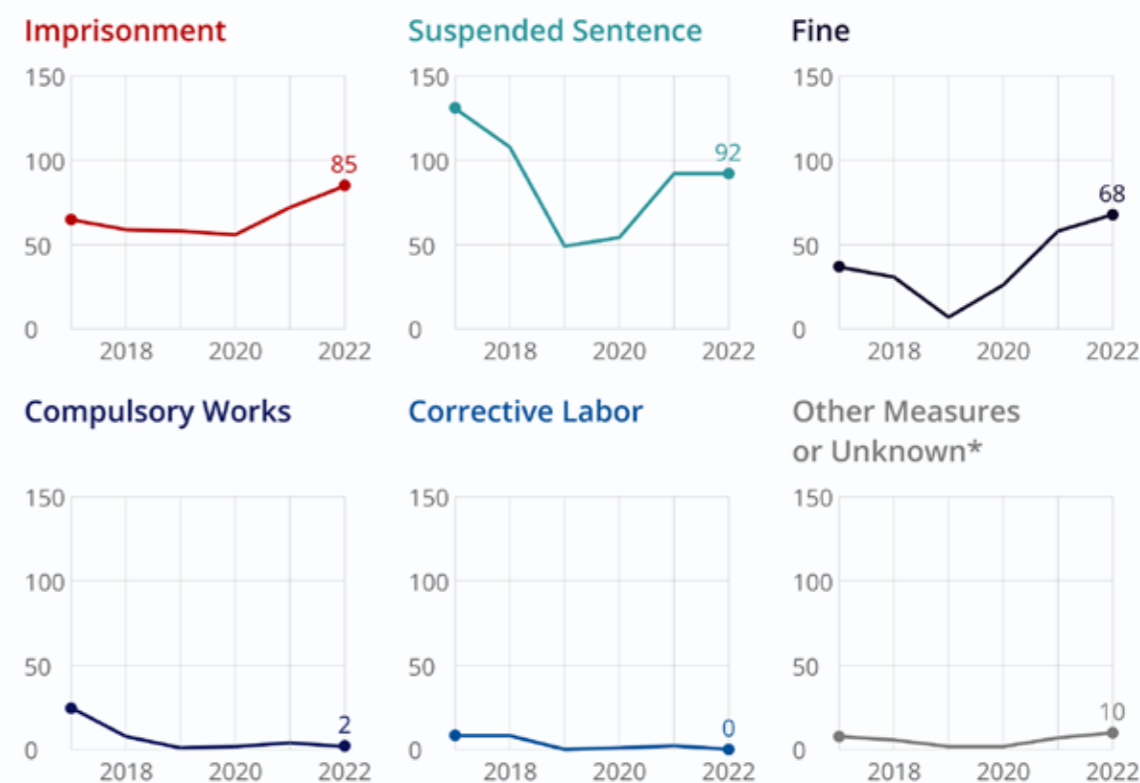
16. On the “citizens of the USSR,” see: Mikhail Akhmetiev. Citizens without the USSR. Communities of “Soviet citizens” in modern Russia. SOVA Center. 2022 (further: Mikhail Akhmetiev. Citizens without the USSR).

We should also mention here that Paragraph E of Part 2 of Art. 207³ of the CC (the new article on “fakes,” taking into account the hate motive in the sentence) was used in Krasnodar Krai for publishing information on Facebook “about the Russian armed forces’ losses of military equipment and personnel” and criticizing the Russian military. According to the verdict, the convicted person “was motivated not only by political hatred, but also by national hatred – towards Chechens.” We cannot assess with confidence the lawfulness of this verdict.

Just like in 2021, we are not aware of any verdicts under Art. 280¹ of the CC (calls for separatism). Remember that at the beginning of 2021, this article was partially decriminalized, a similar Article 20.3.2 of the Administrative Code was introduced, and criminal liability under Article 280¹ occurs only a year after administrative prosecution.

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 Center, 2023

In 2022, penalties for public statements, excluding wrongful convictions, were distributed as follows:

- 71 people were sentenced to imprisonment;
- 83 received suspended sentences without any additional measures;
- 57 were sentenced to various fines;
- 3 were sentenced to mandatory labor;
- 1 was sentenced to the restriction of liberty;
- 2 were sentenced to compulsory treatment;
- 3 – measures unknown.

The number of people sentenced to imprisonment was again higher than a year earlier: in 2021 we reported 62 prison sentences.

Most of them received prison terms in conjunction with charges other than statements. Eight were already serving prison time, and their terms were increased. Some were released on parole or were on probation.

However, eight people received prison terms in the absence of any of the above-mentioned circumstances that reduce the chances of avoiding incarceration (or, perhaps, in some cases, we just do not know about them). This is without taking into account the obviously wrongful convictions and without considering Article 205² of the Criminal Code as “terrorist” (about it see below).

The most notable of them was the head of the unregistered organization People’s Council of Kazan (probably one of the varieties of “citizens of the USSR”), 55-year-old Vadim Tyulyukov. He was sentenced under Article 280 of the CC to two and a half years in a penal colony with a ban on social activities and serving as a head of organizations for posting comments on VKontakte containing calls to attack government officials and law enforcement officers.

Civil activist Grigory Severin from Voronezh was sentenced under Part 2 Article 280 of the CC to two years in a penal colony and a two-year ban on administering websites for writing a comment on his VKontakte page saying “slash the GB” under a post about the shooting outside the Lubyanka FSB building in December 2019.

And whereas in these two cases the convicted engaged in at least some visible activity in their regions and potentially had a noticeable audience, we do not know about the others’ affiliation with any associations.

In Simferopol, 29-year-old Yevgeny Sukhodolsky was sentenced under Article 280 of the CC to one and a half years in prison and a two-year ban on publishing information on the Internet for publishing a text “calling for violence against members of a particular ethnic group” in a messenger’s group chat.

In Krasnoyarsk Krai, a resident of Dzerzhinsky district was sentenced to one year in prison under Part 1 of Article 280 of the CC for calls to attack the country’s leadership.

In Kazan, a local resident received two and a half years in jail under Part 2 of Article 280 of the CC for posting “calls to extremist activity” in a social network.

In Nizhny Novgorod, Alexei Felker was sentenced under Art. 354¹ of the CC to six months in prison with a three-year ban on activities related to the administration of websites for publishing an image in a social network with a portrait of NSDAP chairman Adolf Hitler with the Eiffel Tower in the background and his own song, in which was detected “a combination of linguistic and psychological elements that indicate the author’s jus-

tification of the actions of Adolf Hitler, his associates (Goering and Goebbels), the SS, and the army... including during World War II.”

In Smolensk, Alexander Sokolov got two years in a penal colony with a three-year ban on online posting and a fine of 100,000 rubles under Article 354¹ of the CC for his VKontakte posts “expressing clear disrespect for... George Zhukov, insulting the memory of soldiers of special units... endorsing the activities of the collaborator Krasnov, who fought on the side of the Third Reich, and justifying the actions of collaborators who fought on the side of Nazi Germany (the Cossack formations of the SS troops).” During the trial he pleaded guilty in full, repented, and apologized to the veterans of the Great Patriotic War, but this did not save him from a prison sentence.

Neither did a public apology recorded on video save Igor Levchenko, singer from Krasnogorsk, Moscow region, who got three years in the penal colony under Paragraph A, Part 2 of Art. 282 of the CC (incitement of hatred with threat of violence) for publishing a video in Instagram on February 24 where he sang a song and made a statement that showed “signs of incitement of hatred and hostility towards Russian servicemen with threat of violence and committing murders.”

In all of these cases, we have not seen the publications, know nothing about the convicted and the context of their statements, and have no way of explaining the reasons for the harshness of the sentences.

Compared to the previous year, the situation remains almost unchanged: in 2021 we reported nine prison sentences, four in 2020, in 2015-2019 this number fluctuated, without any apparent pattern, between five and 16, and in 2013 and 2014 there were only two such convictions in each.¹⁷

If we calculate the percentage, then in 2022 the share of incarceration sentences where we are unable to explain the severity represents 3.6% of the total number of convicts. We can’t say that this figure has any stable dynamics: in 2021 it stood at 4.3%, in 2015-2020 it ranged from 2.8% to 6.8%, and in 2013 and 2014 it was just over 1%.

Prior to 2020, we did not perform any calculations with regards to Art. 205² of the CC at all, since the penalties under the anti-terrorism article are traditionally more severe, and our knowledge of the specific content of cases is always too limited; additionally, until 2018, the vast majority of sentences under Art. 205² had nothing to do with countering incitement to hatred. But the situation is changing, and the application of this article is expanding, so this is the third year that we are accounting separately for those punished with incarceration under this article. In 2022 we know of eight people convicted under Article 205² alone, without the “aggravating circumstances” listed above. Another five were convicted under the combination of Art. 205² and Art. 280 of the CC; we did not count them in the calculations above under Art. 280, so the total is 13. In 2021, we also reported 13 people, and eight in 2020.

The majority of such convictions that we are aware of involved statements directed not against ethnic or religious groups, but against the authorities. However, three of those convicted were engaged in radical Islamist propaganda. The Southern District

17. Natalia Yudina. Anti-extremism in Quarantine: The State against the Incitement of Hatred and the Political Participation of Nationalists in Russia in 2020. SOVA Center. 2021. P. 20–46 (further: Natalia Yudina. Anti-extremism in Quarantine).

Military Court sentenced Nozim Ikromzhon Ugli Rustamov to two years in a penal colony for posting on a social networking site a “*video file containing calls to terrorist activity.*” And the First Eastern District Military Court in Omsk sentenced three residents of a Central Asian state, two of whom were sentenced to imprisonment in a general-regime penal colony (two years and six months and two years, respectively) only under Part 1 of Art. 205² of the CC for “*advocating terrorism among their entourage and inducing people to travel to Syria.*”

In the Altai Republic, a follower of the far-right organization Russian National Unity (RNE) was sentenced under this same article to two years in a general-regime penal colony with a one-and-a-half-year ban on publishing materials online for posting on VKontakte “*media materials containing propaganda of the ideology of Nazism and racial superiority*” and “*publicly justifying actions of terrorists.*” In particular, he posted a poem online dedicated to Timothy McVeigh, “*which justifies the man who shot people on the basis of their ethnicity.*”¹⁸ In July 2022, this poem was added to the Federal List of Extremist Materials (entry 5292).

The sentence against a 56-year-old resident of Primorsky Krai was also related to a literary work: he received three years in a general-regime penal colony with a two-year ban on activities related to the posting of materials on the Internet for writing a “*literary work*” in late December 2020 that encourages others “*to commit acts aimed at the violent overthrow and seizure of power in the Russian Federation*” and for posting this work for free access on Proza.ru, VKontakte, and Facebook.

Civil activist Rodion Stukov was involved in protests in support of Navalny. The First Eastern District Military Court sentenced him to two years in a general-regime colony with a ban on Internet publications for two years for recording voice messages calling for the use of force against police officers at protest rallies in January 2021 and publishing them in a Telegram group with half a hundred participants.

In Kuzbass, the court sentenced a 41-year-old Prokopyevsk resident who, according to the prosecutor’s office, “*posted publications on the Internet that incited the murder of the President of the Russian Federation,*” to a year and a half in prison and a ban on the administration of Internet sites.

The First Eastern District Military Court sentenced 42-year-old Sergei Zvonkov to two years in a penal colony; according to law enforcement officials, he “*published posts on the Internet calling for the murder of top government officials by terrorist attack.*”

Five people convicted under the combination of Articles 280 and 205² of the CC were also sentenced to imprisonment for publications containing threats against government officials, including the President of the Russian Federation.

The Central District Military Court in Yekaterinburg sentenced an employee of the Izhevsk Mechanical Plant to nine years in prison for posting comments on VKontakte calling for murder of law enforcement officers.

Four more people were sentenced by the First Eastern District Military Court. A resident of the Jewish Autonomous Region was sentenced to three and a half years in a general-regime penal colony with a three-year ban on the right to engage in activities related to the public posting of materials on the Internet for publishing materials on a social network “*containing public calls for the murder of state figures and members of a federal politi-*

18. In reality, McVeigh did not shoot, but set off a powerful explosion, and acted not “on a basis of nationality,” but attacked a building that contained government offices.

cal party.” Alexei Skotnikov, a resident of the town of Osinniki in the Kemerovo region, was sentenced to two years in a penal colony and banned from posting materials online for two years for posting on VKontakte “*calls for violent regime change and murder of government officials and law enforcement officers.*” A resident of Petropavlovsk-Kamchatsky was sentenced to six years in a high-security penal colony with a two-year ban on publications on the Internet: according to the case file, he left comments on VKontakte three times calling for the murder of Putin, members of United Russia, and government officials. And a resident of Kemerovo was sentenced to a year and a half in a penal colony with a three-year ban on the use of the Internet for publishing on social networks calls “*for extremist actions against the Chinese*” and “*justification of terrorism against security officials (siloviki) and government officials.*”

In 2022, the share of suspended sentences decreased from 43.6% (in 2021) to 37.7% (83 out of 220). The share of the remaining convicts sentenced to punishments involving neither real nor suspended imprisonment, i.e. mainly fines, was 27.7%, which was slightly higher than the 25% in 2021.

Almost all of the sentences mentioned 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. In three cases, confiscation of the “*instruments of crime*” (routers, laptops, cell phones) was reported.

As has become a tradition, the overwhelming majority of convictions were for material posted on the Internet – 184 out of 208, or 88.5% (91% the year before).

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

- social networks – 142 (64 on VKontakte, 2 on Facebook; 8 on Instagram; 3 on Odnoklassniki; unspecified social networks – 65¹⁹);
- messengers – 13 (Telegram – 7, unspecified – 6);
- YouTube – 2;
- public chats – 2;
- online media – 2;
- unspecified online resources – 23.

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

- comments and remarks, correspondence in chats – 59,
- other texts – 36,
- poems – 2,
- calls in unclear forms – 6,
- instructions for making explosive devices – 5;
- videos – 36 (including 2 of one’s own attacks),
- images (drawings and photographs) – 13,

19. Very likely, mostly on VKontakte.

- audio (songs) – 7,
- administration of groups and communities – 2,
- unspecified – 38.

As for where materials are posted, that remains the same (see previous reports on this topic, as well as reports on online prosecutions for extremism²⁰): Law enforcement still focus their monitoring on social networks; in the last three years, messengers have been added, but the percentage of cases involving them is still small. In terms of genre distribution, the trend we noted in 2020 has strengthened,²¹ – a significant increase in the proportion of sentences “for words” in the literal sense, that is, for textual statements, with comments and remarks prevailing; and the tendency to prosecute videos and other pictorial materials is diminishing.²²

The number of convictions for offline statements turned out to be one-third higher than a year earlier: 24 convictions for 31 people, compared with 17 for 19 people in 2021. They were distributed as follows:

- agitation in prisons, colonies, and treatment and correctional facilities – 13 (1 person – shouts from the window, 1 – colony wall newspaper, others – agitation in the cell among other prisoners);
- shouts during attacks – 1;
- shouts inside an MFC (multi-functional center for public services) building – 1;
- shouts in the street – 1;
- speech at a rally – 2 sentences (4 people);
- speech at meetings of like-minded people (“citizens of the USSR”) – 1;
- leaflets – 2 sentences (6 people);
- graffiti – 3 sentences (4 people).

The percentage of people convicted of agitation in prison has decreased compared to 2021. Remember²³ that we find these verdicts questionable. It is true that there is a significant proportion of people who are prone to violence among prisoners, so radical agitation 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.

We are inclined to consider sentences for speeches at a rally, shouting during an attack, or even simply street agitation (verbal or by handing out leaflets) as legitimate by the same criterion. But the need to prosecute specifically for singular graffiti on fences and

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

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

21. Natalia. *Anti-Extremism in Quarantine*.

22. Natalia Yudina. *In the Absence of the Familiar Article. The State Against the Incitement of Hatred and the Political Participation of Nationalists in Russia in 2019*. SOVA Center. 2020. P. 22–46.

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

buildings raises serious doubts. The principle by which the authorities prosecute such offenses administratively or criminally remains unclear to us.

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 a portion of the cases we are aware of.

We identified the following targets of hostility in the sentences passed in 2022 (the incriminated materials expressed hostility toward more than one group):

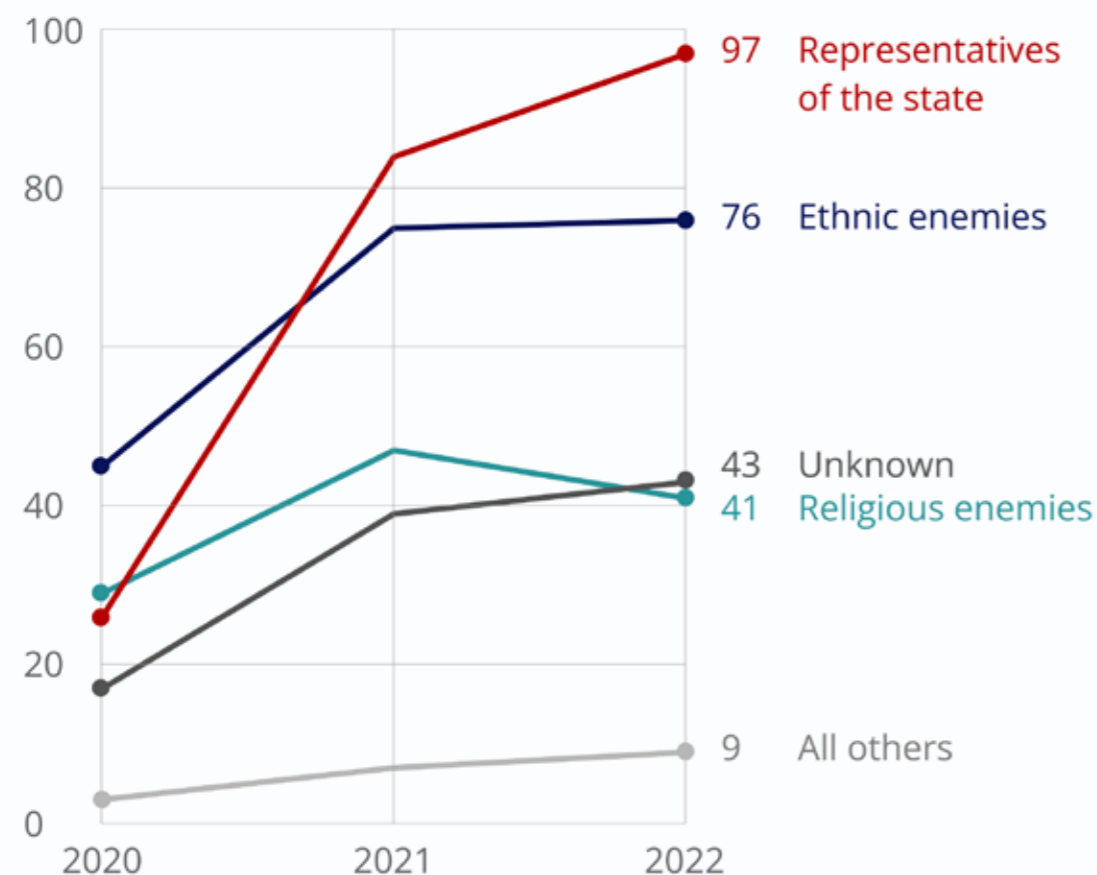
- ethnic enemies – 76, including: Jews – 17, natives of Central Asia – 11, natives of the Caucasus – 13, Mongols – 1, Chinese – 1, Sinti and Roma – 2, Russians – 5 (including in connection with military actions in Ukraine), dark-skinned people – 2, non-Slavs in general – 11, unspecified ethnic enemies – 13;
- representatives of the state – 97, including: government employees in general – 34, members of the United Russia party – 5, FSB personnel – 6, officials of the Ministry of Internal Affairs – 1, military – 9, police and security forces (siloviki) – 29, President of the Russian Federation – 9, Samara regional government – 1, prison staff and their family members – 2, custody officials – 1;
- Belarusian security forces (siloviki) – 1;
- religious enemies – 41, including Orthodox Christians, including priests – 5, Muslims – 13, infidels from the Islamic point of view (romanticizing militants, calls to join ISIS and jihad) – 21, unspecified religious enemies – 2;
- veterans – 4;
- communists – 1;
- women – 1;
- people who drink alcohol – 1;
- homeless – 1;
- unknown – 43.

The situation of 2021 repeats itself: the three main groups of enemies – ethnic, religious and state representatives – remain the same. In 2022, as in the year before, state officials prevail, they are mentioned in 46% of sentences (41% in 2021), and their share continues to increase, albeit more slowly, at the expense of those of ethnic and especially religious enemies.

In contrast to the previous year, the number of sentences for offline political hostility went up to reach nine (we reported one in 2021) and almost equaled the 10 sentences for ethnic xenophobia.

Objects of Enmity in Sentences for Statements

SOVA Center data. Inappropriately convicted not included



Source: SOVA Center, 2023

For Participation in Extremist and Terrorist Groups and Banned Organizations

In 2022, we have information about 44 verdicts against 78 offenders 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). That's twice as many as in 2021 (22 convictions against 32 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

86 sentences against 186 people²⁴ (all the convictions under Art. 282³ known to us were unlawful). According to the Supreme Court data,²⁵ 155 people were convicted under the same articles, if we count only the main charge, in the first half of 2022 alone (233 in the whole of 2021). 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.

We know that in 2022, Article 282¹ of the Criminal Code was used in 12 convictions against 34 people.

Traditionally, it was primarily applied to members of ultra-right groups.

In Perm, the leader and participants of the National Revival Path of Russian Patriotism (NVSRP) group, Andrey Ageyev, Sergei Igitov, and Daniil Zorin were sentenced to suspended sentences with a ban on creating and administering websites and communities in social networks for participation in an extremist community; according to investigators, they were preparing attacks on police officers, people of "non-Slavic appearance," and LGBT people, conducted training sessions in the woods, and discussed how to obtain weapons. During searches, traumatic pistols and bullets, cold weapons, books with "extremist content," and nationalist paraphernalia were found and confiscated.²⁶

In the Bryansk region, another member of that group was sentenced to two years of penal colony under Part 1, Art. 282¹ of the CC (organizing or leading an extremist community). In February 2019, he created an ultra-right community on a social network, posted nationalist materials there, and looked for like-minded people. He also distributed propaganda leaflets calling to join the NVSRP and was detained while handing out leaflets in Bryansk.

In Krasnodar, a court sentenced members of a group called the United Russian National Party (ERNP) – six residents of Gelendzhik, five of whom were minors. ERNP members "disseminated ideas ... about the supremacy of the Slavic peoples in Russia, about the restriction of the rights of representatives of other ethnicities," and also advocated for "cleansing society of people who abuse alcohol, use and distribute drugs... of representatives of informal subcultures and non-traditional sexual orientations." Group leader Bogdan Laskin together with Evgeny Talykov conducted hand-to-hand combat training in Gelendzhik among other ERNP members. The participants used an emblem "similar in appearance to the emblem of the troops of Nazi Germany." They painted this emblem and similar images and inscriptions on city buildings and posted flyers. In April 2020, members of the group burned a copy of the Victory Banner in a bonfire and distributed a video of it in a messenger group. Between December 2019 and March 2021 in Gelendzhik, ERNP members attacked people who were deemed to be "leading asocial lifestyles" and "members of informal subcultures." Bogdan Laskin was sentenced under Part 1 of Article 282¹ in combination with Article 354¹ and Part 4 of Article 150 of the Criminal Code (involvement of minors in a criminal group and the commission of crimes motivated by political, ideological, racial, national hatred and

24 . See: Maria Kravchenko. Inappropriate Enforcement in 2022.

25 . Consolidated statistics on the state of criminal record in Russia for the first half of 2022 // Supreme Court website (<http://cdep.ru/index.php?id=79&item=5460>).

26 . Verdict handed down for participation in extremist community in Perm // SOVA Center. 2022. 15 December (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/12/d47369/>).

enmity towards any social group) to six and a half years in a general-regime penal colony, with a two-year ban on the use of the Internet, with a year-and-a-half restriction of freedom. The other defendants were found guilty under Part 2 of Art. 282¹ of the CC (participation in a group), and two of them were also found guilty under Art. 354¹ of the CC and sentenced to two to three years' suspended imprisonment, with deprivation of the right to engage in activities related to the administration of sites and channels on the Internet for two years. It is unknown why the articles of the Criminal Code for violent attacks were not imputed in the verdict.

Separately, a sentence was handed down to Yevgeny Talykov, a member of the ERNP. The Novorossiysk garrison court sentenced him to six years in a general-regime penal colony under Part 2, Art. 282¹, Art. 354¹ and Art. 150 of the CC.

These two groups (NVS RP and ERNP) were mentioned a year earlier in connection with the mass detentions of members of the youth radical community M.K.U. (see below).

In Astrakhan, the leader and members of the Astrakhan National Movement group, aged between 17 and 21, were convicted of committing “*several acts of ideological vandalism*” and “*distributing propaganda materials on social networks*.” Depending on their roles, they were found guilty under Part 1 of Article 282¹ of the Criminal Code, Part. 1.1. of Art. 282¹ of the Criminal Code (inducement, recruitment to the activities of an extremist community), as well as under the articles for violence and vandalism.²⁷ The group leader received seven years in a general-regime penal colony, while the others got suspended sentences.

Three members of the neo-Nazi group White City 31 were convicted in Belgorod Oblast; according to media reports, they had already committed over 30 hate-motivated attacks in two years.²⁸ The court sentenced David Tronenko to 12 years in prison under Parts 1 and 1.1 of Article 282¹ and under articles for violence and vandalism. The other two (one of whom was a minor) were sentenced under Part 2 of Article 282¹ and the articles on battery to four and three years in prison, nine months of corrective labor, and, in addition, a ban on running groups in social networks.

In Omsk, a “citizen of the USSR,” chairman of the “Omsk Regional Executive Committee of the Council of People’s Deputies of the RSFSR,”²⁹ Vladimir Beskhlebny, 72, received a suspended sentence “*for preparing to form an extremist community*” with “*the goal of ousting the Omsk regional government and arresting the Governor on June 24, 2020, the day of the celebration of the 75th anniversary of the Victory Day. ... He searched for contacts of former and active servicemen, found out the location of arms and ammunition depots in the region, and planned an armed takeover of the TV center...*”

In Khabarovsk, an 18-year-old young man was sentenced under Articles 282¹, 205¹, 205², 280, and 163 (with application of Art. 30, attempted extortion) to eight years in a general-regime penal colony, and his 17-year-old girlfriend was fined under articles 282¹, 30, and 163 of the CC. The young man, according to law enforcement officials, distributed literature prohibited in Russia, drew symbols “*similar to Nazi symbols*” on houses in Khabarovsk, printed leaflets, and made incendiary devices. He was also going to carry out attacks on

27. The sentence is also accounted for in the report on hate crimes: Natalia Yudina. The Old and the New Names in the Reports.

28. The sentence is accounted for in the above-mentioned report.

29. Affiliated with Svetlana Zorya’s “Supreme Council of the RSFSR.” For more, see: Mikhail Akhmeteyev. Citizens without the USSR.

“non-Russians.” In addition, he intended to commit “*several terrorist acts involving the arson of a number of buildings*,” and also wanted to extort money “*from wealthy citizens in order to obtain funds to finance the activities of the extremist community*.” In particular, these two were planning extortion with a threat to set a car on fire, but were detained by the FSB.

In the Bryansk region, a 19-year-old local resident was sentenced to a fine under Part 1 of Art. 282¹ of the Criminal Code (with application of Part 3 of Article 30 of the Criminal Code). According to the court, he “*made a plan to create an extremist community*” with the purpose of attacking and robbing “non-Slavs” and drug sellers, and engaged in “*search, indoctrination, and recruitment*” of supporters. But he “recruited” FSB operatives, who detained him.

In Kabardino-Balkaria, 11 residents of the village of Anzorey were convicted under Article 282¹. According to the investigation, guided by Sharia law, they formed “religious patrols,” intimidating and beating those who did not share their views. Five episodes between 2016 and June 2020 were reported in the case file: two cases involved beatings, and three involved threats. All those convicted, including community leader Sultan Atalikov, received suspended sentences.³⁰

And the last conviction under this article that we are aware of is related to Ukraine. The First Eastern District Military Court sentenced a resident of Norilsk to nine years in a high-security penal colony under Part 1.1 of Art. 282¹ and Part 1.1 of Art. 205¹ of the CC. According to the investigation, while in pre-trial detention, he engaged in persuading his fellow inmates to join the Ukrainian far-right organization Pravyi Sector, banned in Russia, take part in fighting in eastern Ukraine, and organize prison bombings in Bryansk, etc.

According to our data, Article 282² of the CC was applied in 22 verdicts against 27 people.

This article was actively used to prosecute members of the banned “citizens of the USSR” organizations. Seven people were convicted, starting with Sergei Taraskin, the leader of the Union of Slavic Forces of Russia (abbreviated as SSSR, Russian for USSR), who publicly referred to himself as “*the acting president of the USSR*,” and sometimes even as “*the emperor of the Russian Empire*.” A court in Moscow sentenced him to eight years in a general-regime penal colony.

In Primorskiy Kray, a “citizen of the USSR” was sentenced to seven years in prison and a year and a half of restriction of freedom, not only under Part 2 of Art. 282², but also under Part 1.1 of Art. 282² (recruitment to an extremist organization) and Part 1 of Art. 205¹ of the CC (facilitation of terrorist activities). Terrorist activity here was understood to mean the alleged overthrow of the constitutional order.

Additionally, “citizens of the USSR” from Ufa, Maykop, Orenburg, and Belokurikha (Altai Krai) were charged and found guilty of publishing materials of the SSSR organization on VKontakte and of distributing leaflets. Three received suspended sentences. Two “citizens of the USSR” from Orenburg were sentenced to corrective labor.

Since 2018, various associations of “citizens of the USSR” have been appearing in criminal summaries more and more frequently. It seems that for law enforcement agencies they have taken the place of the activists of the “Spiritual-Ancestral Power Rus,” previ-

30. Anzorean Patrols: From Shariah to Extremism // Kavkazskiy uzel. 2021. 17 August (<https://www.kavkaz-uzel.eu/articles/365782/>); Members of an extremist community convicted // Kabardino-Balkarskaya pravda. 2022. 6 April (<https://kbpravda.ru/node/10829>).

ously mentioned almost annually in our reports; activity of these two organizations are formally similar in many ways.

However, Art. 282² was used against other organizations as well. Five people were convicted of belonging to Pravyi Sector in Stavropol Krai and Moscow. Some of them were accused of intending to travel to Ukraine to join Pravyi Sector, some of recruiting for the organization, and some of creating propaganda videos and planning terrorist attacks. All of them were sentenced to long prison terms.

Four people in Rostov-on-Don and one in Neftekamsk (Bashkortostan) were sentenced to prison for involvement in the radical Islamist organization Takfir wal-Hijra. Although the organization by that name has long ceased to exist, there have indeed been and probably 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.

10 people in the Moscow, Irkutsk, and Samara regions and the Republics of Adygea and Komi were found guilty of participating in the criminal subculture A.U.E., which for some reason is recognized as an extremist organization.³¹ The vast majority of them had already been in prison, and had to serve additional prison time. Only one 20-year-old resident of Maikop received a suspended sentence.

In 2022, we know of two convictions against four people under Article 205⁴ of the CC. Two people from Yuzhno-Sakhalinsk were sentenced to prison for participating in the Sakhalin Tactical Club of Nationalists (S.T.C.N.) terrorist community, possessing weapons and explosives, and undergoing training to commit a terrorist attack. Two other people in Rostov-on-Don were convicted of involvement in ISIS activities. In addition to Article 205⁴, a number of other anti-terrorism articles were included in the sentences, and collectively all of the convicts were sentenced to long prison terms.

We are aware of nine convictions against 14 people under Article 205⁵. All the cases involved radical Islamists. We are talking about involvement in such organizations as the Islamic State and Hay'at Tahrir al-Sham. All were sentenced to imprisonment in combination with other anti-terrorism articles.

Federal List of Extremist Materials

In 2022 the process of expanding the Federal List of Extremist Materials continued to slow down: the list was updated 23 times with 81 entries (110 a year earlier). Thus, the number of entries on the list has reached 5,334.³²

New entries fall into the following categories:

- xenophobic materials of contemporary Russian nationalists – 44;

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

32. As of February 23, 2023, the list has 5339 entries.

- materials of other nationalists – 5;
- materials of Orthodox fundamentalists – 1;
- radical anti-Christian materials – 2;
- materials of Islamic militants and other calls for violence by political Islamists – 2;
- materials of Hizb ut-Tahrir – 1;
- other Islamic materials – 3;
- materials by other peaceful worshippers (writings of Jehovah's Witnesses) – 1;
- materials from the Ukrainian media and the Internet – 1;
- anti-government materials inciting to riots and violence – 14;
- works by classical fascist and neo-fascist authors – 2;
- parody banned as serious materials – 1;
- A.U.E. materials – 1;
- people-haters' materials – 1;
- citizens of USSR materials – 2.

As in previous years, the overwhelming majority of the new entries are materials by Russian nationalists; the number of entries added containing such materials has not decreased much compared to the previous year. At least 65 of the new 81 entries are on-line materials: video and audio clips, articles and other texts, and various images. In addition to online publications and posts on social networks, materials published in Telegram channels were added to the list (materials from the Telegram channels of the 1ADAT community and M.K.U.). Offline materials include books by Russian and other nationalists, classics of the Third Reich, and Salafist Muslims. However, with regard to songs or videos, it is often difficult to understand where the banned materials were published: the entry contains only the title and sometimes the first and last lines.

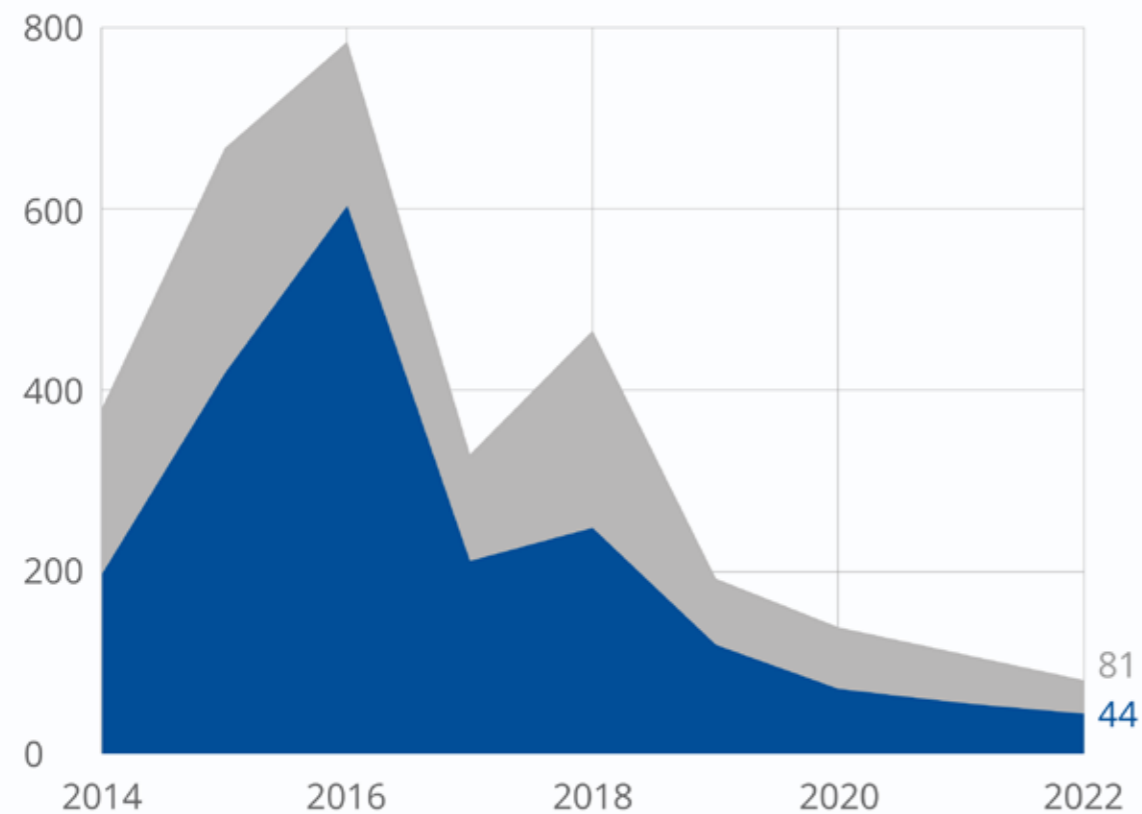
Of course, the list has been updated less intensively, but it has grown so large that it is impossible to make sense of it. The entries are still being described in a manner that makes it hard to understand, which causes a lot of difficulties in interpreting the material. This is not to mention the rules of bibliography, which in all the years of the existence of the list have never been taken into account.

And, as usual, some of the newly added materials were declared extremist clearly unlawfully and inappropriately: these are mainly translations of Islamic treatises, including medieval ones. However, the number of unlawfully banned materials was significantly lower than the year before (eight in 2022 compared to 19 in 2021).³³

33. See: Maria Kravchenko. Inappropriate Enforcement in 2022.

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 Center, 2023

Banning Organizations as Extremist

Lists of extremist and terrorist organizations were expanded more intensively than the year before.

In 2022, 13 organizations were added to the Federal List of Extremist Organizations, published on the website of the Ministry of Justice (a year earlier there were nine).

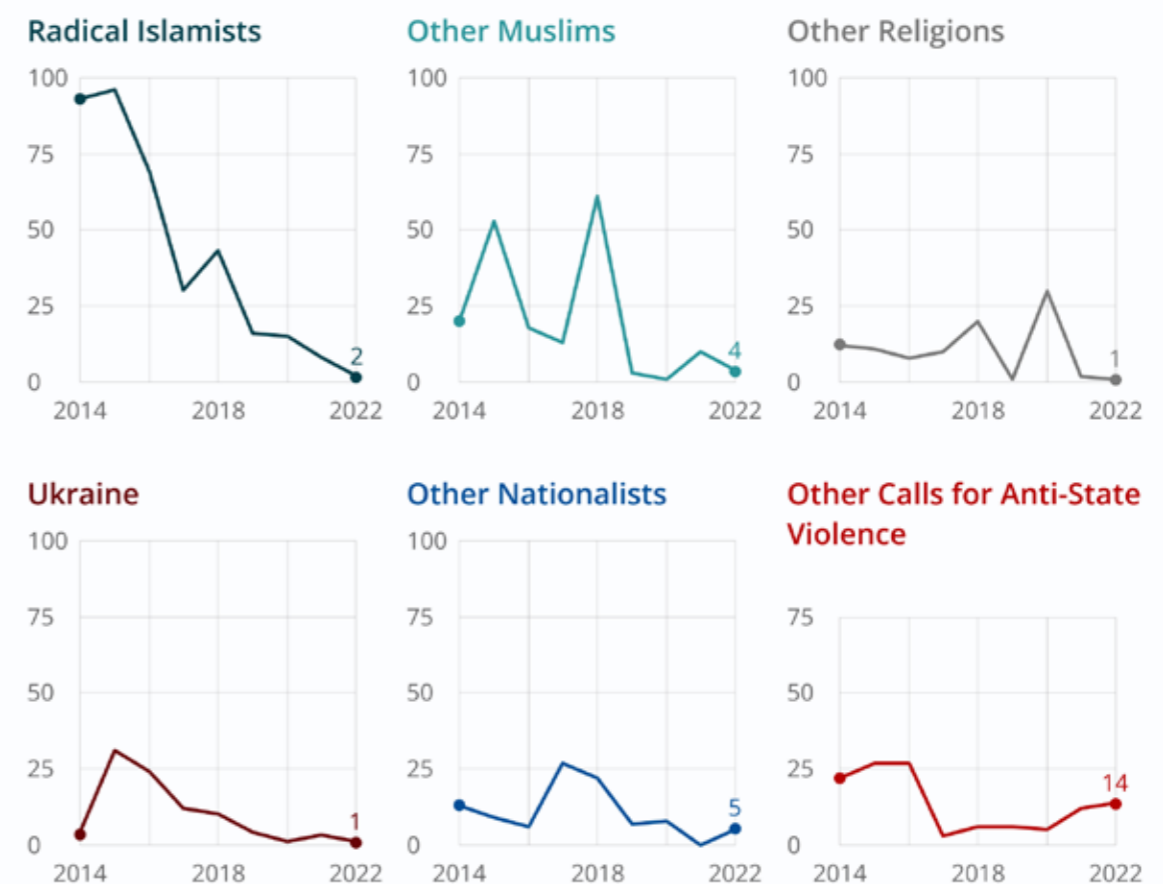
Russian nationalist organizations of varying degrees of activity and prominence joined the list.

Male State was declared extremist by the Nizhny Novgorod regional court on October 18, 2021. The MG, founded in 2016 by Vladislav Pozdnyakov, positions its ideology as

“national patriarchy,” advocates “racial purity,” and not only insists that women’s behavior should be dictated by ultraconservative values, but also advocates extremely radical misogynistic ideas and appeals. MG supporters have repeatedly harassed and threatened female journalists and activists online, and in August and September 2021 harassed chain restaurants for ads featuring young black men.³⁴

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

The Ministry of Justice data. Classification by SOVA Center



Source: SOVA Center, 2023

The Nevograd group was declared extremist by the St. Petersburg City Court on October 25, 2021. The court decision also listed the group’s alternative names: Nevograd, Nevograd-2, BTO-Nevograd, First Line Nevograd, Nevograd first line, Nevograd First Line in Russian transcription, and FirstLineNevograd. Judging by this list, the name Nevograd re-

34 . Natalia Yudina. The State Has Taken Up Racist...

fers to several St. Petersburg neo-Nazi groups associated in one way or another with Andrei Link (Kleschin, Ivanov).³⁵

The ultra-right organization NORD (People's Union of Russian Movement) was declared extremist by the Pervomaisky district court of Omsk on April 19, 2022. This group, comprising about 20 residents of Omsk and about 60 followers from other regions, was founded by two 20-year-old Omsk residents, Kirill Vasyutin and Dmitry Lobov. Criminal proceedings were initiated against them under Part 1 Art. 282¹ of the CC. NORD members "*promoted hatred toward people of other ideologies and called for violence... and prepared attacks on people of non-Slavic appearance, natives of Central Asia and the Caucasus, anti-fascists, and LGBT.*" We have information about one attack perpetrated by the group and motivated by ethnic hatred and about the conviction of one of its members under Part 2 of Art. 282 of the CC.

The far-right community Project Sturm was declared extremist by the Leninsky District Court of Perm on June 14, 2022. The group emerged in December 2018 (its social network page gives a different date – March 15, 2019), founded by Daniil Vasilyev. The group members numbered about 15 people, many of whom had previously attracted the attention of law enforcement agencies. The leader of the group became one of the defendants in the case of Putin's mannequin tied to a pole³⁶ and in August 2020 was given one year of suspended sentence under Part 2 of Art. 213 of the Criminal Code (hooliganism). Several group participants were convicted under Articles 20.3 and 20.29 of the CAO. In the fall of 2021, members of Project Sturm were detained as part of the investigation into the September 20 shooting organized by Timur Bekmansurov at Perm State National Research University. Vasilyev had left Russia shortly before and sought political asylum in Austria. One of the group members confessed, mentioning that Vasilyev posted "*an archive with extremist literature*" and materials describing methods of conspiracy, "*methods of direct action, attacks on drug addicts, alcoholics, and citizens of non-Russian nationalities*" to the Sturm group chat. In addition, three Sturm activists planned an attack against an immigrant who worked at a shawarma stand.

Two organizations of "citizens of the USSR" were also added to the list.³⁷ The first is the Public Association "People's Council of Citizens of the RSFSR of the Arkhangelsk Region," recognized as extremist by the Arkhangelsk Regional Court on May 24, 2022.³⁸ The second – the Interregional Public Organization "Citizens of the USSR"³⁹ – was declared extremist by

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

36. Court delivers sentence in the case of Putin's mannequin tied to a pole // SOVA Center. 2020. 18 August (<https://www.sova-center.ru/misuse/news/persecution/2020/08/d42776/>).

37. On the citizens of the USSR, see: Mikhail Akhmetiev. Citizens without the USSR.

38. "The Council" had been operating since June 2019. In March 2021 its leader Marina Melikhova was sentenced to 3.5 years in prison under Part 2 of Art. 280 of the CC (public calls for extremism on the Internet). For more about her political biography and the activities of the Krasnodar branch of "citizens of the USSR" see: A citizen of USSR from Krasnodar sentenced to imprisonment // SOVA Center. 2021. 28 March (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2021/03/d43925/>).

39. Other names mentioned by the court: The Union of Soviet Light Clans Power, Council of Soviet Socialist Districts [both abbreviated as USSR in Russian], Council of the Union of Soviet Socialist Districts, Supreme Council of the Union of Soviet Socialist Districts, Supreme Council of Warriors of the Union of Soviet Light Clans Power, Union of Soviet Light Clans Superpower, Supreme Council of Warriors of the Union of Soviet Light Clans Superpower, VSV Power SSSR, the Union of Soviet Socialist Republics.

the Samara regional court on June 16, 2022. The organization in question is known as "Novokuybyshevtsy."⁴⁰

In addition, the list now includes three Ukrainian far-right organizations: Sich-C14 (Hromadska organizatsiya Sich-C14, other names Slava i Chest (Glory and Honor), GO C14, Osnova Majbutnogo [The Foundation of the Future]), Volunteer Movement of the Organization of Ukrainian Nationalists (OUN), and Chornij Komitet (Black Committee), recognized as extremist by the Supreme Court of the Russian Federation on September 8, 2022.⁴¹

Finally, the list was expanded to include the People's Movement Adat, which was declared extremist by the Chechen Supreme Court on May 12, 2022. This movement of Islamic separatists, which opposes Kadyrov's regime, is represented by the 1ADAT Telegram channel. It heroizes all the Chechen uprisings against the Russian authorities, but as far as we know, does not carry out any armed struggle itself. The lack of information prevents us from making a substantive judgment on the appropriateness of this ban.

On March 21, 2022, Tverskoy district court of Moscow made an unprecedented decision, recognizing as extremist the activity of Meta Platforms Inc. related to sales of its products Facebook and Instagram (it was specified that this decision did not apply to the activity of WhatsApp messenger also owned by Meta due to its lack of functions for public distribution of information). Thus, Meta was included in the list of banned organizations, albeit not in its entirety, but only in some part of its activities. We consider this decision not only strange in form, but also unlawful.

We also consider unlawful the June 10, 2022 decision of the Supreme Court of the Republic of Tatarstan recognizing the Tatarstan Regional All-Tatar Public Movement, or the All-Tatar Public Center, as extremist.⁴²

Thus, as of February 22, 2023 the list included 101 organizations,⁴³ the activity of which is prohibited by court and their continuation is punishable under Art. 282² of the CC.

In December, the organization Vesna⁴⁴ was recognized as extremist, but the decision has not yet come into force. We are not aware of any other bans on organizations in the past year.

The list of terrorist organizations published on the website of the FSB was updated in 2022 with seven organizations (three in 2021).⁴⁵

Three of them are Islamist: Islamic Renaissance Party of Tajikistan (decision of the Supreme Court of the Russian Federation of September 14, 2022), Khatlon Jamaat (decision of the Second Western District Military Court of November 3, 2021; apparently this refers to one of the existing Tablighi Jamaat associations in Tajikistan), and the Kushkul Muslim

40. For more information see: Novokuibyshevsk-based "citizens of the USSR" organization declared extremist // SOVA Center. 2022. 24 August (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/08/d46845/>).

41. Three Ukrainian organizations declared extremist in the Russian Federation // SOVA Center. 2022. 8 September (<https://www.sova-center.ru/racism-xenophobia/news/counteraction/2022/09/d46906/>).

42. For more about both decisions see: Maria Kravchenko. Inappropriate Enforcement in 2022.

43. That is if you don't count the 395 local Jehovah's Witnesses branches banned along with their Administrative center and listed in the same paragraph with it.

44. See: Maria Kravchenko. Inappropriate Enforcement in 2022.

45. As of February 22, 2023 this list has 46 organizations.

religious group (suburb of Orenburg; decision of the Orenburg Regional Court of March 4, 2022⁴⁶).

The Ukrainian Azov Battalion was declared terrorist by the Russian Supreme Court on August 2, 2022. The Noman Çelebicihan Crimean Tatar volunteer battalion was declared terrorist by the Russian Supreme Court on June 1, 2022. The battalion was formed in January 2016 with the support of the Mejlis of the Crimean Tatar People, banned in Russia as an extremist organization.

The left-wing anarchist movement Narodnaya Samooborona (People's Self-Defense) was declared terrorist by a decision of the Chelyabinsk Regional Court on September 12, 2022.

Finally, on February 2, 2022, the Supreme Court of the Russian Federation declared terrorist the International Youth Movement Columbine ("Skulshuting" [Schoolshooting]), although there is no such movement, but rather a youth fashion trend or subculture having no ideological or political nature.

Additionally, as early as January 2023, the Supreme Court recognized as terrorist Maniacs the Cult of Murderers (M.K.U.; other names include Maniacs Cult of Murders, Youth that Smiles [abbreviates as M.K.U.]), already mentioned several times in this report.

M.K.U. was formed in 2017 by Yegor Krasnov, a neo-Nazi from Dnieper, and operated in Russia and Ukraine. Followers of this network organization embraced the ideology of people-hating, whose elements have been widespread in the neo-Nazi movement at least for the past decade and a half. Mass detentions of M.K.U. supporters in various regions of the country were reported by FSB and police officers beginning in February 2021, then throughout 2022, and continue to be reported in 2023.

In 2021 and 2022, SOVA Center received several emails with links to videos capturing scenes of attacks on migrants and homeless people signed by M.K.U., reports of alleged terrorist attacks, and threats to employees.

In February 2022, the Basmany Court in Moscow arrested Ukrainian citizen Yegor Krasnov in absentia on murder charges. Krasnov himself appears to have been detained in a pre-trial detention facility in the city of Dnepr for a long time.

In 2022, the leader of the Belaya Ukhta movement in Komi and a follower of M.K.U. from Zabaikalye were convicted in cases directly connected to M.K.U. (both mentioned above). In addition, members of other groups, mentioned in the Interior Ministry reports in connection with the detentions in the M.K.U. case, whose links to M.K.U. are unclear to us, were convicted: in Perm and Bryansk, those were members of the NVSRP group, and in Krasnodar and Novorossiysk, members of the ERNP group (also mentioned above).

Judging by the scale of the detentions, this is far from the end of the great "M.K.U. case," and there may be trials ahead for participation in the M.K.U. as a terrorist organization (the M.K.U. was not yet listed at the time of publication of the report).

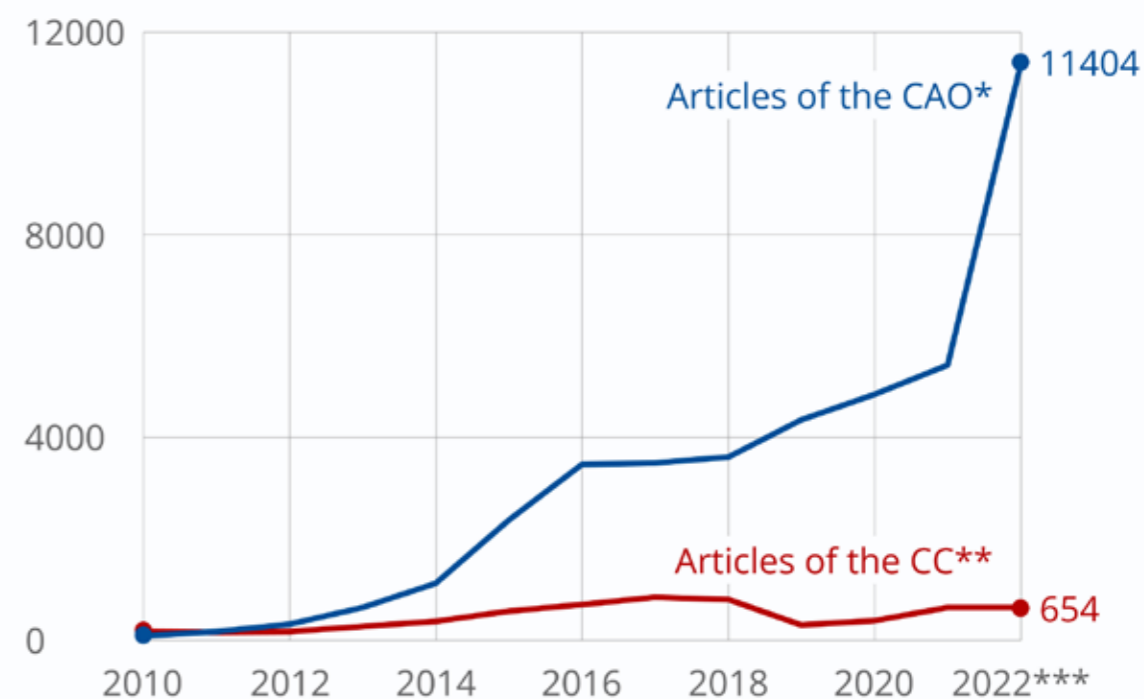
46. Another name is Kushkul Jamaat; according to the Ministry of Internal Affairs and the Federal Security Service, the group had been operating in the region since 2014 and was recruiting for ISIS. The group's activities were suppressed in 2020: some members of the group were detained, while others managed to leave for Syria. At the same time, the materials collected by the special services were handed over to the Prosecutor's Office.

Prosecution for Administrative Offences

In this section, we refer to several articles of the Administrative Code as "anti-extremist": 20.3 (display of prohibited symbols), 20.29 (distribution of prohibited materials), 20.3.1 (incitement to hatred), 20.3.2 (separatism), as well as Articles 20.3.3 (discrediting the military and government officials abroad) and 20.3.4 (calls for sanctions against Russia), introduced in 2022, but we categorize the latter articles as entirely unlawful.⁴⁷ And the data provided in this report excludes unlawful decisions.

Convicted of Statements under Criminal and Administrative Articles

The Supreme Court data



* Articles 20.3, 20.3.1, 20.3.3, 20.29.

** Articles 148 (parts 1, 2), 205.2, 207.3 (part 2, point "D"), 280, 280.1, 280.3, 282, 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 Center, 2023

47. For more see: Maria Kravchenko. Inappropriate Enforcement in 2022.

In the past year, thanks to cooperation with OVD-info, we have devised 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. Now we have information about 20% of the actual judgments, with the exception of the unlawful ones. This is not much, but this is significantly higher than before; so we cannot compare our own data for 2022 with previous years. But 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, there was an increase, even without taking into account the new articles – and the number of decisions on “defamation” can be as much as half of the total amount of administrative anti-extremism enforcement.

According to SOVA Center, in 2022 302 decisions were made under Article 20.3.1 of the COA (at least one person was prosecuted four times, another five times, two more were prosecuted twice, and two decisions concerned minors).

The vast majority were punished for publishing on social networks, mainly on VKontakte, but the cases also included Odnoklassniki, Instagram, Facebook, Twitter, Telegram, WhatsApp (messages in a large group), and YouTube.

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

- ethnic “others” – 332 (including the natives of Central Asia – 52, natives of the Caucasus – 60, Jews – 21, dark-skinned people – 6, Sinti and Roma – 6, Russians – 33, Ukrainians – 10, Tatar – 3, Yakut – 6, Chuvash – 1, Buryats – 2, Arabs – 1, Chinese – 1, Mongols – 2, Kazakh – 1, non-Russians in general – 10; unspecified ethnic enemies – 117);
- religious “others” – 26 (Orthodox Christians – 5, Jews – 2, Muslim – 8, infidels from the Islamic point of view – 6, Buddhists – 1; unspecified religious enemies – 4);
- representatives of the state – 65 (police – 25, military – 3; representatives of the authorities, including officials, deputies of the State Duma, and the President of the Russian Federation, – 33, FSB personnel – 2, traffic police officers – 1; bailiffs – 1);
- LGBT – 3;
- people of a “certain sex” (unclear which one) – 1;
- women – 2;
- children – 1.

Thus, in contrast to criminal law enforcement, the vast majority of punishments were for ethnic xenophobia, but not for political or ideological ones. There were even fewer punishments for religious xenophobia.

Only nine people were punished for offline acts. These were xenophobic statements during an on-site inspection of a land plot, in the presence of officials and neighbors on nearby plots; xenophobic insults targeting a cashier clerk in a store (two cases), a bus driver, a black female passenger on a bus; xenophobic speech at a people's meeting, shouts during a fight, shouts targeting non-Russians in the city center, and anti-religious and xenophobic shouts in the street by a man who called himself a Buddhist priest.⁴⁸

48. In Irkutsk, Viktor Ochurdyapov stood in the middle of the street and shouted that he was a Buryat and a Buddhist lama. He shouted that he “has killed and will continue to kill Muslims, Islamists, and Chechens,” and urged everyone around him to follow his example. Ochurdyapov promised to “kill all the Churkas” and that

Most of those charged under this article were fined between 5000 and 20000 rubles. Eighteen people were arrested for periods between one and 15 days. Among the arrested was Edem Dudakov, a delegate of the Qurultay of the Crimean Tatar People and the former head of the State Committee for Nationalities and Deported Citizens of the Autonomous Republic of Crimea, arrested for publishing a Facebook post about “*militant vatniks*,” in which experts saw linguistic and psychological signs of “*inciting hatred and hostility toward Russians*.” Eleven people were sentenced to compulsory labor. For example, Nikita Ustyuzhanin from St. Petersburg received seven days of arrest and 50 hours of compulsory labor simultaneously for insulting⁴⁹ a black girl Stella Kaziyake on the bus.

For the year 2022, we know of 496 cases of prosecution under Article 20.3 of the CAO. Of these, one person was charged 15 times, one 11 times, one 10 times, and three were charged twice each; at least four were minors. At least four people were concurrently punished under Article 5.35 of the CAO (failure by parents or other legal representatives of minors to fulfill their responsibilities to maintain and bring up minors). Presenting statistics on the application of the CAO for the first half of the year 2022, the Supreme Court combined Articles 20.3 and 20.3.1 of the CAO in groups for some reason; the total number of punishments amounted to 2,690. Extrapolating the numbers of the first half of the year to the entire year, we get an increase in the number of punishments under the two articles cumulatively by 31% compared to 2021. Based on the 2021 data, Art. 20.3 accounts for approximately three-quarters of the total.

Most of those punished under Art. 20.3 that we know of posted images of Nazi symbols (mostly swastikas) and runes on social networks, and in several cases, symbols of banned organizations such as ISIS, the Caucasus Emirate, Al-Qaeda, the Taliban, Misanthropic division, and Pravyi Sector were posted. This was done mainly on VKontakte, but also on Odnoklassniki and Instagram, in Telegram, and in a WhatsApp group.

203 people were punished for offline acts.

In the year 2022, we know of 147 cases of punishment for displaying one's own tattoos with Nazi symbols. 58 of the prosecuted were prisoners in penal colonies (in addition, five prisoners had not tattoos, but other items with Nazi symbols – notebooks, clothes, rosaries), while the rest displayed their tattoos beyond prison walls.

In addition, 11 persons did a Nazi salute or shouted “Sieg Heil!” in public places (including on May 9), 11 persons were punished for graffiti and stickers with Nazi symbols on the facades of residential buildings in the streets, 12 persons displayed Nazi symbols on their clothes (including one who wandered around town in a Third Reich tunic), four people displayed Nazi symbols on the windows of their homes and in their dorm rooms; 10 people attached Nazi symbols to their vehicles (including a motorcycle and electric scooter); and three people (the director of an alcohol store, the manager of an anime store, and a bookseller) were punished for selling objects displaying Nazi symbols.

Most offenders under Art. 20.3 were fined between 1000 and 3000 rubles. 103 people were sentenced to administrative arrests (between three and 15 days). Among those ar-

“the square in the center of the city will be red with blood.” During the arrest a knife fell out of his clothes. In addition, he made xenophobic insults against Russians and “a police officer.”

49. For more details on the incident, see in this volume: Natalia Yudina. The Old and the New Names in the Reports.

rested was Alexander Rybkin, a Moscow National Bolshevik, punished for a photo of his in VKontakte, which shows a tattoo of the rune Algiz, used by neo-Nazis (National Bolshevik claimed that the tattoo is one of the logos of the British neo-folk band Death in June).⁵⁰

In at least six cases, the objects of the administrative offenses (caps, T-shirts, rosaries, scarves, and a bottle of vodka) were reported confiscated.

In 2022, we know of 168 decisions under Article 20.29 of the CAO; at least two of the punished were minors. According to the statistics of the Supreme Court, in the first half of 2022 penalties under Article 20.29 of the CAO were imposed 507 times on 507 individuals (501 individuals and six officials) compared to 764 in the first half of 2021. This is the second year in a row that the decrease in the number of those punished under this article has been observed.

Most of them paid fines of between 1000 and 3000 rubles. We know of five people who were sentenced to administrative arrests.

In the vast majority of cases, offenders were punished for publishing nationalist materials on VKontakte, such as 88 Precepts by David Lane, the slogan Russia for Russians, songs by musical groups popular with neo-Nazis (Kolovrat, Grot, Banda Moskvyy, Korrozia Metalla, etc.); the neo-Pagan film Games of the Gods, The Anarchist's Cookbook, and radical Islamist materials, including songs by armed Chechen resistance singer-songwriter Timur Mutsurayev.

At least eight people were prosecuted under Art. 20.3 and 20.29 of the CAO simultaneously in 2022; 12 people were prosecuted under Articles 20.3 and 20.3.1 of the CAO simultaneously; two people under Articles 20.29 and 20.3.1 of the CAO simultaneously; and two people – under all three articles. All of them were fined.

When publishing data for the first half of 2022, the Supreme Court combined the data on Article 20.3.2 and the new Article 20.3.4 of the CAO. Judging by the combined data, punishments under these articles were imposed a total of 32 times (the 2021 statistics did not include Art. 20.3.2, and Art. 20.3.4 was introduced to the CAO in 2022), but it is likely that there was a technical error⁵¹ in collecting data on the website of the Supreme Court and there were far fewer such decisions. We consider all of the verdicts under both Art. 20.3.2 and Art. 20.3.4 unlawful.

We have written in this report about the 966 decisions 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 65 more cases of unlawful punishment under Article 20.3.1, 120 – under Article 20.3, 94 – under Article 20.29, 3 – under Article 20.3.2, with a total of 282 decisions. Thus, the proportion of unlawful decisions on the same set of articles of the Code of Administrative Offences slightly decreased compared to the previous year (158 unlawful vs. 466): in 2021, it was 25.3%, and in 2022, it stands at 22.6%.

50. Previously, the same court arrested Rybkin because of the logo of the unregistered party "The Other Russia of Eduard Limonov," interpreted as symbols of the banned National Bolshevik Party.

51. On the court websites, many decisions on Art 20.3.3 were referred to Art 20.3.2, probably because Art 20.3.3 had already been applied and the software had not been updated.

Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2022

This report presents an analytical review of anti-extremist legislation and its misuse¹ in 2022. SOVA Center has been publishing these reports annually to summarize the results of monitoring carried out by our center continuously since the mid-2000s.

And whether you like it or not, you are not asked. You just have to go on – that's all. Take us, the rabbits, for instance. Everybody eats us. It would seem that we have reason to complain. But after due consideration a complaint like that is hardly justified. For one thing, the one who eats us knows perfectly why he does so, and even if we were to lodge a just complaint it wouldn't stop anyone from eating us. Anyway, one won't eat more than one should, and one won't eat less, either. The statistics published by the Ministry of the Interior..."

But at this point the rabbit usually fell asleep, for statistics had a stupefying effect on him. But after a nap he would resume his reasoning again, as soundly and as logically as ever.

M.E. Saltykov-Shchedrin, The Rational Rabbit²

Summary

The outbreak of hostilities in Ukraine in late February 2022 caused noticeable and widespread discontent in Russian society that found expression in public actions on the streets, numerous open letters, personal public statements, dissemination of information, and various forms of visual protest. In this situation, the authorities took various steps, both reactive and proactive. All three branches – the legislative, the executive, and the judiciary – were involved in countering the protest. Nevertheless, the protest activity has continued on a daily basis. Subsequently, in the course of the year, thousands of people

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. Mikhail Saltykov-Shchedrin, The Rational Rabbit (https://archive.org/stream/in.ernet.dli.2015.71860/2015.71860.Tales-From-Msaltykov---Shchedrin_djvu.txt).

were charged in criminal and administrative cases, which utilized the old anti-extremist legal norms as well as the newly adopted legislation restricting civil liberties.

The fight against extremism fits quite organically with the general repressive policy of the state. In many ways, the anti-extremist norms form the core, the basis of legislation on ideological and political control as well as its enforcement. This legislation has been expanding, and many new restrictions apply to acts that were not classified as “crimes of an extremist nature” in the Law on Counteracting Extremist Activity.³ However, our analysis has always gone beyond the formal boundaries – we define anti-extremist policy as one that criminalizes actions motivated politically or ideologically. So, for example, in the year under review, we expanded the scope of our monitoring to include the enforcement of new legal norms that punished calling for sanctions against Russia and discrediting the actions of the Russian army and officials abroad. On the other hand, we only partially included in our review the cases related to fakes against the Russian army and officials, taking into account only the subset for which the relevant charges included the hate motive. It must be noted that in 2022 the courts managed to issue only about a dozen verdicts under new criminal articles, but approximately a hundred such cases were opened. In connection with the events in Ukraine, about three dozen people were prosecuted for vandalism and hooliganism motivated by political or ideological hatred; half of these cases already went to trial and ended in guilty verdicts.

In general, we classified 119 criminal sentences against 192 people issued in 2022 under articles on extremism and other closely related norms as inappropriate. Meanwhile, over 250 people became defendants in newly opened criminal cases.

An unprecedented number of people – about five and a half thousand – were brought to court under the administrative article on discrediting the army and government officials, which is used for the first relevant prosecution of a given year. The Supreme Court has not yet released the full 2022 statistics on administrative sanctions for displaying prohibited symbols and inciting hatred, but, extrapolating the existing data for the first half of the year, we can estimate their number as also close to five thousand. Besides the article on discreditation, our monitoring revealed about 300 cases of inappropriate sanctions under other articles of the Code of Administrative Offenses that are relevant to our area of interest. Citizens and organizations were punished primarily for anti-government statements in various forms.

Of course, the targeted persecution of opposition activists continued as well. The number of defendants in the case of the community of supporters of Alexei Navalny has been growing. Members of the opposition faced charges in numerous cases, both criminal and administrative, that fall within the scope of our monitoring. The youth opposition movement Vesna [the Spring] was recognized as an extremist organization.

According to the statistics of the Ministry of Internal Affairs, in 2022, almost 500 crimes were classified as calls for terrorism on the Internet (50% more than a year earlier) and another almost 500 crimes were prosecuted under the article on calls for extremist activity on the Internet. Thus, the alarming trend towards intensifying law enforcement under these articles, which has emerged in recent years, continues unabated. We hardly ever

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

include these cases in our section, since in the vast majority of known cases, the statements that caused complaints from law enforcement agencies, in fact, contained calls for violent actions – very often against representatives of the authorities. However, as was the case for Article 282 CC on incitement to hatred, we believe that the public danger of these statements is not always sufficient to merit criminal liability. Moreover, the punishments imposed by the courts are disproportionately severe. It is worth reminding that Article 282 CC was partially decriminalized under public pressure, although the scope of its application was relatively modest. Thus, there is a precedent for shifting the approach in the fight against online propaganda, but the situation in the country has since changed dramatically. The authorities do not even consider liberalization, and, given the ideological pressure against citizens and organizations and the complete suppression of the independent media, the public cannot convey its opinions to the state. Our report also covers the internal information blockade established by the authorities and the further development of the legislation on “foreign agents.”

In conditions when law enforcement agencies largely concentrate their efforts on suppressing protests against the “special operation,” their activity in other, more “traditional” directions has somewhat decreased. So, if we consider the task of counteracting banned religious organizations, we see that 118 Jehovah’s Witnesses and 52 individuals charged with involvement in the Islamic party Hizb ut-Tahrir (recognized as a terrorist organization) were convicted in 2022, but, for the entire year, we only know of 77 Jehovah’s Witnesses who faced new charges, and nine people were arrested for their involvement in Hizb ut-Tahrir. Contrary to expectations, the ideologically important article on the “rehabilitation of Nazism” did not grow much in terms of the scale of its application, although two dozen sentences issued under it still gave it the leading position in our statistics of inappropriate criminal verdicts. The article on insulting the feelings of believers was rarely used – only five people were convicted under it and six more became defendants in new criminal cases.

At the same time, however, prosecutions for involvement in the AUE criminal subculture, recognized as an extremist organization in 2020 on unclear grounds, continued throughout the year. The school shooter subculture was identified as a terrorist organization known as “Columbine,” and teenagers faced charges for involvement in it. Individuals who romanticize criminality or mass murder obviously cannot be viewed as members of organized structures with a particular ideology. Thus, enforcement of anti-extremist and anti-terrorist legislation is increasingly crossing into the realm of unreasonable, not only in showing a disproportionate repressive response but also in determining its targets.

Lawmaking

On Discreditation, “Fakes” and Calls for Sanctions

On March 4, the State Duma of Russia adopted laws amending the Code of Administrative Offenses (CAO) and the Criminal Code (CC) under emergency procedure (not in the form of separate bills, but by amending other bills that had already been adopted in the first reading). These laws dealt with calling for sanctions against Russia, spreading fake news about the Russian armed forces, discrediting them, and calling for “obstruction to

their use.” The laws were approved by the Federation Council on the same day and signed by the president in the evening. The amendments of March 25, which provided legal protection against spreading fakes and discrediting the work of Russian government agencies abroad, were added to the norms adopted on March 4.

Under the law of March 4, a new article 20.3.3 was introduced in the CAO establishing liability for “public actions aimed at discrediting the use of the Armed Forces of the Russian Federation for protection of the interests of the country and its citizens or for keeping international peace and security, including calls to prevent the use of the Armed Forces of the Russian Federation for the indicated purposes.” The article provided for punishment in the form of a fine of 30 thousand to 100 thousand rubles for citizens, from 100 thousand to 300 thousand rubles for officials, and from 300 thousand to a million rubles for legal entities. In accordance with the amendments to the CC, in case of repeated violation within a year, citizens became liable under a new Article 280³ CC. It had two parts, depending on the gravity of the consequences – punishment was provided in the form of a fine from 100 thousand to two million rubles, compulsory labor for up to three years, arrest for up to six months, or imprisonment for up to five years.

The same amendments introduced Article 20.3.4 CAO. It stipulated punishment for calls for imposing or extending political or economic sanctions against the Russian Federation, citizens of the Russian Federation, or Russian legal entities. The punishment for the first such violation within a year took the form of a fine of 30 to 50 thousand rubles for citizens, from 100 to 200 thousand for officials, and from 300 to 500 thousand for legal entities. Criminal liability followed for a repeated violation under the new Article 284² CC, which provided for a fine of up to 500 thousand rubles or in the amount of full salary for a period of up to three years, up to three years of restriction of freedom, up to three years of compulsory labor, up to six months of arrest, or imprisonment for up to three years with a fine of up to 200 thousand rubles or the full salary for a period of up to a year.

We believe that norms like the above should not be part of the legislation, since they unduly restrict freedom of expression and opinions on a matter of particular public importance.

In our opinion, new Article 207³ CC, which established responsibility for “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 protection of the interests of the country and its citizens or for keeping international peace and security” is unnecessary. The article has three parts with the punishment varying from a fine (ranging from 700 thousand rubles to five million rubles or the full salary for up to five years), corrective labor for up to a year, compulsory labor for up to five years, or imprisonment for up to 15 years, depending on the aggravating circumstances, with additional restrictions if the violation leads to serious consequences.

On State Security

On July 14, the president signed amendments to the state security legislation. The law introduced new articles into the Criminal Code that specified punishments for the following offenses:

- public calls for actions directed against state security (Article 280⁴ CC);
- repeated propaganda or public display of prohibited symbols (Article 282⁴, see below);

- repeated violations of the procedure of installation, operation and modernization of so-called “technical means of countering threats” (*tekhnicheskikh sredstv protivodeystviya ugrozam*, TSPU) by telecommunications operators (Article 274² CC);
- establishing and maintaining relations of “cooperation on a confidential basis with a representative of a foreign state, an international or foreign organization to assist them in activities knowingly directed against the security of the Russian Federation” by Russian citizens (if their actions do not constitute a *corpus delicti* for the charges of treason) (Article 275¹ CC);
- violation of the requirement to protect state secrets by leaving the country or transporting data storage media abroad (Article 283²).

The law included provisions establishing criminal liability for participation by citizens or stateless persons residing in Russia in any armed conflicts abroad that “contradict the interests of the Russian Federation” (addition to Article 208 CC on the organization of an illegal armed formation); defecting to the enemy during an armed conflict (addition to Article 275 CC on treason); transferring, gathering, stealing or storing information that can be used against the Russian armed forces during an armed conflict (addition to Article 276 on espionage); participation in activities of an undesirable organization not only in Russia but also on any other territory (addition to Article 284¹). The punishment for mercenarism under Article 359 CC also became more severe.

On December 29, the president signed the amendments to the Criminal Code. The amendments criminalized aiding sabotage, training for the purpose of sabotage, and organizing sabotage or participating in a sabotage community (new Articles 281¹, 281² and 281³ CC). These offenses would carry penalties of up to 20 years of incarceration or life imprisonment. In addition, the list of circumstances aggravating punishment for general crimes (Article 63 CC) came to include an entry on crimes committed in order to promote, justify and support sabotage. In accordance with a separate law, suspects and defendants under new articles were to be entered on the Rosfinmonitoring List of persons “involved” in extremist and terrorist activities.

On Extremists

Propaganda, demonstration and production of banned symbols were “partially criminalized” as part of the law on state security signed on July 14. The law introduced a new Criminal Code article, Article 282⁴ CC (repeated propaganda or public display of Nazi attributes or symbols, or attributes or symbols of extremist organizations or other attributes or symbols, propaganda or public demonstration of which is prohibited by federal laws), thus criminalizing repeated violations of Article 20.3 CAO. The new article provided for harsh penalties.

Part 1 of this article punished repeated propaganda or public display of prohibited paraphernalia or symbols. It imposed the following sanctions: a fine ranging from 600 thousand to a million rubles or equal to two to three times annual income, mandatory labor for up to 480 hours, community service for one to two years, compulsory labor for up to four years, or imprisonment for the same term.

Article 282⁴ Part 2 stipulated penalties for the manufacture or sale of banned paraphernalia or symbols for the purpose of propaganda or acquisition of such symbols for sale or propaganda: a fine ranging from 600 thousand to a million rubles or equal to two to three times annual income, community service for a period of up to 480 hours, corrective labor for a term of one to two years, compulsory labor for up to four years, or imprisonment for the same term.

On March 14, the president signed the law on remote electronic voting; the corresponding bill was submitted to the State Duma in December 2021 and adopted in the first reading in late January, but by its second reading on March 10, it already was significantly amended. Among other norms, the law extended the loss of passive suffrage to everyone convicted of extremist crimes for a five-year period from the day the conviction is removed or extinguished. The norm on depriving individuals involved in the activities of extremist or terrorist organizations of passive suffrage for three or five years after the organization's ban depending on their status in the organization was modified as well to apply to presidential elections. The legal norms adopted in April 2021, which require candidates to inform the voters about their "foreign agent" status or their "affiliation with a person or entity performing the functions of a foreign agent" in various forms, were extended to the presidential elections as well.

In late June, the Constitutional Court of Russia rejected the complaints of Pskov politicians Lev Shlosberg and Nikolai Kuzmin against the legislative norms that deprive those "involved" in the activities of extremist and terrorist organizations of the right to run for office. Shlosberg and Kuzmin were not allowed to participate in the elections on this very basis for participating in actions in support of Alexei Navalny in January 2021. The claimants insisted that the electoral legislation's norms on "involvement" did not meet the legal certainty requirement, contained regulations that constituted voting rights discrimination, and did not pass the proportionality test ensuring a fair balance between the right's restriction and reasonable necessity. Furthermore, these norms restricted the right to freedom of speech and dissemination of information; gave retroactive effect to the law that worsens a citizen's situation and neutralized the constitutional judicial protection guarantees thus leading to arbitrary enforcement of the legislation.

The Constitutional Court, however, stated that the passive suffrage restriction – by analogy with banning individuals sentenced to imprisonment for committing grave and particularly grave crimes from running for public office – constituted a special constitutional and legal disqualifying obstacle to holding elected public positions associated with increased reputational requirements faced by those who hold public authority. According to the Constitutional Court, the constitutional prohibition on using laws retroactively did not apply to such restrictions. The Constitutional Court's opinion also stated that the concept of "involvement" used in the law is sufficiently detailed – a passive suffrage ban "can be caused only by the presence of court-established facts that objectively and unambiguously testify to the citizen's actions specifically related to the goals and (or) forms of activity found to determine the association's extremist nature." At the same time, the courts should not be arbitrary and unreasonable in establishing the grounds for the ban; in particular, "support through statements" should refer specifically to the goals and forms of activity, due to which the organization was recognized as extremist. As the Constitutional Court pointed out, resolving the specific question of whether the actions of Shlosberg and Kuzmin were correctly qualified as evidence of their "involvement" in an extremist organization did not fall within its mandate.

The authorities took additional steps to restrict the rights of persons included on the Rosfinmonitoring List of Extremists and Terrorists – that is, not only those found guilty but also suspects and defendants in criminal cases that involved charges of extremism or terrorism. On December 19, Putin signed amendments to the Air Code of the Russian Federation, which forbade hiring persons included on the Rosfinmonitoring List for any jobs in the aviation industry.

Legal initiatives approved by the president on July 14, included a law creating a databank of extremist materials and the corresponding court decisions as well as a separate register of persons involved in the activities of extremist or terrorist organizations. According to the regulation, which should come into force one year after its publication, the Ministry of Justice has to enter materials recognized by the courts as extremist into the databank, while also adding this information to the already existing Federal List of Extremist Materials. The databank would also include copies of court decisions on recognizing certain materials as extremist. Only officials are expected to have access to this repository.

Meanwhile, the law's provision on creating a unified register of individuals involved in the activities of extremist or terrorist organizations including information about persons who are founders, leaders or staff members of an extremist or terrorist organization, was expected to come into force immediately after publication, but we have no information on any steps to implement it.

Two bills submitted to the State Duma in September were adopted in the first reading on December 20.

One of them expands the scope of Article 20.29 CAO on the production and mass distribution of extremist materials and the other expands the definition of extremist materials. The former involves extending Article 20.29 CAO to cover the production and distribution of materials that meet the definition of extremist materials under the existing federal laws (or in other relevant federal laws that may be adopted in the future) but are not on the Federal List of Extremist Materials – that is, not banned by a court decision. Thus, sanctions for posting portraits of Nazi leaders may be imposed. If the bill is adopted, the extent of court discretion when applying Article 20.29 CAO will expand drastically, and lawmakers will have an incentive to further expand the definition of extremist materials. In fact, the initiative is specifically intended to provide additional grounds for sanctions, as confirmed by the second bill from the same package. It proposes adding "cartographic and other images and products that challenge the territorial integrity of the Russian Federation" to the definition of "extremist materials" provided in the framework Law "On Countering Extremist Activity." That is, if the draft law is adopted, it will ban the publication of maps that "visibly assign" parts of the Russian Federation's territory to the territory of other states.

On December 29, the government sent its review of the maps bill to the State Duma with a recommendation to enhance it for the second reading. The government noted that it was not clear under what criteria the distribution or public display of such images would be considered a challenge to the territorial integrity of the country – specifically, whether the law pertains to cartographic images of Russia's territory "currently in circulation and distributed" "and other similar materials published earlier, prior to the decisions on admitting new subjects to the Russian Federation." It is also unclear what to do with the maps that were produced, but not yet put into circulation. The review stated that maps "as a rule, perform only an informative function," and classifying them as extremist materials implies the presence of intent to challenge the territorial integrity of the country. We find

the government's arguments convincing. In addition, in our opinion, discussing the status of certain territories should be limited only when it involves calls for violent separatism, while the proposed restriction would constitute an excessive and unreasonable intrusion on freedom of expression and dissemination of information.

On “Rehabilitating Nazism”

On April 16, the bill establishing administrative responsibility for equating the “goals, decisions and actions” of the leadership of the USSR and Nazi Germany and for “denying the decisive role of the Soviet people” in its defeat was signed into law. A new legal norm, Article 13.48 with two parts to punish for the first and repeated offenses, was added to the CAO. Depending on the part, the article imposed on citizens a fine of one to two thousand rubles or arrest for up to 15 days, on officials – a fine of two to 20 thousand rubles or disqualification for a period of six months to a year, and on legal entities – from 10 to 100 thousand rubles or suspension of activities for up to 90 days. Roskomnadzor staff and the police received a mandate to compile reports under Article 13.48 and the prosecutors – to open the corresponding cases. The wording of the new CAO article contains no explanations as to which statements can be interpreted as “equating actions” and “denying the decisive role.” Establishing responsibility for an offense described in this manner indicated a new step in restricting freedom of speech – in this case, restricting freedom of peaceful historical discussion. It is worth reminding that this law, like other administrative norms, is also applicable to statements made prior to its adoption, if they continue to be available online.

On December 29, the president signed a law granting the St. George's Ribbon the status of a symbol of Russia's military glory. Thus, its desecration came to entail sanctions under Parts 3–4 of Article 354¹ CC on the rehabilitation of Nazism, ranging from millions of rubles in fines to five years of imprisonment. In fact, law enforcement agencies already treated the ribbon as a symbol of military glory – we know of several criminal cases initiated under Article 354¹ CC for its desecration. However, the defendants in some of these cases perceived the ribbon not as a symbol of victory in the Great Patriotic War but as an attribute of one of the parties to the conflict that began in 2014 in the south-east of Ukraine. The defendants showed disrespect for the ribbon not to discredit the victory over Nazism but to criticize the current political course of the Russian authorities. We question the notion that people should face criminal prosecution to protect individual symbols from manifestations of criticism, even if extreme. Notably, in General Comment No. 34 to Article 19 (freedom of opinion and expression) of the International Covenant on Civil and Political Rights, the UN Human Rights Committee expresses its concern about laws on such acts as disrespect for the flag and symbols.

On Information Control

On July 14, the president signed a law expanding the extrajudicial blocking mechanisms based on requests of the Prosecutor General's Office. The law provided for blocking resources that discredited the activities of the Russian armed forces and government agencies abroad, spread “fakes” about them, or called for sanctions against Russia and its citizens.

In addition, the Prosecutor General's Office was given the mandate to block the websites (or their mirrors) for repeatedly posting on their pages any type of illegal information subject to restrictions, whether extrajudicially or by court decisions, (except for pirated content, information discrediting honor and dignity, and violations of the law on personal data) permanently through Roskomnadzor. The law stated that access restrictions on resources blocked for their repeated violations could not be removed at all.

Other provisions of the same law drastically expanded the powers of the Prosecutor General's Office with respect to the media. The agency gained the right, in consultation with the Ministry of Foreign Affairs, to prohibit the activities of foreign media in Russia as a response to other countries closing Russian media outlets. The new norms stipulated that the registration and broadcasting licenses of such media outlets were to be revoked. Once the prosecutor's office decides to terminate the activities of a foreign media outlet, the ban is expected to encompass the production and distribution of its informational materials, including via other mass media and the Internet, as well as possession of such materials with the intent to distribute them.

Moreover, the Prosecutor General's Office also gained the right to temporarily or permanently suspend registration and broadcasting licenses of Russian media resources for disseminating any “inaccurate information” or “discrediting” the actions of the Armed Forces and officials abroad, as well as for “disrespecting the authorities,” calling for sanctions, rallies or riots, and “propaganda, rationalization and (or) justification” of extremism. The law also declared that media resources and their staff faced responsibility for reprinting materials from other mass media that contained any such information. The first two violations would lead to the suspension of the media activities for up to three and up to six months respectively, but the suspension could be rescinded earlier by Roskomnadzor's decision. The law allowed the General Prosecutor's Office to permanently terminate the registration and broadcasting license of the implicated media outlets without a court decision in case of “repeated” dissemination of illegal information. The activities of mass media in Russia came under the total control of the Prosecutor General's Office creating the conditions for imposing the information blockade of the country from within.

Another law signed on July 14 stipulated administrative liability for violating the “landing” legislation for foreign Internet companies in Russia or the government's blocking orders. The law introduced a number of changes to the CAO. Telecommunication operators were to face more severe penalties for repeated failure to block or unblock Internet resources as well as for violating the TSPU installation procedures. Another newly introduced CAO article provided for liability in case of violation of the requirements for passing traffic through the TSPU; the third violation under both articles came to entail criminal liability under Article 274² CC.

Articles newly included in the CAO imposed penalties for violation of the established rules on “foreign persons” and Russian citizens performing online operations on behalf of companies subject to “landing” in Russia. Foreigners who violate the ban on collecting personal data also became liable under the new legislation.

The law also extended the punishment under the article on failure to submit reports to Roskomnadzor to hosting providers, who do not provide reliable information about the owner of a resource subject to “landing.”

The article penalizing violations of the law on advertising was amended by adding punishment for dissemination of advertisements by “foreign entities” or on websites of “foreign entities” in violation of Roskomnadzor bans.

The CAO article on search engines' responsibility was supplemented with several new parts that punish search engines for failure to inform users that a foreign company has violated Russian law, for failure to exclude links to such companies and for repeated violations. All the above-mentioned CAO provisions stipulated large fines that can reach millions of rubles for legal entities.

On December 5, the president approved a blatantly discriminatory law that introduced a ban on the dissemination of information "promoting non-traditional sexual relations and (or) preferences, pedophilia, or sex change." In addition to imposing restrictions on such information specifically, the law gave Roskomnadzor the right to delegate the task of monitoring various types of illegal content to a third-party organization designated by the government. The law on consumer protection was also amended to prohibit the sale of any product "containing information the dissemination of which entails administrative or criminal liability."

On "Foreign Agents"

On July 14, the President signed a law that consolidated and systematized numerous previously adopted norms that regulated the activities of various "foreign agents." The law stated that a "foreign agent" (rather than a person or association "acting as a foreign agent," as it was previously stated) was a status that could be assigned to a Russian or foreign (the latter was also a new addition) individual or legal entity (not only an NPO, as in the prior version) or even to a group of persons who had received "support" and (or) were "under other forms of foreign influence" and carried out certain activities. The bill defined foreign influence as not only any financial, property, organizational, methodological, scientific, technical, or other such assistance received from foreign sources but also as "influencing a person, including through coercion, persuasion, and (or) other means."

The following types of activities were listed as the grounds for recognizing a person as a "foreign agent": political activity (in a very broad definition given in the law on NGOs), targeted collection of information on Russia's military and military technology activities, "the dissemination of messages and materials intended for an unlimited circle of people, and (or) participation in the creation of such messages and materials," as well as financing of any such activity.

The exceptions to "political activity" included activities in the sphere of science, culture, art, healthcare, social services and social protection, protection of human life, motherhood, fatherhood and childhood, family and traditional family values, social support for the disabled, promotion of healthy lifestyles, environmental protection, and charity. However, any such activity would not be considered "political" only inasmuch as it "does not contradict the national interests of the Russian Federation, the foundations of the public order of the Russian Federation, and other values protected by the Constitution of the Russian Federation."

Contrary to the legislators' repeated assurances that the "foreign agent" status did not imply discrimination, the law included a list of restrictions imposed on "foreign agents," some of which were not legally mandated previously. Thus, according to the new law, individuals listed in the register could not be appointed to official positions or perform various functions in public official bodies or participate in election campaigns and referendums (including nominations of or support for candidates). A public official or an indivi-

dual recognized as a "foreign agent" could be denied access to state secrets. Foreign agents were banned from organizing or sponsoring public events or performing educational activities "aimed at minors and (or) pedagogical activities in the state and municipal educational organizations." They were no longer allowed to carry out educational activities "in relation to minors and (or) pedagogical activities in the state and municipal educational organizations," to produce information products for minors, act as experts in the state environmental reviews, operate significant objects of critical information infrastructure or ensure their safety.

A number of financial restrictions were imposed as well. Foreign agents lost their right to state financial support (including those related to creative endeavors). The funds of associations recognized as "foreign agents" could not be insured. Foreign agents could no longer use a simplified system of taxation, accounting and reporting and became subject to the same restrictions as foreign citizens not allowed to invest in business entities of strategic importance for the country's defense and security.

All these restrictions were introduced by a separate law of December 5, after the framework law came into force. For some reason, this document also included amendments to the federal law "On Meetings, Rallies, Demonstrations, Processions and Pickets," which, once again, significantly restricted the right (not just of "foreign agents" but of all citizens) to hold meetings by reducing public areas where meetings can be held.

According to the framework law, information about individuals affiliated with "foreign agents" were to be compiled in a separate register (the document described who should receive such a status, including all employees of organizations recognized as "foreign agents"), although they were not subject to the requirements and the restrictions imposed on actual "foreign agents."

The law also described the obligations of "foreign agents" to label materials related to their foreign agent activities and relevant interactions with government agencies (labeling of personal materials by individuals is not required) and to compile and submit regular reports to government agencies. Under the law, the Russian government was to determine the specifics of labeling materials, and on November 22, it approved the set of rules similar to those in force for "foreign agent" mass media since 2020."

The framework law also outlined the procedures for state bodies to control the activities of "foreign agents" and identify possible legal violations including the procedures for scheduled and unscheduled inspections. The Ministry of Justice is expected to provide "foreign agents" with binding instructions to be executed within a month.

The framework law also listed the possible sanctions for violations that included administrative and criminal responsibility, liquidation of the association, and blocking of information resources that belong to "foreign agents." In late December, the president signed amendments to bring the criminal and administrative norms pertaining to the activities of "foreign agents" in line with the framework law and partially increase their severity. Articles 19.7.5-2, 19.7.5-4 and 19.34.1 CAO, which previously regulated various violations in the activities of "foreign agents," were removed from the code, and Article 19.34 CAO was expanded to include nine parts covering the activities of "foreign agents" of all stripes.

The amendments removed the reference to "malice" from Article 330¹ CC on legal violations by "foreign agents." Instead, it was established that liability under Parts 1 and 2 of this article follows after a "foreign agent" faces liability twice in the preceding 12 months under any part of Article 19.34 CAO. Meanwhile, the sanctions provided by the current version of Article

330¹ CC, did not change, but the punishment under Article 239 CC (creating a non-profit organization that infringes on the personality and rights of citizens) became more severe, both for the activities of NGOs encouraging citizens to refuse to perform civic duties, and for creating associations whose activities involve violence against citizens. The maximum sanctions for these acts reached six and seven years of imprisonment, respectively.

Meanwhile, in June, the ECHR issued a judgment in the case of *Ecodefence and Others v. Russia*, based on a number of complaints by Russian NGOs (61 applicants, including SOVA Center) recognized as entities performing the functions of a “foreign agent.” The applicants contested the status as well as various restrictions and sanctions prescribed in the Foreign Agents Act. The NGOs recognized as “foreign agents” faced significant difficulties in their work; some of them had to disband, and some were eliminated by the state. The ECHR ruled that the Russian government had not shown relevant and sufficient reasons for creating a special “foreign agent” status. According to the court, Russia also imposed additional reporting and accounting requirements on organizations registered as “foreign agents,” restricted their access to funding options, and punished any breaches of the Foreign Agents Act in an unpredictable and disproportionately severe manner. The cumulative result of these restrictions – whether by design or effect – was a legal regime that placed a significant “chilling effect” on the search or acceptance of any amount of foreign funding, however insignificant, in a context where opportunities for domestic funding are rather limited, especially for politically or socially sensitive issues or domestically unpopular causes. The ECHR concluded that these measures could not be considered “necessary in a democratic society,” and, therefore, Russia violated the applicants’ right to freedom of assembly and association, guaranteed by Article 11 of the European Convention interpreted in the light of Article 10 on the right to freedom of expression. The applicants were awarded compensation, which they could not receive at the time due to Russia’s refusal to comply with the ECHR decisions issued after March 15, 2022.

On the European Court of Human Rights

On March 23, the ECHR ruled that the Russian Federation would cease to be a High Contracting Party to the Convention on Human Rights on September 16, 2022. Meanwhile, the Court continued to review complaints against the Russian Federation regarding the actions or inaction of the latter preceding this date. Russia was expected to comply with the decisions that pertained to it, even if issued after September 16.

The ECHR decision was based on the fact that on March 16, in response to the actions of the Russian authorities in Ukraine, the Committee of Ministers of the Council of Europe adopted a resolution on the cessation of membership of the Russian Federation to the Council of Europe effective the same day. The Committee ruled that Russia had violated the organization’s statute, which stipulates that “every member of the Council of Europe must accept the principles of the rule of law and the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively” in order to achieve “a greater unity between its members for the purpose of safeguarding and realizing the ideals and principles, which are their common heritage, and facilitating their economic and social progress.” In fact, the expulsion procedure started on February 25, when Russia’s membership in the Council of Europe was suspended. On March 15, the Parliamentary Assembly of the Council of Europe unanimously adopted the opinion that Russia could no longer remain a member of the organization.

The decision of the ECHR was related to the fact that on March 15, in response to the actions of the Russian authorities in Ukraine, the Committee of Ministers of the Council of Europe adopted a resolution on the exclusion of Russia from the organization starting from the same day. The Committee considered that Russia violated the organization’s statute stating that “each member of the Council of Europe must recognize the principle of the rule of law and the principle that all persons under its jurisdiction should enjoy human rights and fundamental freedoms and cooperate sincerely and actively” in the name of achieving “greater unity among its members for the sake of protecting and realizing the ideals and principles that are their common heritage and promoting their economic and social progress.” In fact, the exclusion procedure was launched on February 25, when Russia’s membership in the Council of Europe was suspended. On March 15, the Parliamentary Assembly of the Council of Europe unanimously adopted the conclusion that Russia could no longer remain a member of the organization.

On June 11, Vladimir Putin signed laws amending the Criminal Procedure Code and other legislative acts. They provided for terminating Russia’s execution of the judgments issued by the European Court of Human Rights (ECHR) after March 15, 2022. Meanwhile, the compensations awarded by the ECHR decisions issued before this date would continue to be paid out until 2023.

However, the ECHR continued to review cases against Russia until September 16 and issued several decisions relevant to our subject matter in 2022. The most important of them – the decision on the complaint by Russian Jehovah’s Witnesses – is described below in greater detail.

Law Enforcement

Blocking the Flow of Information

Through the efforts of the authorities, the information space in Russia changed dramatically in March 2022. Since late February, mass media (including those previously recognized as “foreign agents”) and social and political resources were bombarded with claims from state agencies. Roskomnadzor started blocking resources at the request of the Prosecutor General’s Office in accordance with Article 15.3 of the federal law “On Information, Information Technologies and Information Protection,” which provided for restricting access to materials containing, in particular, “inaccurate socially significant information distributed under the guise of reliable messages,” as well as calls for public actions without permits, calls for extremism, and support for or justification of extremist activities.

Based on the decision of the Prosecutor General’s Office of February 24, hundreds of websites were blocked in the following weeks, including Ukrainian resources, websites of BBC, Deutsche Welle, Bild, BBC Russian Service, Voice of America, all Radio Liberty websites as well as Meduza, Bellingcat Mediazona, Novye Izvestiya, Bumaga, Echo of the Caucasus, Caucasian Knot, Snob, LentaChel, 7X7, TJournal, The Village, Republic and many others. The Euronews TV channel was taken off the air.

The following months brought new restrictions, including the ones that utilized new legislation on disseminating false or defamatory information about the use of the military. Access

was blocked to major foreign publications and channels, such as the Telegraph, Die Welt and Radio France Internationale, Delfi, popular Finnish newspaper Ilta-Sanomat, and Slovak periodical Dennik N among others. Russian-language resources continued to be blocked as well: the independent news aggregator The TrueStory was shut down immediately after its creation, and the sites of the publications KavPolit, Kholod, Agentura.ru, Provereno.Media, and others, as well as Mult.Ru with its Masyanya animation series, were blocked as well. In early February 2023, the Roskomsvoboda project counted six thousand of websites and links blocked based only on the request by the Prosecutor General's Office dated February 24, 2022.⁴

Upon request from Roskomnadzor, numerous media outlets were forced to remove or edit materials about the events in Ukraine. In March, under pressure from the authorities, many media outlets had to stop their operations in one way or another, among them Novaya Gazeta, which later, in September, had its license revoked (the newspaper's employees created a new media outlet abroad, which was immediately blocked in Russia) and the Echo of Moscow radio station, which was taken off the air and then liquidated by the decision of its board of directors, including its website and social media accounts. TV Rain was suspended and proceeded later abroad. Colta and Znak.com were also suspended and did not resume (the website of the latter was completely shut down). The BBC Russian Service announced that its editorial office would continue its work outside the country. American TV channels CBS News and ABC News, CNN and Bloomberg news agencies, Canadian CBC, and German ARD and ZDF channels also announced that they were terminating their work in Russia.

The websites of leading international human rights organizations Amnesty International and Human Rights Watch were blocked as well. The representative offices of these organizations were later closed by order of the Ministry of Justice along with 13 others. They were removed from the register of branches and representative offices of international organizations and foreign non-profit non-governmental organizations for unspecified violations.

Censorship also affected social networks. On March 4, Facebook and Twitter were blocked under the law on "sanctions" for unreasonably restricting the distribution of certain Russian media materials. Roskomnadzor explained that the ruling followed Facebook's decision to block the pages of RIA Novosti, Zvezda, Sputnik, RT, Lenta.ru and Gazeta.ru as well as Twitter's dissemination of "inaccurate socially significant information on the subject of a special military operation in Ukraine." Roskomnadzor also demanded that the TikTok administration explain the removal of RIA Novosti stories from its platform, but TikTok proactively limited its operations in Russia on March 6 in response to the law on fakes. Then, on March 14, Instagram was blocked in Russia for publishing calls for violent actions against the Russian military.

On March 11, the Prosecutor General's Office filed a claim with the Supreme Court to recognize Meta Platforms Inc., the owner of Facebook, Instagram and WhatsApp, as an extremist company. Apparently, the court was initially supposed to recognize all the activities of the company as extremist, but then the demands were reduced to the distribution of Facebook and Instagram. On the same day, the Investigative Committee opened a criminal case against unnamed employees of the corporation under Article 280 CC (calls for extremism) and Article 205¹ CC (contributing to terrorist activity). The case was based on the statement made on that day by the Meta leadership – the corporation announced

4. More than 10,000 Internet resources fell under military censorship // Roskomsvoboda. 2023. February 8 (<https://roskomsvoboda.org/post/10000-military-cens/>).

its decision not to delete posts that called for violent actions against the Russian troops located on the Ukrainian territory, indicating, however, that the ban on calls to violence against other citizens of Russia still stands. Meta later changed its position and declared Russophobia and calls for violence against citizens of the Russian Federation unacceptable, but this change did not affect the court's decision.

The court ruled to ban Meta's activities related to the "distribution of its products, Facebook and Instagram, on the territory of the Russian Federation due to their extremist activities." The decision against Meta is unique in the history of Russian legal proceedings in extremism-related cases, since in this case, it was the organization's activities that were recognized as extremist, but not the organization itself, its websites or its individual materials. Since the current Russian legislation does not provide for such a ban, its legal consequences are unclear – recognizing Meta's activities as extremist created a situation of legal uncertainty. Although the court decision explicitly stated that the measures of judicial protection stipulated in it "do not limit the use of Meta's software products by individuals and legal entities not participating in activities prohibited by law," Russian users of Facebook and Instagram still become potential offenders. This situation created fear and insecurity – probably exactly the effect the authorities have been counting on, since their efforts are intended to force citizens to switch to Russian platforms controlled by law enforcement agencies.

The blocking of media platforms continued – WikiArt, Depositphotos, Patreon, Jooble, Grammarly, Chess.com and several other gaming sites were blocked in the course of the year based on their users' statements about the events in Ukraine.

Anonymizers were also blocked for obvious reasons, including the Tor project site and the VPN applications (separate steps were also taken to obstruct the operation of these applications).

In early February 2023, the Roskomsvoboda project reported that, based on the results of its monitoring of the Unified Register of Banned Websites, about seven thousand websites had been blocked for publishing information about the special military operation, both at the request of the Prosecutor General's Office and based on court decisions. Prosecutor General Igor Krasnov in his interview with *Izvestia* in January said that "We monitor and block all resources that speculate on people's anxieties and disseminate false information. In 2022, Roskomnadzor received over 1,700 demands for extrajudicial restriction of access to information on the Internet, instant messengers and social networks, compared to 650 in 2021. Based on these requests, in 2022 alone, Roskomnadzor blocked or removed publications from more than 190 thousand Internet pages, including those that disseminated unreliable socially significant information about the special military operation (there were 125 thousand such materials)."⁵ Thus, Roskomsvoboda notes, not all the blocked resources are added to the Unified Register of Banned Sites; this happens, among other reasons, because site owners often promptly delete the information that the law enforcement deems problematic. In general, the actions of Russian supervisory authorities are becoming less and less transparent (for example, the register now often lists not only the Prosecutor General's Office, but also an "unknown state agency" as initiators of blocking the same resources), so the analysis of statistical data has become more challenging.

5. The Prosecutor's Office is increasingly focusing on its human rights function // *Izvestia*. 2023. January 23 (<https://iz.ru/1457943/elena-balaian-alena-nefedova/prokuratura-vse-bolshe-delaet-akt-cent-na-svoei-pravozashchitnoi-funktcii>).

Persecution for Anti-Government Statements

Calls for Extremist and Terrorist Activities

The Supreme Court⁶ statistics show an increase in the number of individuals found guilty of incitement to extremist activity (Article 280 CC) as well as of incitement to terrorism, its justification and propaganda (Article 205² CC). The number of people convicted on the main charge under Article 280 CC was 113 persons in 2016, decreased to 90 in 2018, but has only grown since then – there were 255 such offenders in 2021. The number of people convicted on the main charge under Article 205² CC, has grown steadily over ten years and reached 199 people in 2021, and the sentences in several dozen other cases included one of these articles as an additional charge. The Supreme Court has not yet published statistics for 2022, only for the first half of the year. A simple doubling of these figures can only be viewed as a very rough estimate; it shows a slight increase in the number of convicted offenders under both articles. However, on prior occasions, the number of sentences in the second half of the year was often higher than in the first.

The Ministry of Internal Affairs has already published its crime statistics for the year, and according to the data, the number of reported extremist and terrorist crimes has increased again. The number of extremist crimes reached 1566 (+48.2% compared to the previous year), of which 493 (+8.4%) were qualified under Article 280 Part 2 CC as public calls to extremism made on the Internet. The Ministry reports 2,233 terrorist crimes (+4.5% compared to 2021), of which 490 (+55.6%) were qualified under Article 205² Part 2 CC as public justification of terrorism committed on the Internet. Probably only a small part of these cases went to trial the same year, so this increase will affect the number of sentences in 2023–2024.

Court decisions in such cases are in most cases not published due to a broadly interpreted ban on the publication of the texts of judicial acts issued in cases “affecting the security of the state.” The information available from other sources is generally not sufficient to assess the legitimacy of these decisions. At the same time, in our opinion, not all sentences under Articles 205² and 280 CC should be viewed as affecting state security and, therefore, restricted only because the relevant Criminal Code articles are found in the sections on crimes against the foundations of the constitutional order and the security of the state and society.

At the same time, 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 can legitimately prosecute public statements under criminal procedure as socially dangerous incitement. In our “Misuse of Anti-Extremism” section, we report only the cases based on acts that either presented no danger to the state and society, or the danger was clearly insufficient to merit criminal prosecution.

In principle, an assessment of public danger should be made not only based on the content of the alleged speech, but also on other parameters, including its form, as well as the size and characteristics of the audience, or the likelihood that the public statement

6. See: Judicial Statistics Data // Judicial Department at the Supreme Court of the Russian Federation. 2023. February (<http://www.cdep.ru/?id=79>).

will lead to grave consequences. Meanwhile, the courts seem to very rarely take into account the low likelihood of serious consequences resulting from a statement; hence such cases show accusatory bias in legal proceedings. Even the statement itself is often misinterpreted – for example, as deliberate propaganda in a situation where it was more of an emotional remark, including in a protracted dispute. In situations of increased tension in society (as, for example, in 2022), the likelihood that the investigation and the court will overestimate rather than underestimate the social danger of a particular public statement (even if literally corresponding to the composition of a particular criminal article) increases significantly. We are particularly concerned about the growing percentage of prison sentences under these articles although all of them also involve other punishments. The law (not only in Russia) does not establish clear criteria to determine if incarceration is justified, and courts obviously take into account many circumstances when determining punishment. However, SOVA Center believes that imprisonment, even in case of public calls for violence, is appropriate only when the case involves deliberate propaganda of violence (more or less systematic and having at least some chance of implementation) rather than individual emotional outbursts.⁷

Below we present only a few criminal cases that we found the most problematic in the past year. These examples largely illustrate the summary above.

On February 3, the Zheleznodorozhny District Court of Chita found blogger Alexei Zakruzhny (Lyokha Kochegar), guilty under Article 280 Part 2 (public calls for extremist activity) and Article 212 Part 3 CC (calls for riots). He received a suspended sentence of two years and two months with a probation period of one year and 11 months. In March, the Court of Zabaykalsky Krai reduced his sentence by a month. The case was opened based on a YouTube stream, in which the blogger criticized the pandemic-related ban on visiting cemeteries on Parents’ Saturday and called for “demolishing the cordons” at the entrance to the cemetery grounds to launch a “bloodless revolution.” In our opinion, the blogger’s statement should not be interpreted as a socially dangerous call for violent actions.

On November 11, the Kirovsky District Court of Omsk found local resident Natalia Krivova guilty under Article 280 Part 2 CC (public calls for extremist activities) and issued a suspended sentence of eight months followed by a one-year probation period and a one-year ban on administering websites on the Internet. The case was based on Krivova’s comment in an online Omsk community made in December 2019 under the publication about the public transportation fare increase. Krivova expressed her displeasure with the news by a comment that suggested “going with pitchforks against City Hall” and “pitchfork [Omsk Mayor at the time Oksana] Fadina and others.” We are inclined to believe that Krivova’s statement reflected her emotional reaction to the news of the impending increase in public transportation costs and should not be interpreted as a call for actual violent action. Since in this case, the likelihood of the threat being carried out was negligible, the public danger of the statement was also insignificant, and therefore the case didn’t merit criminal prosecution.

7. 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. November 28 (<https://www.sova-center.ru/en/misuse/reports-analyses/2022/11/d47023/>).

A similar case under Article 280 Part 2 CC was initiated in March against Kirill Martyushev⁸ from Tyumen. The charges were related to a video message posted by Martyushev on Telegram on February 24, 2022. On that day, he was detained under Article 20.2 Part 5 CAO (participation in a public event held without a permit). Having left the precinct, he recorded a video for his mother, which he posted on the same channel under the title #NETVOINE. Reportedly, in this video, Martyushev expressed his surprise at the political passivity of “those people,” “punching bags,” who look for “malicious” violators at a peaceful anti-war rally. He also added that in his opinion “such people should be immediately sent to the electric chair.” According to investigators, the video contained a public call for violent actions against police officers. We interpret Martyushev’s statement as an emotional reaction to the actions of law enforcement officers he viewed as unlawful, in the context of his position on the military actions in Ukraine. His statement had a relatively narrow audience (40 users had read the post by the time the case was opened) and posed no real threat to law enforcement officers. Therefore, we are inclined to believe that Martyushev’s act did not represent sufficient public danger to merit criminal prosecution.

On December 23, the 2nd Western District Military Court issued a verdict we find problematic. The court found Daria Polyudova, the founder of the Left Resistance (*Levoe so-protivlenie*) movement, guilty under Article 282¹ Part 1 (organizing an extremist community) and Article 205² Part 2 CC, and Kirill Kotov, a member of the Left Resistance – under Article 282¹ Part 2 CC. The court sentenced Polyudova, who is currently serving a six-year sentence for justifying terrorism, to nine years in a penal colony, thus adding three years to her previous term. Kotov received a three-year suspended sentence. We regard the charges against Polyudova under Article 205² Part 2 CC as inappropriate. They were based on her publications about people prosecuted for their involvement in the radical Islamic party Hizb ut-Tahrir banned in Russia as a terrorist organization (see more on this charge below). As for the charges of involvement in the activities of the Left Resistance as an extremist community, they are not entirely unfounded, since the movement’s page on VKontakte published calls for the violent overthrow of power. Polyudova herself made such statements and then faced separate charges for them under Article 205² Part 2 CC. However, we have serious doubts about the proportionality of the punishment imposed on her, since the group created by Polyudova was small, enjoyed little popularity, and, as far as we know, was not preparing for any real violent activity. Therefore, it posed no significant public danger. In our opinion, Polyudova’s propaganda activities provided no grounds for sentencing her to imprisonment, especially to such a long prison term.

Meanwhile, also in December, the same court, at its visiting session in St. Petersburg dropped the criminal charges against video blogger Yuri Khovansky under Article 205² Part 1 CC (public justification of terrorism) due to the expiry of the limitation period. The case was based on the fact that Khovansky had performed online a song about the 2002 terrorist attack that occurred during the performance of the Nord-Ost musical. We saw no valid reasons for prosecuting the blogger. Khovansky’s performance ridiculed the discourse that had developed around terrorism. It was obviously provocative, so relatives of those killed in the terrorist attack on Dubrovka might find such creative output offensive, and a discussion about the ethics and acceptability of such “dark humor” would be a completely natural social reaction. How-

8. At the end of January 2023, the Central District Court of Tyumen sentenced Kirill Martyushev to three years in a minimum-security penal colony with a two-year ban on administering websites on the Internet.

ever, the public danger of such a performance was extremely small, and the criminal article that covers justification of terrorism does not imply penalties for insults or unethical irony.

A new case under Article 205² CC is worth pointing out. In late August – early September, and also in December, a series of searches took place in Kazan at the homes of journalists who collaborated with Idel.Realii and Radio Azatlyk, as well as in the homes of their relatives and other activists. The case under Article 205² Part 2 was initiated based on a video called “Paint and a Booth for the Russian Ambassador to Poland,” published on the “Obyektiv-TV” YouTube channel. Journalists Aisylu Kadyrova and Andrei Grigoryev became suspects in the case. In November Grigoryev was arrested in absentia. The video showed the footage of protests near the Russian embassy in Warsaw accompanied by a commentary, including an incident with Russia’s ambassador to Poland, Sergei Andreev, that occurred on May 9. On that day, protesters against military operations in Ukraine doused the ambassador with red paint. The Investigative Committee opened a criminal case in connection with this incident under Article 360 Part 2 CC (attack against a person enjoying international protection for the purpose of provoking a war or complicating international relations). Since justifying actions punishable under this article constitutes an offense covered under Article 205² CC, the Investigative Committee chose to qualify the distribution of a video about the incident under Article 205² Part 2 CC. In our opinion, Articles 205² and 360 CC have shortcomings that allow the judiciary to interpret as a terrorist activity many acts not associated with violence endangering life and health. These articles do not provide for distinctions based on the gravity of a particular act. Thus, the incident on the video, which is essentially an act of politically motivated hooliganism rather than a serious attempt on the ambassador’s life and health, is qualified as a crime of a terrorist nature (punishable by imprisonment for a term of five to ten years), and its justification – as a justification of terrorism, also subject to severe sanctions. This interpretation, in our opinion, does not correspond to reality. It should also be noted that the commentary on the incident, provided on the video, indeed justifies the protesters’ actions and contains emotional and possibly humiliating remarks regarding the Russian authorities. On the other hand, the video contains no direct calls for violence.

For Inciting Hatred

In 2022, we recorded 65 cases filed improperly under Article 20.3.1 CAO for incitement to hatred or enmity or humiliation of human dignity based on belonging to a particular group. The defendants included 64 individuals (one was punished twice, and one – three times) and one legal entity. A fine was imposed in 39 cases, community service in 10 cases, arrest for a period of five to 15 days in 10 cases, three cases were closed and the outcome of the remaining three is unknown.

In the vast majority of cases, inappropriate sanctions targeted internet users for their critical statements made at different points in time against the authorities and law enforcement agencies – some of them were related to coronavirus restrictions, and some – to recent events, including military operations in Ukraine.

In 33 cases, charges under Article 20.3.1 CAO for inciting hatred or humiliation on the basis of belonging to a social group were based on harsh statements about representatives of law enforcement agencies that contained no calls for violence.

For example, in August, the Tsentralny District Court of Khabarovsk fined Alexander Chernichenko ten thousand rubles. According to the court decision, the case was based on the comment “Truly pigs” [*Real’no musora*, literally “real trash” in Russian] left by Chernichenko

on Instagram on October 1, 2021, under the post titled “A Teenager Beaten During Detention at a Rally in Komsomolsk-on-Amur Is Suing the Police.” The expert who examined the comment concluded that it contained a negative assessment of “a group of persons ‘the police’ participating in the ‘beating’ of a ‘teenager’ ‘while being detained at a rally’” (sic!).

Apparently, linguistic experts see the use of such words as “pigs” or “polizei” (alluding to the Nazi police in the times of World War II) to denote the police as a significant marker of negative assessment, in and of itself, and the court, which usually relies on expert opinions, can accordingly interpret it as a sign of incitement to hatred or humiliation. At the very least, we know more than one such case.

Thus, in November, the Zaslavskiy District Court of Ulyanovsk, having reviewed three cases under Article 20.3.1 CAO against local resident Roman Shilov, sentenced him to 30, 35 and 40 hours of community service. The charges were based on Shilov’s comments on VKontakte made in December 2021 – January 2022 that included the words “pigs” (*musora*) and “polizei”.

We would like to point out separately the case of sanctions imposed on a legal entity. In early December, a court in Abakan fined the parent company of Khakassian online magazine *Novy Fokus* 450 thousand rubles under Article 20.3.1 CAO. The case was based on several publications, which the experts involved found to contain signs of humiliating the dignity of law enforcement officers. In our opinion, the materials published in *Novy Fokus* criticized the work of law enforcement agencies in Russia in general and in Khakassia in particular but contained no aggressive statements.

30 people were charged for making statements that contained strong criticism of the authorities. In early April, the Uray City Court in the Khanty-Mansiysk Autonomous Okrug fined local resident Pavel Verbitsky ten thousand rubles. The case was based on a comment Verbitsky posted on February 24 or 25 on “Uray Blacklist,” a local public page on VKontakte. The comment contained an obscene poem that criticized the military special operation in Ukraine in a rude form and called for protests against the government policy. In addition, Verbitsky was charged for two posts on his personal VKontakte page. In one of them he used obscenities to express his wish that the special operation supporters remove themselves from his friend list; in the other one he cursed the Communist Party faction in the State Duma for supporting military operations. According to a linguistic expert opinion, the poem published by Verbitsky contained incitement to violence against members of the United Russia party, since the poem called for “tearing them to shreds.” In our opinion, this statement cannot be regarded as a direct and dangerous call to violence – rather, it is an emotional, but merely allegorical turn of phrase. The expert also found Verbitsky’s post to contain “demeaning characterizations, negative emotional assessments and negative attitudes towards the Russian leadership, representatives of the State Duma, members of the United Russia party and the Communist Party of the Russian Federation, calls intended as propaganda of inferiority of the Russian government representatives.” The nature of the law enforcement’s objections against Verbitsky’s suggestion that others unfriend him is unclear.

Also in April, the Khimki City Court sentenced environmental activist Alexei Dmitriev to 10 days in jail. The case was based on Dmitriev’s Instagram post – a meme that blamed Adolf Hitler for the shelling of Kyiv in 1941, and Vladimir Putin for doing the same in 2022. According to experts in the case, the post contained linguistic signs of inciting hatred, enmity, and humiliation of Putin’s human dignity as a representative of the social group “persons holding public office in the Russian Federation.”

We view legal sanctions for rudely critical statements about government officials as inappropriate. In our opinion, law enforcement officers do not form a vulnerable social group in need of special protection in the form of anti-extremist norms. The European Court of Human Rights has repeatedly noted that law enforcement officers should be extremely tolerant of criticism unless it involves a real threat of violence. The Supreme Court of the Russian Federation in its Resolution of June 28, 2011 “On Judicial Practice in Criminal Cases Concerning Crimes of Extremism”⁹ also emphasized, citing the ECHR practice, that the permissible limits for criticizing civil servants are wider than the permissible limits for criticizing private individuals.

It should be noted that one similar case involving criticism of civil servants was closed in late November – the case of journalist Maria Antyusheva from NGS24.RU, who was fined 20 thousand rubles in October for two Telegram posts. In one of them, Antyusheva scolded “all these Putins and Penzins” (referring to deputy Yelena Penzina from Krasnoyarsk) for not sending their loved ones to participate in the special operation in Ukraine. In her second post, made on October 7, Antyusheva wished an unnamed man a painful death and a million years of suffering in hell for his birthday. The regional court emphasized that the journalist did not call for any illegal actions, and thus her actions were not aimed at inciting hatred or enmity. In addition, the court noted that the case presented no solid evidence that Antyusheva criticized Putin and Penzina specifically in connection with their professional activities in Russia’s government bodies.

We also recorded several cases of inappropriate criminal prosecution under Article 282 CC that covers repeated incitement of hatred or incitement of hatred with aggravating circumstances.

It was reported in April that Vyacheslav Chernov from Tashtagol of the Kemerovo Region – an entrepreneur, a blogger, and a former State Duma candidate from Yabloko – faced prosecution based on a video about the investigation into the causes of the explosion at the Listvyazhnaya mine, which he published on Instagram in December 2021. The blogger said that the tragedy occurred due to the “system of total lies” that affects every aspect of life – election results, coronavirus statistics, environmental situation, and safety measures. He also accused the head of the regional Investigative Committee of involvement in the illegal takeover of the mine, compared the prosecutors with “escort girls” and criticized the investigators for their focus on persecuting “rural bloggers.” Earlier, in November 2021, Chernov spent 10 days under arrest under Article 20.3.1 CAO for two Instagram videos. Based on the linguistic expert opinion, the court decided that Chernov had incited hatred against the Russian official representatives and the Tashtagol District Council deputies. We consider the earlier sanctions against him inappropriate as well.

In June, Dmitry Talantov, the president of the Udmurtia Bar Association, was arrested in Izhevsk as a defendant under Article 282 Part 2 Paragraph “b” CC (inciting hatred or hostility using one’s official position) and Paragraphs “a” and “e” of Article 207³ Part 2 CC (dissemination of deliberately false information about the use of the armed forces

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

of the Russian Federation motivated by political hatred or enmity). The charges were based on five Facebook posts made by Talantov in March–April 2022. According to the Investigative Committee officers, Talantov, “with prior awareness of the popularity of the Facebook social network and foreseeing socially dangerous consequences in the form of undermining the authority and discrediting the leadership and the armed forces of the Russian Federation, decided to deliberately disseminate false information” and also published information “aimed at the incitement of hatred and enmity towards representatives of the authorities by expressing negative assessments of their activities.”

It became known in July that a criminal case was initiated against Dmitry Antonov, a resident of the Tula Region, under Paragraph “a” of Article 282 Part 2 CC (incitement of hatred committed with the threat of violence) in connection with two VKontakte posts. In one post, Antonov criticized Vladimir Putin using obscene language, calling him a “murderer” and a “criminal,” saying that the end awaited him and “his henchmen and propagandists,” and that “the Putin regime and its supporters are a global threat that will inevitably be destroyed.” The second post contained a similar text about the fate of the “dictators” and the image depicting Putin as Adolf Hitler. Antonov shared screenshots of his posts with journalists, and we found no threats of violence in them.

In September, coordinator of the Mayakovsky poetry readings Artyom Kamardin and readings participants Yegor Shtovba and Nikolai Daineko were arrested in Moscow under the same Paragraph “a” of Article 282 Part 2 CC. The Tverskoy District Court placed them under pre-trial arrest for two months. The criminal case was initiated following the “anti-mobilization” readings of September 25. In the course of the readings, Kamardin, among other statements, characterized the Donbas militia as terrorists and read his 2015 poem “Kill me, Militiaman!” which mentioned children of the militia fighters in a sexual context. After that, Kamardin, along with other reading participants, recited a two-line poem against Novorossiya. Law enforcement agencies have 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 can be characterized as provocative, and members of the Donbas militia, their families and supporters could obviously find his words offensive. However, we didn’t find it to contain any incitement to violence.

On July 28, 2022, the 2nd Western District Military Court, at its visiting session in Smolensk, sentenced local opposition blogger Sergei Komandirov to six and a half years in prison, a fine of 30 thousand rubles and loss of the right to post materials on the Internet for five years. This disproportionately harsh (in our opinion) sentence was related to Komandirov’s posts on his public page “We Demand Answers” on VKontakte. The gravest charges were under Article 205² Part 2 CC (public justification of terrorism on the Internet; three counts), for posts, which could, in fact, be interpreted as calls for a violent change of power – even though Komandirov himself was never involved in any violent activity. We view as inappropriate the charges against him under two remaining articles – Article 354¹ CC (see more on it below) and Paragraph “a” Article 282 Part 2 CC. The latter was brought against Komandirov in connection with his post about a protester detained along with her minor daughter. Komandirov negatively characterized law enforcement officers and quoted the words of another blogger about the inevitability of the impending bloodshed. However, Komandirov’s post contained no explicit calls for violence. The quote cited in the post can be more appropriately characterized as a pessimistic forecast for the country’s social and political future.

For Other Anti-Government Statements

According to our information, in 2022, there were at least 22 cases filed 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 37 such cases in the preceding year, at least 30 in 2020 and 56 in 2019. In 2022, a fine was imposed 18 times, one case (repeated offense) led to a ten-day arrest, two cases were terminated, and one report was returned to the police. Almost all charges were related to disrespect toward government officials (mainly the president, but also officials, policemen, judges, and society as a whole).

Thus, in March, the Sholokhovskiy District Court of the Rostov Region fined Alexei Safonov, chief engineer of the Svetly Ice Arena in the village of Kamenka of the Rostov Region, 50 thousand rubles under Article 20.1 Part 3 CAO; he was also fired from his job. The sanctions were based on his Instagram post made on February 24th. Safonov wrote that everyone was now witnessing horror and disgrace and that the consequences of invading Ukraine would be catastrophic for the Russians; he wished the Ukrainians fortitude. In October, the Oktyabrskiy District Court of Novorossiysk fined a 25-year-old Novorossiysk resident the same amount for taking a picture with her pants lowered against the backdrop of the naval cruiser Kutuzov and publishing the photo online. In both cases, the police and the courts found manifestations of clear disrespect for society and the state.

We know of only three cases when sanctions were imposed under Article 20.3.2 CAO for calls for violating the territorial integrity of Russia. All three were not accompanied by calls for any violent separatist actions, and, in such cases, we regard sanctions for discussions on territorial issues as inappropriate (we recorded seven such cases in 2021). All three offenders were fined 70 thousand–75 thousand rubles. Oleg Ilchenko, a resident of Kemerovo, was fined for his comments on VKontakte. Reportedly, he wrote: “I suggest that Moscow should separate from Russia; let it only develop itself, so that the poor thing doesn’t have to spend anything on serfs.” Matvei Panikhin was fined for an emotional comment left under a post about forest fires – he offered to transport the president and his “entourage” to Krasnoyarsk, secede from Moscow and “form the Siberian state.” The Vereshchaginsky District Court of Perm Krai fined Sergei Larionov for reposting a newspaper from one of the “Citizens of the USSR” groups interpreting an invitation to participate in the national elections of people’s deputies in order to restore the Soviet regime on the Russian territory as a call to violate the territorial integrity of Russia; The Perm Regional Court found this interpretation justified.

In December, in St. Petersburg, the prosecutor’s office opened a case under Article 20.3.2 Part 2 CAO (public calls for actions aimed at violating the territorial integrity of the Russian Federation using the Internet) against rapper Miron Fyodorov (Oxxxymiron) for his song “Oida” released in September 2022. The prosecutor’s office also filed a lawsuit to recognize the song as prohibited for distribution in Russia and to restrict access to it via 10 links, including through streaming services. The prosecutors objected to the lines that contained the slogan “Ingria will be free” and to the chorus “Oh, yeah, confiscate our home, oh, yeah, move into it, oh, yeah, choke on it, but we’ll rebuild it.” The slogan mentioned by the rapper belongs to an informal St. Petersburg regionalist movement advocating greater autonomy for St. Petersburg and its region as a single cultural and economic space. This slogan, in and of itself, contains no explicit calls to separate the above-mentioned territories from Russia. In the context of the entire song, including the chorus, it

reads more like an expression of confidence that a change in the country's political regime is inevitable. In our opinion, the author did not cross the line of peaceful political criticism, therefore we consider the prosecutorial actions against him and his work inappropriate.¹⁰

As far as we know, no charges under Article 280¹ for repeated calls to violate the territorial integrity of Russia were filed in 2022.

In the year under review, we recorded five cases filed under Article 20.3.4 CAO that punishes calling for sanctions against Russia, its organizations and citizens (apparently, so far there have been no cases of prosecution under the related criminal article 284² for repeated calls for sanctions). In March, a Moscow court fined Vladislav Arinichev 35 thousand rubles for a video, in which he talked about imposing sanctions. In April, local activist Andrei Balin was fined 30 thousand rubles in Tolyatti; he was charged with publishing a series of ten VKontakte posts, in which he proposed sanctions against Vladimir Putin, his relatives and entourage, and other top officials, as well as economic sanctions against Russia, including an oil and gas embargo.

Also in April, the Gorno-Altaysk City Court issued a fine of three hundred thousand rubles to Listok Publishing House LLC, which publishes a weekly newspaper of the same name. The case was based on the article published in *Listok* under the heading "Head of the Altai Republic Khorokhordin, Speaker Kokhoev of the State Assembly and Director Koncheva of the Gorny Altai State TV and Radio Will Likely Not Be Able to Visit Civilized Countries." In this article, Viktor Rau, *Listok's* editor-in-chief currently staying abroad, suggested reporting those who supported the special operation on the territory of Ukraine to a certain Telegram bot so that this information is communicated to foreign specialized organizations and ministries of foreign affairs. In June the same court fined Rau personally 120 thousand rubles.

In September, a report under Article 20.3.4 CAO was filed against Sergei Veselov, an activist from Shuya, Ivanovo region, because of a YouTube video in which he talked about the Russian Federation's income from the sale of oil and gas and its impact on the military operation in Ukraine. The city court returned this report to the prosecutor's office, explaining that it failed to indicate "to whom specifically the call for the implementation of restrictive measures is addressed, and or what restrictive measures the call was advocating." It should be noted that Balin and Veselov are defendants in criminal cases initiated without proper grounds.

For Display of Banned Symbols

In the Supreme Court statistics on the use of administrative articles in the first half of 2022, the Judicial Department of the Supreme Court combined the data under Article 20.3 CAO on propaganda and display of prohibited symbols with data under Article 20.3.1 CAO on inciting hatred. So, while in 2021 the sanctions under Article 20.3 CAO were imposed 3183 times and under Article 20.3.1 – 936 times, the total number of sanctions under these two articles provided by the Supreme Court for the first half of 2022 is 2690. Extrapolating the values of the first six months to the entire year, we will get a 31% increase in the number of sanctions under these two articles compared to 2021.

10. On January 11, 2023, the Oktyabrsky District Court of St. Petersburg found Miron Fyodorov guilty and fined him 70 thousand rubles.

As usual, we know the details of the corresponding administrative cases and can assess their appropriateness only for some of these incidents. We noted more cases filed inappropriately in 2022 than in 2021 – according to our information, at least 120 people were brought to court inappropriately, with three of them punished twice and one person – 23 times (we recorded 55 such cases in 2021).

Courts imposed a fine in 56 cases, and an administrative arrest in 50 cases (here we count the arrests imposed on Vitaly Gotra, who was punished based on 23 separate reports, as one episode, especially since most of the punishments imposed on him were absorbed by the preceding ones; in total, he spent 22 days under arrest); the sanctions were lifted in seven cases, the outcome of two cases is unknown, and we do not know what punishment was imposed in the remaining cases. We view sanctions for the display of symbols with no intent to promote the corresponding ideology as inappropriate.

Opposition activists faced unjustified sanctions more frequently than other groups. 46 cases were opened in Moscow before the municipal elections and targeted acting deputies or people who intended or could intend to run for office. Individuals punished under Article 20.3 CAO lose their passive suffrage rights for a year. Almost all cases were based on the fact that the defendants' social network posts of previous years included the Smart Voting logo regarded as a symbol of the banned structures of Alexei Navalny. The posts with the symbols of other Navalny organizations, such as the Alexei Navalny Headquarters or the Anti-Corruption Foundation (FBK), were also used as the basis for sanctions. We recorded about a dozen such cases in other regions as well.

As before, public display of Nazi symbols often took place not to promote Nazism, but as a means of visually criticizing the political course of the authorities. Some of these episodes – at least 18 – pertained to the distribution of images, in which the "special operation" symbols were compared with the swastika, or the swastika was superimposed on the image of the president. Among them, the case of Vitaly Gotra from Volgograd stands out. Gotra, a native of the Mykolaiv Region, where his relatives continue to live, affixed to building entrances the stickers that criticized the "special military operation" and contained the swastika symbol. The published rulings indicate that Gotra posted leaflets around the city, which characterized Russian president Vladimir Putin as an "enemy," a "special military operation" in Ukraine as a "war," and its participants as "fascists." The police regarded each posted leaflet as a separate episode and filed charges against Gotra for each of the 23 pieces under two articles CAO at once – Article 20.3 for the swastika and Article 20.3.3 for discrediting the actions of the Russian army. As a result, 46 reports were compiled against Gotra. The Voroshilovsky District Court of Volgograd sentenced him to 23 days of administrative arrest under Article 20.3 CAO and a fine in the total amount of 690 thousand rubles under Article 20.3.3 CAO. Gotra tried to challenge the fine in the regional court but to no avail.

In five cases, citizens were sanctioned for the slogan "Glory to Ukraine" (law enforcement authorities interpreted it as an attribute of banned Ukrainian nationalist organizations) on a poster, in social network comments, and even shouted in public, even though Article 20.3 CAO punishes specifically for disseminating visual symbols. Thus, a resident of Tyumen, Vladimir Fofanov, was placed under arrest for 14 days for playing the anthem of Ukraine on the piano located near the "Shipping Company" office building on Imperatorskaya Embankment, shouting the slogan and then posting the video recording on the Internet.

Nine people were punished in Crimea for performing or listening in public to the folk song "Chervona Kalyna," first published in 1914. The song was used as an anthem by the Ukrainian Sich Riflemen during the First World War and the Civil War and was later repeatedly per-

formed by popular Ukrainian, Russian and other performers. In 2022, “Chervona Kalyna” became popular once again as a patriotic song following the performance by Andriy Khlyvnyuk.

In September, the Bakhchisaray District Court of Crimea found several Crimean Tatars – the guests and organizers of the wedding, which took place on September 10 in the Arpat banquet hall – guilty under Articles 20.3 and 20.3.3 CAO. At the wedding, the DJ played “Chervona Kalyna,” and the guests began to sing along and dance. The incident was personally condemned by the head of Crimea, Sergei Aksyonov; the restaurant was subsequently closed, and its owner and the DJ made public apologies. An expert engaged by law enforcement agencies stated that “Chervona Kalyna” was a battle song, that is, an attribute of the Organization of Ukrainian Nationalists (OUN), whose activities are recognized as extremist and banned in Russia. The court ruled that the song’s line “liberate our Ukrainian brothers from Moscow’s shackles,” which, according to the expert, was also used by the banned OUN, discredited the use of the armed forces of Russia. Six people faced charges. The DJ and the dancer were placed under arrest for 10 days, the owner of the banquet hall – for 15 days, and the groom’s mother – for five days. The bride’s mother was fined 40 thousand rubles, and the owner’s wife – 50 thousand. Several versions of “Chervona Kalyna” are known, and the most popular of them contain no references to “liberation” from “Moscow’s shackles” or other statements that, depending on the context, can be interpreted as inciting hatred. A short video of dancing in the restaurant circulated on social networks did not contain these lines, and the basis, on which the court decided that this version of the song was the OUN anthem, is unclear.

We also know about cases filed for displaying the symbols of the unregistered party Other Russia of E. V. Limonov, which law enforcement agencies and courts regard as symbols of the banned National Bolshevik Party (NBP), although they are not identical. It is worth reminding that, in our opinion, the decision to recognize the NBP as an extremist organization was not sufficiently justified.¹¹ While we noted 12 cases filed for displaying the symbols of the Other Russia party in 2021, we recorded only three such cases in 2022.

No instances of inappropriate prosecution were reported under new Article 282⁴ on repeated display or production of prohibited paraphernalia or symbols, which was introduced and already used in 2022.

For Discrediting the Russian Army and Officials

As we pointed out above, we view restrictions on the right to freedom of expression and punishment for disseminating knowingly false information about the actions of Russian military and government agencies abroad and discrediting them as inappropriate. 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 Mediazona portal,¹² as of the second half of December 2022, the total number of cases

11. See: Alexander Verkhovsky. Why the decision to ban the NBP should be overturned // SOVA Center. 2007. August 4 (<https://www.sova-center.ru/racism-xenophobia/publications/2007/08/d11167/>).

12. Russian courts received over 5,500 police reports on “discrediting” the army // Mediazona. 2022. December 21 (<https://zona.media/news/2022/12/21/badarmy5500>).

under Article 20.3.3 CAO submitted to Russian courts for review reached 5518. People faced sanctions for displaying posters, slogans on their clothes, offline and online statements, distributing printed propaganda materials, graffiti on various buildings, etc.

We know of three sentences issued in 2022 under the criminal article on repeated discreditation of the actions of the Russian army and officials abroad.

The first verdict under Article 280³ Part 1 CC (in combination with Article 150 Part 2 CC – involving a minor in committing a crime) was issued by the Nalchik City Court of Kabardino-Balkaria in May. Zaurbek Zhambekov received a two-year suspended sentence with a two-year sentence postponement and a fine of 30 thousand rubles that could be paid in installments. The criminal case against Zhambekov was opened after he asked his teenage daughter to rip a Z-shaped St. George’s ribbon off a car at a city parking lot in late March 2022. Zhambekov had been previously fined under Article 20.3.3 Part 1 CAO for his social network posts.

The second decision under Article 280³ Part 1 was issued in September by the Knavinsky District Court of Nizhny Novgorod, which sentenced local activist and Yabloko party member Andrei Sorochkin to a fine of 200 thousand rubles. The verdict states that Sorochkin was driving around Nizhny Novgorod in a car with an anti-war poster attached to his rear window. He attached another poster with an anti-war statement, in the colors of the Ukrainian flag, to his cabinet at work. Previously, Sorochkin had been repeatedly fined under administrative Article 20.3.3 CAO.

The Verkhoturysky District Court of the Sverdlovsk Region issued a similar verdict in October. Father Nikandr (Yevgeny Pinchuk), a hieromonk of the Russian Orthodox Church Outside of Russia under the omophorion of Metropolitan Agafangel (ROCOR(A)) was sentenced to a fine of 100 thousand rubles. The case was based on his VKontakte post, which characterized the actions of the Russian army as predatory and stated that the Russian leadership was violating the divine commandments.

We know of at least 39 other people (see Appendix 1) prosecuted under Article 280³ CC in 2022 but not yet sentenced by the end of the year.¹³ Most often, criminal prosecution for repeated discreditation of the actions of the Russian authorities and the armed forces was based on texts and videos criticizing the actions of Russian troops in Ukraine posted on social networks, but charges were also filed for distributing leaflets, pacifist actions, defacement of banners that supported the “special operation,” graffiti on monuments (Article 280³ Part 2 was used in case of material damage) and even for a private conversation. Two criminal cases at once were opened against Sergei Veselov from Shuya, who published anti-war videos; two criminal cases under the same charges were also initiated against 77-year-old Tatyana Savinkina from Petrozavodsk for distributing leaflets.

For Spreading Fakes About the “Special Operation” Motivated by Hatred

We oppose criminal prosecution for defamation in principle and believe that defamation allegations should be subject to civil proceedings. It should be noted that the national legislations of various countries differ in their approach to this issue. However, it is not at all clear why disseminating false information about the activities of military personnel or of-

13. We would like to express our gratitude to the OVD-Info project for their assistance in collecting data on criminal prosecution under Articles 280³, 207³ and 214 CC. See: “The Anti-War Case” OVD-Info guide // OVD-Info (<https://data.ovdinfo.org/antivoennoe-delo-gid-ovd-info>).

officials requires a separate norm that provides for more severe and clearly disproportionate punishment. It is worth reminding that in General Comment No. 34 to Article 19 (Freedom 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.”

SOVA Center does not include in its monitoring the prosecution for libel and the dissemination of false information in general, since these issues do not directly fall under anti-extremist regulation. However, if such charges are filed with an aggravating circumstance such as the hate motive, then they fall into our area.¹⁴ At the same time, we believe that the motive of ideological and political hatred, in this case, is used 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 it is a form of political criticism. It is important to note that 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 CC articles on crimes that pose a serious public danger, namely, in articles on the use of violence. As for inciting hatred against such social groups as military personnel or officials, in our opinion, they, unlike ethnic, religious or sexual minorities, the homeless or the disabled, are not vulnerable to the extent of requiring special protection from manifestations of hatred. We generally advocate excluding the vague term “social group” from anti-extremist legislation. At the same time, if the problematic statements contain obvious signs of inciting ethnic hatred and calls for violence, we cannot classify the corresponding cases as inappropriate, but such cases often include charges under other Criminal Code articles, for example, under Article 280 or 205².

Thus, we must include in this report the numerous criminal cases initiated in 2022 under Paragraph “e” of Article 207³ Part 2 CC on the dissemination of “fakes” about the actions of the Russian military and officials abroad, motivated by hatred.

In January 2023, Prosecutor General of Russia Igor Krasnov mentioned 187 reported instances of spreading fakes about the army (i.e., falling under any part of Article 207³ CC after it entered into force in March 2022), of which criminal cases against 67 people charged for 78 separate crimes were sent to the courts. The OVD-Info project collected information on 59 cases under Paragraph “e” of Article 207³ Part 2 CC against 61 Russian citizens not completed by the end of 2022, and we present these cases in a special table in Appendix 2. At the moment, we do not have full information about the statements that formed the basis for charges against many of these people, so we cannot evaluate the appropriateness of their charges. Many of their statements contained no calls for violence; others were charged with such calls, but we had no opportunity to review the relevant texts.

We know about nine sentences issued under Paragraph “e” of Article 207³ Part 2 CC in 2022.

1. Alexei Gorinov, a deputy of the Krasnoselsky Municipal District, was sentenced to seven years in a penal colony under Paragraphs “a,” “b,” and “e” Article 207³ Part 2 CC, that

14. Under the federal law “On Countering extremist activity,” its definition includes the commission of crimes for the motives specified in Paragraph “e” of Article 63 Part 1 CC, i.e., for the motives of hatred.

is, also with the use of his official position and by a group of persons based on prior agreement. Gorinov was found guilty of calling the “special operation” in Ukraine a war at the Council of Deputies meeting on March 15 together with the head of the same municipal district, Elena Kotenochkina, who has since left Russia. They also claimed that the Russian government wanted to seize the territory of Ukraine and that children were dying due to the actions of the Russian army in Ukraine. On September 19, the Moscow City Court ruled that the group made no prior agreement and reduced the sentence by one month.

2. On August 4, the Leninsky District Court of Penza issued a five-year suspended sentence to 55-year-old English teacher Irina Gen; she was also banned from teaching for three years. Answering the question of her students about the reasons they could not attend international competitions in Europe, Gen told them about the war in Ukraine. The teacher’s speech was recorded and handed over to law enforcement agencies. Gen told students that the Russian military was “seizing the territories of other states,” started a war in 2014 in the Luhansk and Donetsk People’s Republics, bombed a maternity hospital in Mariupol, and planned to overthrow the President of Ukraine. The teacher also said that the Russian military was responsible for the downing of a Malaysian Boeing 777 aircraft.
3. On August 10, the Taganrog City Court of the Rostov Region issued a five-year suspended sentence with a two-year probationary period and a ban on administering Internet resources for a year to Vitaly Mishin, an invalid from one of the Chechen campaigns. The case was based on the comment allegedly made by Mishin in March under a post about a car rally in support of the Russian military posted in the Rostov-Glavny VKontakte group. In court, his neighbors testified against him. They asserted that he had criticized the social policy of the authorities, “expressed dissatisfaction” with the Russian invasion, and claimed that the Russian armed forces were “committing murders of Ukraine’s civilian population” and, in general, “carrying out the occupation of Ukraine.”
4. On August 24, the Sochi Central District Court fined Yevgeny Zolotov, an infectious disease doctor, in the amount of three million rubles. The prosecutor appealed the court’s decision, but on October 27 the Krasnodar Regional Court upheld the verdict. As follows from the text of the court decision, the case was based on Zolotov’s Facebook posts. He wrote about the losses of military equipment and personnel by the Russian armed forces, criticizing the Russian military for incompetence and using offensive characteristics, and approved the actions of the Armed Forces of Ukraine. According to the verdict, Zolotov was inspired not only by political but also by ethnic hatred – towards the Chechens, since he claimed that Chechen units were used to prevent Russian soldiers from retreating. We had no opportunity to read the text of this post, so we cannot judge whether it really contained signs of incitement to ethnic hatred. If such incitement was indeed present, then Zolotov, in our opinion, could be held liable for inciting hatred – not criminally, but administratively under Article 20.3.1 CAO.
5. On October 18, the Elista city court sentenced Altan Ochirov, a Kalmyk activist and ex-employee of the city mayor’s office, to three years in a penal colony under Paragraphs “b” and “e” of Article 207³ Part 2 CC. Ochirov was found guilty of disseminating on the Volny Ulus telegram channel a video about Russian soldiers shooting at a car full of retirees. He also shared posts that discussed the sinking of a Russian assault landing ship, the instances of looting, and Russia’s losses in the first days of hostilities

in Ukraine. Ochirov denied having anything to do with these publications. Another defendant in the case, activist Erentsen Dolyaev, left Russia. The verdict was appealed by both parties and on December 23 the Supreme Court of the Republic of Kalmykia increased the sentence to five years of imprisonment with an additional ban on holding state and municipal positions for a period of three years.

6. On December 9, the Meshchansky District Court of Moscow sentenced politician Ilya Yashin to eight years and six months in a minimum-security penal colony. His case was based on Yashin's YouTube stream (the corresponding video is called "A Tribunal awaits Putin. Hell Welcomes Zhirinovskiy. Khinshtein scribbles denunciations"), where Yashin spoke live about the events in Bucha. He has appealed the verdict.
7. On December 21, the Odintsovo City Court of the Moscow Region issued a ruling to mandate medical treatment for Olga Trifonova. The prosecutor filed an appeal against the decision with the Moscow Regional Court. According to Trifonova, the case was opened after she posted information on the events in Bucha.
8. On December 22, the Vologda City Court sentenced stoker Vladimir Rumyantsev to three years in a minimum-security penal colony. Rumyantsev's posts on social networks about civilians killed in Ukraine formed the basis for the criminal prosecution. In addition, he was found guilty of spreading information about the war through a radio transmitter in his apartment. Rumyantsev pleaded not guilty and appealed the verdict.
9. On December 27, the 2nd Western District Military Court sentenced Irina Bystrova, the head of an art studio from Petrozavodsk, to a fine of 600 thousand rubles to be paid in installments within five years under Paragraph "e" of Article 2073 Part 2 CC in combination with Article 2052 Part 2 CC (justification or propaganda of terrorism). As the Sever.Realii portal reported, citing undisclosed sources, "the cases were opened based on two social network posts by Bystrova. One of them contained a photograph of Putin on fire wishing him to burn in hell. The second post stated that the war with Ukraine was unjust and called for stopping it and turning the weapons "against the gang in the Kremlin." As an illustration, Bystrova published pictures and videos from the Mariupol hospital. We consider Bystrova's verdict inappropriate only in the part that pertains to charges under Article 2073 CC.

For Vandalism Motivated by Hatred

We know of 15 sentences issued in 2022 under Article 214 Part 2 CC (vandalism motivated by political or ideological hatred) against 16 people in connection with their protests against the "special military operation." As a rule, the offenses involve writing anti-war or pro-Ukrainian slogans in public places or damaging 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 a particular incident. We see no need to prosecute people for vandalism motivated by political or ideological hatred. In most cases, these 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.

Besides, when property damage is minor, in our opinion, cases under Article 214 should be terminated for insignificance. For those cases where the damage is moderate, 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.

We view the 12 sentences listed below against 13 people as inappropriate both based on motive and due to the insignificance of the damage.

1. On June 29, a magistrate at court precinct No. 143 in Moscow back in June 2022, sentenced Sergei Zvyagin and Alexei Vedeneev to eight months of restriction of freedom for painting anti-war graffiti on a building that belonged to the Moscow United Energy Company (presumably the transformer booth) under the influence of alcohol;
2. On August 17, In Blagoveshchensk of the Amur Region, Pavel Kambolin was sentenced to 10 months of restraint of liberty for anti-war graffiti he painted on five sites in the city in March; Kambolin also faced sanctions under Article 20.3.3 Part 1, Article 20.3 Part 1 (public display of prohibited symbols) and Article 19.3 (disobedience to the lawful demand of a police officer) CAO. He spent a total of 28 days under arrest and was fined 300 thousand rubles;
3. On August 17, a magistrate of Moscow Court District No. 205 sentenced a local resident, Oleg Tolmachev, to a year of restraint of liberty, finding him guilty of writing four statements critical of Vladimir Putin on walls;
4. On August 23, a magistrate in St. Petersburg sentenced Nikita Chirkov to a year of restriction of freedom. In March, Chirkov painted graffiti – a crossed-out letter "Z," an equal sign, and a swastika in black paint – on the pedestal of the Nikolai Chernyshevsky monument;
5. On September 14, a magistrate of Court District No. 89 in the Feodosiya Court District of Crimea imposed a year and 21 days of restriction of freedom on Dmitry Stepanchenko for offensive statements about the "special operation" placed on the walls of various urban infrastructure objects using black paint.
6. On September 27, a magistrate of the Oktyabrsky District in Vladimir sentenced Anton Ganyushkin to eight months of restriction of freedom for anti-war graffiti made in March; Ganyushkin had already reimbursed the municipal service in the amount of approximately 20 thousand rubles for the damage;
7. On October 13, a magistrate of Court District No. 4 of the Central Court District of Kemerovo sentenced Anastasia Skryleva to a year of restriction of freedom. In protest against the "special operation," Skryleva doused with paint the banners placed in the city on Victory Day;
8. On October 24, a magistrate of Court District No. 3 in the Voroshilovskiy Court District of Rostov-on-Don sentenced Mikhail Selitsky to one and a half years of restriction of freedom and outpatient psychiatric treatment; according to the version of events offered by the investigation and upheld by the court, Selitsky and several other people painted graffiti on building walls including the statement "Putin is a thief;"
9. On November 11, the Oktyabrsky District Court of Belgorod sentenced Vasily Devyatov to two years of imprisonment for several anti-war slogans that he wrote on a public transport stop.
10. On November 17, a magistrate of the Court District No 147 of Pushkinsky District in St. Petersburg sentenced Yegor Kazanets, a citizen of Ukraine, to a fine of 30 thousand

rubles (in addition to compensation for the material damage). The case was based on the graffiti “Glory to Ukraine!” left by Kazanets on an apartment building facade on the evening of May 10 in a state of intoxication. He was arrested as early as May 16 and only released after his sentence was pronounced; the time spent under arrest was counted toward his fine. The court found in his actions the motive of ethnic hatred, but we believe that the slogan “Glory to Ukraine!” does not necessarily indicate the presence of the hate motive in a person’s actions; the presence of such a motive requires proof;¹⁵

11. On December 26, a magistrate of Court District No. 1 in the Kirovsky District of Astrakhan sentenced local resident Marcel Nabiullin to two years of restraint of liberty for using a marker to write anti-war statements on an advertising banner, two buildings and two cultural monuments of regional significance in the historic center of the city (commemorative stones in the park named after Heydar Aliyev);
12. On December 1, a magistrate of Court District No. 164 in the Primorsky District of St. Petersburg sentenced Sergei Vasilyev to a year of restriction of freedom. Using a spray can of blue paint, Vasilyev, left several pieces of graffiti (including “Glory to Ukraine! Glory to the Heroes!”) on playground structures, in an underpass, on the Naval Academy building facade, and the garbage container next to it.

We have some doubts regarding three more sentences for vandalism, since the damage, although repairable, was indeed inflicted on the monuments. However, we consider the motive of hatred used inappropriately.

1. On July 7, a magistrate of 208th Court District of the Pushchino Court District of the Moscow Region sentenced Vasily Koretsky to one and a half years of restriction of freedom because in March, motivated by pacifism, he doused a memorial sign to veterans of local wars with red paint;
2. On October 6, a magistrate of Court District No. 152 of St. Petersburg sentenced Nikolai Vorotnev to a year of restriction of freedom, because Vorotnev, together with an unidentified accomplice, motivated by hatred “for the actions of the Russian Federation’s state authorities in conducting the special military operation,” painted the shield covers of two World War II howitzers located near the artillery museum in the colors of the Ukrainian flag;
3. On October 25, Dmitry Kozyrev, from Tula, was sentenced to two years of restriction of freedom for writing “War is a requiem for common sense” on the foundation of the Spasskaya Tower in the Tula Kremlin in March 2022.

We know about 16 similar cases against 22 people opened by law enforcement agencies under Article 214 Part 2 CC in 2022 (see Appendix 3).

For Desecration of Burial Grounds

In October, a criminal case was initiated in St. Petersburg against Irina Tsybaneva under Paragraph “b” of Article 244 Part 2 CC (outrages upon bodies of the deceased and their

¹⁵. On January 25, 2023, the Pushkinsky District Court of St. Petersburg overturned Kazanets’s sentence. The case was remanded to the first instance court for retrial.

burial places, committed on the grounds of political, ideological, racial, national or religious hatred or enmity). The court placed her under house arrest in October and changed the measure of restraint to a ban on certain activities in November. Tsybaneva left a note on the grave of Vladimir Putin’s parents at the Serafimovskoye Cemetery, in which she wished death to their son, “who caused so much pain and grief.” We believe that Tsybaneva’s actions were qualified incorrectly. The target of the crime under Article 244 CC is the burial place (monument, grave, area around it). In this case, not only was the burial place not damaged, but Tsybaneva’s action itself was clearly not aimed at its desecration. Strictly speaking, the action targeted not the burial place but the political figure of the president and was intended as political criticism. Based on this, we doubt that placing on a grave a note, which only indirectly refers to the people buried in it, can be considered a desecration of the grave. But even if we agree with this interpretation, such “outrage” is not significant enough to merit criminal prosecution under Article 244 CC.

For Hooliganism Motivated by Hatred

We classify as inappropriate the cases under Article 213 Part 2 CC (hooliganism motivated by political or ideological hatred), initiated against participants in public actions which, in our opinion, should not be regarded as a gross violation of public order and disrespect for society. On the contrary, the purpose of such actions is 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.

In 2022, there were three verdicts in such hooliganism cases against four people.

On September 19, the Tsentralny District Court of Chelyabinsk sentenced two anarchists, spouses Dmitry Tsibukovsky and Anastasia Safonova, to a year and nine months in a minimum-security penal colony, as a review of the sentence that was issued a year earlier and overturned. The court took into account the term they had spent in custody, so Safonova was released in December 2022, and Tsibukovsky – in February 2023. The court found them guilty of hooliganism committed by a group of persons by prior conspiracy with the use of weapons and motivated by political hatred and enmity (Article 213 Part 2 CC). They were punished for participating in the action held in February 2018. At night, the anarchists placed a banner with the inscription “The FSB is the Main Terrorist” on the fence of the Chelyabinsk FSB Office and also threw a flare over the fence; a video recording of the action was published by the People’s Self-Defense VKontakte community. The flare thrown on the snow did not and could hardly be expected to cause damage, and public order likely was not significantly disturbed.

On September 26, the Vasileostrovsky District Court of St. Petersburg sentenced Igor Maltsev to three years and eight months in a minimum-security penal colony under Article 213 Part 2 CC (hooliganism committed by a group of persons motivated by a political and ideological hatred of military personnel). The case against Maltsev and activist Sofya Semyonova was opened following their performance, in which a camouflage-clad dummy with a bag on its head and the sign “TAKE AWAY” was set on fire on the ice of the Malaya Neva, apparently to protest the special operation in Ukraine. A video of the performance appeared on social networks in early March; the case was opened the very next day. Maltsev’s home was searched, and he was placed in a pre-trial detention center. A measure of restraint in the form of a ban on certain activities was imposed on Semyonova, and she subsequently left Russia.

In October, Oktyabrsky District Court of Izhevsk found Anastasia Ponkina guilty under Paragraph “b” of Article 213 Part 1 CC (hooliganism committed based on ideological en-

mity) in Izhevsk. The court issued a suspended sentence of two years having excluded the motive of political enmity. The case was initiated in connection with the protest action held on January 23, 2021. The investigation claimed that Ponkina first published on the Internet several calls to come to a rally held without a permit, and then, during the protest, appealed to the attendees to “show who is in charge here,” and led them off the sidewalk and onto the roadway. The indictment noted that this action created a threat of obstructing the normal movement of pedestrians and prevented the movement of four trolley-buses causing damage in the amount of 4,367 rubles.

One new case initiated in 2022 is also worth pointing out. In June, as part of the case opened under Paragraph “b” of Article 213 Part 1 searches took place in the homes of Daria Soboleva, a volunteer with the Moscow-based Open Space (*Otkrytoe prostranstvo*) project that provides assistance to activists, and Irina Putilova, a human rights activist. The search warrants informed that the case had been opened as early as May 1 in connection with an exhibition, planned and displayed in June on the Open Space premises, which included items inscribed with anti-war slogans.

Sanctions against Supporters of Alexei Navalny

Throughout 2022, authorities continued to persecute supporters of Alexei Navalny. As we reported earlier, the structures of Alexei Navalny and his supporters – the Alexei Navalny Headquarters, the Anti-Corruption Foundation (FBK), and the Citizens’ Rights Defense Fund (FZPG) – were recognized as extremist organizations in June 2021. This did not lead to the expected stream of cases under Article 282² CC for continuing the activities of these organizations. On the other hand, since September 2021, the Investigative Committee has viewed the activities carried out by Navalny’s structures and supporters even before the ban 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 a number of his supporters on the charges of creating, no later than 2014, an extremist community and participating in it. This case was later combined with the cases of money laundering (Paragraph “b” of Article 174 Part 4 CC), creating a non-profit organization whose activities involved inciting citizens to commit unlawful acts (Article 239 Part 2 CC), financing extremism (Article 282³ Part 1 CC), and involving minors in dangerous activities (Paragraphs “a,” and “c” of Article 151² Part 2 CC). Regional activists, who had participated in Navalny’s structures, became defendants in cases under Articles 282¹ and 239 CC. In 2022, nine more people joined their ranks – Andrei Fateev (Tomsk), Olga Shkolina and Elizaveta Bychkova¹⁶ (Arkhangelsk), Daniel Kholodny (Moscow), Violetta Grudina (Murmansk), Roman Rubanov (Vladivostok, FBK Director in 2014–2018), Alexei Vorsin (Khabarovsk), Sergei Bepalov (Irkutsk) and Stanislav Kalinichenko (Kemerovo). The total number of defendants in this case

16. On January 16, 2023, the Lomonosovsky District Court of Arkhangelsk found Elizaveta Bychkova, along with Yegor Butakov, who also formerly worked for the Navalny headquarters in Arkhangelsk and was charged back in 2021, guilty under Article 239 Part 3 CC, taking into account the motive of hatred. The charge against them under Article 282¹ was dropped, and they were sentenced to a year of restriction of liberty. The case was reviewed under special procedure at the request of the defendants, who pleaded guilty and actively cooperated with the investigation.

thus reached 23 people. In addition, Andrei Zayakin, the co-founder of the Dissnet project, and possibly five more people along with him became defendants in a separate case on financing Navalny’s organizations opened only under Article 282³ Part 1 CC.

We believe that there were no legal grounds for recognizing Navalny’s organizations as extremist, and therefore attempts to charge him and his supporters with creating these organizations for extremist purposes and with financing extremist activities are inappropriate.

One of the defendants in the case of Navalny and his associates, former coordinator of the Irkutsk headquarters Zakhar Sarapulov, received a one-year suspended sentence on December 27. The Kirovsky District Court of Irkutsk found him guilty under Article 239 Part 3 CC for participating in NGOs that encourage citizens to refuse their civic duties or commit other illegal acts. After two years of investigation, the court ruled that Sarapulov, as a member of the Navalny headquarters, encouraged citizens to participate in mass events held without permits but dropped the charges under Article 282¹ CC. However, the court took into account, as an aggravating circumstance, the presence of a motive of ideological and political hatred in his actions, as well as hatred against the social group “authorities.”

After the decision to ban Navalny’s organizations came into force, activists in different regions of Russia faced sanctions under Article 20.3 CAO for distributing Smart Voting materials with the campaign’s logo, the red exclamation mark, even though this symbol was not the emblem of any recognized extremist organization. 46 cases were opened in Moscow before the municipal elections and targeted acting deputies or individuals who intended or could possibly intend to run for office (those punished under Article 20.3 CAO lose their passive voting right for a year). Almost all the cases were based on the Smart Voting logo found in their social network posts of previous years. Posts with the symbols of other Navalny organizations, such as the FBK were also used as the reason to sanction activists in different regions, and we counted at least ten such cases.

In addition, in 2022, 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 know of 65 cases (vs. 49 in 2021), with one person fined twice. The perpetrators faced fines from one to three thousand rubles. This video, created in 2011, 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 inappropriate. Remember that 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. In terms of the number of people punished for reposting this video, the leaders, according to our information, are Altai Krai (22 people fined), the Mari El Republic (ten fined), the Komi Republic (eight fined) and the Ivanovo Region (six fined).

Ban on Organizations of the Opposition

On June 10, the Supreme Court of Tatarstan ruled to liquidate the All-Tatar Public Center (Vsetatarsky Obschestvenny Tsent, VTOTs) as an extremist organization. The Tatarstan Prosecutor’s Office filed a claim for the Center’s liquidation back in January 2021. The Ministry of Justice suspended VTOTs’ activities in October after the prosecutor’s office opened an administrative case under Article 20.3.1 CAO. The claim was based on the address to

the State Council of Tatarstan delivered by activist Abdullazyan Zalyalov at the traditional VTOTs rally. Experts concluded that Zalyalov's address contained a "possible presence of a hostile context" regarding the Russians and contrasted the Russians and the Tatars as "the state-forming people" and "the colonized people." We believe that the statement should not have been interpreted as incitement to ethnic hatred. However, the Vakhitovsky Court of Kazan fined the Center 250 thousand rubles in December upholding the prosecutorial claims. VTOTs activists had been repeatedly charged in administrative and criminal cases even before that, and in most cases, in our opinion, inappropriately. The combination of these factors allowed the Prosecutor's Office to assert that the VTOTs continued to violate the law despite the warning about the impermissibility of extremist activities received back in 2017. In our opinion, the VTOTs was banned without due justification.

On June 16, the Samara Regional Court recognized the community of the "Citizens of the USSR" as extremist. This group of "citizens of the USSR" is known by many names, including the "Council of Soviet Socialist Districts" and the "Union of Soviet Radiant Clans," and was previously known as the "Novokuybyshevsk All-Soviet Central Electoral Commission." We are unable to definitely state whether the ban is legitimate or not. On the one hand, some of the organization's activities can be characterized as illegal and extremist, specifically, distributing anti-Semitic materials. On the other hand, once its leaders had received the corresponding prosecutorial warnings, the overwhelming majority of court cases against its members related to disseminating the appeal issued by one particular member, "the Soviet deputy" Yuri Slepnyov, in which he urged against interference in the "all-Soviet elections to the councils of people's deputies," held by the organization. The only law enforcement concern regarding this appeal was the threat contained therein to prosecute all those who dare to oppose the electoral process as traitors to the Motherland under Article 64 of the RSFSR Criminal Code (which provided for punishments up to the death penalty). In and of itself, this threat is hard to take seriously, especially since the Novokuybyshevsk group was never known to be involved in violent actions. The wide distribution of such threats can increase the extent of their public danger, but the question of whether this constitutes a sufficient reason to ban the organization remains open.¹⁷

On December 6, the St. Petersburg City Court satisfied the City Prosecutor's claim and recognized the inter-regional movement Vesna as an extremist organization. According to the prosecutorial report, the claims against Vesna were as follows: the movement's activities were aimed at undermining public security and the foundations of Russia's constitutional order; Vesna was creating the "conditions for destabilizing the social and socio-political situation in the country;" and it was forming "public opinion on the need for regime change in the Russian Federation," including through "holding mass public events in violation of the existing law and using violence against representatives of law enforcement agencies who enforce law and order." The department claimed that Vesna members committed extremist crimes and offenses, as well as "other unlawful acts that led to violation of the rights and freedoms of citizens causing harm to the individual, society and the state." It is worth noting that forming public opinion about the need for a regime change in the country is not illegal unless it is associated with calls for violence. We are not aware of any calls for violence by Vesna or any criminal cases initiated under Ar-

17. Additional information about the "citizens of the USSR" in Novokuybyshevsk see: Mikhail Akhmetiev. Citizens without the USSR..

ticle 280 CC against individual representatives of the movement. Individual members of the Vesna movement are being prosecuted under Article 239 Part 3 CC (not clear whether they are charged with actions motivated by hatred) and Article 212 Part 1.1 CC (incitement to organize mass riots). However, their guilt was not proven; the case did not even go to court. Thus, in our opinion, the arguments cited by the prosecutor's office in support of the demand to ban the movement looked unconvincing.

State on Guard of Morality

Sanctions for "Rehabilitating Nazism"

In 2022, law enforcement agencies continued to prosecute citizens under Article 354¹ CC on the "rehabilitation of Nazism," punishing 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. Clearly, against the backdrop of an armed conflict in Ukraine, the issues of historical memory associated with World War II have not lost their political relevance. However, it seems that all the new legislative measures to protect the image of the USSR as a country that defeated fascism are intended as preventative – at least the use of Article 354¹ CC has not become any more widespread. According to the Supreme Court statistics for the first half of 2022, 14 sentences were issued under this article, that is, the situation has not changed much compared to 2021 when 35 sentences were issued. We know of over twenty people who became defendants in 16 new criminal cases on rehabilitating Nazism, inappropriately opened in 2022 – mostly minors involved in vandalism.

We view 20 sentences under Article 354¹ against 23 people as unfounded; thus, the majority of inappropriate criminal sentences we recorded in 2022 were issued under this article.

Some of the verdicts were issued for attempts to upload, on the eve of May 9, photographs of various Third Reich leaders and their well-known collaborators to the Memory Bank website (sometimes under other names) to be displayed during the Immortal Regiment online event. We know of eight such sentences. Four people – Andrei Shabanov from Samara, Denis Vorontsov from Volgograd, Vitaly Michurin from Smolensk and Georgy Pesterev from Arkhangelsk – were convicted under Article 354¹ Part 1 CC (public denial of the facts or justification of the crimes established by the Nuremberg Tribunal, dissemination of deliberately false information about the activities of the USSR during the Second World War or about veterans of the Great Patriotic War). Georgy Gromada and Georgy Vasiliev from St. Petersburg, as well as Alexander Vikulov from Nizhny Novgorod, were found guilty under Article 354¹ Part 3 CC as amended in 2020 (dissemination of information expressing clear disrespect for society about Russia's days of military glory and memorable dates related to the defense of the Fatherland, as well as desecration of symbols of Russian military glory). Eduard Scherbakov from Tyumen was sentenced under Article 354¹ Part 4 CC, which also punishes disrespect for memorable dates and desecration of symbols of military glory, if these acts are committed using the Internet.

Scherbakov was sentenced to six months in a settlement colony, since he was also convicted under Article 207³ Part 1 CC for spreading fake news about the army. Michurin received a suspended sentence of a year and a half, Gromada – 300 hours of community service, and Vorontsov, Pesterev and Shabanov were fined 300, 250 and 60 thousand rubles respectively. Shabanov's punishment turned out to be the most lenient, despite the

fact that he was also found guilty under Article 354¹ Part 3 CC (see below). The court sentenced Vasiliev to 300 hours of community service, and Vikulov to six months of corrective labor with a 10% salary deduction, but both of them were released from punishment due to the expiry of the limitation period for prosecution.

The courts also discontinued 17 similar cases against 17 people due to the expiry of the limitation period – eight in St. Petersburg, two cases per region in the Nizhny Novgorod, Tver and Sverdlovsk regions, and one case per region in Ingushetia, Novosibirsk and Ulyanovsk. Thus, all cases in this category that we recorded as opened in 2022 were eventually closed.

We believe that the qualification of the act of uploading Nazi photos to the Immortal Regiment websites under Article 354¹ CC is incorrect. Unless such actions are accompanied by Nazi propaganda they should not be interpreted as justifying Nazism or disseminating disrespectful information about the Victory Day of May 9 – obviously, the images themselves carry no such data, and the behavior in question is essentially trolling, the motives of which could vary.

Nine verdicts were related to posts on social networks.

Six of them were issued for criticism of the Victory Day celebration not intended as a justification of Nazism. The above-mentioned Andrei Shabanov from Samara and Smolensk blogger Sergei Komandirov (sentenced to six and a half years of imprisonment under an aggregation of articles) were convicted under Article 354¹ Part 3 CC for such statements. Another Smolensk resident, Alexei Chervyakov sentenced to a year and ten months in a settlement colony under Article 354¹ Part 2 Paragraph “c” and Part 4 CC (dissemination of deliberately false information about veterans of the Great Patriotic War, committed publicly using the Internet, as well as humiliation of the honor and dignity of a veteran of the Great Patriotic War on the Internet).

Mikhail Nalimov, of the organizing committee “For Lenin’s Removal” was found guilty under Article 354¹ Part 4 CC. The court sentenced him to three years of imprisonment but replaced it with compulsory labor for the same period with 10% of his salary withheld by the state. The court also banned Nalimov from administering websites for five years. In early May 2021, the activist posted on a social network several images with Victory Day symbols, specifically a red ribbon and a St. George ribbon, to which he added satanic pentagrams. Nalimov espouses conservative monarchical views and Orthodox fundamentalism; he believes that the power in the Russian Federation is in the hands of Satanists, and the Victory symbols are associated with Satanic cults. In our opinion, Nalimov’s posts were provocative and inspired by conspiracy theories (including those of a xenophobic nature), but we do not believe that he deserved criminal prosecution. In our opinion, neither criticism of the way Victory Day is celebrated, nor alternative interpretations or even intentional distortions of historical facts and cultural traditions should become grounds for a criminal prosecution, unless they are accompanied by calls for violence, hatred and discrimination.

Artyom Antipov received a suspended sentence of six months in St. Petersburg under the same Article 354¹ Part 4 CC. In early May 2021, Antipov published comments in several St. Petersburg VKontakte communities under posts that congratulated veterans of the Great Patriotic War and commemorated Victory Day. The comments included an obscene image with a St. George ribbon and a caption.

Activist Andrei Polyakov from Tambov was fined 250 thousand rubles under Article 354¹ Part 1 CC for posts about the “scorched earth” order and a number of other orders issued

by the authorities during the Second World War. According to law enforcement agencies and the court, he equated the actions of the leadership of the USSR, the Red Army and Soviet guerilla fighters with the actions of Hitler and the Nazi troops and thus spread false information about the war-time activities of the USSR. We believe that no legislation should limit the dissemination of any information about the activities of the USSR.

Viktor Bondarev from Novosibirsk was fined 100 thousand rubles under Article 354¹ Part 4 CC (along with Article 128.1 CC on disseminating deliberately false information discrediting the honor and dignity of another person on the internet) and ordered to pay the moral damage compensation to the victims. In his VKontakte posts, Bondarev accused his stepfather, war veteran, of abusing his mother, locking her up in a nursing home, and illegally obtaining an apartment from the state. We believe that the qualification of the defendant’s actions under Article 354¹ Part 4 CC is incorrect and excessive. If Bondarev disseminated unreliable personal information about the veteran, it would have been enough to charge him with libel. In our opinion, Simonov’s relatives could have filed a civil lawsuit for the protection of honor and dignity rather than initiate criminal proceedings.

A court issued a two-year suspended sentence under Article 354¹ Part 4 CC to Vadim Kotov, a resident of Krasnogorsk, for publishing a video showing him lighting a cigarette from the Eternal Flame. Kotov shot the video back in 2011 and posted it on his personal VKontakte page in 2021.

Four additional sentences against seven people were handed down for desecration of the Eternal Flame under Article 354¹ Part 4 CC. The Stavropol Regional Court sentenced a teenager to a year in a juvenile correctional colony for urinating on the Eternal Flame in Nevinnomyssk, while two of his friends, Andrei Yenenko and Arsen Lekarev, received two and a half and two years respectively in a settlement colony. Kirill Yefimov from Maloyaroslavets of the Kaluga Region received two years in a settlement colony for a similar act. Three citizens of Turkey – Ercan Kargin, Mustafa Ar and Ibrahim Aytekin – received a year of imprisonment in a settlement colony for wiping their feet on the pedestal of the Eternal Flame in Yoshkar-Ola.

While accepting that “desecration” of monuments is in most cases worthy of public condemnation, we nevertheless believe that criminal prosecution can be justified only for acts that pose a significant danger to the monuments, and in such cases, it is already covered under Article 214 CC (vandalism). Article 354¹ CC provides for a more severe maximum punishment for the desecration of symbols of military glory, which we see as disproportionate to the degree of public danger of such actions. In addition, Russian legislation has yet to define the list of symbols of military glory. As for insulting the memory of non-specified “defenders of the Fatherland,” we believe that criminal prosecution for acts defined in such abstract categories fails to meet the international legal human rights standards.

However, law enforcement agencies last year were particularly zealous in guarding war memorials; chairman of the Investigative Committee Alexander Bastrykin more than once took the cases of attacks against them under his special control. We counted 10 such new cases, and six of them involved teenagers of different ages. However, in cases where juvenile delinquents were under the age of 16, there are no prospects for a criminal prosecution, and the demonstrative law enforcement efforts have more of a preventative character.

For example, in November, unidentified persons in Ulan-Ude sprayed black paint on photographs of border guards who took part in the conflict on Damansky Island in 1969. The portraits accompanied by the veterans’ personal stories are located on special stands on the Border Guards Memorial Square. Law enforcement agencies opened a criminal case under Article 354¹ Part 3 CC, and suspicion fell on students of two nearby schools. Traces of saliva

were found at the scene, and therefore the investigation decided to take buccal epithelium samples from all male students for DNA analysis. The director of one of the schools contacted parents asking for their consent and causing a mixed reaction among them.

Let's review two more high-profile "rehabilitation of Nazism" cases. In April, the media reported on the criminal case under Article 354¹ Part 3 CC opened in connection with the display of the "Big Mother" sculpture by Oleg Kulik. Kulik's work was displayed at the Art-Moscow exhibition in Gostiny Dvor. Writer Zakhar Prilepin and deputy Alexander Khinshtein criticized the sculpture saying that it was a parody of the "Motherland Calls!" monument by Yevgeny Vuchetich. Khinshtein and Yelena Yampolskaya, head of the State Duma Committee on Culture sent a letter to the Prosecutor General's Office asking to check the legality of exhibiting this work. Khinshtein also sent inquiries to the Investigative Committee and the Prosecutor General's Office regarding a painting from Kulik's "Irresponsible Painting" series. The painting allegedly resembles the "Motherland Calls!" poster by Irakli Toidze. Kulik claims that he created the sculpture in 2018 after a painful separation from his wife. According to the artist, he did not consider his work a parody and implied no references whatsoever to Vuchetich's sculpture. We believe that Kulik's sculpture is an independent artistic statement that contains no propaganda of Nazism and no calls for discrimination or violence. Its demonstration did not encroach on any symbols of Russia's military glory or the memory of the defenders of the Fatherland. Therefore, we see no grounds for opening a criminal case and for restricting Kulik's artistic freedom in general.

In late April, the case under Article 354¹ Part 4 CC was opened against Rovshan Askerov, a journalist and a participant in the "What? Where? When?" (*Chto? Gde? Kogda?*) intellectual game show. According to the investigation, "not later than April 6, 2022, Askerov published on his page on Facebook deliberately false information insulting and discrediting the memory of Georgy Konstantinovich Zhukov, a great Russian commander, defender of the Fatherland and Marshal of the Soviet Union." Indeed, Askerov's post was disrespectful toward Marshal Zhukov calling him a "murderer in uniform," a "thief" and an "experienced looter." However, criminal prosecution for expressing an opinion on certain historical episodes and figures, in our opinion, constitutes an excessive restriction of freedom of expression. Issues related to protecting the honor and dignity of veterans, as well as other persons, should, in our opinion, be considered in civil proceedings.

Now let us review the use of the related norms of the CAO.

In January, the Simonovsky District Court of Moscow fined Radio Free Europe/Radio Liberty three million rubles under Article 13.15 Part 4.1 CAO for abusing the freedom of the press, the wording of the article is identical to the disposition of Article 354¹ Part 1 CC. The claims were related to the article by historian Boris Sokolov "Senseless and merciless. Why Stalin issued Order No. 270." The charges were prompted by the segment, in which the author mentioned "ciphered telegram No. 4976" sent by Georgy Zhukov, then the Commander of the Leningrad Front, in September 1941 following Stalin's Order No. 270 issued in August. Sokolov described it as a "draconian order" and a "sinister directive." The document in question has not survived but was cited in one of the surviving documents as follows: "Explain to all personnel that all the families of those who surrender to the enemy will be shot and, upon their return from captivity, they will also all be shot." Roskomnadzor stated that Zhukov's instruction constituted not an order but an "explanation" and thus the information provided by Sokolov was false. Additionally, by calling Zhukov's actions "draconian" and "sinister" the author sought to

discredit him. Scholarly debates on whether the ciphered telegram ever existed, and whether it should be considered a directive or a free interpretation of the quite inhumane Order No. 270 have nothing to do with the propaganda of Nazism, and pose no danger to society. This is a clear case of ideological censorship to suppress historical research.

As far as we know, the new Article 13.48 CAO on equating the actions of the USSR and Nazi Germany and denying the decisive role of the USSR in defeating it was first applied in July. The Prikubansky District Court of Krasnodar fined a local resident Vadim Kiselev a thousand rubles for messages he left in his building chat advising neighbors to read the memoirs of Nikolai Nikulin, a veteran of the Great Patriotic War, and discussing the actions of Soviet soldiers against the civilian population of Germany. It was not clear from the excerpt of the message reproduced in the report what exactly the police interpreted as equating the actions of the USSR and Nazi Germany and/or denying the decisive role of the Soviet people in the defeat of Nazi Germany.

In July, activist Kirill Suvorov was placed under arrest for 15 days. The case was based on his Facebook post, which contained a photograph of a "Down with the CPSU" (KPSS) banner with the last two letters replaced by the symbol of the Nazi SS units and a propaganda leaflet by the Ukrainian Insurgent Army (recognized in Russia as an extremist organization). In August-September, Moscow politician Leonid Gozman was placed under arrest for 15 days twice for his old posts on social networks in which he drew a parallel between the activities of the NKVD and SMERSH on the one hand and the SS and Gestapo on the other.

Meanwhile, in Nizhnevartovsk, the court twice returned to the police the case under Article 13.48 Part 1 CAO against Alexander Korolyov, a local resident who was charged for sharing on VKontakte an image comparing the regimes of Hitler and Stalin. No other cases under Article 13.48 have been reported, so its application has not yet become systematic.

Books that discuss historical events of the mid-20th century continue to attract the attention of the authorities.

In late June, the Leningradsky District Court of Kaliningrad banned the distribution in Russia of the electronic version of *Katyn'. Po sledam prestupleniya* [Katyn. On the trail of a crime], a book published in 2020 by the Center for Polish-Russian Dialogue and Understanding. The book contains a historical essay on the experience of Polish prisoners of war in POW camps, on the Katyn massacre, fragments of historical documents (including POW's diaries), an essay on the history of Smolensk, and discussions about modern Russia's historical memory policies, as well as travel recommendations for visiting places associated with the Katyn tragedy. It is written in a measured tone and acquaints the reader with the opinions of historians, officials and public figures of both Poland and Russia. According to the Kaliningrad Regional Prosecutor's office, the statements contained in the book contradict the Nuremberg Tribunal decision (thus falling under Article 354¹ CC) and contain signs of equating the actions of the USSR and Nazi Germany, as well as denying the decisive role of the Soviet people in Germany's defeat and the importance of the humanitarian mission of the USSR during the liberation of European countries (which corresponds to the composition of Article 13.48 CAO). The court decision stated that information about the USSR as an aggressor state against Poland contradicts the decision of the Nuremberg Tribunal (although the Nuremberg tribunal never reviewed the activities of the USSR) and equates the actions of the USSR and the Third Reich.

We noted with satisfaction the news that in November, the Oktyabrsky District Court of Murmansk denied an administrative claim from the Murmansk Regional Prosecutor to

recognize Agnessa Khaykara's book *Neizvestnaya severnaya istoriya* [Unknown Northern History] as extremist material. The decision came into force at the end of December. The case was based on a psychological and linguistic examination of the publication conducted by experts Natalia Kryukova and Alexander Tarasov of the notorious Center for Sociocultural Expertise, who found the book to contain "negative information about the actions of the Russians," toward the Finnish and Norwegian people and concluded that the book can form in its readers "distorted biased notions" regarding the Russians, the Finns and the Norwegians and contribute to the incitement to hatred. We believe that there were no grounds for recognizing the work as extremist. The historical and ethnographic study by the enthusiast focuses on the fate of Norwegian and Finnish families who moved to the Kola Peninsula in the 19th century and then became victims of the Stalinist terror. Khaykara's book is based on official documents and stories of the settlers' descendants including those of her own relatives; ten people in her family suffered in the purges. The book contains no xenophobic or anti-government statements, and its principal message is that historical memory must be preserved.

Sanctions for Insulting the Religious Feelings of Believers

In 2022, the charges under Article 148 Parts 1 CC (insult against the religious feelings of believers) were mostly related to social media posts with various videos and photos taken near places of worship and depicting people in their underwear or various degrees of nudity, some cases also involved atheistic or anticlerical posts and comments. We see no need to prosecute people for publishing "blasphemous" materials unless they contain aggressive appeals against believers. In our opinion, such publications pose no danger to society, and sanctions for their dissemination can be regarded as 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.

We classified five sentences against five people issued under Article 148 Parts 1 CC as inappropriate. Blogger Irina Volkova from St. Petersburg was sentenced in March to 180 hours of community service. Volkova had been photographed squatting with her back to the camera, against the background of St. Isaac's Cathedral, with her skirt pulled up and her underwear visible. In May, Kaluga resident Natalya Maslennikova was fined 25 thousand rubles for a photo she posted on Instagram and Twitter with her skirt lifted in front of the Church of the Transfiguration. Photographer Sergei Kondratiev from St. Petersburg was fined 15 thousand rubles in July for an Instagram video, in which he kissed a man against the backdrop of St. Petersburg's Trinity Church. The video was accompanied by the singing of obscene text stylized after liturgical music. Another St. Petersburg resident, Andrei Kurdov, was sentenced in November to a fine of 80 thousand rubles for an offense committed in 2021 at the age of 17. He and his 15-year-old friend (under the age of criminal responsibility) took a photo of themselves, naked from the waist down, against the background of the Church of the Savior on Spilled Blood and posted it on a social network. On the other hand, in Moscow, the case against Maria Katanova and six other people was dismissed in May due to the reconciliation of the parties; they were charged for their involvement in creating a video, which Katanova then posted online – a photo shoot of a model wearing a balaclava, an open coat, a niqab and underwear against the background of the Moscow Cathedral Mosque.

The verdict issued in Armavir in December is in a group of its own. Gaming blogger Sergei Orlov, who streamed the game PUBG, was found guilty under Article 148 Part 1 CC and

under Article 228 Part 1 CC (illegal acquisition and storage of drugs without the purpose of sale). Earlier, Orlov had received a suspended sentence for theft, and now, based on the totality of his verdicts, the court sentenced him to two years in prison. The prosecution against Orlov under Article 148 CC was based on certain statements he made about Islam. We had no opportunity to review these statements, but in general, if Orlov's statements contained no signs of incitement to hatred against Muslims, propaganda of violence or discrimination, he should not have been charged at all, and if such signs were present, he should have been charged under Article 20.3.1 CAO.

We classify as inappropriate six cases under Article 148 Part 1 CC initiated in 2022 against six people. Andrei Tsapkalenko from Khabarovsk faced prosecution for speaking out about the clergy in an interview he gave on the city square during a March 6 rally in support of former governor Sergei Furgal. A 50-year-old resident of Dzhankoy faced charges for posting on the social network some "images and statements offensive to an Orthodox believer," and a 45-year-old resident of Yeysk of Krasnodar Krai – for posting on his page the images of Orthodox icons "altered by adding details and text that change the original ethical meaning of their subjects."

Bloggers Polina Morugina (Polina Face)¹⁸ from Moscow and Maria Chistyakova (Mari Govori) from Nizhny Novgorod became the next victims of the fight against "shamelessness." The former faced charges for posting on Instagram her nude photo in front of the Church of the Intercession in Fili. The latter posted on Twitter on May 2, 2021 (the Orthodox Easter Sunday) a photo depicting her wearing panties decorated with the image of the Virgin. The photo was captioned, "May 2nd is World Tuna Day. Happy Holiday, Everyone! (On May 2, 2021, Easter did indeed coincide with World Tuna Day, which is celebrated on this day every year.)"

In addition, it became known in September that the case under Article 148 Part 1 CC was filed against Maxim Yevstropov, one of the creators of the Party of the Dead (*Partiya myortvykh*), an art project whose participants, since 2017, have been conducting performances on current social and political topics anonymously wearing skull-shaped masks. Starting in February 2022, the Party of the Dead has been organizing various anti-war actions and covering them on its Telegram channel. As part of the investigation, several artists and activists were searched. The case against Yevstropov was based on his post published on Telegram and VKontakte on April 28, 2022. The post described the event organized by the Party of the Dead at the cemetery in celebration of Easter. The post included several photographs of activists in black cloaks and masks holding anti-war posters that included references to Christ and the resurrection, and several similar statements, one of which was critical of Patriarch Kirill.

Fighting School Shootings

On February 2, the Supreme Court of Russia satisfied the claim of the Prosecutor General's Office to recognize the Columbine movement as a terrorist organization. "Columbine" is a common term used to denote massacres in educational institutions.¹⁹ In the course of preparing the case for the hearing, the experts studied the materials distributed by the school

18. On February 20, 2023, the Golovinsky District Court of Moscow released Polina Morugina from criminal responsibility and sent her to compulsory treatment.

19. The term comes from the name of the American school in which in 1999 two students – Dylan Klebold and Eric Harris – shot 13 people and committed suicide.

shooting fans and found them to contain “linguistic signs of advocating suicidal behavior, the ideology of violence and terrorism and justifying terrorist acts expressed in the form of massacres, shootings, explosions and other actions aimed at mass extermination of people.” Materials promoting mass murder are clearly dangerous and illegal, and law enforcement agencies must combat their distribution. However, the existence of such materials, or even online communities where they are published, gives no reason to believe that Columbine exists as a single organization. In addition, the school-shooting ideology is non-political; school shooters express no demands towards society and government at all. Meanwhile, the federal law “On Countering Terrorism” defines terrorism specifically as “the ideology of violence and the practice of influencing decision-making by public authorities.” In our opinion, banning this dangerous phenomenon as a terrorist organization is not based on the law and, therefore, inappropriate. We fear that the designation of Columbine as a terrorist organization will lead to inappropriate criminal prosecutions under the most severe criminal articles against members of thematic communities on social networks, including teenagers as young as 14. In addition, psychological and educational efforts to identify potential shooters and prevent violence in educational institutions will be significantly hampered, since discussing this dangerous topic with children could subject teachers, social workers, and psychologists to the threat of criminal prosecution for involvement in terrorist activities or failure to report a crime. Meanwhile, thoughtful and active work of psychologists and teachers to address the problems of adolescents is the key to reducing the level of violence among minors.

Already in April, we were informed of a criminal case opened in Khabarovsk Krai under Article 205⁵ Part 2 of CC against a 14-year-old student from Amursk. The boy was charged with participating in the activities of a terrorist organization. According to the investigation, he prepared two Molotov cocktails and a knife, invited a fellow student to participate in the attack against the school, and posted information about school shootings on VKontakte.

In December, the case on participation in the banned Columbine movement was brought to court in the Belgorod Region.²⁰ A high school student from Stary Oskol was charged both under Article 205⁵ Part 2 CC and Paragraph “b” of Article 205 Part 3 CC with the use of Article 30 Part 1 (preparations to commit a terrorist act). According to investigators, the teenager became interested in the ideology of the Columbine movement in September 2021 and planned an attack against his school a year later. His plans fell through since other students reported the teenager’s intentions to the head teacher.

If the teenagers from Amursk and Stary Oskol really planned the murder, then their actions certainly posed a great threat and merited criminal prosecution. However, we believe that prosecuting them under Article 205⁵ Part 2 of CC is inappropriate, since they evidently acted independently and not as a member of any organized structure.

However, law enforcement agencies, for some reason, connect domestic “Columbine” followers to Ukrainian ones. In November, a criminal case under Article 205⁵ Part 1 CC (organizing the activities of a terrorist organization) and Article 205¹ Part 1.1 CC (recruitment into a terrorist organization) was opened in Krasnoyarsk Krai against a 17-year-old secondary school student from Kryvyi Rih (Ukraine). According to the investigation, the Ukrainian student maintained the Telegram channel “White Rose” (Belaya roza), where he

20. In February 2023, it was reported that the 2nd Western District Military Court sentenced a teenager from Stary Oskol to six and a half years in a juvenile correctional colony.

published materials about “Columbine.” In May, the boy allegedly recruited another student from Minusinsk (Krasnoyarsk Krai), who also became involved in the propaganda. Reports about prevented shootings in Kazan and Sochi had previously mentioned “White Rose” as a channel or a username. A secondary school student detained in Kazan insisted that the person calling himself “White Rose” actively contacted him. The username was allegedly used by Yaroslav Ovsyuk, a boy from Kryvyi Rih.

In September, the FSB of the Russian Federation reported that “operational searches and investigative actions were carried out in 46 regions of the Russian Federation against 187 Russian citizens who were members of online communities supporting the ideology of mass murder, administered by the moderators of the Columbine terrorist movement, and the Ukrainian radical group “Maniacs; Murder Cult” (*Manyaki; Kul't Ubiystv, MKU*.)” However, these actions were more related to the investigation of the activities of MKU, a specifically neo-Nazi group recognized as a terrorist organization in January 2023.²¹

The Zamoskvoretsky District Court of Moscow satisfied the prosecutorial claim and recognized the song “The Last Bell” by rapper Oxxxymiron and its videos published on the Internet as extremist materials. Experts engaged by the prosecutor’s office to examine the song found it to contain “signs of a public justification of violent acts and an ideology of violence.” The prosecutor’s office also argued that the track contained signs of a public justification of terrorism and propaganda of terrorist ideas. We have doubts about the decision to ban this song as extremist material, as well as the general inclination to include school shootings (and the related discussion) in the sphere of anti-extremist and anti-terrorist regulation. The fact that The Last Bell was recognized as extremist gives grounds for imposing sanctions on Fyodorov’s fans (including minors) under Article 20.29 CAO. The song’s lyrics could potentially fuel the aggressive emotions of a certain segment of the rapper’s teenage audience, but its ban is unlikely to be a significant step in preventing tragedies; on the contrary, it will give this part of the audience another reason to perceive the song as a real call to violence and create additional cause for provocative behavior. In general, we are inclined to believe that making the very discussion of the problem of school shootings illegal precludes a useful conversation on this socially important issue.

Fighting Incitement to Hatred in Literary Texts

The Federal List of Extremist Materials generally demonstrates that an artistic creation (whatever one may think of it from an aesthetic point of view) often turns out to be too complex to be interpreted by law enforcement agencies and courts, particularly within the framework of anti-extremist legislation, whose existing mechanisms produce only a superficial content analysis of a given statement and are not capable at all of analyzing its form. Unfortunately, the courts continue to satisfy unjustified claims to ban literary texts.

Thus, in September, the Dzerzhinsky District Court of Volgograd, once again examined the administrative claim of the prosecutor’s office and recognized the song “Kill the Beggars!” by the Russian punk band Pornofilmy as extremist. The song was originally banned on September 23, 2021, and added to the Federal List of Extremist Materials. The decision was based on expert opinion, which interpreted the song as a call for violence against

21. For more details, see in this volume: Natalia Yudina. Attack on Organizations: Anti-extremism law enforcement in Russia in 2022..

the poor. In mid-February, the Volgograd Regional Court overturned the ban and sent the case back for a new trial. Kill the Beggars! is a creatively reworked Russian-language version of the song Kill the Poor by the American punk band Dead Kennedys. Its principal message is a sharp denunciation of the rich and those in power for oppressing the poor. It is absolutely impossible to imagine a situation in which the audience could take the song literally as a direct call to eliminate the poor inhabitants of Russia by dropping a neutron bomb. The song is obviously satirical and criticizes the state policy, which the authors consider antisocial; and the calls for violent actions were included in the text to enhance the effect of the message. Experts involved in the new trial recognized the song as a satire, but the court did not take their arguments into account.

However, we also recorded some examples to the contrary. In Volgograd, the court refused to uphold the prosecutorial claim and recognize the song “About Islam” as extremist, and in October, the Volgograd Regional Court upheld this decision. The track in question created by an unknown artist for many years has been erroneously attributed to the Russian rap collective Kasta. We welcome the decisions of both courts. “About Islam” contains no aggressive appeals – the performers only declare that Islam is the only true religion and say the Shahada in Arabic and Russian. We believe that asserting the superiority of one’s own religious beliefs over others should not be considered a sign of extremism. Adherents of almost any religious creed are convinced of the highest truth of their own teachings.

Once a material is added to the Federal List, fines under Article 20.29 CAO can be imposed for its distribution. In 2022, we saw new cases opened for posting the banned song “Kill the Cosmonauts” by the band Ensemble of Christ the Savior and the Crude Mother Earth on social networks. We consider this ban inappropriate – the song is obviously satirical and ridicules obscurantism and primitive religiosity. Its calls to punish cosmonauts for “climbing to the sky” cannot be taken seriously. Nevertheless, according to our data, at least four social media users were fined because of this track in 2022, three of them in the Kemerovo Region and one in the Omsk Region.

Persecution against Religious Associations

We know at least 86 inappropriate verdicts against 186 individuals that were issued in 2022 on charges of involvement in organized extremist and terrorist activities (vs. 95 such verdicts against 164 people in the preceding year).²² 85 of those cases against 185 individuals (compared to 91 against 154 people in 2021) pertained to religious organizations.

Jehovah’s Witnesses

In 2022, the authorities continued their persecution of Jehovah’s Witnesses whose registered Russian communities were banned in 2017 as extremist organizations. Meanwhile, on June 7, the European Court of Human Rights (ECHR) issued a ruling in the case of Taganrog LRO and Others v. Russia. The judgment considered 20 complaints by Jehovah’s Witnesses filed between 2010 and 2019; the total number of applicants was 1,444, including 1,014 individuals and 430 legal entities. The ECHR considered only a few of the applicants’ complaints in detail, indicating that the rest did not require special consideration because the

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

findings would apply to all similar situations. The applicants complained about the liquidation of several of their local organizations, the subsequent recognition of the Jehovah’s Witnesses Administrative Center in Russia along with 395 local communities as extremist organizations, the bans against their religious literature and the official website, and criminal prosecution and administrative sanctions against believers. The ECHR found that by prosecuting Jehovah’s Witnesses Russia was violating several articles of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention) – Article 9 on freedom of conscience, Article 10 on freedom of expression, Article 11 on freedom of assembly and association, as well as Article 5 (the right to liberty and security of person) and Article 1 (protection of property) of the Protocol No. 1 to the European Convention. The Strasbourg court demanded that Russia compensate for the damage caused to the believers, release the imprisoned Jehovah’s Witnesses and discontinue the criminal cases against them. Even though Russia has refused to execute ECHR decisions made after March 15, the Convention itself prescribes a different course of action. According to Article 58 Part 2, denunciation does not release a party from its obligations with respect to any action violating such obligations and committed by that party before the effective denunciation date.

According to the data provided by the Jehovah’s Witnesses, 674 believers in 72 regions of the country faced criminal prosecution from 2017 through 2022. In 2022, new criminal cases for continuing the activities of banned organizations of Jehovah’s Witnesses and their financing (Articles 282² and 282³ CC) were opened against at least 77 believers.²³ There were at least 213 such cases in 2019, at least 146 in 2020, and at least 142 in 2021. Thus, we can say that the scope of persecution of Jehovah’s Witnesses in 2022 dropped almost in half compared to the preceding year.

In 2022, the courts continued to issue verdicts in numerous criminal cases opened earlier. At least 62 verdicts against 124 Jehovah’s Witnesses were issued under Article 282² as well as Article 282³, which was an additional charge for 19 believers and the only charge for three of them. Three sentences against six believers were overturned, leaving 59 sentences against 118 believers in force. A year earlier, we counted 68 verdicts against 105 believers.

In 2022, the convicted offenders included 103 men and 21 women; four women were sentenced to imprisonment. The group also included elderly people, as well as people with serious illnesses. For example, 64-year-old Anatoly Gorbunov from Krasnoyarsk was sentenced to six years of imprisonment, and 53-year-old Andrei Vlasov, who has Group II disability and needs daily assistance – to seven years. Only four sentences against four believers were significantly reduced on appeal; their real prison terms were commuted to suspended sentences of the same length. The proceedings against two Jehovah’s Witnesses – Yen Sen Li from Vyazemsky in Khabarovsk Krai and Yuri Geraskov from Kirov – were closed last year due to the death of the defendants.

In January, the Pechora City Court of the Komi Republic returned to prosecutors the 2020 case under Article 282² CC against nine believers from Pechora – Gennady Polyakevich, Gennady Skutelets, Nikolai Anufriev, Eduard Merinkov, Pavel Ogorodov, Viktor Schannikov, Alexander Vorontsov, Alexander Prilepsky and Sergei Zabora. The court pointed out that the indictment contained no information about the defendants’ extremist actions or plans to continue the activities of a banned religious organization, but

23. See: Jehovah’s Witnesses under persecution. Results of 2022 // Jehovah’s Witnesses. Legal situation in Russia. 2022. December 23.

only about the intention to profess their religion, and cited the decision of the Supreme Court of October 28, 2021.²⁴

In the same Komi Republic, in June, the Syktyvkar City Court returned to the prosecutor's office a case initiated in 2021 against Alexander Kruglyakov, Alexander Ketov, Andrei Kharlamov and Sergei Ushakhin, charged under Article 282² Part 1, and Lidia Nekrasova, charged under Part 2 of the same article. The court concluded that the indictment did not reflect any specific illegal actions of the defendants and provided no evidence of their criminal intent and extremist motives.

In April, the Norilsk City Court of Krasnoyarsk Krai returned to the prosecutors the case opened in 2019 under Article 282² Part 1 CC against Alexander Polozov and Stepan Shevelev (who became the second defendant in 2021). According to the court, the fact that the defendants professed the religion of Jehovah's Witnesses was not a crime.

In May, the Investigation Department for the Arkhangelsk Region and the Nenets Autonomous Okrug of the Investigative Committee of Russia closed the case of Vladimir Teterin, Andrei Maksimovich and Sergei Potylitsyn from Severodvinsk, initiated in 2019, due to the lack of *corpus delicti*.

Meanwhile, we only recorded one acquittal in the entire year. On June 29, the Porkhov District Court of the Pskov Region acquitted Alexei Khabarov during his retrial (a year earlier, he received a suspended sentence under Article 282² Part 2 CC, but it was overturned by the regional court). However, the prosecutor's office appealed this decision, and already on November 3, the Pskov Regional Court overturned it and sent the case for review by a different first-instance court.

Several other earlier acquittals were overturned in 2022.

The Primorsky Regional Court on April 8 overturned the acquittal of Dmitry Barmakin by the Pervorechensky District Court of Vladivostok; his case was returned to the court of first instance for a new trial. Barmakin, charged under Article 282² Part 1 CC, was the first believer acquitted in 2021 based on the above-mentioned Supreme Court decision of October 28 of the same year.

On December 15, the Supreme Court of Russia overturned the acquittal of Konstantin Bazhenov, his wife Snezhana Bazhenova and Vera Zolotova from Kamchatka and forwarded it to the appellate instance for a new trial. In 2020, believers received two-year suspended sentences under Article 282² Part 2 CC, and the regional court approved the verdict. However, in November 2021, the Ninth Cassation Court of General Jurisdiction sent the case back for a new trial based on the said Supreme Court decision. Then, on January 18, 2022, the Kamchatka

24. See: Resolution No. 32 of the plenary meeting of the Supreme Court of the Russian Federation adopted on October 28, 2021 "On Amendments to Certain Resolutions of the Plenary Meeting of the Supreme Court of the Russian Federation on Criminal Cases" (Supreme Court of the Russian Federation. November 2021, <https://vsrf.ru/documents/own/30487/>). According to the clarifications given by the Supreme Court, for criminal proceedings under Article 2822, courts should name specific socially dangerous actions committed by the guilty party, the significance of these actions for continuing or resuming the activities of a prohibited organization, and the motives for committing them. In addition, the Supreme Court indicated that, in the event of a ban against a religious organization, individual or joint religious worship by its former members should not be interpreted as participation in an extremist organization.

Regional Court acquitted the Bazhenovs and Zolotova, and six months later this decision was approved by the cassation instance. Now that decision has been reversed.

In 2022, several earlier verdicts against Jehovah's Witnesses were overturned by higher courts.

The sentence against Alexander Pryanikov, Venera Dulova and Darya Dulova from Karpinsk of the Sverdlovsk Region was overturned, but they are all defendants in another criminal case, which is currently under review in the City Court. The cases of Andrei Sazonov from Urai (Khanty-Mansi Autonomous Okrug-Yugra), Elena Menchikova from Karachay-Cherkessia, and Natalya Kriger and Svetlana Monis from Birobidzhan were sent for retrial. As a result of the review, Monis once again received a suspended sentence.

Below is the data on all sentences against Jehovah's Witnesses known to us that were issued in 2022, without information on additional types of punishment.

49 believers were sentenced to imprisonment in a minimum-security penal colony in 22 separate verdicts; the majority faced over six years of imprisonment (one of these sentences against four people was later overturned):

1. On January 17, the Pavlovsky District Court of the Krasnodar Krai sentenced Maxim Beltikov to two years of imprisonment under Article 2822 Part 2 CC;
2. On January 20, the Seversk City Court of the Tomsk Region sentenced Yevgeny Korotun to seven years of imprisonment under Article 2822 Part 1 CC;
3. On January 25, the Trusovsky District Court of Astrakhan sentenced Anna Safronova to six years of imprisonment under Article 2822 Part 2 CC and Article 2823 Part 1CC;
4. On February 2, the Oktyabrsky District Court of Krasnoyarsk sentenced Anatoly Gorbunov to six years in prison under Article 2822 Part 1 CC;
5. On March 28, the Khostinsky District Court of Sochi sentenced Tatyana Velizhanina to a year and five months of imprisonment, and Vladimir Deshko – to a year and four months under Parts 1.1 and 2 of Article 2822 CC, that is, not only for participating in an extremist organization but also for encouraging, recruiting or otherwise involving a person in its activities; both were released from the execution of punishment, as the court took into account the time they had spent in custody and under house arrest during the investigation; two other believers received suspended sentences (see below);
6. On April 18, the Neftekumsky District Court sentenced Konstantin Samsonov to seven and a half years of imprisonment (taking his pre-trial detention into account, he will spend six years in a penal colony); two more defendants in the case were sentenced to fines and released from their payment due to their stay in pre-trial detention (see below);
7. On May 23, the Tsentralny District Court of Prokopyevsk, the Kemerovo Region, sentenced Andrei Vlasov to seven years of imprisonment under Article 2822 Part 1 CC;
8. On May 24, the Pavlovsky District Court of Krasnodar Krai sentenced Lyudmila Schemkoldina to four years and one month in a minimum-security penal colony under Parts 1.1 and 2 of Article 2822 CC;
9. On June 6, the Tsentralny District Court of Chita sentenced Vladimir Yermolaev and Alexander Putintsev to six and a half years, and Igor Mamalimov to six years of imprisonment under Article 2822 Part 1 CC; another believer received a six-year suspended sentence (see below);

10. On June 27, the Oktyabrsky District Court of Krasnoyarsk sentenced Yevgeny Zinich to six years in a minimum-security penal colony under Article 2822 Part 1 CC;
11. On August 25, the Leninsky District Court of Saransk sentenced Vladimir Atryakhin to six years of imprisonment under Article 2822 Part 1 CC, Georgy and Natalya Nikulin – to four years and two months under Parts 1.1 and 2 of Article 2822 CC, and Denis Antonov, Alexander Korolyov and Alexander Shevchuk – to two years in prison under Article 2822 Part 2 CC;
12. On September 20, the Gukovo City Court of the Rostov Region sentenced Vladimir Popov, Alexei Dyadkin, Yevgeny Razumov and Nikita Moiseev to seven years, and Alexei Gorely and Oleg Shidlovsky to six and a half years of imprisonment under Article 2822 Part 1 CC;
13. On October 6, the Nakhimovsky District Court of Sevastopol sentenced Yevgeny Zhukov, Vladimir Sakada, and Vladimir Maladyka to six years of imprisonment under Article 2822 Part 1 CC;
14. On October 25, the Tyndinsky District Court of the Amur Region sentenced Vladimir Bukin, Valery Slashchev and Sergei Yuferov to six and a half years of imprisonment under Parts 1 and 1.1 of Article 2822 CC; Mikhail Burkov – to six years and two months of imprisonment under Article 2822 Part 1 CC; on December 27, the Amur Regional Court overturned the verdict and sent the case back for retrial to the court of first instance, releasing the defendants on bail;
15. On November 7, the Rubtsovsk City Court of Altai Krai sentenced Andrei Danielyan to six years of imprisonment under Article 2822 Part 1 CC;
16. On November 14, the Georgievsk City Court of Stavropol Krai sentenced Viktor Zimovskiy to six years and two months of imprisonment under Article 2822 Part 1 CC and Article 2823 Part 1 CC, one more unnamed believer was sentenced to compulsory labor, the other received a suspended sentence;
17. On November 15, the Oktyabrsky District Court of Novosibirsk sentenced Alexander Seregin to six years of imprisonment under Article 2822 Part 1 CC;
18. On December 1, the Armyansk City Court in the Republic of Crimea sentenced Alexander Dubovenko and Alexander Litvinyuk to six years of imprisonment under Article 2822 Part 1 CC;
19. On December 19, the Birobidzhansky District Court of the Jewish Autonomous Region sentenced Valery Kriger and Sergei Shulyarenko to seven years of imprisonment under Article 2822 Part 1 and Article 2823 Part 1 CC, Alam Aliev – to six and a half years of imprisonment under Article 2822 Part 1 CC, Dmitry Zagulin – to three and a half years of imprisonment under Article 2823 Part 1 CC;
20. On December 21, the Blagoveshchensk City Court sentenced Sergei Afanasyev to six and a half years of imprisonment under Article 2822 Part 1 and Article 2823 Part 1 CC; four other believers were found guilty only under Article 2822 Part 1 CC: Anton Olshchikov, Adam Svarichevsky and Sergei Yermilov received six years and three months of imprisonment, and Sergei Kardakov – six years and four months;
21. On December 28, the Zeysky District Court of the Amur Region sentenced Leonid Druzhinin and Yevgeny Bitusov to six and a half years in a minimum-security penal colony under Article 2822 Part 1 CC;
22. On December 28, the Oktyabrsky District Court of Krasnoyarsk sentenced Alexander Filatov to six years of imprisonment under Article 2822 Part 1 CC.

One believer was sentenced to compulsory labor: on November 14, the Georgievsk City Court of Stavropol Krai sentenced Anatoly Gezik to compulsory labor for four years and two months under Article 282² Parts 1.1 and 2 CC and Article 156 CC (improper fulfillment of parental responsibilities for raising a minor); Gezik's wife, Irina, received a suspended sentence (see below), and another believer received a real prison term (see above).

63 persons received suspended sentences in 38 separate verdicts (two verdicts against two believers were later overturned):

1. On January 19, the Seversk City Court of the Tomsk Region sentenced Alexei Yershov to three years of imprisonment, having found him guilty under Article 2822 Part 2 CC, but in April, the regional court replaced his real prison term with a suspended sentence;
2. On January 20, the Seversk City Court sentenced Andrei Kolesnichenko to four years in prison under Article 2822 Part 2 CC, but in June the regional court replaced the real prison term with a suspended sentence;
3. On January 20, the Snezhinsk City Court of the Chelyabinsk Region sentenced seventy-year-old Lyudmila Salikova to six years of imprisonment under Article 2822 Part 1 CC. On January 11, 2023, the Seventh Court of Cassation of General Jurisdiction in Chelyabinsk overturned the verdict and sent the case back for a new trial to the appellate instance;
4. On January 31, the Nevelsk City Court of the Sakhalin Region sentenced Yevgeny Yelin and Sergei Kulakov to six and a half years of imprisonment under Article 2822 Part 1 CC, Sergei's wife Tatyana Kulakov, as well as Vyacheslav Ivanov and Alexander Kozlitsin, received two-year suspended sentences under Article 2822 Part 2 CC;
5. On January 31, Pozharsky District Court of Primorsky Krai in the village of Luchegorsk issued a six-year suspended sentence to Sergei Sergeev and Yuri Belosludtsev under Article 2822 Parts 1.1 and 2 CC;
6. On February 3, the Ussuriysk District Court of the Primorsky Krai issued a three-year suspended sentence to Sergei Melnikov under Article 2822 Part 2 CC;
7. On February 16, the Kerch City Court of Crimea issued a two-year suspended sentence to Artem Shabliy under Article 2822 Part 2 CC;
8. On March 28, the Khostinsky District Court of Sochi issued a two-year suspended sentence to Yury Loginsky and Yury Moskalyov under Article 2822 Parts 1.1 and 2 CC; two other believers were given real terms of imprisonment but released from serving their sentences (see above);
9. On April 4, the Abakan City Court of Khakassia issued a suspended sentence of two and a half years to Matryona Spiriadi and Alexander Vergunov under Article 2822 Part 2 CC;
10. On April 14, the Seversk City Court of the Tomsk Region issued a three-year suspended sentence to Sergei Belousov under Article 2822 Part 2 CC;
11. On April 15, the Ussuriysky District Court of Primorsky Krai issued a suspended sentence of two and a half years to Vitaly Ilyinykh under Article 2822 Part 2 CC;
12. On April 25, the Birobidzhansky District Court of the Jewish Autonomous Region issued a suspended sentence of five and a half and five years respectively to spouses Oleg Postnikov and Agnessa Postnikova under Article 2822 Parts 1.1 and 2 CC;
13. On April 26, the Seversk City Court of the Tomsk Region sentenced Andrei Ledyainin to two years and two months in a minimum-security penal colony under Article 2822 Part 2 CC, but in July the regional court replaced his real prison term with a suspended sentence;

14. On May 6, the Sovetsky District Court of Nizhny Novgorod issued a six-year suspended sentence to Galina Abrosimova under Article 2822 Part 1 CC;
15. On May 12, the Leninsky District Court of Nizhny Novgorod issued a three-year suspended sentence to Kirill Yevstigneev under Article 2823 Part 1 CC;
16. On May 26, the Metallurgichesky District Court of Chelyabinsk issued a six-year suspended sentence to Pavel Popov from Yemanzhelinsk under Article 2822 Part 1 CC;
17. On May 30, the Moskovsky District Court of Nizhny Novgorod issued a six-year suspended sentence to Maxim Zavrazhnov under Article 2822 Part 1 CC;
18. On June 1, the Leninsky District Court of Vladivostok issued a six-year suspended sentence to Valentin Osadchuk under Article 2822 Part 1 CC; Nadezhda Anokina, Nina Purge, Raisa Usanova, Lyubov Galaktionova and Nailya Kogay received two-year suspended sentences under Article 2822 Part 2 CC;
19. On June 3, the Pervomaisky District Court of Kirov issued the following suspended sentences under Article 2822 Part 1 CC and Article 2823 Part 1 CC: six and a half years to Polish citizen Andrzej Onischuk, six years and three months to Andrei Suvorkov and Yevgeny Suvorkov, six years and two months to Maxim Khalturin, three years and three months to Vladimir Korobeynikov, and to two and a half years to Vladimir Vasilyev;
20. On June 6, the Tsentralny District Court of Chita issued a six-year suspended sentence to Sergei Kirilyuk under Article 2822 Part 1 CC; three additional believers received real prison terms (see above);
21. On June 6, the Vyazemsky District Court of Khabarovsk Krai issued a five-year suspended sentence to Yegor Baranov under Article 2822 Parts 1.1 and 2 CC;
22. On August 5, the Zelenogorsk City Court of Krasnoyarsk Krai issued a two-year suspended sentence to Alexander Kabanov under Article 3222 CC (fictitious registration at the place of residence or stay) and Article 2822 Part 2 CC; On December 27, the Krasnoyarsk Regional Court overturned the verdict and returned the case to the prosecutor's office due to significant violations of the norms of criminal procedure;
23. On August 8, the Golovinsky District Court of Moscow issued a six-year suspended sentence to Alexander Serebryakov and Yuri Temirbulatov under Article 2822 Part 1 CC;
24. On September 5, the Vologda City Court sentenced Nikolai Stepanov to four years in a minimum-security penal colony, while Yury Baranov received a four-year suspended sentence under Article 2822 Part 1 CC. However, the regional court replaced Stepanov's real prison term with a suspended sentence in November;
25. On September 20, the Partizansk City Court in Primorsky Krai issued a suspended sentence of two years and three months to 53-year-old Liya Maltseva under Article 2822 Part 2 CC;
26. On September 26, the Temryuksky District Court of Krasnodar Krai issued a two-year suspended sentence to Vladimir Vidiker under Article 2822 Part 2 CC;
27. On October 10, the Solnechny District Court of Khabarovsk Krai issued a five-year suspended sentence to Boris Yagovitov under Article 2822 Parts 1.1. and 2 CC;
28. On October 10, the Kezhemsky District Court of Krasnoyarsk Krai issued a three-year suspended sentence to Ildar Urazbakhtin under Article 2822 Part 1 CC;
29. On October 20, the Lesozavodsky District Court of Primorsky Krai issued a six-year suspended sentence to Galina Kobeleva under Article 2822 Part 1 CC;
30. On October 31, the Birobidzhansky District Court issued a suspended sentence of two and a half years to Svetlana Monis under Article 2822 Part 2 CC; the court imposed the same punishment on her in February 2021, but this decision was overturned, and the case was sent for retrial;

31. On November 7, the Nikolsky District Court of the Penza Region issued a two-year suspended sentence to Viktor Shayapov under Article 2822 Part 2 CC;
32. On November 8, the Petropavlovsk-Kamchatsky City Court issued four-year suspended sentences to the spouses Dmitry Semyonov and Nadezhda Semyonova under Article 2822 Part 1.1 CC;
33. On November 14, the Georgievsk City Court of Stavropol Krai issued a suspended sentence of four years and two months to Irina Gezik under Article 2822 Parts 1.1. and 2 CC, as well as Article 156 CC; the court sentenced her husband to compulsory labor, and another believer – to a real prison term (see above);
34. On November 21, the Asha City Court of the Chelyabinsk Region issued a six-year suspended sentence to Andrei Perminov under Article 2822 Part 1 CC;
35. On November 25, the Kirovsky District Court of Makhachkala issued suspended sentences of six and a half years to Arsen Abdullaev, Marat Abdulgalimov and Anton Der-galev under Article 2822 Part 1 and Article 2823 Part 1, and a suspended sentence of six years to Maria Karpova under Article 2822 Part 1 CC;
36. On December 7, the Metallurgichesky District Court of Chelyabinsk issued a two-year suspended sentence to Vadim Gizatulin under Article 2822 Part 2 CC;
37. On December 22, the Alatyrsky District Court of the Chuvash Republic issued six-year suspended sentences to Mikhail Yermakov and Andrei Martynov under Article 2822 Part 1 CC; two women defendants in the same case were fined (see below);
38. On December 22, the Vyazemsky District Court of Khabarovsk Krai issued a suspended sentence of two years and five months to Sergei Kuznetsov under Article 2822 Part 2 CC.

11 people were sentenced to fines in seven separate verdicts:

1. On February 10, the Kalininsky District Court of Cheboksary fined Vladimir Dutkin 500 thousand rubles, and Valery Yakovlev and Vladimir Chesnokov – 400 thousand rubles under Article 2822 Part 1 CC;
2. On April 18, the Neftekumsky District Court of Stavropol Krai sentenced Alexander Akopov and Shamil Sultanov to fines of 500 thousand rubles under Article 2822 Part 1 CC and Article 2823 Part 1 CC but annulled these fines taking into account the defendants' lengthy pre-trial detention; another person involved in the case was sentenced to imprisonment (see above);
3. On April 21, the Kondopoga City Court in Karelia fined Alexei Smelov 400 thousand rubles under Article 2822 Part 1 CC;
4. On July 26, the Snezhinsk City Court of the Chelyabinsk Region fined Ilya Olenin 500 thousand rubles under Article 2822 Part 1 CC;
5. On September 22, the Oktyabrsky District Court of Murmansk fined Vitaly Omelchenko 580 thousand rubles under Article 2822 Part 1 CC;
6. On November 17, the Zheleznodorozhny District Court of Krasnoyarsk fined Igor Gusev 600 thousand rubles under Article 2822 Part 1 CC;
7. On December 22, the Alatyrsky District Court of the Chuvash Republic fined Nina Martynova and Zoya Pavlova 350 thousand rubles each under Article 2822 Parts 1.1 and 2; two other defendants in the same case received suspended sentences (see above).

Hizb ut-Tahrir

Throughout 2022, Muslims continued to face prosecution under Criminal Code articles on 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 Defendants in such criminal cases are often charged with planning a violent seizure of power in Russia only 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. We also note that 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 of the peninsula's Crimean Tatar population.

We know of 20 verdicts issued in 2022. 52 people, including 30 Crimean Tatars, were sentenced to long terms of imprisonment ranging from 11 to 19 years in a maximum-security penal colony (often with part of the term to be served in prison) and faced various additional restrictions (not listed here). For comparison, a year earlier we recorded eight verdicts against 23 people, 11 of whom were from Crimea, and two years earlier – 12 verdicts against 31 people. Thus, the number of individuals convicted for involvement in Hizb ut-Tahrir in 2022 exceeds the numbers reported in the preceding years, likely due to the sentencing of 25 defendants in the so-called second Simferopol Hizb ut-Tahrir case. In general, we can talk about the continuing trend toward decreasing prosecution for involvement in the party. In 2022, at least 28 Muslims were detained in different regions of Russia on charges of involvement in Hizb ut-Tahrir, but only for nine of them, we have reliable information that they were arrested as defendants.

Below are the sentences issued in 2022:

1. On February 11, the Southern District Military Court sentenced Vadim Bektemirov and Zekirya Muratov from Crimea to 11 and 11.5 years of imprisonment respectively under Article 2055 Part 2 CC (participating in the activities of a terrorist organization); Muratov was found guilty under Article 278 with Article 30 Part 1 CC (preparation for forcible seizure of power);

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 practice of Hizb ut-Tahrir allow us to consider the party a terrorist organization and it does not explicitly call for violence, its prohibition on other grounds would be justified, since it presumes, in the future, the overthrow of some existing political systems with the aim of establishing a dictatorship based on the Sharia law; it is also characterized by anti-Semitism and radical anti-Israeli propaganda (for which Hizb ut-Tahrir was banned in Germany in 2003), as well as categorical rejection of democracy and equal rights and recognition of violence against the countries, which the party considers as aggressors against the "land of Islam," as legitimate. The goals of Hizb ut-Tahrir clearly contradict the values of the European Convention on Human Rights, in particular, the commitment to the peaceful settlement of international conflicts and the inviolability of human life, the recognition of civil and political rights and democracy. Activities for such purposes are not protected by the European Convention on Human Rights.

2. On March 10, the Southern District Military Court sentenced the first five of the 25 defendants in the second Simferopol Hizb ut-Tahrir case. Riza Izetov and Remzi Bekirov received 19 years of imprisonment, Shaban Umerov – 18 years, and Raim Aivazov – 17 years with the first five to be served in prison under Article 2055 Part 1 CC and Article 278 with Article 30 Part 1 CC. The court sentenced Farkhod Bazarov under the same articles to 15 years of incarceration with the first four years and 10 months to be served in prison;
3. On March 18, the Southern District Military Court sentenced the next five defendants in the same case. Eskender Suleymanov and Asan Yanikov received 15 years of imprisonment, and Akim Bekirov, Seitveli Seitabdiev and Rustem Seitkhalilov – 14 years of imprisonment with the first five years to be served in prison under Article 2055 Part 2 CC and Article 278 with Article 30 Part 1 CC;
4. On March 22, the Southern District Military Court ruled in the case of two residents of Crimea, sentencing Timur Yalkabov to 17 years of imprisonment under Article 2055 Part 1 CC (organizing the activities of a terrorist organization) and Article 278 with Article 30 Part 1 CC and Lenur Seidametov – to 13 years of imprisonment under Article 2055 Part 2 CC and Article 278 with Article 30 Part 1 CC; both will have to serve the first four years of their term in prison;
5. On April 19, the Southern District Military Court sentenced Crimean Tatar activist Emil Ziyadinov to 17 years of imprisonment with the first four years to be served in prison under Article 2055 Part 1 CC and Article 278 with Article 30 Part 1 CC;
6. On May 12, the Southern District Military Court passed a verdict on the third five-person group of defendants in the second Simferopol Hizb ut-Tahrir case, finding them guilty under Article 2055 Part 2 CC and Article 278 with Article 30 Part 1 CC. Tofik Abdulgaziev, Vladlen Abdulkadyrov, Izzet Abdullaev and Medzhit Abdurakhmanov were sentenced to 12 years of imprisonment each, and Bilyal Adilov – to 14 years with the first five to be served in prison;
7. On May 18, the Central District Military Court sentenced Marsel Gimaliev from Kazan to 17 years in a maximum-security penal colony under Article 2055 Part 2 CC and Article 2051 Part 1 CC (financing of terrorist activities, in the version in effect prior to December 29, 2017);
8. On July 8, the Southern District Military Court sentenced Ernest Ibragimov and Oleg Fyodorov, Crimea residents from Bakhchisaray to 13 years of imprisonment under Article 2055 Part 2 CC and Article 278 with Article 30 Part 1 CC; both have to spend the first three and a half years of their term in prison;
9. On July 8, the Southern District Military Court sentenced Ismet Ibragimov, also a Crimean Tatar, to 19 years of imprisonment under Article 2055 Part 1 CC and Article 278 with Article 30 Part 1 CC, with the first five years to be served in prison and the rest in a maximum-security penal colony,
10. On July 15, the 1st Eastern District Military Court issued a verdict against two residents of the Kemerovo Region, sentencing Sanatzhon Khaldarov to 13 years and Mukhamadzhon Niyazov – to 11 years of imprisonment under Article 2055 Part 2 CC with the first four years to be served in prison;
11. On July 19, the Southern District Military Court sentenced Crimean Tatar activist Azamat Eyupov to 17 years of imprisonment with the first three years to be served in prison under Article 2055 Part 1 CC and Article 278 with Article 30 Part 1 CC;
12. On August 4, the Central District Military Court ruled in the case of ten Hizb ut-Tahrir supporters detained in Moscow, Tyumen and Kazan. Marat Saibatalov and Alim Timkanov,

- charged under Article 2055 Part 1 CC, were sentenced to 17 and 18 years of imprisonment, respectively with the first six years to be served in prison; the other defendants in the case were sentenced under Part 2 of the same article to various terms of imprisonment with the first five years to be served in prison: 14 years for Ruslan Bariev, 12 years for Damir Abdrafikov and Ruslan Fomin, 13 years for Aidar Tashbulatov and Shakhboz Makhmudov, and 11 years for Farrukh Makhkamov, Rafis Idrisov and Turatbek Osmonkulov;
13. On August 8, the Central District Military Court sentenced foreign citizen Ravshan Saliev, a resident of the Penza Region, to 11 years of imprisonment with the first three years to be served in prison under Article 2055 Part 2 CC and Article 2051 Part 1.1 CC (incitement to terrorist activity);
 14. On September 9, the Southern District Military Court sentenced Yashar Shikhmetov, a Crimean Tatar, under Article 2055 Part 2 CC to 11 years of imprisonment with the first four years to be served in prison;
 15. On September 13, the Central District Military Court issued a verdict in the case of four Kazan residents and sentenced Vyacheslav Vankov to 18 years of imprisonment under Article 2055 Parts 1 and 2 CC and Article 2051 Part 1.1 CC (financing of terrorism), Rail Abdrakhmanov – to 17 years under the same articles, Lenar Mukhamadeev – to 12 years of imprisonment under Article 2055 Part 2 CC and Article 2051 Part 1 CC (incitement to terrorist activity), Ilsur Galeev – to 11 years under Article 2055 Part 2 CC; they must serve the first four years of their respective sentences in prison;
 16. On October 19, the Central District Military Court sentenced Farit Sharifullin from Kazan to 18 years of imprisonment in a maximum-security penal colony under Article 2055 Part 1 CC and Article 2051 Part 1 CC (in the version in effect before December 29, 2017) and Article 327 Part 4 CC (forgery);
 17. On November 24, the Southern District Military Court issued its verdict for the fourth five-defendant group in the second Simferopol Hizb ut-Tahrir case. Enver Ametov and Yashar Muedinov were sentenced to 13 years of imprisonment, and Ruslan Suleymanov, Rustem Sheikhaliev and Osman Arifmemetov – to 14 years of imprisonment under Article 2055 Part 2 CC and Article 278 with Article 30 Part 1 CC with the first four years of their sentences to be served in prison;
 18. On November 30, the Southern District Military Court sentenced Crimean Tatar activist Marlen Mustafaev from Belogorsk under Article 2055 Part 1 CC and Article 278 with Article 30 Part 1 CC to 17 years of imprisonment with the first three years to be served in prison;
 19. On December 9, the Central District Military Court sentenced Ruslan Ilyasov, a resident of Kazan, to 19 years of imprisonment with the first five years to be served in prison, and the remaining term in a maximum-security penal colony under Article 2055 Part 1 CC and Article 2051 Part 1.1;
 20. On December 29, the Southern District Military Court sentenced Crimean Tatar activist Ernes Ametov to 11 years in a maximum-security penal colony under Article 2055 Part 2 CC and Article 278 with Article 30 Part 1 CC. Ametov was arrested back in 2017; a court acquitted him in 2020, but in early 2022, the Military Court of Appeal overturned the acquittal.

Two additional verdicts of questionable appropriateness were issued under Article 205² CC on charges of promoting or justifying the ideology of Hizb ut-Tahrir. Since we believe that there were no grounds for recognizing the party as a terrorist organization, the party

propaganda, in our opinion, does not fall under the article on propaganda of terrorism. On July 21, Southern District Military Court found Crimean Tatar activist Server Bariev guilty under Article 205² Part 2 CC and sentenced him to a fine of 360 thousand rubles with a ban on administering websites on the Internet for a year and a half. Bariev had published on VKontakte a material from *Al Raya*, an Arabic-language newspaper sponsored by Hizb ut-Tahrir. In November, the 2nd Western District Military Court sentenced an inmate of a penal colony in the Pskov Region to two years, six months and five days in a maximum-security penal colony under Article 205² Part 2 CC for spreading the ideas of Hizb ut-Tahrir among other inmates.

Bakhrom Khamroev, a human rights activist and a member of the liquidated Memorial Human Rights Center, was arrested in February under Article 205² Part 2 CC. According to the investigators, Khamroev promoted the activities of Hizb ut-Tahrir in several Facebook posts, in which he shared two materials in the Uzbek language related to the party, and a video of the Arabic-language channel *Al-Waqiyah TV* dubbed in Uzbek. It was reported in October that Khamroev was also charged under Article 205⁵ Part 1 CC. According to his lawyer, the charge is related to the fact that Khamroev had provided assistance to those accused of terrorism and collected their case materials. Bakhrom Khamroev has been defending the rights of migrants from Central Asia and Russian Muslims for many years, in particular, the ones charged in Hizb ut-Tahrir participation cases, while categorically denying his own involvement with the party.

We also note that in the above-mentioned verdict of the 2nd Western District Military Court, activist Daria Polyudova also included a charge under Article 205² Part 2 CC for publications about people prosecuted for their involvement in Hizb ut-Tahrir. We consider these charges inappropriate. In one of her publications, Polyudova directly expressed her disagreement with the Hizb ut-Tahrir ideology; her doubts regarding the validity of prosecuting its alleged supporters under anti-terrorist legislation do not constitute evidence that the author justifies such activities.

Tablighi Jamaat

In 2022, at least six sentences against 15 people were issued under Article 282² CC for continuing the activities of Tablighi Jamaat, a religious movement recognized as extremist in Russia (vs. 13 against 20 people a year earlier). 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 the sanctions against its supporters inappropriate.

Below are the sentences issued in 2022.

1. On January 13, the Kirovsky District Court of Omsk found Sultan Dyusekenov guilty under Article 282² Part 1 CC, and Abdimomun Mamytov and Murat Baltabaev – under Article 282² Part 2 CC. All three were sentenced to fines in the amount of 20 to 90 thousand rubles, since the court applied Article 64 Part 1 CC, which allows imposing a punishment below the minimum due to an insignificant public danger of a crime or for assistance in solving it. However, on March 30, the Omsk Regional Court increased the severity of the sentence, upholding the prosecutor's appeal. Dyusekenov was sentenced to two years in a minimum-security penal colony with the loss of the right to engage in activities related to participation in public organizations for three years and with restriction of freedom for

one and a half years. Mamytov and Baltabaev received suspended sentences of one and a half years each under Article 2822 Part 2 CC with a three-year ban on participation in the work of public organizations and eight months of restriction of freedom as additional punishments. According to investigators, Dyusekenov was the head of a Tablighi Jamaat “cell” that functioned from July 2020 to April 2021 and recruited Mamytov and Baltabaev to participate in it, entrusting them with the responsibility of promoting Tablighi Jamaat among the local population. The defendants were detained in the spring of 2021 as part of a group of 11 people; four other detainees later became witnesses in the case, and the rest – citizens of Kyrgyzstan and Kazakhstan – were deported from Russia by court decisions.

2. We learned in March that a court in Saratov sentenced a 51-year-old local resident to two years in a penal colony followed by eight months of restriction of freedom under Article 2822 Part 2 CC having found him guilty of conducting regular meetings to promote the Tablighi Jamaat ideology among residents of the Saratov Region and participating in such meetings.
3. In August, it was reported that another resident of the Saratov Region was found guilty under the same article. He was sentenced to two years behind bars followed by restriction of freedom for six months. His charges were based on participating in the movement’s propaganda activities for two days in October 2019.
4. On April 12, the Rubtsovsk City Court of Altai Krai issued a verdict under Article 2822 Parts 1.1 and 2 CC to a follower of Tablighi Jamaat, who had been sentenced in Bashkortostan to four years and seven months of imprisonment and subsequently transferred to a colony in Altai Krai, where he started holding secret religious meetings and thus involving other prisoners in the movement’s activities. The inmate in question is probably Ramiz Faskhiev, a founder of the Miras Cathedral Mosque in the city of Dyurtyuli in Bashkortostan sentenced by the Chekmagushevsky District Court of Bashkortostan in June 2017 to four years and seven months in a penal colony under Article 2822 Part 1 CC on charges of organizing the activities of the Tablighi Jamaat cell. In August, the verdict of the Rubtsovsk City Court was reviewed by the Altai Regional Court and changed. Taking the previous verdict into account, the court sentenced the defendant to five years and 20 days in prison to be served in a maximum-security penal colony.
5. In August, the sources that cited the FSB reported that the Nikolaevsky District Court of the Ulyanovsk Region issued suspended sentences to Myasut Rafikov, Saubyan Salkin, Aisyu Shabanov and Mansur Sadykov ranging from two years and eight months to six years and two months. According to the FSB, Rafikov had “held secret meetings and coordinated preaching trips to mosques in other regions of Russia to indoctrinate and involve Muslims in extremist activities.” Rafikov was convicted under Article 2822 Part 1 CC; the others were found guilty under Article 2822 Part 2 CC.
6. On September 12, the Sovetsky District Court of Volgograd issued a verdict under Article 2822 Part 2 CC to five local residents, finding them guilty of involvement in the Tablighi Jamaat and issuing two-year suspended sentences with two-year probationary periods to all defendants. The court decided that starting in July 2016 and until their detention in July 2020, the defendants held meetings to study the ideology of Tablighi Jamaat. On November 11, the Volgograd Regional Court considered the appeal of the prosecutor’s office against this decision and toughened the punishment for three of the offenders. For Amanat Lukpanov, Batr Urazov and Gilman Nitaliev the suspended sentence was replaced with real imprisonment in a minimum-security colony. The sentence of two

other defendants, Aslan Vakuev and Alexander Kolesnikov, remained unchanged. All five offenders were additionally sentenced to 10 months of restriction of freedom.

We received no information about a single new case of involvement in Tablighi Jamaat initiated in 2022.

Said Nursi Readers

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. In fact, Russian Muslims studying Nursi’s legacy do not form a single organization, but this did not prevent the Supreme Court from banning the non-existent Nurcular. As a result, the authorities can prosecute Muslims for reading and discussing Nursi’s books under Article 282² for involvement in an extremist organization and give them real prison terms. 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 persecution of Muslims who study Nursi’s books continues.

In Dagestan, at least six people became defendants in 2022 in criminal cases under Article 282² CC for holding meetings to study the works of Nursi. The meetings were interpreted as continuing the activities of Nurcular; the new cases were reported in January, March, April, May and July. The defendants were primarily from the town of Izberbash. It should be noted that similar reports repeatedly came from Dagestan in 2021, but the Izberbash City Court of Dagestan terminated seven criminal cases under Article 282² Part 2 CC.

In late November, the Fifth Cassation Court of General Jurisdiction reviewed a complaint against the sentence issued to Ilgar Aliev. In 2018, he was sentenced to eight years of imprisonment under Parts 1 and 1.1 of Article 282² CC for organizing a Nurcular “cell” and involving others in it. The cassation court removed the charge against Aliev under Part 1.1 and reduced his sentence by two years. When the defendant was released, he found out that he had lost his Russian citizenship, apparently, based on the norm, in force since 2017, according to which a court verdict under certain anti-extremist and anti-terrorist articles (including under Article 282² CC), once in force, can serve as a basis for overturning the decision to grant Russian citizenship. Aliev was to be deported to Azerbaijan, but we have no information on whether the deportation ever took place.

We are aware of two cases on creating Nurcular “cells” that went to court in 2022. In June, the Naberezhnye Chelny City Court received the case of three residents of Naberezhnye Chelny, Khunar Agaev, Aidar Sageev and Amrakh Akhmedov, charged under Parts 1 and 2 of Article 282² CC and arrested in November 2021. In September, the Kuzminsky District Court of Moscow began the proceedings in the case of Yevgeny Tarasov, Mukazhan Ksyupov, Parviz Zeynalov and Urdash Abdullaev, charged under Article 282² Part 1 CC, as well as Ilmir Abdullin and Nikolai Nesterovich, charged under Part 2 of the same article. They were all arrested in Moscow and the Moscow Region in October 2021.

In the second half of June, the Naberezhnye Chelny City Court decided to leave without consideration the claim of the republican prosecutor’s office to recognize as extremist 47 titles of books by Nursi, multi-volume collections of his work, and books about his teachings. In total, the group includes 163 different publications seized from eight residents of Naberezhnye Chelny, including Nakia Sharifullina, who was convicted in 2021 under Article 282² Part 1 CC. In April 2021, the same court in a different composition ruled that the publications

were extremist. The experts who examined the books claimed that they represented “ideological sources of the religious extremist association Nurcular,” or that they included such sources and their “fragments.” The experts also pointed out that a number of publications were identical to materials previously recognized as extremist in Russia. However, in July of the same year, the Supreme Court of Tatarstan reversed the decision to ban the publications, noting, among other considerations, that the lower court had considered the issue of banning books in the Ottoman (old Turkish) language in the absence of their translation, that is, without a chance to become familiar with their content. At the new hearing, the Naberezhnye Chelny City Court sent the books for a new expert examination. However, according to the lawyer who took part in the trial, the decision to leave the claim without consideration was made precisely because the court did not know the language of the majority of books.

Alla-Ayat

In 2022, several criminal cases were initiated against followers of the Alla-Ayat religious groups (a.k.a Elle Ayat, other spellings are also possible depending on the way the Kazakh name is rendered into Russian). The Alla-Ayat doctrine was founded in the late 1980s and early 1990s in Kazakhstan by Farkhat Abdullaev. Its adherents are sun worshipers, who advocate a cure for all illnesses through the use of special tea, saying the “life formula,” contemplating the sun, as well as repeatedly reading and applying to sore spots the issues of the *Zvezda Selennoy* magazine published by the doctrine’s founders. Several issues of this magazine were recognized as extremist materials in 2012, since the Naberezhnye Chelny City Court found them to promote the idea of the superiority of the Alla-Ayat followers over other people. The Novosibirsk Regional Court in 2013 recognized the local Alla-Ayat group as an extremist organization on the grounds that its members read banned issues of *Zvezda Selennoy* and banned its activities as posing danger to citizens’ health, since adherents of the doctrine refused medical care in favor of the Alla-Ayat methods. The Supreme Court of the Russian Federation reviewed this decision and left it in force only in the part that banned the group’s activities in the region. However, in 2019, the Alla-Ayat religious group in the Samara Region was recognized as extremist specifically for the alleged distribution of the banned publications. As a result of this decision, Alla-Ayat adherents from different regions of Russia face prosecution for continuing the activities of an extremist organization even though their relation to the Samara group is unclear.

For example, in January it became known that, back in October 2021, a criminal case was initiated in Kiselyovsk of the Kemerovo Region against a 67-year-old local resident, Lyubov Tkachyova under Article 282² Part 2 CC. The case was based on the fact that Tkachyova practiced the Alla-Ayat routines – read the “life formula” and drank the special tea, sometimes with like-minded people.

In March 2022, in Barnaul, a criminal case under the same Article 282² Part 2 CC was opened against unnamed defendants. According to law enforcement officers, the “Ayat Center” operated in the city in 2020–2021, and on its premises, the adherents of the teaching continued the activities of the banned Samara group.

In July, the case on Article 282² Parts 1 and 2 CC was initiated in Novosibirsk, against four local residents including 81-year-old Irina Klimova. According to investigators, they coordinated the activities of the group or participated in it organizing treatment of illnesses and distributing prohibited literature.

Administrative Sanctions for Distribution of Religious Literature

The number of reported charges for the distribution of religious literature that we consider inappropriately prohibited is quite small. 16 people in different regions of Russia were fined under Article 20.29 CAO. However, it should be borne in mind that we have information only about a small fraction (slightly over two hundred) of decisions to impose sanctions under this article in 2022, while, in the first half of the year alone, the courts imposed such sanctions 507 times.

In 14 cases, people faced charges for Islamic materials, and five of them based on the distribution of the *Fortress of a Muslim*, a collection of daily prayers (in Karachay-Cherkessia, North Ossetia and the Orenburg Region). In three cases (in Karachay-Cherkessia) the incriminating book was *The Future Belongs to Islam*, by Sayyid Qutb. These are peaceful materials that appear in similar administrative cases year after year. Other popular publications included on the Federal List of Extremist Materials also triggered sanctions: *40 Hadith of Imam An-Nawawi*, *Muhtasar Ilmihal. A Concise Manual of Basic Islamic Teachings*, *The Islamic Doctrine* by Ahmet Saim Kilavuz, and others. It should be noted that in most cases, no mass distribution of materials implied by Article 20.29 CAO ever took place. Muslims were held liable for possession of one or two copies of prohibited literature.

In addition, in March, a resident of Cherkessk was fined for having the book *The Greatest Man Who Ever Lived* (an illustrated Jehovah’s Witnesses brochure about the life of Jesus Christ, banned in 2016) out for distribution near the Press House building.

While citizens faced fines in the amounts of one to three thousand rubles, a legal entity, Knigoboom Booksellers, was fined half a million rubles in August by the Nevsky District Court of St. Petersburg, when Scientology literature included on the Federal List of Extremist Materials was found on its premises.

A Bit of Statistics

Let us first turn to the general criminal law enforcement statistics collected by the SOVA Center in 2022.

We know of 10 verdicts against 22 people issued for violent crimes with the hate motive, and 20 verdicts against 24 people for attacks against material objects with the same motive (in both cases, we include the verdict into our count only if it takes the hate motive into account),²⁶ 247 verdicts against 260 people for public statements, 130 verdicts against 264 people for involvement in banned organizations.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. 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.

26 . Natalia Yudina. The Old and the New Names in the Reports.

27 . Natalia Yudina. Attack on Organizations.

Of the 247 known verdicts against 260 individuals issued for public speech, we view 16 verdicts against 21 persons as appropriate and intended to stop manifestations of xenophobia; another 44 verdicts against 50 people, in our opinion, are likely appropriate and issued in connection with the propaganda of another kind of violence, against government officials. We regard 39 verdicts against 40 people as inappropriate. We are not sure about the legitimacy of four verdicts against four people, and we do not know (or have insufficient information on) the charges that led to 147 sentences against 148 people. Several sentences fell into more than one category.

Of the 130 verdicts against 264 people issued for involvement in banned organizations, we recognize 14 sentences against 40 people as appropriate. We are unable to evaluate 14 verdicts against 19 people due to the absence or vagueness of the information. 86 verdicts against 186 people we consider inappropriate, and 16 sentences against 19 people, strictly speaking, cannot be classified as countering extremism – they were issued on charges of involvement in clearly terrorist organizations (such as the Islamic State) or in AUE, which is a subcultural phenomenon classified as an extremist organization on unclear grounds.

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 3–4 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 for the purpose of promoting Nazism (court decisions on this article do not take the motive of hatred into account). In our opinion, the defendants in both categories pursue the purpose not so much to inflict serious damage to material objects but to attract the attention of society. Thus, in our opinion, the relevant court decisions may be viewed as issued for public statements. In our general statistics below, we include these 16 verdicts against 20 people in our totals for public speech. On the same grounds, three sentences against four people for hooliganism motivated by hatred, which were issued for protest actions, belong to the same category.

Now let's shift our focus to the information on the group of criminal sentences mentioned above, which we view as inappropriate. If we take into account the problematic decisions made under both anti-terrorist and anti-extremist articles, the total for 2022 comes to 141 verdicts against 246 people (compared to 115 verdicts against 185 people in 2021), with 55 verdicts against 60 people (compared to 20 verdicts against 21 people in 2021) associated with public speech. 86 verdicts against 186 people (vs. 95 verdicts against 164 people in 2021) were associated with involvement in the activities of banned organizations (religious in all cases, except one).

Out of this total, 119 inappropriate verdicts against 192 people were issued under anti-extremist criminal articles (vs. 105 sentences against 160 people in 2021). 53 verdicts against 58 people were issued for “extremist” speech (including attacks on material objects and hooliganism motivated by hatred, as explained above; we recorded 18 such sentences against 19 people in 2021), and 66 verdicts against 134 people for involvement in the activities of extremist organizations (compared to 87 verdicts against 141 individuals in 2021).

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 prob-

lematic, grouping them according to articles of the Criminal Code (the cases themselves are discussed in the relevant chapters of the report).

Sorting the verdicts under anti-extremist and related articles that pertain to public statements in descending order by the number of wrongfully convicted, we get the following picture.

Article 354¹ CC on the rehabilitation of Nazism (denial or approval of Nazi crimes, dissemination of false information about the activities of the USSR during the war years, desecration of symbols of military glory, insulting veterans, etc.) tops our list. According to our information, 20 verdicts were issued under it in 2022 against 23 people from different regions of the country without proper grounds (vs. 12 against 12 people a year earlier). 11 of them were sentenced to imprisonment, three to suspended sentences, five to fines, one to compulsory labor, one to community service, and one was released from punishment. Proceedings in 17 similar cases against 17 defendants were discontinued due to the expiry of the limitation period. However, at least 16 new cases against at least 23 people, at least nine of whom were minors, were opened on dubious grounds in 2022.

Article 214 on vandalism motivated by ideological and/or political hatred takes the second place with 12 sentences issued in 2022 against 13 activists in different regions of Russia (one of them was later overturned, but this took place already in 2023). 12 defendants were sentenced to restriction of freedom and one to a fine. A year earlier, we recorded one such verdict against three individuals. We doubt the validity of three verdicts issued in 2022. We also recorded 16 new similar cases filed without proper justification against 22 people in different regions. We also know of one criminal case that was inappropriately initiated under Paragraph “b” of Article 244 Part 2 CC (desecration of the grave, motivated by hatred).

The third place belongs to Part 2 Paragraph “e” of the new Article 207³ on spreading fakes about the actions of the Russian armed forces motivated by hatred. We recorded nine such sentences against nine residents of Moscow, Karelia, Kalmykia, and Krasnodar Krai, as well as the Vologda Region, the Moscow Region, the Penza Region, and the Rostov Region. Four people were sentenced to real prison terms of up to eight and a half years, two received suspended sentences, two were fined (one of them in the amount of three million rubles), and one person was referred for compulsory treatment. We noted another 59 cases against 61 people in different regions of Russia that did not come to trial in 2022. So, this article showed the greatest “potential.”

We know of five sentences against five people under Article 148 Part 1 CC, which punishes for “insulting the feelings of believers,” (there were five verdicts against six people in 2021) – three in St. Petersburg and one each in Kaluga and Krasnodar Krai; one case in Moscow was terminated due to the reconciliation of the parties. For one person, the suspended sentence imposed under a different charge was toughened and replaced with a real prison term, another person was sentenced to community service, and the three remaining ones were fined. Six new criminal cases were initiated against residents of Crimea, Krasnodar Krai, Khabarovsk Krai, the Nizhny Novgorod Region, Moscow and St. Petersburg.

According to our information, last year the courts managed to pass only three sentences under Article 280³ CC on the repeated discreditation of the actions of the Russian army and officials abroad, against residents of Kabardino-Balkaria, Nizhny Novgorod and the Sverdlovsk Region. A suspended sentence was imposed in the first case and only the fines in the other two. Our data indicates that 39 people faced charges under this article in 2022 as part of 38 new criminal cases, so this legal norm, like the “fakes about the army,” unfortunately might come to play a more prominent role.

According to our data, three inappropriate verdicts (vs. one in 2021) against four activists from Chelyabinsk, St. Petersburg, and Udmurtia were, issued under Article 213 CC on hooliganism, taking into account the motive of social and political hatred. Three of them were sentenced to imprisonment, and one person received a suspended sentence. One new case was inappropriately opened in Moscow.

We recorded two inappropriate sentences under Article 280 CC on incitement to extremism in 2022 – against a blogger from Chita (we wrote about his sentence as the only inappropriate case of 2021, but then it was overturned and sent for retrial) and a resident of Omsk; both received suspended sentences. We classify one new case initiated under Article 280 CC against an activist from Tyumen as inappropriate.

Our statistics included only one wrongful sentence under Article 282 CC in 2022 (none at all in 2021), which punishes for incitement of hatred, repeated or with aggravating circumstances. A blogger from Smolensk was sentenced to six and a half years in prison under an aggregation of several Criminal Code articles. However, we noted four new cases against six people opened inappropriately during the review period (in Moscow, Udmurtia, Kemerovo and Tula regions).

According to our data, not a single sentence was issued under Article 280¹ CC on repeated calls for separatism in 2022, as well as a year earlier. However, we know about several fines under Article 20.3.2 CAO, similar in its composition but used for the first violation in 12 months (see below for more information).

Now let us review the articles about involvement in extremist organizations.

At least 64 inappropriate verdicts against 131 people were issued under Article 282² CC on organizing the activities of an organization banned for extremism, or participation in it (a year earlier, according to our data, there were 84 inappropriate verdicts against 132 people under this article). Of these, 58 sentences against 116 people (vs. 68 against 105 in 2021) were issued for continuing the activities of Jehovah's Witnesses communities: 44 people were sentenced to imprisonment (the maximum term was seven years in a minimum-security penal colony), 68 people received suspended sentences, 11 people were fined, one was sentenced to compulsory labor; additional restrictions were often imposed as well. Six verdicts against 15 people were issued for organizing cells of the banned Islamic movement Tablighi Jamaat or participating in their activities (a year earlier the corresponding numbers were 13 verdicts against 20 people) with 11 of these people sentenced to suspended sentences, and four to real prison terms. The number of those inappropriately prosecuted under Article 282² as part of the cases initiated in 2022 reached at least 88, the majority of whom (77 people) were Jehovah's Witnesses. For comparison, in 2021, we counted about 200 defendants in new cases under Article 282² CC.

We view as inappropriate eight sentences issued under Article 282³ CC on financing extremist activities against 19 Jehovah's Witnesses; two of them were found guilty only under this article. In 2022, charges under this article, along with other charges, were brought against Jehovah's Witnesses and supporters of Alexei Navalny.

We saw no obviously inappropriate verdicts in 2022 under Article 282¹ CC on organizing an extremist community and participation in it (there were two a year earlier). However, new defendants were added to the wide-reaching case against Alexei Navalny and his associates – nine people in different regions of Russia. They also face charges under Article 239, and we view as inappropriate the sentence issued to one of the defendants under Article 239 Part 3 CC only (participation in a non-profit organization whose activities involved

inciting citizens to commit unlawful acts, taking the hate motive into account) after charges under Article 282¹ CC against him were dropped. A similar verdict against two people, one of whom became a defendant in 2022, was issued in early 2023. In 2022, the case under Article 239 CC was also opened against eight members of the Vesna movement, but we do not yet know whether these charges take the hate motive into account.

In total, we counted 255 people inappropriately charged with extremist crimes or related offenses in 2022 (vs. 243 in 2021).

As for the anti-terrorist articles of the Criminal Code, as we mentioned above, we consider inappropriate the sentences issued for continuing the activities of the banned Islamic party 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 and Article 30 (preparation for forcible seizure of power) or Article 205¹ (support for terrorist activities). In 2022, there were 20 such sentences against 52 people (vs. eight against 23 in 2021), 30 of them Crimean Tatars. The offenders were sentenced to incarceration ranging from 11 to 19 years in a maximum-security penal colony, usually with part of the term to be served in prison, often with various additional restrictions. According to our information, at least nine out of 28 people detained on suspicion of Hizb ut-Tahrir involvement were placed under arrest in 2022 (we knew about 35 individuals arrested in 2021).

We consider inappropriate only two guilty verdicts issued under Article 205² CC on propaganda or justification of terrorism, both related to statements about Hizb ut-Tahrir. One case, against a blogger from St. Petersburg, was closed due to the expiry of the limitation period. We find at least one case opened in 2022 (in Kazan) potentially problematic and believe that many more such cases exist, but we increasingly lack information to make assessments.

Before proceeding to our data on the use of the CAO articles 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, only in the first half of 2022, sanctions under Article 20.3 and 20.3.1 CAO were imposed 2690 times (vs. 3183 under Article 20.3 CAO and 936 under Article 20.3.1 CAO for the entire 2021), and 507 times under Article 20.29 CAO (vs. 1319 times for the entire 2021).²⁸ 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 have no data of our own on the application of the new Article 20.3.3 CAO that punishes for discrediting the actions of the Russian armed forces and officials abroad. According to the data of the "Pravosudie" State Automated System collected by the Mediazona portal, as of the second half of December 2022, the total number of such cases submitted to Russian courts reached 5518.

28. See: Consolidated statistical data on the activities of federal courts of general jurisdiction and magistrates' courts for the first half of 2022 // Judicial Department at the Supreme Court of the Russian Federation. 2022 (<http://www.cdep.ru/index.php?id=79&item=7096>); Consolidated statistical data on the activities of federal courts of general jurisdiction and magistrates' courts for 2021 // Judicial Department at the Supreme Court of the Russian Federation. 2022 (<http://www.cdep.ru/index.php?id=79&item=6120>).

At least 120 people (vs. 55 in 2021) faced inappropriate charges under Article 20.3 CAO for the public display of Nazi, extremist or other prohibited symbols, according to our data. Three individuals were punished twice, and one person – 23 times. The offenders in all cases were individuals, and usually activists, but also ordinary social media users. The charges were most commonly based on posts that included symbols of projects that law enforcement agencies associated with Alexei Navalny, as well as on various images posted online and comparing the letter “Z” and the swastika. In 56 cases, the courts imposed a fine, in 50 cases – administrative arrest (here we count as one case the arrests imposed on one of the defendants under 23 reports); in seven cases the sanctions were lifted, in two cases we do not know the outcome, and in the remaining cases, we do not know what punishment was imposed. (We have no information on any criminal cases initiated inappropriately under the new Article 282⁴ for the repeated display of prohibited symbols.)

According to our information, at least 94 inappropriate cases were filed under Article 20.29 for mass distribution of extremist materials or storage of such materials with intent to distribute (vs. 90 in 2021). The defendants included 93 individuals and one legal entity. 65 cases pertained to sharing on social networks of a video by Navalny supporters about the unfulfilled promises of United Russia, which was very popular on the Internet more than a decade ago. Another 16 cases pertained to the distribution of peaceful religious materials, most often Islamic, that we regard as inappropriately banned. We know that in 89 of these cases, the courts imposed a fine as punishment; one case resulted in arrest, three cases were discontinued, and the outcome of one remaining case is unknown. Inappropriately punished individuals included opposition activists and believers that belonged to various religious movements as well as ordinary users of social networks.

We regard as inappropriate 65 cases under Article 20.3.1 CAO on inciting hatred or enmity as well as humiliation of human dignity based on belonging to a social group (a year earlier, we counted 24 such cases). The defendants were 64 individuals (one of them was punished twice and another one three times) and one legal entity. A fine was imposed in 39 cases, community service in 10 cases, arrests for a period of five to 15 days in 10 cases, three cases were closed, and the outcome of the last three is unknown. In the overwhelming majority of cases, inappropriate sanctions targeted critical statements against the authorities and the law enforcement made by internet users at different points in time. Some statements were still related to coronavirus restrictions, and some to recent events including the military operation in Ukraine.

At least 22 cases were filed in 2022 under Article 20.1 Parts 3–5 CAO (dissemination of information expressing disrespect for the state and the society in an indecent form on the Internet). There were at least 37 such cases in 2021 and 30 in 2020. A fine was imposed on 19 occasions; in one case a repeated offender was placed under arrest for three days; proceedings in eight cases were terminated. In almost all cases, the charges were related to disrespect for government representatives.

We know of five cases filed under the new Article 20.3.4 CAO that punishes calling for sanctions against Russia, its organizations or its citizens. Three people and one legal entity were fined for amounts ranging from 35 to 300 thousand rubles. In one case the court returned the claim to the prosecutor’s office. (According to our information, no criminal cases under Article 284² CC on repeated calls for sanctions were initiated in 2022.)

The new article on equating the actions of the USSR and Nazi Germany during World War II, Article 13.48 CAO, was applied at least five times, according to our information. One of these cases was closed, one person was fined one thousand rubles, and two others were placed under arrest for 15 days (one of them twice).

We recorded three cases of sanctions imposed under Article 20.3.2 CAO on calls to violate the territorial integrity of Russia, not accompanied by calls for any violent separatist actions (in such cases, we regard sanctions for discussing territorial issues as inappropriate). All three offenders were fined.

In 2022, we had serious doubts about the appropriateness of the decisions to recognize five organizations as extremist. We view the bans against the All-Tatar Public Center (VTOTs) in Tatarstan and the interregional Vesna movement in Moscow as inappropriate and the decision to ban a “citizens of the USSR” group in Samara, known as the Novokuybyshevsk All-Soviet Central Executive Committee as questionable. In addition, it is unclear on what grounds Columbine was recognized as a terrorist organization, since no available evidence suggests that school shooting fans, in Russia or abroad, form a single community. Finally, recognizing the activities of the Meta Corporation, associated with the social networks Facebook and Instagram, as extremist was also inappropriate, although, strictly speaking, this decision did not ban Meta per se.

The Federal List of Extremist Materials added 81 new items in 2022 (entries No. 5254 – 5334), compared to 110 new entries added in 2021, i.e., the downward trend of recent years, continues. We consider only eight items included inappropriately (vs. 19 in 2021): peaceful Islamic materials, an app with a library of Jehovah’s Witnesses materials, *the Rose of the Seraphites: The Bogomil Gospel* by Bishop Ioann (Veniamin Bereslavsky) of the Orthodox Church of the Sovereign Mother of God, a leaflet by Citizens of the USSR and others. We have to add, as usual, that we are not familiar with all the materials on the Federal List, and some other materials could also have been banned inappropriately. We believe that the mechanism of banning materials and adding them to a special long list is ineffective and leads to sanctions for disseminating information that poses no actual danger to society.

Appendices

The cases, initiated in 2022, for which no verdicts were issued in 2022:

Appendix 1. CC Article 280³

Nº	Last Name, First Name	Region	Allegation
1.	Nikitenko, Vladislav	Amur Region	Facebook posts (also Articles 297 P.1 an 2)
2.	Kalinina, Yelena	Archangelsk Region	no data
3.	Krivtsova, Olesya	Archangelsk Region	sharing an anti-war post on VKontakte (also Article 205 ² P.2)
4.	Chapurina, Yuliya	Archangelsk Region	anti-war public actions

№	Last Name, First Name	Region	Allegation
5.	Borovinskikh, Pyotr	Chelyabinsk Region	administering a public group on VKontakte (also charged under CC Article 354 ¹ Part 1, and separately CC Article 207 ³)
6.	Belozеров, Andrei	Crimea	posting via VKontakte
7.	Veselov, Sergei (2 cases)	Ivanovo Region	YouTube videos
8.	Nazarenko, Olga	Ivanovo Region	leaflets, posters
9.	Gusev, Mikhail	Ivanovo Region	a social media post
10.	Kamenyuk, Alexander	Kamchatka Krai	social media posting
11.	Yefimov, Vladimir	Kamchatka Krai	social media posting
12.	Latypov, Vladimir	Kemerovo Region	picketing with an anti-war poster
13.	Fedosov, Yevgeny	Khanty-Mansi Autonomous Okrug (Yugra)	re-posts on VKontakte
14.	Alibekov, Askhabali	Krasnodar Krai	YouTube videos
15.	Atamanchuk, Vladimir (aged 71)	Krasnodar Krai	leaflets
16.	Zykov, Georgy	Krasnodar Krai	posting in VKontakte public groups
17.	Skurikhin, Dmitry	Leningrad Region	social media posting, making anti-war mottos on the walls of his own shop
18.	Myaskovsky, Ilya	Nizhny Novgorod Region	VKontakte posts on pacifist public actions
19.	Pinigin, Alexei	Novosibirsk Region	graffiti on a monument
20.	Pchelintsev, Alexei	Orenburg Region	ripping-off Z-stickers in public places, posting on YouTube and VKontakte
21.	Badmaev, Valery	Republic of Kalmykia	a video featuring an Azov regiment fighter speaking on Russian armed forces
22.	Savinkina, Tatyana (aged 77, 2 cases)	Republic of Karelia	leaflets
23.	Unknown	Republic of Karelia	a post on VKontakte
24.	Semyonov, Alexei	Republic of Komi	posting via VKontakte
25.	Tushkanov, Nikita	Republic of Komi	social media posting (also CC Article 205 ² Part 2)
26.	Ivanov, Igor (Aikhal Ammosov)	Republic of Sakha (Yakutia)	a pacifist banner
27.	Nogovitsyn, Anatoly	Republic of Sakha (Yakutia)	sharing and commenting a video by journalist Yelena Kostyuchenko about the Ukrainian city of Mykolaiv

№	Last Name, First Name	Region	Allegation
28.	Mansurov, Albert	Republic of Tatarstan	posting via VKontakte
29.	Churinov, Ivan	Rostov Region	destroying banners in support of “special operation”
30.	Vdovichenko, Alexander	Sakhalin Region	private talk (arrested on charges of attempted murder)
31.	Arbuzenko, Alexei and his son aged 15	Samara Region	defacing banners in support of “special operation” (also CC Article 214 P. 2, Article 150 P. 4)
32.	Roizman, Yevgeny	Sverdlovsk Region	a record of a video streaming
33.	Skryabnev, Alexander	Sverdlovsk Region	social media posting
34.	Chagina, Anna	Tomsk Region	posting via VKontakte
35.	Pavlov, Andrei	Tula Region	social media posting
36.	Moskalyov, Alexei	Tula Region	posting via Odnoklassniki
37.	Tronev, Yevgeny	Voronezh Region	messages in a messenger’s group channel
38.	Karpov, Yevgeny	Voronezh Region	Telegram posts, YouTube videos

Appendix 2. CC Article 207³ Part 2 Paragraph “e”

№	Last Name, First Name, Job	Region	Allegation
1.	Ponomarenko, Maria; reporter, RusNews	Altai Krai	a report on events in Mariupol
2.	Gantsevsky, Ilya; salesman, LDPR and Young Guard of United Russia ex-activist	Crimea	a post on events in Kramatorsk critical of the Russian army’s actions <i>ностр о</i> (also charged under Article 228 Part 2 on drug storage on a large scale)
3.	Baryshnikov, Igor	Kaliningrad Region	Facebook posts on Bucha and Mariupol, Moskva guided missile cruiser, alleged crimes of Russian soldiers in Ukraine (also Article 207 ³ Part 1)
4.	Shumekov, Bulat	Kemerovo Region	statements on Russian army’s alleged crimes against Ukrainian civilians
5.	Baev, Dmitry; deacon	Kirov Region	VKontakte posts on the number of Russian soldiers killed in Ukraine and on the president’s unawareness on the matter (charges under one of extremist articles are also possible)
6.	Rose, Richard and Mary; activists	Kirov Region	VKontakte posts on events in Bucha and Hostome[

№	Last Name, First Name, Job	Region	Allegation
7.	Protasov, Prokhor; musician, composer	Kirov Region	Vkontakte posts on events in Bucha and Kremenchuk
8.	Nozdrinov, Alexander	Krasnodar Krai	a Telegram post
9.	Peterimova, Natalya; former staff of Navalny Headquarter in Krasnoyarsk	Krasnoyarsk Krai	no data
10.	Babin, Yevgeny; IT specialist	Kursk Region	a YouTube video (the channel has 10 subscribers) critical of the “special military operation” and Russian forces
11.	Danilov, Ilya; ex-coordinator of Navalny Headquarter in Lipetsk	Lipetsk Region	a video with recordings of Russian soldiers talking to their mothers
12.	Belotserkovskaya, Nika; blogger	Moscow	Instagram posts on актисты of Russian forces in Ukraine
13.	Klokov, Sergei (Vedel, Samiel); technician, Ministry of Interior	Moscow	phone records – talking to friends on actions of Russian troops in Ukraine
14.	Kotyonochkina Yelena; municipal deputy, left Russia	Moscow	a joint statement (together with Alexei Gorinov) on “special operation” during the district deputy council meeting on March 15, 2022, a video on Russian conscripts in Ukraine
15.	Nevzorov, Alexander; journalist	Moscow	YouTube videos and Instagram posts on shelling of Mariupol
16.	Kara-Murza, Vladimir; politician	Moscow	a statement at the Arizona state House on violations of international law by Russian forces in Ukraine (also charged under CC Article 275 on treason and Article 284 ¹ on participation in an undesirable organization)
17.	Kashintsev, Oleg; former police officer	Moscow	two social media posts: a video recording of interrogation of a Russian pilot downed in Ukraine and a collage featuring Putin and Hitler with an equation mark and a caption critical of military operations in Ukraine and the Russian president’s policy
18.	Ivanov, Dmitry; activist	Moscow	administering “Protestny MGU” (Protest MSU) Telegram channel, posting on events in Zaporizhzhia nuclear power plant, Mariupol, Bucha, Irpin and Kherson, sharing Vladimir Zelensky’s address to the people of Donbas

№	Last Name, First Name, Job	Region	Allegation
19.	Belkharoev, Ilyas; Ingush fighter	Moscow	reports from Ukraine on illegal actions of Russian (arrested in absentia on charges of murder of a chief police officer at the Republic of Ingushetia’s Counter-Extremism Center)
20.	Ovsyannikova, Maria; former editor for the Russian TV First Channel	Moscow	a picket with a poster which blamed Vladimir Putin and the Russian army for killing children in Ukraine
21.	Ponomaryov, Ilya; politician, former deputy	Moscow	videos posted on the Free Russia Forum YouTube channel: on shelling of Mariupol and Zaporizhzhia nuclear power plant, violations of international law by the Russian military (Ponomaryov spoke on three more cases filed against him; he didn’t go into details; the possible reason was his statement on a partisan group named National Republican Army claiming the responsibility for the murder of journalist and activist Daria Dugina)
22.	Simonov, Mikhail; former restaurant car manager	Moscow	two comments on VKontakte on events in Kyiv and Mariupol
23.	Verzilov, Pyotr; publisher of Mediazona website	Moscow	two tweets and two Instagram posts on Bucha
24.	Soldatov, Andrei; Agentura.ru website, editor-in-chief	Moscow	a video entitled “The FSB generals arrested because of war” on the “Popular Politics” YouTube channel with his participation featuring his observations on Rosgvardia involvement in the military operations in Ukraine
25.	Tolmachyova, Lyubov	Moscow	no data
26.	Osechkin, Vladimir; Gulagu.net project founder	Moscow	videos on the Gulagu.net YouTube channel (also charged for fraud)
27.	Glukhovskiy, Dmitry; writer	Moscow	a post on Instagram
28.	Onoshkin, Alexei; activist	Nizhny Novgorod Region	a post on events in Mariupol (later also charged under Article 205 ² CC)

№	Last Name, First Name, Job	Region	Allegation
29.	Rossiev, Andrei	Nizhny Novgorod Region	10 comments on VKontakte on events in Bucha and actions of Russian armed forces in Ukraine (also charged under CC Article 282 Part 2 Paragraph "a" for more than 20 online comments calling to violence against such social groups as Russian military and people who support the 'special military operation'; in September Rossiev was convicted under CC Article 205 ² Part 2)
30.	Unknown	no data; the case is in the 1 st Eastern District Military Court	no data (also charged under CC Articles 205 ² and 228 Part 2)
31.	Petrenko, Dmitry; Omsk City Council deputy	Omsk Region	a Telegram post on Mariupol
32.	Mikhailov, Sergei; Listok newspaper publisher	Republic of Altai	sharing information on Mariupol via Listok Telegram channel; a newspaper publication of a Wikipedia article on Bucha in brief
33.	Dolyaev, Erentsen; Kalmyk national movement activist, left Russia	Republic of Kalmykia	anti-war posts on Volny Ulus Telegram channel (an accomplice of Altan Ochirov who was found guilty in the case)
34.	Pogosyan, Ruben	Republic of Karelia	sharing posts on events in Bucha, Mariupol and Kramatorsk via VKontakte
35.	Schelupanova, Yelena; social worker	Republic of Karelia	no data (also charged under Article 205 ² CC)
36.	Drozdov, Pavel	Republic of Komi	two posts on a personal public channel of a messenger and two online comments on actions of Russian military forces; the case was returned to the prosecutor (also charged under CC Article 228 ¹ on drug trafficking)
37.	Filippov, Andrei	Republic of Mari El	no data
38.	Talantov, Dmitry; lawyer, ex-president of the republic's bar association, member of Ivan Safronov's defense team	Republic of Udmurtia	Facebook posts on events in Mariupol, Bucha and Irpin (also charged under CC Article 282 Part 2 Paragraph "b" which we see as inappropriate)

№	Last Name, First Name, Job	Region	Allegation
39.	Kotovich, Valery; Rosgvardia officer, served in the Ukrainian interior forces, got Russian citizenship in 2014	Rostov Region	statements critical of the "special military operation and the Russian army
40.	Rachkov, Maxim; physicist	Rostov Region	a VKontakte post on protests in Kherson
41.	Balin, Andrei; former co-chair of PARNAS party Samara branch	Samara Region	six VKontakte posts on events in Ukraine
42.	Nepein, Oleg; Balashov City Council Communist Party deputy, neo-pagan	Saratov Region	11 comments on military operations in Ukraine, including Bucha, posted on Saratov-Engels Telegram channel (also charged under Article 282 ⁴ CC on repeated display of Nazi symbols)
43.	Zavyalov, Vladimir	Smolensk Region	replacement of price tags in a local supermarket with pacifist leaflets
44.	Petrova, Victoria	St. Petersburg	a video on VKontakte contradictory to official reports of the Ministry of Defense
45.	Bestuzhev Yevgeny; activist of Solidarnost movement	St. Petersburg	VKontakte posts and interviews to Ukrainian YouTube channels
46.	Skochilenko, Alexandra; musician, artist	St. Petersburg	replacement of price tags in a local supermarket with paper labels containing information on events in Mariupol
47.	Smirnova, Olga; activist of Peaceful Resistance movement	St. Petersburg	seven posts on the movement's VKontakte page containing information on the military actions in Zaporizhzhia, Mariupol, Kharkiv Region and on the pacifist picket held by Smirnova on March 6
48.	Kurmoyarov, Ioann; priest of the Russian Orthodox Church Abroad	St. Petersburg	a video statement claiming that Russian soldiers killed in Ukraine are to go to hell since they do not bring peace
49.	Romanov, Boris	St. Petersburg	a video on VKontakte of a man looking like Romanov greeting the district council deputies on the end of the war following a peace process in Istanbul
50.	Belousov, Oleg	St. Petersburg	comments critical of Russian armed forces posted on St. Petersburg diggers' VKontakte page (also charged under CC Article 280 Part 2 for comments blaming Vladimir Putin of committing war crimes)

Nº	Last Name, First Name, Job	Region	Allegation
51.	Korolyov, Vsevolod; documentary filmmaker	St. Petersburg	making documentary films on the prosecution of Alexandra Skochilenko and Maria Ponomarenko
52.	Martynov, Alexander; Razumova Lyudmila	Tver Region	sharing videos on Russian military operations in Ukraine containing unofficial data (also charged under CC Article 214 Part 2 (act of vandalism committed by a group) for anti-war graffiti)
53.	Trofimov, Andrei	Tver Region	no data (also charged under Article 280 CC for VKontakte posts critical of the “special operation”)
54.	An unknown woman, left Russia	Tver Region	posts on “Zakroi za mnoi Tver” Telegram channel
55.	Kavinov, Ivan	Vladimir Region	Telegram posts
56.	Kochegin, Yevgeny; ex-coordinator of Navalny Headquarter in Volgograd	Volgograd Region	a Telegram post on Putin’s attack on Ukraine as an attempt to install a puppet government
57.	Domozhirov, Yevgeny; ex-coordinator of Navalny Headquarter in Volgda	Vologda Region	a series of social media posts on Russian armed forces strikes and acts of violence in Ukraine and on his own birthday in exile
58.	Vinter, Gregory Marcus Severin; activist	Vologda Region	a VKontakte post on Bucha and eight re-posts on events in Mariupol
59.	Semerenko, Maria	Московская область	an Instagram post on Bucha

Appendix 3. CC Article 214 Part 2

Nº	Last name, First name	Region	Allegations
1.	Snezhkov, Alexander; Lizunova, Lyubov, aged 16	Chita Region	“Death to the Regime” graffiti on a garage (also charged under CC Articles 205 ² and 280)
2.	Paskar, Igor	Krasnodar Krai	setting fire to a Z banner that said “We Do Not Abandon Our Own” (also charged under Article 205 Part 1)
3.	Kudryashov, Alexander	Leningrad Region	graffiti on a milestone and a gun pedestal at the Road of Life memorial (letter Z, equality mark, and swastika)

4.	a street artist from Moscow	Moscow	anti-war graffiti on a fence
5.	Kizevalter, Andrei	Moscow Region	defacing a Z banner
6.	a Vladikavkaz resident (female, aged 37)	Republic North Ossetia-Alania	defacing a banner in support of the “special operation”
7.	Kraval, Vladislav	Republic of Komi	anti-war graffiti with a crossed-out Z (also charged under CC Article 207 Part 2, false reporting on an act of terror)
8.	Skoreev, Sergei; Yerzhenkov Sergei	Ryazan Region	a graffiti on Lenin monument (the case was twice dismissed and then brought back to court)
9.	Arbuzenko, Alexei and his son aged 15	Samara Region	defacing banners in support of the “special operation” (also charged under CC Article 280 ³ Part 4, Article 150 Part 4)
10.	two residents of Sevastopol	Sevastopol	undefined protest against the “special operation” (also charged under CC Article 329 on desecration of the state’s flag)
11.	Ledyakin, Yegor (aka Leonid Chyorny, member to PSLCh street art group)	Sverdlovsk Region	making graffiti and posting stickers on buildings in Yekaterinburg
12.	a Novomoskovsk resident, aged 28	Tula Region	anti-war graffiti
13.	Zavadsky, Anton; Khandzhigazov, Faik	Tula Region	anti-war graffiti made in the halls of four apartment buildings (possibly also charged under Article 280 CC)
14.	a resident of Alexin	Tula Region	making graffiti critical of the president and the government on administrative buildings; setting fire to banners in support of the “special operation”
15.	Martynov, Alexander; Razumova, Lyudmila	Tver Region	making graffiti on buildings (also charged under CC Article 207 ³ Part 2)
16.	Kalinin, Vladimir	Yaroslavl Region	setting fire to Z banner

Challenges to Freedom of Conscience in Russia in 2022

We present a report that is based on data gathered in the course of monitoring conducted by our Center. The data is presented on the Center's website in the "Religion in Secular Society" section (www.sova-center.ru/religion), including links to sources in the media and on the Internet; only the 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 intent to provide a comprehensive description of all events in the socioreligious sphere; the events mentioned in the report tend to be illustrative of noted trends.

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

Summary

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 list of religious organizations whose activities have been recognized as undesirable in Russia was expanded to include two Ukrainian-based Charismatics' organizations. Believers of the organizations that were previously recognized as undesirable, mainly the New Generation, were subjected to administrative and criminal prosecution.

Criminal prosecution also continued against members of other religious organizations, most notably Jehovah's Witnesses. Although the intensity of repressions against them, in terms of the number of new cases, has decreased, the sentences have, on the contrary, become harsher, and previous acquittals have been reversed. At the same time, older people and people with disabilities continue to be sentenced to real prison terms.

Administrative prosecution of believers for "illegal missionary work" remained at the same level and affected representatives of all religious groups, although Protestants, as before, were prosecuted under Article 5.26 of the CAO more often than other believers.

Criminal prosecution for insult of religious feelings was carried out almost as actively as in the previous year, and as before, the state was the frequent initiator of such prosecutions. Public defenders of the believers' feelings were active a little more frequently than in previous years, and for the first time after a couple of years of silence allowed themselves a few cases of threats and even certain violence.

At the same time, the situation with the construction and operation of religious buildings has improved somewhat. In Moscow, the construction of modular churches was

not accompanied by conflicts, with perhaps just one exception, while in the regions, in many cases opponents of construction limited themselves to expressing their discontent on social networks. When protests grew into something more serious, participants in the conflict often managed to reach a compromise. Conflicts over the use of existing buildings seem to have decreased even in comparison to last year, when we noted a decrease in their number, and conflicts over the transfer of state property, including museum property, to religious organizations were noticeably less frequent than before.

Religious leaders reacted to the armed conflict in Ukraine in a variety of ways, ranging from full support for the actions of the Russian state to condemnation thereof. The reactions of clergymen were, of course, more diverse and at times stronger than those of the leadership. Some of those who voiced their critical attitude were held accountable, both administratively and criminally. For example, priest Ioann (John) Burdin, rector of the Church of Resurrection in village of Karabanovo, the Kostroma region, was fined under Article 20.3.3 part 1 of the Administrative Code (public actions aimed at discrediting the Russian Armed Forces) after he announced his position during the sermon, as was proto-deacon Andrey Kuraev, who posted his opinion on the social network.

A hieromonk of the Russian Orthodox Church Abroad under the omophorion of Metropolitan Agafangel, Nicander (Evgeny Pinchuk) was first fined under the same administrative article for criticizing the actions of the Russian army, and then convicted under Part 1 Article 280.3 of the Criminal Code (the same actions, committed repeatedly) for his critical post on VKontakte. A criminal case was immediately initiated against priest Ioann Kurmoyarov, banned from serving, on the more serious charge of spreading 'fake news' about the army actions with the motive of hatred (Paragraph E, Part 2, Article 207.3 of the Criminal Code), and he has been in custody since June.

In addition, Mexican-born priest Fernando Vera, rector of the Catholic parish of Saints Peter and Paul in Moscow, was expelled from Russia right before Easter for his criticism of the fighting in Ukraine. Some clergymen left Russia on their own.

But so far, in summarizing all the events of the year, it is difficult to say how the armed conflict, which has had such a profound effect on many aspects of life in Russia, has affected the situation with regard to freedom of conscience.

Legal Regulation

In 2022, several laws and regulations were passed that affected in one way or another the existence of religious organizations.

On November 23, the State Duma approved in the second and third readings a bill that was approved by the Federation Council on November 30 and signed by Vladimir Putin on December 5, prohibiting rallies, marches, demonstrations, and assemblies near a number of sites, including religious sites.

At the time the bill was introduced to the State Duma, experts and religious organizations were concerned about the amendments related to religious organizations. According to Hegumenness [Mother Abbess] Ksenia (Chernega), head of the Moscow Patriarchate's Legal Administration, the amendments contradicted Paragraph 3 of Article 16 of the Law On Freedom of Conscience and Religious Associations. The amendments contra-

1. Olga Sibireva. Freedom of Conscience in Russia: Restrictions and Challenges in 2021. SOVA Center. 2022. P. 105–129.

2. Maria Kravchenko. Inappropriate Enforcement in 2022.

dicted Article 16 (3) of the law “On Freedom of Conscience and Religious Associations.” “The bans established by the bill would apply to public religious ceremonies, including prayers, religious processions on the territories of medical and social welfare organizations not included in the list established by Article 16 of the aforementioned law. For example, a public religious ceremony would not be allowed on the premises of a hospice, rehabilitation center, etc. Also, it will be impossible to hold such religious rites on the territories of sports grounds, railway stations, and airports,” said the Hegumeness.³ However, by the time the law was passed, all these contradictions had been eliminated. According to the Hegumeness, lawmakers took into account all the wishes of the ROC.

Around the same time amendments to the Law on Customs Regulation in the Russian Federation and on the Introduction of Amendments to Certain Legislative Acts of the Russian Federation were adopted and signed. These amendments expand the list of organizations claiming gratuitous receipt from the customs of goods transferred into state ownership. NPOs engaged in charitable activities, including religious organizations, were added to this list.

On December 15, 2022 the State Duma passed in the second and third readings a law On Amendments to Article 5-1 of the Federal Law on State Support of Cinematography of the Russian Federation and Articles 1 and 17 of the Federal Law on Protection of Children from Information Harmful to Their Health and Development. The draft law simplifies age marking for works of literature and art. Among other things the adopted amendments stipulate that the Bible, the Koran, the Tanakh, and the Kangyur, as well as works of literature included in the general education program not be marked. The bill was approved by the Federation Council on December 23rd and signed by Putin on December 29th.

Around the same time the Federation Council approved and the President signed the law on the unified system of personal data, adopted by the State Duma on November 21 in its third reading. The ROC has prepared its own amendments to this law. The purpose of the amendments was to ensure that citizens refusing to submit to biometric identification would not be discriminated against. Patriarch Kirill made an appeal about this matter to Speaker Vyacheslav Volodin in December. The legislators took into account the opinion of the ROC and by the second reading finalized the bill so that the compulsion of citizens to pass biometrics was prohibited by law, and responsibility was established for such coercion.

Projects That Have Not (Yet) Been Developed

In July the Russian Orthodox Church offered its additions to the amendments being prepared to Article 26 of the law Fundamentals of Legislation on Culture and Articles 7 and 16 of the law On the Museum Fund and Museums in the Russian Federation. The bill had not yet been submitted to the State Duma in August. According to Hegumeness Ksenia (Chernega), head of the Moscow Patriarchate’s Legal Administration, the Church suggests that “*museum objects and museum collections of religious purpose included in the state part of the Museum Fund of the Russian Federation and owned by the state could be transferred for free use to religious organizations with the permission of the federal executive authority in the field of*

3. The Russian Orthodox Church is concerned about the prospect of a ban on marches near religious sites // Pskov Newswire. 2022. 10 June (<https://pln-pskov.ru/church/chnp/450234.html>).

culture on the basis of relevant agreements in accordance with the procedure established by the Government of Russia.”⁴

These amendments were proposed shortly after Andrei Rublev’s Trinity icon was loaned to the Trinity Lavra of St. Sergius for worship in defiance of the museum’s position. At the time of writing, the amendments had not been submitted to the State Duma.

In December, Nina Ostanina (CPRF), head of the Duma Committee on Family Affairs, announced her intention to draft a bill to toughen criminal liability for fraudulent healings, although most previous attempts to legislate in this area had previously completely failed.

We should note two more initiatives of an “anti-sectarian” nature that have not yet been developed. In July, participants of a meeting of the section on neutralizing internal threats to national security of the Security Council’s scientific committee announced that the exercise of the right to freedom of conscience “*should not violate the foundations of the constitutional order... have a negative impact on national defense and state security,*” and proposed fixing in the Russian legislation the concepts “destructive religious sect”, “foreign religious organization”, “traditional religion (confession)” and “non-traditional religion (confession)”, “religious extremism”, “religious radicalism”, and “religious fundamentalism.”

In October, Duma deputy Alexei Chepa (A Just Russia party) sent a letter to Prosecutor General Igor Krasnov with a proposal to ban the ideology of Satanism and Satanist organizations. According to the deputy, followers of Satanist cults, supported by the US Department of State, became more active in connection with military actions in Ukraine and threaten the security of the Russian Federation.

Decisions of Higher Courts

Mention should also be made of the November Supreme Court review of cases involving the transfer of religious property to religious organizations. The Supreme Court has practically consolidated the existing status quo by defining religious property (“*built not only for the implementation of the main activity of religious organizations aimed at the communal confession and dissemination of faith, but also for the direct provision of this activity*”) and stating that only state or municipal property may be transferred, and also by stating that the absence of information on the cadastral registration of the disputed property cannot be a reason for refusing to transfer it to a religious organization.

Perhaps the most important for this review is Paragraph 2, which states that when deciding on the transfer priority is given to the purpose for which the building was built, “*and not the functional purpose and type of use of this property at the present time. Changing the purpose of the property in the course of its operation by a non-religious organization and using it for other purposes does not affect the definition of the property as immovable property of religious purpose, if the court has established that the object was built to carry out one of the activi-*

4. The Russian Orthodox Church proposed amendments to the law on the transfer of relics from museums // RBK. 2022. 22 July (<https://www.rbc.ru/politics/22/07/2022/62dac5409a7947867ebb602d>).

ties of religious organizations, established by the Law on the Transfer of Religious Property to Religious Organizations.”⁵

On the one hand, for religious organizations, this simplifies the process of substantiating claims, because in most cases the religious designation can be confirmed by an archive certificate. On the other hand, as lawyer Sergei Chugunov of the Slavic Legal Center notes, this clause will make it virtually impossible for some religious organizations, particularly Protestant ones, to obtain property, since during the Soviet era, having no possibility of building houses of worship, religious organizations were forced to build and use residential and other premises for liturgical purposes.⁶

The Constitutional Court of the Russian Federation in November refused to consider the complaint of Baptists from Anapa, who asked to clarify how the communal confession of faith differs from the creation of a religious group. Believers asked for an explanation whether Articles 28 and 30 of the Constitution of the Russian Federation comply with the provisions of the first sentence of Paragraph 1 of Article 7 and the first sentence of Paragraph 2 of Article 7 of the Law On Freedom of Conscience and on Religious Associations.

The applicant, together with his fellow believers, had been professing his faith since 1996 without creating a religious group, since such a concept did not exist in the legislation at that time. In 1997, the concept of religious group appeared in the Law On Freedom of Conscience and on Religious Associations, and in 2015, amendments to Article 7 of this law obliged representatives of such groups to submit notifications about the beginning of the group’s activities. At the beginning of 2022, the court, at the request of the prosecutor’s office, banned the activities of the religious group that had never been created by the applicant for failure to provide the appropriate notification, and it was not possible to appeal this decision.

The Constitutional Court registered the complaint, but refused to consider it. In the ruling on the refusal, the CC cites its previous decisions, reducing the essence of the complaint to the implementation of missionary activity, although the complaint did not address this activity at all.

Problems Concerning Places of Worship

Problems Concerning the Construction of Temples

As before, religious organizations occasionally encountered difficulties with the construction of religious buildings. In most cases, as in previous years, these problems were

5. Review of judicial practice on disputes on the transfer of religious property to religious organizations // Website of the Supreme Court of the Russian Federation. 2022. 16 November (<https://vsrf.ru/documents/thematics/31766/>).

6. The Supreme Court of the Russian Federation approves review of judicial practice on disputes on the transfer of religious property to religious organizations // Telegram channel of lawyer S. Chugunov. 2022. 21 November (<https://t.me/chugunovsv/96>).

due to the poor choice of site for construction – often in green areas – and the refusal to hold public hearings or holding them with violations, as a result of which the opinion of local residents was not taken into account. As in previous years, most of these conflicts were related to the construction of Orthodox churches. Protests against their construction were noted, in particular, in Vladivostok, Irkutsk, Murmansk, Samara, Severodvinsk, Togliatti, and Ulyanovsk.

In Moscow we have information about only one major conflict around the construction of a temple, in Salaryevo: the local residents were unhappy about the selected site near the metro station Filatov Lug, next to the Salaryevo Park residential complex, because the construction of a church there required cutting down a part of the Ulyanovskforest park. Opponents of the construction proposed to move it to another place where it would not entail the destruction of the forest. Moreover, they were not happy about the fact that, due to the location of the residential complex on the territory of two administrative units, Sosenskoye and Moskovsky, simultaneously, the residents of one of the settlements could not, for purely formal reasons, participate in the hearings. Opponents of the construction appealed to the Prosecutor’s Office, to Moscow Mayor Sergey Sobyenin, and to Patriarchal Vicar Metropolitan of Kashira, Feognost (Guzikov) with a request to intervene. We only know about the Prosecutor’s office’s response: it did not find any violations in the choice of construction site.

In other regions, similar conflicts occurred regularly. For example, residents of Ulyanovsk protested against the appearance of a temple in the green zone on Karbyshev Street (the Novy Gorod district). The participants of the July gathering wanted a park to be planted there, and also expressed concern about possible inconveniences from the close proximity of the temple to residential buildings and a school. Representatives of the district administration assured the protesters that the lease of the site for the temple construction was in accordance with the results of public hearings, but could not explain when exactly these hearings were held and who participated in them.

In Togliatti, the conflict over the construction of a temple in the park of the Rusich recreation center continued. Residents demanded cancellation of the construction permit, since the location of the future temple is too close to residential buildings, and it would be necessary to tear down a playground to make space for its construction. Officials and the city дума supported the construction, referring to the fact that this temple also appeared in the general plan approved in 2011 after public hearings. In the summer, the dismantling of the playground at the construction site began, but the authorities promised to restore “small architectural forms” after the construction of the temple, as well as build an observation deck (the park is located on the banks of the Volga) and a public toilet. It should be noted that the deputies reproached the diocese for not being ready to communicate and cooperate with the local population. “*The diocese should also give explanations and hang a poster of some kind. In the 15th quarter they built a sports ground next to the temple, held a grand celebration, and thus managed to ease tensions. As a result, the religious building is being slowly completed there, and there is practically no outrage,*” the deputy Nikolay Ostudin said at a дума meeting.⁷

7. Lipov A. Why are the people unhappy? Perhaps we’re not working enough? // Volny Gorod [Free Town] Togliatti. 2022 (<http://www.vgorod-tlt.ru/n29-22/?n=9170>).

Residents of the town of Volzhsky of the Volgograd region appealed to V. Putin to intervene in the situation with the construction of the Church of St. George the Victorious on the intersection of Karbyshev Street and 87th Gvardeiskaya Street without prior public hearings. The townspeople would prefer a kindergarten, a school, a medical center, or a public recreation space to be constructed there. Their appeal was forwarded to the local administration.

Residents of Obninsk, the Kaluga region failed to challenge the decision of the Obninsk City Court, which recognized the construction of the Church of Alexander Nevsky in the Old City as legal.

Often, the townspeople's protests were limited to statements in social networks, and the conflicts did not spill out beyond them. For example, the mayor of Novokuznetsk offered citizens a choice of three sites for a new chapel, but the online poll participants rejected all three, saying that the city needed not religious objects, but playgrounds, sports facilities, and schools.

Makhachkala residents expressed outrage in social networks at the upcoming construction of an Orthodox temple in a park on the shore of Ak-Göl lake. Discussion participants considered the construction of a religious facility to be inappropriate, given the insufficient number of schools. Some pointed out that the stone laying ceremony at the construction site took place before the permits were issued, which is a violation of the law.

Residents of the Snegovaya Pad' district of Vladivostok expressed dissatisfaction on social networks with the allocation of a plot for the construction of a temple without their consent. They would like to see another object in that location, such as, for example, a kindergarten, and are also concerned about possible felling and inconvenience "from noise and tramps," which, in their opinion, accompany the appearance of the temple.

In the spring, the majority (62%) of participants in a survey conducted by Nizhny Novgorod activist Sergey Gostev spoke out against the construction of new churches in the city.

We know of only one conflict related to the construction of religious buildings by other religious organizations: it has been going on since 2021 around the construction of a cathedral mosque in Kazan. In May, the republic's leading architects spoke out against the construction of the mosque on the site of Kyrlyay Park and called for the construction to be moved to another site, but their opinion was not taken into account. In August, at the request of the republican Ministry of Construction, Architecture, and Housing, the Kazan City Duma approved amendments to the city's rules on land use and development, increasing the allowed size of land plots for "religious ceremonies," which would allow the building of a mosque on the disputed site.

In a number of cases, the authorities sided with the opponents of construction, or the opposing sides managed to reach a compromise. Thus, in Nizhnevartovsk, following the results of a vote organized by the municipal authorities, the Department of Architecture and Construction of the city administration recommended rejecting the plan for building a temple on Heroes of Samotlor street. The townspeople felt that they could not sacrifice a green area for the construction of a religious object.

In Samara, RosReestr supported local residents who opposed the chapel in the courtyard of the house on the Sixth Lane. It was built back in 2011, against the townspeople's will, but in 2022 the construction of the bell tower caused a new wave of discontent. The regional Ministry of Construction confirmed that it had not issued a permit for the construction of a religious object on this site. Rosreestr and the Ministry of Internal Affairs started checking the legality of the construction of a religious object on that spot.

Irkutsk residents failed to challenge the 2021 court decision that recognized as legal the decision of the mayor's office to allocate a plot for the construction of the Church of Alexander Nevsky in the Primorsky district of the city. However, they managed to achieve a reduction in the area and height of the temple under construction and an increase of the green zone to be landscaped after construction completion.

In Krasnoyarsk, the long-term conflict over the construction of the cathedral on Strelka [old city district on a river island] was resolved. After public protests, the diocese agreed to build a small wooden church instead of a cathedral at the confluence of the Yenisei and the Kacha, to be included in the pedestrian route that starts on the embankment.

We should add that in October, the curator of the modular temples construction program Vladimir Resin admitted that temples should not be built in parks: "*We have sometimes been criticized for building in parks, and yes, I think we should not build in existing parks. But improving the territory, creating landscaped park spaces around temples, building a park and a temple at the same time – that is the best solution for the city.*"⁸

Problems With the Exploitation of Existing Buildings

As in previous years, religious organizations occasionally encountered difficulties in operating existing buildings, but we know of fewer such cases than in 2021.

Perhaps the most notable of them is the attempt of the Perm administration to take away from the New Testament Church of Evangelical Christians (Pentecostals) the building of the Lenin Palace of Culture, purchased by the religious organization from the former owner, LLC Motovilikha Plants, in the mid-2000s. The Department of Land Relations demanded 11.8 million rubles from the religious organization through court – the debt for the use of the site on which the palace of culture is located, since it is publicly owned, with interest for the period from March 1, 2018 to February 28, 2021. In May, the Arbitration Court of Perm Krai partially satisfied the demand of the city authorities, ruling that the religious organization should pay the mentioned amount, but refusing to charge interest on it. It was not possible to challenge neither this decision, nor the refusal to grant a deferral on the payment of the debt.

Simultaneously, the authorities were trying to persuade the religious organization to sell the building, but found its price unacceptable. In December, at a meeting of the Perm City Duma, Communist Party deputy Gennady Storozhev proposed switching from beliefs to administrative methods, citing Stalin's experience: "*In addition to financial means, there are probably administrative ones. We can recall Joseph Stalin, who said: an individual cannot resist the power of the state. Why do we have a rather dubious entity opposing the power of the state?*"⁹

8. A Duma deputy close to the ROC admitted that temples should not be built in parks // Politsovet. 2022. 5 October (<https://politsovet.ru/75293-blizkiy-k-rpc-deputat-gosdumy-priznal-chto-stroit-hramy-v-parkah-ne-nado.html>).

9. The leader of Perm comments on the buyout of the Lenin Palace of Culture from the Evangelists // Business Class. 2022. 20 December (<https://business-class-su.turbopages.org/business-class-su/s/news/2022/12/20/glava-permi-prokomentiroval-vykup-dk-im-lenina-u-evangelistov>).

In March, the authorities of Novosibirsk terminated the contract with the Muslim community Ikhlas on the gratuitous use of the building of the historical mosque. The reason was a number of violations – fire safety requirements, anti-terrorist protection, as well as migration legislation: according to law enforcement agencies, the head of the religious organization, imam Rafail Suleymanov, used the building as a hostel for migrants. A case was initiated against the imam under Part 1 of Article 322¹ of the Criminal Code of the Russian Federation (organization of illegal migration). In May, the mosque building was handed over for operational management to the regional Inspectorate for the Protection of Monuments.

The conflict continued around the Buddhist monastery of Shad Tchup Ling on Mount Kachkanar in the Sverdlovsk region. In March, after the expiration of the time period for the voluntary compliance with the 2014 court decision on the demolition of the monastery buildings, the mining company Evraz began demolition. The outbuildings were demolished, while religious buildings were left standing. The company has even built a road to the buildings. The Buddhist community relocated to the village of Kosya, where they were going to build a new monastery. In May, the Way of the Buddha religious organization appealed to the Sverdlovsk Arbitration Court with a lawsuit against the vice-governor and Evraz management demanding guarantees of the inviolability of the Buddha monument and stupas located within the Kachkanar monastery grounds, which the community was forced to leave. The court dismissed the claim without consideration, considering that it was filed by a person who does not have the appropriate authority.

The confiscations of property from Jehovah's Witnesses continued. During the year, the courts of Volgograd and the Volgograd region declared void transactions on the transfer of property of religious organizations to other owners in Volgograd and Surovikinsky district. In Kabardino-Balkaria, the court invalidated the transaction on the transfer of the property of Jehovah's Witnesses in May to the Swedish organization. These decisions entail the transfer of property to the State.

The Church of the Last Testament once again failed to challenge the 2021 decision on the confiscation of its land plot: in January, the Supreme Court of the Russian Federation refused to consider the religious organization's complaint by the judicial board for economic disputes. And in March, a criminal case was initiated under Part 3 of Article 286 of the Criminal Code (abuse of official authority with serious consequences) in connection with the approval in 2010-2012 of the general plan, according to which the lands of the Cheremshansky Village Council were allocated for Vissarionites' settlements.

Orthodox Christians sometimes encountered problems concerning their premises, too. For example, in Chelyabinsk, due to the extension of Kashirin Brothers Street, it was necessary to move the temporary building of the Church of St. John the Theologian. The project for the new road is still being finalized, the fate of the temporary church has not been definitively determined, but the parish is ready, if necessary, to move the structure to another part of the site, although it recognizes that the move will not be easy since, in addition to services, Sunday school classes are held inside the temporary church building.

Sometimes difficulties concerning the use of buildings arose through no fault of the authorities. For example, the Murmansk Full Gospel Church was forced to put the church building up for sale due to a decrease in the number of parishioners.

Religious organizations apparently managed more often than a year earlier to defend the premises they used, including in court. Thus, the Church of Evangelical Christians-Baptists of Ukhta managed, after several years of litigation, to achieve recognition of its ownership of its house of prayer. The city administration had refused to issue an operation permit because shortly after the completion of construction, the city council changed the building rules, as a result of which the house of prayer was located in an area where the construction of religious objects was not allowed. The Ukhta City Court sided with the religious organization, noting that a change in the zoning of the city territory cannot serve as a basis for non-recognition of ownership of an object of immovable property in the absence of other violations.

In Syzran, the court rejected the demand of the city administration to demolish the Fayzulla Mosque, which the city authorities considered an unauthorized construction, since the building was built on a plot intended for residential construction, the plot was not properly documented, and the staircase went beyond the boundaries of the plot.

In Moscow, a Diamond Way Buddhist Center defended its rights to a building in Kаланchevsky Lane in court. Court hearing was required due to the fact that the former owner of the building was declared bankrupt and the bankruptcy trustee tried to get the sale recognized as fictitious. The court overturned the bankruptcy of the seller and stopped the attempts to challenge the sale.

Several Orthodox parishes in various regions were able, after filing court claims, to formalize ownership of the buildings they used. For example, in Moscow, the patriarchal compound in Zaryadye claimed ownership of several outbuildings on Varvarka, and the parish of Michael the Archangel in Ovchinniki secured ownership of the parish house building, which the city property department considered an illegal construction.

The Arbitration Court of Tatarstan granted the claim of the Kazan Diocese to the administration of Kazan for recognition of ownership of the administrative building in the courtyard of the church of the Hieromartyr Kirill, Metropolitan of Kazan, on Chistopolskaya Street, for the commissioning of which the authorities were refusing to issue a permit for a very long time since its area exceeded that specified in the building permit documentation.

In Vologda, the parish of the Church of the Intercession of the Most Holy Theotokos in Kirillovskaya Yamskaya Sloboda achieved recognition of its ownership of this temple, which is an object of cultural heritage. In Samara, the Orthodox parish in the name of the Holy Martyrs Vera, Nadezhda, Lyubov, and their mother Sofia obtained through court the confirmation of its ownership of the baptistery buildings on Chapaevskaya Street. The parish of the Church of the Nativity of Christ in the village of Sablino in the Sasovsky district of the Ryazan region registered ownership of the temple, which it used for many years and bore "the burden of maintaining the above-mentioned object." And in the Oryol region, the Pokrovsky (Intercession) parish of the village of Stanovoy Kolodez of the Oryol district achieved ownership not only of the church building used since 1999, but also of the buildings of Sunday school, chapel, and hotel.

Perm City Hall announced its intention to file a lawsuit against the Armenian church Surb Grigor Lusavorich with a request to vacate the land plot on Chkalov Street, the lease of which expired in 2020. The church announced a counterclaim to the court, but then it became known that the parties managed to reach an out-of-court settlement, and the city administration no longer intended to seize the plot from the religious organization.

Conflicts Over the Transfer of State Property to Religious Organizations

State and municipal property was still periodically transferred to religious organizations, and, as before, most of it was transferred to the Russian Orthodox Church. For example, in Moscow, the church of the Kazan Icon of the Mother of God in the Streshnev-Golitsyn estate, used by the parish since 1992, was transferred to the ROC. And in Toropets, the Tver region, the Rzhev diocese was given the Trinity Church and three cells buildings with a fence, part of the Trinity-Nebin Monastery and a cultural heritage object of federal significance.

Sometimes property that did not have a religious purpose was transferred to religious organizations. For example, in Syktyvkar, the former maternity hospital building was transferred to the diocese to accommodate an Orthodox gymnasium. The contract on gratuitous use was concluded with the charitable foundation for the construction of the Orthodox gymnasium at the Holy Ascension Church of Syktyvkar, which, in accordance with the contract, must ensure the safety of the transferred building, a cultural heritage object.

In some cases, religious organizations were unable to obtain the desired property. Thus, the Property Relations Committee of St. Petersburg refused to transfer to the local branch of the Caritas Roman Catholic Charitable Society the building of the former shelter for boys on Kirillovskaya Street. The committee's refusal was explained by the fact that the building was not built directly for Caritas and was not a religious property, although the organization provided an archival certificate indicating that the building and the site belonged to Caritas. However, the committee found that the building could not be transferred to a religious organization.

Typically, property transfers went in a peaceful manner. In Nizhny Novgorod, the mayor's office ignored the public discussion participants who spoke out against the transfer of a kindergarten building to the local diocese and proceeded to hand the building over; apparently, the conflict did not escalate following the transfer.

In all cases known to us, transfer of property belonging to museums and educational institutions to the ROC went on as normal, with the authorities offering compensation to organizations whose property was seized or the parties reaching a compromise. For example, the building of the Faculty of Social Technologies of the North-Western Institute of Management of the Russian Academy of National Economy and Public Administration, which until 1917 housed the Alexander-Mariinsky House of Charity for the retired and orphaned clergy, was handed over to the parish of the Cossack Cathedral of the Elevation of the Holy Cross in St. Petersburg. It was agreed that the university will use the building for another five years until a new premises is found. In Nerekhta, the Kostroma region, where the Church of the Epiphany, which housed a museum, was handed over to the ROC, it was decided to transfer the exhibits to other museums, and the diocese undertook to restore the church and not impede tourists' access to it.

The only conflict concerned the temporary transfer of an icon stored in a museum to the Russian Orthodox Church: in July, contrary to the opinion of the museum community, at the request of the Patriarch and with the permission granted "as an exception," the Rublev's Trinity icon was delivered from the Tretyakov Gallery to the Trinity-Sergius Lavra in honor of the celebrations of the 600th anniversary of the uncovering of the relics of

St. Sergius of Radonezh. This transfer, albeit temporary, caused a wide public outcry, as experts warned that changing the storage conditions, even for a short time, could be disastrous for the icon. Nevertheless, the relic spent three days in the Lavra.

In Ryazan, the conflict that had been going on since 2021 over the transfer of the building of French School No. 6 to the diocese has come to an end. In March, the Arbitration Court of Appeal approved a settlement agreement between the Ryazan Diocese and the administration of Ryazan, according to which the school building was transferred to the ownership of the diocese, and the latter concluded a contract with the school on the gratuitous use of the building for a period of seven years. During this time, the city administration is to commission a new building for the school.

Discrimination Based on Religion

Recognition of the Activities of Religious Organizations as Undesirable

On November 18, the Prosecutor General's Office added two Charismatics' organizations based in Ukraine to the list of organizations whose activities in Russia are deemed undesirable: the religious organization All-Ukrainian Spiritual Center Vozrozhdenie ["Revival"] (religious organization "All-Ukrainian Spiritual Center 'VIDRODZHENNYA'" [spelled in Ukrainian]) and the associated Vladimir Muntyan's charitable foundation Vozrozhdenie ("CHARITABLE FOUNDATION 'VIDRODZHENNYA' OF VOLODIMIR MUNTAN" [Ukrainian title cited]). In their activities, the Prosecutor General's Office saw a threat to the constitutional order and security of the Russian Federation, without specifying what exactly that threat was.

Believers from religious organizations previously deemed undesirable were subjected to both administrative and criminal prosecution. For example, in several regions, the believers of New Generation were searched as part of the case under Article 284¹ of the Criminal Code (organization of 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 a number of cases, violence was used against believers: Novokuznetsk pastor Alexander Grishin was forced onto the floor by the security forces, scaring the child who was present. In Moscow, on charges under Part 3 of the same Article, the pastor of another church of Evangelical Christians (Pentecostals), Christ the Savior, Nikolai Ulitin, was imprisoned.

In the Ulyanovsk region, a case was opened against a 57-year-old resident of Dimitrograd under paragraphs "a, b" of Part 2 of Article 171 (illegal entrepreneurship by an organized group with the extraction of income on a particularly large scale) and part 2 of Article 284¹ of the Criminal Code. In particular, he is charged with raising funds in support of World Institute of Scientology Enterprises International (WISE Int.), recognized as undesirable.

Several participants of the pastoral conference held in Ramenskoye in December 2021 were prosecuted 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 on the territory of the Russian Federation). Under this Article, the pastor of the Novokuznetsk New Generation church Egor Sigarev was fined 7000 rubles, the pastor of the Sochi New Generation church Arthur Megrikyan – 5000 rubles, and pastor Jan Schneider – 5000 rubles.

The New Generation pastor in Kemerovo, Andrei Matyuzhov, was also fined 5000 rubles under the same Article for republishing materials of the foreign New Generation on his page in a social network and for publishing an interview with the leader of the Ukrainian New Generation, Andrei Tishchenko.

And in Anapa, at the request of the prosecutor's office, the court blocked the VKontakte page of the Church of Christ the Savior, of the New Generation movement. The court, following the lead of the prosecutor's office, found that the group, numbering 200 users, poses "a threat to the foundations of the constitutional order of the Russian Federation."

Criminal Prosecution

The criminal prosecution of Jehovah's Witnesses continued. During the year, new criminal cases on the continuation of the activities of an extremist organization, according to the Jehovah's Witnesses themselves, were initiated against 77 people (against 142 people in the year 2021).

There were 59 guilty verdicts under Article 282² of the Criminal Code (organizing the activities of an extremist organization) and Article 282³ (financing the activities of an extremist organization) (in 2021 – 68) against 118 persons (in 2021 – 105). At the same time, the penalties became harsher: 45 people, including elderly, women, and people with serious health problems, were sentenced to real terms ranging between one year and four months and seven and a half years in prison. According to Jehovah's Witnesses, the average sentence was five and a half years (in 2021 – five years). 61 believers received suspended sentences (68 in 2021) of up to six and a half years. 11 people were sentenced to fines between 350000 and 600000 rubles (in 2021 – 10) and one to correctional labor.¹⁰ (Four people sentenced to real and two to suspended terms of imprisonment, whose sentences were later canceled, are not taken into account here. Although the sentences may be reviewed, and people punished.)

One of the cruelest sentences was handed down to 53-year-old Andrei Vlasov: in May, the Central District Court of Prokopyevsk sentenced him to seven years in a general-regime colony, despite the fact that he has a group II disability and cannot move on his own. The verdict was approved by the Kemerovo Regional Court.

There was a Polish citizen Andrzej Onishchuk among the convicted, whom the Pervomaisky District Court of Kirov sentenced to six and a half years' probation in June.

In 2022, several acquittals of Jehovah's Witnesses were canceled, including the very first one, handed down in 2021 to Dmitry Barmakin.

At the end of February 2023, at least 123 people were held in colonies and pre-trial detention centers, the oldest of whom is 71 years old. According to the Jehovah's Witnesses, from the moment the ban was imposed on its headquarters and local organizations and until the end of 2022, criminal prosecution has already affected 674 believers.

10. For more on prosecution of Jehovah's Witnesses, see: Maria Kravchenko. Inappropriate Enforcement in 2022.

As in previous years, as part of the criminal cases, searches were conducted in the houses of Jehovah's Witnesses, during which numerous violations were committed, including the unjustified use of violence. For example, in Ivanovo in November, security forces forced a 60-year-old believer onto the floor and handcuffed him, although he did not resist. In September, in Tolyatti, the security forces broke into the believer Alexander Chagan's home, breaking a window, handcuffed the owner, and one of the officers insulted the believers. During the year 2022, according to Jehovah's Witnesses, 200 searches were conducted; a total of 1874 searches have been carried out since the introduction of the ban.

Criminal prosecution of representatives of other religious organizations continued. For example, the rector of the Nizhny Novgorod Pastafarian Church of the Flying Spaghetti Monster, Mikhail Iosilevich, was sentenced in May to one year and eight months in prison under Article 284¹ of the Criminal Code of the Russian Federation for cooperation with Open Russia.

In September, charges were confirmed in the case of the leaders of the Church of the Last Testament, Sergei Torop (Vissarion), Vadim Redkin, and Vladimir Vedernikov, initiated in 2021. They are charged with Part 1 of Article 239 of the Criminal Code of the Russian Federation (creation of a non-profit organization that encroaches on the personality and rights of citizens), paragraphs "a" and "b" of Part 3 of Article 111 of the Criminal Code of the Russian Federation (intentional infliction of serious harm to health), paragraph "d" of Part 2 of Article 112 of the Criminal Code of the Russian Federation (intentional infliction of moderate harm health), and for Vedernikov also Part 4 of Article 159 of the Criminal Code of the Russian Federation (fraud). The case was referred to the court.

Liquidation of Religious Organizations

We have information about three cases of liquidation of religious organizations. In October, the Krasnoyarsk Regional Court granted the claim of the regional prosecutor's office for the liquidation of the Church of the Last Testament, finding that the religious organization "threatens the interests of society and the state, encroaches on the personality, rights, and freedoms of citizens, and entails damage to morality and health of citizens." Note that the criminal case, in which the same charges are being considered, has not yet been completed.

In November, the Altai Regional Court granted the claim of the regional prosecutor's office to ban the activities of the religious group Allya-Ayat (Elle Ayat) on the territory of the region. The court agreed with the prosecutor's office's opinion that the practices used by the group (drinking special tea, turning to the sun's energy, pronouncing the "formula of life" – have no medical foundation, and therefore, the group encourages its followers to abandon official medicine using "psychotechnologies of mind manipulation," that is, poses a danger to the health of citizens.

Another religious organization was liquidated in Perm: in April, the Perm Regional Court granted the claim of the Ministry of Justice on the liquidation of the Association of the Holy Spirit for the Unification of World Christianity – the Church of the Unification of Perm. However, the initiator of the liquidation was the religious organization itself: its believers, the followers of the South Korean preacher Sung Myung Moon, decided to continue in the form of a religious group.

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 2022: compared to the same period of 2021, the number of cases increased slightly – 159 cases were heard (153 in the first half of 2021). 94 persons were punished in these cases: 43 individuals, 50 legal entities, and one official (in 2021 – 92, 56, 33, and three, respectively).

As before, fines were most often imposed as punishment (82) and written warnings were issued in 12 cases (in 2021 – 89 and nine, respectively). Sometimes additional punishment was imposed: in seven cases it was confiscation, in one – administrative expulsion.¹¹

Protestant organizations continue to be the main target of law enforcement under this article. For example, the Evangelical Christian church Tabernacle of Faith in the Samara region and the Seventh-day Adventist Church in Kaspiysk were prosecuted under Part 3 of Article 5.26 of the Administrative Code. According to the same part of the same article, the Adventist pastor Timofey Boronin in Prokhladnoye and the Seventh-day Adventist church in Nartkala were fined 30000 rubles (both cases in Kabardino–Balkaria). In the Belgorod region, a baptist was fined 6000 rubles under Part 4 of the same article for distributing literature near a military camp.

However, the representatives of other religious organizations were also prosecuted for “illegal” missionary activity. Thus, the imam Emir Medzhitov in Dzhankoy was fined 20000 rubles under Part 4 of Article 5.26 for holding Friday prayers in a mosque where he was not formally an imam. A Catholic priest Tomasz Vytrval was fined 30000 rubles under Part 3 of the same article in Yalta. And the fine issued to the Old Believers community of Simferopol under Part 3 of the same article for failure to indicate the full name of the organization in online publications was replaced by a warning.

Foreign citizens were often prosecuted for “illegal” missionary work. For example, in the Yaroslavl region, Tajik citizen Umedzhon Toshev was fined 30,000 rubles and deported from Russia under Part 5 of Article 5.26 of the Administrative Code (conducting missionary activities in violation of the legislation on freedom of conscience, committed by a foreign national) for holding namaz and preaching without being the leader of a religious organization and without documents certifying his authority to conduct missionary activities. In the Smolensk region, a Pentecostal Victor Romanov, a citizen of Ukraine, was fined 30000 rubles for conducting missionary activities without documents certifying his authority, and in the Kemerovo region, a citizen of Azerbaijan was fined the same amount for the same offense.

Foreign believers were also prosecuted under Article 18.8 of the CAO (violation by a foreign national or stateless person of the rules for entry into the Russian Federation or the regime of stay (residence) in the Russian Federation). For example, in the Sovets-

11. Summary statistics on the activities of federal courts of general jurisdiction and magistrate judges for the first half of 2022 // Website of the Judicial Department at the Supreme Court of the Russian Federation. 2022. 14 October (<http://www.cdep.ru/index.php?id=79&item=7096>).

ko-Gavansky district of Khabarovsk Krai, a U.S. citizen was fined 2000 rubles under this article and deported from Russia for preaching to the local Pentecostal community. In the opinion of the Ministry of Internal Affairs and the court, this did not match his declared purpose of stay. A French citizen was prosecuted under the same article for giving a lecture to Krishna believers in Omsk.

Other Examples of Discrimination

As in previous years, there were facts of police interference in the life of Muslim organizations. For example, in December, security forces in uniform and masks broke into the dining hall of a mosque in Khabarovsk, beat and forced onto the floor the imam and the believers who gathered there after prayer, broke down the door to the prayer room, and scattered literature, including the Koran, and religious objects. Believers went to the police with complaints, demanding that a case be opened under Articles 167 (intentional destruction or damage to property) and 148 of the Criminal Code (insulting religious feelings).

Believers often faced refusals to allow alternative civilian service based on religious beliefs. For example, Jehovah’s Witnesses received such refusals twice – in the village of Yemlyanovo, Krasnoyarsk Krai, and in Krasnoturyinsk in the Sverdlovsk region.

In Nevelsk, Sakhalin region, the court not only refused to allow Jehovah’s Witness Yevgeni Kulakov alternative civilian service, but also fined him 120000 rubles under Part 1 of Article 328 of the Criminal Code (evasion from military service). The court relied on testimony, which Kulakov described as false, that claimed that in his student years he participated in military exercises and thus misled the state when he declared that his beliefs did not allow him to take up arms. At the same time, the organizer of the exercises assured the court that no shooting training took place on that day.

All the examples of non-state discrimination known to us were related to the unwillingness of heads of educational institutions to allow Muslim women to attend classes wearing headscarves. For example, female students at Astrakhan State Medical University complained that they were not allowed to attend classes wearing headscarves, even if they were the color of the medical uniform. The students were publicly insulted and pressured.

Similar conflicts occurred in schools, particularly in Tyumen, Chelyabinsk, Moscow, and the Moscow region. In Tyumen, it took the intervention of the authorities to resolve the conflict: after negotiations with the school principal, Deputy Governor Alexei Ryder, and the girl’s parents, the Deputy Governor guaranteed that the incident would not happen again, and the family of the schoolgirl gave up their intention to go to court. In Balashikha, Moscow region, due to the school management’s refusal to allow a student in a headscarf to attend classes, the parents were forced to switch to homeschooling. In Chelyabinsk and Moscow, parents announced that they were preparing lawsuits against school administrations.

Positive Verdicts

Sometimes believers and religious organizations were able to protect their rights, including through the courts.

We know of several cases where believers were able to defend their right to alternative civilian service due to their religious beliefs. In particular, Igor Kuzan, a Jehovah's Witness from Bratsk, Danila Zaitsev, a Pentecostal from Gus-Khrustalny, the Vladimir region, as well as believers whose confessional affiliation is unknown to us, Ildar Mikhalev from Aleksandrov, Ilya Zyryanov from Slobodsky district of the Kirov region, and two conscripts from Sortavala, managed to challenge decisions of draft committees to deny them ACS.

In November, after the partial mobilization had already been announced, the Gatchina City Court of the Leningrad region ruled that the decision to draft Pavel Mushumansky, who had previously done alternative civilian service instead of regular military service, was illegal. It is noteworthy that while the case was being considered, the court took interim measures: it suspended the decision on mobilization and obliged the command of the unit where Mushinsky had been sent to return him to his place of residence so that he could attend the hearings.

Kirill Berezin, a mobilized resident of St. Petersburg, was twice denied alternative civilian service by the courts, but his unit command agreed to give him a job that did not require the use of weapons.

Sometimes believers were also able to challenge prosecutions for "illegal" missionary work. For example, Gamzat Mamedov, a resident of Maikop, was able to challenge a fine under Article 5.26 of the Administrative Code for distributing As-Salam newspaper at the local market: The Supreme Court of Adygea overturned the rulings of the courts of previous instances, because the protocol was drawn up with violations.

In Komi, the Christian Evangelical Church of Vuktyl managed to defend in court the right to provide humanitarian aid to the poor. The city prosecutor's office demanded that the clause in question be removed from the statutes of the religious organization. Vuktil District Court upheld the prosecutor's claim, believing that the provision of humanitarian aid was not related to the organization of joint confession and propagation of faith, and therefore did not meet the Law On Freedom of Conscience and Religious Associations, which defined the goals of a religious organization. The church appealed the decision, noting that such a requirement "*affects confessional issues, violating the principle of separation of state and church.*" The judicial board of the Supreme Court of the Komi Republic sided with the religious organization and partially reversed the decision of the district court, finding the aforementioned requirement excessive.

Some organizations succeeded in obtaining a positive decision from the European Court of Human Rights. Unfortunately, these decisions came into effect when Russia announced that it no longer recognized its jurisdiction. Several such decisions concerned Jehovah's Witnesses.

For example, in February, the ECHR issued a judgment in the case of Cheprunovs and Others vs. Russia, which brought together five complaints from the Russian Jehovah's Witnesses, a local religious organization from Kostomuksha and several believers from other regions, challenging the legality of searches carried out in their homes in 2010-2012. The Court ruled that the searches had been unnecessary, while Article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms,

which guarantees the right to freedom of thought, conscience, and religion, had been violated with regard to the believers. The court decided to pay one of the applicants, Elena Chavychalova, 37 euros in compensation for the fine she had paid, 500 euros to two other applicants jointly for the personal belongings seized from them during the search, and 5000 euros jointly to all the applicants.

In June, the ECHR considered 20 complaints by Jehovah's Witnesses from 1444 applicants, both individuals and legal entities, under the case Taganrog LRO and Others v. Russia. In particular, the case considered a complaint against the dissolution of the local Jehovah's Witnesses organization in Taganrog; a complaint against the banning of Jehovah's Witnesses literature and imposing administrative responsibility for its distribution; and a complaint against the dissolution of centralized and local religious communities and the criminal prosecution that followed. The court did not consider the other complaints, expanding its decision to them by analogy. The court found that several articles of the Convention had been violated with respect to the believers: in the case of the liquidation of the Taganrog local organization – violation of Articles 9, 10 (freedom of expression), and 11 (freedom of assembly and association), in the case of the liquidation of the centralized and local religious communities – violation of Article 9 read in the light of Article 11, in the case of criminal prosecution after liquidation – violation of Article 5 (right to freedom and personal inviolability) and Article 9, and in the case of confiscation of the property of religious organizations – Article 1 of the Additional Protocol to the Convention (protection of property).

The ECHR ordered Russia to release the imprisoned believers, halt their criminal prosecution, return their seized property or compensate them for the material damage caused, and also to pay 125000 euros jointly to all participants in compensation for the legal costs and 15000 euros in moral damages to the applicants subjected to criminal prosecution, 7500 euros to the applicants who were members of the liquidated organizations and who were brought to administrative responsibility, and 1000 euros to the other applicants.

In July, the ECHR found a violation of Articles 9 and 11 of the Convention in the 2012 liquidation of the Russian Orthodox Free Church and considered it as state interference in the affairs of religious associations. The court ordered the Russian Federation to pay Bishop Irinarkh (Nonchin) 7500 euros in moral damages to the religious organization within three months.

In November, the European Court of Human Rights, considering the case Tsvetkov and Others v. Russia, which brought together the complaints of several applicants who had been prosecuted under different articles of the Code of Administrative Offenses and who considered their trials insufficiently impartial, found a violation in their trials of Article 6.1 of the Convention for the Protection of Human Rights and Fundamental Freedoms (right to a fair trial) and ruled to pay them compensation. In particular, compensation in the amount of 3900 euros was awarded to Daniil Pugin, who was arrested in 2019 for four days for petty hooliganism for participation in protests against the construction of a church in Yekaterinburg.

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 as active as the year before: we know of eight convictions under this article, the same number as in 2021.¹² All of them were either for photographs and videos published on social networks, which depicted people in a manner inappropriate from the point of view of law enforcement officers, against the background of sacral objects, most often Orthodox, or for making offensive remarks about believers. We are not aware of any convictions or new cases under Part 2 of the article on similar actions “committed in places specially designated for religious services, other religious rites and ceremonies.”

For example, in St. Petersburg, blogger Irina Volkova was convicted for a photograph published on Instagram where she is sitting against the background of St. Isaac’s Cathedral with her skirt pulled up, from under which underwear is visible. The court sentenced her to 180 hours of compulsory labor. However, the punishment imposed most often under this article was fines, the largest of which, 80000 rubles, was imposed on a resident of St. Petersburg, Andrei Kurdov, for a photograph of himself and his friend with their pants pulled down against the background of the Church of the Savior on Blood. The friend was not convicted because of his age – he was 15 years old at the time of the photo shoot. A female resident of Kaluga was fined 25000 rubles for a photograph against the background of a church, on which the subject’s skirt is raised and her underwear is visible, and a St. Petersburg resident Sergey Kondratiev was fined 15000 rubles for a video clip in which he kisses a man against the background of a church.

In other cases, sentences under Article 148 were handed down in combination with other charges. Two people were sentenced to real prison terms. Agame blogger from Armavir, Sergei Orlov, who published a video with obscene statements about Muslims, was sentenced to two years of imprisonment under Part 1 of Article 148 of the Criminal Code and Part 1 of Article 228 of the Criminal Code (illegal acquisition and storage of drugs without intent to sell). Given that he had previously been given a suspended sentence for theft, the court imposed a cumulative sentence. Yuri Svishchev, an Arkhangelsk resident, was sentenced to two and a half years under Part 1 of Article 148 and Part 1 of Article 282 of the Criminal Code (incitement of religious hatred and enmity) for publishing texts aimed at inciting religious hatred. A resident of Sevastopol was sentenced under Part 1 of Article 148 and Part 2 of Article 280 (public calls for extremist activities) to one and a half years of suspended imprisonment with one year probation and a ban on the administration of groups online. The sentence was imposed for calls to violence on ethnic and religious grounds.

During the year, new criminal cases were initiated under the same part of the same article – in most cases also for “obscene” photographs against the background of shrines

12. For more on enforcement under Article 148 of the Criminal Code, see: Maria Kravchenko. Inappropriate Enforcement in 2022.

or for insulting statements. For example, a case was opened against the blogger Polina Morugina (Polina Face) for the Instagram post of a photograph of herself posing nude in front of the Church of Intercession of the Blessed Virgin Mary in Fili, Moscow. In 2023, the court already sent Morugina to compulsory treatment. Another case under this article was initiated against the 50-year-old resident of Dzhankoy for “*images and expressions offensive to an Orthodox believer.*”

One case concerning insulting religious feelings was dismissed in court due to reconciliation of the parties: this is the case of Maria Katanova, in which six other people were charged alongside her. The case was initiated because of a video in which the model posed against the backdrop of the Moscow Cathedral Mosque wearing an unbuttoned coat, niqab, and underwear.

We know that a number of cases concerning insulting religious feelings were initiated following complaints by offended believers, such as the case of blogger Maria Chistyakova (Marie Govorie [“Speak, Marie”]), against whom a complaint to law enforcement agencies was filed by the Sorok Sorokov movement back in 2021. The case was initiated because of the publication on Twitter of a photograph of Chistyakova in her underwear with the image of the Virgin Mary and the caption “May 2 – World Tuna Day. Happy holiday!” (in 2021, the celebration of Easter according to the Julian calendar fell on this day). However, as before, frequently it was law enforcement officers themselves who initiated cases under.

Here is another example of protection of religious feelings “from above.” In November, the Ministry of Culture refused to issue a film distribution certificate to the film company Lunapark for the Monastery TV series based on subparagraph ‘G’ of Paragraph 18 of The Rules for Issuing, Refusing to Issue, and Revoking a Film Distribution Certificate, which states that “*in other cases determined by federal law*” a film distribution certificate shall not be issued. According to the Ministry of Culture, in this case there was an insult to religious feelings.

Such a conclusion was made on the basis of an expertise commissioned by the Ministry and carried out by the Russian Orthodox Church, which concluded that “*the script presents a distorted view of monastic life in the women’s monasteries of the ROC, and consequently forms a false impression of Russian Orthodoxy.*” According to the plot, the main character is hiding from bandits in the monastery. It is noteworthy that the very first episode of this series, shown by Kinopoisk, was watched by more than 250000 viewers, a record number of subscribers for this online film service. Immediately afterwards, Ivan Otrakovsky, the leader of the Army of the Defenders of the Fatherland organization, appealed to the Investigative Committee to ban the online shows of this series and bring the organizers of the show to justice.

Protection from Below

The activity of public defenders of religious feelings has slightly increased compared to the previous year. From time to time, they expressed dissatisfaction with various social and cultural events that seemed to them to be offensive. As in previous years, most of the outrage came from defenders of the feelings of the Orthodox.

The only case of such discontent not coming from Orthodox believers that we are aware of concerned a photo shoot organized by the Irkutsk magazine Irk.soba.ru and carried out at the old Jewish cemetery in Lisikha. The townspeople and the Jewish community were

outraged by the fact that the fashion shoot was carried out against the backdrop of the graves. Aaron Wagner, a representative of the Chief Rabbinate of Russia in Irkutsk and the Irkutsk region, also considered the shooting at the cemetery to be offensive. Ruslan Bolo-tov, Mayor of Irkutsk, responded to the complaints of the citizens by reminding them that “the memorial complex is a place of memory that must be honored. Regardless of religion or nationality.” The police started an investigation into the photo shoot at the cemetery, but the magazine’s editorial board issued an apology and assurances that the organizers of the shoot had no intention of offending anyone. The photo shoot, the editorial staff explained, was part of the Heirs project, where “*young Irkutsk residents, heirs of well-known families who are building their careers, reflect on their future and on what they can do for Irkutsk.*”¹³ The Jewish cemetery was selected as a location for the shooting because it is a historical site and has long been used exclusively as a promenade.

All other complaints came from Orthodox activists, who found all sorts of reasons to claim that their feelings had been insulted: from the packaging of baked goods with an image of Prince Vladimir with a cross in his hand, which a resident of Belgorod reported to the governor as desecration of a holy object, to a complaint about “propaganda of Satanism” in the Moscow family cafe AnderSon, which journalist Anna Palyukh (Shafra) filed with the prosecutor’s office because the cafe hosted a kids’ Halloween party and a toy monster workshop. In most cases, these complaints entailed no consequences.

In November, the Sorok Sorokov movement appealed to Russian Minister of Culture Olga Lyubimova with a request to ban concerts, musicals, and plays based on Harry Potter scheduled during the New Year and Christmas holidays and replace them with Russian fairy tales. According to the applicants, the story of the boy wizard “*is a brilliantly designed quintessence of the foundations of Western culture: rationalism, individualism, and materialism, imbued with spiritual values that are alien to us.*”

In October, the Zov Naroda (Call of the People) movement appealed to Vitaly Milonov, a State Duma deputy from the United Russia party, who, in turn, appealed to the Perm Region Prosecutor’s Office to check the activity of the Satan Ball theme party organizers at The Friends club in Perm. According to the applicants, at the party, “*mockery of Christian symbols and trampling of traditional moral values as well as praise of Satan who is the enemy of God that is mentioned in the Constitution of the Russian Federation was taking place,*” and the organizers should be prosecuted under Part 2 Article 280 of the Criminal Code (public calls for extremist activities using the internet) and Paragraph B of Part 2 of Article 282.

In the spring and summer, the concerts of Philip Kirkorov at the Kremlin Palace, marking the singer’s jubilee, caused indignation among the faithful. Orthodox believers found one of the songs offensive, when the artist and his dancers walked and danced on a cross with a “crucified” actress inside. In May, the Tsargrad society appealed to the Prosecutor General’s Office with a request to open a case under Article 148 of the Criminal Code against the singer. The orthodox activists’ appeal was supported by Alexander Borodai, member of the State Duma, but the police saw no grounds for the case, especially since the singer apologized to everyone who was offended by this song and explained that he dedicated it to his deceased mother and had no intent to engage in blasphemy.

13. Irk.soba.ru apologized for the photo shoot at the cemetery // Weacom.ru. 2022. 19 August (<https://www.weacom.ru/news/irk/society/210598>).

Nevertheless, protests by believers continued, and in some regions, such as Pyatigorsk, Stavropol, and Maykop, Kirkorov’s performances were canceled, although the singer promised that in his tour he would not use on stage the cross that had caused outrage.

This is not the only example of events being canceled under pressure from fighters against the insulting of religious feelings. For example, the organizers of The Most Magical Festival around Halloween at the I. Babushkin Park in St. Petersburg were forced to cancel it due to complaints from “the parental community,” who saw the festival as an “adapted ‘Satanic cult.’” A petition to cancel the festival gathered about 3000 signatures.

We also know of isolated incidents when defenders of religious feelings used or threatened to use force. For example, a passenger in the Moscow Metro forced another passenger out of the metro car with the intention of reporting her to the police: in his opinion, appearance in a public place with a canvas bag with a print of Andrea Solario’s painting Salome with the Head of John the Baptist with the caption “Did you leave your head at home?” [a typical teacher’s answer to a homework left at home claim] fell under Article 148. At the police station, the man said he was “not ready yet” to file a statement. It is worth noting that the police officers did not support him, but, on the contrary, reproached him for using force on the girl and driving her to a nervous breakdown.

Sorok Sorokov activists threatened the owner of the barbershop called Children’s Torture Chamber on VDNH exhibition grounds Timur Gaziyeu, demanding to change the name of the establishment and remove the logo with the devil. Orthodox defenders of religious feelings accused him of being a Satanist. The barbershop caters to children with developmental disabilities, and as the owner Gaziyeu explained, the logo with the horns is a caricature of himself “*because for many parents and children haircuts are torture.*” At the beginning of 2023, the barbershop was still operating.

It is noteworthy that, as in the previous year, official representatives of the Russian Orthodox Church in most cases did not demand harsh punishment for “blasphemers,” and often responded to events that angered the Orthodox public in a more restrained manner than those who fought to protect religious feelings. For instance, Head of the Synodal Department for Relations with Society and the Media Vladimir Legoida, commenting on the scandalous concerts of Kirkorov, said that he too considered the song with the cross as outrageous and insulting to the Orthodox, but at the same time he was calling for “neither a ‘witch hunt,’ nor a ‘hunt for hunters.’”: “All this is counterproductive. All I urge is to be sensitive and considerate of each other.”¹⁴

His deputy Vakhtang Kipshidze, commenting on a November incident in St. Petersburg, where a customer at a Perekrestok supermarket demanded that the stand with Halloween pumpkins be removed and threatening to bring a case under Article 148 of the Criminal Code against the store, said that selling such pumpkins does not offend Orthodox feelings and there is no need to ban Halloween paraphernalia if it does not violate decency. “*I repeat: an Orthodox person is not scared by a pumpkin or a hat. We are more concerned about those people who try to flirt in this way with symbols that are often occult and anti-Christian,*” he said.¹⁵

14. Legoyda on the appearance of the cross on stage at Kirkorov’s concert: Is this an intentional introduction of division into our society? // Rossijskaya Gazeta. 2022. 3 May (<https://rg.ru/2022/05/03/legojda-o-poiavlenii-kresta-na-koncerte-kirkorova-eto-soznatelnoe-vnesenie-razdeleniia-v-nashe-obshchestvo.html>).

15. The Russian Orthodox Church does not consider carved Halloween pumpkins a violation of religious feelings // Gazeta.ru. 2022. 28 October (<https://www.gazeta.ru/social/news/2022/10/28/18901027.shtml>).

Insufficient Protection from Defamation and Attacks

Violence and Vandalism

We have information about only one attack based on religious hatred, during which two Muslims were injured in Crimea – the chief imam of the Simferopol district Enver Bakiyev and Deputy Mufti of Muslims of Crimea Raim Gafarov. In April, they were beaten up in the mosque of Pionerskoye village by the worshippers of another village. The attackers shouted insults and accused the victims of unbelief. According to the Spiritual Direction of the Muslims of Crimea and Sevastopol, the attackers were Salafists. One of the suspects, a 44-year-old resident of the village of Pionerskoye, was charged under Part 3 and Paragraph B of Part 4 of Article 148 (illegal obstruction of worship, including the use of violence).

The level of religiously motivated vandalism remained unchanged: we know of 12 such cases, the same number as the year before.

Almost half of these attacks, five (four a year earlier), involved attacks on Orthodox sites, and three were arson attacks. For example, in March in Nizhny Novgorod region intruders set fire to a chapel and damaged a baptismal font near the village of Bolshoye Kozino in Balakhna district. Two local residents, aged 18 and 19, were soon detained and confessed to committing acts of vandalism while intoxicated. A case was opened against them under Article 167 of the Criminal Code (intentional destruction or damage to property). In the Smolensk region in May, three teenagers set fire to icons in a chapel in the village of Kokhanovo, the Krasninsky district, while shouting slogans in support of Ukraine. A resident of Moscow tried to set fire to the Church of St. Mitrofan on Kavkazsky Boulevard in November: he poured and set fire to a flammable liquid, but the fire was immediately noticed by a guard and put out – only the sidewalk and the porch floor were damaged. The intruder was detained, but could not explain his motives.

In two other cases crosses were damaged. In the village of Fryanovo near Moscow and the neighboring villages of Golovino and Mavrino in the Shchelkovsky district, worship crosses were cut down in March. A criminal case was opened under Article 214 of the Criminal Code (vandalism). In Aktanysh village, the Aktanyshsky district of Tatarstan, a cross on one of the Orthodox cemetery graves was damaged again. A year earlier, an Orthodox burial there had caused discontent among radical Muslims who repeatedly desecrated the grave, leading to a scandal that required the intervention of the President of the Republic: Rustam Minnikhanov then issued a stern warning to the head of the district Engel Fattakhov. Fattakhov called the 2022 incident a provocation, apologized to the relatives of the deceased, and resigned because he had been unable to prevent another act of vandalism. A criminal case was initiated.

Note another case of vandalism against an Orthodox Christian site, where the hate motive is not clear to us, but the case was opened under Part 2 Article 214 of the Russian Criminal Code (vandalism motivated by religious hatred). In August, a resident of the Moscow region broke a window and got inside the Cathedral of Christ the Savior, switched on the fire-extinguishing system, and flooded two basement floors. The intruder had been previously convicted of robbery and drug dealing. The court sentenced him to imprisonment.

There were five vandals' attacks against Jewish sites. For one of them, this was not the first time: in Kaliningrad, intruders broke windows while trying to break into a structure built over the grave of 19th century preacher Israel Salanter in the old Jewish cemetery on Litovsky Val. In Rzhev, an elderly local resident damaged the Star of David on the monument to ghetto prisoners at the Memorial cemetery. The vandal was detained, but could not explain his motives. In August, an unknown person broke a window in the Moscow Choral Synagogue and wrote "No strength left" [Can't handle it / Fed up] on the wall. At the same time, threatening letters were found in the synagogue's mail.

In two other cases, vandals painted anti-Semitic graffiti: in January, in Kaliningrad, the bartender of one of the local establishments, while under the influence of alcohol, drew a swastika in front of the synagogue building and later repented of what he had done; in May, at the Novodevichy Cemetery in Moscow, unknown people wrote "Jude" on one of the tombstones of the columbarium, which the cemetery staff removed after a visitors' complaint.

We know only one case of vandalism against Muslim sites: in Moscow, in March, an attacker threw a smoke bomb at the Cathedral Mosque on Prospect Mira. The man was detained.

And finally, in May, during the celebration of the Buddha's birthday, vandals in the Republic of Altai in the Ak-Koby tract near the village of Boochi in the Ongudai region damaged a suburgan [a memorial] that had already been attacked in 2022. It is noteworthy that some of the participants in the discussion of the incident in social networks argued that the suburgan was constructed there illegally, and that Buddhism was being forcibly imposed in the republic.

Defamation of Religious Minorities

Apparently, the mass media published more defamatory materials about religious minorities than a year earlier. A significant portion of them were related to the information campaign that accompanied the August searches of members of the New Generation Pentecostal churches in several regions. Major media outlets, including federal TV channels, used "anti-sectarian" rhetoric in their coverage of these events and referred to New Generation as nothing less than a "sect" (including RIA Novosti, Kommersant, Nezavisimaya Gazeta, and Izvestiya). Information that the organization's activities were deemed undesirable in Russia was in many cases supplemented by accusations of supporting the Azov battalion, convincing followers of "*the need for a violent change of state system in Russia and a number of other countries of the former Soviet Union*"¹⁶ and traditional anti-sectarian clichés.

For example, Komsomolskaya Pravda invited a well-known "sectologist," the head of the missionary department of the Novosibirsk Eparchy, Priest Alexander Novopashin, who "explained" to readers that New Generation was "*an occult sectarian movement whose teachings are a blasphemous parody of Christianity,*" "*a commercial project disguised as a reli-*

16 . In Russia, searches carried out in the cells of a religious sect that supports Azov // Izvestiya. 2022. 14 August (<https://iz.ru/1379342/2022-08-14/v-rossii-proshli-obyski-v-iacheikakh-religioznoi-sekty-podderzhivaiushchei-azov>).

gious cover,” which “is viewed by the transatlantic special services as a serious instrument in the spiritual reorganization of Russia.”¹⁷

However, perhaps the most notable “anti-sectarian” piece was the column, penned by Assistant Secretary of the Security Council of the Russian Federation Alexei Pavlov and published in *Argumenty i Fakty* in October, where he wrote about the need to “de-satanize” Ukraine due to the activation of pagan cults.¹⁸ This publication caused a broad public response, because the Chabad Lubavitch movement was mentioned among the dangerous “sects” that had become more active in Ukraine, and the author was directly accusing it of extremism. Readers, and first and foremost Jewish organizations, rightly saw in this a manifestation of anti-Semitism. Secretary of the Security Council Nikolai Patrushev had to apologize for his subordinate, explaining that the column was solely Pavlov’s own opinion and did not express the position of the Council. Later, in 2023, Pavlov was dismissed from his position.

In addition to Chabad Lubavitch, Pavlov referred to other religious organizations as “sects,” including the Word of Life Church of Christians of Evangelical Faith, the Church of Scientology, and a number of neo-pagan organizations, but Patrushev saw no need to comment on Pavlov’s defamatory statements about those.

We should add that focusing the reader’s attention on the real or alleged opinion of representatives of the religious organization about the military action in Ukraine in order to project a negative image of this religious organization was used quite often. For example, the Bryansk *Novosti* newspaper in March devoted an article to the Russian Church of Christians of Evangelical Faith and its Bryansk branch and the “anti-Russian propaganda” allegedly carried out by its pastor. The article reminded readers that in 2020 “it was a parishioner of this church who became the coronavirus ‘patient zero’ in the Bryansk region.”¹⁹

Other organizations also were targets of defamation. For example, a Novosibirsk issue of *Argumenty i Fakty* in August retold a report from the missionary department of the Novosibirsk diocese that warned city residents “about recruitment into the extremist sect Ata Zholy (the Way of the Ancestors). It spoke about the particular “danger” of this organization for “suggestible and weak-willed” people and the fact that it is banned as extremist. In the same article, the authors mentioned the Vissarion’s community (referring to the Church of the Last Testament) and the criminal case against its leaders, apparently expecting the reader to associate this organization with extremism as well.²⁰

17. The Novosibirsk branch of the New Generation sect was searched // *Komsomolskaya Pravda*. 2022. 15 August (<https://www.nsk.kp.ru/daily/27431.5/4632867/>).

18. Alexei Pavlov. What is brewed in the “witch’s cauldron”. Neo-pagan cults are gaining strength in Ukraine // *Argumenty i Fakty*. 2022. 25 October (https://aif.ru/society/religion/chto_varyat_v_vedminom_kotle_na_ukraine_nabrali_silu_neoyazycheskie_kulty).

19. Anti-Russian agitation in a Pentecostal church reported in Bryansk // *Novosti Bryanska*. 2022. 17 March (https://newsbryansk.ru/fn_891340.html).

20. Novosibirsk residents warned of recruitment into an extremist sect // *Argumenty i Fakty* – Novosibirsk. 2022. 13 August (https://nsk.aif.ru/society/novosibircev_predupredili_o_verbovke_v_ekstremistskuyu_sektu).

Religious Leaders and Military Action in Ukraine

Almost the entire year 2022 passed against the backdrop of the armed conflict unfolding in Ukraine. This conflict has directly or indirectly affected almost every aspect of public life, including, of course, the lives of religious communities. In this report, we do not attempt to cover this multifaceted impact and will limit ourselves to a brief overview of how the attitudes of the country’s key religious leaders to the conflict have changed. We understand that the leaders’ positions do not exhaust or determine the diversity of reactions and actions within their respective faiths. Moreover, even the leaders themselves may have expressed different views, depending on the general political situation and the context of their statements. Therefore, our task in this section is simply to paint an overall picture. For this purpose, we will rely on the first reactions of these leaders on February 24, or in the days following it, and on their statements toward the end of the calendar year, when it is customary to summarize its results in one way or another.

Patriarch Kirill, in his address on the evening of February 24, described the hostilities that had begun as “calamity,” called for their immediate end, and, before that, for the protection of refugees and the avoidance of civilian casualties. The patriarch also addressed a thought that was important for him about the spiritual unity of the Russian and Ukrainian peoples going back to the baptism of Russia, and at that time he saw that unity as the key to overcoming “the divisions and contradictions that have led to the current conflict.”²¹

Political neutrality was soon abandoned by the patriarch. And if we look at the main final speech of the year – the traditional report at the Moscow Diocesan Assembly – we will see a firm approval of the president’s decision to start military operations and an equally firm approval of their continuation. The unity of the peoples, which was spoken of as spiritual, is now understood directly as the existence of a “single people of Holy Russia” (although its identity has not yet been fully described), among which external, satanic forces sowed enmity, started “internecine warfare,” and were going to spread it to the entire canonical territory of the ROC. Which is quite a sufficient reason for Russia’s “entry” into the already existing “armed confrontation,” understood as a continuation of the civilizational conflict with the West, about which the patriarch has been writing for more than 20 years. The patriarch, of course, did not forget the humanitarian aspects of the conflict either, but along with the support for refugees and the civilian population of the frontline territories – all major religious associations have been doing this and continue to do it – he also approved the material support of the warring army. However, it is possible to talk not only about the completely loyal patriotic support for the military and some other actions of the government, but also about their interpretation in religious terms – as a fight against Satanism and the “civilization of death.”²²

21. Address by His Holiness Patriarch Kirill to the archpastors, pastors, monastics, and all the faithful children of the Russian Orthodox Church // *Patriarchia.ru*. 2022. 24 February (<http://www.patriarchia.ru/db/text/5903795.html>).

22. Report of His Holiness Patriarch Kirill at the Moscow Diocesan Assembly // *Patriarchia.ru*. 2022. 22 December (<http://www.patriarchia.ru/db/text/5985883.html>).

Almost all the major Muslim leaders from the very start expressed their support for President Putin's decision much more definitely. On February 24, the Presidium of the Central Spiritual Administration of Muslims (CDUM) of Russia Grand Mufti Talgat Tadzhuddin published a statement repeating mainly the arguments and even the phraseology of the president's morning speech and thus supporting his decision. There was no religious reasoning in the statement.²³ The Head of the Spiritual Assembly of Muslims (CDUM) of Russia, Mufti Albir Krganov, made a similar statement.²⁴ The Coordination Center of Muslims of the North Caucasus, led by Mufti Ismail-Hadji Berdiev, was somewhat delayed in taking an official position, but in its statement of March 16 not only repeated the same arguments, but also added that preventive strike is approved in Islam. Accordingly, the Muslims fighting on the Russian side and killed in the conflict must be considered shahids.²⁵ (Patriarch Kirill came to a similar idea much later.)²⁶ Two weeks later, the head of the Coordination Center of Muslims of the North Caucasus added that after an unconditional military victory, a referendum should be held, which could also result in the annexation of Ukraine to Russia (it is not clear whether the entire territory is implied here).²⁷

Subsequently, these organizations did not change their views, but deepened them. The collection of aid for Russian army on the front lines was also carried out²⁸. Grand Mufti Talgat Tadzhuddin said that the military confrontation in Ukraine is a "*confrontation with Dajjal, the Antichrist (the US acting in this role)*."²⁹ And the Coordination Center of Muslims of the North Caucasus, speaking in the fall in support of mobilization, argued, among other things, that "*it is not Ukraine that is at war with Russia today, but NATO. The same NATO which, for far-fetched reasons and sometimes for no reason at all, destroyed millions of Muslims in Iraq, Libya, Syria, and Afghanistan.*"³⁰

23. Statement of the Enlarged Plenum of the Shura – the Presidium of the Central Spiritual Administration of the Muslims of Russia // CSAM (CDUM) of Russia. 2022. 24 February (<https://cdum.ru/news/44/11232/>).

24. Mufti Krganov: For eight years the West has ignored and is ignoring the suffering of the people of Donbass // Rossijskaya gazeta. 2022. 25 February (<https://rg.ru/2022/02/25/muftij-krgranov-zapad-vosemlet-ignoriroval-i-ignoriruet-stradaniia-liudej-donbassa.html>).

25. Statement of the Leaders of Muslim Religious Organizations of the Russian Federation // The Coordination Center of Muslims of the North Caucasus. 2022. 16 March (<https://kcmsk.ru/novosti/zajavlenie-liderov-musulmanskih-religioznych-organizacij-rossijskoj-federacii/>).

26. Patriarchal Sermon on the Week 15 after Pentecost after the Liturgy in the Alexander Nevsky hermitage // Patriarchia.ru. 2022. 25 September (<http://www.patriarchia.ru/db/text/5962628.html>).

27. Head of the Coordination Center of Muslims about the futility of negotiations // The Coordination Center of Muslims of the North Caucasus. 2022. 30 March (<https://kcmsk.ru/novosti/glava-koordinacionnogo-centra-musulman-o-besperspektivnosti-peregovorov/>).

28. For example: Employees of Russia's CDUM put together parcels for soldiers taking part in a special military operation // CDUM. 2022. 13 November (<https://cdum.ru/news/44/11487/>).

29. Address by Talgat Tadzhuddin, Grand Mufti of Russia // World Russian People's Council. 2022. October (<https://vrns.ru/documents/vystuplenie-verkhovnogo-muftiya-rossii-talgata-tadzhuddina/>).

30. Address by leaders of Muslim religious organizations // The Coordination Center of Muslims of the North Caucasus. 2022. 30 September (<https://kcmsk.ru/novosti/obrashhenie-liderov-musulmanskih-religioznych-organizacij/>).

Mufti Ravil Gaynutdin, Chairman of the Spiritual Administration of Muslims of the Russian Federation, was one exception. On February 24, he called for peace³¹, and subsequently avoided talking about the ongoing armed conflict, even in speeches whose subject matter might suggest this.³² Whereas back on February 23, 2022, Mufti spoke in support of the DPR and LPR joining Russia,³³ later he spoke on the merits of the Russian-Ukrainian conflict only indirectly and not very definitely.³⁴

On February 25, Rabbi Alexander Boroda, President of the Federation of Jewish Communities of Russia, also made an appeal for peace³⁵. He concluded his New Year's greeting with a wish for peace.³⁶ No other statements about the armed conflict have been made by the FJC leaders, except that in early March Chief Rabbi Berl Lazar offered mediation in peace talks.³⁷ Adolf Shayevich, the other Chief Rabbi of Russia, from the Congress of Jewish Religious Organizations and Associations, did not make any statement at all, and gave the most evasive answer to questions about the "special operation," while emphasizing his wish for the conflict to end.³⁸ Meanwhile, Chief Rabbi of Moscow Pinchas Golschmidt (Congress of Jewish Religious Organizations and Associations in Russia) left the country in early spring and later claimed that he was pressured to support the official position on Ukraine (activists from the Federation of Jewish Communities of Russia denied any pressure).³⁹

Head of the Buddhist Traditional Sangkha of Russia, the leader of the Buryat, Tuvan, and Altai Buddhists, Khambo Lama Damba Ayusheev, said at the beginning of the conflict that Buddhists should fight for reasons of patriotism and cited Genghis Khan as an

31. Mufti Gaynutdin's call for peace // Spiritual Administration of Muslims of the Russian Federation. 2022. 24 February (<https://www.dumrf.ru/upravlenie/speeches/20365>).

32. For example: Mufti Gaynutdin: Russia has asserted its status as a state-civilization // Spiritual Administration of Muslims of the Russian Federation. 2022. 1 November (<https://www.dumrf.ru/upravlenie/speeches/21390>).

33. Russian Muslims support the recognition of the LNR and DNR, said the head of the Spiritual Administration of Muslims // RIA Novosti. 2022. 23 February (<https://ria.ru/20220223/priznanie-1774531555.html>).

34. For example: Mufti Gaynutdin: The Islamic world is sympathetic to the Russian special operation in Ukraine // IslamNews. 2022. 21 May (<https://islamnews.ru/2022/5/21/muftiy-gaynutdin-islamskiy-mir-s-ponimaniem-otnositsya-k-spetsoperatsii-rf-na-ukraine>).

35. Appeal of Rabbi Alexander Boroda, President of the Federation of Jewish Communities of Russia, in connection with the recent events // FEOR. 2022. 25 February (<https://feor.ru/ravvin-blog/obrashhenie-prezidenta-feor-ravvina-aleksandra-boroda-v-svyazi-poslednimi-sobytiyami/>).

36. New Year Greetings by President of the Federation of Jewish Communities of Russia, Rabbi Alexander Boroda // FEOR. 2022. 30 December (<https://feor.ru/ravvin-blog/pozdravlenie-prezidenta-feor-ravvina-aleksandra-borody-s-novym-2023-godom/>).

37. Paul Korobov. "I'm ready for any kind of mediation." // Kommersant. 2022. 3 March (<https://www.kommersant.ru/doc/5239559>).

38. Rabbi Shayevich: This did not happen even during the Cold War // RIA Novosti. 2022. 28 October (<https://ria.ru/20221028/shaevich-1827525835.html>).

39. Andrei Melnikov. The rabbis gave the congregation "recognizance not to leave" // NG-Religii. 2022. 6 September (https://www.ng.ru/ng_religii/2022-09-06/7_536_rabbis.html).

example, puzzling historians and religious scholars.⁴⁰ He added nothing of substance to this until the end of the year. But the leader of Kalmyk Buddhists, the Dalai Lama's representative in the CIS countries and Mongolia, Thelo Tulku Rinpoche, did not speak out earlier, had hardly or not at all been to Russia since March,⁴¹ and in September, speaking from Mongolia, he said that he supported Ukraine in this conflict and had not spoken up earlier in order to not cause problems for his communities. But he remained president of the Union of Buddhists of Kalmykia until January 2023, when he was forced to resign after being declared a foreign agent.⁴² It should be noted here that although Buddhism is one of the four "traditional religions," since the early 2000s only the Buddhist Traditional Sangha of Russia has been officially represented at the federal level, for instance, in the Council for Cooperation with Religious Associations under the President of the Russian Federation and in the Interreligious Council of Russia.

The situation is different in the leadership of Russian Lutheranism. Dietrich Brauer, Archbishop of the main organization, the Evangelical Lutheran Church in Russia, as a member of the above-mentioned Council, had a negative attitude toward the actions of the Russian government, but did not declare it in Moscow; instead, he left for Germany in early or mid-March and from there announced: "I clearly and publicly distance myself from this war, which is not just a war against Ukraine, but a war against humanity." He also claimed that religious figures had been pressured by the state.⁴³ The General Consistory of the ELRC's statement on the situation was not issued until March 18, when Archbishop Brauer had already been gone, and signed by his deputy, Vladimir Provorov; it contained a call for peace, a rejection of political positions, and a willingness to help the refugees.⁴⁴ It was not until June 1, however, that Archbishop Brauer resigned from his position, having already been removed from the presidential Council (along with a representative of the Russian Catholics). The General Synod of the ELRC accepted the resignation and Provorov was elected the new archbishop, but for Dietrich Brauer the title of Archbishop-Emeritus was created. In addition, he temporarily retained the post of Bishop of the Evangelical Lutheran Church of the European part of Russia.⁴⁵ He was later succeeded by Bishop Andrei Jamgarov; the former and the current Heads of the

40. Buddhist leader on the military operation: "It is not for nothing that our boys carry the glory of Genghis Khan" // Nezavisimaya Gazeta. 2023. 3 March (<https://www.ng.ru/news/733652.html>).

41. Political emigrants appearing among the clergy // Nezavisimaya Gazeta. 2022. 24 December (https://www.ng.ru/faith/2022-12-24/12_8623_05.html).

42. Buddhism and war. Kalmyk Supreme Lama recognized as a "foreign agent" // OVD-Info. 2023. 2 February (<https://ovdinfo.org/articles/2023/02/02/buddizm-i-voyna-verhovnogo-lamu-kalmykii-priznali-inoagentom>).

43. Archbishop Dietrich Brauer, Head of the ELRC, leaves Russia. Interview // Institut religii i politiki. 2022. 18 March (<https://irp.news/pokinul-rf-arhiepiscope-ditrih-brauer-glava-elcr-intervju/>).

44. Statement by the General Consistory of the Evangelical Lutheran Church of Russia // ELRC (https://www.elkras.ru/arhiv/arhiv_novostei/2022god/mart/zayavlenieneralnoikonsistoriievangelicheskoliuteranskoicerkvirossii.jdx).

The date determined based on: Lyubava Vinokurova. Consolation and help // Moskovskaya nemetskaya gazeta. 2022 (<https://ru.mdz-moskau.eu/uteshenie-i-pomoshh/>).

45. Provorov Replaces Brauer as Archbishop of the ELC Russia // Institut religii i politiki. 2022. 9 June (<https://irp.news/provorov-smenil-braujera-na-postu-arhiepiskopa-elc-rossii/>).

ELRC do not cooperate.⁴⁶ The latter is still against any political assessment of what is happening in Ukraine and is in favor of peace.⁴⁷

As early as February 24, the leadership of the Russian Catholics made a demand for an immediate peace, and its wording was quite sharp: "Let our contemporaries know that they will have to give a strict account of the military actions they have taken."⁴⁸ Later, in connection with the mobilization, the Conference of Catholic Bishops repeated the call for peace, and to resolve the moral choice that the mobilization posed to the faithful, it referred them to the Catechism, which, among other things, defines in paragraph 2309 the conditions for the lawful self-defense of the country.⁴⁹

On February 25, Metropolitan Korniliy, the head of the Russian Old-Orthodox Church, addressed his co-religionists in Russia and Ukraine, urging them not to harden their hearts. The appeal did not call for the restoration of peace.⁵⁰ In March, Metropolitan Korniliy called for assistance to refugees, as well as "praying for peace and unity of the Slavic Orthodox peoples,"⁵¹ but at the round table in the Duma he also spoke about Nazism in Ukraine and "the physical extermination of Russians in Donbass" and reminded in this regard that "it is not for nothing that the chief carries the sword."⁵² And in his October report to his church's Holy Council, he called the annexation of four Ukrainian regions to Russia not only a strategic, but also a spiritual achievement. He also concluded, directly from President Putin's remarks, that the fight was not just against the West, which "prepares for us both moral and material slavery," but against the devil, and concluded his speech by promising that "the enemy will be defeated, victory will be ours."⁵³

Bishop Sergey Ryakhovsky, Chief Bishop of the Russian Union of Christians of the Evangelical Faith (Pentecostals), the largest Protestant denomination in Russia, called for peace and restraint on February 25; his address began with the words "the terrible

46. Lyubava Vinokurova. "Church is a place for thinking people." // Moskovskaya nemetskaya gazeta. 2022. October (<https://ru.mdz-moskau.eu/cerkov-mesto-dlja-dumajushih-ljudej/>).

47. 10 December 2022. The Cathedral of Saints Peter and Paul in Moscow has become a platform... // Lutheranskaya Vera VK account. 2022. 19 December (https://m.vk.com/wall-170010701_11218).

48. Address of the Conference of Catholic Bishops of the Russian Federation // The Conference of Catholic Bishops of the Russian Federation. 2022. 24 February (<https://catholic-russia.ru/2022/obrashhenie-konferenczii-katolicheskikh-episkopov-rossii/>).

49. The Conference of Catholic Bishops of the Russian Federation: "To be peacemakers and defenders of justice, full of humility" // Ruscatholic.рф. 2022. 28 September (<http://рускаатолик.рф/obraschenie-mobilizacia>); Catechism of the Catholic Church (<http://ccconline.ru/>).

50. Appeal to the Old-Orthodox Believers of the Russian Federation and Ukraine // Russian Old-Orthodox Church in VK. 2022. 25 February (https://vk.com/wall-158467143_855).

51. Appeal to the members of the Russian Old-Orthodox Church, all Old-Orthodox Believers and all those who are not indifferent and sympathetic // Russian Old-Orthodox Church in VK. 2022. 21 March (https://vk.com/wall-158467143_880).

52. Metropolitan Korniliy participated in a roundtable meeting of the State Duma // Russian Old-Orthodox Church. 2022. 29 March (<https://rpsc.ru/news/gos/kruglyj-stol-gd-2022/>).

53. Report of Metropolitan Korniliy to the 2022 Holy Council // Russian Old-Orthodox Church. 2022. 20 October (<https://rpsc.ru/kornily/report/doklad-os-2022/>).

*thing has happened.*⁵⁴ When Bishop Ryakhovsky made a short speech without a clear political message, but with the words “*we have no other way to defend the truth today*” at the World Traditional Religions against the Ideology of Nazism and Fascism in the 21st Century roundtable at the State Duma on March 29th, he had to, after remarks by a number of pastors, explain himself and make it clear that he did not mean to support political decisions of one kind or another, but rather called for acting as Christians and in accordance with military circumstances, and that “*he personally did not sign statements in support of the ‘special operation to denazify Ukraine.’*”⁵⁵ In connection with the mobilization, the Spiritual Council of the Russian Union of Christians of the Evangelical Faith reiterated the call for peace and added that “*one should do as one’s own Christian conscience commands.*”⁵⁶ The October Russian Union of Christians of the Evangelical Faith Council called for avoidance of any political discussion.⁵⁷

The leadership of another major Pentecostal denomination, the Russian Church of Christians of Evangelical Faith, announced a prayer marathon for peace on February 26.⁵⁸ Head Bishop Eduard Grabovenko spoke in June of having to “*ask for forgiveness from our brothers and sisters in Ukraine.*”⁵⁹ The Russian Church of Christians of Evangelical Faith has not changed its position since then.

Russian Seventh-Day Adventists responded to the outbreak of hostilities with a call for more active prayer. There was no call for peace.⁶⁰ It should be noted that Russian and Ukrainian Adventists are united in one Euro-Asian battalion.

On February 24, the Russian Union of Evangelical Christians-Baptists called on believers to pray for peace,⁶¹ and on the same day, the heads of the unions of Baptist churches of countries from Moldova to Kyrgyzstan, including President of the RUECB and of the Euro-Asian Federation of Unions of Evangelical Christian Baptists, Pastor Peter Mitskev-

54. Statement by Bishop Sergey Ryakhovsky (on behalf of the Spiritual Council of the Russian Union of Christians of the Evangelical Faith) concerning the situation in Ukraine // Russian Union of Christians of the Evangelical Faith. 2022. 25 March (<https://www.cef.ru/documents/docitem/article/1640677>).

55. Bishop Sergei Ryakhovsky published a video explaining his words at a roundtable in the Russian State Duma // InVictory. 2022. 18 April (<https://www.invictory.org/news/church/32164-episkop-sergej-ryahovskij-opublikoval-video-gde-obyasnyat-svoi-slova-na-kruglom-stole-v-gosdume-rf>).

56. Official statement in connection with the announcement of partial mobilization in Russia // Russian Union of Christians of the Evangelical Faith. 2022. 23 September (<https://www.cef.ru/documents/docitem/article/1674593>).

57. Final Statement of the Council // Russian Union of Christians of the Evangelical Faith. 2022. 20 October (<https://www.cef.ru/documents/docitem/article/1679993>).

58. Message from leadership of the Russian Church of Christians of Evangelical Faith Pentecostals to all churches // The Russian Church of Christians of Evangelical Faith in VK. 2022. 26 February (https://m.vk.com/wall-43139323_8364).

59. Head Bishop of the Russian Church of Christians of Evangelical Faith Eduard Grabovenko said that Russian Christians should ask Ukrainian Christians for forgiveness // Vo svete. 2022. 8 July (<https://inlight.news/2022/07/08/eduard-grabovenko/>).

60. Call to Prayer // Seventh-Day Adventist Church. 2022. 10 March (<https://esd.adventist.org/2022/03/10/prizyv-k-molitve-3/>).

61. Address by the Russian Union of Evangelical Christians-Baptists on the situation in Ukraine // RUECB. 2022. 24 February (<https://baptist.org.ru/news/main/view/article/1640363>).

ich, appealed to President Putin to “*stop and sit down at the negotiating table.*”⁶² Two weeks later, Mitskevich, along with the leaders of the European Baptist Federation and the Baptist World Alliance, sent an appeal to the presidents of Russia, Ukraine, the United States, and France, calling for a speedy peace and the repair of the damage already done.⁶³ Since then, the position of the RUECB has remained unchanged.

62. Appeal to the President of the Russian Federation V.V. Putin // RUECB. 2022. 24 February (<https://baptist.org.ru/news/main/view/article/1640387>).

63. Address to Presidents // RUECB. 2022. 10 March (<https://baptist.org.ru/news/main/view/article/1642689>).

Summary Statistics of Crimes and Punishments

Data as of February 26, 2023

Types of Violence and Victims of Violent Hate Crimes

	2008		2009		2010		2011		2012		2013	
K – killed, B – beaten, wounded	K	B	K	B	K	B	K	B	K	B	K	B
Total**	116	501	94	443	44	421	27	213	20	198	28	209
Dark-skinned	2	26	2	59	1	28	1	19	0	26	0	7
Natives of Central Asia	57	133	40	92	20	86	10	38	8	38	15	62
Natives of the Caucasus	22	71	18	78	5	45	8	18	4	15	3	28
Of the Middle East and North Africa	0	15	0	2	0	2	0	5	0	2	0	1
Other countries of Asia	9	40	14	37	3	19	0	15	0	5	0	7
People of “non-Slav appearance”	13	57	9	62	7	104	1	26	1	16	0	34
Ideological opponents	3	103	5	77	3	67	1	40	1	57	0	7
Homeless	4	1	4	0	1	3	3	3	6	2	2	3
Russians	3	12	0	7	1	8	1	9	0	5	0	4
Jews	0	6	0	3	0	3	1	2	0	0	0	2
Religious groups	0	6	1	2	0	22	0	24	0	10	0	21
LGBT	1	6	0	0	0	3	0	3	0	12	2	25
Other or unknown	2	25	1	24	3	31	1	11	0	10	6	8

* The data is still far from complete.

	2014		2015		2016		2017		2018		2019		2020		2021		2022*	
K – killed, B – beaten, wounded	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B	K	B
Total**	37	134	14	96	12	89	9	71	9	79	9	72	1	54	3	71	0	27
Dark-skinned	0	15	0	6	1	0	1	0	0	1	0	1	0	2	0	5	0	3
Natives of Central Asia	14	30	7	7	4	24	0	11	2	3	3	12	0	4	1	4	0	1
Natives of the Caucasus	3	14	0	8	2	1	0	4	0	0	0	1	1	8	0	5	0	0
Of the Middle East and North Africa	0	6	1	3	0	0	0	0	0	4	0	0	0	0	0	0	0	0
Other countries of Asia	1	5	0	2	1	4	0	3	0	3	0	2	0	1	0	0	0	2
People of “non-Slav appearance”	3	8	0	10	1	8	0	8	4	11	0	19	0	8	2	19	0	3
Ideological opponents	0	18	0	17	0	15	4	19	0	23	0	5	0	9	0	8	0	7
Homeless	13	1	3	8	2	1	4	1	1	15	1	8	0	2	0	2	0	0
Russians	0	5	0	0	0	4	0	2	0	0	0	1	0	0	0	0	0	0
Jews	0	1	2	1	0	3	0	0	0	0	0	1	0	1	0	1	0	0
Religious groups	2	12	0	18	0	21	0	3	0	1	0	0	0	0	0	0	0	2
LGBT	0	9	0	9	1	4	0	12	2	15	5	14	0	17	0	21	0	6
Other or unknown	1	12	1	7	0	4	0	8	0	3	0	8	0	2	0	6	0	3

** Not including the victims of mass clashes; not including the victims in the North Caucasus republics and in Crimea prior to 2016. For the data for the years 2004-2007, see previous reports. 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.

Ideologically Motivated Attacks Against Property

	2009		2010		2011		2012		2013		2014		2015	
	D	O	D	O	D	O	D	O	D	O	D	O	D	O
D – dangerous assaults O – other assaults *														
Total	36	136	36	142	13	81	11	84	23	48	11	43	10	46
Religious targets	14	45	17	43	12	53	10	61	23	41	6	26	9	24
Orthodox	5	11	8	8	3	9	5	33	12	19	2	8	4	5
Muslim	3	5	2	7	1	16	1	5	5	4	4	4	2	5
Еврейские	1	21	1	14	1	13	1	7	3	7	0	5	1	4
New religious movements	1	3	4	10	5	11	2	11	2	9	0	8	2	9
Catholic	0	1	0	0	0	0	0	1	0	0	0	0	0	0
Protestant	2	2	2	1	2	3	1	4	1	0	0	1	0	0
Armenian	2	2	0	2	0	0	0	0	0	0	0	0	0	0
Other religious ***	0	0	0	1	0	1	0	0	0	2	0	0	0	1
Other targets	22	91	19	99	1	28	1	23	0	7	5	17	1	22
State institutions	9	0	12	1	0	0	0	0	0	0	1	4	0	4
Ideological targets	13	91	5	95	1	27	1	23	0	7	4	13	1	18
Other ****	0	0	2	3	0	1	0	0	0	0	0	0	0	0

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

** The data is still far from complete.

	2016		2017		2018		2019		2020		2021		2022**	
	D	O	D	O	D	O	D	O	D	O	D	O	D	O
Total	6	40	14	35	7	27	6	14	7	23	7	21	4	18
Religious targets	6	25	9	21	7	13	6	9	7	11	4	8	3	9
Orthodox	2	8	4	7	4	7	3	3	3	5	1	3	3	2
Muslim	0	4	0	0	0	1	0	1	0	2	0	0	0	1
Еврейские	1	4	1	0	3	1	1	4	1	2	1	2	0	5
New religious movements	3	7	3	11	0	0	1	1	0	0	0	0	0	0
Catholic	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Protestant	0	0	1	1	0	2	0	0	2	0	1	0	0	0
Armenian	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Other religious ***	0	2	0	2	0	1	0	0	1	2	1	3	0	1
Other targets	0	15	5	14	0	14	0	5	0	12	3	13	1	9
State institutions	0	1	0	0	0	0	0	0	0	1	0	1	0	0
Ideological targets	0	14	4	14	0	14	0	5	0	7	3	11	0	9
Other ****	0	0	1	0	0	0	0	0	0	4	0	1	1	0

*** These include Buddhist targets and other religions that were not mentioned and religious objects that could not be attributed.

**** These include objects that do not fall into any of the other categories or those that could not be attributed.

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 guilty)			
Crimes	against persons	against property	public statements	membership in a group *
2004	9/0/0	-****	3/0/0	3/2/0
2005	17/0/0	-	12/1/0	2/4/8
2006	33/0/0	-	17/2/0	3/1/3
2007	38/0/0	4/0/0	30/1/1	2/0/8
2008	33/0/0	8/0/0	49/2/1	3/0/4
2009	52/0/1	10/0/0	56/4/0	5/13/2
2010	91/0/0	13/0/1	69/8/3	9/6/8
2011	62/1/3	9/0/0	72/6/1	12/7/7
2012	32/2/2	5/0/0	87/4/1	6/9/3
2013	32/1/0	8/0/0	130/7/3	7/8/6
2014	22/0/2	4/0/0	153/4/6	7/9/14
2015	24/1/0	8/1/0	211/14/9	11/16/3
2016	17/2/0	5/0/0	207/17/9	8/22/1
2017	10/0/0	4/0/0	216/17/21	4/27/3
2018***	16/0/2	2/0/0	60/11/140	4/25/3
2019	5/0/0	0/0/0	15/6/92	7/27/6
2020	5/0/0	1/0/0	6/11/106	3/41/13
2021	13/0/1	0/0/3	8/21/200	7/97/15
2022**	9/0/1	4/11/5	16/39/195	14/86/30

* This includes participation in an “extremist community” or an organization banned for extremism, as well as in Hizb ut-Tahrir under Art. 205.5 of the Criminal Code.

** The data is still far from complete.

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

**** The hyphen means that the data for this period has not yet been collected.

Year	Number of convicts				
	Crimes	against persons	against property	public statements	membership in a group *
2004		26/0/0	-	3/0/0	3/2/0
2005		56/0/0	-	15/2/0	2/18/19
2006		109/0/0	-	20/2/0	15/1/3
2007		89/0/0	5/0/0	41/1/5	4/0/27
2008		107/0/0	7/0/0	67/3/0	10/0/14
2009		130/0/2	20/0/0	74/5/0	9/25/2
2010		305/0/0	22/0/1	78/9/5	32/6/19
2011		195/4/3	16/0/0	80/7/1	26/12/19
2012		70/4/3	7/0/0	100/11/1	9/24/13
2013		55/1/0	11/0/0	136/7/4	8/16/11
2014		47/0/3	6/0/0	158/4/8	15/22/26
2015		58/1/0	14/1/0	220/16/9	25/44/6
2016		39/2/0	6/0/0	226/18/9	22/38/2
2017		24/0/0	6/0/0	235/18/22	6/76/11
2018***		48/0/7	6/0/0	71/12/140	9/76/6
2019		11/0/0	0/0/0	20/6/93	15/94/18
2020		8/0/0	1/0/0	7/17/117	8/78/31
2021		36/0/1	0/0/7	10/22/202	13/168/19
2022**		16/0/6	7/12/5	21/40/202	40/186/38

Year	Suspended sentences or released from punishment			
Crimes	against persons	against property	public statements	membership in a group *
2004	5/0/0	-	2/0/0	2/0/0
2005	5/0/0	-	6/0/0	0/1/9
2006	24/0/0	-	7/1/0	0/0/0
2007	12/0/0	5/0/0	9/0/0	0/0/6
2008	22/0/0	6/0/0	27/3/0	2/0/7
2009	35/0/1	7/0/0	33/1/0	2/12/1
2010	119/0/0	5/0/1	35/5/4	5/5/8
2011	77/4/1	4/0/0	33/2/1	3/7/4
2012	13/0/2	1/0/0	15/6/0	1/12/4
2013	14/0/0	1/0/0	14/3/3	1/3/3
2014	7/0/1	0/0/0	14/2/0	2/5/4
2015	12/0/0	2/0/0	41/2/3	7/20/0
2016	3/0/0	0/0/0	101/4/3	14/1/0
2017	1/0/0	0/0/0	116/7/9	4/6/0
2018***	9/0/0	0/0/0	25/5/82	1/1/0
2019	4/0/0	0/0/0	9/2/41	4/10/1
2020	1/0/0	1/0/0	4/1/102	1/28/6
2021	22/0/0	0/0/2	4/2/87	9/76/5
2022**	2/0/1	2/0/1	5/11/78	24/70/3

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SOVA-22 Ltd
Phone: (495) 517-92-30.
E-mail: ooo.sova.22@gmail.com

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