



RUSSIA: EXTREMISM LEGISLATION ABUSED TO SILENCE ALTERNATIVE VOICES

30 August 2007

ARTICLE 19, Global Campaign for Free Expression, is deeply concerned about the harassment of the Nizhny Novgorod Foundation to Support Tolerance.

On 29 August 2007, three police officers entered the Foundation's premises with order No. 39, signed by the head of the Ministry of the Interior's regional department, and seized its computers. This was done in the context of an investigation on possible 'extremist activities' by the organisation. The police also warned that they were carrying out an investigation into the Foundation's finances.

The Foundation was established in March 2007 as a successor to the Russian-Chechen Friendship Society (RCFS), with the aim of promoting tolerance and understanding in the Russian Federation (Russia). The RCFS, which provided alternative information on conflict in the North Caucasus, including human rights violations in Chechnya, became the subject of harassment and was eventually shut down in January 2007.¹ The former head of the RCFS, a current member of the Foundation, Stanislav Dmitrievsky, was convicted of 'inciting racial hatred' in February 2006 after he published peaceful statements by Chechen separatist leaders.² On 17 August 2007, the Nizhni Novgorod District Court approved a motion by the Regional Department of the Implementation of Criminal Sentences to increase the sentence handed down against Stanislav Dmitrievsky in 2006.³

The same policemen who had visited the Foundation to Support Tolerance also raided the Nizhny Novgorod office of independent newspaper *Novaya Gazeta* on 30 August, with order No. 40 signed by the head of the Ministry of Interior's regional department, and their computers were also seized.

¹ See ARTICLE 19, *The Closure of the Russian-Chechen Friendship Society is a Violation of the Right to Freedom of Expression*, 17 October 2006, <http://www.article19.org/pdfs/press/russia-rcfs-statement.pdf>.

² This allowed the government to shut down his organisation under a provision in the NGO Law, which forbids NGOs from being headed by people found guilty of a criminal offence.

³ In 2006 Dmitrievsky received a two year suspended prison sentence. The new decision means that if Mr Dmitrievsky, in the course of his four-year probation, commits two administrative offences in the same year, the suspended sentence of two years' imprisonment may come into effect. See ARTICLE 19, *Harassment of Stanislav Dmitrievsky Continues*, 28 August 2007, <http://www.article19.org/pdfs/press/russia-harassment-hr-activist.pdf>.

The office of the Nizhny Novgorod Human Rights Alliance was also raided on the same day. The Alliance's staff stated that this was their fourth inspection in seven days.

A pattern of seeking to suppress the provision of alternative information emerges from the actions against the Foundation to Support Tolerance, *Novaya Gazeta*, the Human Rights Alliance and the RCFS. This seems to be part of a series of so-called 'anti-extremist' actions promoted by the local authorities. Following the 28 August meeting of the Anti-Terrorism Committee of the Nizhny Novgorod region, the governor declared that all youth organisations of Nizhny Novgorod had to be checked for 'signs of extremism', to assess their potential 'danger', a 'necessary' measure in light of the forthcoming elections. ARTICLE 19 notes that anti-extremism legislation is often abused to silence dissenting voices in Russia, rather than employed to respond to genuine cases of incitement to hatred or violence. Meanwhile the Russian authorities have adopted a range of measures to restrict any voice that criticise their actions in Chechnya.

While States are permitted to take measures against hate speech, a clear distinction should be drawn between speech that genuinely incites to discrimination, hostility or violence, and statements which are intended to contribute to a debate about conflicts, their causes and solutions. International standards permit restrictions to freedom of expression on the grounds of national security only in cases in which an act is intended to incite violence and where there is a direct and immediate link between the act and the likelihood or occurrence of violence.

ARTICLE 19 therefore calls upon the Russian authorities to:

- Return all computers to the raided organisations, and allow them to operate free of harassment and interference.
- Ensure that anti-extremism legislation is used only in the context of statements and actions that are intended to incite violence and where there is a direct and immediate link between the action and the likelihood or occurrence of violence, or statements that incite to discrimination, hostility or violence.
- Take measures to create the conditions for media pluralism in Russia, including the free expression of opinions and information on the situation in Chechnya.