

Federal Law No. 114/FZ of 25 July 2002 - On Countering Extremist Activity [O protivodeystvii ekstremistskoy deyatel'nosti].

The law included measure to counteract extremist organizations as well as facing the issue of media publishers of extremist materials. The provision did not only, however widely, identify extremism with terrorism, but included Nazism and Fascism. In particular, for what concerns publication of extremist material, this law referred to materials and documentation “encouraging extremist activity, either supporting or justifying the necessity for carrying out such activity, including works of the leaders of the National-Socialist Workers Party of Germany, the Fascist Party of Italy, publications supporting or justifying national and (or) racial supremacy, either supporting or justifying the practice of committing [...] crimes directed at the complete or partial destruction of any social, national, ethnic, racial, or religious group”. (Article 1.3)

**RUSSIAN FEDERATION
FEDERAL LAW
ON COUNTERACTING EXTREMIST ACTIVITY¹**

Adopted by the State Duma 27 June 2002
Approved by the Council of the Federation 10 July 2002

This Federal Law defines the legal and organizational foundations for counteracting extremist activity and establishes liability for the conduct of extremist activity, consistent with the goals of securing the rights and freedoms of persons and citizens, the foundations of constitutional structure, and the protection of the integrity and security of the Russian Federation.

Article 1. General Terms

For purposes of the present Federal Law, the following terms are adopted:

Extremist activity (extremism):

- 1) Activity of social and religious associations, or other organizations, whether through the mass media or through individuals' premeditated organization, preparation and execution of actions directed at the:

forceful change of the fundamental constitutional structure and destruction of the integrity of the Russian Federation;

undermining the security of the Russian Federation;

seizure or appropriation of commanding authority;

creation of illegal armed forces;

carrying out terrorist activity;

incitation of social, racial, nationalistic or religious animosity;

debasement of national dignity;

creation of massive disorder, hooligan activities, and acts of vandalism motivated by ideological, political, racial, nationalistic or religious hatred or hostility, or otherwise motivated by hatred or hostility directly in relation to a social group;

propaganda of exclusivity, advocating either superiority or inferiority of citizens on the basis of religion, social, racial, national, religious or linguistic affiliation;

¹ The text of Federal Law No. 114-FZ of July 25, 2002 On Counteracting Extremist Activity was published in Parlyamentskaya Gazeta No. 142-143 of July 30, 2002, Rossiiskaya Gazeta No. 138-139 of July 30, 2002 and Sobranie Zakonodatelstva Rossiyskoy Federatsii No. 30 of July 29, 2002, item 3031.

- 2) Propaganda and public demonstration of Nazi paraphernalia or symbolism or paraphernalia or symbolism similar enough to be confused with Nazi paraphernalia or symbolism;
- 3) Public summons to the above-indicated activities or the commission of such actions;
- 4) Financing assistance in the commission or accomplishment of the above-indicated actions, including providing the means for accomplishment of such activities through financial means, real estate, educational, polygraphic or material or technical resources, telephone, fax or other means of communication, informational services, or other types of material or technical resources;

Extremist Organization—a social or religious organization, or other organization, in relation to which a court has issued a decision on the liquidation or prohibition of activities in connection with the commission of extremist activity, which has entered into force based on the foundations provided in the present Federal Law.

Extremist materials—documents prepared for publication or information in other forms, encouraging extremist activity, either supporting or justifying the necessity for carrying out such activity, including works of the leaders of the National-Socialist Workers Party of Germany, the Fascist Party of Italy, publications supporting or justifying national and (or) racial supremacy, either supporting or justifying the practice of committing armed or other crimes directed at the complete or partial destruction of any social, national, ethnic, racial, or religious group.

Article 2. Fundamental Principles of Counteracting Extremist Activity

Counteracting extremist activity is based on the following principles:

Recognition, observance and protection of the rights and freedoms of persons and citizens, as well as the legal interests of organizations;

the law;

openness;

priority of ensuring the security of the Russian Federation;

priority of measures aimed at preventing extremist activity;

cooperation of the state with social and religious organizations, other organizations and citizens in counteracting extremist activity;

inevitability of punishment for carrying out extremist activities

Article 3. Fundamental Directives of Counteracting Extremist Activity

Counteracting extremist activity is achieved in accordance with the following directives:

Adoption of prophylactic measures aimed at the prevention of extremist activity, including discovery and subsequent elimination of principles and conditions that facilitate the conduct of extremist activity;

Discovery, warning and suppression of extremist activity of social and religious organizations, other organizations, or physical persons.

Article 4. Subjects of Counteraction of Extremist Activity

Federal bodies of government authority, bodies of government authority of subjects of the Russian Federation, and bodies of local administration participate in the counteracting of extremist activity within the bounds of their own competence.

Article 5. Prevention of Extremist Activity

In the goals of counteracting extremist activity, the federal bodies of government power, bodies of government power of subjects of the Russian Federation, and bodies of local administration, within the bounds of their own competence and in order of priority, carry out preventative measures, including educational, propagandistic measures for the prevention of extremist activity.

Article 6. Warning Announcement on the Inadmissibility of Extremist Activity

In the presence of sufficient and preliminarily-confirmed accounts of preparation for illegal actions containing signs of extremist activity, and in the absence of foundations for liability for criminal activity, the General Prosecutor of the Russian Federation or his substitute, either a subordinate prosecutor or his substitute, will send to the leader of a social or religious or other organization, and to other appropriate persons, a written warning on the inadmissibility of the action with an indication of concrete foundations for the warning.

In the event that the requirements contained in the warning are not fulfilled, the person to whom was the warning was issued may be held responsible in the established order.

The warning may be appealed in court according to the established order.

Article 7. Pronouncement of Warning to the Social or Religious Association or other Association on the Inadmissibility of Extremist Activity

A social or religious organization or other organization, in the event of the discovery of facts testifying to the presence of activity bearing signs of extremism, including activity in at least one of an organization's regional or other structural subunits, will receive a written warning on the inadmissibility of the activity indicating the concrete foundations for pronouncement of the warning, including the assumed violations. In the event that it is possible to adopt measures for the elimination of the assumed violations, the warning will also establish a deadline for the

elimination of the noted violations, consisting of not less than 2 months from the day of the warning pronouncement.

Warning to a social, religious or other organization is issued by the General Prosecutor of the Russian Federation or a proper subordinate prosecutor. The federal body of executive power, in its jurisdictional sphere, or its corresponding territorial body, may also issue a warning to a social or religious association.

The warning may be appealed in court according to the established order.

In the event that the warning has not been appealed in court in the established order or has not been declared illegal by a court, or if during the timeframe established by the warning the respective social, religious or other organization or its regional or structural subunits, have not eliminated the committed violations serving as the basis for pronouncement of the warning, or if during the course of 12 months from the day of the pronouncement of the warning, new facts are exposed which testify to the presence of signs of extremism in their activity, the corresponding social, religious or other organization will be subject to liquidation, or the activities of social or religious organizations, not recognized as legal entities, will be banned, in the order established by the Federal Law.

Article 8. Warning of the Inadmissibility of Distribution of Extremist Materials and Accomplishment of Extremist Activity through Mass Media

In the event of distribution through the mass media of extremist materials or exposure of facts, testifying of the presence in its activity of signs of extremism, the director and (or) editorial staff (chief editor) of the given mass media source authorized by a government body having registered the given source of mass information, or the federal body of executive power in the sphere of print, television or radio broadcasting and means of mass communication, or the General Prosecutor of the Russian Federation, or a proper subordinate prosecutor, will issue a warning in writing on the inadmissibility of such actions or such activity with an indication of the concrete foundations for issuance of the warning, including the committed violations. In the event that it is possible to adopt measures to eliminate the admissible violations, the warning letter will also establish a timeframe for elimination of the noted violations, consisting of not less than 10 days from the day of the issuance of the warning.

The warning may be appealed in court according to the established order.

In the event that a warning has not been appealed in court in the established order or has not been declared illegal by a court, or if during the timeframe established by the warning, measures have not been adopted to eliminate the committed violations serving as the basis for pronouncement of the warning, or if within 20 months from the day of pronouncement of the warning, new facts are exposed which testify to the presence of signs of extremism in their activity, the respective provider of mass information will be subject to discontinuance of activity, in the order established by the Federal Law.

Article 9. Responsibility for Social, Religious, or Other Associations for Conduct of Extremist Activity

The creation and operation of social and religious associations or other associations, which have goals or actions directed at the conduct of extremist activity are forbidden in the Russian Federation.

In the event provided for by part four of Article 7 of the present Federal Law, or in the event that a social, religious or other organization, or its regional or structural subunits, conduct extremist activity, bringing about the violation of the rights and freedoms of persons or citizens, causing harm to personality, health of citizens, environment, social order, national security, property, legal economic interests of physical and (or) legal entities, society and government, or creating a realistic threat of causing such harm, the respective social or religious organization, or other organization, may be liquidated and the activity of a social or religious organization not having legal entity status may be prohibited by court decision on the basis of a declaration the General Prosecutor of the Russian Federation or a subordinate prosecutor.

According to the grounds provided in part two of the present article, social or religious organizations may be liquidated and the activity of a social or religious organization, not having legal entity status, may be prohibited by decision of the court also on the basis of a declaration by the federal organ of executive authority in the judicial sphere or sphere of the corresponding territorial organ.

In the event that a court, on the grounds provided by the present Federal Law, issues a decision on the liquidation of a social or religious association, their regional and other structural subunits are also subject to liquidation.

Property remaining after the fulfillment of the demands of creditors of social, religious or other organizations, liquidated on the basis of grounds provided by the present Federal Law, is subject to conversion into property of the Russian Federation. A decision to convert the indicated property into property of the Russian Federation is issued by the court concurrently with a decision on the liquidation of the social, religious or other organization.

Article 10. Suspension of Activity of a Social or Religious Association

In the event that a social, religious or other organization, or its regional or structural subunits conducts extremist activity, bringing about violation of the rights and freedoms of persons or citizens, causing harm to personality, health of citizens, environment, social order, national security, property, legal economic interests of physical and (or) legal entities, society and government, or creating a realistic threat of causing such harm, the appropriate official or authorized body may, from the moment of addressing the court, according to the grounds described in Article 9 of the present Federal Law, seeking liquidation of the social or religious association or on prohibition of its activity, has the right by its own decision to suspend the activity of the social or religious organization prior to the review of the declaration by the court.

A decision to suspend the activity of the social or religious organization prior to review by the court of the decision to liquidate or prohibit the activity can be appealed in court in the established order.

In the event of suspension of activity of a social or religious association, the rights of the social or religious organization, its regional and other structural subunits as well as directors of the mass media are also suspended and they are forbidden to use government or municipal means of mass media, organize and conduct meetings, rallies, demonstrations, processions, vigils and other public activities, to participate in elections and referendums, to maintain bank accounts with the exception of accounts connected with their own economic activities, compensation of material losses (damages), payment of taxes, collections or fines, and accounts for labor agreements.

If the court does not grant the petition for liquidation of the social or religious association or the prohibition on its activities, the given association may renew its activities after the court decision enters into legal force.

The suspension of activities of political parties is carried out in the order established by the Federal Law "On Political Parties."

Article 11. Responsibility of Mass Media Providers for the Distribution of Extremist Materials and Conduct of Extremist Activities

Distribution of extremist materials and conduct of extremist activity through mass media is prohibited in the Russian Federation.

In the event envisioned in part three of Article 8 of the present Federal Law, or in the event of conduct of extremist activity through mass media, bringing about violation of the rights and freedoms of persons or citizens, causing harm to personality, health of citizens, environment, social order, national security, property, legal economic interests of physical and (or) legal entities, society and government, or creating a realistic threat of causing such harm, the activity of the respective provider of mass information may be discontinued by court order on the basis of the declaration of the authorized government body of executive power in the sphere of print, television or radio broadcasting and means of mass communication, or the General Prosecutor of the Russian Federation or a proper subordinate prosecutor.

Consistent with the goal of preventing the continued dissemination of extremist material, a court may enjoin the printing of issues of periodic publication or circulation of audio- or video recordings or programs, or the issuance of corresponding tele-, radio- or video programs, in the order established for adopting such measures according to the provision of a suit.

A court decision is a ground for confiscation of unrealized portions of circulation of a mass media production containing material of extremist nature from places of storage, wholesale or retail trade.

Article 12. Inadmissible Use of Network Connections of General Usage for the Conduct of Extremist Activity

The use of network connections of general usage for conducting extremist activity is prohibited.

In the event that a network connection of general usage is used for conducting extremist activity, measures provided in the present Federal Law will be enacted, taking into account particularities regulated by legislation of the Russian Federation with respect to the field of network connections.

Article 13. Struggle with the Spread of Extremist Materials

Publication and distribution of printed, audio- , audiovisual and other materials containing at least one of the characteristics listed in Article 1 of the present Federal Law is prohibited on the territory of the Russian Federation. Such materials include:

- a) official materials of the prohibited extremist organization;
- b) materials whose authors are persons condemned in accordance with international legal acts for crimes against peace and humanity and containing characteristics listed in Article 1 of the present Federal Law;
- c) any other materials, including anonymous materials, containing characteristics considered in Article 1 of the present Federal Law;

Establishment of the presence in informational materials of the characteristics considered above in points “a” and “c” of the first part of the present article is determined by a federal court according to the place of location of the organization carrying out the publication of such materials, on the foundation of representation of a prosecutor.

A court decision establishing the presence in informational materials of characteristics considered in the first part of Article 1 of the present Federal Law is a ground for confiscation of the unrealized part of the circulation. An organization that publishes extremist materials twice within the course of 12 months loses the right to conduct publishing activities.

A copy of a court decision that has entered into force declaring certain informational materials as extremist is directed to the authorized executive body in that jurisdiction. The federal list of extremist materials is subject to periodic publication in sources of mass media.

A decision on the inclusion of materials in the federal list of extremist materials may be appealed in court in the established order.

Materials included in the federal list of extremist materials may not be distributed on the territory of the Russian Federation. Persons guilty of illegal preparation, distribution and possession with intent to distribute the given materials are subject to administrative or criminal responsibility.

Article 14. Responsibility of Officials, Government and Municipal Servants for Their Conduct of Extremist Activity

Statements of officials or other persons in government or municipal service on the necessity, permissibility, opportunity or desirability of carrying out extremist activity, made publicly, either in fulfillment of their official responsibilities or the directions of an official assignment, or similarly the non-acceptance by an official person of measures for the suppression of extremist activity entails responsibilities as established by legislation of the Russian Federation.

The respective state bodies and higher officials are responsible without delay to enact the necessary measures to bring such persons allowing the actions indicated in the first part of this present article to accountability.

Article 15. Responsibility of Citizens of The Russian Federation, Foreign Citizens, and Persons without Citizenship for the Conduct of Extremist Activity

Citizens of the Russian Federation, foreign citizens and person without citizenship face criminal, administrative and civil-legal liability for the conduct of extremist activities in the order established by legislation of the Russian Federation.

Consistent with the goals of providing government and national security on the foundations and in the order previously provided by federal law, a person who has participated in conduct of extremist activity by the decision of the courts may be excluded from consideration for government or municipal service, military service by contract and service in law enforcement bodies, as well as from work in educational establishments and private detective or security related responsibilities.

In the event that a leader or member of the leadership body of a social or religious organization, or other organization makes a public statement calling for extremist activity, without indicating that this is his or her personal opinion, or similarly in cases where such person is subject to a judicial sentence, having entered into legal force, for a crime of extremist purpose, the corresponding social or religious organization or other organization is responsible to promptly make, within the course of 5 days from the day the statement was made, a public announcement indicating disagreement with the statement or activities of such person. If the respective social or religious organization, or any other organization, fails to make such an announcement, then the statement will be viewed as a fact testifying to the presence of signs of extremism in the activity of the organization.

Article 16. Impermissibility of Extremist Activity at Large Events

Extremist activity is prohibited during gatherings, meetings, demonstrations, processions and vigils. Organizers of such massive events bear responsibility for observing the requirements of the legislation of the Russian Federation concerning the order of conduct of large events, non-allowance of conduct of extremist activities, and subsequent discontinuance of the activities. The bodies of internal affairs of the Russian Federation will issue warnings in written form to warn the organizers of this responsibility.

Participants in large events are forbidden to bear weapons on their person (with exception of locations in which the bearing of a sword or knife is an accessory of the national costume), as well as objects especially prepared or suited for the infliction of harm to the health of citizens or material injury to physical or legal persons.

During the course of large events, it is prohibited to invite the participation of extremist organizations, use their symbolism or attributes, or spread of extremist materials.

In case of discovery of conditions provided in part three of the present article, organizers of the large event, or persons responsible for it, are required to take prompt measures to remove the indicated violations. Non-fulfillment of this responsibility will result in discontinuance of the large event according to the requirements of representatives of the bodies of internal affairs of the Russian Federation and responsibility of its organizers on the grounds and in the order provided for by legislation of the Russian Federation.

Article 17. International Cooperation in the Area of Battling Extremism

Activity of social and religious associations, and other noncommercial organizations of foreign governments and their structural subunits, which have been declared extremists in accordance with international legal acts and federal legislation is prohibited on the territory of the Russian Federation.

Prohibition on activity of foreign noncommercial nongovernmental organizations entails:

- a) cancellation of government accreditation and registration in the order established by legislation of the Russian Federation;
- b) prohibition of foreign citizens and persons without citizenship in the capacity of representatives of the given organization on territory of the Russian Federation;
- c) prohibition on conduct of any economic or other activity on the territory of the Russian Federation;
- d) prohibition on the publication through mass media of any materials in the name of the forbidden organization;
- e) prohibition on distribution on the territory of the Russian Federation of materials of a prohibited organization as well as other informational productions containing materials of the given organization;
- f) prohibition on the conduct of other large events and public activities as well as participation in large events and public activities in the capacity of a representative of a forbidden organization (or its official representatives);
- g) prohibition on the creation of its organization by legal successors in any organizational or legal form.

After the entering into legal force of a court decision prohibiting activity of a foreign noncommercial nongovernmental organization, the authorized government organ of the Russian Federation is obligated to notify, within the course of 10 days, the diplomatic representative or consulate institution of the respective foreign government in the Russian Federation of the prohibition on activities of the given organization on the territory of the Russian Federation, the reasons for the prohibition, as well as consequences connected with the prohibition.

The Russian Federation, in accordance with international agreements of the Russian Federation, cooperates in the area of battling extremism with foreign governments, their law

enforcement bodies, and special services, as well as with international organizations battling extremism.

President of the
Russian Federation
V. PUTIN

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