

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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# TERRORISING THE DISSENT: ABUSE OF TERRORISM-RELATED CHARGES IN RUSSIA

In recent years the Russian authorities have been increasingly using false, politically motivated terrorism-related charges. Their abuse has reached a whole new level with the beginning of Russia's full-scale invasion of Ukraine in February 2022.

During this time more than 50 individuals have been prosecuted under charges of terrorism in connection with arson, or attempted arson, that targeted military conscription centres or other official buildings in protest against the war of aggression or the mobilization of military reservists for the war. In all these cases, albeit a violent action in itself, the arson was largely symbolic, and neither caused, nor genuinely risked causing, any bodily harm (these actions usually take place at nighttime) and rarely lead to more than a fire-damaged entrance door.

Convictions of "terrorism-related" crimes that didn't include terrorist attacks themselves (also known as inchoate offences) have increased 50-fold over the last 10 years. For example, the charge of "justification of terrorism" has been used ever more widely to target critics of the authorities and of their brutal response to dissent. Dozens of individuals have been convicted of "justification of terrorism" for merely speculating on the motives of a 17-year old Mikhail Zhlobitsky who blew himself up in protest against politically motivated persecutions and torture at a local Federal Security Service (FSB) office in 2018. The same charge has been pressed against individuals who (in however a limited, private setting, including inside a prison cell) showed any sign of approval of certain Ukrainian military strikes or Ukrainian military units which the Russian authorities have arbitrarily designated as "terrorist organizations".

Terrorism-related prosecution (including under the charges of "justification of terrorism", "financing of terrorism", etc.) is subject to harsher rules and penalties, including no statute of limitations, mandatory minimal prison sentences, typically closed trials in military courts and other violations of the right to a fair trial. As a result, there has been no single acquittal in these trials for many years.

At the same time, Russian legislation, law enforcement practice and the criminal justice system largely conflate "terrorism" and "extremism", the latter being vaguely defined and widely used to target political opposition and peaceful civil society activities, including most recently the undefined "international LGBT movement", which has been arbitrarily designated as an extremist organization by Russia. Those accused of terrorism as well as extremism are ordinarily placed in a special public registry, before any trial, which cuts nearly all their access to essential banking services.

## ARBITRARY USE OF CHARGES OF TERRORISM

According to official data, in the first six months of 2023 Russian courts convicted 39 individuals of committing or planning terrorist attacks.<sup>1</sup> It is more than in any entire year in the last decade. The sharp growth in the number of terrorism cases raises concerns over abuse of terrorism charges by the Russian authorities, such as those documented in this briefing.

Russian media have reported at least 113 incidents between February 2022 and March 2023 when individuals set, or attempted to set, on fire military conscription centres or other official buildings, often in protest against the war in Ukraine or against mobilization.<sup>2</sup> Most of the attacks took place at night when the offices were closed. No casualties have been reported, and the damage was usually limited to the entrance door at most.

The definition of a terrorist attack in Russian law requires that there is a "threat of loss of life, serious property damage or other grave consequences,"<sup>3</sup> none of which applied in the vast majority of these cases. However, in 41 out of 82 cases of

<sup>1</sup> Justice Department of the Supreme Court, <http://www.cdep.ru/?id=79> (in Russian, not accessible from outside Russia). The data includes only trials in the first instance.

<sup>2</sup> MediaZona, "Fire! As Russians set fire to draft offices, we map the arson attacks", 13 October 2022, updated on 26 July 2023, <https://en.zona.media/article/2022/10/13/burn-map>

<sup>3</sup> Федеральный закон «О противодействии терроризму» [Federal Law on Countering Terrorism], 2006, Article 3 (as amended on 10 July 2023).

reported arson or attempted arson, as of July 2023, criminal proceedings were known to have been opened on suspicion of terrorism. As such, the ensuing terrorism charges appeared disproportionate. For the rest of the 113 reported arson-related incidents, it was not reported whether these were qualified as terrorist attacks.<sup>4</sup> At least 10 more such cases, qualified as terrorism, were reported by the Russian media between August and December 2023.

For example, on 10 April 2023, a court sentenced police sergeant Roman Nasryev and firefighter and musician Aleksei Nuriyev to 19 years' imprisonment on charges of undergoing training for terrorist activities<sup>5</sup> and committing a terrorist attack.<sup>6</sup> The two men had allegedly thrown several "Molotov cocktails" into a local military registration office of Bakal (a town in Chelyabinsk region about 1,300 km east of Moscow) on 10 October 2022. Nobody was hurt, and the fire was quickly extinguished by a security guard.<sup>7</sup> Roman Nasryev stated in court that he had "wanted to show that there are people in our town who disagree with the mobilization and the 'special military operation'," the latter being a reference to Russia's war against Ukraine, as it is officially called in Russia.<sup>8</sup>

While throwing of "Molotov cocktails" can constitute an internationally recognisable criminal offence, Amnesty International is concerned that the Russian authorities may be misusing terrorism charges. While there is no internationally accepted definition of terrorism, most if not all the alleged arson attacks would fall outside the model definition provided for by the UN Special Rapporteur on counter-terrorism and human rights.<sup>9</sup> In that definition a key element is that terrorism-related offences involve lethal or serious physical violence or hostage taking. In many, if not all, of the instances documented in this document, there were no injuries caused and no likelihood of an injury being caused due, for example, to the timing of the incident or to the area the "Molotov cocktails" struck being non-inflammable and made of glass, metal and/or concrete.

The Russian authorities also often qualify military strikes, confirmed or alleged, by the Armed Forces of Ukraine (AFU) as terrorist attacks. This label was applied, for example, to the strikes on the Kerch Bridge, which links Russia with occupied Crimea and is regarded as a military target by Ukraine, and to the activities of Russian volunteers fighting within the ranks of the AFU. In October 2023, law enforcement agencies reportedly opened several criminal cases, including terrorism-related, against Kirill Kanakhin, a theatre actor and member of the military unit known as the Russian Volunteer Corps. Russian authorities describe the unit as a "Ukrainian paramilitary formation" which they claim is subordinated to the AFU,<sup>10</sup> yet regard it as a terrorist organization. In doing so, they contradict themselves by criminalizing as terrorism participation in this international armed conflict as a member of the opposing side's forces.

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<sup>4</sup> MediaZona, "A blow to Putin's hubris.' How arson attacks on military recruitment offices are prosecuted in Russia", 28 July 2023, <https://en.zona.media/article/2023/07/28/arson>

<sup>5</sup> Criminal Code, Article 205.3.

<sup>6</sup> Criminal Code, Article 205(2).

<sup>7</sup> DOXA, «Пора начинать, либо умрём рабами» ["Time to start, or we'll die slaves"], 11 April 2023, <https://doxa.team/articles/nureyev-and-nasryev-case> (in Russian).

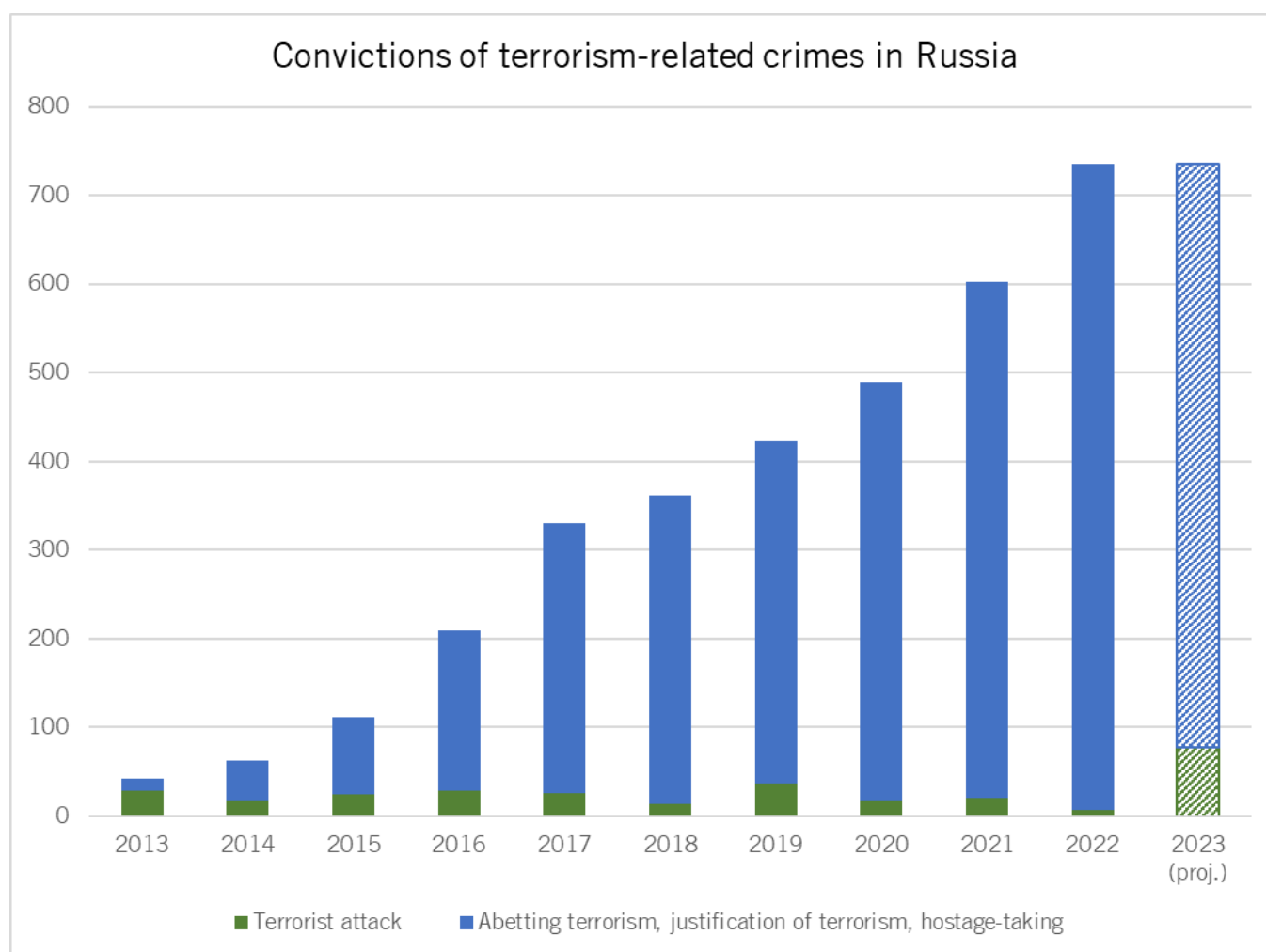
<sup>8</sup> BBC Russian Service, «Обвиняемым в поджоге администрации на Урале дали 19 лет лишения свободы» ["The accused of an arson of administrative office in the Urals were given 19 years' imprisonment"], 10 April 2023, <https://www.bbc.com/russian/news-65213405> (in Russian).

<sup>9</sup> Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin (A/HRC/16/51), practice 7, p. 22.

<sup>10</sup> Коммерсант, «Актер изменил родине с террористами» ["An actor cheated on his motherland with terrorists"], 18 October 2023, <https://www.kommersant.ru/doc/6282776> (in Russian).

## TERRORISM-RELATED CHARGES

Russian law criminalizes a broad range of actions that it considers terrorism-related that range from hostage-taking to justifying terrorism. These charges may lead from lengthy prison sentences to life imprisonment. Official data shows that, over the last decade, less than 10% of convictions under terrorism-related charges were for actually committing or planning terrorist attacks as defined in Russian law.<sup>11</sup> A total of 3,738 individuals have been convicted of terrorism-related crimes since 2013, of which 3,479 did not involve violent actions consistent with the definition of “terrorist attacks”.<sup>12</sup> Such convictions for “accompanying” crimes have increased 50 times from only 14 cases in 2013 to 729 in 2022, and 329 in the first half of 2023.<sup>13</sup>



<sup>11</sup> Available statistics collate most of terrorism-related charges together. However, it appears that violent actions are a minority in this category: for example, director of the Federal Security Service Aleksandr Bortnikov reported that only three violent terrorism-related crimes were committed in Russia in 2020; in the same year, courts convicted 490 individuals on terrorism-related charges. See: Interfax, “**За 10 лет число террористических преступлений в РФ упало в 260 раз**” [“In 10 years, the number of terrorist crimes in the RF dropped 260 times”], 10 March 2021, <https://www.interfax.ru/russia/755351>

<sup>12</sup> Under Russian law, a terrorist attack is “commission of an explosion, arson or other actions, which terrorize the population and create a threat of loss of life, serious property damage or other grave consequences, in order to destabilize activities of authorities or international organizations or to affect their decision-making, as well as a threat of committing these actions in order to affect decision-making of authorities or international organizations”. Criminal Code, Article 205.

<sup>13</sup> Justice Department of the Supreme Court (previously cited).

## “JUSTIFICATION OF TERRORISM” CHARGES

“Public calls to, or justification of, terrorist activities” were criminalized in 2006,<sup>14</sup> but the use of this charge has expanded considerably in recent years to prosecute critics of the authorities and silence public discourse. Many such cases are related to the case of a 17-year old Mikhail Zhlobitsky. In 2018, he blew himself up in a Federal Security Service (FSB) office in Arkhangelsk in protest against the use of politically motivated prosecutions and torture by law enforcement.<sup>15</sup> Dozens of individuals have since been convicted of the “justification” of this attack. Those convicted included, for example, journalist Svetlana Prokopyeva, who had written an article about the incident discussing how government policies were radicalizing the youth, although nothing in her publication appeared to approve of this or call for similar actions.<sup>16</sup>

A mere discussion of specific Ukrainian military attacks, real or purported, during Russia’s invasion, or of certain Ukrainian military units, may in itself lead to accusations of, and prosecution for, the justification of terrorism. For example, in September 2023 prisoner of conscience and former municipal councillor Aleksei Gorinov, who had been sentenced to seven years’ imprisonment for an anti-war speech at his local council,<sup>17</sup> was accused under new terrorism-related charges for allegedly discussing the strike on the Kerch Bridge and the Ukrainian Azov Regiment (which Russia has designated a terrorist organization) with another inmate.<sup>18</sup>

In November, university student Anastasia Ulybysheva was reportedly charged with justification of terrorism for publishing two posts (their exact content unknown) about an attack on the Kerch Bridge in a friends-only Telegram channel.<sup>19</sup>

In December, the same accusations, along with charges of “dissemination of knowingly false information about the Russian Armed Forces”,<sup>20</sup> were issued in absentia against renowned Russian writer Grigori Chkhartishvili, best known under his pen name Boris Akunin.<sup>21</sup> Although the specific grounds for the investigation haven’t been published, they had evidently been triggered by his criticism of the Russian war of aggression against Ukraine and his speaking (in a published call with pranksters) in support of Ukraine’s right to self-defence.

The charge of justification of terrorism has also become a nearly universal tool used to silence high-profile pro-war figures who criticise the authorities on other grounds. For example, after prominent political activist Sergei Udaltsov, the leader of the Left Front, an unregistered socialist group, denounced on his Telegram channel the prosecution for terrorism of several group members as unfounded and politically motivated, he himself was arrested on 11 January 2024 and accused of justifying terrorism.<sup>22</sup> His vocal support for Russia’s war against Ukraine and his endorsement of the campaign of persecution of “national traitors” (those who opposed it) did not deter the authorities from instigating terrorism-related charges against him.

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<sup>14</sup> Criminal Code, Article 205.2.

<sup>15</sup> BBC, “Russia Arkhangelsk blast: Teen blows himself up at FSB office”, 31 October 2018, <https://www.bbc.com/news/world-europe-46043424>

<sup>16</sup> Amnesty International, “Russian Federation: Further information: Journalist convicted but given lenient sentence: Svetlana Prokopyeva” (Index: EUR 46/2720/2020), 13 July 2020, <https://www.amnesty.org/en/documents/eur46/2720/2020/en>

<sup>17</sup> Amnesty International, “Russia: Municipal councillor sentenced to seven years in jail for opposing the Ukraine war”, 8 July 2022, <https://www.amnesty.org/en/latest/news/2022/07/russia-municipal-councillor-sentenced-to-seven-years-in-jail-for-opposing-the-ukraine-war>

<sup>18</sup> Criminal case No. 12302170003000072, on file with Amnesty International.

<sup>19</sup> Deutsche Welle, «В Москве 18-летней студентке судят за оправдание терроризма» [“In Moscow, an 18-year-old student is on trial for justification of terrorism”], 18 November 2023, <https://www.dw.com/ru/v-moskve-studentku-arestovali-po-delu-ob-opravdanii-terrorizma-izza-zakrytyh-postov/a-67479613> (in Russian).

<sup>20</sup> Criminal Code, Article 207.3. See also: Amnesty International, “Russia: Authorities deploy new criminal laws to silence criticism of Russia’s war in Ukraine” (Index: EUR 46/5988/2022), 2 September 2022, <https://www.amnesty.org/en/documents/eur46/5988/2022/en>

<sup>21</sup> Amnesty International, “Russia: Authorities step up campaign of reprisals against renowned writer Boris Akunin”, 19 December 2023, <https://www.amnesty.org/en/latest/news/2023/12/russia-authorities-step-up-campaign-of-reprisals-against-renowned-writer-boris-akunin>

<sup>22</sup> Reuters, “Russian pro-war leftist charged with ‘justifying terrorism’ - TASS cites lawyer”, 11 January 2024, <https://www.reuters.com/world/europe/russian-pro-war-leftist-charged-with-justifying-terrorism-tass-cites-lawyer-2024-01-11>

## LEGAL ANALYSIS OF PROSECUTION FOR “JUSTIFICATION OF TERRORISM”

Under international human rights law,<sup>23</sup> as well as Russia’s Constitution,<sup>24</sup> everyone has the right to hold opinions without interference and to peacefully exercise their freedom of expression, including by way of seeking, receiving and imparting information and ideas of all kinds. States may place certain restrictions on the exercise of freedom of expression. However, any limitations must be enshrined in a clear and publicly available law and be necessary and proportionate to achieve a legitimate goal. While such a goal may be the protection of national security or public order,<sup>25</sup> each limiting measure must pass the test of legality, necessity and proportionality for it to be lawful under international human rights law.

While states may prohibit “incitement” to criminal acts, the line between this and criminalization of other forms of expression is crossed all too often in Russia. When it comes to criminalizing expression, a set of particularly strict conditions must apply to ensure that such sanctions do not run foul of the right to freedom of expression.

In this regard, then UN Secretary-General Ban Ki-Moon considered that “laws should only allow for the criminal prosecution of direct incitement to terrorism, that is, speech that directly encourages the commission of a crime, is intended to result in criminal action and is likely to result in criminal action.”<sup>26</sup>

On UNESCO World Press Freedom Day in May 2015, four UN experts on freedom of expression stated that “...[c]riminal responsibility for expressions relating to terrorism should be limited to those who incite others to terrorism; vague concepts such as ‘glorifying’, ‘justifying’ or ‘encouraging’ terrorism should not be used.”<sup>27</sup>

## PERSECUTION OF ALLEGED HIZB UT-TAHRIR SUPPORTERS

In May 2023, a court sentenced human rights defender Bakhrom Khamroev to 14 years’ imprisonment on charges of justification of terrorism and organizing activities of a terrorist organization.<sup>28</sup> His “crime” consisted of providing legal assistance to prosecuted members of Hizb ut-Tahrir, a Muslim political group that Russian authorities had arbitrarily designated a terrorist organization despite a lack of evidence of this group or any of its known members planning or committing any violent acts.

Dozens of alleged Hizb ut-Tahrir members have been arrested, charged and many already sentenced by Russian courts to prison terms of up to 24 years. More than 100 of these individuals are residents of Crimea.<sup>29</sup> The organization had operated legally and openly under Ukrainian law but was outlawed when Russia occupied and unlawfully annexed the peninsula in 2014. Allegations of membership of Hizb ut-Tahrir, often unfounded or unproven, have been widely used by the occupying Russian authorities to crack down on the Crimean Tatar community and many of its prominent members, including human rights defenders.<sup>30</sup>

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<sup>23</sup> International Covenant on Civil and Political Rights (ICCPR), Article 19.

<sup>24</sup> Constitution of the Russian Federation, Article 29.

<sup>25</sup> ICCPR, Article 19(3)(b).

<sup>26</sup> Report of the Secretary-General, “The protection of human rights and fundamental freedoms while countering terrorism”, A/63/337, 28 August 2008, para. 62.

<sup>27</sup> Article 19, “Special Rapporteurs warn against restrictions on freedom of speech in conflicts,” 4 May 2015, <https://www.article19.org/resources.php/resource/37952/en/special-rapporteurs-warn-against-restrictions-on-freedom-of-speech-in-conflicts>

<sup>28</sup> Настоящее время, «Правозащитника "Мемориала" Бахрома Хамроева приговорили к 14 годам колонии по делу о "терроризме"» [“A human rights defender from ‘Memorial’ Bakhrom Khamroev was sentenced to 14 years in a colony in a ‘terrorism’ case”], 23 May 2023, <https://www.currenttime.tv/a/delo-bakhroma-khamroeva/32424057.html>

<sup>29</sup> Крымскотатарский Ресурсный Центр, «В оккупированном Крыму 101 человек преследуется по «делу Хизб ут-Тahrir» – КРЦ» [“In occupied Crimea, 101 people are prosecuted in the ‘Hizb ut-Tahrir case’ – Crimean-Tatar Resource Centre”], 31 January 2023, <https://ctrcenter.org/ru/v-okkupirovannom-krymu-101-chelovek-presleduetsya-po-delu-hizb-ut-tahrir-krzc> (in Russian).

<sup>30</sup> Amnesty International, “Ukraine: Crimea in the dark: The silencing of dissent” (Index: EUR 50/5330/2016), 15 December 2016, <https://www.amnesty.org/en/documents/eur50/5330/2016/en>; Amnesty International, “Conviction of Crimeans must be quashed” (Index: EUR 46/2507/2020), 11 June 2020, <https://www.amnesty.org/es/wp-content/uploads/2021/05/EUR4625072020ENGLISH.pdf>

## “FINANCING OF TERRORISM” CHARGES

Accusations of “financing terrorist activities” have also been used for politically motivated charges involving fabrication of evidence by the authorities. For example, in June 2019, they arrested journalist Abdulmumin Gadzhiev in Dagestan (a predominantly Muslim region of Russia in the North Caucasus, 1,500 km south of Moscow) and accused him of “financing terrorism” and “participating in a terrorist organization”.<sup>31</sup> The case against him was based on apparently forced testimonies obtained through alleged use of torture or other ill-treatment, or given by secret witnesses (the use of secret witnesses is a common practice deployed by security agencies in such cases which avoids public scrutiny). The one payment that the authorities claimed he had made for “terrorist activities” turned out to be the purchase of an aeroplane ticket for Abdulmumin Gadzhiev’s brother. Despite the lack of any credible evidence of any recognizable offence, the military court in Rostov-on-Don convicted and sentenced Abdulmumin Gadzhiev to more than 17 years’ imprisonment in September 2023.

## VIOLATIONS OF THE RIGHT TO A FAIR TRIAL

Russian laws contain many special rules that apply only to terrorism-related cases and effectively remove or lower legal safeguards for those accused of such crimes:

- no statute of limitation applies;<sup>32</sup>
- all terrorism-related cases are tried in military courts<sup>33</sup> and are often closed to the public; in these cases lawyers are usually prohibited from disclosing details of any accusations or evidence, which undermines the ability of the accused to defend themselves, and increases the scope for procedural and other abuses in the courtroom;
- the penalty cannot be below the law-prescribed minimum (for other crimes, the judge has a discretion to give a lower penalty if there are “exceptional circumstances”);<sup>34</sup>
- no conditional (non-custodial) sentences can be used, and no deferment of penalty is allowed;<sup>35</sup>
- less favorable rules apply in determining how the time spent in pretrial detention is counted towards the overall sentence;<sup>36</sup>
- a release on parole is only possible after serving at least three-quarters of the sentence (same as for sexual crimes against minors and for drug-related crimes, compared to between one-third and two-thirds of the sentence for other crimes).<sup>37</sup>

Torture and other ill-treatment of those suspected or accused of committing terrorism-related crime is especially widespread. Coupled with the nearly total impunity of law enforcement personnel (particularly FSB officers who are often in charge of terrorism cases), Russian courts practice using evidence obtained through torture as well as secrecy surrounding such cases, it creates a particularly fertile ground for fabricating criminal cases.

No-one accused of terrorism or related crimes has been acquitted in Russia since the relevant statistics became available in 2015.

International human rights law protects the right to a fair trial.<sup>38</sup> This includes safeguards that mandate that the accused have access to a lawyer, as well as full access to the evidence against them.<sup>39</sup> Amnesty International considers it to be incompatible with the requirement that trials take place before a competent, independent and impartial tribunal for civilians to be tried in military courts, which is the current practice in Russia for those charged with terrorism. Further, there is a clear requirement that trials are open to the public, and while national security is listed in the text of the

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<sup>31</sup> Amnesty International, “Russian Federation: Stop unfounded prosecution of Dagestani journalist and reprisals against Chernovik” (Index: EUR 46/1236/2019), 16 October 2019, <https://www.amnesty.org/en/documents/eur46/1236/2019/en>

<sup>32</sup> Criminal Code, Article 78(5).

<sup>33</sup> Criminal Process Code, Article 31(6).

<sup>34</sup> Criminal Code, Article 64(3).

<sup>35</sup> Criminal Code, Article 73(1)(a.1).

<sup>36</sup> Criminal Code, Article 72(3.2).

<sup>37</sup> Criminal Code, Article 79(3)(g).

<sup>38</sup> ICCPR, Article 14.

<sup>39</sup> Human Rights Committee, General Comment 32 on the right to a fair trial, para 13.

International Covenant on Civil and Political Rights as a reason why the public may be excluded, there is a requirement that such restrictions go no further than is strictly necessary and proportionate.

## CHARGES OF EXTREMISM

Russian legislation and practice conflate "terrorism" and "extremism", and the definition of the latter is so broad that it potentially encompasses all sorts of peaceful political or social activity and protest. Among groups and organizations that have been arbitrarily designated "extremist" are the Jehovah's Witnesses, Aleksei Navalny's Anti-Corruption Foundation, youth protest group Vesna, and most recently and bizarrely, the unspecific "international LGBT public movement" (which the Russian authorities appear to consider an organization). The designation decisions are typically made in closed proceedings and often without participation of the affected group. The designation is typically followed by prosecution and imprisonment of their members and donors. For example, in January 2024, the authorities arrested Evgeny Molotov, an opposition activist in the city of Vologda, for donating 1,000 roubles (about US\$14 at the time) to the Anti-Corruption Foundation in 2021.<sup>40</sup> He faces up to eight years' imprisonment for "financing extremist activities".<sup>41</sup>

Penalties and regulations for extremism have been getting stricter and closer to those for terrorism-related offences. "Extremist" organizations and groups are banned, and any participation in their activities is a criminal offence punishable by up to 10 years' imprisonment.<sup>42</sup> "Repeated demonstration of extremist symbols" (which in view of the designation of the "LGBT movement" as an extremist organization may include, for example, a rainbow) can lead to up to four years in prison.<sup>43</sup> The bill that passed the first reading (of the three required) in the State Duma in September 2023 criminalizes "justification of extremism", further blurring the line between "extremism" and "terrorism".<sup>44</sup>

Individuals accused of terrorism- or extremism-related offences are usually included in a special official public "Registry of terrorists and extremists"<sup>45</sup> before any trial, and as soon as criminal proceedings against them are opened. As of December 2023, the list, maintained by the Federal Financial Monitoring Service, contained 13,647 names, of whom 11,286 were marked as "terrorists". At least 106 individuals under the age of 18 have been added to the list, according to data collected by Ivan Shukshin, who has been monitoring the registry since 2018.<sup>46</sup> About 13% of the individuals listed as "terrorists and extremists" are women (judging by their names). Individuals in that registry cannot spend more than 10,000 roubles (about US\$110) per month,<sup>47</sup> which drastically impacts their livelihoods. Such designations, made without due process such as a judicial review or a real opportunity for the individuals to challenge or appeal, serve effectively as a form of extrajudicial punishment.

## RECOMMENDATIONS

Amnesty International calls on the Russian authorities to:

1. review anti-terrorism and anti-extremism legislation to bring it in line with Russia's international human rights obligations, ensure that it does not use vague or overly broad language, or is otherwise open to abuse, and that it cannot be used to criminalize and prosecute peaceful dissent or otherwise violate the rights to freedom of expression, peaceful assembly, association and religion, to sexual autonomy as well as other human rights;
2. immediately end the practice of extrajudicial designation of individuals, groups and organizations as "terrorists" and "extremists" ("List of terrorists and extremists") and the application of financial or other sanctions without

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<sup>40</sup> Criminal case No. 12407190001000004, on file with Amnesty International.

<sup>41</sup> Criminal Code, Article 282.3.

<sup>42</sup> Criminal Code, Article 282.2.

<sup>43</sup> Criminal Code, Article 282.4.

<sup>44</sup> State Duma of the Russian Federation, "Приняты в первом чтении поправки об ответственности за пропаганду экстремизма" ["Amendments of liability for propaganda of extremism passed the first reading"], 28 September 2023, <http://duma.gov.ru/news/57934> (in Russian).

<sup>45</sup> Rosfinmonitoring, "Перечень террористов и экстремистов" ["The list of terrorists and extremists"], <https://www.fedsfm.ru/documents/terrorists-catalog-portal-act> (in Russian, not accessible from outside Russia).

<sup>46</sup> "Обновление перечня террористов и экстремистов" ["Update of the list of terrorists and extremists"], Telegram channel, [https://t.me/bad\\_list\\_updates](https://t.me/bad_list_updates) (in Russian).

<sup>47</sup> Федеральный закон «О противодействии легализации (отмыванию) доходов, полученных преступным путем, и финансированию терроризма» [Federal Law on Countering Legalization (Laundering) of Criminally Obtained Profits and Financing of Terrorism], 2001, Article 6(2.4)(1) (as amended on 28 December 2013).

due process; ensure that any such designation and the application of relevant sanctions is subject to a judicial decision which gives the party concerned an opportunity to challenge and appeal it;

3. immediately rescind all extrajudicial designations, unless they are confirmed by a subsequent judicial review, and all the unfounded designations of individuals and groups who have not committed any internationally recognized crimes, including the Jehovah's Witnesses, Aleksei Navalny's associates including members and supporters of the Anti-Corruption Foundation, Vesna, the "international LGBT movement" and Hizb ut-Tahrir, drop charges against and release everybody prosecuted solely for alleged participation in extrajudicially designated groups and provide an adequate reparation for the human rights violations suffered;
4. immediately acquit of, or drop, unfounded terrorism- and extremism-related charges against every person arbitrarily convicted or prosecuted under these charges, and release them unless they are charged with an internationally recognizable offence. This must include members or alleged members of the abovementioned groups, and it must be ensured that they receive adequate reparations for the human rights violations suffered.

Amnesty International calls on the international community to:

1. raise in bilateral and multilateral meetings and in all appropriate international fora the issue of abuse of anti-terrorism and anti-extremism legislation by the Russian authorities, raise specific cases and urge Russia to follow the abovementioned recommendations;
2. ensure that this practice is taken into account when considering asylum applications, requests for extradition and cooperation with Russia, including in the area of combating terrorism-related offences and so-called extremism.