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## INTERPRETATION OF EXTREMISM AND ASSOCIATED CRIMES

After the terrorist attacks of 11 September 2011, many countries in the world implemented laws pertaining to terrorism and broadly-defined terrorist crimes. Currently, these laws are only being refined and made more detailed. However, the associated analysis of the terrorism, its mechanisms and background has led to the exposure of another phenomenon that constitutes a threat to the security of many states, namely extremism. So far, different countries have assessed extremisms in different ways and have adopted different solutions intended to eliminate/restrict this problem. The present paper describes the legal approach to the problem of extremism that has been adopted in Russia. Thus, the subject of this paper is extremism-directed crimes, which were criminalized in Russia in 2002. From a penal-law point of view, such crimes are an interesting category of behavior.

Further parts of the paper will first present the definition of extremism and then describe the legal interpretation of extremism provided for in Russian law and the penal responsibility for acts considered as acts of extremism. The analysis will be based on the Act of 2002 on Countering Extremist Activities,<sup>1</sup> the 1996 Penal Code of the Russian Federation,<sup>2</sup> and relevant criminal-law literature.

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<sup>1</sup> Федеральный Закон Российской Федерации от 25 июля 2002 года, No 114-ФЗ “О противодействии экстремистской деятельности”, Собрание законодательства Российской Федерации 2002, NO. 30, p. 3031.

<sup>2</sup> Уголовный кодекс Российской Федерации от 13.06.1996 No. 63-ФЗ (принят ГД ФС РФ 24.05.1996), <http://www.consultant.ru/popular/ukrf/>.

## **1. The definition of extremist activity (extremism)**

The term “extremism” was first defined in Russian law in art. 1 (1) of the Act of 2002 on Countering Extremist Activities. According to this Act, “extremist activity (extremism) shall be defined as:

- forcible change of the foundations of the constitutional system and violation of the integrity of the Russian Federation;
- public justification of terrorism and other terrorist activities;
- excitation of social, racial, national or religious strife;
- propaganda of exclusiveness, superiority or deficiency of individuals on the basis of their social, racial, national, religious or linguistic identity or their attitude to religion;
- violation of rights, freedoms, and legal interests of humans and citizens depending on their social, racial, national, religious, or linguistic identity or their attitude to religion;
- preventing citizens from exercising their electoral rights and the right to participate in a referendum or violating the secrecy of vote, with the use of violence or a threat to use violence;
- preventing legal activity of state bodies, local authorities, electoral committees, religious associations, or other organizations, with the use of violence or a threat to use violence;
- committing crimes with motives enumerated in art. 63 (1) (e) of the Penal Code of the Russian Federation (political, ideological, racial, national, or religious hatred or hatred toward any social group);
- propaganda and public show of Nazi attributes or symbols similar to Nazi attributes;
- public calls for the said activity or mass distribution of extremist materials, as well as their production and storage for the purpose of mass propagation;
- false accusation, made in public, of a person holding a state office in the Russian Federation or a state office of an entity of the Russian Federation of committing, while in office, acts enumerated in the present Act as crimes;
- organizing and preparing the said behavior and encouraging its commitment;
- financing of the said behavior or supporting its organization, to include by providing access to educational facilities, printing and publishing facilities, material and technical base, telephone, fax and other communications, and information services.”

As the above indicates, the definition used by the legislator is rather broad. Its complex nature is due to the fact that it mentions such important elements as motives (hatred: religious, racial, etc.), means of influence (violence or its threat), characteristics of specific offences (e.g. several crimes against the system of government and the crime of terrorism).<sup>3</sup> This broad and imprecise definition of extremism makes it difficult to identify the essence of this phenomenon. Therefore, what should be identified is the way that extremism is interpreted in Russia.

According to S. A. Lantsov, extremism should be defined as the use of extreme means to achieve certain objectives. One of the means is calls for violence and for terrorist acts. The objective of extremism is to destabilize social and state structures.<sup>4</sup> On the other hand, according to I. V. Katarghina, extremism can be defined as “violent acts or threats of violence by individuals or social groups that result from any destructive religious or secular propaganda and are intended to achieve objectives in ways that are not socially acceptable by causing damage or other consequences when solving local problems by destabilizing the current situation and the functioning of state and local authorities.”<sup>5</sup> According to A. N. Smertin, extremism should be defined as achieving political objectives by various means, to include by use of violence. It is a “political-legal phenomenon that is characterized by different scopes and directions, depending on its objectives.”<sup>6</sup>

There are many more definitions of extremism. However, the above definitions suffice to draw conclusions regarding several common characteristics of terrorism. The author who has presented a synthetic description of those characteristics is N. M. Dyachkova.<sup>7</sup> The elements of definitions of extremism that are used the most often are “a unique way of solving complex social problems,” “a set of extreme methods of political struggle,” “an activity causing damage to the foundations of the state’s system of government or social relations,” “violent illegal acts due to religious, racial, and social motives,” “activity of individuals and legal persons that use violent

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<sup>3</sup> The complexity of this definition is shown by: А. И. Долгова, *Экстремистская преступность*, in: А. И. Долгова, ed., *Криминология*, Moscow 2010, p. 733.

<sup>4</sup> С. А. Ланцов, *Террор и террористы*, St. Petersburg 2004, p. 163.

<sup>5</sup> И. В. Катаргина, *Соотношение правовых дефиниции “экстремизм” и “терроризм” в современном российском законодательстве*, *Проблемы в российском законодательстве* 2009, No. 1, p. 194.

<sup>6</sup> А. Н. Смертин, *Экстремизм и терроризм: некоторые подходы к определению понятий*, *Вестник Санкт-Петербургского Университета МВД России* 2009, no. 1, p. 54.

<sup>7</sup> More information can be found in: Н. М. Дьячкова, *Проблемы экстремизма на современном этапе*, in: А. Г. Кубальник, ed., *Актуальные проблемы современного уголовного права и криминологии*, Stavropol 2010, p. 71.

methods to violate the fundamental constitutional principles that guarantee civil freedoms and liberties.”

Other authors add such elements as “lack of tolerance for persons with other views, use in propaganda of ideology and religious slogans, domination of emotional influence on others, and creation of an image of a charismatic leader.”<sup>8</sup>

Thus, in general, extremism is characterized by unique methods of influence (mostly violence or its threat), objectives (propagation of religious, national, and social hatred), and consequences (material and immaterial damage to the state and the society).

Also, many persons are of the opinion that extremism<sup>9</sup> is analogous to radicalism, terrorism, nihilism, and revolutionism. One can assume that many of the aforementioned characteristics of extremisms do make it similar to terrorism; these include threats to use violence, inciting strife between different nationalities, and forceful takeover of the government.<sup>10</sup> Consequently, Russia needs to elaborate and define more specific and detailed features of extremism. This is because the current definition of extremism mentions that “public justification of terrorism and other terrorist activities” constitute an important component of extremism. Thus, the definition of extremism is much broader than that of terrorism.

A refined definition of extremism is needed also due to the presence of its multiple manifestations,<sup>11</sup> which include various forms of extremism: political, nationalistic, religious, youth, ecological, anti-globalist, and moral. Some authors also distinguish organized criminal extremism.<sup>12</sup> Such divisions are due to the multiplicity of methods used by extremists. These include “use of physical force against persons (killing, injuring, limiting freedom), destruction of real property (fire, explosion), and mental influence on persons (threats, blackmail, incitation of panic).”<sup>13</sup> As one can see, these methods are similar to those employed by terrorists.

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<sup>8</sup> Г. И. Чечель, Некоторые особенности преступлений экстремистской направленности, in: А. Г. Кубальник, ed., *Актуальные проблемы современного уголовного права и криминологии*, Stavropol 2010, p. 224.

<sup>9</sup> E.g.: Д. В. Олшанский, Психология терроризма, [www.//ezolib.ru/5445.html](http://ezolib.ru/5445.html).

<sup>10</sup> Н. М. Дьячкова, *op. cit.*, p. 69.

<sup>11</sup> Л. В. Баева, *Экстремизм: природа и формы проявления*, [http://www.aspu.ru/images/File/ilil/Bayeva\\_extremizm.pdf](http://www.aspu.ru/images/File/ilil/Bayeva_extremizm.pdf).

<sup>12</sup> С. В. Иванцов, *Экологический терроризм как новое проявление современной организованной преступности*, “Черные дыры в российском законодательстве” 2008, no. 1, p. 180.

<sup>13</sup> В. В. Лунеев, *Российский экстремизм: политика и реалии*, *Криминологический Журнал Байкальского Государственного Университета Экономики и Права* 2009, no. 2, p. 30.

As V. V. Lunev<sup>14</sup> emphasizes, in Russia extremism is politicized and all the amendments to the 2002 Act on Countering Extremist Activities have contributed to it.

## **2. Responsibility for extremist activities in Russia**

There is a reason why extremism was defined in Russian federal law. It was assumed that many elements of extremism have features of specific crimes. In the Russian Federation's Penal Code of 1996, extremism is regulated in the following provisions: art. 280 (public calls for extremist activities), art. 282 (incitement of hatred and degradation of human dignity), art. 282<sup>1</sup> (organization of extremist groups), and art. 282<sup>2</sup> (organization of activities of extremist groups). The aforementioned provisions are briefly characterized below.

Art. 280 of the Penal Code of the Russian Republic provides for penal responsibility for public calls for extremist activities. Such behavior carries the following penalties: a fine in the amount of up to 300,000 rubles or equal to wages or other income of the convict for a period of up to 2 years, forced labor for a period of up to 3 years, detention for a period of 4 to 6 months, or deprivation of liberty for up to 3 years, together with a prohibition to hold certain posts or to conduct certain activities for a period of up to 3 years. If the offense is perpetrated using mass media, it carries the penalty of forced labor for a period of up to 5 years together with an optional deprivation of the right to hold certain posts or conduct certain activities for a period of up to 3 years, or the penalty of deprivation of liberty for up to 5 years together with the deprivation of the right to hold certain posts or conduct certain activities for a period of up to 3 years.

This offense is regulated in chapter X entitled "Crimes against the foundations of the constitutional system of government and the security of the state." This indicates that the object of protection is very broadly-defined. It includes the constitutional system of government, security of the state, human freedoms, and the political system.

An important element of this offense is the definition of "extremist activity (extremism)" which is discussed earlier in the paper. The word "call" is defined as taking actions intended to influence one's decisions and will in order to effect a forceful takeover of the government and a change in the

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<sup>14</sup> *Ibid.*, p. 32.

system of government. This may be done verbally, in writing, or through the mass media.<sup>15</sup> It must be assumed that such calls have the nature of incitation.<sup>16</sup> Its “public” nature indicates that the activity is addressed to an unspecified group of people. Most often such calls take place during meetings, gatherings, demonstrations, etc.<sup>17</sup> An act is considered to be a crime if it is committed deliberately with a direct intent. Persons who can be held responsible for such crimes are citizens of the Russian Federation, foreigners, as well as stateless persons aged 16 or older. The qualified type of the crime involves propagation of extremist information through the mass media (radio, television, press, Internet). Of note is the fact that propagation of extremist materials<sup>18</sup> in Russia is forbidden.

Art. 282 of the Penal Code of the Russian Federation criminalizes behavior consisting in incitation of hatred and degradation of the dignity of individuals or groups of persons due to their gender, race, nationality, language, origin, attitude toward religion, and membership in any social group, committed publicly or using mass media. This offense carries the penalty of 100,000 rubles to 300,000 rubles, or the amount equal to the wages or other income of the convict for a period of 1 year to 2 years, or deprivation of the right to hold certain posts or perform specific activities for a period of up to 3 years, or mandatory work for a period of up to 360 hours, or corrective work for a period of up to one year, or forced labor for up to 2 years, or deprivation of liberty for a period of up to 2 years. A heavier sentence is provided for in the case of the above-mentioned acts committed using violence or threats of violence, by a person who uses his or her official position for this purpose, or by an organized group. This offense carries the penalty of 100,000 rubles to 500,000 rubles, or the amount equal to the wages or other income of the convict for a period of 1 year to 3 years, or deprivation of the right to hold certain posts or perform specific activities for a period of up

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<sup>15</sup> В. М. Лебедев, in: В. М. Лебедев, ed., *Комментарий к уголовному кодексу Российской Федерации*, Moscow 2010, p. 713.

<sup>16</sup> А. В. Наумов, in: В. И. Радченко, ed., *Комментарий к уголовному кодексу Российской Федерации*, Moscow 2009, p. 528; А. И. Рапог, in: А. И. Рапог, ed., *Комментарий к уголовному кодексу Российской Федерации*, Moscow 2009, p. 510.

<sup>17</sup> В. М. Лебедев, *op. cit.*, p. 713; А. И. Рапог, *op. cit.*, p. 510.

<sup>18</sup> Art. 1 (3) of the 2002 Act on Countering Extremist Activities, defines extremist materials as “documents or information on other carriers intended to be announced that call for conducting extremist activities or justify or substantiate the need to conduct such activities, to include the documents prepared by the leaders of the National Socialist German Workers’ Party, the fascist party of Italy, publications justifying or substantiating national and (or) racial superiority or justifying the practice of committing military or other crimes aimed at full or partial destruction of any ethnic, social, racial, national, or religious group.”

to 5 years, or mandatory work for a period of up to 480 hours, or corrective work for a period of 1 year to 2 years, or forced labor for up to 5 years, or deprivation of liberty for a period of up to 5 years.

Of note is the fact that the article of the Penal Code does not define specific features of the crime but, instead, describes only its general direction (incitation of hatred for various reasons).<sup>19</sup> Thus, it can be concluded that incitation of hatred can also be defined as incitation of conflict between citizens for various reasons (on various grounds).<sup>20</sup> Such incitation is done publicly and is addressed to an unspecified group of people, mostly through the mass media. Such propaganda may pertain to confirmation of the exclusion or deficiency of persons due to their religion, nationality, or race.<sup>21</sup> On the other hand, degradation of human dignity is a manifestation of discrimination of specific persons for reasons mentioned in the law.<sup>22</sup>

The offense is characterized by intentional guilt and direct intent. Persons who can be penalized for this offense must be at least 16 years of age.

Art. 282<sup>1</sup> of the Penal Code of the Russian Federation penalizes the organization of extremist groups. The offense consists in “creation of an extremist group, i.e. an organized group of persons, with the intent to prepare or commit extremism-directed crimes and leading such an extremist group, its part, or structural unit constituting a part of such a group, as well as creation of an association of organizers, leaders, or other representatives of structural units of such a group for the purpose of elaboration of plans and (or) conditions for committing extremism-directed crimes.” This offense carries the penalty of a fine equal to up to 200,000 rubles or equal to wages or other income of the convict for a period of up to 18 months, or forced labor for a period of 4 years, together with limitation of freedom for 1 year to 2 years, or with deprivation of liberty for a period of up to 4 years, together with deprivation of the right to hold certain posts or perform certain activities for a period of up to 10 years, and with limitation of liberty for a period of 1 year to 2 years. Membership in such groups carries a penalty of a fine equal to 40,000 rubles or to wages or other income of the convict for a period of up to 3 months, or forced labor for a period of up to 2 years, with

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<sup>19</sup> Out of the 4 offenses discussed here, the offense governed by art 282 of the Penal Code of the Russian Federation takes place most often. For instance in 2002, 74 such offenses were reported, in 2005 – 80, and in 2008 – 182. More information can be found in: А. И. Долгова, *op. cit.*, p. 743.

<sup>20</sup> А. В. Наумов, *op. cit.*, p. 530.

<sup>21</sup> В. М. Лебедьев, *op. cit.*, p. 718.

<sup>22</sup> А. В. Наумов, *op. cit.*, p. 530.

optional deprivation of the right to hold certain posts or perform certain activities for a period of up to 3 years, together with limitation of liberty for up to 1 year, or optional deprivation of liberty for a period of 2 years, and with optional deprivation of the right to hold certain posts or conduct certain activities for a period of up to 5 years, together with limitation of liberty for a period of up to 1 year.

All of the above-mentioned offenses committed by a person who takes advantage of his or her official position carry the penalty of a fine equal to 100,000 rubles to 300,000 rubles, or to wages or other income of the convict for a period of 1 year to 2 years, or forced labor for a period of up to 5 years, together with optional deprivation of the right to hold certain posts or conduct certain activities for a period of up to 3 years, with limitation of liberty for a period of 1 year to 2 years, or with deprivation of liberty for a period of up to 6 years, with optional deprivation of the right to hold certain posts or conduct certain activities for a period of up to 10 years, and with limitation of liberty for a period of 1 year to 2 years.

Moreover, the annotation to this article provides for acquittal from personal responsibility of a person who voluntarily resigns from participation in the activities of a social or religious group which is subject to a valid court's decision regarding its dissolution or a ban on its operations in connection with its conduct of extremist activities. Such acquittal may take place when the activities of this person have no features of other crimes. Another annotation to art. 282<sup>1</sup> of the Penal Code of the Russian Federation defines the term "extremism-directed crime." The term is defined as a crime motivated by political, ideological, racial, national, or religious hatred, or hatred toward any social group.

The law provides that such a group is an organized group of persons<sup>23</sup> established in order to prepare or commit certain crimes.<sup>24</sup> Now, it is necessary to define the characteristics of such a structure. According to V. Bykov<sup>25</sup> who studies the dogmatic aspects of organized crime, such groups are characterized in particular by their permanency (consolidation and unchanging membership, principles of acceptance and rejection of new members), their

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<sup>23</sup> According to art 35 (3) of the Penal Code of the Russian Federation, an offense committed by organized crime is a forbidden act that was performed by a constant group of persons that had been established for the purpose of committing one offense or many offenses.

<sup>24</sup> The problem of classification of extremist organizations as organized criminal structures is discussed in: Д. Саркисов, Организация экстремистского сообщества, Уголовное право 2010, no. 2, pp. 63–67.

<sup>25</sup> В. Быков, Признаки организованной преступной группы, Законность 1998, no. 9, pp. 6–7.

constant perpetration of crimes (constant joint perpetration of crimes in order to achieve profits), their stable structure (the leader as the organizer and commander, active members of the group and lower-ranking members of the criminal group), division of roles during the perpetration of crimes, absolute discipline (enforced discipline and unconditional subordination to the leader), distribution of the proceeds from crimes (according to the members' roles, their position in the hierarchy and structure of the group), common funds (a monetary fund for bribes handed to state officials and for benefits paid to members of the group who are serving prison sentences and to their families).

Thus, to conclude the discussion of the definition of the basic characteristics of organized criminal groups, it must be said, as V. Bykov did, that the key characteristics of a criminal group is its duration and the strength of the criminal bonds between members, which are usually achieved in the course of the multiple perpetration of crimes. Organized groups of persons are characterized by the presence of relationships between them, the unity of their objective, their mutual commitments, and observance of a general discipline.<sup>26</sup> Of note is the fact that the Russian legislator was too quick to put an equal sign, with regard to the degree of organization and hierarchic structure, between organized groups and criminal groups (criminal organizations).

According to art. 282<sup>1</sup> of the Penal Code of the Russian Federation, creation of the aforementioned structures is intended to prepare or commit an extremism-directed crime. Thus, the objective of such a group is to create conditions for perpetrating acts in this category. This can be concluded from the regulation that defines such behavior as, most of all, a form of preparation for an extremism-directed crime, without actual perpetration of the crime itself.<sup>27</sup>

The crime in question also involves leading such a group or its structural units (by acting as the boss or leader) and creating an association of organizers, leaders, or other representatives of the structural units of the group (in order to facilitate coordination of joint actions).<sup>28</sup>

Interestingly, the definition of an extremist organization is also given in the 2002 Act on countering extremist activities. According to this definition, an extremist organization is "a social or religious association or other organization with regard to which, pursuant to the present Act, a court has

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<sup>26</sup> *Ibid.*, pp. 4–5.

<sup>27</sup> *Ibid.*, p. 517.

<sup>28</sup> A. И. Пapor, ed., *op. cit.*, p. 517.

issued a valid decision on dissolution or ban on its operations in connection with its performance of extremist activities.” Thus, the definitions of an extremist organization given in the Act on Countering Extremist Activities and in the Penal Code (art. 282<sup>1</sup>) are different and are not correlated at all.<sup>29</sup>

The perpetrators of the crime are organizers, leaders, and members of extremist organizations. The organizers and leaders are responsible for the operations of the organization, implement their policies, define their strategies, establish the plans of the organization, and make relevant decisions. The members, on the other hand, take part in specific undertakings.<sup>30</sup>

The perpetrators take actions in a deliberate manner. The persons who can be penalized for this offense must be at least 16 years of age.

Art. 282<sup>2</sup> of the Penal Code of the Russian Federation provides for penalization of organization of the activities of extremist organizations, i.e. the activity of social or religious organizations with regard to which a court has issued a valid decision on dissolution or ban on its operations in connection with its performance of extremist activities. This offense carries the penalty of a fine equal to 100,000 rubles to 300,000 rubles or to wages or other income of the convict for a period of 1 year to 2 years, or forced labor for a period of up to 3 years, together with optional deprivation of the right to hold certain posts or conduct certain activities for a period of up to 2 years, or detention for a period of 4 to 6 months, or deprivation of liberty for a period of up to 3 years, together with optional deprivation of the right to hold certain posts or conduct certain activities for a period of up to 10 years, and with limitation of liberty for a period of 2 years.

Membership in such groups carries a penalty of a fine equal to 200,000 rubles or wages or other income of the convict for a period of up to 18 months, or forced labor for a period of up to 2 years, with optional limitation of liberty for a period of up to 1 year, or detention for a period of up to 4 months, or deprivation of liberty for a period of up to 2 years, together with optional deprivation of the right to hold certain posts or conduct certain activities for a period of up to 5 years, together with limitation of liberty for a period of up to 1 year. The annotation to this article provides for acquittal from penal responsibility of a person who voluntarily resigns from participation in the activities of a social or religious group which is

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<sup>29</sup> Due to the significant inconsistency and difficulties with identifying the penal law features of an extremist group, it is recommended that this term be governed by administrative law. See: А. Н. Мондохонов, Понятие экстремистской организации в уголовном кодексу РФ, *Вестник Академии Генеральной Прокуратуры РФ* 2009, No. 5, p. 33.

<sup>30</sup> В. М. Лебедев, *op. cit.*, p. 722.

subject to a valid court's decision regarding its dissolution or a ban on its operations in connection with its extremist activities. It was assumed that the activities of such a person must have no features of other offenses.

It must be emphasized that the activities of organizations and associations that violate the Constitution of the Russian Federation and other statutes can be banned pursuant to various regulations. Dissolution of an organization means that its functioning is prohibited despite the fact that it is legally registered; dissolution must be adjudged by a court. The regulations penalize situations where court verdicts are not observed and the organizations (despite a valid verdict) continue to function.<sup>31</sup> The offense is characterized by intentional guilt and direct intent. The perpetrator of such an offense is the funder or leader of an extremist organization or its structural unit. It may also be a rank-and-file member of a dissolved extremist organization.<sup>32</sup> Persons who can be penalized for this offense must be at least 16 years of age.

The Russian Penal Code defines 12 other extremism-motivated offenses. These include:<sup>33</sup> homicide; deliberate causing of serious bodily injury; deliberate causing of moderate bodily injury; deliberate causing of light bodily injury; battery; torture; threat of killing or of deliberately causing serious bodily injury; violation of equal human and civil rights and freedoms; implicating minors in criminal offenses; hooliganism; vandalism; and desecration of mortal remains and graves. All in all, the Russian legislator provides for penal responsibility for acts related to extremist activities in as many as 16 articles. It appears that the feature of extremism is provided in too many regulations.

It should be observed that also the 2002 Act on Countering Extremist Activities contains regulations pertaining to responsibility for conducting extremist activities. Such responsibility is provided for in articles 9, 10, and 15 of the Act.

Art. 9 provides for the responsibility of social and religious associations and other organizations for conducting extremist activities. According to this article, the Russian Federation prohibits establishment and functioning of social and religious associations as well as other organizations whose aim is to conduct extremist activities. Conduct of extremist activities by social or religious organizations or their structural units may lead to their disso-

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<sup>31</sup> В. М. Лебедев, *op. cit.*, pp. 724–725.

<sup>32</sup> А. И. Парог, *op. cit.*, p. 519.

<sup>33</sup> В. В. Лунеев, *Российский экстремизм...*, *op. cit.*, p. 31; С. В. Борисов, *Уголовная ответственность за преступления экстремистской направленности*, Moscow 2009, pp. 14–15.

lution. This may take place when the organizations violate human and civil rights and freedoms, cause harm to people, human health, the natural environment, law and order, security, property, the legal and economic interests of natural or legal persons, the society, or the state. If a social or religious organization is not a legal person, its functioning may be banned by a court decision based on a notification of the Prosecutor General of the Russian Federation or a different prosecutor, or based on a notification of a federal state registration body or its field counterpart. A court verdict regarding dissolution of a social or religious organization also leads to dissolution of the organization's regional branches (affiliated entities or structural units). The property of the dissolved organizations, after the claims of its creditors have been satisfied, is transferred to the Russian Federation. The relevant decision is made by a court at the time of its verdict on dissolution of the social or religious organization. A list of social and religious organizations that are subject to valid court verdicts regarding their dissolution or ban on their functioning can be found on the Internet at the web sites of the federal bodies of the executive branch of government that are in charge of registration of such organizations. Moreover, such a list is published in official periodicals identified by the government of the Russian Federation.

Art. 10 of the Act contains a provision concerning "stopping the functioning of a social or religious association." According to the provision, specific persons holding official posts, if it is found that a social or religious organization has caused (or there is a risk that it will cause) violation of many rights, legal and economic interests of natural and legal persons, and damage to health and property, may make a decision to stop (block) the functioning of such an organization until the relevant notification has been considered by a court. The decision of that person is subject to an appeal pursuant to a specific procedure. Stopping the functioning of a social or religious organization involves the deprivation of those organizations and their structural units of the right to use the mass media, organize meetings, demonstrations, etc. Such organizations are also deprived of the right to take part in elections and to use the money deposited in their bank accounts. If the court does not issue a verdict that requires dissolution or bans functioning of the organization, the aforementioned rights of the organization are reinstated and the organization may resume its activities. This happens after the verdict becomes final and binding.

Art. 15 of the Act regulates the responsibility of citizens of the Russian Federation, foreigners, and stateless persons for conducting extremist activities. According to the article, persons belonging to the aforementioned categories are subject to penal, civil, and administrative responsibility for

their conduct of extremist activities. Moreover, persons conducting extremist activities have limited access to government jobs, careers in the military and in law enforcement agencies, to jobs in or operation of detective agencies, security companies, and educational institutions. This is to ensure the security of the state and the society. In the event that the leader or a member of a social or religious organization makes a public statement calling for extremist activities, without saying that he or she is expressing his or her own opinion, and in the event that a court verdict becomes binding and final, which penalizes such a person for perpetration of an extremism-directed offense, such an organization is required, within 5 days of the statement, to publicly declare its lack of consent to the opinions or behavior of this person. If the organization fails to provide such a declaration, it is assumed that the organization's ideology contains elements of extremism. The provision also requires penalization of persons who are the authors of publications containing even one characteristic of extremism.

The aforementioned regulations provide for largely non-penal (mostly administrative) ways to respond to the activities of extremist organizations.

To conclude the discussion on the legal interpretation of extremism and extremism-directed crimes in Russia, it must be stated that the regulations in question are very broad, unclear, imprecise, and very severe. They appear to be an example of an unnecessary process of creation of new categories of offenses by the legislator. This leads to the conclusion that in Russia, in addition to the independent growth of criminal offenses, the legislator, too, may contribute to the formation of new ones. The question is, why?

One could assume that the reason for introducing the relevant regulations is the government's effort to effectively control society and to quickly and effectively penalize acts aimed against the government or its representatives. The idealistic assumption is that the regulations were intended to prevent the creation/restoration of hatred and extreme nationalism in Russia. However, in practice, they appear to be intended to further other objectives.

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