

Federal Law No. 114 FZ on Counteraction of Extremist Activities (2002)

FEDERAL LAW

NO. 114-FZ OF JULY 25, 2002

ON THE COUNTERACTION OF EXTREMIST ACTIVITY

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For the purpose of the protection of the rights and freedom of man and citizen, the principles of the constitutional system, the integrity and security of the Russian Federation the present Federal Law determines the legal and the organisational principles of counteracting the extremist activity and establishes responsibility for its realisation.

Article 1. Basic Concepts

For the purposes of the present Federal Law the following basic concepts are used:

extremist activity (extremism):

1) the activity of public and religious associations or any other organisations, or of mass media, or natural persons to plan, organise, prepare and perform the acts aimed at:

- the forcible change of the foundations of the constitutional system and the violation of the integrity of the Russian Federation;
- the subversion of the security of the Russian Federation;
- the seizure or acquisition of peremptory powers;
- the creation of illegal military formations;
- the exercise of terrorist activity;
- the excitation of racial, national or religious strife, and also social hatred associated with violence or calls for violence;
- the abasement of national dignity;
- the making of mass disturbances, ruffian-like acts, and acts of vandalism for the reasons of ideological, political, racial, national or religious hatred or hostility toward any social group;
- the propaganda of the exclusiveness, superiority or deficiency of individuals on the basis of their attitude to religion, social, racial, national, religious or linguistic identity;

2) the propaganda and public show of nazi attributes or symbolics or the attributes or symbolism similar to nazi attributes or symbolics to the extent of blending;

3) public calls for the said activity or for the performance of the said acts;

4) the financing of the said activity or any other encouragement of its exercise or the performance of the said acts, including by the extension of financial resources for the exercise of the said activity, the supply of real estate, educational facilities, printing and publishing facilities and the material and technical base, telephone, fax and other communications, information services and other material and technical facilities;

the extremist organisation is a public or a religious association, or any other organisation, in relation to which a court of law has adopted the decision that took legal effect on the grounds provided by the present Federal Law concerning the liquidation or the prohibition of its activity in connection with extremism in its functioning;

the extremist materials are the documents intended for publication or information on other carriers which call for extremist activity or warranting or justifying the need for such activity, including the works by the leaders of the National-Socialist Worker's Party of Germany and the Fascist Party of Italy, publications substantiating or justifying national and/or racial superiority, or justifying the practice of

committing military or other crimes aimed at the full or partial destruction of any ethnical, social, national or religious group.

Article 2. The Main Principles of Counteraction of Extremist Activity

The counteraction of extremist activity is based on the following principles:

- the recognition, observance and protection of the rights and freedoms of man and citizen and likewise the lawful interests of organisations;
- legality;
- glasnost;
- priority of the security of the Russian Federation;
- priority of measures aimed at the prevention of extremist activity;
- the cooperation of the State with public and religious associations, other organisations and citizens in the counteraction of extremist activity;
- the inevitability of punishment for extremist activity.

Article 3. Basic Directions of Counteraction of Extremist Activity

Extremist activity shall be counteracted in the following basic ways:

- the adoption of preventive measures aimed at the prevention of extremist activity, including the disclosure and subsequent removal of the reasons and conditions promoting extremist activity;
- the disclosure, prevention and suppression of the extremist activity of public and religious associations, other organisations and natural persons.

Article 4. The Subjects of the Counteraction of Extremist Activity

The federal bodies of state power, the bodies of state power of the subjects of the Russian Federation and local self-government bodies shall take part in the counteraction of extremist activity within their terms of reference.

Article 5. The Prevention of Extremist Activity

For the purpose of counteracting extremist activity the federal bodies of state power, the bodies of state power of the subjects of the Russian Federation, and the bodies of local self-government shall carry out within their terms of reference and in priority order preventive measures, including educational and propagandist measures aimed at the prevention of extremist activity.

Article 6. Giving a Warning of the Inadmissibility of Extremist Activity

Given sufficient and previously confirmed information about wrongful acts being prepared and containing signs of extremist activity and in the absence of grounds for bringing to criminal responsibility, the Procurator-General of the Russian Federation or his Deputy, or the respective procurator subordinate to him, or his deputy shall forward a written warning to the head of a public or religious association or the leader of any other organisation, and also to other respective persons to the effect that such activity is inadmissible and that there are concrete grounds for giving a warning.

In case of the non-fulfilment of the warning requirements the person to whom this warning was given may be brought to criminal responsibility in the established order.

The warning may be appealed against in a court of law in the established order.

Article 7. Giving a Warning to a Public or a Religious Association or Any Other Organisation on the Inadmissibility of the Exercise of Extremist Activity

In the event of disclosing facts testifying to the presence of signs of extremism in the activity of a public or a religious association, or in the activity of at least one of their regional or other structural subdivisions it is necessary to give a written warning on the inadmissibility of such activity and indicate concrete grounds for the warning and admitted breaches. If it is possible to take measures for the removal of the said breaches which last for at least two months from the day of giving the warning.

A warning to a public or a religious association or any other organisation shall be given by the Procurator-General of the Russian Federation or by the respective procurator subordinate to him. A warning to a public or a religious association may also be given by the federal executive body in the sphere of justice or by its territorial agency.

A warning may be appealed against in a court of law in the established order.

If a warning was not appealed against in a court of law in the established order or was not recognised by a court as illegal, and also if in the period of time fixed in the warning, the respective public or religious association, or any other organisation, or their regional or other structural sub-divisions have not removed the breaches which served as grounds for giving the warning or if within twelve months from the day of giving the warning new facts were revealed testifying to the signs of extremism in their activity, the respective public or the religious association or any other organisation shall be liquidated in the order established by the Federal Law, while the activity of the public or religious association that is not a juridical person shall be banned.

Article 8. A Warning on the Inadmissibility of the Spreading of Extremist Materials Through the Mass Media and the Exercise of Extremist Activity

In the event of spreading extremist materials through a mass medium or revealing facts testifying to the signs of extremism in the activity a written warning shall be given to the founder and/or the editors, or the editor-in-chief of the given mass medium authorised by the governmental body that registered the given mass medium or by the federal executive body in the sphere of the press, TV and radio broadcasting and mass communications, or by the Procurator-General of the Russian Federation, or by the respective procurator subordinate to him to the effect that such acts or such activity is inadmissible and concrete grounds for giving the warning and admitted breaches are indicated. If it is possible to take measures for the removal of admitted breaches, the warning shall fix a period of time for the removal of the said breaches which lasts at least 10 days from the day of giving the warning.

The warning may be appealed against in a court of law in the established order.

If the warning was not appealed in a court of law in the established order or was not recognised by the court of law as illegal, and also if the period of time fixed in the warning no measures were taken to remove the admitted breaches which served as ground for giving the warning, or if repeatedly within 12 months from the day of giving the warning new facts were revealed to testify to the signs of extremism in the activity of the mass medium, the activity of the corresponding mass medium shall be terminated in the order set by the present Federal Law.

Article 9. The Responsibility of Public and Religious Associations and Other Organisations for the Exercise of Extremist Activity

In the Russian Federation it shall be forbidden to set up and carry out the activity of public and religious associations and other organisations whose goals and acts are aimed at the exercise of extremist activity.

In the case provided for by the fourth part of Article 7 of the present Federal Law or in the case of the exercise by the public or the religious association, or by any other organisation, or by their regional or any other structural sub-divisions of the extremist activity that involved the violation of the rights and freedoms of man and citizen, the infliction of damage to the personality and health of citizens, the environment, public order, public security, property, the lawful economic interests of natural and/or juridical persons, the society and the State, or that poses a real threat of inflicting such damage, the respective public or religious association or any other organisation may be liquidated, while the activity of the respective public or religious association that is not a juridical person may be banned by a court decision on the grounds of the statement by the Procurator-General or the respective procurator subordinate to him.

According to the grounds indicated in the second part of the present Article a public or religious association may be liquidated, while the activity of a public or religious association that is not a juridical person may be banned by a court decision also on the ground of the statement of the federal executive body in the sphere of justice or by its corresponding territorial agency.

In the event of the adoption by a court of law of a decision on the grounds provided for by the present Federal Law, on the liquidation of a public or a religious association their regional and other structural units shall also be liquidated.

The assets that remained after the satisfaction of the creditors' claims and that belonged to a public or a religious association, or any other organisation to be liquidated on the grounds stipulated by the present

Federal Law shall be turned over to the ownership of the Russian Federation. A decision on turning the said assets into the ownership of the Russian Federation shall be passed by a court of law simultaneously with the decision on the liquidation of the public or the religious association, or any other organisation.

Article 10. The Suspension of the Activity of a Public or Religious Association

In the event of the exercise by a public or a religious association of extremist activity that involved the violation of the rights and freedoms of man and citizen, the infliction of damage to the personality and health of individuals, the environment, public order, public security, the property and the lawful economic interests of natural and/or juridical persons, the society and the State that poses a real threat of inflicting such damage, the corresponding official or the organ from the time of juridical recourse on the grounds provided for by Article 9 of the present Federal Law with the statement on the liquidation of the public or the religious association or on the prohibition of its activity shall have the right to suspend by their decision the activity of the public or the religious association pending the examination by a court of law of the said statement.

The decision of the suspension of the activity of a public or religious association may be appealed against in a court of law in the established order pending the examination by this court of the statement on its liquidation or the prohibition of its activity.

In the event of the suspension of the activity of a public or a religious association the rights of this public or religious association, their regional and other structural units shall be suspended as the founders of mass media; they shall be forbidden to use government or municipal mass media, to organise and hold meetings, rallies, demonstrations, street processions, picketing and other mass actions or public enterprises, to take part in elections and referenda, to use bank deposits, with the exception of their use for making payments connected with their economic activity, the reimbursement of damages caused by their actions, the payment of taxes, fees and fines, and payments under labour contracts.

If a court of law does not satisfy the statement on the liquidation of a public or a religious association or on the prohibition of its activity, the given association shall resume its activity after the entry of the court's decision into legal force.

The suspension of the activity of political parties shall be carried out in the order stipulated by the Federal Law on Political Parties.

Article 11. The Responsibility of Mass Media for the Spreading of Extremist Materials and the Exercise of Extremist Activity

In the Russian Federation shall be prohibited the spreading of extremist materials through mass media and the exercise of extremist activity by them.

In the case stipulated by the third part of Article 8 of the present Federal Law or in the case of the extremist activity exercised by the mass medium that involved the violation of the rights and freedoms of man and citizen, the infliction of damage to the personality and health of individuals, the environment, public order, public security, the property and the lawful economic interests of natural and/or juridical persons, the society and the State or that poses a real threat of inflicting such damage, the activity of the corresponding mass medium may be stopped by a court decision on the basis of the statement of the authorised governmental body that registered the given mass medium or of the federal executive body in the sphere of the press, TV and radio broadcasting and mass communications or of the Procurator-General of the Russian Federation or the corresponding procurator subordinate to him.

For the purpose of non-admitting the continued spreading of extremist materials the court of law may suspend the sale of the corresponding periodical edition or the circulation of audio or video recording of a programme or the issue of the corresponding radio or video programmes in the order provided for the adoption of measures to secure a claim.

The court's decision shall be a ground for the seizure of the non-sold part of the circulation of the products of the mass medium that contains extremist material from places of storage, wholesale and retail trade.

Article 12. The Non-admission of the Use of Public Communication Network for the Exercise of Extremist Activity

The use of public communication network for the exercise of extremist activity shall be banned.

If the public communication network is used to exercise extremist activity, it is necessary to apply the measures stipulated by the present Federal Law with due account of the special features of the relations regulated by the legislation of the Russian Federation in the sphere of communication.

Article 13. The Struggle against the Spreading of Extremist Materials

On the territory of the Russian Federation it shall be forbidden to publish and spread printed, audio and video and other materials containing at least one of the signs provided for by the first part of Article 1 of the present Federal Law. Such materials include:

- a) the official materials of prohibited extremist organisations;
- b) the materials authored by the persons who have been convicted in accordance with international legal acts for crimes against peace and humanity and the materials containing the signs provided for by the first part of Article 1 of the present Federal Law;
- c) any other materials, including anonymous materials, containing the signs provided for by the first part of Article 1 of the present Federal Law.

The presence in information materials of the signs stipulated by Items (a) - (c) in the first part of the present Article shall be established by a federal court in the place of location of the organisation that published such materials on the proposal of the procurator concerned.

The court's decision on the establishment in information materials of the signs stipulated by the first part of Article 1 of the present Federal Law shall be a ground for the seizure of the unsold part of the press run. An organisation which twice publishes extremist materials in 12 months shall be deprived of the right to carry on publishing activity.

A copy of the juridical decision that has come into legal force on the recognition of information materials as extremist shall be forwarded to the federal executive body in the sphere of justice. The federal list of extremist materials shall be subject to the periodical publication in mass media.

The decision on the inclusion of materials in the federal list of extremist materials may be appealed against in a court of law in the established order.

Materials included in the federal list of extremist materials shall not be distributed around the territory of the Russian Federation. Persons guilty of the illegal manufacture, spread and storage of the said materials with the aim of subsequent distribution shall be brought to book in administrative or criminal proceedings.

Article 14. The Responsibility of Officials, Government and Municipal Employees for the Exercise of Extremist Activity by Them

The statements by an official, and also any other person employed in the government or municipal service on the need for the admissibility, possibility or desirability of, extremist activity, made in public or in discharge of their official duties, or with an indication of the post held, and likewise the non-adoption by an official in accordance with his terms of reference of measures to suppress extremist activity shall entail the responsibility set by the legislation of the Russian Federation.

The respective state bodies and the high-ranking officials shall be obliged to forthwith take the necessary measures for calling to account the persons who committed acts indicated in the first part of the present Article.

Article 15. The Responsibility of Citizens of the Russian Federation, Foreign Nationals and Stateless Persons for the Exercise of Extremist Activity

For the exercise of extremist activity citizens of the Russian Federation, foreign nationals and stateless persons shall bear criminal, administrative and civil-law responsibility in the order prescribed by the legislation of the Russian Federation.

For the purpose of safeguarding state and public security on the grounds and in the procedure stipulated by the federal law a person who has taken part in extremist activity may be restricted by a court decision in access to government or municipal service, military service under a contract and service in the law-enforcement bodies, and also in the work of educational establishments and in detective and guarding activity.

If the leader of a member of the governing body of a public or a religious association or any other organisation makes a public statement that calls for extremist activity without any reference to the fact that this reflects his personal opinion, and likewise in case of the entry into legal force of a court decision in respect to this person for an offence of an extremist character, the corresponding public or religious association or any other organisation shall be obliged to state in public its disagreement with the pronouncements or actions of such person within five days from the day when the said pronouncement was made. If the corresponding public or religious association or any other organisation fails to make such a public statement, this may be regarded as a fact testifying to the presence of extremism in their activity.

Article 16. The Non-admission of Extremist Activity During Mass Actions

No extremist activity shall be allowed during meetings, rallies, demonstrations, street processions and picketing. The organisers of mass actions shall bear responsibility for the observance of the requirements established by the legislation of the Russian Federation and dealing with the order of holding mass actions, the non-admission of extremist activity, and also its timely suppression. The organisers of a mass action shall be pending its holding warned in written form by the organs of internal affairs of the Russian Federation about the said responsibility.

The participants in mass actions shall be forbidden to carry weapons on themselves (exception being made for the localities where the bearing of blank weapons is a part of the national dress), and also objects specially manufactured or adopted for the infliction of damage to the health of individuals or material damage to natural and juridical persons.

It shall be not allowed to attract extremist organisations to participation in mass actions, to use their symbols or attributes, and also the spread of extremist materials.

In the event of disclosing the circumstances provided for by the third part of the present Article the organisers of a mass action or any other persons responsible for its holding shall be obliged to forthwith take measures to remove the said breaches. The non-observance of such duty shall involve the cessation of the mass action concerned at the demand of the representatives of the organs of internal affairs of the Russian Federation and the responsibility of its organisers on the grounds and in the procedure stipulated by the legislation of the Russian Federation.

Article 17. International Cooperation on Combatting Extremism

On the territory of the Russian Federation a ban shall be placed on the activity of public and religious associations and other non-profit organisations of foreign States and their structural units whose activity is recognised as extremist in accordance with international legal acts and the federal legislation.

The prohibition of the activity of a foreign non-profit and non-governmental organisations involves the following:

- a) the cancellation of state accreditation and registration in the procedure established by the legislation of the Russian Federation;
- b) the prohibition of the stay of foreign nationals and stateless persons on the territory of the Russian Federation as representatives of the given organisation;
- c) the prohibition of any economic or any other activity on the territory of the Russian Federation;
- d) the prohibition of the publication of any materials on behalf of a banned organisation in mass media;
- e) the prohibition of the distribution around the territory of the Russian Federation of the materials of a banned organisation and likewise any other information products containing the materials of the given organisation;
- f) the prohibition of any mass actions and public events, and also of the participation in mass actions and public events as a representative of a banned organisation or as its official representatives;
- g) the prohibition of the creation of its successor organisation in any organisational and legal form.

After the entry into force of a court decision on the ban of the activity of a foreign non-profit organisation the authorised state body of the Russian Federation shall be obliged to notify within 10 days the diplomatic mission or the consular office of the relevant foreign State in the Russian Federation of the prohibition on the territory of the Russian Federation of the given organisation, about the reasons for the prohibition, and also the consequences of such prohibition.

In accordance with its international treaties and agreements the Russian Federation shall cooperate with foreign States, their law-enforcement bodies and special services, and also with anti-extremist international organisations in combating extremism.

President of the Russian Federation

Vladimir Putin

Moscow, the Kremlin

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