

# Russia's Ministry of Justice Decision to Label 55 Organizations as Extremists: Implications for the Rights of Indigenous Peoples of Russia

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## Abstract

On 7 June 2024, the Supreme Court of the Russian Federation fulfilled the demand of the Ministry of Justice to label 55 organizations, including those advocating for the rights of Indigenous peoples, as extremists. This decision has triggered significant anxiety among Indigenous communities and human rights activists. This article examines the nature of this decision, the definitions of *extremist* and *extremist organizations* under the Russian law, and the implications of this decision for the rights of Indigenous peoples in Russia.

**Keywords:** *Indigenous peoples, Russia, extremism, war*

## The facts of the case

On 7 June 2024, the Supreme Court of the Russian Federation (RF) fulfilled the demand of the Ministry of Justice of the RF to recognize the international public movement of multinational unity and territorial integrity of Russia called 'Anti-Russian Separatist Movement', and its subdivisions as extremist organizations. The Supreme Court banned their activities in the territory of the RF. The decision was adopted on the basis of the fact that this movement and its subdivisions carried out activities prohibited by the Federal Law (FL) of 25 July 2002 N 114-FZ 'On Counteracting Extremist Activities'.<sup>1</sup>

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1 Верховный Суд РФ. Карточка производства. Дело № АКПИ24-342СС [Supreme Court of the RF. Case proceeding card. Case № АКПИ24-342СС], <https://vsrf.ru/lk/practice/cases/13-35210368> (accessed 28 August 2024).

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It should be mentioned that the Decision of the Supreme Court is not publicly available, nor are the case materials. The case proceedings are available on the website of the the Supreme Court of the RF, which is the main source of information on this case.

### **What are extremist activities and extremist organizations according to the Russian law?**

According to Article 1.2 of the FL of 25 July 2002 N 114-FZ ‘On Counteracting Extremist Activities’, an extremist organization is a public or a religious association or any other organization in respect of which, and on the grounds provided by this FL, a court has adopted a decision with the legal effect of liquidation and prohibition of all activities related to carrying out extremist activities.

According to Article 1.1 of the FL of 25 July 2002 N 114-FZ ‘On Counteracting Extremist Activities’, an extremist activity is

- violent alteration of the fundamental principles of the constitutional order, and (or) violation of the territorial integrity of the RF (including annexation of part of the territory of the RF) except for the delimitation, demarcation, redemarcation of the State border of the RF with neighboring States;
- public justification of terrorism and other terrorist activities;
- incitement of social, racial, national, or religious discord;
- propaganda of the exclusivity, superiority, or inferiority of a person based on their social, racial, national, religious, or linguistic identity or their affiliation with or attitude towards religion;
- violation of the rights, freedoms, and legitimate interests of a person and citizen, depending on their social, racial, national, religious, or linguistic affiliation with or their attitude towards religion;
- causing impediments to citizens in exercising their electoral rights and the right to participate in a referendum, or violating the confidentiality of voting, in combination with violence or the threat thereof;
- causing impediments to the lawful activities of State bodies, bodies of local self-government, electoral commissions, public and religious associations and other organizations in combination with violence or the threat thereof;
- committing crime for the motives specified in Article 63 1 (e) of the Criminal Code of the RF;<sup>2</sup>
- the use of Nazi symbols or insignia, or symbols or insignia similar to Nazi symbols or insignia to the extent that it causes confusion, or symbols or insignia of extremist organizations, except in cases where such use forms a negative attitude towards

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2 The Article specifies the following motives: political, ideological, racial, national, or religious hatred or enmity, or by hatred or enmity towards any social group.

the ideology of Nazism and extremism, and there are no signs of propaganda or justification of Nazi and extremist ideologies;

- public calls to carry out the above-mentioned actions, or dissemination of intentionally extremist materials, as well as their production or storage with the purpose of mass distribution;
- the public and intentionally false accusation against a person holding a State position of the RF or a State position of a constituent entity of the RF, in committing acts specified in this Article and constituting a crime during the performance of their official duties;
- arrangement for the above-mentioned acts, as well as incitement to commit them;
- financing of the above-mentioned acts or other assistance in their organization, preparation, and implementation, including by providing educational, printing, and material-technical resources, telephone and other types of communication, or providing information services.

### **What organizations were labelled as extremists?**

Among the 55 organizations labeled as extremists are: the informal association of Indigenous small-numbered peoples ‘Aborigen-Forum’; the public association ‘Indigenous Russia’ (also known as the International Committee of Indigenous Peoples); and the URALIC Keskus MTÜ (URALIC Centre of Indigenous Peoples, MTÜ Polistrahvaste Arengu Keskus).<sup>3</sup>

### **What are the implications?**

Many Indigenous organizations and human rights activists have raised concerns about this decision and its implications for organizations within Russia that defend Indigenous peoples’ rights, as well as for their cooperation with organizations whose members are located abroad. The head of the Saami Council stated the following: “We believe these actions are targeting human rights defenders, reflecting an ongoing trend to suppress civil society and silence those defending human and Indigenous Peoples’ rights within Russia. The Saami Council is deeply concerned by this escalation and the ongoing attempts to criminalize the protection of Indigenous Peoples’

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3 Министерство Юстиции РФ. “Перечень общественных объединений и религиозных организаций, в отношении которых судом принято вступившее в законную силу решение о ликвидации или запрете деятельности по основаниям, предусмотренным Федеральным законом от 25 июля 2002 N 114-ФЗ “О противодействии экстремистской деятельности”” [Ministry of Justice of the RF. “List of public associations and religious organizations for which a court has issued a final decision on liquidation or prohibition of activities based on the grounds provided by the Federal Law of 25 July 2002 N 114-FZ ‘On Counteracting Extremist Activities’”], <https://minjust.gov.ru/ru/documents/7822/> (accessed 28 August 2024).

rights and territories.”<sup>4</sup> More than 120 individuals and organizations signed a letter to the UN expressing their concerns and disagreement with this decision.<sup>5</sup> The case has also triggered significant media attention, with many condemning the decision for its impact on freedom of speech and human rights in Russia.<sup>6</sup>

Being labeled as “extremist” has severe implications for the activities of the organizations that are given this label, as well as for those who support them. For example, since their inclusion in the registry of extremists and the publication of its list, organizers and participants of these organizations may be subject to criminal prosecution under Article 282.2 of the Criminal Code of the RF, titled ‘Organization of Activities of an Extremist Organization’. Those who support the activities of these organizations may be criminally liable under Article 282.3 of the Criminal Code, titled ‘Financing of Extremist Activities’, and Article 282.4 of the Criminal Code, titled ‘Repeated Propaganda or Public Display of Nazi Symbols, Symbols of Extremist Organizations, or Other Symbols Whose Propaganda or Public Display is Prohibited by Federal Laws’.

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4 “Statement from the Saami Council on Russia’s Recent Classification of Human Rights Organisations as Extremist”, <https://www.saamicouncil.net/news-archive/statement-from-the-saami-council-on-russias-recent-classification-of-human-rights-organisations-as-extremist> (accessed 28 August 2024).

5 “Bert Sundström: “Putin börjar bli rädd för allting””, <https://www.svt.se/nyheter/sapmi/urfolk-stampas-som-extremister-putin-borjar-bli-radd-for-allting> (accessed 28 August 2024).

6 “Urfolk stämplas som extremister i Ryssland”, <https://www.svt.se/nyheter/sapmi/urfolk-stampas-som-extremister-i-ryssland> (accessed 28 August 2024).