HATE CRIME IN RUSSIA

Monitoring and Support for Victims of Racist Violence

Short Version

ReachOut

ARIBA e.V./ReachOut – Counselling for Victims and Education about Right-wing Extremism, Racism and Anti-Semitism, Berlin
Tatiana Golova
Robert Kusche
Ute Weinmann

With the assistance of
Anzhelika Avdeeva
Sebastian Friedrich
Sabine Seyb

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FOREWORD

Since the middle of 2001 ReachOut has been counselling and supporting victims and witnesses of right-wing, racist and anti-Semitic assaults and threats in Berlin. The assaults are researched, documented and published in order to reflect the extent of these violent crimes more realistically than the official statistics of the investigative authorities are capable of doing.

The unreported number of assaults on people who do not fit in with the world view of the perpetrators remains high. There are, however, a large number of independent initiatives, counselling projects and documentation centres that focus on mapping the extent of the violence and the situation of the victims, independent of whether the victims are in the position to press charges.

With the help of state support, counselling centres for victims of right-wing, racist and anti-Semitic violence were founded in 2001 in Berlin and the eastern German federal states. Despite uncertain and precarious conditions, the projects have been able to establish themselves, and the staff members became recognised as experts from representatives of the media, social scientists and political policy makers. Contributing to this was the concrete counselling work and above all the professional research and documentation work. This is why the number of assaults that the victim counselling projects publish is much higher than the numbers of the investigative authorities.

On the international level, very little is known about right-wing, racist and anti-Semitic violence in Eastern Europe. As a result, the knowledge about the situation of victims and their family members is very limited even among experts.

From the research and counselling praxis in Berlin, ReachOut knows that the group which is assaulted due to racist motives and uses the counselling services is the largest of all victim groups. That is why in recent years the ReachOut team has been gathering substantiated information and experience in regard to this group of victims.

Above all, the spectrum of the perpetrators of racist-motivated violence should not be delimited to organised neo-Nazis and their immediate environment. That is why ReachOut sees a particular need for action in this field; because racist attitudes and practices are socially and institutionally anchored, very similar to Germany. Until now, the victims could frequently expect no professional assistance and were left alone to deal with the traumatic events.

With the study presented here, ReachOut has pursued the goal of bringing international attention to the situation of people affected by racist violence. Of particular interest are the experiences and working conditions in the selected regions of Russia to support the affected persons and their concerns.

In addition, the situation of (potential) victims is portrayed from the perspective of the representatives of the projects and other experts, who are asked by the victims to give counselling and help but cannot afford to provide them in the way they should be provided,
provoking the central question what kind of experience and resources exist in the projects and what kind of support they need.

The study was only made possible due to the close cooperation and exchange with multiple representatives of Russian projects and individuals who were willing to give us interviews, open to questions and willing to discuss, critically comment on and to complete the first results of the study within the framework of a working meeting.

With this study, ReachOut has pursued the goal to support projects and their staff members who until now have worked in a very engaged manner under difficult conditions. The working out of the concept, expanding it and further developing required cooperation based on a practical experience and partnership. A lot of patience and willingness on the part of international organisations were needed in order to support the study both financially and conceptually.

The main goal of ReachOut is to increase awareness of the situation of the victims and the lifelong consequences of the assaults that occur so frequently. The study is an appeal to treat the affected persons with more empathy and respect so that they can be better protected from assaults in the future.

Sabine Seyb
(ReachOut – Victim Counselling and Education against Right-wing Extremism, Racism and Anti-Semitism, Berlin)
1. INTRODUCTION AND APPROACH

The study presented here explores the situation regarding hate crime offences in five regions of the Russian Federation between 2008 and the middle of 2010. The two Russian metropolises Moscow and St Petersburg were selected for the study, as well as the cities of Stavropol und Voronezh in the south, Yekaterinburg in the Urals, and Murmansk and Petrozavodsk in northern Russia.

The study concentrates on the analysis of the situation of victims of racially motivated violence in Russia, the explication of the legal situation in Russia and the listing of available offerings and projects. The following considerations played a role in the implementation of the study and the selection of the regions:

1. The improvement of the (legal and personal) situation of the victims of right-wing and racist violence (hate crimes) in Central and Eastern Europe was considered a primary long-term goal. Therefore, we selected the regions considering the following questions: Which regions are known as hubs of racist and right-wing violence? In which regions do the political authorities accept the work of civil society initiatives and allow the local political conditions to establish counselling centres? Where do sufficient resources exist for the setting up and professionalization of counselling options for victims of right-wing and racist violence?

2. Due to limited time and financial means as well as the size of the country, we could not investigate all the regions of Russia. Therefore, we limited ourselves to the above.

3. In addition to these considerations in the selection of the analysed regions, we focused on the specific knowledge of our team in each region and city.

In the selected regions, approximately 50 organisations and individuals were selected and queried via the Internet, or through address lists, or through personal contacts and recommendations. The interviewees work in the fields of human rights or monitoring, counselling, or other similar fields and/or are in contact with potential victim groups. From among these people, 20 project representatives and experts were interviewed due to their professional profiles. The interviews took place with a guiding questionnaire, mostly by telephone or sometimes email; the selection of the interview partners does not claim to be representative. A meeting in Moscow in July, 2010 also offered the opportunity to discuss the gathered information, hypotheses, interpretations and results of the research with the project employees and experts who were interviewed. In addition, experts were asked if they could give us information about the legal situation in the Russian Federation.

The following questions were of particular interest during the research and interviews:

1. What does the situation concerning hate crime offences look like in the particular regions?
2. How are the victims in the regions supported and their concerns addressed?

1 The interview questions can be found in the appendix.
3. Which possible contact persons exist in the region?
4. What are the working conditions of the projects like?

In addition, the legal framework and juristic practice in relation to hate crime offences were depicted in the study. The problems of monitoring in Russia were discussed and the public discourse in relation to right-wing and racist violence in Russian was described.

Finally, recommendations are set forth that from our point of view can be implemented on various levels in order to strengthen existing structures and to sustainably improve the situation of victims of racist and right-wing violence in Russia. In the appendix there is also a strength-weakness analysis (SWOT Analysis) for the regions of Moscow, St. Petersburg, Voronezh and Stavropol.

The recommendations are a result of the research and analysis of the experiences of ReachOut and the outcome of a joint meeting with the interviewed NGOs in July, 2010 in Moscow.

2. DEBATE OVER THE CONCEPT OF “HATE CRIME”

Most of the hate crime attacks in Russian have a racist motive. Therefore we focus mainly on the victims of racially motivated acts of violence in the selected regions. However, during the research we kept other affected groups in mind and focused on describing the context of the hate crime concept within the scope of this study.

A narrow definition of a hate crime offence assumes a criminal act against one or more persons or an object, influenced by prejudices toward particular characteristics of the victim.\(^2\) In regard to attacks, however, the self-definition of the victim is not the cause; rather, it is the view of the perpetrators. Many authors have further defined these concepts. Perry refers to the fact that the victims are usually marked by “racial”\(^3\) or “ethnic” differences in relation to the social majority. The perpetrators see their standard of living endangered by the victim (group). Wolf and Copeland assume that the victims are exposed to complex social discrimination and in general have only limited access to social and economic resources.\(^4\) Therefore, hate crime offences are to be seen in the context of the political conditions of a state, within which social majorities and minorities are rigidly defined, as are the corresponding mechanisms of exclusion. “Hence, hate crimes can be defined through social and political factors, which in adverse constellations support a thought and belief system in which violence against minorities is seen as legitimate.”\(^5\)

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\(^3\) Perry uses the term racial. We reject this term, because the use of concepts like “racial” or “race” imply the existence of races and thereby contribute to the (re)production of racism. For this reason we place these terms in quotation marks.
Hate crime offences are above all committed by members of the social majority who often see themselves as executors of the supposed “will of the people.” Both victims and perpetrators can therefore see an insufficient state and social reaction to hate crime offences as approval of those actions. Hence, on the one hand, hate crime offences give information about the condition of a society, and on the other hand, they have an effect on the quality of life of the (potential) victims and the society as a whole, including restrictions on their mobility, strenuous efforts to go unnoticed, and a retreat from the public sphere due to fear that attacks will happen again. The establishment of public spaces where people are afraid and their mobility is restricted could lead to the further social marginalisation of these groups.

A broader definition of hate crimes is as follows: “The concept of hate crimes... describes actions that are mostly relevant to criminally punishable actions, in the course of which one or more persons or their property experience victimisation through intimidation, threat, physical or psychological violence. The perpetrator(s) is/are partly or wholly spurred on by prejudice against certain characteristics such as race, lineage, nationality, religion, sexual orientation, age, gender, physical or mental disability, which concern the whole social group of the victim(s). The injury is not only directly aimed at the victim; rather, it contains an intimidating message that addresses the identity of the victim group and therewith the basis of a democratic society. A German translation of “hate crime” could be termed as bias-motivated crime or bias criminality.”

As a judicial concept, hate crime has two particular characteristics:
1. There must be a criminal offence (bodily harm, arson, etc).
2. A bias motivation (racism, anti-Semitism) on the part of the perpetrators toward the victim or the group must be recognised.

Above all, the prerequisites for the second point are relatively difficult to fulfil; particular training is required on the part of the prosecuting authorities in order for them to clearly recognize these motives and prosecute them accordingly.

Hate crime offences in Russia in recent years have primarily been collective attacks on individual persons or small groups, where the victims are (usually brutally) hit and injured with objects employed as weapons. Many victims die of their injuries, and/or they are intentionally killed. The largest portion of the attacks is committed by extreme right-wing youth, who are organised in formal and informal groups.

A larger aspect of the context-based interpretation of the hate crime concept is the victim groups. In addition to racist-motivated attacks, there are violent acts committed against LGBT people, religious minorities, the homeless and other groups. These affected groups

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6 See footnote 3.
7 We reject the term “lineage” due to racist connotations. In contrast to “folk”, the term “tribe” refers to a group of people with a supposedly low level of development.
9 Cf. OSCE/ODIHR 2009: 16f.
10 LGBT stands for “lesbian, gay, bisexual and transgender.”
are generally not visible due to the absence of representative organisations which might advocate for their rights, or due to the lack of political influence. In addition, political activists working in the areas of anti-fascism and human rights are increasingly the victims of right-wing attacks. They become victims of the perpetrators due to their solidarity with the groups and victims of hate crime offences affected with discrimination. Primarily, however, they are seen as the political opposition of the perpetrators and therefore attacked.

Racism is a basic part of the hate crime concept and is defined by Miles as an ideology in which “particular biological characteristics are ascribed meaning and become signifiers of particular groups. The status and origin of the groups are imagined as natural and unchanging…..Thusly, the groups that are constructed in this way have to be provided with additional, negatively evaluated (biological or cultural) characteristics and represented in such as way as though they were to cause negative consequences for other people.”

The hate crime concept as introduced here has its origins in the black civil rights movement in the 1950s and 1960s in the USA. This movement actively advocated for the implementation of civil rights and more severe punishment for hate crime offences. In Russia there has been no such movement. In addition, the people affected by hate crime offences are politically and socially too marginal to actively lead a social debate or to be able to have influence on the legislative process. The simple adaption of the crime concept to the situation in Russia and the obviously arbitrary determination of victim groups by the Russian legislature cannot reach the desired aims without considering the present day social context and without an analysis of the situation of the affected groups. Apart from that, one can ask if criminal offences motivated by right-wing ideologies, racism, anti-Semitism and homophobia should even be phrased at all with concepts like hate crimes or “bias crimes.” It is not possible to sufficiently define these inhumane ideologies and their political goals with psychological and individualizing terminology such as hate or prejudice due to the nature of the crimes that are committed in their names. The majority of the participants in a meeting in July 2010 in Moscow argued for naming and describing the motives of the crimes specifically as rightist, racist, homophobic, etc. and not generally as a hate crime offence.

If in the framework of the study, however, we use the category hate crime offence or hate crimes, we mean offences that are directed against the actual identity or actual group affiliation of the victim, or the identity or group affiliation of the victim as constructed by the perpetrator. As such these are offences against the whole group. At the same time, in our point of view, this refers to attacks and threats that are motivated by racism or anti-Semitism, or an offence against a social disadvantage, people with disabilities, homosexuals, transgender, leftists or antifascists. These particular motives can have the effect of an increased penalty for the perpetrators. An interpretation of the hate crime concept that is too broad, such as an undifferentiated description of the group that is to be protected, can be problematic and the actual problem at hand can be reduced to absurdity.

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3. CRITICAL DISCUSSION OF THE PUBLIC DISCOURSE OF “HATE CRIME”

The reaction of the Russian public to violence motivated by racism is very reserved. It is assumed that the attitude toward the use of physical violence is generally influenced by the events which have occurred since the fall of the Soviet Union. In particular, both Chechen wars have certainly strongly contributed to the fact that the violence exerted by the employees of the security forces has anchored itself in the consciousness of the majority of the population as part of normal life. The violence is seen as unfortunate, but is openly criticised only by a few. At the same time, daily media reports about crime have increasingly allowed for a normalizing effect. Attempts to explain the rise of violence in Russia often lead to helplessness. In particular, for many people the formation of neo-Nazi organisations does not correspond with the historical victory over fascism.

The Image of Migrants as Perpetrators and Victims in the Media

The majority of people affected by racist violence are migrant workers, especially those from Central Asia. The relationship to the majority population to migrants is predominantly discussed in the context of the “national question” as “a relationship between ethnicities” or as “conflict of cultures” and only rarely debated within an economic or social context. Often the break of the oft-quoted “ethnic balance” is made responsible for everything from the increase in racist language to violent racist attacks. With these kinds of explanatory models, however, the impression can be conveyed that the responsibility for racist violence lies less with the majority society than with the migrants themselves. The negative image of the migrant is transmitted primarily by the media and representatives of the Russian authorities. The stigmatisation of migrants as criminals and as being illegal contributes to the incitement of fear among the population. Almost daily, local, regional or interregional media report on raids and deportations of migrants. At the same time, the population experiences hardly any of the hindrances and discrimination that the Russian legislation proscribes in regard to the residency status for migrants without a Russian passport.

The victims of racist violence often remain anonymous and are represented only through statistics. In this way a depersonalised image of the victim is produced in the public consciousness and becomes fossilised with time, reflecting the indifference or the disparaging attitude of the majoritarian society in regard to the victims. When victims of racist violence receive a name and a face in the media, it is usually about a foreign student. In the case of the Senegalese Lamzar Samba, who was openly shot in the street in April 2006 in St. Petersburg, African Unity, an interest group for Africans living in St. Petersburg.

and of which Samba was a member, pressed for a carefully carried out investigation and worked with only a few other organisations and individuals for transparency in the process. If the violence has to do with well-known people, as in the case of the Yakut chess player Sergey Nikolayev who was murdered in October 2007 by neo-Nazis, the identity of the victim alone raises more interest than is usual. In addition, it is notable that there is more readiness on the part of print media and television to portray anti-fascists (and their friends and relatives) who are affected by rightist violence than victims of neo-Nazi violence. This might be because friends and the larger networks of people affiliated with the murdered anti-fascists are capable of producing their own publicity.

Most of the cases never come to public attention. It is quite clear that the press as well as the police do not always receive information about racist-motivated attacks. At the same time, one can assume that news at times is held back when there is reason to believe that it is a politically motivated crime. An example is the attack on Oleg Serebrennikov by neo-Nazis in Izhevsk, the capital city of the Udmurt Republic. In May 2010 burning objects were thrown through the balcony windows of Serebrennikov’s residence; simultaneously 11 shots were fired from an air pistol. Serebrennikov was able to notify the fire brigade in time before the fire took over his home. In the corridor of the building he found the graffiti “Oleg, you are a corpse” as well as swastikas. In addition, he noticed a suspicious person about 40 meters away, and he determined in the days afterward that he was under constant observation. The active anti-fascist, who has been an activist for many years, had already been a victim of an attack by several neo-Nazis in 2004, during which he suffered severe injuries. In May 2010 Serebrennikov, who is also a journalist by profession, called a press conference because of the arson attack and other neo-Nazi activities in the city. Despite advance notices that the media would be attending, no representatives of the media appeared. Later, in conversations in journalist circles, it was found that this topic was considered undesirable, for the time being, in the media of the city and the republic.

The interaction between the media and representatives of the state bureaucracy or the police organisations can have less drastic consequences, but it can still have a strong effect on the news coverage. It is part of the current process that the police put cases with an extreme rightist background in an apolitical context, as in the case of Dmitriy Kashitsyn. On the night of 22 May 2010 the 27-year-old doctoral student went to a birthday grill party, where a lot of musicians and young people wearing alternative clothing were present. This was something which had evidently aroused the attention of neo-Nazis. Toward the end of the party, about 40 neo-Nazi attackers wearing face masks rushed at the party guests. Calling out slogans and violent threats such as “There they are, knock them down!” they beat their victims with bottles, rocks and knives, and a shot was fired from an air pistol. Dmitriy Kashitsyn was stabbed 15 times from behind and succumbed to his injuries before the arrival of the rescue teams. The first media reports about the case did not report about

16 Email correspondence with Oleg Serebrennikov on 1. June 2010.
any details that would have pointed toward an extreme right-wing background. Finally, Moscow police spokesperson Anatoliy Lastovetskiy announced that the incident had to do with a conflict among various party groups which didn’t want to share the grilling area with each other.\textsuperscript{18} The investigation was based on the charge of aggravated battery and not on manslaughter. The political motive of the crime was not taken into consideration.

Because the police interpretation of violent crimes serves mostly as the first source of information for the media, it plays a particular role in the formation of public opinion. If the case in question does not receive any special attention, it is fairly possible that no other report will appear about the findings of the official investigation or inquiry in the environment of those concerned. As a rule, the media interest will become more intense if a court case is opened. However, the public is frequently excluded from the proceedings. Of course, the media reports on murder cases from the neo-Nazi spectrum in closed trials, but the limited access to information has an effect on the quality of the reporting. In past years a whole string of conspicuous cases took place, which were extensively reported on. In the context of the news coverage, however, it is not the victim but the perpetrator who attracts most of the interest.

**Discussion about “Tolerance Programs”**\textsuperscript{19}

Policy makers describe the racist-motivated attacks “interethnic conflicts” and have reacted to the increase in attacks not just with intensified criminal prosecution, but with the conception and implementation of the so-called tolerance programs. Here, the self-identification of Russia as a multi-ethnic state plays an important role. The programs have made their way into other social areas and are aimed at fostering a tolerant attitude toward members of ethnic minorities. However, most of the concrete measures in the area of youth polices are criticised by experts as being out of date, incapable of reaching the desired goal and to some degree questionable in terms of their content.\textsuperscript{20}

All regions of Russia are required to develop and implement tolerance programs. Accordingly, the city of St. Petersburg designed a five-year programme and then an extended programme until 2015 with a budget of about 6 million euros. In the accompanying declaration “Harmony and Plurality for a Grand Folk,”\textsuperscript{21} it was said that the tolerance programme had to do with a “strategic concept of harmonisation of interethnic and intercultural relationships.” The city aimed for nothing less than the “extermination of the forms of xenophobia.”\textsuperscript{22} So-called “negative tendencies,” like everyday racism and chauvinisms,
should be countered with “the formation of positive values and actions for reciprocal respect, acceptance and understanding for the plurality of cultures of the peoples, their traditions and ethnic values.” The Committee for Foreign Relations of the St. Petersburg city government is responsible for the programme’s coordination and implementation. A whole group of state institutions took part in the substantive development of the first five-year plan (2006 to 2010), including universities, the St. Petersburg House of Nations, the Russian Ethnographic Museum and nongovernmental organisations. The recorded drop in racist criminal offences since 2007 is seen as a result of the success of the program. The assessment of the programme took place, however, only in regard to the number of implemented measures. Since the beginning of the programme over 10,000 events have been carried out, which include roundtables as well as an “Ethnocalendar” or a festival of “Ethnofashion” presentations of national costumes or cultural events for students.

The ethnicising character of the programme hardly allows any contribution to understanding the cause of racist violence or the situation of the people affected by it. In contrast, it does much more to anchor widespread clichés in Russian society about so-called national minorities, and it supports the categorisation of people according to seemingly rigid ethnic and cultural criteria. In addition, calls for tolerance for other “cultures” often accompany warnings of alleged criminality on the part of the migrants. That fits with the complaints of the programme organisers in regard to the rise of “foreigner criminality” in St. Petersburg. In comparison to the previous year, according to information provided by the migration service for the year 2009, this criminality has risen by over 11%. The migration services, however, registered a rise in the registration of foreign citizens of over 20% for the same period. In addition, a substantial part of the reported offences refer to infringements of residency regulations. Consequentially, the chair of the committee for Foreign Relations, Aleksandr Prokhorenko, announced a new emphasis for the continuation of the tolerance program, namely “the adaption of migrants.” What is to be understood under this new formulation remains to be seen.

Conclusion

To summarise, it is clear that the social and media discourse concerning hate crime in Russia takes place in a context where society is already shaped by many forms of violence. In addition, the situation differs from that of other countries due to the high number of racist attacks which result in death, and also that the perpetrators are often minors. The “ethnic balance” that has fallen out of balance often serves as a way to explain things. The responsibility for this is usually passed on to the migrants. In the media, a predominantly negative image of migrants is constructed on the part of the police authorities and also to a lesser degree by the migration authorities. Solidarity with the victims fails to materialize,

23 Administration St.Peterburg 2006.
with few exceptions. This discourse, which is aimed at excluding the potential victims from society at large, prevents a critical discussion of the problem.

On the part of the state, efforts are made to counter this negative development, but at the same time there are in particular instances restrictive reactions against those who try to stimulate a critical debate. The propagation of so-called tolerance programs has the intention of being a step in the right direction, but the concepts behind them as well as the way they are carried out prevent a critical and nuanced debate more than they foster one.

4. LEGAL NORMS AND PRACTICE

The Russian Legislation on Hate Crime

The legislation of the Russian Federation provides specific prosecutions against bias-motivated crimes.

According to Article 63, Paragraph 1e of the Criminal Code of the Russian Federation, hate or hostility directed toward “political, ideological, racial, national, religious or any social group” as motive for a crime has the effect of increasing the criminal penalty. The law does not define the social groups to be protected and does not clearly delineate the possible criminal motives. This regulation theoretically opens up a wide spectrum of interpretation for the authorities in the prosecution of any kind of “hate motivated” violence.

Crimes with bias motives play a more significant role in the Russian legislation and are designated as aggravating factors in several constitutive elements of crimes listed in the CC RF. With the elements of the crime of manslaughter (Art. 105 Par. 2 l CC RF), bodily harm (Art. 111, 112, 115 CC RF), beating (Art. 116 CC RF), abuse (Art. 117 CC RF), threat of killing or wilful causation of serious damage to health (Art. 119 CC RF), enticement of a minor to a criminal act, (Art. 150 CC RF), hooliganism (Art. 213 CC RF), vandalism (Art. 214 CC RF) and desecration of a corpse and place of interment (Art. 244 CC RF), hate crime motives are designated as aggravating factors. Thusly, serious bodily harm due to motives of national and other hate under Art. 111 Par. 2 CC RF can be punished with a prison sentence of three to ten years instead of two to eight years under Par. 1. In a 2007 amendment, further articles with the qualifying factor of “hate motive” were expanded (e.g. threat of murder).
Additionally, the list of hate crime motives was expanded to include ideological and political motives as well as bias motives against any kind of social group.\(^30\)

According to Art. 282 CC RF, actions are punished which are aimed at provoking hate or hostility as well as degrading the dignity of people or a group of people according to characteristics of gender, “race,”\(^31\) nationality, language, lineage\(^32\), the relationship to a religion as well as the membership in a social group, as long as the actions were committed publically or by means of mass media. Fines, a prohibition on certain kinds of professions, compulsory labour, “rehabilitation through labour” or a sentence of two to three years are provided as possible forms of punishment. The threat of violence, misuse of an official position or delinquency in an organised group (Par. 2) are aggravating factors. In these cases, a sentence of up to five years imprisonment can be given.\(^33\)

In addition to the articles listed, the Russian anti-extremist legislation can be understood as a basis for the persecution of hate crime offences with which extremist groups and actions are supposedly targeted. The anti-extremist laws were introduced in 2002 and later amended several times.\(^34\) The previously corresponding Art. 280 CC RF (“public appeal for a violent change of the constitutional order”) was changed to “public appeal for the exercise of extremist activities.”\(^35\) Furthermore, the founding of an extremist association and the activity in an extremist association (Art. 282 Note 1 CC RF\(^36\) and Art. 282 Note 2 CC RF, respectively) were made punishable by law.\(^37\) After an amendment in July 2007 (Art. 282 Note 1 CC RF footnote 2), the crimes committed “in an extremist manner” were understood to be committed “due to political, ideological, racist, national and religious hate or such animosity or due to hate or animosity toward any social group.”

The Criminal Code of the Russian Federation provides various possibilities with which to consider racist and other motives in the prosecution of violent crimes. With the differentiation of this legal foundation, however, the list of the relevant motives was expanded in recent years, leading to an increasing ambiguity. The effects of this will be discussed in the following section.

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\(^{30}\) The law from 24.07.2007 N211-FZ; the law from 10.5.2007 N70-FZ, also expanded was the Art. 63 e CC RF (Law from 24.07.2007 N211 FZ).

\(^{31}\) Cf. footnote 3.

\(^{32}\) Cf. footnote 7.

\(^{33}\) Art. 20.3 of the law against disturbing the public order of the Russian Federation can be seen as an expansion of the Art. 282 CC RF, according to which the public showing, circulation, production of and trade in and with Nazi paraphernalia and symbols as well as paraphernalia and symbols which can be confused with them, are punishable by fine.

\(^{34}\) The foundational law that contains the definition of extremist activities and inter alia provides the basis for the prosecution of organisations and mass media is the “Law on the Struggle against Extremist Activities” (N114-FZ from 25.7.2002).

\(^{35}\) Art. 280 CC RF demands a “public call” for such crimes, although this can be allowed in appropriate commentary literature in artwork (Cf Schroeder 2007).

\(^{36}\) Articles 282 Note 1 and 282 Note 2 are articles in themselves in the CC RF and should not be confused with Article 282 CC RF.

\(^{37}\) In the last update from 2007 there is a supplementary remark, that the members of a forbidden organisation are free from criminal prosecution if they freely give up their participation in the group.
The Use of the Law in Practice

Art. 282 CC RF (incitement to hatred) is used in various ways. In February 2010, for example, Konstantin Dushenov was sentenced to three years imprisonment for propaganda against minorities and the circulation of racist and anti-Semitic articles and films. The regulation was also used by the authorities and the courts to consider the racist and extreme rightist character of violent crimes. This practice seems questionable, because not all racist attacks are propaganda or “incite hatred.” They are much more the expression of a politically motivated, aggressive rejection of minorities. The use of this article can lead to the corresponding aggravating factors not being used within the scope of the article. For example, in 2006 the then functionary of the neo-Nazi “Slavic Union” Petr Dubrovin was sentenced without aggravating factors for the joint murder of a Kirgiz by several knife wounds according to Art. 105 CC RF. In November 2005 the anti-fascist Timur Kacharava was murdered and Maksim Zgibay was severely injured in an attack in St. Petersburg. In the case against the perpetrators on charges of joint murder, Art. 282 CC RF was used for probably the first time. The incitement to violence against the social group of anti-fascists was recognised as proven in a trial by jury in 2007. The genuine political motive of the neo-Nazi violent crime was able to be emphasised in this way.

The recognition of the anti-fascists as a “social group” i.e., protected by law, also had the consequence, however, that this already difficult to understand concept lost even more clarity. This tendency increased with the changes in the law in July 2007, as many articles were added on to the aggravating qualities of “political and ideological hate” and “hate against any social group,” where it had earlier been exclusively about racist, ethnic or religious hate. That means that the “ideological hate” against neo-Nazis can be judged as an aggravating circumstance. According to the Moscow Centre for Information and Analysis (SOVA), Art. 282 CC RF has been used less frequently since 2008 in taking racist motives in criminal acts into consideration. In the year 2009, Art. 282 CC RF was found in use in four of 45 total sentences, while in the previous years it had been drawn upon more frequently. In 2008, Art. 282 CC RF was used in 22% of cases, and in previous years it was used in 30 to 50% of all cases.

The Russian anti-extremist legislation is used above all against neo-Nazi groups, but it can also function as an instrument of oppression of politically unpopular opinions due to its unspecific formulations. Therefore, anti-capitalist remarks of leftist groups can also fall under Art. 280 CC RF. That is why critics often see the laws as a further instrument against peaceful political opposition in Russia. For example, in November 2009, the political scientist Irek Murtazin was declared guilty on the charge of “incitement to hatred against members of the Tatar government” according to Art. 280 CC RF and sentenced to a year and nine months hard labour.

39 The valid wording for manslaughter or hooliganism at that time had not permitted this emphasis.
He was accused of having defamed the Tatar president Shaimiev, for whom he had previously worked as a government spokesperson, due to an accusation of corruption. In addition, he sharply criticised the “social group of the representatives of the Tatar Republic” in a publication. With this broad definition of a “social group” the concept of hate crime loses its clear profile, especially when potential political critique and freedom of expression are restricted in this way. A similar case occurred in early February 2010 in Rostov on the Don. There, a political activist received a warning from the state prosecutor due to extremist activities under Art. 282 CC RF. He was accused of contacting the “National-Bolshevik Party,” classified by the state as an extremist group, for a report about “Xenophobia and Discrimination in the Region of Rostov in 2008.” The information in the report, however, drew on sources which could be accessed by the public.

In addition to the anti-extremist laws the specific articles of prosecution of hate crime offences are also applied. Art. 105 Par. 2 I CC RF (ideological murder) is being used, among others, in a case against two neo-Nazi activists of the organisation “Russkij Obraz” (Russian Way). The alleged perpetrators are accused of having shot the lawyer Stanislav Markelov and the journalist Anastasia Baburova on the street in January 2009 in Moscow. The sentence has not yet been handed down at the time this report was written. All together, in the year 2009, 19 cases have been registered to date under Art. 105 Par. 2 I CC RF and (including the cases from the preceding years) 42 investigations have been carried out. Art. 213 CC RF (hooliganism) is also applied as well as the laws for prosecuting bodily harm offences. There are several cases of bodily harm that are known to have taken bias motives into consideration.

According to state-provided sources, 69 criminal acts were registered in 2009 under Art. 111, 112 and 115 CC RF and 65 investigations were carried out (including the cases from the preceding years). In February 2010, the use of anti-extremist legislation and the corresponding laws were combined in a case in Nizhniy Novgorod. There, the racist motive of three perpetrators (according to Art. 63 Par. 1 e, 105 Par. 2 k CC RF) played a role as well as their membership in an extremist organisation (according to Art. 282 Note 1 CC RF). This use of the law is not limited to a single case; rather, the combined use of the laws represents current practice of jurisprudence in Russia.

Legal Procedures in Criminal Cases

According to the Code of Criminal Procedure of the Russian Federation (CCP RF), in certain criminal offences the proceedings are opened upon petition of the claimant (or legal

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46 Cf. the long version of this study.
HATE CRIME IN RUSSIA

representative thereof) in local Magistrate’s Court (District Court) as private suits (Art. 20 Par. 2, 318 CCP RF).

Light bodily harm also belongs to such offences (Art. 115 Par. 1, 116 Par. 1 CC RF). These offences should be prosecuted ex officio by the investigative authorities if the claimant cannot represent him/herself, for example, if the perpetrators are not known (Art. 20 Par. 4 CC RF). With bodily injuries due to racist or other hate crime motives (or with disturbance of the public order), Art. 115 Par. 2 CC RF or Art. 116 Par. 2 CC RF should be applied and accordingly the criminal prosecution should take place ex officio by the appropriate authority.

Here it is significant that the hate crime motive in Russian law can be decisive for the particular public interest in the prosecution. With most other bodily harm offences (e.g. with moderate or grievous bodily harm under Art. 112, 111 CC RF or with manslaughter according to Art. 105 CC RF) an ex officio investigative process must be initiated according to the CC RF. However, police in Russia tend not infrequently to register complaints improperly and to initiate the investigative process incorrectly. The leadership of the police and office of the public prosecutor have recognised the problem and have issued new administrative procedures in order to combat it, although until now it has changed little of the current practice.\(^47\) This problematic also occurs with the prosecution of racist crimes, especially when it concerns victims of people and groups who are affected by discrimination and illegalisation and have difficulties in claiming their rights. Many victims are afraid to go to the police (Interview Kulaeva, Interview Dubrovskiy). This is also true for relatives and witnesses. As a result the behaviour of the claimant is very cautious in terms of pressing charges. The causes are multifarious and range from fear of repression and police violence to problems related to having an unsecured residency status. This has also negative effects on the possibility of monitoring such crimes.

The inhibition threshold for the use of physical violence is in general quite low among the police. Police can assume that they will not be held responsible for possible crimes, i.e. they can expect that they will not have to reckon with charges brought by the victim.\(^48\) Racist violence represents a particular problem: migrants as well as Russian citizens who attract attention due to their “non-Slavic appearance” are victims of racist police violence. If individual cases of police violence come to be prosecuted, the racist motive is practically never investigated, because such crimes are classified across the board as exceeding the power of one’s official office (Art. 286 Par. 3 a CC).

Typically a criminal proceeding according to Paragraph 1 of each article is introduced. The crime motive is not taken into consideration at this point. Only in the course of the investigation, if detailed findings are present, is another qualification corresponding to the paragraphs in the article specified.\(^49\) The crime motive first becomes defined when the

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\(^{49}\) See Hussner 2005: 120ff.
criminal case is presented at court. That allows the motive classification at the beginning of
the criminal proceedings to differ from the main proceedings. This procedure causes diffi-
culties with the quantitative recording of criminal acts which have a bias motive. Moreover,
cases exist whereby the court agrees to the racist character of the crime in the opinion of the
court, but then does not take this into consideration as a qualification characteristic.\(^{50}\) The
official data are not interpreted in a way that reflects the real situation in regard to the
background of the crime.

That bias motives are only insufficiently taken into consideration with the classification
of criminal acts in the investigative praxis has pragmatic reasons, according to Dmitriy
Dubrovskiy, a St. Petersburg scientist.\(^{51}\) The director of the investigation must also prove the
motive, which in the view of many workers means an increased workload, which does not
promise a sentence for a case which otherwise has sufficient proof. Added to that is the
difficulty that many workers are not specialised in the prosecution of “extremist” crimes
(Interview Dubrovskiy).

The expert investigators, who can be drawn on in the investigation as well as in the main
proceedings, play an important role in determining a hate crime motive. Investigators work
either under the Ministry of Justice or as independent experts. In the framework of a
complex “social-humanitarian” expertise, for example, not only the circumstances of the
violent crime, but the investigation of confiscated material is also evaluated. Even if the
court is independent from the expert opinion, these opinions represent an important basis
for decisions.\(^{52}\) Occasionally, however, excessive demands are made on the expert opinions,
such as when opinions are asked in order to obtain obvious statements of the perpetrators
(such as “Russia for Russians”). The demand for an opinion in such obvious cases can be
interpreted by the investigators as challenging the racist character of the attack (Interview
Dubrovskiy).

**Conclusion**

In spite of the improved classification of the crime motive by the investigative
authorities, the critique from civil society organisations remains: the motives often are
insufficiently recognised by the courts and the remaining possibilities for the specific
prosecution of hate crime offences are not exhausted. Furthermore, critics maintain that the
Articles 280, 282, 282 Note 1, 282 Note 2 CC RF are too unspecific and are taken into
consideration for different phenomena. This critique is also valid for the “anti-extremist”
legal praxis as a whole. This legislation can easily be used as a means of repression against
any political and religious groups. An example is the position of Aleksandr Brod, member of
the Russian Chamber of Commerce and Director of the Moscow Office for Human Rights.
He is of the opinion that the introduction of the extremist concept was an incorrect decision

\(^{51}\) Smolny College, Rossiyskiy etnograficheskiy muzei/Russian Ethnographic Museum.
\(^{52}\) The court can invite the expert ex officio to explain his written opinion (Art. 282 CC RF) and request an expert
opinion. (Art. 283 CC RF).
and that the legislators should have chosen other terminology that is already anchored in international legal norms, such as “racism,” “discrimination,” “anti-Semitism,” “xenophobia” and Islamophobia, etc.\textsuperscript{53}

Furthermore, the phrase “hate against any social group” remains insufficiently defined, as a commonly accepted definition of the term “social group” exists in neither Russian legal thought nor in Russian society. This implies that any random “social group” can be defined and constructed. Russian human rights activists have been pressing for a clear definition from the Russian Supreme Court for some time.\textsuperscript{54} The problem that the prosecuting authorities negate or insufficiently recognize the motive of the crime in the sentencing procedure still exists (Interview Dubrovskiy, Interview Kulaeva). Professional education of the responsible authorities is therefore of urgent importance.\textsuperscript{55}

The problems of the criminal procedure, however, cannot be solved by implementing these measures alone. The general legal framework of the affected groups should be improved in general, e.g. by implementing corresponding reforms in the migration law. This would strengthen the position of those affected vis-à-vis the prosecutorial authorities. An amnesty in the areas of migration issues for the victims would be a further possibility to improve their situation. Even if many problems of the criminal prosecution of racist and other bias crimes can be traced back to the general problems of the Russian legal system, the victims of crimes motivated by racism are particularly affected by them. In short, it can be said that an effective judicial legal protection of human rights for those affected by hate crime offences can currently hardly be guaranteed. A concerted effort to increase legal assistance can improve the situation of the victims and the members of their social group.

5. NUMBER OF VICTIMS AND MONITORING

Number of Victims

<table>
<thead>
<tr>
<th></th>
<th>2010 (First six months)</th>
<th>2009</th>
<th>2008</th>
<th>2007</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Russia as a whole</td>
<td>Injured</td>
<td>148</td>
<td>411</td>
<td>497</td>
<td>622</td>
</tr>
<tr>
<td></td>
<td>Murdered</td>
<td>19</td>
<td>80</td>
<td>114</td>
<td>92</td>
</tr>
<tr>
<td>Moscow</td>
<td>Injured</td>
<td>53</td>
<td>141</td>
<td>223</td>
<td>224</td>
</tr>
<tr>
<td></td>
<td>Murdered</td>
<td>9</td>
<td>39</td>
<td>64</td>
<td>56</td>
</tr>
<tr>
<td>St. Petersburg</td>
<td>Injured</td>
<td>26</td>
<td>37</td>
<td>40</td>
<td>118</td>
</tr>
<tr>
<td></td>
<td>Murdered</td>
<td>1</td>
<td>15</td>
<td>15</td>
<td>11</td>
</tr>
<tr>
<td>Voronezh</td>
<td>Injured</td>
<td>1</td>
<td>5</td>
<td>23</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Murdered</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Stavropol</td>
<td>Injured</td>
<td>n.a.</td>
<td>10</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Murdered</td>
<td>n.a.</td>
<td>2</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Petrozavodsk</td>
<td>Injured</td>
<td>1</td>
<td>6</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Murdered</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Murmansk</td>
<td>Injured</td>
<td>1</td>
<td>20</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Murdered</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Yekaterinburg</td>
<td>Injured</td>
<td>2</td>
<td>21</td>
<td>16</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Murdered</td>
<td>0</td>
<td>1</td>
<td>4</td>
<td>3</td>
</tr>
</tbody>
</table>

Situation of Persons Concerned

Due to the high number of active, extreme rightist groups and organisations, Moscow and its outlying regions have the highest incidence of racist and rightist violent crimes in Russia. Approximately 50% of the documented cases across Russia occur in Moscow; St. Petersburg has the next highest incidence.

Most of the victims of racist attacks or their family members do not press charges because they fear additional discrimination by the investigative authorities. They only rarely have the financial means to hire a lawyer or to travel to the hearing or the trial. If the aggrieved party has survived, they are usually not willing to press charges, especially when they do not have a legal residency status. Even when they legally reside in the country or have Russian citizenship, they are generally afraid of contacting the police. They fear possible repression; the systematic use of violence constitutes common practice by the police system in contemporary Russia. There is no state institution that allows for the financial

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support to pay an attorney. Most of the aggrieved parties do not even know that they can be represented by an attorney. Additionally, it is difficult in some regions for those harmed to find attorneys if the case concerns neo-Nazis. Without legal representation the victims and their family members hardly have a chance for a comprehensive investigative process. A further difficulty is that no measures exist to protect the aggrieved parties or witnesses or offer them psychological counselling. A practice of financial compensation for the victims and the witnesses, who can only work in a limited fashion due to participation in often lengthy court cases, does not exist (Interview Kozhevnikova).

The St. Petersburg expert Stefanya Kulaeva from the Anti-Diskriminatsionnyy Tsentr from Memorial’ (ADC Memorial) confirms the estimate of SOVA for St. Petersburg: most of bias crime victims are attacked for racist reasons – due to their “non-Slavic” appearance. For the most part, it concerns migrant workers from the post-Soviet states of Central Asia (Uzbekistan, Tajikistan), followed by migrants from the Caucasus region and other states. Most of them work in badly paid jobs that are physically demanding. These circumstances allow for discrimination and arbitrary treatment. The uncertain legal status and unavailable financial resources make it difficult for the persons concerned, for example, when their salaries are not paid. Furthermore, migrant workers are exposed to numerous controls and tests on the part of the Federal Migration Service and the police. The situation concerning the extreme right and racism varies according to region in Russia, and is very strained especially in regions near Asia and the Caucasus (Interview Kulaeva).

Foreign students are probably affected less frequently by violent attacks in Moscow than they are in other regions. That may be due to the fact that these cases are more likely to arouse public interest and the corresponding embassies frequently intervene (Interview Kozhevnikova). Accordingly, the investigations are carried out more consistently than they are in many other cases in which no one takes the side of the victim. In the media the foreign students are represented more as the “good foreigners” who bring money to the area and then later leave the country. However, it must be assumed that the unreported numbers regarding attacks motivated by racism on students are high. The university leadership is said to have expressly forbidden students affected by violence to make their stories public or to press charges (Interview Kozhevnikova). In cities like Voronezh (south of Moscow) the foreign students hardly leave their dormitory. Already in 2007 the Youth Human Rights Movement (YRM) together with Youth Network against Racism and Intolerance (YRI) published a study on the situation of foreign students. Despite the sinking numbers of attacks, it was clear that foreign students were exposed to various forms of discrimination, which ranged from segregation in the dormitory to racist comments from the instructors and discrimination at the workplace.

Another group targeted in violent attacks are homosexuals and people whom the attackers think are homosexual. Many victims do not go to the police, the courts or the public except in very rare cases, because they fear further prosecution and humiliation, especially by the police who are known for their homophobic attitudes. The experts asked estimate the data available on homophobic attacks in St. Petersburg to be deficient.
Particularly in the course of the current “anti-extremist measures,” anarchists, anti-fascists and members of subcultures like goth or emo who are victims of right-wing violent crimes are themselves the targets of police investigations. While the victims who are political activists can turn to their own or international networks of solidarity for medical or legal costs (Interview Ivantsov), the members of the subculture are dependent on personal networks, because no one represents their interests in the public sphere (Interview Gutnikov).

No accessible data exist for the homeless victims of violence in St. Petersburg. The public and mass media see the homeless, especially the “visible” homeless, not as victims but as criminals and a threat to public health, according to the chair of Nochleshka, Zoya Solovieva. Individual cases that have become public and statements from neo-Nazis lead one to assume that the homeless are attacked because of bias motives. The defencelessness of the victim is known to the perpetrators. Increasingly, homeless persons are murdered by neo-Nazis because they do not fit in their picture of a “healthy society.” If the victims survive the attacks, they do not go to the police because the police are also among the people who exercise daily repression and discrimination. In short, it can be said that the victims of bias crimes among the homeless are confronted with problems very similar to those of most of the other victims of racist attacks: unavailable social capital, limited access to medical help, a precarious legal situation, repression on the part of the authorities and aggressive actions of the general population.

Russian legal praxis reflects the structurally racist character of the authorities. Due to violence and repression on the part of the police, the readiness of the victims of extreme right-wing and racist attacks to press charges is low. Courts often ignore the racist motive of a violent crime. The behaviour of the authorities leads to a situation for those affected by violence which cannot change, criticizes Yuriy Yefimov from the Youth Human Rights Group (YHRG). The ignorance of the authorities vis-à-vis the problem is underscored by the lack of official programs against racism (Interview Yefimov).

Problems of Monitoring and Victim Statistics

In addition to the official statistics from the authorities, there are two independent organisations that produce publically accessible numbers on bias crime victims in Russia: the Centre for Information and Analysis (SOVA) and the Moscow Bureau for Human Rights. Compared to the data produced by the state, the two organisations research significantly more racist crimes and attacks. The difference between the statements of the authorities and SOVA come about because the police statistics only show information about crimes classified as bias-motivated crimes, while in many of the cases that become publically known a bias motive can be assumed but is often not proven in the scope of the investigative process for various reasons. Many of the people affected by racist and right-wing violence do not fit into the typical classification of a bias-motivated crime.

SOVA bases its research on, among other things, entries in Internet blogs. The descriptions there, however, are not always exact enough, so that they must be gone over and re-
researched in a very time-consuming manner. This necessitates dependable contacts in the region but they do not always exist. In the view of the director of SOVA, Alexander Verkhovskiy, one reason is that there is a lack of general trust in society, and also because the procedures of SOVA are not easy to understand. In addition, neo-Nazis frequently spread false information on purpose. Therefore, information from Internet blogs must be treated very carefully. Most of the information SOVA relies on comes from the mass media. Recently, cases against any neo-Nazi group arouse media interest, especially when they have to take responsibility for the deaths of several victims. Another source of the discrepancy in data for SOVA is the contact with the Department for the Struggle against Extremism in the Ministry for the Interior in Moscow.

SOVA is able to arrive at accurate estimates through the observance of court cases and looks to a state information system for classification. In that system, the classifications of the cases and the transcripts of the judgments are published. Due to the fact that perpetrators increasingly try to cover up their motives, the classification of a criminal motive becomes increasingly difficult. However, in terms of attention to detail and sensibility, one can see significant progress by the Moscow investigative authorities concerning the categorisation of criminal acts as bias-motivated crimes in recent years.

SOVA breaks down their compiled statistics according to the following categories of victims: “dark-skinned;” from Central Asia by birth; from the Caucasus by birth; from the Near East and North Africa by birth; from the South Asian region (China, Vietnam, Mongolia, and so on), other people with “non-Slavic” appearance, representatives from youth subcultures and leftist youth; “other” (including Russians) – or there is no entry at all. Hence, the statistics do not show the “real” belonging to a particular victim group; rather, they rely on the label the attackers use. Homeless people are not represented in the statistics, but several known cases are mentioned in the footnotes of the reports.

SOVA indicates in the yearly reports from 2008 and 2009 that the numbers of victims are decreasing, and the SOVA experts blame this on the difficulty in accessing information on racist violent crimes. Other reasons that SOVA names for the decrease are as follows:

1. The mass media is getting inured to racist violent crime. Fewer assaults are published in the media, particularly bodily harm and “unspectacular” cases of racist violence.
2. The difficulty in identifying bias-motivated crimes.
3. The denial of the problem by politicians.
4. A weaker culture of civil engagement in several regions in Russia, in which only a few correspondents can be convinced to work for SOVA (or none at all).
5. Insufficient networking of the projects in several regions.

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57 Verkhovskiy at the working meeting in Moscow on 2. July 2010.
59 This is a direct translation; what is meant are black people from Africa. We distance ourselves from the term “dark-skinned” and therefore put it in quotation marks. Similar to the term “coloured,” “dark-skinned” has a racialising function. Cf. Nduko-Agwu/Hornscheidt 2010.
60 Cf. SOVA April 2009/ SOVA February 2010.
6. Low interest on the part of the authorities in clearly categorizing and publishing the assaults. Often the attacks are classified as hooliganism, general attacks or attacks with explosives without naming the appropriate motive.

In the 2009 annually report published by SOVA it also emerges that the decrease in the number of persons affected can be attributed to a strong state repression against neo-Nazi groups in Russia, above all in Moscow. In a memo of the “National Russian Anti-Terrorist Committee” from 11 March 2009, the Russian neo-Nazi groups were named the second biggest danger for Russia after the active terrorist groups in the North Caucasus and have been accordingly prosecuted.

The analysis of the statistics shows that murder offences are more thoroughly documented in comparison to bodily harm. Most of the victims of bias-motivated crimes, including the severely injured, avoid going to the police to press charges because they fear pressure on the part of the police (Interview Kulaeva, Interview Dubrovskiy). Several police officers threaten people with incomplete papers with the goal of “getting rid of them.”

Accordingly, the persons concerned are threatened with having their legal status closely examined. The long-term solution would be for the Office of Migration Affairs to introduce a legal amnesty for the victims of racist crimes (Interview Dubrovskiy). All experts and professionals of the above-named Moscow organisations who were asked agree that centres that specialize in counselling victims would be necessary in the city. The need for victim counselling is seen as significant as it is in other regions; however, few victims of hate crime offences turn to these counselling facilities. In order for these facilities to be able to work effectively at all, specific public outreach would be necessary that especially focuses on migrant communities so that potential targets of racist violence could find out about possibilities for support. The racist atmosphere among the general population that is described by many people allows for significantly more racist assaults than are currently known and documented. Racist violent crimes against people with “non-Slavic” appearance are in comparison well documented, but monitoring projects concerning other victim groups (e.g., victims of homophobic violence) are just now beginning to be conceptualised. In contrast to metropolitan Moscow and St. Petersburg, local civil society initiatives and organisations in other regions often lack the necessary resources to carry out thorough research or to provide appropriate support to the above named victim groups.

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61 Migrants with legal status are also afraid of losing it or having problems with extending it.
6. REGIONAL CONTACT PERSONS

Moscow

*The Civic Assistance Committee* counsels refugees, particularly those from the former Soviet republics and Russia, but also from many other countries such as Afghanistan and African states. The office is in Moscow and most of its work is done there. A few programs are being implemented in the North Caucasus, such as support for victims of the Chechen war in the mountainous regions of the republic. In the scope of the network *Migratsiya i Pravo* (*Migration and Law*), legal counsel is provided for refugees and forcibly displaced persons in 41 regions of Russia. The main focus of the counselling services is legal and psychological support; medical help can also be provided on a limited scale. In regard to legal questions and court cases the Civic Assistance Committee relies on a rich body of experience and enjoys a high level of respect from the authorities. In 2009 a project that was explicitly devoted to migrants was started. The leader of this project, Elena Burtina, is supported by two jurists. Translators can also be called upon according to need. On a limited scale, medical help, assistance with applying for financial help and assistance with consultations with doctors can be provided. This is important for the clients, for example, when a necessary operation cannot take place due to the lack of an insurance policy, an unsettled residency status or for other reasons.

*The Fund of Tajikistan* was founded in 1993 to support migrants from Tajikistan and other central Asian republics. Legal advice and humanitarian help in the broadest sense are prioritised. Psychological counselling is not provided by the Fund. The Fund is an important advice centre for migrants and offers support regarding conflicts with the police and health problems. Further areas of activity have to do with interventions at arrest and deportation or when the authorities refuse to issue the required documents for the issuance of a residency permit. Counselling sessions take place in the office as well as outside it. Gavkhar Dzhuraeva and her colleagues are practically available around the clock by hotline. Dzhuraeva sees the hotline as the most effective method of work. The colleagues offer counselling in several languages: Russian, Tajik, Uzbek and Kirgiz. There are cooperation agreements with many other organisations. When there are requests for medical support the Fund refers people to Doctors of the World, who have recently come up with a programme especially for migrants. When there are complicated questions concerning residency or the threat of deportation that require the accompaniment of a lawyer, the Centre refers clients to the Civic Assistance Committee.

*The Moscow Centre for Information and Analysis (SOVA)* is an independent organisation that has a correspondent network across Russia and therefore is in a position to research and document hate crime offences. In addition, for quite some time there has been good relations between SOVA and the Moscow Department for the Struggle against Extremism in the Ministry of the Interior. In the past, the Centre received requests for support several times.

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62 In the appendix there is a list of contact persons (to the extent they exist) and their Internet addresses.
HATE CRIME IN RUSSIA

per year by victims of hate crime offences. The persons concerned were usually referred to the Civic Assistance Committee, because it concerns itself mainly with requests from Moscow. Sporadically, SOVA tries to provide direct support. Primarily, the staff is asked about psychological support or legal assistance. If the financial resources were available, SOVA would hire a jurist and offer victim counselling. In the scope of a pilot project, volunteer counselling is being offered from a jurist from an organisation named AGORA. However, the project limits itself to the field of anti-extremist legislation and its implementation.

The community of the Moscow Protestant Chaplaincy serves as an advice centre mainly for African refugees, migrants and students. The languages of communication are English and French; only one staff member speaks Russian. In addition to participating in religious services, feeding the homeless, offering humanitarian assistance, providing medical support from a Russian doctor, offering leisure-time activities and professional training opportunities, the staff offers counselling to victims of racist violence.

If necessary, sessions can also take place somewhere outside the office. In addition to the Pastor Rev. Brankema, two other staff members are involved in this field of work. Whenever possible they support people who have difficulties dealing with the police. In cooperation with the Civic Assistance Committee, support from lawyers can be provided. The Moscow Protestant Chaplaincy dedicates particular attention to the topic of monitoring. There is a Task Force on Racial Violence and Harassment whose staff members document cases of violence. This area of work should be strengthened and systematised.

The Russian LGBT Network supports people affected by sexist and homophobic violence. According to current estimates, it is assumed that most of the violent assaults on homosexuals occur in Moscow.

St. Petersburg

The Anti-Diskriminatsionnyy Tsentr (Anti-discrimination Centre from Memorial, or ADC Memorial) and the Severo-Zapadnyy Tsentr Yuridicheskoy i Sotsial'noy Zashchity Roma (Tsgyan), an organisation that is connected to it, provide juristic support in the region of St. Petersburg. The centres offer regular counselling and representation without charge by a lawyer. Psychological help, especially for affected children and youth, is regularly offered free of charge. In 2009, ADC Memorial expanded its work to provide concrete support for the interests of migrant workers, such as when labour laws are infringed upon.

The organisation Nochleshka supports homeless legally as well as socially and also conducts public relations.

The St. Petersburg Russian LGBT Network carries out psychological support by LGBT people in close cooperation with Vykhod, the area of competence of the network having more to do with discrimination. If there is a need for counselling for victims of violent crime, Vykhod turns to the crisis centre Aleksandra. The Russian LGBT Network and Vykhod are planning a systematic monitoring program.
Voronezh

Youth Human Rights Movement (YHRM) is an international network that was founded in 1998 in Voronezh and since then according to its own data it has united a total of over 600 youth organisations and approximately 1,000 young people from the whole of the post-Soviet realm. YHRM is represented in Moscow, Voronezh, Krasnodar, St. Petersburg, Belgorod and has a correspondent in Nizhniy Novgorod. The aim of YHRM is the strengthening of human and civil rights in Russia as well as in the CIS as a whole. The activists organize campaigns and organize seminars. The YHRM published a “safety plan” with support of the American MacArthur Foundation for foreign students in which important information about living in Russia is to be found, such as emergency numbers for foreign students in Moscow, Krasnodar, Voronezh and Rostov on the Don. Furthermore, an emergency telephone line has been set up for foreign students.

The Office of Voronezh’s Ombudsman for Human Rights is situated in the House of Human Rights. Citizens can go to the ombudsman with complaints about human rights infringements. YHRM is interested in working to professionalize and expand the field of victim counselling.

Stavropol

The Centre for Tolerance and Human Rights operates the project Alter Vita. The organisation’s primary aim is outreach work in the field of human rights education. Seminars on human rights issues are offered for various social groups across the entire region. Alter Vita itself does not counsel victims of hate crime offences, but it strives to provide constant monitoring in the region. Due to a lack of financial resources, however, the professionalization of a long-term monitoring programme is not possible at the moment.

The Stavropol-Regional Fund for South Support is a non-profit organisation. The Fund carries out projects in the field of human rights for various target groups, especially for migrants and national minorities. The focus is in the field of social work. In addition, there are attempts to provide legal and psychological support. The work of the Fund focuses primarily on migrants. Since 2001 the organisation has initiated projects to support refugees from the North Caucasus. The projects deal with integration and tolerance as well as projects for children. Furthermore, the Fund supports national and religious minorities in claiming their rights and directs scientific research in political and sociological fields. The organisation works with various partners and experts in the Stavropol area and finances itself mainly from donations and subsidies. There is a strong interest in regional and professional exchange on the part of the organisation. In the past, there were attempts to help victims by starting a project that later failed due to a lack of financial resources and external political and professional support.
**Petrozavodsk**

The *Youth Human Rights Group (YHRG)* set as its goal the struggle against racism, anti-Semitism and the extreme right. The YHRG carries out various projects: monitoring racism, discrimination and anti-Semitism (an EU-supported project) across Russia; outreach work with youth; legal assistance; and the publication of books, brochures, flyers and documentation. The organisation is a member of the international UNITED Network against nationalism, racism, fascism and for the support of migrants and refugees. YHRG works with the Department “Struggle Against Extremism” of the Ministry of the Interior. The organisation has set a goal of supporting constructive dialogue with administrative bodies, increasing the exchange of experiences with other organisations and building up opportunities for education regarding human rights.

**Murmansk**

The organisation *Humanitarian Youth Movement* was founded in 2003. Their goals are the strengthening of tolerance, solidarity and democracy among youth as well as the introduction of measures against racism and discrimination. The organisation carries out its own independent research, education and cultural projects, including training in democracy and an international youth festival for political art. The projects are in part implemented within the framework of international cooperation. Additionally, the organisation works with independent anti-fascists in the region.

*Memorial Murmansk*, like *Kolskaya Assotsiatsiya Zhenshchin-Yuristov* (*The Kolsk Female Lawyers Association*), also undertakes counselling and support for victims of bias-motivated crimes. The scope of activity covers the whole field of human rights violations in the region. In addition to straightforward legal counselling and representation of clients in court, cases that have become publically known are documented and compared to the statistics of the police authorities.

The nongovernmental organisation *Aziya (Asia)* counsels migrants in questions of residency rights, cooperates in this capacity with state migration services and also advocates for other issues that are of concern to migrants.

The social-psychological centre *Maximum* offers legal counselling and a wide spectrum of services for victims of discrimination and homophobia.

**The Yekaterinburg and Sverdlovsk Area**

The organisation *Ural Refugee Union (UAB)* has been in existence since 1993 and supports migrants from the former Soviet republics in dealing with various bureaucratic needs, such as applying for Russian citizenship. The staff members participate in parliamentary hearings and organize events concerning questions of migration. The Union works with the Tatar, Kirgiz and Armenian communities, universities, the public administration and the House of Peace and Friendship, among others. No victims of right-wing or racist violence have ever
come to the organisation for help. The chair of the organisation, Lyudmila Kukasheva, states that there are wide-ranging measures taken against the extreme right in Yekaterinburg; in comparison to other big cities like Moscow and St. Petersburg, the situation is under control. This opinion is also shared by the chair of the Centre against Violence, Gleb Edelev. The Centre against Violence generally carries out advocacy work in an additional field of ecological issues and human rights in general. The theme of hate crimes is not a focal point of its work. The existing information about racist-motivated violent crimes, however, contradicts the assessments of Lukasheva and Edelev.

7. CONCLUSION AND RECOMMENDATIONS FOR FURTHER ACTION

The statistics and interviews presented here show how alarming and threatening the situation is for (potential) victims of racist, right-wing violence in Russia. Many people of central Asian and Caucasian background live as migrant workers in Russia and are exposed to complex forms of discrimination such as precarious legal status, dangerous working conditions, substandard wages, low social status, harassment and abuse by racist attacks as well as police. For the attackers it is not just the background of the victim that is a determining factor in the assault. People are attacked due to racist motives because of their “non-Slavic” appearance or because their behaviour or appearance does not fit into the perpetrator’s image of the “Russian ethnic community” (e.g. due to their sexual orientation or membership in a subculture). At the same time the existing data represent only the tip of the iceberg regarding everyday racist violence in Russia. The people concerned are often not ready to press charges or to register attacks with independent monitoring projects due to fear. Here, it is important to again stress that bodily harm barely appears in the statistics, because the authorities often do not accept or investigate obvious racist motives of violent crimes.

Racist violent crimes against people with “non-Slavic” appearance are comparatively well documented, while monitoring projects in regard to other victim groups (e.g. victims of homophobic violence) are only just beginning to be organised. In contrast to the metropolises of Moscow and St. Petersburg there is a lack of local of necessary resources for civil society initiatives and organisations in the regions to carry out comprehensive research or adequately support the above-named victim groups. At the same time, according to the base data and expert opinions, it seems plausible that the extent of violent acts in the regions varies, with Moscow and St. Petersburg being the most strongly affected.

Summary: Monitoring

In Russia three supra-regional statistics on hate crime are carried out, one by the Russian Ministry of the Interior and two by NGOs (SOVA and the Moscow Bureau for Human
HATE CRIME IN RUSSIA

Rights). Both NGOs suspect a high number of unreported cases regarding racist violent crimes. On the one hand, many victims do not press charges. On the other hand, the racist motive is not usually recognised even in cases that are investigated. The NGOs’ lack of contact with migrants is another reason the assaults do not appear in independent statistics. Furthermore, the various methodologies of gathering statistics and the numbers of agencies and authorities involved are problematic.

We are of the opinion that systematic and continuous research and documentation of racist and right-wing assaults are imperative for victim counselling. First, services should be offered soon after the attacks to the persons concerned who do not seek help themselves. Second, monitoring is necessary in order to realistically comprehend as much as possible the extent of right-wing, racist violence in the Russian Federation. Research and documentation projects can contribute to exposing the high number of unreported cases and to inform the public about the situation of victims of racist and right-wing violence. Statistical studies and their analyses are relevant in order to carry out international lobbying for the persons concerned and to counter the trivialisation of the situation on the part of the investigative authorities and politicians. Publications of individual attacks and their consequences could contribute to raising public awareness provided victims give their consent.

Conclusion: Counselling and Support for Victims of Right-Wing and Racist Violence

Most of the victims of racist attacks do not press charges because they fear additional discrimination from the investigative authorities. Most notably, illegalised people (persons without legal residency status and registration) are pressured by bureaucrats who demand bribes, with all levels of the police profiting from it economically. Additionally, the systematic use of violence is an important element of the police system in contemporary Russia. Minorities who are discriminated against in Russia are particularly threatened by this.

Victims and their family members hardly have a chance of having a comprehensive investigation without an attorney. Most of the injured do not have the financial means to hire a legal advisor. As a whole, the legal support of the victims of racist and right-wing violent crimes in Russia must be viewed as poor. The institutionally limited chances to represent one’s own interests depend on the financial resources of the person concerned. In previous years the investigative authorities increased ex officio activities but this happened, primarily in cases in which additional pressure from supervisors and public office holders was applied.

Most of the support services offered are specific to each victim group and dependent on the concerned person’s integration in social networks. The access to long-term medical services is also dependent on the social capital of the person. Professional, independent counselling services for the victims of racist and other bias-motivated crimes are lacking in

Russia. The “informal” alternatives of the projects do not allow for the provision of long-term medical, legal, social or psychological support. The insufficient financial resources often make possible the implementation of projects with temporal and conceptual limits. In particular, sustainable and basic concepts for the support of people are lacking in rural regions of Russia, which in the long run is a result of the lack of secured financial perspectives of the projects. The situation in St. Petersburg, Moscow and Voronezh is better in comparison to many other regions, although the existing projects were able to improve the situation of victims only to a limited degree.

**Recommendations for Action: Monitoring**

Recommendations for possible donors:
- Existing structures must be strengthened conceptually and financially. Conceptual workshops in Russia and exchange projects should be supported with monitoring organisations (also international ones) already in place.
- Funds should be provided for specific outreach work in existing projects.
- In cooperation with the OSCE/ODIHR, development and implementation of professional education for the staff of prosecuting authorities should be made possible.

Recommendations for potential civil society actors:
- The cooperation with migrant communities in the area of monitoring should be extensively expanded and developed.
- The cooperation of initiatives, networks, individual persons and established NGOs should be increased through commonly organised events and professional education.
- The civil society organisations should agree on unified criteria for the statistical compilation of hate crime offences.
- Seminars for trainers should be offered in order to provide the most extensive and uniform research and documentation activities possible. (A good example was the seminar in Voronezh, a vocational training activity from SOVA).
- The monitoring should be combined with a proactive victim counselling approach.

**Recommendations for Action: Counselling and Support for Victims of Right-Wing and Racist Violence**

Recommendations for potential donors:
- Specific counselling projects should be established in Russia.
- Experience from Germany shows that counselling processes must be carried out long term. In addition, counselling projects have the obligation to develop trust and a high profile in each target group. These conditions should be taken into consideration when supporting projects.
- Funding should be made available for personnel (psychologists, jurists, translators) and for setting up the physical infrastructure of the counselling project.
- Financial support for those affected by bias-motivated crimes should be made...
possible in the form a fund that covers the expenses caused by an assault. Among these are moving costs or support due to an inability to work.

- The setting up and structuring of a legal aid fund for people affected by right-wing and racist violence should be promoted.
- The necessary informational material for victim counselling projects should be financially supported so that the people affected by racist and right-wing violence can find out about offered services.
- The initiatives and projects should be supported in the development of a regionally specific conception of working with people affected by right-wing and racist violence.
- The conceptual development and setting up of counselling projects in Russia should be financially supported.
- Regular network meetings of national as well as international actors should be made possible in order to improve exchange among projects as well as to strengthen the lobby for victims.
- The development and financing of cooperation and exchange programs for staff of Russian NGOs and existing victim counselling facilities in other countries should be developed and supported.

Recommendations for potential civil society actors:

- Possibilities to professionalize victim counselling in the projects should be reviewed.
- The exchange of experience and networking with other projects and organisations that already work in counselling and/or in the area of monitoring or want to enter this work should be strengthened.
- Communication and networking with potential groups affected by violence should be developed or strengthened.
- A region-specific concept in step with actual practice should be developed for basic, pro-active victim counselling. When hiring new staff members, the project should take care to choose people who are members of migrant communities or who have access to the communities and who possess the required language competencies.
- Professional education for staff in areas like psycho-social counselling, basic knowledge of the law and legal support, recognition of post-traumatic stress disorder, crisis intervention, and intercultural communication should be organised and carried out.
- The awareness raising and motivating of lawyers, who can represent the interests of the victims, their family members and the witnesses in investigative processes and in court should be systematically carried out.
- The forms of communication and contacting the investigative authorities and courts should be reviewed and investigated as needed.
- Systematic outreach work should be carried out in order to make the counselling services goal-oriented enough for potential supporters of the work and for those who benefit from it.
ACKNOWLEDGEMENTS

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Sabine Seyb
for the ReachOut team
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Moscow Bureau for Human Rights


SOVA


HATE CRIME IN RUSSIA


<table>
<thead>
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<th>Region/City</th>
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The above list is not complete, as some interviewees have refused their consent for publication, due to different reasons.
APPENDIX

Interview Lead Questions

General
- Name of the Organisation
- Region/City

About the person
- Name of the interview partner
- Role within the organisation

Form of occupation
- Do you work continuously for this project or do you change projects?

Resources
- What kind of office space does the project have?
- Are you able to accept visitors there?
- Do you have volunteers who support the work of your organisation?
- Do you seek advice with attorneys or experts?
- How do you finance your work?

Persons concerned
- With which target groups do you work? (migrant workers, refugees, ethnic minorities, etc.)
- How is the work organised?
- Which services do you offer?

Right-wing, racist violence
- How do you assess the situation of right-wing and racist violence in your city/region?
- The situation of the victim?
- What is required to improve the situation of the victim?
- Which public/state reactions are there to right-wing, racist violence?
- Do you provide special counselling services for people affected by right-wing, racist violence?
- Are you planning to offer such services in the near future?
### SWOT-Analysis

#### Moscow

Goal: Improvement of the situation of persons affected by racist violence (hate crime offences) in Moscow

<table>
<thead>
<tr>
<th>SWOT-Analysis Moscow</th>
<th>Internal Analysis</th>
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<tbody>
<tr>
<td><strong>Strengths</strong></td>
<td><strong>Weaknesses</strong></td>
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<tr>
<td>1. There are several organisations and actors active in the area of victim counselling</td>
<td>1. Victim counselling makes up only a small part of the work of each organisation</td>
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<tr>
<td>2. Various counselling services (legal, child psychology and counselling for migrant workers)</td>
<td>2. No organisation is explicitly involved with the counselling of victims of racist violence</td>
</tr>
<tr>
<td>3. The organisation Civic Assistance enjoys a good reputation on the part of the authorities</td>
<td>3. Too few financial means are provided for comprehensive counselling and assistance (especially funds for legal counselling)</td>
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<td>4. The police and state prosecutorial authorities have begun to investigate in a significantly improved manner</td>
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<tr>
<td>5. Multilingual hotline for affected persons</td>
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<tr>
<td>6. Co-operation among organisations</td>
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<tr>
<td>7. High motivation on the part of the organisations</td>
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<th><strong>S-O Strategies</strong></th>
<th><strong>W-O Strategies</strong></th>
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<tr>
<td>1. Institutionalisation of the work</td>
<td>1. Expansion of common or existing premises</td>
<td>1. Determine focus and offer professional educational events</td>
</tr>
<tr>
<td>2. Establishment of an advice centre for affected persons</td>
<td>2. Concentration of competencies</td>
<td>2. Provide financial funds for counselling projects</td>
</tr>
<tr>
<td>3. Draws international attention</td>
<td>3. Concentration of knowledge and fostering cooperation (e.g. through seminars)</td>
<td>3. Strengthen personnel competencies in the area of counselling of victims of right-wing and racist violence</td>
</tr>
</tbody>
</table>

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<th><strong>External Analysis</strong></th>
<th><strong>S-T Strategies</strong></th>
<th><strong>T-S Strategies</strong></th>
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<tr>
<td><strong>Threats</strong></td>
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<tr>
<td>1. Hindrances from legislative and executive branch</td>
<td>1. International patronage (e.g. through foundations)</td>
<td>1. Legal support for the organisations/staff members</td>
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<tr>
<td>2. Danger for the employees</td>
<td>2. National patronages (authorities, ombudsman, politicians)</td>
<td>2. International advocacy coalitions to strengthen the organisations and to protect the staff members</td>
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### St. Petersburg

Goal: Improvement of the situation of persons affected by racist violence (hate crime offences) in St. Petersburg

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<thead>
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<tr>
<td>Strengths</td>
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<tr>
<td>1. Important resources (legal, psychological and social) exist for the building up of victim counselling centres</td>
</tr>
<tr>
<td>2. Premises for organisations already exist</td>
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<tr>
<td>Weaknesses</td>
</tr>
<tr>
<td>1. Limited public knowledge of the services</td>
</tr>
<tr>
<td>2. No long-term financing</td>
</tr>
</tbody>
</table>

**SWOT-Analysis**

**St. Petersburg**

<table>
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<tr>
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<th>Weaknesses</th>
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<td>1. Important resources (legal, psychological and social) exist for the building up of victim counselling centres</td>
<td>1. Limited public knowledge of the services</td>
</tr>
<tr>
<td>2. Premises for organisations already exist</td>
<td>2. No long-term financing</td>
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</table>

**Opportunities**

1. Institutionalisation of the work
2. Establishment of an advice centre for affected persons
3. Focus of international and national attention

<table>
<thead>
<tr>
<th>S-O Strategies</th>
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</thead>
<tbody>
<tr>
<td>1. Empower existing organisations</td>
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<tr>
<td>2. Concentrate resources</td>
</tr>
<tr>
<td>3. Create advice centres</td>
</tr>
<tr>
<td>4. Create financial parameters</td>
</tr>
<tr>
<td>5. Qualify personnel</td>
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</table>

**Weaknesses**

1. Limited public knowledge of the services
2. No long-term financing

**S-T Strategies**

1. Seek out partners in media and politics
2. Set up foundations and donors as advocates for the projects/promote national supporters
3. Improve cooperation between police and counselling centres (where appropriate)

**T-S Strategies**

1. Legal support for the organisation and the staff members
2. International advocacy coalitions to strengthen the organisation and to protect the employees
**Voronezh**

Goal: Improvement of the situation for people affected by racist violence (hate crime offences) in Voronezh

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<td>1. International networks</td>
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<td>2. Emergency telephone for affected persons</td>
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<tr>
<td>3. Monitoring of racist violent crimes</td>
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<td>4. Appropriate premises in the House of Human Rights</td>
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<tr>
<td><strong>Weaknesses</strong></td>
</tr>
<tr>
<td>1. No long-term financing</td>
</tr>
<tr>
<td>2. No explicit counselling for victims of racist violence/hate crime offences</td>
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<td>3. Limited human resources</td>
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### SWOT-Analysis

#### Voronezh

<table>
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<td>1. Professionalization of the work</td>
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<td>2. Creation of an advice centre for affected persons</td>
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#### S-O Strategies

1. Strengthen monitoring for the region
2. Professionalise emergency telephone
3. Create concept for the area of Voronezh

#### W-O Strategies

1. Create publicity for affected persons
2. Strengthen cooperation with press, academy and politicians
3. Empowerment of the organisations
4. Strengthen qualifications of the staff members
5. Strengthen Russia-wide network of victim counsellors

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#### S-T Strategies

1. Qualify counsellors in workshops
2. Set up foundations and donors as advocates for the projects/promote national supporters
3. Improve cooperation between police and counselling centres (where appropriate)

#### T-S Strategies

1. Clarify financing
2. Legal support for the organisation and the staff members
3. International advocacy coalitions to strengthen the organisation and to protect the employees
Concept and Methodology (ReachOut)

- Founding of project: 2001
- A staff of six
- Project of the non-profit association, ARIBA e.V.
- Financed through federal and provincial funding

Overview of ReachOut’s Services

Counselling – assistance and support for affected persons
- For victims of right-wing, racist and anti-Semitic violence in Berlin
- For family members and friends
- For witnesses

Intervention and Outreach
- Awareness raising for the situation of the persons affected
- Initiate strategies of solidarity

Research and Documentation
- Contacting the person who was assaulted
- Comprehending the scope of the assault and publishing the data

Educational Activities
- Workshops
- Seminars
- Empowerment training
- Events

Principles in Counselling
- Low-threshold
- Holistic
- Partisan
- Pro-active
- Voluntary
- Anonymous, if desired
- Free of charge

Every single step will be discussed together!
Nothing happens without the express consent of the concerned person!

The following are part of the counselling services...
- Counselling and emotional support after an assault
- Assistance with decisions about a further course of action

The intake session:
- Introduction of the counselling services
- Listening: Giving the victims time and space to explain their own perspectives
- Crisis intervention if needed
• Asking questions, clarifying the situation
• Psycho-social, legal and financial issues

Centres for legal assistance and guidance
• Information on possible legal avenues (pressing charges, civil suits)
• Support in the search for an attorney
• Accompaniment to police, authorities and court dates
• Preparation for court cases and follow-up on judicial proceedings

Centres for financial assistance
• Counselling on alternatives for financial support
• Assistance in filling out applications

Psychosocial counselling
• In connection with assaults in the immediate environment of the home (also support in finding a new dwelling)
• Support for appointments and applications (Employment Office, Housing Office, etc.)
• In connection with assaults at the workplace (e.g., dialogue with employer)
• Assistance with residency problems as a result of the assault
• Investigation of other advice centres (e.g. with residency problems)
• Investigation of therapeutical services for post-traumatic stress syndrome.

Research
• Daily research of the print media
• Daily research of press statements of the police
• Information from the co-operation partners from the district-level administrations
• Information on victims and witnesses
• Checking back with the investigative authorities

Documentation
• Berlin-wide “Chronicle”
• City plan with the “crime scenes” on the Internet site
• Photographic display of the “Berliner crime scenes – Documents on right-wing, racist and anti-Semitic violence”
• Data base

Interventions...

...in the social environment of the concerned persons
• Interlocutions in the social environment of the concerned persons (friends, relatives, neighbours)
• Local analysis of threatening situations through talks with co-operation partners, contact persons, (potential) victims
• Search for other affected persons if needed
• Initiation of and support for public relations
• Initiation of events on behalf of the (potential) victims
Investigation of contacts at local initiatives and facilities

**...on the local political level**
- Interlocutions with co-operations partners, e.g., networks, round tables, mobile counselling teams, anti-fascist initiatives
- Initiating contact and dialogue with local policy makers
- Initiating contact with authorities and institutions (e.g., police and schools)
- Setting up events
- Initiation of and support for public relations

*The concept of ReachOut*

1. **Political Situation**

   Within the conception of the counselling project of ReachOut, a correlation is made with the relationships between direct right-wing, racist and anti-Semitic violent crimes and the everyday discrimination or exclusionary policies toward (potential) victims.

   People who belong to ethnic, political, religious, cultural, and social minorities, along with people who are not heteronormative or gender conforming, are often beaten, persecuted, threatened or socially disadvantaged or excluded. In addition, discrimination and stigmatisation do not occur only with extremist right-wing criminals. In addition, the force of discrimination and stigmatisation is not only a result of extreme right-wing, violent perpetrators; rather, this is experienced within every facet of social life. But solidarity and empathy with the victims of assaults and threats rarely form along these lines. Not infrequently, the perpetrators are given confirmation and acceptance in their environments. Therefore, a counselling project for victims of right-wing, racist and anti-Semitic assaults should be initiated and structured in accordance with discussions on social and political perspectives of those affected. Fundamentally, the question at hand is how to strengthen the position of the groups concerned and oppose the logic of inequality in the field of public education and relations with the appropriate means. If awareness training and processes of solidarity are able to be initiated and supported, that means a larger measure of security and protection for the (potential) victims.

2. **Goals**

   The goal of ReachOut is to contribute to the creation of social relations and political circumstances in which all people, independent from their appearance and heritage, their sexual or religious orientation, have the same chances for access to social resources. The project is engaged in the realisation and protection of human and minority rights. The aim is to bring about social condemnation and punishment of right-wing, racist and anti-Semitic attitudes and actions.

   ReachOut advocates for attention being paid to the perceptions and explanations of the persons affected, whose fear should be taken seriously, and for society treating the victims with respect.
ReachOut wants to make sure that the most (potential) victims possible of right-wing, racist and anti-Semitic violence know about the counselling services and that they get the support they are entitled to. The counselling work is based on the basic principle “help for self-help.”

The goal is to counsel and accompany the affected persons in decision-making processes. In the counselling process, they find support in dealing with the assault. In the work of ReachOut, the perspective of the victims and potential victims of right-wing, racist and anti-Semitic violence are the focal point. All activities are based on the recognition, the protection and respect in regard to minorities who are discriminated against. The professionalization of counselling structures and the support and initiation of local district civil society initiatives should be realised.

3. Activities

The focus of the work of ReachOut is the victim counselling and the counselling and support of witnesses, family members and friends...

Other focal points of ReachOut lie in the field of research and documentation, community work in the various districts of Berlin, and in educational work and public outreach. The individual fields are tightly integrated with one another.

4. Conceptional foundations for counselling work

The work of the ReachOut team takes place on its own premises as well as in external places. The counselling sessions are carried out by two staff members when possible.

In order to ensure the quality of the work and the further development of the competencies of the staff members, the Team participates in need-based and practical professional education activities. Due to the high demands placed on the staff members, case and team supervision is necessary.

In most cases, during an assault the person concerned is robbed of the possibility to make decisions and to act. Therefore, strengthening the victim in their self-esteem and supporting the regaining of their psychical stability and ability to act are the main goals of the counselling process. The counselling practise of ReachOut is based on activating the resources of the victim and facilitating their cooperation. Bringing in the family members and other important, relevant people, who are of crucial significance in processing the assault, is necessary in the counselling framework.

The counselling services are structured to be low-threshold, without long waiting times, are free of charge and anonymous, based on reciprocal trust and are biased on part of the victim.

Low-threshold means concretely: if the persons concerned turn to ReachOut directly, they determine to what extent and where the intake session will take place. It is their decision if they visit our project with friends or family members or if ReachOut staff members counsel the person in another place.
Visiting the client(s) at home, i.e., in their immediate environment is of crucial importance. One reason for doing this is to accommodate the individual’s needs and possible alternatives, and also so that the team can get an impression of the conditions at hand. Mobile counselling can also mean, in other counselling centres, being present at youth and self-help facilities according to need. In this way integration and cooperation with existing local structures can be supported.

Low-threshold in counselling work also means that the team begin to research how one can get in contact with the victim as soon as the first information comes in about an assault (police reports, newspaper reports, and tips from third parties) clearly motivated by right-wing extremism, racism or anti-Semitism.

The current situation of the person concerned is analysed at the intake session and suitable support services are offered. “Help for self-help,” implemented in 2001, is one of the most important foundations of counselling work. Two counsellors usually carry out the intake session.

First contacts come about if the victim, their family member or witnesses of an assault directly turn to other projects or counselling facilities after an assault. First contacts are also made possible by ReachOut through active research and the activation of an existing network structure.

Within the confines of an intake session, first it is necessary to give the victim the needed room and time in order to relate their perspective on this assault and to express their physical and psychological pain. The counsellors introduce the concrete counselling services and the various alternatives for action. Additionally, the assault situation and its background for the meaning of the case are determined together with the concerned person, in order to make the information accessible to other (potential) victims.

Simultaneously, directly after the intake session, it is discussed in the team if and which co-operation partners will be brought into the further process of individual counselling or in the scope of community work. The results of this discussion are discussed with the person concerned. Every single step in the counselling process is done with the full consent of the person concerned.

After the first intake session the participating staff members lay out plans for assistance by means of the documented session.

Finally, within the framework of the regular case discussions in the team, it is determined how the long-term counselling process can be structured.

The quality and effectiveness of the counselling process must be secured for the long-term. In our experience, it is not possible to set a limit on the timeframe of the counselling. There are other factors that are neither influenced by the person concerned nor the counsellors. One of these is the long period of time until the opening of the trial, psychosocial factors that disturb the life of the person concerned after such an assault and frequently the presence of post-traumatic stress syndrome. Therefore, ReachOut must be able to provide...
far-reaching, long-term support and assistance to victims of right-wing, racist and anti-Semitic violence.

The most important prerequisite for a successful course of counselling from the perspective of the person concerned is the absolute trustworthiness and respect for the needs of this person. The impression that decisions are being made without their input should never be allowed to be made. This is also true even if the chosen measures appear to be logical and necessary.

If it is necessary to have an individual crisis intervention or also a long-term course of trauma therapy for the victim due to their psychological state after the assault, with the consent of the person concerned we begin the psychological counselling for victims of right-wing, racist, and anti-Semitic violence.

5. Target groups in counselling
The counselling services of ReachOut are aimed at:

a. All victims of right-wing, racist and anti-Semitic violence and threats. Pressing charges or not after the assault plays no role. Additionally, the penal relevance of each assault is not a deciding factor for the counselling and support of the person concerned. However, there must be traceable indicators for right-wing, racist or anti-Semitic motives.

b. Witnesses, family members, friends and people in the social circle of the person. This is because for the victim, the usual quality of life is destroyed. That is why the assault and its consequences also have a significant effect on the victim’s environment. The way they deal with the situation can be crucial for the victim in processing the event. This can also be the case for the wider environment, namely, the social and political groups concerned. Here, there is another important aspect to consider: with attacks on individuals the perpetrator often aims to intimidate, psychologically and physically injure an entire group, with the end goal of driving them away. That is, each and every individual of the group could be a victim of an assault. In this case, counselling means finding ways that strengthen the whole group and allow “help for self-help.”

6. Monitoring
6.1. Documentation of right-wing, racist and anti-Semitic assaults
In the field of public relations the knowledge of the team about the situation of assaults in Berlin about current developments in the districts are of particular importance and interest for representatives of the media, cooperation partners, social scientists, politicians and other stakeholders. These make up most of the inquiries at ReachOut. This requires that the gathering of statistics and the documentation of attacks is always kept up to date.

The database
The foundation of the documentation and statistical evaluation of ReachOut is a database that was jointly developed by victim counselling projects in eastern German states and
Berlin. This data base corresponds to the practical needs and standards of quality that were worked out together, which are meaningful for all projects dealing with counselling work and the research and documentation of assaults.

Each individual assault is recorded according to the following categories:

- The date of the assault
- District
- Number and gender of the victims (those directly affected)
- Number and gender of the witnesses (those indirectly affected)
- Complaints filed
- Motive of the assault
- Constitutive elements of the crime
- Social space (crime scene)

Each counselling session is recorded according to the following categories:

- Beginning and end of each “counselling case”
- Total number, gender and age of the counselled victims (those directly affected)
- Total number of the assaults perpetrated
- Victim group (crime motive)
- Constitutive elements of the crime
- Total number, gender and age of those indirectly affected, itemised according to those “indirectly involved:” witnesses, family members, friends and others
- The type and number of support services provided such as psychosocial counselling, accompaniment to various institutions, translating services, referrals to other facilities/centres and help with filling out forms.

The statistical analysis can be carried out according to various criteria: time period and the above mentioned categories.

The chronicle

In addition to the documentation of the assaults in the data base, the results of the research are documented, continually updated and published to the greatest extent possible in the “Chronicle of Right-wing, Racist and anti-Semitic Assaults and Threats in Berlin,” a Berlin-wide publication of ReachOut. Included are reports from the police, the media and from co-operation partners.

The documentation of right-wing, racist and anti-Semitic assaults should contribute to being able to record the extent and developments of assaults as realistically as possible, and therewith to create a foundation and to develop/support necessary and sustainable counter measures.

It should be noted that not all victims that are counselled by ReachOut want their assault to be documented in the Berlin Chronicle. Due to fear of further threats, they reject any form of publicity. This wish is, of course, respected.

The Chronicle is used not only in the framework of public relations by ReachOut but also from co-operation partners.
The exhibit “Berlin Crime Scenes – Documents of Right-wing, Racist and anti-Semitic Violence”

The photograph exhibit makes visual selected texts from the Berlin Chronicle. The exhibit is an appeal not to look away, to get involved and to get help when others are threatened and attacked - even and especially in places which are not as familiar, where the majority is denied their right to stay and live their everyday lives just like everyone else.

If needed, the team from ReachOut remains open to concurrent events. By doing this, the exhibit affords an additional opportunity to inform the Berlin districts about the extent of right-wing violence and to discuss possible responses to it.

During the exhibit, its catalogue is handed out to the visitors, it being an important foundation for education and public outreach.

The interactive city map: Berlin Crime Scenes.

With the help of the interactive city map, the results about the assaults in Berlin can be graphically presented on the website. In the interactive city map, all of the assaults that we continually update in our Chronicle according to date, are entered and able to be publically searched. The places of the assaults are listed on the city map. One can carry out a search on the corresponding event (crime scene, date, short description of the assault) in text form. Furthermore, each district and the assaults that took place there are shown.

6.1. Research: goals and conception

The continual, reliable and professional research of assaults belongs to the list of duties at ReachOut.

The goal of the research work is to find out to what extent an assault or a threat had a right-wing, racist or anti-Semitic motive. The task is to sound out which possibilities there are to get in touch with the concerned persons in order to allow them to take advantage of our support services and to precipitate the intake session. This targeted offering of our counselling is above all significant if the person concerned has no self-evident access to information and projects in their immediate environment.

In addition, the work is about increasing the sensibility of the investigative authorities to the possibility of a right-wing, racist or anti-Semitic background of an assault.

It is also part of the research to find out which police officials are carrying out the investigation, contacting journalists and hospitals, survey district representatives, such as commissioners for migration, city district managers, and district initiatives and have dialogues with self-organised groups and contact/counselling centres.

The research has the simultaneous effect that existing contacts are kept up and that new contacts are gained with each research. The trust of the dialogue partners, which is developed in dialogues during the research process, is the foundation for their support in relaying information about our services to affected persons. Additionally, the projects and contact persons who work with us in carrying out research are frequently important for further interventions, when it comes to noticeable concentrations of assaults in a district or area of
the city. Furthermore, these contacts become necessary in individual cases when support is needed in the search for witnesses or other material for evidence.

If the team finds out about court proceedings against right-wing or racist motivated perpetrators, we attend the proceedings in order to get in contact with the victims and offer our support.

The investigative authorities in Berlin work frequently with categorisations that are not able to openly indicate a right-wing, racist or anti-Semitic background or motive of an assault.

In conversations carried out during research and in written inquiries, we indicate possible holes in the investigation of the crime motives with information from our web site, and by doing so contribute to the awareness raising of the authorities who have the power of defining these categorisations.

In conclusion...

For the struggle against right-wing extremism, racism and anti-Semitism, it is necessary to have a lot of patience, courage, and continuous engagement. Therefore, the counselling and monitoring projects must have the chance to develop a long-term perspective anchored in civil society.
AUTHORS

Dr. TATIANA GOLOVA, born in 1977 in St. Petersburg, received her PhD in sociology and has been working at the Otto von Guericke University in Magdeburg since October 2009. Her areas of focus are political sociology and the sociology of space. Currently, she is carrying out research on the white noise music scene in Russia. From 1996 to 2000 she worked as a volunteer for/with the non-profit organisation anti-fascist Commission of Memorial in St. Petersburg. Together with Ute Weinmann she produced two brochures on the position of Chechen refugees in Russia, Eastern Europe and Germany for the political education department of the Heinrich Böll Foundation and organised events on the topic. For years, she has been active in developing international contacts among German and Russian civil society actors.

ROBERT KUSCHE, born in 1983, has a BA in political science and currently is finishing his MA in Eastern European Studies at the Free University of Berlin. He has also studied at the technical university of Dresden, the Higher school of economics in moscow and the university of Birmingham. While fulfilling his civil service, he worked in Moscow for Memorial and also for the rights of asylum seekers. He is involved in developing international contacts among German and Russian civil society actors, particularly in the field of anti-fascist activism. In addition, he organizes and leads seminars on the topic of neo-Nazism.

UTE WEINMANN, born 1968, received her MA degree in political science. Since 1999, she has been working in Moscow for the non-profit organisation Aktion Sühnezeichen/Friedensdienste. From 1999 until 2002 she was employed by the University of Osnabrück and carried out research on the so-called “eastern workers,” and also participated on a follow-up project on the study of the forced labour system during the Nazi period in the city of Benthim. In addition, she worked on other projects focusing on migration.

As a journalist, she writes for the Jungle World as well as the anti-fascist magazine The Right Edge and is co-author of a book on Russian protest movements. She organised events about the former Soviet Union for the Heinrich Böll Foundation’s political education department. Together with Tatiana Golova she produced two brochures on the situation of Chechen refugees in and outside of Russia.

With co-operation from

ANZHELIKA AVDEEVA was born on 6.12.69 in Archangelsk, Russia. In 2000, she finished her BA studies in social work at the Medical University in Archangelsk. In 2007, she received her MA in social work with the thesis “Social Work as a Human Rights Profession.” Anzhelika Avdeeva has worked with ReachOut since 2002 and works as a translator for various organisations in the field of human rights. She also leads empowerment seminars for the Antidiscrimination Network (ADNB) of the Turkish Union of Berlin-Brandenburg.
Within the capacity of her alumni activities for the Rosa-Luxemburg Foundation and the DRA, she has organised events, published articles and held lectures.

SEBASTIAN FRIEDRICH, born in 1985 in Halle (Saale), studies social pedagogy/social work at the Evangelical University in Berlin. He is involved in several anti-racist and anti-fascist initiatives. In the year 2009, he concluded a five-month internship at ReachOut in Berlin.


From 2006 to June 2010 he was the editor at the city paper for Südbaden and from September 2007 until June 2010 was webmaster of the online edition of stattweb.de

SABINE SEYB, born in 1963, is a publisher and political scientist. Her areas of study were feminist women studies, racism and adult political education. She wrote her thesis in 1994, entitled “On the Current Debates on National Socialism in Women’s Studies in the Federal Republic.”

In 1988 she co-founded the non-profit organisation Anti-racist Initiative in Berlin, the first complaint centre for victims of racist discrimination and violence in Germany, and until the year 2000 was a volunteer there. In the scope of this work she co-founded the Newspaper Project of Anti-racist Groups (ZAG) and co-planned and co-authored the study “Racism in Germany-the Example of Eberswalde.”

In 2001, Sabine Seyb worked together with colleagues to build up the ReachOut project and has been employed there ever since.
ORGANISATIONS

ReachOut

ReachOut – Victim Counselling and Education against Right-wing Extremism, Racism and Anti-Semitism

ReachOut is a counselling centre for victims of right-wing, racist and anti-Semitic violence and threats in Berlin. We also support and counsel family members and friends of the victim and witnesses of the assaults. The project also offers workshops, events and professional education. The situation and the perspective of the persons involved are always the main focus of the work carried out.

Counselling: Support for victims of racist, right-wing and anti-Semitic violence

With counselling, ReachOut orients itself to the needs of the persons concerned. Each individual alternative for further action is jointly discussed. ReachOut offers help for self-help. The counselling is based on full consent, is free of charge and is expressly biased in favour of the affected persons. Confidentiality and anonymity, if desired, are self-evident.

Research: recording the extent of racist, right-wing and anti-Semitic violence

The staff members of ReachOut research, document and publish information about assaults with a right-wing, racist or anti-Semitic background.

Educational work: Putting the victim in focus

The educational work should initiate the awareness raising process for the situation of the persons concerned as well as process of increasing solidarity. It is our goal that the victims can then be possibly better protected from assaults.

Contact:
ReachOut, Oranienstr. 159, D-10969 Berlin,
Tel: +49-30-69568339, Fax: +49-30-69568346
info@reachoutberlin.de, www.reachoutberlin.de
The Foundation “Remembrance, Responsibility and Future”

In remembrance of the victims of National Socialist injustice, the Foundation “Remembrance, Responsibility and Future” works to promote human rights and understanding between peoples. It also upholds its commitment to the survivors. The Foundation is thus an expression of the continuing political and moral responsibility of the state, industry and society for the wrongs committed in the name of National Socialism.

The Foundation supports international projects in the following areas:

- A critical examination of history
- Working for human rights
- Commitment to the victims of National Socialism

The Foundation “Remembrance, Responsibility and Future” was established in 2000, primarily to make payments to former forced labourers. The payments programmes were completed in 2007. The Foundation’s capital of EUR 5.2 billion was provided by the German Government and German industry. A total of EUR 358 million was set aside as Foundation capital in order to finance project support. The Foundation finances its long-term funding activities out of the income generated by this capital.

Contact:
Foundation EVZ / Stiftung EVZ
Lindenstr. 20-25, 10969 Berlin, Germany
Phone +49 (0)30 25 92 97-0, Fax +49 (0)30 25 92 97-11
info@stiftung-evz.de, http://www.stiftung-evz.de
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Authors: Tatiana Golova, Robert Kusche, Ute Weinmann
Co-operation: Anzhelika Avdeeva, Sebastian Friedrich, Sabine Seyb
Co-ordination: Sabine Seyb, Robert Kusche
Editor: Sonja Böhme
Copy editor: Sebastian Friedrich
Translation: Jennifer Petzen
Co-ordination of publishing: Timm Köhler, Eduard Luft
Layout/Design: David Sernau (cover), Eduard Luft (inner section)

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This short version in Russian or English can be downloaded from the following websites: