

Minorities Under Siege

The Case of St. Petersburg

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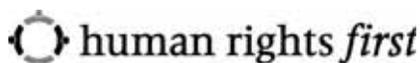
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About Us

Human Rights First is a leading human rights advocacy organization based in New York City and Washington, DC. Since 1978, we have worked in the United States and abroad to create a secure and humane world – advancing justice, human dignity, and respect for the rule of law. All of our activities are supported by private contributions. We accept no government funds.

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Introduction

Two years ago, on June 19, 2004, Nikolai Girenko, a prominent ethnologist and expert on extremism in Russia, was shot dead at the door of his St. Petersburg apartment. Girenko was the head of the Minority Rights Commission at the St. Petersburg Scientific Union and had been called on as an expert in numerous court cases involving violent extremist groups. St. Petersburg authorities originally maintained that Girenko's killing may have been an act of what they termed "ordinary hooliganism" – even though from the outset it was widely believed he was murdered in retaliation for his work on racist violence. St. Petersburg Governor Valentina Matvienko said at the time that she would take personal control of the investigation, and she did deploy a team of law enforcement officers to investigate the murder, yet for nearly two years nobody was arrested or charged.

The Girenko case was all too typical of a much wider problem in St. Petersburg. Human rights monitors there have reported little progress in investigations and little evidence of high-level action to combat ongoing, frequent incidents of racist violence. Assaults and murders are carried out with relative impunity, in daylight and in public. A proliferating skinhead movement has gained adherents – as reports of openly neo-Nazi groups boldly marching through the city streets are no longer a rarity. Serious assaults and killings with racist motivations escalated in the course of 2005 and into 2006, targeting both foreign students and Russian citizens who stand out for their skin color and ethnic origin.

The preparations for the July 15-17, 2006 Summit of the Group of Eight Leaders now have brought new attention to St. Petersburg's record of racist violence –

with apparent pressure for action from Moscow. In late May 2006, just weeks before the summit, local officials declared that they had solved many of headline murders of recent years with a single set of arrests.

The report of this apparent breakthrough followed the arrests in late May of five young people in connection with the April 2006 murder of African student Lampsar Samba. Shortly afterwards, St. Petersburg chief prosecutor Sergei Zaitsev declared that the five, and six others already in custody, are being investigated in connection with 13 criminal cases, including several high-profile assaults and murders dating back to 2003, including the assassination of Nikolai Girenko.¹

While the crackdown in the form of these latest arrests is a welcome one, the implication was that the years of racist violence could be tied to a relatively small group of people and to just two small extremist groups, and that these had now been dismantled. At the same time, local officials repeated past assertions that the level of extremism in St. Petersburg had in any case been exaggerated by the media, nongovernmental groups, and others.

In the aftermath of the May arrests, Governor Matvienko herself played down the problem of racist violence in the city, suggesting that the press had unfairly blown things out of proportion. "Over the past few years there has been an attempt to stamp St. Petersburg as the capital of xenophobia," she said, "and, unfortunately, many media outlets have fallen for this provocation..." Governor Matvienko added that she had "carefully followed the investigation" leading to the arrest of the five suspects earlier that week, and concluded that "it has now been established that

behind these crimes stand ‘puppet masters’ who want to discredit St. Petersburg.”²

The governor appeared to dismiss the continuing threat offered by the thousands – by some estimates – of St. Petersburg residents who identify themselves with skinhead culture and racist ideology.³ Referring to those arrested she stated that “I believe that this is the last gang involved in such activities,” adding that “of course, one can’t rule out that they have their followers.” “There are all kinds of youth groups in the city,” she conceded, “but they are not dangerous. One just has to work with them”⁴

How Prevalent are Hate Crimes in Russia?

The murder of Nikolai Girenko was hardly an isolated incident in Russia, and in St. Petersburg in particular, where any given week is marred by serious racist assaults, including murder. Russia's hate crimes victims come from the full spectrum of non-Slavic ethnic groups, as well as religious minorities and people distinguished by their sexual orientation. Racist violence is more generally aimed at those who do not fit an ethnic Russian, Orthodox Christian ideal. People from the Caucasus are targeted for both their national origin and their religion, as are other Russian minorities and immigrants. African students are among the "visible" minorities under siege, but others distinguished by their skin color, their place of worship, their language, or their cultural practices are similarly under constant threat. Members of Russia's Central Asian minorities and nationals of Asian countries have also been increasing targets of violence.

Human rights and anti-racism campaigners, including young people who speak out against racism through music and groups that call themselves anti-Fascist, have engaged in growing protests against extremist violence and are increasingly themselves becoming the victims of that very violence.

Russian human rights organizations and public officials have identified a movement – referred to generally as "skinheads" – as a major force behind hate crimes in Russia. It is difficult to describe this movement due to its relatively underground nature and apparent lack of coordination, but experts estimate that there are up to 50,000 loosely-organized skinheads throughout the country.⁵

While the geography of skinhead activity has expanded throughout Russia, St. Petersburg stands out, according to several hate crimes monitors, as the place where such neo-Nazi groups are best organized, where assaults against foreigners have been boldly committed in broad daylight on downtown city streets, and where, at least until recently, prosecutions have been particularly rare and sentences lenient.

Even a casual reader of the news in Russia's major cities could not help but notice the recent surge in assaults on minorities – victimizing both foreigners and Russian nationals. Yet hate crimes do not appear in any of the official statistics regularly published on crimes. Russia's Interior and Justice Ministries do gather data and compile crime statistics, but official statistics on the incidence and prosecution of hate crimes are neither systematically collected nor regularly reported.

Nongovernmental organizations within Russia have somewhat compensated with their own collection of data on hate crimes. While they acknowledge that their coverage is limited in scope and no substitute for government collection and reporting, these groups all report a steady increase in recent years in the level of discriminatory violence.

For example, the SOVA Center for Information and Analysis, a Moscow-based nongovernmental organization that monitors hate crimes in Russia, documented 31 racist murders and hate-based attacks on 413 individuals in 2005. In the first four months of 2006 alone, the organization documented 15 racist murders and hate-based attacks on 114 individuals.⁶

A St. Petersburg Datebook

In St. Petersburg, according to SOVA Center, there were three murders and 42 people injured in hate-motivated attacks in 2005. In his 2005 annual report, Vladimir Lukin, Russia's human rights Ombudsman who has spoken out on racist violence throughout Russia, cited St. Petersburg as being in the "leadership" in terms of hate crimes, citing ten serious assaults on foreigners.⁷

The gravity of the situation there has been highlighted by the growing national and international attention to escalating racist assaults and murders as the coming G-8 Summit casts a spotlight on the city. In the last several months alone, a wave of assaults against minorities – many with apparent racist intent – has focused greater attention on this growing problem in St. Petersburg.

On November 13, 2005, 20-year-old student, musician, and anti-racist activist Timur Kacharava was attacked by a group of some ten young people and stabbed five times in the neck. He died shortly thereafter. A companion was also stabbed and seriously wounded. Kacharava was well known for his activism and took part in a number of actions aimed at combating xenophobia in Russia as well as support for the homeless. It is widely believed that he was targeted for this work. The St. Petersburg prosecutor's office initially acknowledged that the murder was possibly motivated by Kacharava's active involvement in activity to oppose the racist violence of neo-Nazi groups.⁸ Investigators have detained eight persons and charged them with murder with a motive of hooliganism.⁹

On December 24, 28-year old Kanhem Leon, a student from Cameroon, was attacked and stabbed to death by a group of youths. A student from Namibia, who was with Leon, was also attacked, but managed to escape. Earlier that same evening, a student from Kenya was also attacked, allegedly by the same group. He was subsequently hospitalized.¹⁰ Police opened a murder investigation and are apparently considering the possibility of a racist motive.¹¹

On January 5, 2006, a Chinese intern at the Rymsky-Korsakov Institute was attacked by a group of three young men while walking home a female companion. One of the young men beat him and hit him over the head with a heavy object. The other two apparently looked on, "correcting" the attacker in what law enforcement officials called an "orientation beating" of a skinhead group. The student was subsequently hospitalized with head injuries. Police opened a hooliganism investigation.¹²

On January 11, an Indian medical student, while on his way to the store, was attacked by three young men and beaten in the face and chest. He was later treated at the hospital for injuries. Police opened an investigation of assault with a motive of hooliganism.¹³

On January 24, a student from Cameroon was hospitalized after being attacked by a small group of youths. Police opened a hooliganism investigation.¹⁴

On January 30, a student from Uganda was attacked by a group of three young men, appearing to be skinheads, near a building of the St. Petersburg Medical Academy. He was later taken to the hospital for treatment of facial injuries.¹⁵

On February 19, a student from Israel was attacked by a group of unknown youths, who subsequently fled. The student was taken to the hospital the following day and treated for injuries suffered in the attack. Police are apparently treating the assault as “an ordinary fight,” although haven’t ruled out the possibility that antisemitism was a motive in the attack.¹⁶

On February 23, a citizen of Cote d’Ivoire, who had recently arrived in St. Petersburg to enter university, was attacked and sustained serious head injuries for which he was hospitalized. It was later determined that his money and mobile phone had been stolen after the assault. Police have detained one individual in connection with the attack and brought charges of robbery.¹⁷

On February 25, three men armed with knives attacked two women who worked as vendors in a St. Petersburg street market. Ainur Bulekbayeva, an ethnic Kazakh, was killed, and Ilfuza Babayeva, an ethnic Azeri, was hospitalized with an estimated 20 stab wounds.¹⁸ Witnesses apparently heard the words “Russia for Russians” during the attack. Police said nothing was stolen from the two women, and opened murder and attempted murder investigations, although thus far without any reference to a possible ethnic motive to the attack.¹⁹

On March 23, a man from Ghana suffered a broken nose and a concussion after being attacked by two youths at about 8 p.m. He reported the attack to police officers and was treated for injuries at the hospital. Police detained two youths, who apparently claimed they were “just joking around” when they attacked the African. It has been reported that police have brought hooliganism charges against the two men.²⁰

On March 25, nine-year old Lilian Sisoko, a Russian citizen of mixed heritage (the daughter of an ethnic Russian woman and a Malian man), was stabbed in the neck and ear three times by two young men as she was entering her apartment building. She managed to get back to her apartment, where her parents called for an ambulance in which she was rushed to the hospital.²¹ Yekaterina Sisoko, the victim’s mother, said that the attackers “had enough time to paint a swastika and graffiti that read, ‘Skinheads...we did it,’ before leaving unnoticed.” “The attackers had been given a license to attack and kill children because they are sure they will never be punished even if they are caught,”

she added in reference to the acquittal of the suspected murderer of a nine-year old Tajik girl two days earlier.²²

Also on March 25, an anti-racism demonstration turned violent for three student participants who were apparently shadowed and later attacked by a group of skinheads. A Jewish student was beaten with particular severity and suffered a head injury.²³

On April 2, a female student and citizen of China was attacked on the street near the dormitory where she was living. She was taken to the hospital and treated for injuries. Police opened an investigation of assault with a motive of hooliganism.²⁴

On April 7, Lampsar Samba, a student from Senegal and a member of the organization “African Unity,” was murdered as he left the Apollo night club with five other African students. The alleged murder weapon, a hunting rifle with a swastika drawn on it, was found not far from the scene of the crime.²⁵ This was one of the rare instances of a racist attack in which a firearm was used, leading minority rights activists to question whether this marked the start of a new level of violence being perpetrated by extremist groups. Police opened a murder investigation and immediately considered the racial motive. On May 18, police shot Dmitry Borovikov, one of the suspects in Samba’s murder, reportedly while resisting arrest. He was wanted in connection with the creation of the extremist group, “Mad Crowd,” several members of which were sentenced to prison sentences in December 2005.²⁶ In late May 2006, police arrested five other young men in connection with the murder of Samba. St. Petersburg chief prosecutor Sergei Zaitsev stated on May 24 that there is evidence linking them to a number of other assaults, including the murder of Nikolai Girenko.²⁷

On April 15, two students from Mongolia were attacked in the metro by a group of about ten youths, apparently fans of a local soccer club. Other passengers on the train stood aside during the attack. The two students were subsequently taken to a hospital where they were treated for various minor injuries. Police opened an investigation of assault with a motive of hooliganism.²⁸

On April 19, a medical student from India was attacked while on the university campus by two young men and stabbed in the neck. He was taken to the hospital where he was operated on. Police opened an investigation of attempted murder and racist motives are apparently being considered, although “not as a priority.”²⁹

On April 22, three youths attacked a Turkish man on the platform of a metro station. He was subsequently treated for injuries. Police have detained three young

men and brought charges of assault. Racist intent is not apparently being considered.³⁰

On May 4, a group of youths attacked a student from Vietnam. He was subsequently taken to the hospital with a concussion. Friends who were with him reported that the attackers were skinheads.³¹

On May 21, on a central city street, three youths attacked a citizen of Ecuador, who lives and works in St. Petersburg. He was subsequently taken to the hospital where he was treated for a serious head and eye injury.³²

This list includes some of the most serious assaults against minorities and anti-racist activists, those that are reported in the press and reach the attention of hate crimes monitors. The actual number of such attacks – including those that go unreported and undetected – is likely to be far higher.

The Response to Hate Crimes

Appropriate application of the hate crimes legislation now in place is a critical means for the Russian government to respond more effectively to hate crimes. Russia laws today provide a basis for the investigation and prosecution of crimes with a racial, ethnic, or religious bias. These crimes can be prosecuted as more serious crimes with higher penalties: the Russian Criminal Code contains a general penalty enhancement provision (article 63) for “the commission of crimes with a motive of national, racial, religious hate or enmity...” In practice, however, this provision is rarely applied.

Other provisions of the Criminal Code that can be applied to violent hate crimes include article 105 (murder), article 111 (Deliberate infliction of grievous bodily harm), article 112 (Deliberate infliction of moderate bodily harm), and article 117 (Torture) defined as “the causing of physical or psychological suffering through systematic beatings or other violent actions...” Higher penalties are established for each of these crimes when committed “with a motive of national, racial, religious hatred or enmity.”

The Criminal Code also provides for more severe punishment for the desecration of cemeteries when motivated by racist or religious animus (article 244). Article 282 on inciting hatred or enmity, as well as demeaning human dignity – generally reserved for cases of hate propaganda – has also been used in the case of violent crime.

The problem rests with both enforcement and prosecutorial discretion. Many hate crimes are investigated and prosecuted only as “hooliganism” – if

they are registered and investigated at all. Nonetheless, the number of prosecutions for hate motivated crimes has been on the rise, even if such prosecutions still pale in comparison to the frequency of attacks.

Several St. Petersburg murder cases are in the process of being investigated and tried. In addition to those mentioned above, the October 2004 murder of Vietnamese student, Vu An Tuan, went to trial in February 2006. Fourteen persons, most of them minors, are being tried for murder with a racist motive.³³ In May, a St. Petersburg court began the trial of four men suspected in the assault on Congolese student, Roland Epassak, who was severely beaten in September 2005 and died that same night in the hospital. A racist motive is included in the charges.³⁴

Meanwhile, the verdicts rendered in other cases to date raise concerns. In December 2005, two St. Petersburg courts handed down sentences – thought by human rights monitors to be mostly excessively lenient – against members of neo-Nazi groups Schultz-88 and Mad Crowd.

Ending a trial which lasted over two years, on December 9, 2005, a St. Petersburg court sentenced Dmitry Bobrov, the leader of a neo-Nazi group called Schultz-88, to six years imprisonment for violation of several articles of the Criminal Code, including article 282 on inciting hatred with the use of violence. Three other members of the group were given three-year suspended sentences and one person, a minor, was acquitted. Their crimes included attacks on a McDonald's restaurant, an assault on an Azeri man, an attack on two Chinese students, and two attacks

against ethnic Armenians.³⁵ A few days later, on December 14, another St. Petersburg court sentenced five members of a neo-Nazi group by the name of Mad Crowd to sentences ranging from one year suspended to three years imprisonment for violation of article 282 on incitement. They were tried in connection with assaulting citizens of Armenia, Azerbaijan, and China in 2003.³⁶

In another well-publicized recent case – the murder of a nine-year old Tajik girl – one defendant was acquitted of racist murder charges; instead the defendants were given sentences for hooliganism.

On February 9, 2004, Yusuf Sultonov, an ethnic Tajik, was returning home following a walk with his nine-year old daughter, Khursheda, and his nephew, Alabir. They were attacked by a group of teenagers armed with knives and shouting “Russia for Russians.” Khursheda died shortly after the attack, having received 11 knife wounds. In connection with this attack, eight young men, four of them minors, were detained and charged with hooliganism. One of the eight was charged additionally with murder motivated by ethnic hatred. On March 22, 2006, a jury found seven of the defendants guilty of the hooliganism charges. The defendant charged with murder, who was among those found guilty of hooliganism, was acquitted of the murder charge. He was sentenced for hooliganism to a prison term of 5.5 years (the maximum for acts of hooliganism committed by a group being 7 years). The other defendants were sentenced to prison terms of between 18 months and 3 years. The prosecution has filed an appeal.³⁷

Verdicts such as this – relatively light sentences without any reference to the racist element of the crime – undermine confidence in the effectiveness of the criminal justice system’s ability to quell the spate of racist violence.

That confidence is further undermined by the public statements of local officials and politicians, including those with responsibility for law enforcement and prosecution, in which they seek to downplay the severity of the problem or in some cases actually imply that the victims are responsible for their own plight.

On April 11, 2006, just four days after the murder of African student Lampsar Samba, Alexander Nevzorov, a local Member of Parliament from the pro-Putin United Russia Party, said: “Foreigners aren’t saints,” he said. “They can also get into fights, insult someone or seduce someone’s wife. Why should this immediately be viewed as racism? Racism is not typical for St. Petersburg – everybody knows that.”³⁸

On April 21, at a meeting of the presidium of the city’s public council on the subject of combating xenophobia and extremism, Mikhail Vanichkin, the head of the St. Petersburg police department, expressed his frustration with the pressure placed on the local police force: “The police are being tormented. Everyday this issue is raised with the governor, everyday I’m on the phone with representatives of the federal authorities... It’s a shame that all our efforts are being spent on cases involving foreigners, yet attacks on our guys are not being investigated fully.”³⁹ He was also reported to have stated that “those blacks don’t pay for their dorm rooms, yet they go to night clubs where the entrance costs 1,500 rubles.”⁴⁰

At the same April 21 city council meeting, chief prosecutor Zaitsev declared the spate of hate crimes to be a provocation against the city’s reputation – rather than a sign of growing extremism. He stated that there are only two extremist groups in St. Petersburg – Schultz-88 and Mad Crowd – key members of which had been sentenced in December 2005. He called on journalists to cover crimes against foreigners in a more correct manner so as not to encourage “the desire among certain people to stigmatize our city.”⁴¹ Yet his comments contradict what he had expressed in a letter to Governor Matvienko in December 2005, as reported by St. Petersburg internet newspaper *Fontanka.ru*, in which he admitted that racist violence was systemic and blamed the city government for not doing more to stop it.⁴²

As noted, Matvienko has announced that she has taken the investigation of certain high-profile racist murders under her personal control. She has also called on university rectors to step up security for foreign students. Yet the local authorities have yet to outline and follow through with any comprehensive program to deal more coherently with racist violence.

Residents and activists in St. Petersburg have not sat passively in the face of mounting racist violence. On March 25, 2006 about 300 anti-Fascists, members of liberal parties, and human rights activists demonstrated against the rise in racist violence. Following the April 7 murder of the Senegalese student, some 1,000 demonstrators again took to the streets to express their dismay and to demand a more vigorous government response.

On April 17, a number of leading human rights activists and civil society leaders sent an open letter to Governor Matvienko expressing their serious concern with the rise in “fascist terror” and calling on her to take the lead in the fight against extremism and xenophobia. They called on her to refrain from underestimating the severity of the problem; to swiftly move ahead with

a city program to combat xenophobia, which has been under discussion since 2004; and to present to the public her strategy for combating racist violence.⁴³

Overall, the message coming from Russia's civil society leaders is that the official reaction to hate-motivated crimes and what these crimes reveal about the plight of Russia's minorities has been both intermittent and largely muted, falling far short of the visible, concrete concerted action to combat racist violence and related hate crimes that is required.

Recommendations

In order to address the problem of racist violence in Russia and in St. Petersburg in particular, Human Rights First urges the Russian authorities to undertake the following actions:

- State categorically that the current level of racist violence in St. Petersburg and in Russia as a whole is unacceptable and must be addressed unequivocally.
- React immediately in public statements to crimes of racist violence and other violent bias crimes, affirming that such acts will not be tolerated and following up to ensure that appropriate action is taken by law enforcement officials and prosecutors to take into account bias motivations in the investigation and prosecution of the crimes.
- Send a clear instruction to all public prosecutors to make racist and related violence a high priority, and to apply laws that provide for enhanced penalties for such offences.
- Establish a system for the monitoring and collection of statistics on hate crimes and their prosecution and for the regular publication of this data. Statistics should provide data disaggregated to distinguish the target groups affected.
- Provide a mandate and appropriate resources to an official anti-discrimination body in line with Council of Europe recommendations (European Commission against Racism and Intolerance General Policy Recommendations No. 2 and No. 7). This body should provide oversight over the monitoring and reporting of hate crimes in combating this violence through the criminal justice system. Such a body must be mandated to work closely with the Ministry of the Interior and the General Prosecutors Office and other bodies concerned with the registration, investigation, and prosecution of hate crimes, but which currently do not regularly or systematically publish statistics on such crimes.

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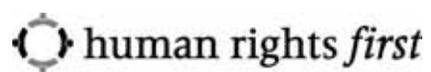
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