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RUSSIA

Key Findings

In the context of growing human rights abuses, religious freedom conditions in Russia suffered serious setbacks. New 2012 laws and 2014 amendments to the anti-extremism law were used against religious individuals and groups, particularly Jehovah's Witnesses and Muslim readers of Turkish theologian Said Nursi. There are hundreds of Muslims jailed, reportedly on false charges; many are denied due process and mistreated in detention. Rising xenophobia and intolerance, including anti-Semitism, are linked to violent and lethal hate crimes that occur with impunity. A blasphemy law, which went into effect in July 2013, further curtailed the freedoms of religion, belief, and expression. Based on these concerns, USCIRF again places Russia on Tier 2 in 2014. USCIRF has reported on Russia since 1999, and it has been on this list since 2009. A USCIRF staff member visited Moscow in October 2013.

Background

Using Russia's 1997 Law on Freedom of Conscience and its burdensome registration system, state officials impede registration or obstruct the construction or rental of worship buildings for allegedly "non-traditional" groups. Officials often refer negatively to religious and other minorities, abetting an intolerant climate. Russia's weak judicial system, inconsistent rule of law adherence, and arbitrary official legal interpretations mean that respect for freedom of religion or belief varies widely, often depending on a religious group's relations with relevant state officials.

A major threat to religious freedom is the much-amended Russian anti-extremism law, which defines extremism in a religious context and does not require the threat or use of violence. New criminal code amendments, signed into law by President Putin in February 2014, increased terms of imprisonment, forced labor, and fines for "extremism"-related offenses and eased

legal procedures for government surveillance. If any Russian court rules a text extremist, it is added to the Justice Ministry's Federal List of Extremist Materials and banned throughout Russia. As of this writing, the

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list of banned texts contained 2,241 items, including books approved by the Council of Muftis; works of the Turkish Muslim theologian Said Nursi; a 1900 sermon by Metropolitan Sheptytsky, a candidate for Catholic sainthood; and at least 70 Jehovah's Witness texts. Merely possessing banned extremist works can result in fines; the mass distribution, preparation, or storage can result in a four-year prison term.

Religious Freedom Conditions 2013–2014 Extremism Charges

Russian human rights groups have evidence of prosecutions of Muslims for extremism despite no apparent link to such activities, including dozens detained for owning religious texts. Many were charged for being alleged followers of Said Nursi. For example, imams Ilhom Merazhov and Komil Odilov were given one-year suspended terms in Novosibirsk in May 2013. In January 2014 in Krasnoyarsk, Andrei Dedkov and nine others were detained as part of a Nursi group. Criminal proceedings were launched against Magomed Suleyman-ogly for leading a Nursi "youth wing" in 2014 according to Forum 18 News Service. In February 2014, two Muslims were fined in Tatarstan for reading Nursi's works at home, the SOVA Center reported; two others await trial there. At least 13 Nursi readers were jailed in Russia last year; one, Shirazi Bekirov, was released in 2013 after six

months in jail, including a psychiatric examination, in St. Petersburg.

In Russia's largest ban of religious texts, an Orenburg court in March 2012 ruled 68 Islamic texts "extremist," including books approved by the Council of Muftis; in 2013 two fines were imposed in connection with this ban. In September 2013, a Novorossisk court ruled extremist a popular Russian Qur'an translation, but the ban was overturned by a Krasnodar Regional Court in December. In November 2013, the European Court of Human Rights (ECtHR) asked Russia to respond to a case by the United Spiritual Administration of Muslims of Krasnoyarsk Region against a court ban on part of Said Nursi's Qur'an commentary. Sixteen Jehovah's Witnesses have been on trial since June 2013 in Taganrog for belonging to an "extremist" group. In January 2014, a ban on the Jehovah's Witness international Web site was overturned.

Legal Restrictions on Civil Society Impacting Religious Groups

A 2012 law on public meetings set onerous new fines that could exceed the equivalent of the average annual salary for those taking part in unauthorized public meetings violating "public order." It was used in 2012 against a Protestant pastor for holding a religious service. Another 2012 law requires foreign-funded NGOs engaged in vaguely-defined political activity to register as "foreign agents" or face fines or two years' imprisonment; religious groups are exempt, but in 2013 Russian authorities used this law as a pretext to inspect hundreds of these groups, such as Caritas. In 2012, the treason law was amended, putting at risk of 20-year prison terms those Russian citizens who provide financial, material, technical, consultative, or other help to a foreign state or an international or foreign organization. A 2013 law requires "close relatives and acquaintances" of alleged terrorists to pay material and moral damages; some view this law as reviving Stalin-era collective "guilt."

The North Caucasus Crisis

Russia's most severe human rights abuses occur in the North Caucasus, where violators operate with almost total impunity. Chechnya's Kremlin-appointed president, Ramzan Kadyrov, condones or oversees mass

violations of human rights, including religious freedom. He and his militia practice collective "justice," distort Chechen Sufi traditions, and operate a repressive state, including forcing women to wear Islamic headscarves. Kadyrov also is accused of murders, torture, and the disappearances of political opponents and human rights activists in Russia and abroad. In late 2013, the Chechen First Deputy Interior Minister stated that Kadyrov authorized him to plant evidence, arrest, imprison, or execute without trial anyone who "looks remotely like an Islamic militant," or who criticizes local officials. In the North Caucasus' most violent region, Dagestan, Salafi groups are banned and targeted as suspected insurgents, the International Crisis Group noted in 2013.

Orthodox Sovereignty

Russia's 1997 Law on Freedom of Conscience preface singles out Islam, Judaism, Buddhism, and especially Orthodox Christianity as the country's four "traditional" faiths, despite constitutional guarantees of a secular state and equal legal status for all religions. The Moscow Patriarchate of the Russian Orthodox Church (MPROC) – which claims adherents among 60 percent of Russians – receives *de facto* favored status, and has agreements with state agencies on religious education and spiritual counseling. The MPROC receives most state support, but Islam, Buddhism, and Judaism have also benefitted, as have Moscow's ancient Orthodox schismatic sect of Old Believers. Other minority religious groups do not receive state subsidies.

After the reporting period, Russia illegally annexed the Ukrainian region of Crimea in March 2014 and the United States instituted visa bans and

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on shared Orthodox culture.*

asset freezes of individuals involved in that decision. In a March 18 speech, President Putin tried to justify this military action based on the shared Orthodox "culture, civilization, and human values that unite the

peoples of Russia, Ukraine, and Belarus.” He failed to mention the region’s Muslim Crimean Tatars, who were deported by Stalin and currently comprise 15 percent of Crimea’s population and oppose Russian occupation. Reportedly, some Ukrainian Orthodox loyal to Kiev have left Crimea. For those who remain, their churches are effectively closed and Crimean Tatars have offered the use of their mosques.

Blasphemy Law

The blasphemy law that came into force in July 2013 sets fines of up to U.S. \$15,000 and jail terms of up to three years for public actions in places of worship that disrespect or insult religious beliefs. Elsewhere, such acts entail up to a year of jail and fines of up to US \$9,000. This law was passed after the 2012 conviction of three in the Pussy Riot band for “hooliganism on grounds of religious hatred” after their protest in Moscow’s main Orthodox cathedral. The two jailed Pussy Rioters were freed under a December 2013 amnesty; three cases in 2014 involved charges under the new law.

Legal Status Issues

Despite a 2009 ECtHR finding that the 15-year existence rule for registration violated the European Convention on Human Rights, the Church of Scientology still is denied registration, as is an Armenian Catholic parish in Moscow. State officials obstruct construction or rental of worship buildings, particularly for allegedly “non-traditional” groups such as the Church of Jesus Christ of Latter-day Saints (Mormons), non-Moscow Patriarchate Orthodox, and Old Believers. Muslim groups in urban areas, particularly Moscow, face obstacles in obtaining permits to open mosques.

Violent Hate Crimes against Persons and Property

Chauvinist groups have stepped up violence against those who defend rights of religious minorities and migrants. Moscow police have assisted some victims, but inconsistently and often ineffectively. Local authorities often fail to investigate hate crimes against ethnic and religious minorities, mainly Muslim Central Asians and Jews.

Recommendations for U.S. Policy

In response to continuing violations of religious freedom in Russia, USCIRF recommends that the U.S. government should:

- Implement fully the Sergei Magnitsky Rule of Law Act, which imposes U.S. visa bans and bank asset freezes against Russian officials, including Chechen President Kadyrov, who violate human rights, by continuing to name such officials and including them in the Politically Exposed Persons list;
- Make freedom of religion or belief a key human rights and security concern in the U.S.-Russia relationship and press Russia to reform its extremism law in line with Council of Europe recommendations, such as by adding criteria related to the advocacy or use of violence and ensure the law is not used against peaceful religious communities;
- Include in U.S.-funded exchanges participants from Russian regions with sizeable Muslim and other minority populations and initiate an International Visitors Program for Russian officials and lawyers on the prevention and prosecution of hate crimes and other human rights issues;
- Give priority to re-programming funding from the \$50 million slated for the now-defunct USAID Russia program to a range of civil society programs, such as a new Internet program to address historical, religious and cultural issues as well as programs on tolerance and freedom of religion or belief; and
- Re-establish funding for the State Department’s Title VIII program for research, including on religious freedom and human rights, as well as for language programs related to the study of Eurasia.