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Key Findings

Along with other human rights abuses, violations of religious freedom in Russia escalated in the past year. There were numerous criminal convictions, fines, and detentions, particularly of Muslims and Jehovah's Witnesses, under an extremism law that does not require proof of the use or advocacy of violence. The Constitutional Court ruled that material can be banned as "extremist" for proclaiming the truth or superiority of one religion or belief system. Other laws, including the recently-amended 1997 religion law and a growing number of harsh laws restricting civil society, limit the freedoms of religious groups and lead to abuses. An atheist was charged with blasphemy under a 2013 law, and was on trial at the end of the reporting period. Rising xenophobia and intolerance, including anti-Semitism, are linked to violent and lethal hate crimes that often occur with impunity. Russian officials and local paramilitary in Chechnya and Dagestan commit often violent religious freedom violations. Religious freedom violations also escalated in Russian-occupied Crimea and Russian-separatist regions of eastern Ukraine. Based on these concerns, in 2016 USCIRF again places Russia on Tier 2, where it has been since 2009. Given Russia's negative trajectory in terms of religious freedom, USCIRF will continue to monitor the situation closely during the year ahead to determine if Russia should be recommended to the U.S. State Department for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA) for systematic, ongoing, egregious violations of religious freedom.

Background

Russia is the world's largest country by land mass. Its estimated population of 142.5 million is 81 percent ethnic Russian plus some 160 other ethnicities. A 2013 poll reports that 68 percent of Russians view themselves as Orthodox Christian, while seven percent identify as Muslim. Other religious groups – each under five percent – include Buddhists, Protestants, Roman Catholics, Jews, The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, Hindus, Baha'is, Hare Krishnas, pagans, Tengrists, Scientologists, and Falun Gong adherents. The 2010 census listed 150,000 Jews; the Federation of Jewish Communities of Russia cites 750,000. Many Russian citizens who say they belong to a religious community are not observant.

Russia's 1997 religion law sets onerous registration procedures for religious groups and empowers state officials to impede registration or obstruct construction or rental of worship buildings. The three types of religious associations – groups, local organizations, and centralized organizations –

have varying legal status and privileges. Some aspects of the public association law also apply to religious associations, including lengthy reporting requirements, annual compliance reviews, and detailed data on the group's history, doctrine, and evolution. Russia's arbitrary legal system means that government respect for freedom of religion or belief varies widely, often depending on a religious group's relations with local officials.

The religion law's preface, which is not legally binding, singles out Islam, Judaism, Buddhism, and Orthodox Christianity as the country's four "traditional" faiths. Although the Russian constitution guarantees a secular state and equal legal status for all religions, the Moscow Patriarchate of the Russian Orthodox Church (MPROC) – which claims as adherents 60 percent of Russians – is strongly favored, including in chaplaincies, the education system, and state subsidies. "Non-traditional" religious groups do not receive state subsidies. Officials often refer negatively to religious and other minorities, which fosters a climate of intolerance.

The major threat to religious freedom remains the much-amended Russian anti-extremism law, which defines extremism in a religious context and does not require the threat or use of violence. Among other provisions, the law qualifies as extremist "propaganda of the superiority of one's own religion." In February 2015, the Constitutional Court ruled that freedom of speech, conscience, and religion is not infringed if material is banned as "extremist" for proclaiming the truth or superiority of one religion or belief system. If any Russian court rules any print or Web-based text extremist, it is added to the Ministry of Justice's (MOJ) Federal List of Extremist Materials and banned throughout Russia. As of February 2016, that list reportedly totaled 3,291 items, including Jehovah's Witnesses' texts, the writings of Turkish theologian Said Nursi, a 1900 sermon by Greek Catholic Metropolitan Andrey Sheptytsky (who risked his life to save Jews during the Holocaust), and a video of police-confiscated relics of the Russian Orthodox Autonomous Church. Suspected extremist texts are reviewed by the MOJ's Scientific Advisory Board (SAB), which is comprised of academics and representatives of the four "traditional" religions. In November 2015, President Putin amended the extremism law to prohibit the banning of the four sacred texts of the "traditional" religions: the Bible, the Qur'an, the Jewish Torah, and the Tibetan Buddhist Kanjur. However, some 4,000 Jehovah's Witness Bibles are among millions of that groups' publications confiscated by Russian customs for alleged "extremism."

A 2013 blasphemy law criminalized disrespecting or insulting religious beliefs; a 2012 public protest in Moscow's main Orthodox cathedral over the MPROC's close Kremlin ties served as the official impetus for the passage of this law. Increasing legal restrictions on civil society also impact religious groups. A 2012 law on "unauthorized" public meetings includes onerous fines and was used 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. Russia's treason law was amended in 2012, threatening with 20-year prison terms those Russian citizens who provide financial, material, technical, consultative, or other assistance to a foreign state or an international or foreign organization. A 2014 "public order" law requires prior official approval to conduct prayer and public religious observance, even in places owned by religious groups. A July 2015 law banned "undesirable" foreign or international organizations that allegedly threaten state security, public order, or health; religious groups fear that it could also apply to religious bodies. A December 2015 law provided that Russian courts are not bound by European Court of Human Rights (ECtHR) rulings if they contradict the Russian constitution.

Religious Freedom Conditions 2015-2016

New Legal Provisions on Religious Groups

Amendments to the religion law that took effect in July 2015 appear to require all religious communities without legal status to notify state officials of their existence and activity, including the names and addresses of all members and addresses of meeting places. Registered religious organizations only are required to give officials a list of their founders. Nevertheless, no penalties are known to have been imposed against those who meet for worship without official notification. According to Forum 18, the amendments also provide that, for the first 10 years after registration, religious groups not affiliated with centralized religious organizations cannot form religious educational organizations, hold ceremonies in hospitals, prisons, and old people's homes, or invite foreigners to visit the country.

Extremism Charges

Surveillance, investigations, and prosecutions of Muslims and Jehovah's Witnesses for alleged extremism continued during 2015. For example, two Said Nursi readers, Imam Komil Odilov and Yevgeny Kim, were arrested in December 2015 and were in pre-trial detention at the end of the reporting period. Also in December, a Krasnoyarsk court sentenced two other Nursi readers; Andrei Dedkov was fined the equivalent of US\$2,205 and Aleksei Kuzmenko was fined the equivalent of US\$1,470. In December 2015, after a ten-month re-trial of Jehovah's Witnesses, 14 men and two women received heavy fines (which the judge waived) and suspended prison sentences at Taganrog City Court. From September to December 2015, at least 35 individuals and three religious groups were prosecuted on charges relating to alleged extremist texts, a sharp increase compared to a similar period in 2014. Courts imposed fines in 34 of these cases, and one Jehovah's Witness received a six-day prison term; two individuals and one Jehovah's Witness community member were acquitted. Of the 2015 prosecutions, 19 were for Islamic texts or videos, 17 for Jehovah's Witness texts, and two for items by the Falun Gong. Despite the 2015 overturning of the Orenburg court ruling that 50 of 68 Muslim texts were "extremist," it took several months for the texts to be removed from the banned list. Muslim leaders protested an August 2015 Sakhalin court ban on a Qur'anic commentary. After the reporting period, a Moscow regional court ruled that Scientology texts are banned as extremist.

Blasphemy Case

In October 2015, Victor Krasnov was charged in Stavropol under the 2013 blasphemy law for allegedly publicly insulting Orthodox believers in 2014 by supporting atheism in social media; his closed preliminary hearing began in January 2016. Krasnov told RFE/RL he received death threats from "Orthodox Christian fundamentalists;" he also underwent one month of psychiatric examinations in a local hospital.

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, the Hare Krishnas, and Old Believers. Muslim groups in many urban areas face official obstacles to opening mosques. Although Moscow has the largest Muslim population of any European city, it only has six public mosques; the sixth opened in September 2015 after a decade of construction.

Penalties for Public Religious Activities and Expression

In the last five months of 2015, at least 45 people and one religious group faced administrative charges for peaceful public religious activities. Most were Jehovah's Witnesses who offered religious texts in public, but Mormons, Hare Krishnas, Baptists, and a Muslim also were

prosecuted; 31 received heavy fines. Additionally, human rights groups report that some peaceful ethnic Russian and other converts to Islam face possible persecution and criminal charges. For example, in 2015 Russian security police removed Vasily Tkachev from Belarus. In January 2016, reportedly he was tortured in a Chelyabinsk prison and denied access to his family and lawyer; the charges against Tkachev are not known. A Tibetan Buddhist lama who had been a legal resident in Russia since 2008 was deported from Tuva in 2015. Leading Russian Tatar imam Suleiman Zaripov from Kazan reportedly was disappeared under suspicious circumstances in early 2016, as were at least two other imams in recent years.

Violent Hate Crimes against Persons and Property

Chauvinist violence against defenders of religious minorities and migrants continues. In many parts of Russia, local officials often fail to investigate hate crimes against ethnic and religious minorities, mainly Muslim Central Asians and Jews. The Sova Center identified 38 xenophobic attacks in 2015, compared to 101 in 2014. An increased number of criminal sentences were levied for such violence in 2015, along with a sharp increase of criminal sentences for xenophobic statements or for inciting hatred, but an unprecedented number of jail terms were levied for allegedly offensive comments.

Violations in the North Caucasus

Human rights violations occur with almost total impunity in the North Caucasus. In Dagestan, the area's most violent region, Muslims alleged to be extremist or Salafist are registered, sentenced, and may be tortured or disappeared as suspected insurgents. Police continue to raid and close Salafi mosques. Human rights lawyers, independent journalists, and religious freedom activists also are targeted for violence in Dagestan. In Chechnya, the Kremlin-appointed president, Ramzan Kadyrov, oversees mass violations of human rights, including religious freedom. Kadyrov and his militia practice collective "justice," distort Chechen Sufi traditions, and run a repressive state. Under an official "female virtue campaign," women must wear Islamic headscarves and may be forced into illegal polygamous marriages. Reportedly, there is a drive to urge young Chechen men to fill out "spiritual-moral questionnaires" to document their views on Islam. At a February 2016 conference, Kadyrov equated Salafism with terrorism and conflated the peaceful preaching of a popular Ingush Salafi cleric, Sheikh Khamzat Chumakov, with the militant Salafism of the North Caucasus insurgency and the Islamic State of Iraq and the Levant (ISIL). Kadyrov and his men also are accused of violence against political opponents, critics, and human rights activists, in Russia and abroad.

Russia's Illegal Annexation of Crimea

In March 2014, Russia illegally annexed the Ukrainian Black Sea peninsula of Crimea, which has some two million people and a key Russian naval port. President Putin sought to justify this invasion due to the shared Orthodox "culture, civilization, and human values" of Russia and Ukraine. Almost all the 300,000 Muslim Crimean Tatars oppose Russian occupation and are persecuted. In January 2016, 12 Crimean Tatars were arrested after meeting the visiting Council of Europe Commission on Human Rights in Crimea. After the reporting period, the Russian-installed prosecutor of Crimea announced the suspension of the Crimean Tatar representative assembly allegedly because it had been declared "extremist" even though the court proceedings are ongoing.

Decline in Registration of Crimean Religious Groups

Russia required all religious groups in Crimea to re-register under Russia's more stringent requirements by January 1, 2016; of the over 1,100 religious communities that had legal status under Ukrainian law, only about 400 were re-registered. Re-registered groups include Moscow Patriarchate Russian Orthodox Churches (MPROC), Muslims including the Crimean Muftiate,

various Protestant churches, Roman Catholics, various Jewish affiliations, Karaites, Jehovah's Witnesses, and Hare Krishnas. The Greek Catholic Church was not registered, nor were any Armenian Apostolic parishes. The Kiev Patriarchate Ukrainian Orthodox Church did not seek registration. Based on the Ministry of Justice Scientific Advisory Council recommendations, certain Crimean religious groups, such as the Crimean Muftiate, nine Catholic parishes, and Yalta's Augsburg Lutheran Church, had to change institutional affiliations or alter their charters so as to re-register. Some groups were denied re-registration, including St. Peter's Lutheran Church in Krasnoperekopsk, the Seventh-day Adventist Reformed Church in Yevpatoriya, and the Tavrida Muftiate, the smaller of the two Crimean Muftiates.

Restrictions on Religious Activity in Crimea

In January 2015, the Russian-installed Crimean government issued a counter-terrorism plan that authorizes police and security officials "to identify and influence" individuals "to reject illegal and destructive activity, to repent and to participate in preventive measures," particularly of undefined "non-traditional" sects. The plan also seeks to bring religious education under state control. According to Forum 18, Russian-installed officials have raided many libraries, schools, Muslim homes, and mosques and issued fines for owning allegedly extremist Islamic and Jehovah's Witness texts. Among those fined was the mufti of the Tavrida Muftiate, Ruslan Saitvaliyev. In October 2015, three Council of Churches Baptists who refused to pay fines for a public religious meeting were each sentenced to 20 hours' community service and another Baptist was fined three weeks' average local wages.

At least five of Crimea's *madrassahs* remain closed, as well as four of the five Crimean Muftiate *madrassahs*. Clergy without Russian citizenship were forced to leave Crimea, including Greek and Roman Catholics and almost all Turkish Muslim imams and religious teachers. The lack of legal status for the Greek Catholic Church creates major difficulties for their four priests, who are not Crimea natives; they can work for only three months before they must leave for a month and re-apply for permits. In 2014, five of 10 Kiev Patriarchate Ukrainian Orthodox Church priests were forced to leave Crimea; the churches of its Crimea diocese, with about 200,000 members, were targets of mob and arson attacks. The MPROC, that claims 35 million members in Ukraine, officially views the Kiev Patriarchate Ukrainian Orthodox Church as a "schismatic nationalist organization."

Russia's Separatist Enclaves in the Donbas

In those Donbas regions of eastern Ukraine controlled by Russian-backed separatists espousing MPROC supremacy, Protestants and Kievan Patriarchate Ukrainian Orthodox Church parishes have been targets of arrests, violence, church damage, property confiscation, and discrimination. According to a March 2015 report by the civic movement "All Together," Donbas separatists in 2014 murdered seven clergymen, questioned and beat in detention more than 40 church ministers, and seized buildings and premises of 12 Christian communities, a church orphanage, a Christian university, and three medical rehabilitation centers. According to the All-Union Council of Evangelical Christians-Baptists, seven of their churches were seized and three more were destroyed. In February 2015, the Archbishop of the Donetsk Diocese of the Kievan Patriarchate Ukrainian Orthodox Church said that 30 out of its 40 parishes in the occupied territory had ceased activity due to separatists' pressure.

Separatist "police" in Slovyansk, Donetsk and Horlivka have arrested many civilians; Russian Cossacks also have wreaked havoc in various regions. In Slovyansk, separatists abducted and killed four Protestants in June 2014. In July 2014, a Greek Catholic priest endured three mock executions during 12 days of detention. Two Roman Catholic priests also were briefly detained in the summer of 2014. As of March 2015, reportedly 40 of Donetsk's 58 varied religious

communities have to gather in homes or stop worshipping. Father Nikon, a MPROC priest, was held by Ukrainian authorities in Donbas from August until December 2015 on suspicion that he was working for the separatist forces. In January 2016, security officials of the self-proclaimed Donetsk People's Republic detained 50 people allegedly linked to an attempt to blow up a Lenin statue, including a Donetsk University Professor for History and Religious Studies; reportedly police were suspicious of his contacts with religious faiths, including Muslims.

The United Nations reported that, as of November 2015, more than 9,000 persons had died and some 18,000 had been wounded due to Russian aggression in the Donbas, including civilians, members of the Ukrainian armed forces, and Russian-backed separatists, since fighting began in 2014. More than two million persons have fled the region, including thousands of Jews, Muslims, Protestants and other religious minorities who faced pressure and discrimination.

U.S. Policy

In a key foreign policy initiative, President Obama sought to "reset" U.S.-Russia relations in 2010 to reverse what he called a "dangerous drift" in bilateral relations by engaging the Russian government on common foreign policy goals and by engaging directly with Russian civil society groups. The reset goals included promoting economic interests, enhancing mutual understanding, and advancing universal values. Arms control and foreign policy concerns took priority, but 16 working groups in a new U.S.-Russia Bilateral Commission also addressed civil society issues. U.S.-Russian relations began to worsen in September 2011, when then-Prime Minister Putin said he would again run for president in March 2012. In October 2012, the Kremlin expelled the U.S. Agency for International Development and banned its Russia programs.

In December 2012, the U.S. Congress normalized trade with Russia by repealing the Jackson-Vanik Amendment, but also passed the Magnitsky Act sanctioning Russian officials responsible for gross human rights violations, including the 2009 death of lawyer Sergei Magnitsky in a Moscow prison; President Obama signed the Act later that month. In response, the Russian government denied Americans the opportunity to adopt Russian children, issued a list of U.S. officials prohibited from entering Russia, and posthumously convicted Magnitsky. By February 2016, the U.S. government had named 39 Russian officials subject to U.S. visa bans and asset freezes under the Magnitsky Act. There is also an unpublished list of sanctioned officials, reportedly including Ramzan Kadyrov, as USCIRF had recommended.

The Russian annexation of Crimea in March 2014 marked a new low in Russia's international relations, including with the United States. The United States suspended its role in the U.S.-Russia Bilateral Commission. The United States has issued numerous sanctions against Russia, including banning various bilateral commercial transactions. It also has imposed sanctions against specific Russian officials and their proxies involved in the Crimean annexation and military support for separatists in the Donbas region of eastern Ukraine.

On religious freedom, the State Department reports that the U.S. Ambassador and embassy and consulate officers met with Russian government officials to discuss religious freedom issues, including the extremism law, registration issues and the federal list of extremist material, as well as meeting with religious leaders and civil society groups.

Recommendations

USCIRF recommends that the U.S. government should:

- Urge the Russian government to amend its extremism law in line with international human rights standards, such as adding criteria on the advocacy or use of violence, and to ensure

that the law is not used against members of peaceful religious groups or disfavored communities;

- Press the Russian government to ensure that new laws, such as the expansion of the foreign agents law, do not limit the religious activities of peaceful religious groups; also encourage the Russian government to implement ECtHR decisions relating to religious freedom;
- Under the Magnitsky Act, continue to identify Russian government officials responsible for severe violations of religious freedom and human rights, freeze their assets, and bar their entry into the United States;
- Raise religious freedom concerns in multilateral settings and meetings, such as the Organization for Security and Cooperation in Europe (OSCE), and urge the Russian government to agree to visits by the UN Special Rapporteur on Freedom of Religion or Belief and the OSCE Representatives on Tolerance, set specific visit dates, and provide the full and necessary conditions for such visits;
- Call for and work to secure the release of religious prisoners and press the Russian government to ensure that every prisoner has regular access to his or her family, human rights monitors, adequate medical care, and a lawyer;
- Ensure that the U.S. Embassy, including at the ambassadorial level, maintains appropriate contacts with human rights activists;
- Encourage the Board of Broadcasting Governors to increase U.S. funding for VOA Russian and Ukrainian Services and for RFE/RL's Russian and Ukrainian Services, and consider Russian translation of the RFE/RL Uzbek Web site, Muslims and Democracy;
- Ensure that violations of freedom of religion or belief and related human rights are included in all relevant discussions with the Russian government due to Russia's illegal annexation of Crimea and its support of rebels in the Donbas, and work closely with European and other allies to apply pressure through advocacy, diplomacy, and targeted sanctions; and
- Work to establish an OSCE monitoring presence in Crimea.

Dissenting Statement of Vice Chair M. Zuhdi Jasser:

Russia has been designated a Tier 2 offender of religious freedom by USCIRF since 2009, meaning that the Commission has felt that at least one of the elements of the "systematic, ongoing, and egregious" standard for designation as a "country of particular concern," or CPC, were being met. During these seven years, severe violations of religious freedom imposed upon the people of Russia, and now including Crimea and Ukraine, have only accumulated, with no sign of abatement nor any heed during this time by the Russian government of any of our concerns. The continued increase in the repression of religious freedom during this time in Russia beyond a doubt has come to include all of the elements of the definition of "systematic, ongoing, and egregious" violations of religious freedom. The Russian government has had far too long to address all of these areas of concern in Tier 2 status that we have annually raised and their indifference to them, along with a concomitant increase in the religious freedom violations, I believe now requires that the State Department designate Russia a CPC.

I also do not believe the case has been adequately made to explain why the violations described in this report *do not* now, after all this time and expansion rather than retraction, meet the criteria for CPC designation. This report very well delineates all the areas of concern. But specifically in

order to reiterate those offenses which particularly merit CPC designation, I want to highlight the following eight areas:

1) In 2015, there was an increase in the number of criminal convictions, fines, and detentions, particularly of Muslims and Jehovah's Witnesses for alleged extremism. A prisoner list compiled by an NGO includes at least 105 religious prisoners in Russia. 2) As of February 2016, 3,291 items had been banned as extremist, including Jehovah's Witnesses' texts and the writings of Turkish theologian Said Nursi. Last year, the number was 2,634. 3) In just part of the past year, from September to December 2015, at least 35 individuals (Muslims, Jehovah's Witnesses, and Falun Gong) were prosecuted on charges relating to alleged extremist texts, a sharp increase over a similar period in 2014. 4) The Russian legal authorities have also continued to oppress religious minorities. Russia's Constitutional Court ruled in 2015 that material can be banned as "extremist" for proclaiming the truth or superiority of one religion or belief system. In 2015, an atheist, Victor Krasnov, was charged with blasphemy under the 2013 blasphemy law for insulting Orthodox believers by supporting atheism on social media. He was on trial at the end of the reporting period, and could receive one year in prison. 5) In Chechnya and Dagestan, Russian officials and local paramilitary continued to commit often violent religious freedom violations, mostly against Muslims and with almost total impunity. 6) Russia has imposed its repressive religion law in Ukraine's Crimea peninsula, which it illegally annexed in 2014. By January 1, 2016, only 400 of the over 1,100 religious communities that had legal status under Ukrainian law were re-registered under the Russian rules. In the Donbas regions of eastern Ukraine controlled by Russian-backed separatists, Protestants and Kievan Patriarchate Ukrainian Orthodox Church parishes have been targets of arrests, violence, church damage, property confiscation, and discrimination. More than 9,000 individuals have died during the conflict and two million have fled the region, including thousands of Jews, Muslims, Protestants and other religious minorities who faced pressure and discrimination. 7) Russian-installed officials in Crimea have raided libraries, schools, Muslim homes, and mosques; closed Islamic schools; and issued fines for owning allegedly extremist Islamic and Jehovah's Witness texts. Clergy without Russian citizenship were forced to leave Crimea, including Greek and Roman Catholics. Muslim Crimean Tatars, most of whom oppose the Russian occupation, were particularly targeted. 8) Rising xenophobia and intolerance, including anti-Semitism in Russia, are also linked to violent and lethal hate crimes that often occur with impunity.

The above clearly demonstrates a Russian government that has perpetrated "systematic, ongoing, and egregious" violations of religious freedom and thus merits the designation of Russia by the State Department as a CPC.

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