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Key Findings

Amid a sharp increase in human rights abuses, serious violations of freedom of religion or belief continue in Russia. The government continues to bring criminal extremism charges against peaceful religious individuals and groups, particularly Muslim readers of Turkish theologian Said Nursi and Jehovah's Witnesses. Hundreds of Muslims are jailed, reportedly on false charges; many are denied due process and mistreated in detention. Increased legal restrictions on civil society have negative implications for religious groups. Rising xenophobia and intolerance, including anti-Semitism, are linked to violent and lethal hate crimes that often occur with impunity. Religious freedom violations are pervasive in the North Caucasus. There are growing religious freedom concerns in Russian-occupied Crimea and Russian-separatist regions of eastern Ukraine. For these reasons, in 2015 USCIRF again places Russia on Tier 2, where it has been since 2009.

Background

In 1991 the Russian Federation, the core of the former USSR, became the Soviet Union's sole legal successor. Russia is the world's largest country in terms of land mass, with a population of 142.5 million. It is 81 percent ethnic Russian, with 160 various other ethnicities. A 2012 poll by the independent Levada Center reports 74 percent of Russians view themselves as Orthodox while 7 percent identify as Muslim. Most Muslims live in the Volga region, the North Caucasus, in Moscow, St. Petersburg and Siberia. Religious groups of under 5 percent each 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. While the 2010 census estimated there are 150,000 Jews, the Federation of Jewish Communities of Russia cites 750,000.

Russia's 1997 religion law sets onerous registration procedures and empowers state officials to impede registration or obstruct the construction or rental of worship buildings. Russia's weak and 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. The Russian constitution guarantees a secular state and equal legal status for all religions. Yet the Moscow Patriarchate of the Russian Orthodox Church (MPROC) – which claims 60 percent of Russians as adherents – is especially favored; it has agreements with various state agencies and receives the most state subsidies of any religious group. "Non-traditional" religious groups do not receive state subsidies. Officials often refer negatively to religious and other minorities, abetting an intolerant climate.

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. If any Russian court rules any print or Web-based text extremist, it is added to the Justice Ministry's Federal List of Extremist Materials and banned throughout Russia; as of February 2015, that list totaled 2,634 items, including Jehovah's Witnesses' texts, writings of Turkish theologian Said Nursi, and a video of police-confiscated relics of the Russian Orthodox Autonomous Church. Possession of banned material can lead to fines; distribution, preparation, or storage of large amounts of these materials can result in a four-year prison term. February 2014 criminal code amendments increased the jail or forced labor terms for "extremism"-related offenses and eased surveillance criteria.

A 2013 blasphemy law 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. Outside of houses of worship, such acts entail up to a year of jail and fines of up to U.S. \$9,000. 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, with onerous fines, 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. The treason law was amended in 2012, threatening with 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. In a statement likely meant to stoke Russian fears of Germans, the Kaluga governor in January 2015 compared the local registered Lutheran Church to an enemy element.

Religious Freedom Conditions 2014-2015

Possible New Legal Restrictions on Religious Groups

Although the 2012 "foreign agents" law exempts religious groups, in May 2014, President Vladimir Putin requested a new bill to increase scrutiny of foreign-funded religious groups. After the reporting period there were reports that the Justice Ministry was drafting a bill that would authorize the state to request documents on religious activities and subject religious groups to unannounced inspections.

In January 2015, the Russian parliament approved on the first reading a draft law that would allow the government to identify and ban "undesirable" foreign and international organizations, including religious ones. In addition, President Putin recently called for a new agency to supervise inter-ethnic and inter-

religious relations by increasing control over all religious groups, ensuring a uniform policy, and increasing religious leaders' responsibilities. It is unclear how this new agency's mandate would differ from that of the Ministry of Justice's 2009 Religious Expert Council, which underwent major personnel changes in March 2015.

Extremism Charges

Surveillance, investigations, and prosecutions of Muslims and Jehovah's Witnesses for alleged extremism continued during 2014, although many cases apparently were not linked to such activities. For example, a Yekaterinburg court upheld in 2014 a fine against a mosque for owning banned texts; its imam was warned against "extremist" activity. In addition, in late 2014, six Muslims in Perm and a Muslim in Rostov-on-Don were fined, in two separate cases, as alleged Nursi followers. Protracted "extremism" cases against alleged leaders of a Nursi women's group in Krasnoyarsk and against 16 members of the banned Jehovah's Witness community in Taganrog were repeatedly postponed. The Russian Supreme Court in November 2014 confirmed the liquidation of the Jehovah's Witness community in Samara and one month later, it banned as "extremist" the Jehovah's Witness international Web site. Even before a court verdict, charges of extremism often involve house arrest, travel restrictions, and lengthy pre-trial detention.

In February 2015, after the reporting period, Bagir Kazikhanov, a Muslim from Ulyanovsk, was sentenced to a 3.5-year prison term for the "organization of extremist activity" in the first known conviction under the recently-increased penalties, according to the NGO Forum 18 News Service. Also after the reporting period, the Orenburg Regional Court in February 2015 overturned a lower court's 2012 ban of 50 of 65 Muslim religious texts. The lower court's ban gave rise to protests and numerous Muslims were fined for distributing these texts. In the last four months of 2014, many such texts were cited in charges in at least 18 administrative cases in 14 Russian regions brought against individuals or groups for owning "extremist" religious texts.

Legal Status Issues

Despite a 2009 European Court of Human Rights (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 Krishna and Old Believers. Muslim groups in many urban areas, including in Moscow, encounter obstacles in obtaining permits to open mosques. In Kaliningrad, Muslims and Jews face official opposition to the construction or return of houses of worship.

In June 2014, the ECtHR found against Russia in two cases involving a Jehovah's Witness and a Pentecostal, ruling that lack of registration status should not result in banning a religious group. The ECtHR requested Russia to bring its religion law into line with international obligations and domestic case-law. As of late 2014, the Duma was considering religion law amendments which would end the 15-year registration waiting period, but problematically for the first time would also require registration of all small religious groups as well as large organizations.

Penalties for Public Religious Activities

In 2014, there were 23 known cases of fines for holding public religious activities without prior state permission, mostly against Jehovah's Witnesses and some Protestants, Forum 18 reported. In Sochi, a Protestant leader is appealing a fine for praying in a rented café; a Baptist preacher in Smolensk will appeal his fine for handing out religious texts in a public park, while a Baptist in Orel was fined for hymn singing in a public playground.

Violent Hate Crimes against Persons and Property

Chauvinist groups have stepped up violence against defenders of religious minorities and migrants, especially in Moscow and St. Petersburg. Moscow police have assisted some victims, but inconsistently and often ineffectively. Local officials often fail to investigate hate crimes against ethnic and religious minorities, mainly Muslim Central Asians and Jews. As of September 2014, fourteen have died and 77 been injured in hate crimes in 14 regions of Russia, according to the Russian NGO the SOVA Center for Information and Analysis; 31 received at least 13 sentences in 11 regions for racist violence. Moreover, 31 religious sites in 21 Russian regions had been vandalized as of September 2014, according to SOVA.

Violations in the North Caucasus

Human rights violators operate with almost total impunity in the North Caucasus. In Dagestan, its most violent region, alleged members of Salafi groups are banned, targeted and sentenced as suspected insurgents. Lawyers and religious rights activists are also the targets of violence in Dagestan. In one recent incident, defense lawyer and member of the "Memorial" Human Rights Center, Murad Magomedov, was brutally beaten in February 2015, the independent Russian news agency Caucasus Knot reported.

Chechnya's Kremlin-appointed president, Ramzan Kadyrov, oversees mass violations of human rights, including religious freedom. He and his militia practice collective "justice," distort Chechen Sufi traditions, and run a repressive state, including forcing women to wear Islamic headscarves. Kadyrov also is accused of murders, torture, and disappearances of critics and human rights activists in Russia and abroad. In January 2015, Kadyrov presided over a protest by some 800,000 Chechens against the *Charlie Hebdo* cartoons; he publicly accused Western powers of being behind these cartoons to assist ISIL's recruiting.

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 as due to the shared Orthodox "culture, civilization, and human values" of Russia and Ukraine. The MPROC claims some 35 million followers or almost 70 percent of all Orthodox Christians throughout Ukraine, mostly in its central, eastern and southern regions. Almost all of the 300,000 Muslim Crimean Tatars, however, oppose Russian occupation and have been subject to particular persecution. In June 2014, the Spiritual Administration of Muslims of Crimea (the Muftiate), called on the Russian-installed local government to investigate disappearances and other crimes and prosecute perpetrators. In June 2014, a Molotov cocktail was thrown at the Chukurcha Jami mosque in Simferopol; no one was arrested. Two weeks after he took part in a peaceful protest, the corpse of Crimean Tatar activist, Reshat Ametov, was found in March 2014; no one has been held responsible.

After its takeover, Russia required that all religious communities in Crimea that had been registered with the Ukrainian state (some 1,500 groups) must register under Russia's more stringent requirements by January 2015. This deadline was later extended to January 2016. Large groups that function throughout Crimea must register with the Russian federal government, while local groups must register with local Russian authorities in Crimea. A Jewish group in Yalta has registered under the new Russian rules, but 150 registration applications are still under consideration after initial rejection, Forum 18 reported. As of the end of the reporting period, only two centralized religious organizations (one Orthodox diocese and the Muftiate) and 12 local communities have been registered – about one percent of those that had Ukrainian registration. In March 2015, the Russian-installed vice prime minister of Crimea said that the 330 mosques in Crimea will be supervised by a single Muslim Spiritual Directorate. He claimed that this will prevent Muslim radical groups from trying to gain control of new mosques.

By late 2014, clergy without Russian citizenship were forced to leave Crimea, particularly Greek and Roman Catholics and Kiev Patriarchate Orthodox. Russia's Federal Migration Service is not extending residence permits for foreigners working for Crimean religious groups. Almost all Turkish Muslim imams and religious teachers were ordered to leave, ending a 20-year program. The Federal Migration Service in Crimea told Forum 18 that only registered religious groups can invite foreigners to work in the region.

Ukrainian Catholic priests who are not Crimea natives can work for only three months before they must leave for a month and re-apply. Five of ten Kiev Patriarchate priests were forced to leave Crimea. In June 2014, the leader of the Salvation Army in Crimea fled the region, as did Reform Rabbi Mikhail Kapustin of Simferopol in March 2014, after he denounced Russian actions and his synagogue was defaced. In April 2014, vandals defaced Sevastopol's monument to 4,200 Jews killed by Nazis. The Kiev Patriarchate's Crimea diocese, with about 200,000 members, has seen mob and arson attacks on its churches. The MPROC in Ukraine officially views other Orthodox churches, particularly the strongly pro-Ukraine Kiev Patriarchate, as "schismatic nationalist organizations."

Russian criminal and administrative codes now apply in Crimea. In October 2014, Crimea's Russian-installed acting Prime Minister Sergei Aksyonov issued a moratorium on raids, searches and literature confiscations until January 1, 2015. Previously, Russian-installed officials had raided many libraries, schools, Muslim homes, mosques and *madrassas*, and Jehovah's Witness Kingdom Halls, and issued fines for possession of Islamic and Jehovah's Witness texts, Forum 18 noted. During the moratorium, fewer raids and confiscation of religious texts were reported.

On October 15, 2014, acting Prime Minister Aksyonov presented a draft law "on freedom of conscience, religious associations as well as on prevention of religious extremism." The bill would limit missionary activity and restrict production of religious texts to registered religious groups. However, Crimea's Supreme Council rejected the draft law and its Culture Committee formed a working group to produce a new draft religion law by April 15, 2015.

Russia's Separatists in the Donbas

In those Donbas regions of eastern Ukraine controlled by Russian-backed separatists, Protestant and Kievan Patriarchate communities are the targets of violence, church damage, property confiscations, and discrimination. For example, eight Ukrainian Orthodox churches in the Luhansk region were damaged and in separate incidents, a Protestant orphanage was raided and a rehabilitation center

seized. A 4000-man pro-Russian armed group known as the Russian Orthodox Army (ROA) (once headed by a former Russian military intelligence officer) reportedly has been involved in such actions. In July 2014, the ROA reportedly held hostage for ten days Greek Catholic priest Father Tikhon Kulbaka. In May 2014, Russian-backed militants reportedly held captive for a day Roman Catholic priest Father Pawel Vitka. In June 2014, Russian militants reportedly tortured to death two Protestant pastors in Sloviansk. A Russian Orthodox philanthropist, Konstantin Malofeev, funds a Moscow-based charity that allegedly supports armed Donbas rebels. In July 2014, the Ukrainian government investigated Malofeev on these allegations; the United States and the European Union have sanctioned him.

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 decline in September 2011, when then-Prime Minister Putin announced he would again run for the presidency in March 2012. The day before Putin's March 2012 inauguration, tens of thousands took to the Moscow streets; over 1,000 protestors were detained after clashes between the Moscow police and protestors. 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. In April 2013, the White House made public the names of 18 Russians sanctioned under the Magnitsky Act for egregious human rights abuses, particularly Magnitsky's death. There is also an unpublished list of sanctioned officials, reportedly including Ramzan Kadyrov, as USCIRF had recommended. Since then the U.S. State Department has continued to add relevant Russian officials to the Magnitsky list for U.S. visa bans and asset freezes.

The Russian annexation of Crimea in March 2014 marked a new low in Russia's foreign relations, including with the United States. The United States suspended its role in the U.S.-Russia Bilateral Commission, but the White House invited Russian Federal Security Bureau director Aleksandr Bortnikov to a February 2014 summit on countering violent extremism.

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.

Recommendations

USCIRF recommends that the U.S. government should:

- Urge the Russian government to reform its extremism law to comply with international human rights standards, including by adding criteria related to 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 communities; 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 those individuals' assets, and bar their entry into the United States;
- Raise religious freedom concerns in multilateral settings, such as the 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 the release of religious prisoners and ensure that the U.S. Embassy maintains appropriate contacts with human rights activists; 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;
- Encourage the Board of Broadcasting Governors to increase U.S. funding for the Voice of America's Russian and Ukrainian Services as well as for RFE/RL's Russian and Ukrainian Services and consider translating into Russian the RFE/RL Uzbek Web site, Muslims and Democracy;
- Use funding allocated to the State Department under the Title VIII Program (established in the Soviet-Eastern European Research and Training Act of 1983) for research, including on human rights and religious freedom in former Soviet states, and language training; and
- Regarding Russia's illegal military occupation of Crimea and its support of rebels in the Donbas, ensure that violations of freedom of religion or belief and related human rights are part of multilateral or bilateral discussions with the Russian government, and continue to work closely with European and other allies to apply pressure through advocacy, diplomacy, and targeted sanctions.