

For Your Information

February 14, 2013 | By [Katrina Lantos Swett](#) and Catherine Cosman

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“Russia is now a police state.”

We heard those words from civil society activists in late September during our Moscow visit on behalf of the U.S. Commission on International Religious Freedom (USCIRF). The words captured their view of Russia today, especially given last year’s targeting of fundamental freedoms, largely in response to protests against Vladimir Putin’s return to Russia’s presidency.

Last June, Putin signed a law imposing draconian fees on participants of unauthorized gatherings that violate “public order.”

In July, laws were enacted which criminalized libel, particularly against government officials, tightened Internet control, and required foreign-funded nongovernmental groups (NGOs) involved in undefined political activity to register as “foreign agents.”

In November, Putin signed amendments expanding the definition of high treason.

How did Russia arrive at such a point?

Its religious freedom record provides part of the answer.

Special Status for Some

In 1997, Russia passed its [Law on Freedom of Conscience](#) or “religion law,” which defined three categories of religious communities, each with varying legal status and privileges. Despite constitutional guarantees of equal legal status for every religion, the law’s preface singled out Islam, Judaism, Buddhism, and particularly Orthodox Christianity as Russia’s four “traditional” faiths, implying special status for adherents.

While the preface lacks legal status, it set a biased tone for relations with numerous religious groups and denominations.

Registration Required but Denied

Indeed, Protestant representatives told us that Ministry of Justice officials either required that certain Protestant churches or new religious groups submit more detailed registration data than necessary to achieve legal status or refused to register them.

Officials can initiate court cases that may result in the banning of certain communities. While the Salvation Army was re-registered in Moscow in 2009, it had to litigate all the way to the European Court of Human Rights (ECtHR). Despite the ECtHR’s ruling that Russia’s 15-years’-existence rule violated the European Convention on Human Rights, the Church of Scientology, the Jehovah’s Witnesses, and the Armenian Catholics are still denied registration based on that statute. Parenthetically, the 15-year rule refers to the number of years a religious group must have existed in Russia in order to be eligible for registration.

Lack of registration has consequences. In September 2012, police presided over the destruction of the unregistered Holy Trinity Pentecostal Church near Moscow, which Pentecostals had reportedly been trying to register for more than 15 years.

Challenges for Islam and Impact of the Extremism Law

While Russia's religious communities that are not "traditional" faiths continue to suffer, practitioners within at least one of these faiths—Islam—are not immune from abuse.

When in the minority, Muslims face hurdles in gaining permits to open mosques. Moscow has two million Muslims, but only four mosques. In Sochi, the site for the 2014 Olympic Games, its 20,000 Muslims unsuccessfully have applied continuously for 15 years for a mosque permit.

In the North Caucasus, where Muslims are the majority, Chechnya's Kremlin-appointed president, Ramzan Kadyrov, condones or oversees mass human rights and religious freedom violations and has instituted a repressive state based on his own religious interpretations.

According to human rights groups, at least nine women have been killed for “immodest behavior,” with Kadyrov praising the murders, according to human rights sources.

Muslims have been particularly impacted by Russia’s Extremism Law, through which people are labeled, often unjustifiably, as security threats. That law defined extremism as “propaganda of the exclusivity, superiority, or inferiority of citizens according to their attitude towards religion.”

In contravention of international law, Russians who preach that their particular faith is superior to others could be prosecuted. Due to amendments in 2007, the Extremism Law no longer requires the threat or use of violence to trigger an extremism charge.

Once a higher court upholds a ruling that material is “extremist,” the material is banned, with violators facing penalties ranging from a fine to five years in prison. As of November 2012, more than 1500 titles have been banned as extremist.

When a court in 2007 banned Russian translations of 14 Koranic commentaries by Turkish theologian Said Nursi, security wasn’t the issue; it was Nursi’s assertion of Islam’s “exclusivity.”

Responding last June to an Orenburg court's earlier banning of 65 Muslim texts issued by "literally all Islamic publishers in Russia," the nation's largest-ever religious text ban, the Council of Muftis protested that this constituted the "revival of total ideological control ... [and is] unacceptable in a democratic society."

Non-Muslim Groups Targeted

While most banned religious material is Islamic, Russia also targets non-Muslim groups, including the pacifist Jehovah's Witnesses and Scientology.

In 2009, a city court in the Altai republic ruled 16 Jehovah's Witness publications extremist. In August 2011, a Tatarstan city court ruled 13 Scientology items extremist. As of April 2012, a St. Petersburg prosecutor has targeted a film by a Scientology-funded commission on psychiatric abuse. In May, seven Scientology materials were added to the Federal List of Extremist Materials.

For a year, relations with India were affected until a higher court overturned a ruling in Tomsk that had banned a Hare Krishna version of the Bhagavad Gita.

A Blasphemy Law?

What does Russia's future hold for religious freedom and related rights? It could include a blasphemy law. This spring, Russia's parliament may consider a new version of a 2012 bill levying fines or prison terms for "affronting" the ceremonies of Russia's "historical" religions.

However, in a [January 27 statement on International Holocaust Remembrance Day](#), the Kremlin suggested that amending existing laws might substitute for a blasphemy law.

The U.S. Response

How should the United States respond to Russia's record on religious freedom and related rights?

The activists with whom we spoke urged Congressional passage of the [Magnitsky bill](#) , and it became law on December 14. It bars Russian human rights abusers from the United States and freezes their U.S.-linked bank assets. It's time to make public the names of Russians subject to its sanctions. The U.S. also should implement [the Smith amendment](#) , which would bar funding to Russia because of its treatment of nonviolent religious minority groups and urge Russia to reform its extremism law so that it no longer applies to peaceful groups and individuals.

Before and after our visit, USCIRF publicly criticized Russia's abuses. Konstantin Dolgov, the Foreign Ministry's Special Human Rights Representative, attempted to defend the NGO law by telling us that it was modeled on the U.S. "foreign agents" law. In an official statement, Dolgov said that Moscow had received USCIRF's views with "consternation". Ramzan Kadyrov, whom we recommended placing on the Politically Exposed Persons list to freeze his bank assets, said USCIRF's criticisms rest on "a shallow study of the situation."

Such reactions confirm that Russia listens to criticism. Russia must know that in the struggle of freedom, the United States and the world community will speak out.

Please contact us at (202) 523-3258 or communications@uscirf.gov to interview a USCIRF Commissioner.