



## RUSSIA



Red Square, Moscow

### EXECUTIVE SUMMARY

Since Vladimir Putin became president of Russia in 2000, the Russian government has steadily retreated from democratic reform, endangering significant gains in human rights made since the end of the Soviet era, including in the areas of freedom of religion or belief. Developments indicating that progress toward democracy is being halted, if not reversed, include: curtailments of media freedom and of the independence of political parties; the placement of tighter restrictions on non-governmental organizations (NGOs), religious

communities, and other civil society groups; the harassment of human rights organizations; legal restrictions on freedom of assembly; constraints on the use of popular referenda; and President Putin's decision to end the direct popular election of regional governors. The deterioration in conditions for human rights over the past few years appears to be a direct consequence of the increasingly authoritarian stance of the Russian government, as well as the growing influence of chauvinistic groups in Russian society which seem to be tolerated by the government.

FALL 2006

THE U.S. COMMISSION  
ON INTERNATIONAL  
RELIGIOUS FREEDOM

was created by the Interna-  
tional Religious Freedom

Act of 1998 to monitor

the status of freedom

of thought, conscience,

and religion or belief

abroad, as defined in the

Universal Declaration of

Human Rights and related

international instruments,

and to give independent

policy recommendations to

the President, Secretary of

State, and Congress.

visit our web site at  
[www.uscirf.gov](http://www.uscirf.gov)

RUSSIA

*Political authoritarianism—combined with rising nationalism and a sometimes arbitrary official response to domestic security concerns—is jeopardizing the human rights of Russia’s citizens, including members of the country’s religious and ethnic minorities.*

The past year has signaled a further retreat from democracy in Russia. In January 2006, a restrictive new law was approved on NGOs that also affects the rights of religious communities. The new law enables the Ministry of Justice’s Federal Registration Service (FRS) to interfere with the activities of NGOs and deny the registration of groups that do not meet certain requirements, including minor or trivial ones. Members of minority religious communities may face new difficulties under military reform legislation that ends military deferments for students in religious institutions. And, despite considerable domestic and international opposition, in July 2006 President Putin signed an amended version of the 2002 law on counter-extremism. Citizens can now be charged with extremism if they are alleged, within the context of extremism, to have committed public slander of government officials, although

these charges must be proven in court. Moreover, those who are alleged to have defended, or even expressed sympathy with, individuals charged with extremism are themselves liable to charges of extremism. As this report went to press, the Russian State Duma was considering two draft laws of potential relevance to the country’s various religious communities: new regulations on religious outreach and a further expansion of charges under the extremism law as it relates to the media.<sup>1</sup>

Since its inception in 1999, the U.S. Commission on International Religious Freedom has reported on the situation in Russia. A delegation of the Commission traveled to Russia in June 2006, visiting Moscow, St. Petersburg, and Kazan, the capital of the Republic of Tatarstan. The Commission met with Russian government officials from the National Security Council, the Presidential Administration, the Ministry of

Foreign Affairs, the FRS, and the Presidential Council on Religious Affairs, as well as with the President of the Republic of Tatarstan and other regional and local officials and legislators. The delegation also met with representatives from a wide range of Russia’s religious communities, as well as academics, legal advocates, and representatives of human rights organizations.

The Commission finds that political authoritarianism—combined with rising nationalism and a sometimes arbitrary official response to domestic security concerns—is jeopardizing the human rights of Russia’s citizens, including members of the country’s religious and ethnic minorities. Russian citizens have considerable personal freedom and some, though increasingly limited, opportunities for public political debate. In many areas of civil life, however, including freedom for religious worship and practice, it is increasingly a particular group’s or community’s relationship to the state—rather than the rule of law—that defines the parameters on freedom to engage in public activities.

## COMMISSIONERS

**FELICE D. GAER**  
**Chair**

Director, Jacob Blaustein Institute for the Advancement of Human Rights, The American Jewish Committee

**MICHAEL CROMARTIE**  
**Vice Chair**

Vice President, Ethics And Public Policy Center

**ELIZABETH H. PRODRMOU**  
**Vice Chair**

Associate Director of the Institute on Culture, Religion, and World Affairs and Assistant Professor of International Relations, Boston University

**NINA SHEA**  
**Vice Chair**

Director of the Center for Religious Freedom, Freedom House

**PREETA D. BANSAL**  
**Commissioner**

Partner, Skadden, Arps, Slate, Meagher & Flom

**ARCHBISHOP CHARLES J. CHAPUT**  
**Commissioner**

Archbishop of Denver

**KHALED ABU EL FADL**  
**Commissioner**

Professor of Law At UCLA

**RICHARD D. LAND**  
**Commissioner**

President and CEO of the Ethics and Religious Liberty Commission of the Southern Baptist Convention

**BISHOP RICARDO RAMIREZ**  
**Commissioner**

Bishop of the Diocese of Las Cruces, New Mexico

**JOHN V. HANFORD III**  
**Ex-Officio**

Non-voting Commissioner Ambassador-at-large for International Religious Freedom, U.S. Department of State

**JOSEPH R. CRAPA**  
**Executive Director**

## KEY CONCERNS

As a result of its visit to Russia and its ongoing monitoring of religious freedom and other human rights conditions in that country, the Commission has identified five major areas of concern:

- The rise in xenophobia and ethnic and religious intolerance, resulting in an increased number of violent attacks and other hate crimes, and the government's failure to address this serious problem adequately.
- The Russian government's challenge to international human rights institutions and its persistent claims that foreign funding of Russian human rights organizations constitutes illegitimate interference in Russia's internal affairs.
- Official actions related to countering terrorism that result in harassment of individual Muslims and Muslim communities.
- New amendments to the law on non-commercial organizations (i.e. NGOs, which include religious organizations) which may be used to restrict severely their ability to function.
- Continuing restrictions by Russian authorities on the exercise of freedom of religion or belief, particularly at the regional and local levels.

The Commission concludes that the U.S. government can and should do more to urge the Russian government to take steps to deal effectively with each of these growing problems.

### The Inadequate Response to Increasing Xenophobia, Intolerance, and Hate Crimes

Virtually all of the Commission delegation's interlocutors in Russia expressed concern about rising xenophobia, intolerance, and hate crimes in Russian society. Current Russian law has several provisions that address crimes motivated by ethnic or religious hatred.<sup>2</sup> Unfortunately, Russia's law enforcement agencies and judicial system have a history of infrequent, inconsistent, and even arbitrary and inappropriate application of these provisions.

Many groups in Russia monitoring hate crimes have concluded that xenophobic attacks have become more violent, as in the early 2006 killings of African students and Tajik migrants in St. Petersburg and the knife attack that injured nine Jewish worshippers

in a Moscow synagogue. While there are no official statistics available, the SOVA Center, a leading Russian monitor of hate crimes, documented 31 racist murders and hate-based attacks on 413 individuals in 2005, although the Center estimated that the real number of violent attacks is far higher. In the first half of 2006, the SOVA Center documented a three-fold increase in racist murders compared to the same time period the previous year, with 19 killed and 166 injured by groups or individuals, commonly referred to as "skinheads," espousing intolerant ideologies. Among the incidents in 2006 was the attempted killing of a 9-year-old Russian girl of African heritage, as well as the murders in St. Petersburg of a Senegalese student and a young Armenian boy.

Persons who have investigated or been publicly critical of hate crimes in Russia have themselves been subject to violent attacks. Nikolai Girenko, a St. Petersburg expert on xenophobia who often testified in trials concerning hate crimes, was gunned down in June 2004. Local police claimed in May—two years after the murder and shortly before the meeting of the G-8 countries in July 2006—to have found the five men guilty of the killing, but some who are familiar with the case have questioned whether these are the real perpetrators. In addition, several judges who have ruled against skinheads have received death threats. As this report went to print in October, prominent Russian journalist Anna Politkovskaya, who reported extensively on the situation in Chechnya, was





Nikolay Spasskiy, Deputy Secretary of the Russian National Security Council (right, in center), in a meeting with the Commission delegation

murdered in Moscow in a crime that prosecutors have reportedly linked to her work.

Indeed, during 2006, the incidents of violent hate crimes have increased not only in number, but also in scope. Frequently, migrants are the victims of xenophobic attacks in Russia. According to a May 18, 2006 report to the UN Secretary General, Russia today has a population of 12 million migrants, of which only 10 percent are thought to have legal status in that country. The majority of these migrants are Muslims from Central Asia and Azerbaijan. Nikolay Spasskiy, Deputy Secretary of the Russian Security Council, told the Commission that there are some 10 million illegal migrants in Russia.

Noting the growing ethnic tensions in Russia resulting from the influx of migrants into the country, Itar-Tass news agency reported in September 2006 that a recent national poll showed that although 45 percent of Russians favor teaching ethnic tolerance at schools and through the mass media, “[a]lmost

all” of those polled expressed a “negative assessment” of the social impact of migrants. In August 2006, four young skinheads were arrested after they bombed a Moscow market, resulting in 11 fatalities and 45 injuries. They told the police that they had bombed the market because “too many people from Asia” worked there.<sup>3</sup> According to the Moscow police chief, the four are also responsible for eight additional bombings in Moscow and the Moscow region.

Most officials, NGO representatives, and other individuals with whom the delegation met agreed that these attacks were motivated largely by ethnic intolerance, although religious and ethnic identities often overlap. Nevertheless, attacks have occurred against members of Muslim, Jewish, Protestant, and other religious communities that are explicitly motivated by religious factors. Leaders from these three communities expressed concern to the Commission about the growth of chauvinism in Russia. They also were apprehensive that Russian government

officials provided tacit or active support to a view held by many ethnic Russians that their country should be reserved for them and that Russian Orthodoxy is the country’s so-called “true religion.” Many official and other interlocutors linked this view to a perception that Russian identity is currently threatened due to a demographic crisis stemming from a declining birthrate and high mortality rate among the ethnic Russian portion of the country’s population.

Unlike in the Soviet period, the state no longer acts as the official sponsor of anti-Semitism. Yet, anti-Semitic literature that includes accusations that Jews engage in the ritual murder of Christian children is sold in the Russian State Duma building. The Russian Procuracy has not responded to complaints that such literature violates Russian laws against incitement of ethnic and religious hostility. In January 2005, 20 members of the Russian State Duma called on the Procurator General to ban all Jewish organizations in Russia, alleging that ancient Jewish texts teach incitement of religious and ethnic hatred. Though the letter was later officially withdrawn, none of the signatories has expressed regret for the views expressed in the letter. In April 2005, a similar letter was signed by 5,000 people, including many public figures and Russian Orthodox Church officials. Although the Russian Foreign Ministry condemned both letters, the Moscow Procuracy did not follow through on its investigation of the instigators of these letters and no charges were brought against any of the signatories.

Russian officials have an incon-



sistent—and often inadequate—record in responding to anti-Semitic incidents. Nevertheless, there are some reported cases when hate crimes legislation has been used. In 2006, a group of extremists who tried to kill Jews in the Siberian city of Tomsk were convicted of attempted murder and terrorism (they had injured a policeman by booby-trapping an anti-Semitic sign with an explosive). Prosecutors in the central Russian city of Vologda are investigating the distribution of anti-Semitic leaflets and plan to charge any suspect they discover with inciting ethnic hatred, the SOVA Center reported. In June 2006, the Russian Supreme Court ordered a review of the 13-year sentence handed down against a young man who wounded nine worshippers during a January 2006 knife attack in a Moscow synagogue. Investigators found anti-Semitic literature and ammunition in the attacker's apartment, but the lower court had not found the defendant guilty of incitement of ethnic or religious hatred (under Article 282 of the Russian Criminal Code). In the March 2006 trial, doctors diagnosed the defendant as suffering from schizophrenia; the attacker pled not guilty and cited anti-Semitic theories in his defense. Finally, in September, a Moscow court sentenced the young man to 16 years in prison for attempted murder and inciting racial hatred under Article 282.

Russian laws are applied inconsistently and all too frequently fail to address that the problem stems from intolerance or hate. The Commission delegation met with Russian government officials who gave varying responses to the growing problem of hate crimes. Officials from the Leningrad Oblast, or

region, declined even to meet with the Commission because, in their words, there was no government official responsible for monitoring or prosecuting xenophobia and hate crimes since “their region did not have these problems.” Like many other Russian officials, local officials in Tatarstan and St. Petersburg labeled crimes targeting ethnic or religious communities simply as “hooli-

---

*Many groups  
in Russia monitoring  
hate crimes have  
concluded that  
xenophobic attacks have  
become more violent.*

---

ganism,” claiming that such crimes are motivated solely by economic hardships. In a similar vein, Nikolai Spasskiy told the Commission that hate crimes were “rooted in socio-economic misery that is shared by the attackers and victims.” Officials often noted that ethnic and migrant communities themselves were linked to criminal activities, or stated that they were “outsiders,” by which officials meant migrants from Central Asia or the Caucasus.

Despite assurances from Spasskiy and Deputy Foreign Minister Aleksandr Yakovenko that the national government had sent strong messages to local prosecutors and law enforcement agencies to investigate and punish hate crimes, St. Petersburg officials told the Commission that no specific unit had been set up in

that city to handle such crimes, nor were there any special guidelines or training for police or prosecutors. In Kazan, the tomb of the former head of the Jewish community and the city's only synagogue had been defaced by swastikas. Yet, Tatarstan law enforcement officials insisted to the Commission that these acts constituted “hooliganism” and that the republic had no problems relating to xenophobia or nationalism. Tatarstan's Human Rights Ombudsman, Rinat Vagizov, initially reiterated this claim, but after his assertion was repeatedly challenged by the Commission delegation, he acknowledged that “in his personal opinion,” the cemetery attack did bear the hallmarks of a hate crime.

Tatarstan President Mintimer Shaimiev repeatedly has spoken out against expressions of ethnic intolerance, including among leaders of political parties. The Commission delegation met other Russian officials, particularly local legislators in St. Petersburg and Moscow, who acknowledged a more explicit connection between ethnic and religious hatred and a rise in Russian nationalism.



Russian Deputy Foreign Minister Aleksandr Yakovenko with Commissioner Michael Cromartie



Chief Rabbi of Russia Adolf Shayevich (center), with Commissioners Felice D. Gaer, Michael Cromartie, Richard Land, and Elizabeth H. Prodromou, at Moscow Choral Synagogue

In addition to programs to improve the living standard of Russians and to bring social services to migrants to integrate them into the larger community, these officials proposed enhanced law enforcement methods as well as special training and other programs to address ethnic and religious hatred and promote tolerance. Rather than institute any new legislation dealing specifically with hate crimes, these officials believe that one important step would be for law enforcement officials and courts to prosecute and convict perpetrators of hate crimes under current Russian Criminal Code provisions for such acts. In July 2006, the St. Petersburg

City Duma called on federal authorities to introduce enhanced penalties for murder and other crimes under current articles in the Russian Criminal Code in cases of proven motivations of ethnic, racial, or religious hatred, the newspaper *Nezavisimaya gazeta* reported. The Russian newspaper *Trud* reported that the Moscow city Duma would consider a bill in the autumn of 2006 that envisions the creation of a local commission to address ethnic discrimination.

Several of the Commission's non-governmental interlocutors noted that President Putin and senior members of his administration had not spoken

out strongly enough in support of the multi-ethnic and multi-confessional nature of the Russian state and society.<sup>4</sup> Some Western and other observers have suggested that Russian authorities have manipulated xenophobia for political purposes. The Kremlin is believed, for example, to have supported the formation of the ultra-nationalist "Rodina" political party—and then to have been unprepared for its popularity—as well as the politically active nationalist youth movement "Nashi." President Putin has on occasion affirmed the value of pluralism, for instance at the meeting of the G-8 countries in July 2006, and has also decried anti-Semitism and hate crimes. Nevertheless, in the Commission's view, more can and should be done to ensure that Russian law enforcement agencies recognize hate crimes for what they are—human rights abuses—and to prevent and punish such crimes, including those involving ethnicity and religion. While vigorously promoting freedom of expression, Russian public officials and leaders of religious communities should take steps to discourage rhetoric that promotes xenophobia or intolerance, including religious intolerance.

### Attempts to Challenge International Human Rights Institutions and Undermine Domestic Human Rights Advocacy

Growing suspicion of foreign influence in Russia has been exacerbated by the repeated assertions by President Putin and other Russian government officials that foreign funding of NGOs constitutes "meddling" in Russia's internal affairs. The

official branding of Russian human rights organizations as "foreign" has increased the vulnerability of Russia's human rights advocates and those they defend. Moreover, although Russia has ratified international human rights treaties and agreements including the Helsinki Accords, government officials and other influential Russian figures have challenged international human rights institutions, as well as

the validity of human rights advocacy in Russia, charging that both are being used for political purposes. Furthermore, they have complained of "double standards," "selectivity," and "politicization" when there is an inquiry into Russia's human rights practices. In the Organization for Security and Cooperation in Europe (OSCE), for example, the Russian government has led efforts critical of the

organization's human rights and election monitoring efforts in Russia and neighboring countries.

The Commission heard these and similar views about human rights and the foreign funding of Russian NGOs expressed not only by Russian government officials, but also by Metropolitan Kirill, the Metropolitan of Smolensk and Kaliningrad, and External Affairs spokesman of the Moscow Patriarchate of the Russian Orthodox Church. This is a particular cause for concern, given the increasingly prominent role provided to the Russian Orthodox Church in Russian state and public affairs.

In April 2006, Metropolitan Kirill delivered a statement on "Human Rights and Moral Responsibility" to the World Council of the Russian People. In that document, he stated that Russia reserves the right to deviate from UN human rights norms to correct the "harmful emphasis" on "heightened individualism" which has infiltrated Russian society via "opposition groups" working through Russian civil society organizations. According to Kirill, such groups advance the

political agendas of those foreigners who fund their activities, while the average Russian views the rights that these groups advocate as intrusive and alien. To address this situation, the Moscow Patriarchate has proposed a "unifying strategy" for Russian civil society to define a "pure," non-politicized human rights struggle.

In June, during his meeting with the Commission delegation, Metropolitan Kirill affirmed the norms in the Universal Declaration of Human Rights. At the same time, however, Kirill expressed three main concerns about international human rights norms and their application in Russia: human rights may be used "to offend or desecrate holy things;" human rights may "defame people" or be used as "an excuse for certain unacceptable acts;" and laws created under the guise of promoting human rights may be used "to destroy morality" and related values. In Kirill's view, human rights must be connected to ethical and moral "values" rather than what he claims are simply "political agendas."



Metropolitan Kirill, Metropolitan of Smolensk and Kaliningrad and External Affairs spokesman of the Moscow Patriarchate of the Russian Orthodox Church, meeting with the Commission delegation

## *The Commission has received increasing reports of unwarranted official government detention and prosecution of Muslims in Russia.*

### Increasing Official Harassment of Muslims

As is the case in many other countries, the Russian government faces major challenges as it addresses the problems of religious extremism and acts of terrorism that claim a religious linkage, while also protecting freedom of religion or belief and other human rights. The rapid post-Soviet revival of Islamic worship and religious education, along with the ongoing war in Chechnya and growing instability in the North Caucasus, compound difficulties for the Russian government in dealing with its 20 million-strong Muslim population, the country's second largest religious community.

Security threats from domestic terrorism, particularly those related to the conflict in Chechnya, are genuine. According to Deputy Secretary Spasskiy, the security threat emanating from the North Caucasus is driven by a religion hijacked by political extremism. The region faces chronic instability due to a variety of factors: severe economic dislocation, especially among young men; the continuing conflict in Chechnya; some radical foreign influences on indigenous Muslims; and other local grievances. All these factors have combined to fuel volatile, and increasingly violent, expressions among Muslims of popular dissatisfaction.





Mufti Gusman Khazrat Iskhakov, head of the Council of Spiritual Affairs for Muslims of the Republic of Tatarstan (front row, second from left), with Commission delegation

tion with the Russian government.

In response to these security concerns, many Russian officials, including Deputy Foreign Minister Yakovenko, identified to the Commission the need for calibrated government policies that enhance security without human rights abuses or unwarranted government control of Islamic religious practice. Deputy Secretary Spasskiy told the Commission that he deplored discrimination against members of Muslim communities by police in their “daily routine.” Human rights groups and others, however, expressed concern to the Commission that the methods used by the Russian government to address security threats could increase instability and exacerbate radicalism among Russia’s Muslim community.

The Commission has received increasing reports of unwarranted official government detention and prosecution of Muslims in Russia. During its visit to Russia, the Commission met with a number of NGOs and human rights activists who are monitoring human rights abuses against Muslim individuals and communities. They provided evidence

of numerous cases of Muslims being prosecuted for extremism or terrorism despite no apparent relation to such activities. These included dozens of cases of individuals detained for possessing religious literature, such as the Koran, or on the basis of evidence—including banned literature, drugs, or explosives—allegedly planted by the police. The Commission was informed of at least 200 cases of Muslims imprisoned on what reportedly are fabricated criminal charges of possession of weapons and drugs. The Russian human rights group Memorial reports that men with long beards, women wearing head scarves, and those Muslims perceived as “overly devout” are viewed with suspicion. Such individuals may be arrested on vague official accusations of alleged Islamic extremism or for displaying Islamist sympathies.

In one case, a prominent Islamic activist who worked for religious reconciliation in the North Caucasus city of Nalchik “disappeared” in November 2005, shortly after being interrogated by Russian security services. Persons suspected

by local police of involvement in alleged Islamic extremism have reportedly been subjected to torture and ill-treatment in pre-trial detention, prisons, and labor camps.

Muslim leaders have also been targeted by Russian officials. For example, a leading Muslim activist in the southern region of Astrakhan has been charged with incitement to religious hatred by the regional authorities, although his lawyer from the Slavic Legal Center insisted that the charges are “very crudely falsified.”<sup>5</sup> Well-known Russian human rights activists have signed an open letter supporting the Astrakhan Muslim leader. In another incident, after a court in the North Caucasus republic of Adygei rejected a case brought against a local imam for “incitement of hatred or hostility by insulting human dignity” under Article 282.1 of the Russian Criminal Code in March 2006, officials brought administrative suit against the imam the following September—for the “illegal sale of spoiled butter.”

There are also concerns that certain government actions to counter extremism will have a chilling effect on freedom of expression in Russia. For example, Sheikh Nafigulla Ashirov, the Chairman of the Spiritual Directorate for the Muslims of the Asian part of Russia, told the Commission that Russian officials had warned him that he could be charged with extremism for publishing a court-requested expert analysis of texts from the radical Muslim group Hizb ut-Tahrir. As a result of Ashirov’s conclusion that the documents of the organization’s Russian branch did not advocate violence, he claims that several defendants received lighter sentences from the courts.



The Memorial human rights organization, which requested and then posted Ashirov's analysis on its Web site, was also informed that it could be charged with extremism.

According to human rights groups, a 2003 Russian Supreme Court decision to ban 15 Muslim groups for their alleged ties to international terrorism has made it much easier for officials to detain arbitrarily individuals on extremism charges for alleged connections to these groups. The evidence on which the Court reached this decision was not made public for over three years, yet police, prosecutors, and courts reportedly have used the decision to arrest and imprison hundreds of individuals from Russia's Muslim community. Indeed, it was not until July 2006 that the official Russian newspaper *Rossiiskaya gazeta* published a list of terrorist-designated organizations drawn up by the Federal Security Service (FSB).<sup>6</sup>

The Commission delegation also received reports that Russian government officials have closed a number of mosques. While some mosque closures may have been necessitated by security concerns, in other cases officials seem to have acted in an arbitrary fashion. For example, the previous president of the Kabardino-Balkaria republic in the North Caucasus ordered the closure of six of the city's seven mosques in Nalchik, the regional capital. This decision, along with allegations by Russian analysts that local police had tortured young men suspected of Islamist sympathies, are seen as having been major contributing factors to the October 2005 violence in Nalchik, which resulted in the deaths

of over 100 persons.<sup>7</sup> The new president of the Kabardino-Balkaria republic said in September 2006 that he plans to re-open two of the mosques in Nalchik. In August 2006, the Russian Supreme Court upheld a lower court decision ordering that the local Muslim community pay for the demolition of its new mosque in the city of Astrakhan on the Caspian Sea. Allegedly, the city's Muslim community had not received all the required building permits, although the construction of this mosque had been partly funded by the previous regional and city governments. Officials of the European Court for Human Rights arrived in Russia in September 2006 as the first step in that body's consideration of an appeal by Astrakhan's Islamic community in the mosque demolition case.

The Commission delegation's visit to Kazan, the capital of Tatarstan, provided further perspectives on Russian government policies and practices concerning the country's Muslim population. Tatarstan is a Muslim-majority republic with a sizeable Russian Orthodox Christian minority. The republic reportedly enjoys relatively good relations between the Muslim and Christian communities—a balance that Tatarstan government officials appear anxious to maintain. Officials also noted local government support for preserving Tatarstan's traditionally moderate form of Islam. A potential complication, however, arises from the fact that nearly one-third of the imams in the republic's 1,100 mosques reportedly were trained in Saudi Arabia and other countries in the Middle East. The promotion of moder-



President of the Republic of Tatarstan Mintimer Shaimiev with Commissioner Michael Cromartie

ate Islam may also prove difficult due to the Tatarstan government's own actions. According to the human rights group Memorial, Tatarstan officials sometimes threaten or imprison those Muslims who refuse to testify in court against their co-religionists or who provide humanitarian assistance to Muslim prisoners or their families.

Tatarstan President Shaimiev and other regional officials supported the training of imams through the government-funded Russian Islamic University in Kazan. However, according to



Rafik Mukhametshin, deputy head of the Islamic Studies Department at the Tatarstan Academy of Sciences, the University's approach to religious education was so secular that local Muslim leaders viewed it as insufficient to train imams. Although local officials report no danger from extremism, they did confirm that there had been several investigations into extremist activity. Furthermore, Tatarstan officials did admit that in at least one case, individuals had been arrested when police erroneously identified the Koran as extremist material. In another case, charges were brought against an individual for distributing allegedly extremist material in Tatarstan: a textbook on the Arabic language printed in Moscow. In September 2006, a Moscow court took up a case on whether the writings of Said Nursi, a Turkish pacifist Islamic theologian with 6 million adherents in Turkey, should be declared extremist. The Tatarstan procurator had initiated a case against the private Tatarstan-based Nuri-Badi Foundation that has published Nursi's works. The Russian Council of Muftis, asked by the court to conduct an expert analysis of Nursi's writings, concluded that Nursi's writings were not extremist. Indeed, the extensive analysis, published by the Web site "portal-credo.ru" and signed by Mufti Ravil Gainutdin, concluded that in this case the analytical methods of the Tatarstan procuracy had been "anti-religious" as well as prejudicial toward Islam.

### A Restrictive New NGO Law That Also Applies to Religious Organizations

The Commission is concerned that a law passed earlier this year that restricts the activities of non-commercial organizations (i.e. NGOs) will have a negative effect on religious groups. Although Aleksandr Kudryavtsev, Director of the Presidential Administration Liaison with Religious Organizations, told the Commission delegation that the new law would have little impact on religious organizations, Sergei Movchan, the director of the Federal Registration Service (FRS), confirmed that some of the law's most intrusive provisions apply to religious organizations, to charitable and educational entities set up by religious organizations, as well as to groups defending human rights.

The FRS, established as a department in the Ministry of Justice in late 2004, is charged with enforcement of the NGO law, as well as the registration of all political parties and real property in Russia. FRS officials told the Commission delegation that among its staff of 30,000, the FRS currently has 2,000 employees nationwide who are tasked with the oversight of NGOs, including religious organizations. FRS officials also said that over the next two years, it plans to hire an additional 12,000 employees. FRS officials claimed there are some 100,000 active NGOs in Russia, rather than the figure of 500,000 often cited by other Russian government officials and in the media. Since the new NGO law took effect in April 2006, the FRS reports that it has received 6,000 requests for registration, of which 600 applications were refused, mainly, the agency claims, on technical grounds.

Under the new law, FRS officials can order an examination of an organization's documents, including financial information, as well as attend its events, without the group's consent or a court order. If violations are found, the FRS can call for court proceedings against the group, possibly resulting in the group's eventual liquidation. FRS officials told the Commission that the FRS regulations on the use of these powers had not yet been finalized, but that officials would be able to use this new authority if they believed that an organization was acting contrary to its charter—something that has apparently already occurred. According to a June 2006 Interfax report, the FRS branch in Novosibirsk recently found that a registered local Pentecostal church violated



Arseny Roginsky, chairman of the human rights organization Memorial (standing), with Memorial staff and Commission delegation



Aleksandr Kudryavtsev, Director of the Presidential Administration Liaison with Religious Organizations, meeting with the Commission delegation (second from right)



Members of the Inter-Religious Council of Russia meeting with the Commission delegation

its charter when it conducted religious activities in military units. If the church does not change its charter accordingly, it will face court proceedings that could lead to its liquidation.

Moreover, the FRS has almost complete discretion to cancel programs and ban financial transactions by Russian branches of foreign organizations. Although the law provides only the vaguest guidance regarding the circumstances under which officials could take these actions, FRS officials confirmed to the delegation that no further regulations were being considered. Instead, they plan to wait until FRS actions are challenged in court to undertake any refinements in guidelines regarding the scope of these powers.

The new law also establishes extensive and onerous reporting requirements. NGOs are required to submit detailed annual reports regarding all of their activities, the composition of their governing bodies, as well as documentation of spending and the use of other property, including assets acquired from foreign sources. Some representatives

with whom the Commission delegation met expressed concern about the administrative and financial burdens of these requirements, especially for small religious organizations. FRS officials said that they are aware of this concern and claimed that some steps were being taken to inform organizations about the reporting and other requirements of the law. FRS Director Movchan claimed that this aspect of the new law will not be strictly applied, at least initially. He also offered to work with the U.S. Embassy in Moscow to hold public seminars on compliance with the law.

Given the unfettered discretion granted to FRS officials under the new law, its actual impact will be measured by its practical implementation. Security Council Deputy Secretary Spasskiy told the Commission delegation that although he viewed the law as a “fine piece of art,” he also acknowledged that the law’s implementation could be problematic, stating that “a delicate balancing act” was needed to regulate NGOs properly while respecting concerns about unwarranted government intru-

sion and restriction. Spasskiy also said that implementation of the law would be monitored by the Public Chamber, a new body consisting of civil society figures appointed by the Russian government with no formal oversight authority or accountability to the courts or the Duma. The Russian Ministry of Foreign Affairs, along with several government officials, such as Spasskiy, Yakovenko, and Kudryavtsev, insisted that the new law was in line with those found in European and other Western countries. This assertion, however, is questioned by legal experts in the United States and at the Council of Europe and by the Commission. Spasskiy and Yakovenko informed the Commission delegation that Russia remained open to U.S. concerns regarding implementation of the law.

FRS officials told the Commission that one of the problems the law was designed to address was that foreign funding had reached Russian political parties via NGOs or had otherwise influenced the political process. In Kazan, the Tatarstan Human Rights Ombudsman



Commissioners Richard Land (left) and Michael Cromartie (right) with Sergei Movchan, Director of Russia’s Federal Registration Service (center)



*Many of the problems faced by minority religious communities in Russia stem from the notion set forth in the preface to the 1997 law that only four religions—Russian Orthodoxy, Islam, Judaism, and Buddhism—have “traditional” status in that country.*

told the Commission delegation that one of the key purposes of the new legislation was to prevent NGOs and other non-commercial organizations from engaging in political activities, especially those entities that receive funding from foreign sources. Yet, this purpose is not directly stated in the NGO law. Russia’s human rights organizations are particularly vulnerable to this implicit prohibition, which is subject to arbitrary interpretation. These provisions of the NGO law on foreign funding are part of the broader effort by Russian officials, described above, to link human rights groups to “foreign interference,” and thus to discredit—and perhaps ultimately halt—their activities.

### Continuing Restrictions on Religious Freedom at the Regional and Local Levels

Unlike under the Soviet regime, people in Russia today are generally able to profess and practice the religion of their choice. Nevertheless, minority religious groups continue to face some restrictions on religious activities, especially at the regional and local levels, stemming from a variety of factors, including Russia’s weak judicial system, inconsistent adherence to the rule of law, and local officials’ some-

times arbitrary interpretations regarding the status of the so-called “traditional” religions. These problems include denials of registration (status of legal person) requests; refusals to allot land to build places of worship; restrictions on rental space for religious activities and lengthy delays in the return of religious property; and attacks in the state-controlled media that incite intolerance. Aleksandr Kudryavtsev, Director of the Presidential Administration Liaison with Religious Organizations, confirmed to the Commission delegation that Russian government officials continue to violate the rights of persons belonging to religious communities at the regional and local levels.

In 2005, the Russian Federation’s Office of the Human Rights Ombudsman (RFHRO) issued an annual report detailing human rights violations and complaints among Russia’s citizens. A representative of that agency told the Commission that his office receives between 200 and 250 religious freedom complaints every year, representing thousands of alleged individual violations, and that its investigations reveal that about 75 percent of these cases represent genuine violations of religious freedom guarantees under Russian law. According to the RFHRO report, the restrictions and

limitations that produce these problems are due to subjective factors, including the notion that Russian officials should accord different treatment to the four so-called “traditional” religions, compared to that accorded the many alleged “non-traditional” religious communities in Russia. Another factor is the alleged preferential treatment given to the Russian Orthodox Church, and the documented influence of Russian Orthodox priests on local and regional government officials.

### Official Barriers to Legal Status and Practice; Societal Intolerance

Since the passage of a law in 1997 “On Freedom of Conscience and on Religious Communities,” the Russian government has registered thousands of religious congregations. Yet registration remains a complex issue for many of Russia’s religious groups. Some groups, including some Russian Orthodox communities, believe they can satisfy the requirements of their religious life without undergoing the increasingly complex and time-consuming registration procedure. Others, such as the “initiative” Baptists, refuse to register because they view this process as a violation of their right to freedom of conscience. As many as half of Russia’s Muslim communities reportedly are not registered for various reasons.

Although the number of registered religious communities has increased, there has been a steady rise in groups experiencing chronic difficulties in obtaining legal status through registration. According to the RFHRO report, religious groups experiencing such difficulties include various Orthodox churches which do not recognize the Moscow Patriarchate, Jehovah’s Witnesses, the Hare Krishna Society, Pentecostal churches, and the





Archbishop Tadeusz Kondrusiewicz of the Roman Catholic Church with Commissioner Richard Land

Church of the Latter-day Saints. Representatives of a number of these groups confirmed their registration difficulties to the Commission delegation. The March 2004 Moscow court decision banning the Jehovah's Witnesses in the city of Moscow, upheld on appeal, marked the first time that a national religious organization in Russia had a local branch banned under the 1997 law.

Religious groups that have taken their cases to court to overturn registration denials have often been successful, but some administrative authorities have been unwilling to implement court decisions. For example, the Salvation Army has not been re-registered in the city of Moscow, despite a Russian Constitutional Court ruling in their favor. Russian authorities have also denied registration to certain religious communities because they allegedly have not been in existence for a sufficiently long period, despite a 2002 Russian Constitutional Court decision that an active religious organization registered before

the 1997 law could not be deprived of legal status for failure to re-register. The problem is particularly acute at the local level, since local officials sometimes either refuse outright to register groups or create prohibitive obstacles to registration. The European Court of Human Rights is currently considering appeals from religious communities refused registration by the cities of Moscow, Nizhnekamsk in Tatarstan, and others.

The 1997 religion law gives a minimum of 10 citizens the right to form a religious association, which, in turn, provides them the legal right for a house of worship. Yet, despite this legal guarantee, building or renting worship space remains a problem for a number of religious groups. For example, local authorities in Kaliningrad, Sochi, and St. Petersburg have not responded to longstanding requests from Muslim communities to be given permission to build mosques. Roman Catholics, Protestants, Old Believers, Molokans, and other alternative Orthodox communities have also reported difficulties in obtaining permission to build houses of worship. In November 2005, Moscow authorities overturned their decision to allot land for the building of a Hare Krishna temple and the case was lost on appeal. After the case received publicity in India, Moscow authorities indicated in 2006 that they would reconsider the case. The RFHRO report also cites several cases where local officials have used opinion surveys—which, according to the RFHRO, are sometimes falsified—of neighborhood residents to deny requests from minority religious communities for permission to build places of worship. For example, in July 2006, after local veterans' groups

protested, Orenburg city officials ordered that a mosque be built in another location in the city, the SOVA Center reported.

Muslim and Protestant leaders and non-governmental sources, including the SOVA Center, describe articles in the Russian media that frequently were hostile to Muslims or that spread falsehoods about Protestants. The SOVA Center has noted several specific examples. Despite complaints from the Muslim community in the Siberian city of Tyumen, the local TV station showed footage of their mosque during a story about the radical Muslim group Hizb-ut-Tahrir. In April 2006, in the Buddhist-majority republic of Kalmykia, a local parliamentary branded Protestants as "Satanists" in a statement broadcast on TV. A Pentecostal church service in the Siberian city of Perm was disrupted by a gas attack in August 2006; the church's pastor believes the attack may be connected to negative articles in the local media. Media attacks on religious communities contribute to an atmosphere of intolerance and even hatred of these religious groups. Furthermore, concerned communities are usually denied opportunities to counter such claims publicly.



Fr. Gleb Yakunin of the All-Russian Movement for Human Rights (center) with Commissioners Felice D. Gaer, Michael Cromartie, and Richard Land



Russian Orthodox church in Moscow

Evangelical Protestants and members of other minority Christian communities have been targeted in violent attacks, to which local authorities reportedly do not adequately respond. For example, the Forum 18 News Service reported that Russian police failed to respond after drunken youths attacked a Pentecostal service in the Siberian city of Spassk in April 2006 or when a Catholic service in St. Petersburg was disrupted by intruders in late May. In both incidents, only after church leaders complained did the authorities take action. Security police have also reportedly restricted the religious activities of certain religious minorities. In May 2006, in Ivanovo near Moscow, the FSB raided a Baptist event at a rented cinema and detained two Baptists who were distributing religious literature, according to Forum 18. The Slavic Legal Center reports it is defending an Evangelical Christian pastor in Syktyvkar, capital of

the republic of Komi, who is appealing the fine ordered by a court in August 2006 for singing hymns allegedly outside the legally designated area for his church.

The Ministry of Justice has sent to the Russian State Duma a series of amendments to control so-called “missionary outreach” activity. The draft amendments contain detailed regulations concerning missionary outreach, defined as “popularization” of religious teaching or practice outside of places designated for religious observance; those who engage in such activities would be required to be registered with state authorities. The proposed new law would also extend criminal liability for imparting “immoral” influences related to religion.

#### “Traditional” vs. “Non-Traditional” Religions

Many of the problems faced by minority religious communities in Russia stem from the notion set forth in the preface to the 1997 law that only four religions—



Kul Sharif Mosque, Kazan, Tatarstan

Russian Orthodoxy, Islam, Judaism, and Buddhism—have “traditional” status in that country. Other religious groups are held to be “non-traditional,” and their activities and leaders are subject to official oversight and possible restrictions.

In recent years, there have been various (as yet unsuccessful) attempts in the Russian state Duma to adopt a law that grants privileges to the “traditional” religions. According to the RFHRO report, this “extra-legal” concept is based on historic and cultural considerations, and should not be included in legislation. Aleksandr Kudryavtsev told the Commission that President Putin does not support legislation that would formalize privileges for the so-called “traditional religions.”

Metropolitan Kirill told the Commission that although all religious communities should be equal under the law, it was unrealistic to expect that all such groups would be accorded equal respect by government officials and society, in light of the role that the so-called “traditional” religions have played in Russian history and culture. He also observed that while all religious groups have equal rights, “getting attention and respect does not depend on equal rights but on the contribution each [group] makes to the life of the country.” Unfortunately, sometimes this perceived cultural and

social significance assumes greater importance to government officials at various levels than the constitutional and legal concept of equal rights. Such officials are frequently responsible for the violations of the rights of members of religious minorities.

The Russian Orthodox Church (ROC), which has played a special role in Russian history and culture, receives the bulk of state support, including subsidies for the construction of churches, although other so-called “traditional” religious communities also sometimes benefit from such subsidies. The ROC also has agreements with a number of government ministries on guidelines for public education, religious training for military personnel, and law enforcement decisions. Early in 2006, a bill was introduced that would allow only ROC clergy to serve as official military chaplains.

Metropolitan Kirill stated during his meeting with the Commission delegation that religious organizations will be empowered to operate based on “their weight in society,” with proselytism “totally [prohibited]...to avoid conflict between faiths.” ROC officials also sometimes use their influence with regional authorities to restrict the activities of other religious groups. There are frequent reports, particularly on the local level, that minority religious communities must secure permission from the ROC before being allowed to build, buy, or rent a house of worship and that local authorities sometimes deny registration to minority groups at the behest of local ROC officials.

The ROC proposal to add a voluntary course on Russian Orthodox culture as part of the national education curriculum

can also be viewed as an example of the ROC’s assertion of preferential status. As of September 2006, four regions of the Russian Federation—Kaluga, Belgorod, Bryansk, and Smolensk—had introduced compulsory classes focusing on Russian Orthodoxy. The course will be offered as an elective subject in another 11 regions, according to press reports. Several Muslim, Jewish, and Protestant leaders informed the Commission delegation that they objected to the proposal to introduce even voluntary courses on the “Russian Orthodox Culture,” because it asserted one religious tradition to be the foundation of Russian culture. Representatives of the four “traditional” religions told the Commission that they favored religious instruction as part of the state curriculum, but only on a voluntary basis and available to members of all religious communities based on the number of participating students.

Because of the threat to the constitutionally mandated secular status of the state and the separation of the state from religion set forth in Russian law, a representative of the Human Rights

Ombudsman’s office told the Commission delegation that teaching about religion in state schools must be conducted by academics and other experts on world religions rather than by clerics. Moreover, in May 2006, Interfax reported that the Ombudsman had declared that the mandatory teaching of religious subjects in public schools would be unconstitutional. Andrei Fursenko, the Russian Federation Education Minister, told Itar-Tass in September 2006 that he disapproves of the introduction of the courses on Russian Orthodoxy in “14 Russian regions,” that he favors teaching children “the history of all religions,” and that he intends to ask the Public Chamber to resolve the issue.

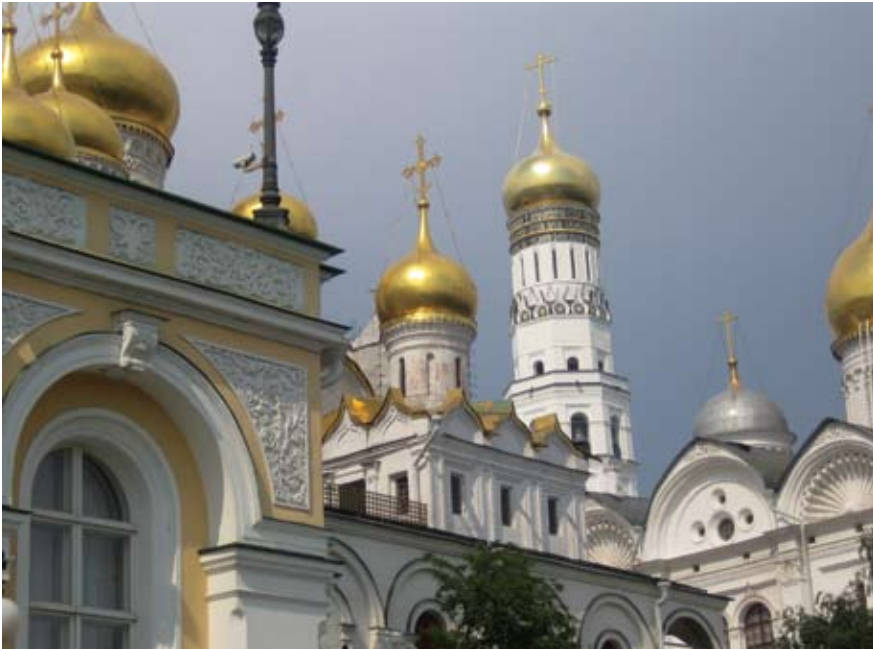


Bishop Sergey Ryakhovskiy, head of the Russian Union of Christians of Evangelical Faith, with Commissioner Richard Land



U.S. Ambassador to Russia William Burns (center) hosting a roundtable meeting with the Commission delegation and civil society activists at Spasso House, the ambassador’s residence





Cathedral Square, the Kremlin, Moscow



Russian Islamic University, Kazan, Tatarstan

## END NOTES

<sup>1</sup> Amendments to the federal media law and administrative code relating to anti-terrorist measures were sent to the Russian State Duma on September 6, 2006, the *Moscow Times* reported. Under the proposed amendments, any media outlet could be closed down for acting as the "cause of damage to the person or health of citizens, the environment, public order, public safety, property or the legal economic interests of individuals or legal entities, society or the state."

<sup>2</sup> For example, Article 282 of the Russian Criminal Code forbids the incitement of ethnic and religious hatred. Article 63 contains a provision for enhanced penalties in violent crimes with evidence of bias motivation. The Russian Criminal Code also contains five articles (105, 111, 112, 117, 244) with explicit provisions for the punishment of violent hate crimes.

<sup>3</sup> The three men have been charged with multiple counts of racially motivated murders and investigators reportedly will order psychiatric examination. As of this writing, they are being held in jail awaiting trial.

<sup>4</sup> For example, President Putin has not responded publicly to the August 2006 incident of communal violence in the northern republic of Karelia.

<sup>5</sup> Geraldine Fagan, "Russia: Muslim rivalry behind criminal charges?" Forum 18 News Service, February 8, 2006.

<sup>6</sup> According to the head of the FSB Department for Combating International Terrorism, there are three criteria for inclusion on this list: violent activities aimed at changing Russia's constitutional system; links to illegal armed groups and other extremist organizations operating in the North Caucasus; and connections to groups regarded as terrorist by the international community.

<sup>7</sup> In October 2005 in Nalchik, violence erupted in which some 300 persons attacked military garrisons and police stations, leaving 34 police and armed forces members dead.

**For additional information on this issue contact:**

Catherine Cosman,  
Senior Policy Analyst  
202-523-3240, ext. 125  
ccosman@uscirf.gov



## RECOMMENDATIONS

As the Commission has persistently stated, Russia's importance in the community of nations requires continuing examination of the Russian government's policies affecting democratic reform and the protection of religious freedom and other human rights. What is more, Russia continues to be a highly influential model for many countries, particularly other former Soviet states. Russia also remains an increasingly vital partner for the United States, which continues to have many important and ongoing opportunities to promote strong human rights protections in Russia.

The U.S. government should neither abandon nor neglect its efforts to strengthen human rights protection and promote democracy in Russia. Rather, the President and Secretary of State should encourage the governments of the other G-8 countries to speak out on these matters. President Bush and other U.S. officials should be prepared to counter the persistent claims by Russian leaders that U.S. and UN efforts to advance human rights concerns constitute foreign "meddling" or are aimed at harming the Russian Federation.

The Commission presents the following recommendations which focus on six areas: Combating Xenophobia, Intolerance, and Hate Crimes; Reforming

or Withdrawing the 2006 Russian Law on Non-Commercial Organizations; Ensuring the Equal Legal Status and Treatment of the Members of Russia's Religious Communities; Strengthening Attention to the Issue of Freedom of Religion or Belief in U.S. Diplomacy; Strengthening U.S. Programs on Promoting Religious Freedom and Combating Religious Intolerance; and Addressing the Crisis in Chechnya and the North Caucasus.

### 1 Combating Xenophobia, Intolerance, and Hate Crimes

The U.S. government should urge the Russian government to:

- condemn in a timely fashion specific acts of xenophobia, anti-Semitism, and intolerance, as well as incidents of hate crimes and make clear that hate crimes are to be treated by officials as human rights abuses, not as "hooliganism," and that they will be fully and promptly investigated and prosecuted;
- establish a special nationwide anti-discrimination body, as recommended by the Council of Europe's European Commission against Racism and Intolerance;
- implement the numerous specific recommendations made by Russia's Presidential Council on Human Rights, the official Human Rights Ombudsman, and the Council of Europe's Commission against Racism and Intolerance

to address anti-Semitism and xenophobia and prevent and punish hate crimes, including full implementation by regional and local law enforcement personnel of criminal code provisions prohibiting incitement and violence motivated by ethnic or religious hatred, in accordance with standards established by the European Court for Human Rights; and

- report, as required, to the OSCE on the specific measures that have been undertaken on a national level to address hate crimes, including maintaining statistics on these crimes, and strengthening legislative initiatives to combat them, and to take advantage of relevant OSCE training programs for Russian law enforcement and judicial officials.

### 2 Reforming or Withdrawing the 2006 Russian Law on Non-Commercial Organizations

The U.S. government should encourage the Russian government to:

- develop regulations that clarify and sharply limit the state's discretion to interfere with the activities of NGOs, including religious groups, recognizing that the new law on NGOs is troublesome enough to warrant its full repeal. These regulations should be developed in accordance with international standards and in conformance with

international best practices.

- ensure that all data related to the NGO law, including information available on the government’s official web sites, is accurate and up to date. For example, the comparative study of NGO laws prepared by the Russian Ministry of Foreign Affairs’ Department of Information and Press should be amended or removed.

### 3 Ensuring the Equal Legal Status and Treatment of the Members of Russia’s Religious Communities

The U.S. government should encourage the Russian government to:

- to affirm the multi-ethnic and multi-confessional nature of Russian society;
- affirm publicly that all religious communities in Russia are equal under the law and entitled to equal treatment, whether registered or unregistered; publicly express opposition to any legislation that would grant preferences to the purported “traditional” religions over other groups; and direct national government agencies to address and resolve continuing violations of religious freedom at the regional and local levels, including by:
  - issuing instructions to local law enforcement, prosecutors, and registration officials as well as publicly affirming that members of all religious communities are to be treated equally under the law;
  - enforcing non-discriminatory,

generally applicable zoning and building codes, and ordering an end to the practice of using local public opinion surveys that serve as a basis to deny land and building permits to minority religious communities; and

- deleting from the preface to the 1997 Law on “Freedom of Conscience and Religious Organizations” the reference to the four “traditional” religions (Russian Orthodoxy, Islam, Judaism, and Buddhism), as that reference contradicts the Russian constitutional provision that “religious associations are separate from the state and are equal before the law” and has led Russian officials to establish inappropriate limits or demands against members of Russia’s other religions communities;

- denounce media attacks on any religious community and adopt administrative measures against government officials who encourage them;
- cease all forms of interference in the internal affairs of religious communities;
- avoid taking steps that could exacerbate religious extremism by (1) developing policies and strategies to protect the religious freedom and other human rights of the members of Russia’s Muslim community, and (2) reviewing past cases of alleged arbitrary detention or arrest of members of this community;
- ensure that law enforcement officials

vigorously investigate and prosecute acts of violence, arson, and desecration perpetrated against members of any religious community, their property, or houses of worship; set up a review mechanism outside the procuracy to ensure that government authorities and law enforcement personnel are investigated and sanctioned, as appropriate, if they are found to have encouraged or condoned such incidents;

- distribute on a regular basis updated information on freedom of religion or belief, as well as on Russian constitutional provisions and jurisprudence on separation of church and state and the equal status of religious denominations, to the Russian judiciary, religious affairs officials at all levels of government, the Federal Registration Service, the procuracy, and all law enforcement bodies;
- extend the current annual training program for regional and local religious affairs officials to include their counterparts in the judiciary, procuracy, law enforcement agencies, and to the Federal Registration Service; and
- direct the Russian Federation Human Rights Ombudsman to set up a nationwide monitoring system on the status of freedom of religion or belief in the 89 regions of Russia.

### 4 Strengthening Attention to the Issue of Freedom of Religion or Belief in U.S. Diplomacy

The U.S. government should:

- ensure that the U.S. Congress main-



tain a mechanism to monitor publicly the status of human rights in Russia, including freedom of religion or belief, particularly in the case of any repeal of the Jackson-Vanik amendment with respect to Russia, and maintain the Smith Amendment as U.S. law;

- urge the government of the Russian Federation to invite the three OSCE Personal Representatives on combating intolerance as well as the UN Special Rapporteur on Freedom of Religion or Belief to visit the Russian Federation during 2007-2008;
- ensure that U.S. Embassy officials and programs (a) engage with regional and local officials throughout the Russian Federation, especially when violations of freedom of religion occur, and (b) disseminate information to local officials concerning international legal norms on freedom of religion or belief, including the rights of unregistered religious communities;
- ensure that the issue of human rights, including freedom of religion or belief, be raised within the context of negotiations on Russian accession to the World Trade Organization;
- work with the Council of Europe, its member countries, and the other members of the G-8 to raise issues relating to freedom of religion or belief with Russian officials in the context of the Russian Federation's responsibilities both as President of the Council of Europe in 2006 and as a member of the G-8; and

- work with the other members of the G-8 to ensure that the issue of human rights, including the human rights aspects of migration and protecting human rights in the context of counter-terrorism are raised at all bilateral and multilateral meetings.

### 5 Strengthening U.S. Programs on Promoting Religious Freedom and Combating Religious Intolerance

The U.S. government should:

- ensure that U.S. government-funded grants to NGOs and other sectors in Russian society include the promotion of legal protections and cultural respect for religious freedom as well as methods to combat xenophobia, including intolerance based on religion; solicitations and requests for proposals should include these objectives;
- support programs developed by Russian institutions, including universities, libraries, NGOs, and associations of journalists, particularly those who have engaged in the activities described in the above recommendation, to organize conferences and training programs on issues relating to freedom of religion or belief, as well as on promoting inter-religious cooperation, encouraging pluralism, and combating hate crimes and xenophobia;
- support programs to train lawyers to contest violations of the rights to freedom of religion or belief as guaranteed in Russian law and under its international



obligations, both in Russian courts and before the European Court of Human Rights;

- translate, where necessary, into Russian and print or otherwise make available to Russian citizens relevant documents and materials, including:
  - hate crimes guidelines developed by the U.S. Federal Bureau of Investigation, as well as U.S. Justice Department expertise on combating hate crimes and religiously-motivated attacks; and
  - international documents and materials generated by Russian institutions relating to freedom of religion or belief, xenophobia, and hate crimes, as well as relevant U.S. Department of State and Commission reports, including by posting such documents on the U.S. Embassy Web site;
- ensure that Russia's citizens continue to have access to alternative sources of information through U.S.-government-funded radio and TV broadcasts, as well as Internet communications, and that these broadcasts include information about freedom of religion or belief and the need to combat xenophobia and hate crimes; in particular by:
  - restoring the funding of Russian-language radio broadcasts of Voice of America and Radio Free Europe/Radio Liberty (RFE/RL) to the levels of fiscal year 2006; and
  - increasing funding for radio broadcast programs in minority languages spoken in Russia, including the

RFE/RL Tatar and North Caucasus services, which are often the primary source of independent broadcast media in regions of Russia with majority Muslim populations;

- include in U.S.-funded exchange programs a wider ethnic and religious cross section of the Russian population, with particular focus on educational and leadership development programs for students from the North Caucasus, Tatarstan, and other regions of Russia with sizeable Muslim and other religious and ethnic minority populations; and
- initiate International Visitor's Programs relating to the prevention and prosecution of hate crimes for Russian officials and other relevant figures.

## 6 Addressing the Crisis in Chechnya and the North Caucasus

The U.S. government should:

- ensure that the continued humanitarian crisis in Chechnya and allegations of human rights abuses perpetrated by the Russian military there and in other North Caucasian republics remain a key issue in U.S. bilateral relations with Russia;
- urge the Russian government to end and vigorously prosecute all alleged acts of involuntary detention, torture, rape, and other human rights abuses perpetrated by members of the Russian security services in Chechnya, including those by pro-Kremlin Chechen militia;
- urge the Russian government to abide by all resolutions passed by the Parliamentary Assembly of the Council of Europe relating to the human rights and

humanitarian situation in the North Caucasus, and reinstate regular on-site visits by the Council of Europe's Special Rapporteur for Chechnya;

- urge the Russian government to accept a site visit to Chechnya from the UN Special Rapporteurs on Extrajudicial Executions and Violence against Women and to reconsider their October 2006 decision to deny access to the UN Special Rapporteur on Torture;
- work with other OSCE Member States to ensure that issues related to human rights abuses in the North Caucasus play a more prominent role in OSCE deliberations, and encourage the OSCE to raise humanitarian and other forms of assistance to the civilian populations affected by the decade-long conflict in Chechnya; and
- ensure that U.S.-funded conflict resolution and post-conflict reconstruction programs for the North Caucasus also fund credible local partners in Chechnya, Ingushetia, and Dagestan.

### DELEGATION TO RUSSIA

- Commission Chair Felice D. Gaer
- Commission Vice Chair Michael Cromartie
- Commission Vice Chair Elizabeth H. Prodromou
- Commissioner Preeta D. Bansal
- Commissioner Richard D. Land

