

RUSSIA: HRWF statement on the legislation about anti-extremism and anti-evangelism at the OSCE/ ODIHR in Warsaw

HRWF (27.09.2016) – I first want to congratulate ODIHR for its 25th anniversary and HDIM for its 20th anniversary. For more than two decades these two mechanisms have tremendously contributed to the progress of human rights on the European continent by giving a voice to NGOs and those who were voiceless in their own country. Every year during the last two decades, I have represented our NGO at the HDIM to give a voice to the victims of FORB violations and every time the OSCE/ODIHR has turned a receptive ear to their plight.

This year, we will focus on the situation of religious minorities in Russia.

On 7 July, President Vladimir Putin signed the controversial Yarovaya Law, which contains “counter-terrorism amendments” to the anti-extremism law that have alarmed many civil and religious liberty proponents. The law is named after Irina Yaroyava, the Russian politician who wrote it. Critics have called it the “Big Brother Law,” referring to its controversial facets. It took effect on July 20th and is the culmination of an anti-religion movement against religious expression of minorities.

The provisions of “Yarovaya’s package of laws” reduce the minimum age for criminal responsibility for terrorism, toughen the punishment for most of “extremist” articles, and introduce a number of new restrictions. The new law also stipulates that mobile operators store the call and correspondence content of its users.

With regard to provisions affecting all non-Orthodox churches, the Yarovaya Law places broad limitations on missionary work, including preaching, teaching, and engaging in any activity designed to invite people into a religious group. This new law targets all Christian groups outside of the Russian Orthodox Church and non-Christian minorities.

In order to share one's Christian faith with others, Russians must now obtain a government permit through a registered religious organization. Christians are no longer allowed to evangelize freely but can only do so in within churches and religious sites. Further, the new restrictions apply to activities in private homes and online as well.

The penalties for violations of this new law are severe; those found guilty of violating the anti-evangelism law face fines of up to US \$780 for an individual and up to \$15,500 for a church or organization, large sums of money for many people and organizations. Moreover, any foreign nationals who violate this law may be deported.

From now on, foreign missionaries must also prove they were invited by a state-registered religious group and operate only in regions where their sponsoring organizations are registered; those found in violation face deportation and major fines.

The Russian government has already extensively used and abused its anti-extremism law against minority religious communities. This was facilitated by the fact that the legal definition of extremism does not require the threat or use of violence. "Extremism" charges can include the peaceful promotion of "the superiority of one's own religion." They have resulted in religious texts and brochures being banned and members of non-violent Muslim groups and Jehovah's Witnesses being imprisoned.

The effects of the new legislation have been immediate.

Protestant pastor charged for delivering books to government personnel

On 22 August 2016, in Biisk (Altai Republic), a case was initiated on the basis of part 4 of article 5.26 of the Code of Administrative Violations of Law of the Russian Federation (conducting missionary activity with violation of the requirements of legislation on freedom of conscience and freedom of religious confession and on religious associations) against Vladimir Knaub, the director of the local religious organization "Church of Free Christians of Seventh-Day Adventists."

African expat nabbed by new anti-evangelism law: Pentecostal from Ghana fined for illegal evangelism in Tver

In Tver, on 1 August, a court fined Ebenezer Tua, the leader of a group of Pentecostals and a citizen of Ghana, 50,000 rubles for illegal evangelism. He was accused of "conducting religious rituals and ceremonies, including religious meetings, while not having the necessary documents and conditions" provided for by the law "On freedom of conscience and religious associations."

In addition, the fact that a citizen of Ghana is in Russia on a student visa, while he engaged in evangelistic, teaching, and entrepreneurial activity, which this type of visa does not provide for, was considered a violation.

Anti-evangelism law misused against foreigners who speak in church

On 10 September 2016, two American citizens, Alexandra Whitney and David Kozan, along with their minor daughter, Catherine, were arrested in Kaluga. The result of a five-hour interrogation was a police report according to which Whitney and Kozan were fined 3,000 rubles each, without deportation from Russia, for administrative violation of law.

The Americans were traveling as tourists, but they decided to worship a bit, as they are protestant Pentecostals and friends of the Kaluga "Word of Life" church of Christians of Evangelical Faith (Pentecostals) and its leader, Bishop Albert Ratkin.

On 9 to 11 September 2016, a conference was held in the house of worship of this church (the church of Christ the Savior of Kaluga), which was devoted to the 80th anniversary of the Pentecostal church in Kaluga. On that occasion, the two American citizens said some words of greetings and congratulations.

Due to the amendment about missionary activity within the context of the Yarovaya Package, a special ideology of the new legislation has begun to be formulated. First of all, any preaching, prayer, or conversation about God has fallen under suspicion. As a result, the law has been applied in practice extremely broadly and has, in fact, crossed the boundaries of the Yarovaya Package. For reasons known only to law enforcement agencies, any religious activity of foreign citizens has come to be considered actually illegal. A characteristic example: on 14 September, a Kemerovo court fined a Ukrainian citizen 30 thousand rubles, for speaking at a meeting of a Pentecostal church.

100,000 signatures against Yarovaya Law

As of 15 August, 100,000 signatures were gathered by an online petition posted on the state-owned portal of "Russian Public Initiative" (RPI) and directed against the "Yarovaya's package of laws."

Under the Russian law, if a petition at the federal level posted on the RPI portal gains 100,000 signatures in its support during voting, it shall then be sent for consideration to an expert working group at the federal level. The expert group shall make a decision concerning the petition within two

months.

***Human Rights Without Frontiers* recommends to the authorities of the Russian Federation**

- To put a moratorium on the implementation of the Yarovaya Law which restricts missionary activities and has already been used to criminalize activities of non-Orthodox religions and their members;
- To take into consideration the 100,000 signatures gathered by an online petition posted on the state-owned portal of “Russian Public Initiative” (RPI) and directed against “Yarovaya’s package of laws;”
- To have the Yarovaya Law assessed by the Venice Commission of the Council of Europe.