

Support of the international community against the threat of banning Jehovah's Witnesses in Russia

HRWF (14.04.2017) – The Kremlin has threatened to ban Jehovah's Witnesses in Russia, a peaceful religious group that holds approximately 2,300 congregations throughout the country. While Russia has already erected laws criminalising the literature and proselyting work of the Witnesses, this new ban will effectively dissolve and criminalise the community as a whole under the guise of 'extremism'. The official decision on this matter is expected to be released any day. This threat of a complete ban has received widespread condemnation across the globe; including from the **European Union Representation to the OSCE, the European Union Delegation to the Council of Europe, the United States Commission on International Religious Freedom, and the UN Special Rapporteurs** on freedom of religion or belief, freedom of peaceful assembly, and freedom of opinion and expression. We have gathered the official statements of these constituencies below:

Statement of the European Union Representation to OSCE

The European Union is concerned about the latest developments regarding Jehovah's Witnesses in Russia. The decision by the Ministry of Justice to suspend the activities of Jehovah's Witnesses and the Minister's application to the Supreme Court to declare "extremist" the Administrative Center, to prohibit its activities, and to dissolve it marks a new stage in the harassment and the legal persecution against Jehovah's Witnesses in Russia.

The consequences for Jehovah's Witnesses in Russia could be heavy: confiscation of their places of worship, dissolution of nearly 400 legal entities, and criminal prosecution for each of the more than 170,000 Witnesses. These prosecutions would be simply motivated by the fact that they meet to practice their worship.

The EU calls on Russia to respect its international commitments on freedom of religion or belief, freedom of expression, and freedom of assembly. OSCE participating States have repeatedly affirmed the importance of freedom of religion or belief as a pillar of the concept of inclusive security.

The EU continues to promote freedom of religion or belief, a right which must be exercised everywhere by all on the basis of the principles of equality, non-discrimination, and universality.

The Former Yugoslav Republic of Macedonia, Montenegro, Albania, Bosnia and Herzegovina, Iceland, Norway, Georgia and Canada align themselves with this statement.

Statement of the European Union Delegation to the Council of Europe

The Russian authorities must ensure that Jehovah's Witnesses can peacefully enjoy freedom of thought, conscience and religion and freedom of assembly and association rights without further interference, as guaranteed by the Constitution of the Russian Federation. The Russian authorities need to comply with their international commitments, inter alia, the European Convention on Human Rights and with international human rights standards.

The claim filed by the Ministry of Justice of the Russian Federation on 15 March before the Supreme Court is the latest crackdown on, and a further escalation of the harassment and judicial persecution suffered by Jehovah's Witnesses in Russia, in contradiction with the international standards on freedom of religion or belief.

This decision could lead to the liquidation of the Administrative Centre and all local branches of Jehovah's Witnesses in Russia and the confiscation of their properties. In the meantime, the Ministry has labelled the Administrative Centre as "extremist" and imposed a nationwide ban on all legal entities of Jehovah's Witnesses. These are very negative developments, which could make it possible to launch criminal prosecutions against Jehovah's Witnesses for mere acts of worship.

The European Union shares the concern of the UN Human Rights Committee about a number of reports indicating that the Federal Law on Combating Extremist Activity is increasingly used in the Russian Federation to curtail freedom of religion, targeting, inter alia, Jehovah's Witnesses.

The Russian authorities must ensure that Jehovah's Witnesses can peacefully enjoy freedom of thought, conscience and religion and freedom of assembly and association rights without further interference, as guaranteed by the Constitution of the Russian Federation. The Russian authorities need to comply with their international commitments, inter alia, the European Convention on Human Rights and with international human rights standards.

The European Union continues to promote freedom of religion or belief as a right to be exercised by everyone everywhere, based on the principles of equality, non-discrimination and universality. Under international human rights law the exercise of the freedom of religion or belief in community include, but is not limited to, legal personality and non-interference in internal affairs, including the right to establish and maintain freely accessible places of worship or assembly, the freedom to select and train leaders and the right to carry out social, cultural, educational and charitable activities.

Statement of USCIRF

Russia's Justice Ministry suspended the Jehovah's Witnesses on March 24, alleging that its activities "violate Russia's laws on combating extremism." The Russian authorities have used their extremism law to systematically harass the Jehovah's Witnesses, a legally registered religious group in Russia with close to 200,000 adherents. That law, which requires neither the use nor advocacy of violence for activity to be labeled extremist, was enacted after a sustained Russian campaign against this group began in early 2006.

Thomas J. Reese, S.J., chair of the U.S. Commission on International Religious Freedom (USCIRF) stated, "The Russian government's latest actions appear designed to eliminate the legal existence of Jehovah's Witnesses in Russia. If the Supreme Court rules in April that this group is 'extremist' it would mark the first time that Russia legally has banned a centrally-administered religious organization and would effectively criminalize all Jehovah's Witnesses' activity nationwide. USCIRF calls on the Russian government to stop its harassment of this peaceful religious group."

The treatment of the Jehovah's Witnesses reflects the Russian government's tendency to view all independent religious activity as a threat to its control and the country's political stability. This approach dates back to the Soviet period and impacts other religious groups, including peaceful Christians and Muslims. These groups are also being persecuted for their beliefs in the Russian-occupied areas of Crimea and eastern Ukraine.

In March 2016, the Russian Prosecutor General's Office warned the Jehovah's Witnesses' national headquarters that the organization could be banned and its activities shut down nationwide if further evidence of alleged "extremism" was found within a year. In January 2017, an appellate court rejected the Witnesses' appeal of the warning, and in March 2017 the Ministry of Justice filed a formal request for the Russian Supreme Court to designate the Jehovah's Witnesses' headquarters as extremist.

USCIRF calls on the Russian government and judiciary to respect the freedom of religion or belief and halt their harassment of the Jehovah's Witnesses and other religious groups.

Statement of the UN Special Rapporteur

Moves by the Russian Government to ban the activities of Jehovah's Witnesses using a lawsuit brought under anti-extremism legislation have been condemned as "extremely worrying" by three United Nations human rights experts*.

"This lawsuit is a threat not only to Jehovah's Witnesses, but to individual freedom in general in the Russian Federation," the experts said.

"The use of counter-extremism legislation in this way to confine freedom of opinion, including religious belief, expression and association to that which is state-approved is unlawful and dangerous, and signals a dark future for all religious freedom in Russia," they stressed.

The condemnation follows a lawsuit lodged at the country's Supreme Court on 15 March to declare the Jehovah's Witnesses Administrative Centre 'extremist', to liquidate it, and to ban its activity.

A suspension order came into effect on that date, preventing the Administrative Centre and all its local religious centres from using state and municipal news media, and from organizing and conducting assemblies, rallies and other public events.

A full court hearing is scheduled for 5 April and if the Supreme Court rules in favour of the authorities, it will be the first such ruling by a court declaring a registered centralized religious organization to be 'extremist'.

Concerns about the counter-extremism legislation have previously been raised in a communication by the three experts to the Russian authorities on 28 July 2016.

The Suspension Order imposed on 15 March is the latest in a series of judicial cases and orders, including a warning sent to the organization last year referring to the 'inadmissibility of extremist activity'. This has already led to the dissolution of several local Jehovah's Witness organizations, raids against their premises and literature being confiscated.

"We urge the authorities to drop the lawsuit in compliance with their obligations under international human rights law, and to revise the counter-extremism legislation and its implementation to avoid fundamental human rights abuses," the UN experts concluded.

(*) The experts: **Mr. David Kaye** (USA), Special Rapporteur on freedom of opinion and expression, **Mr. Maina Kiai** (Kenya), Special Rapporteur on freedoms of peaceful assembly and of association, and **Mr. Ahmed Shaheed** (the Maldives), Special Rapporteur on freedom of religion or belief.