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The State of Religious Freedom in Russia

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The population of the Russian Federation is estimated at about 142.4 million, which is 5 million less than in 1990. It is 81 percent ethnic Russian but officially counts over 190 other ethnicities.

The most recent figures from a 2013 poll by the Levada Center, an NGO research organization, reports 68 % percent of Russians consider themselves Orthodox, while 7 percent identify as Muslim. Other religious groups – each under 5% - include Buddhists, Protestants, Roman Catholics, Jews, The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, Hindus, Baha'is, the International Society of Krishna Consciousness (Hare Krishnas), pagans, Tengrists, Scientologists, and Falun Gong practitioners.

The 2010 census estimates the number of Jews at 150,000; however, the president of the Federation of Jewish Communities of Russia stated in February the actual Jewish population is nearly one million, most of whom live in Moscow and St. Petersburg.

Immigrants and migrant workers from Central Asia are mostly Muslim. The majority of Muslims live in the Volga Ural region and the North Caucasus. Moscow, St. Petersburg, and parts of Siberia also have sizable Muslim populations.

From atheism back to religion

During more than 70 years, Marxist-Leninist atheism was the official ideology of the Soviet Union. Following Karl Marx' well-known statement that religion is the opium of the people, the successive leaders of the USSR, from Lenin until before Gorbachev, implemented a policy of religious cleansing targeting the Russian Orthodox Church and all other religions, in various ways and to varying degrees.

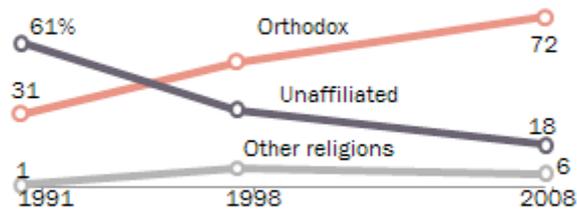
Roughly a quarter of a century after the fall of the Iron Curtain and subsequent collapse of the Soviet Union, a major new Pew Research Center survey¹ finds that religion has reasserted itself as an important part of individual and national identity in Russia: being Orthodox is important to being “truly Russian.”

The revival of religious identity in Russia began in the early 1990s, soon after the fall of the Soviet Union. Surveys conducted by the International Social Survey Program (ISSP) in Russia in 1991, 1998 and 2008 show the share of Orthodox Christians more than doubling from 31% to 72% in about 25 years, while at the same time, the share of religiously unaffiliated or irreligious adults declined from a majority in 1991 (61%) to 18% in 2008.

¹ **Religious Belief and National Belonging in Central and Eastern Europe**/ National and religious identities converge in a region once dominated by atheist regimes (10 May 2017). See <http://www.pewforum.org/2017/05/10/religious-belief-and-national-belonging-in-central-and-eastern-europe/>

Since 1991, substantial rise in share of Orthodox Christians in Russia

% who identify as ...



Source: International Social Survey Programme. Don't know/refused responses not shown.

This chart was included in Pew Research Center's February 2014 report "Russians Return to Religion, But Not to Church."

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Nowadays, the number of Russians who identify as Orthodox in Russia is very stable. According to New Russia Barometer surveys, approximately as many religiously affiliated adults said they attended church monthly in 2007 (12%) as in 1993, fourteen years earlier (11%).

Freedom of religion or belief: Constitutional and legal framework

The Russian constitution provides for freedom of religion, guaranteeing equal rights irrespective of religious belief and the right to worship and profess one's religion, but by law officials may prohibit the activity of a religious association for violating public order or engaging in "extremist activity."

The 1997 "Law on Freedom of Conscience and Association"² makes registration compulsory and establishes three broad categories of religious communities: Religious Groups – Local Religious Organizations – Centralized Religious Organizations. Different legal status and privileges apply to each of these categories.

Religious Groups: Religious Groups have the right to conduct religious rituals, hold worship services and teach religious doctrines. They are not registered with the government and thus have no legal personality. As such, they cannot open bank accounts, purchase or rent buildings, enjoy tax benefits or publish religious literature. In theory, individual members of Religious Groups may purchase or rent property for the purpose of conducting religious activities but in practice, this is often difficult.

In order for a Religious Group to advance into an upper category of religious communities (i.e. to become a Local Religious Organization), it must exist as such for at least 15 years³.

² <http://www2.stetson.edu/~psteeves/relnews/freedomofconscienceeng.html>

³ Despite the ruling of the European Court of Human Rights that Russia's 15-year existence rule violated the European Convention on Human Rights, the Church of Scientology of St Petersburg (2011) and the Moscow Community of Jehovah's Witnesses (2010) were denied re-registration. The Salvation Army had to litigate all

Local Religious Organizations: A Local Religious Organization consists of at least ten individuals over the age of 18 who are permanently residing in a given area. Local Religious Organizations are registered both at the federal and local level. They are granted rights to the privileges and benefits which are not available to the lower category of Religious Groups. They can open bank accounts, purchase or rent buildings for religious purposes or access certain tax benefits.

Centralized Religious Organizations: According to Article 9 of the Law, a Centralized Religious Organization is created by combining at least three Local Religious Organizations. In addition to the rights granted to other religious organizations with a lower status, they may open additional Local Religious Organizations without having to pass through a 15-year waiting period. Also, once a Central Religious Organization has been in existence for more than 50 years, it may use the word “Russia” or “Russian” in its official title.

While the 1997 Law reiterates the constitutional declaration that all religions have equal rights and are free from interference from the state, the Preamble also makes mention of the “special contribution” of Orthodoxy to the culture and history of Russia. The Preamble also grants “traditional” status to four religions: Russian Orthodoxy, Judaism, Islam and Buddhism.

The Law also includes a list of justifications for the forceful liquidation of religious organizations. They are to be found in Article 14 as follows “*Article 14. The Liquidation of a Religious Organization and the Banning of a Religious Organization’s Activities in the Event of their Breaking the Law.*”

Other laws, such as the 2002 “**Law on Fighting Extremist Activity**” and the 2016 “**Varovaya Law**” further restrict freedom of religion or belief in Russia but they will be discussed by other speakers.

Freedom of religion or belief in practice in the Russian Federation

In the last few years, Russia has used and misused controversial laws to restrict the activities of some non-violent Muslim groups and other peaceful religious groups such as Jehovah’s Witnesses, Pentecostals and Scientologists.

Government actions included detaining, fining, and imprisoning members of minority religious groups. Police conducted raids on minority religious groups in private homes and places of worship, confiscating religious publications and property, and blocked their websites. Authorities applied anti-extremism laws to revoke the registration of minority religious groups and imposed restrictions that infringed on the practices of minority religious

the way to the European Court of Human Rights before being re-registered in 2009. Lack of registration has consequences. In September 2012, police presided over the destruction of the unregistered Holy Trinity Pentecostal church near Moscow, which the community had reportedly been trying to register more than 15 years.

groups and their ability to purchase land, build places of worship, and obtain restitution of properties confiscated during the Soviet era. The government continued to declare some religious materials of minority religious groups extremist.

On 20 April last, the Supreme Court ruled to ban Jehovah's Witnesses from the country and to seize their assets on the ground that it was an extremist group. The Russian Justice Ministry alleged that the group is a "threat to the rights of citizens, public order and public security." A ban of such a magnitude which in this case targets 170,000 Jehovah's Witnesses and their 400 branches has no precedent in Russia.

Due to these and other actions that the Russian government has taken, the US Commission on International Religious Freedom (USCIRF) for the first time recommended in its 2017 Annual Report that Russia be designated as a "country of particular concern" (CPC).

Michael Georg Link, Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) also reacted about the ban of Jehovah's Witnesses saying in a press release "I'm deeply concerned by this unwarranted criminalization of the peaceful activities of members of the Jehovah's Witnesses communities in Russia, eliminating this community as a viable entity in the country. This Supreme Court decision poses a threat to the values and principles that democratic, free, open, pluralistic and tolerant societies rest upon."

The legal situation in the occupied territories of Crimea

The constitutional and legal framework concerning freedom of religion or belief that I have briefly exposed are in force on the historical territory of the Russian Federation but in March 2014, President Putin occupied, ruled and illegally annexed Crimea.

Following the Russian annexation, the Russian authorities insisted that all religious communities that had legal status needed to re-register with the Russian Justice Ministry if they wished to retain such legal status.

The deadline for such re-registration was twice extended. It finally expired on 1 January 2016, after which the legal status any community had under Ukrainian law was no longer recognised under Russian law.

After this process it appeared that 1100 religious entities in the sole Crimean Peninsula had lost their legal status and were therefore not allowed any more to operate.

As of 1 January 2014, Ukraine's Culture Ministry noted that **1,409 religious communities** in the then Crimean Autonomous Republic had state registration. Of these, 602 were Orthodox, 410 Muslim, 283 Protestant, 22 Catholic, 13 Jewish, and 79 others. A further 674 communities (the vast majority of them belonging to the Muftiate) functioned without registration.

Two years later, in January 2016, Russia's Federal Tax Service **only listed 332 religious organisations** registered in the Republic of Crimea.

Among the communities re-registered are Russian Orthodox, Muslims from the Crimean Muftiate and autonomous communities, Protestants of a range of affiliations, Roman Catholics, Jews of a range of affiliations, Karaites, Jehovah's Witnesses and Hare Krishna communities. However, Jehovah's Witnesses are now also banned in Crimea.

Without registration under Russian law, religious communities can meet for religious purposes but only have a sub-status. They cannot enjoy the rights that legal entities have, such as entering into contracts to rent property, employing people or inviting foreigners for religious activity.

I will conclude my presentation by endorsing the position of the US Commission on International Religious Freedom which in its recent annual report designated Russia “as a particular concern for its systematic, ongoing, and egregious” violations of religious freedom⁴” and I urge the EU institutions to similarly voice their concerns about the present and future situation of religious minorities in Russia.

⁴ See the report at <http://www.uscifr.gov/sites/default/files/Russia.2017.pdf>