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The right to believe, to worship and witness
The right to change one's belief or religion
The right to join together and express one's belief

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RUSSIA: Religious freedom survey, April 2007

By Geraldine Fagan, Forum 18 (https://www.forum18.org)

Senior Russian state representatives, such as President Putin, continue to project an image of supporting "traditional religions" such as the Russian Orthodox Church, Forum 18 News Service notes. But this does not translate into day-to-day decision making, as religious affairs are a low national priority. Decisions are normally made at a low level, so the religious freedom situation varies even between towns. One exception is support by senior state representatives for religious leaders who endorse them, such as Pentecostal bishop Sergei Ryakhovsky. Legal discrimination is rare, even against communities such as the Jehovah's Witnesses, and where it exists does not completely halt religious activity. So-called "telephone law" and blocking some foreign religious workers have been the main sources of religious freedom violations. Acquiring or retaining worship buildings is a major problem, and affects Catholics, Protestants, Muslims, Hare Krishna devotees, Jehovah's Witnesses, Molokans and the Russian Orthodox Church. Widening the legal definition of terrorism and extremism is a particularly concern for Muslims. Russia's central authorities do not have a policy of restricting freedom of religion or belief, Forum 18 can state. But their failure to actively tackle discrimination produces a slow erosion of religious freedom.

Recent years have seen no seismic shift in federal religious policy – or the lack of it. President Vladimir Putin and senior state representatives continue to project an image of support for the Russian Orthodox Church and, to a lesser extent, the other so-called "traditional religions" of Islam, Judaism and Buddhism. However, this primarily serves a purely symbolic function – sacrilisation of the current regime. So, President Putin assured Patriarch Aleksi II at this year's Easter service in Moscow's Cathedral of Christ the Saviour that "we will continue to help the Russian Orthodox Church to restore churches and monasteries". But at the same time, Vladivostok defence department sold - to a private businessman - buildings which the authorities had permitted an Orthodox women's monastery to use for the past ten years. Such discrepancies occur not because the Kremlin's true position on religious affairs is opposed to its official pronouncements, but because a clear central policy on religious affairs is such a low priority that day-to-day decisions in that area are made at a correspondingly low level.

One anomaly, in this pre-election period, is the support apparently shown by senior state officials for those religious leaders who endorse them. In late February 2007, two weeks before local elections in St Petersburg, for example, worshippers arriving for Friday prayer at the city's Cathedral Mosque were reportedly met with free brochures of the pro-Putin United Russia Party where calendars and prayer mats are normally on sale. Following the usual sermon, according to members of the community, the mosque's imam spoke for approximately ten minutes about the need to vote for United Russia, particularly as the party had supported his plans for a second mosque in the city. At the same time, Muslims wishing to organise themselves separately from the Cathedral Mosque have long been unable to obtain permission to construct their own mosque in St Petersburg, in part, as Governor Valentina Matviyenko noted in response to a letter of enquiry, because they are "in a state of conflict" with and "follow a different trend of Islam" from the Cathedral Mosque community. Kremlin-backed Governor Matviyenko publicly endorsed United Russia in the recent local elections.

Similarly, in June 2005 Pentecostal bishop Sergei Ryakhovsky declared that, "someone is intentionally firing up passions in order to turn Protestants into the Fifth Column, a tool of the Orange Revolution [in Ukraine half a year earlier]. But any such provocation is doomed to failure, as we Russian Protestants are patriots of our country, we are people with particular respect for the Russian authorities and the President of Russia." In September 2005 Ryakhovsky was among a small number of religious leaders handpicked by President Putin to participate in the new Public Chamber.

In rare outspoken criticism, on the other hand, Moscow Patriarch Aleksi issued an official statement expressing serious concern about government changes to the state benefit system that led to mass protests by pensioners in early 2005. More typically, when Bishop Diomid of Chukotka and the Kuriles recently joined priests, monks and parishioners of his diocese in criticising his own Russian Orthodox Church for endorsing democracy and certain political leaders, in addition to "silently consenting to rather than unmasking the current regime's policies against the people," Moscow Patriarchate Metropolitan Kirill of Smolensk and Kaliningrad quickly dismissed their open statement. Kirill described the criticism as an attempt to undermine negotiations with the Russian Orthodox Church Outside Russia (ROCOR) to join the Moscow Patriarchate. (Part of ROCOR joined the Moscow Patriarchate in May 20027, but another branch of ROCOR refused to join.)

The absence of a distinct policy on religious affairs inevitably means that religious freedom varies markedly across the country. But while Belgorod Region in southern European Russia clearly discriminates against religious minorities and atheists with its

compulsory Foundations of Orthodox Culture course in state schools, for example, it is hardly possible to categorise regions as better or worse in terms of religious freedom. More commonly, the situation differs within regions - even from town to town – and depends greatly on personal relationships between particular religious communities and individual state officials.

Discrimination on legal grounds is rare. Despite fears of a clampdown with the adoption of the 1997 Religion Law, most religious communities wishing to obtain legal personality status under that law have done so and are broadly able to function. This includes those most detested by the Law's proponents – Jehovah's Witnesses, Hare Krishna devotees and indigenous new religious movements such as the Mother of God Centre and the Church of the Last Testament. Even the 2004 complete legal ban on the Moscow Jehovah's Witness community has not halted their activity entirely. What the ban resulted in was several rental restrictions and physical challenges to individual preachers. This year, 2007, the Jehovah's Witnesses reported cancellations or attempts to disrupt their annual Memorial of Christ's Death commemorations in eight locations across Russia - but all were outside Moscow and all these commemorations went ahead. Similarly, unregistered religious groups are in practice usually able to exercise key rights technically denied them by the 1997 Law, such as the right to distribute religious literature.

Ten years after its adoption, it can thus safely be said that the attempt, with the 1997 Law, to introduce highly discriminatory religious policy on the basis of the rule of law has largely failed. Other than changes entailed by the 2002 Extremism Law, all recent attempts to toughen the 1997 Law have stalled, even those proposed by the pro-Putin United Russia chairman of the Duma's Committee for Social and Religious Organisations. And while some regions, as in the 1990s, have again begun to adopt local laws restricting missionary activity – including by Russian citizens from other regions - religious minorities report that they are not being implemented.

Similarly, although the practice does not feature in the 1997 Law, federal state bodies such as the military and the health service have concluded dozens of formal co-operation agreements with the Russian Orthodox Church, but these tend to be non-specific and are not usually cited as the legal authority for discrimination against religious minorities. Over the past two years alone, regional state bodies – mostly law-enforcement and anti-drug abuse agencies – have reportedly concluded some 25 similar agreements with Russian Orthodox dioceses and, less commonly, local Muslim spiritual directorates. Yet these too are couched in vague terms such as co-operation "to strengthen public morality".

Instead, the origin of religious freedom violations is for the most part covert and elusive. In this respect they resemble those prior to the 1997 Law. Officials commonly continue the Soviet practice of "telephone law". For example, a state official would telephone the director of a state institution, such as a theatre or college, and pressure him or her into cancelling a lease of that institution's facilities to a religious minority community. Jehovah's Witness congresses were disrupted in this way in Arkhangelsk and Yekaterinburg in 2005, as was, most recently, a traditional music event organised by local evangelical Protestants in Sakha (Yakutia). For approximately two years, Protestant representatives have been telling Forum 18 that they are increasingly barred from rented worship premises, the majority of which are still state-controlled.

Another method of restricting religious activity is by blocking foreign religious workers invited by local religious communities, usually through visa denials or abrupt visa cancellations. It usually remains unclear who has initiated such moves. Over 50 such cases have been documented since the late 1990s. Latterly, however, a Lutheran bishop, a Catholic priest and a Jewish rabbi have all managed to overturn such actions. The Catholic Church – which is at particular risk as most of its clergy in Russia are foreign citizens – also reports that obtaining visas has generally become easier. On the other hand, a Moscow court in December 2006 rejected a complaint by a Kiev-based Nigerian pastor denied entry to Russia earlier that year despite holding a valid multi-entry visa. As in the other rare cases when the authorities have provided a reason for barring a foreign religious worker, Sunday Adelaja's deportation was said to be "in the interests of state security".

A major problem for all confessions, in varying degrees, is acquiring or retaining property for worship. This takes place against a background of a general lack of respect for property rights. Catholics in the Black Sea resort of Adler, for example, have had to defend their rights to prime land purchased for a new chapel against ten different claimants, each claiming to have been promised the same plot. In other cases, officials thwart the procedure for obtaining permission to build a place of worship on what appear to be contrived grounds that local public opinion is against the religious community involved. This happened to Moscow's Emmanuel Pentecostal Church. In such cases, the local state press may encourage hostile public opinion against a particular group, as a "dangerous cult". Emmanuel's second building in the Russian capital – which the local authorities refused to allow to be reconstructed as a church – was mysteriously gutted by fire in March 2007.

Local officials may simply refuse permission to build, or to return historical property, either for petty reasons or for no obvious reason at all. As in the cases of the Catholic parish in Barnaul (Altai Region) and the Muslim community in Sochi (Krasnodar Region), such foot-dragging may continue for well over a decade. In a few cases – such as that of the Evangelical Christian Missionary Union in Krasnodar and an Old Believer parish in Samara – religious communities succeed in securing their property rights. International concern – such as consternation in India at the stalling of plans to build a Hare Krishna temple in Moscow – can help religious communities; Krishna devotees were recently granted permission to build, albeit at a second, less accessible site. At the same time, similar construction difficulties encountered by indigenous groups such as the Molokans, an early Russian Christian group who closely resemble Protestants, remain unresolved.

Convoluted bureaucracy may also be used to keep religious organisations under constant, low-level pressure – typically by demanding fines for questionable fire-safety or health and safety violations. Sometimes, as with Baptist communities in Kirov and Lipetsk, the local authorities may threaten to close worship buildings as a result, or even - as with a Pentecostal church in Khakassia - demolition. As in the case of Mosque No 34 in Astrakhan, however, officials are sensitive to possible scandal and usually stop short of taking such drastic measures. That a previous Astrakhan municipal administration had no qualms about the construction of the mosque highlights how arbitrary such decisions are. Latterly, as with the failed attempt to close one of its foremost children's homes due to alleged deficiencies, even the Russian Orthodox Church has begun to report this type of obstruction. Where such threats involve property, the new factor coming to the fore appears to be competition for land from influential proprietors who have no regard for Orthodoxy.

Particularly since the Justice Ministry's Federal Registration Service was allocated wider monitoring powers in 2004, religious communities complain of a marked increase in state scrutiny and bureaucracy. In Tuva, for example, the local authorities tried to dissolve a Pentecostal church in 2005 because it failed to notify them of a change of address and because a visit by its pastor to a neighbouring church was not covered by its registered charter activity. The Russian Orthodox Church recently achieved a notable concession for all religious organisations when financial accounting required by the Federal Registration Service under the 2006 so-called NGO Law was simplified. Several of the Church's leaders, however, still maintain that the procedure is burdensome and intrusive.

Widening of the legal definition of terrorism continues to concern Muslim communities. Under the March 2006 Terrorist Law, an extremist organisation is now automatically also deemed to be terrorist. Under July 2006 amendments to the 2002 Extremism Law, extremism is not only, among other things, "the planning, organisation, preparation for or execution of actions aimed at forcible change of the constitutional order", "the propaganda of exclusivity, superiority or inferiority of citizens on account of their attitude towards religion" and incitement to religious hatred. Extremism is also defined as "public slander in relation to a person performing a state duty of the Russian Federation during execution of the obligations of that duty or in connection with their execution, in conjunction with accusing the aforementioned person of committing acts stipulated in the present article [i.e. extremist acts] when the fact of slander has been determined in court."

It is not possible to state that local authorities always target innocent citizens when levelling extremism charges at practising Muslims. But it is clear from the materials used in the resulting court cases that their procedure is at least partially flawed. Charges of extremism against Mansur Shangareyev, for example, included "actively adhering to a radical trend of Islam, differing from traditional Islam by preaching the superiority of the given trend" and "began to make remarks to Muslim girls about their immodest dress without having any right to do so".

Anton (Abdullah) Stepanenko, an imam in Pyatigorsk (Stavropol Region) was recently given a suspended sentence partially for inciting religious hatred. But his lawyer maintains that he was not permitted to order a psychiatric assessment of a key witness with a long history of mental illness, or to cross-examine scholars responsible for an expert analysis which alleged that Islamic literature – with no proven link to Stepanenko personally – was extremist. Here again is a discrepancy between federal rhetoric and local practice. Whereas criminal investigators reportedly claimed that Stepanenko was in possession of "Wahhabi" literature (a term widely and loosely used in the former Soviet Union for Islamic extremism), President Putin has stated that "Wahhabism in itself does not pose any threat".

High-level officials are not usually directly involved in religious freedom violations, but they rarely do anything to address them – except when individual cases gain wide publicity. Thus, Udmurtia's Interior Minister maintained that local police responsible for a raid on a local Pentecostal church had been "disciplined" in response to a 2005 query from the Washington-based Commission on Security and Co-operation in Europe (the "Helsinki Commission"). Following a complaint by the Baptist Union's leadership, a regional government official admitted that procedural violations had taken place during the detention by plain-clothes police of Baptists distributing copies of the New Testament at a lawful mission event in Ivanovo in May 2006.

At the level of the European Court of Human Rights (ECtHR) in Strasbourg, the federal government also seems prepared to accept decisions made against it and to comply with rulings awarding compensation payments. For example, no appeal has been lodged within the allotted three months against a verdict in favour of a group of Jehovah's Witnesses in the Urals city of Chelyabinsk. The Moscow branch of the Salvation Army also recently confirmed to Forum 18 that it has received state compensation awarded by the European Court. The federal government appears reluctant to address the situation that led to the original violations, however, as there has still been no move to resolve the Moscow branch's legal situation.

Russia's federal authorities do not have a proactive policy of restricting freedom of religion or belief, and they continue to resist calls to introduce such a policy. But the federal authorities' failure to tackle general discriminatory practices produces a slow erosion of religious freedom. (END)

For a personal commentary by an Old Believer about continuing denial of equality to Russia's religious minorities see F18News http://www.forum18.org/Archive.php?article_id=570

Full reports of the religious freedom situation in Russia can be found at

http://www.forum18.org/Archive.php?query=&religion=all&country=10

The previous Forum 18 Russia religious freedom survey is at http://www.forum18.org/Archive.php?article_id=509

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY

