

# 2018 UPDATE: FREEDOM OF RELIGION OR BELIEF IN RUSSIA OFFICE OF DAVID ANDERSON, MP

When the USSR collapsed in 1991, many hoped that the years of religious oppression they had experienced under the former Soviet Union would finally be over. Lenin had believed that "religion [w]as the opium of people" and both Stalin and Khrushchev carried out anti-religious legislation that silenced all religious expression in the name of atheism.

The [Constitution of the Russian Federation](#), established in 1993, may have provided a brief glimmer of hope. The Constitution states that Russia is a secular state and:

...guarantees the equality of human and civil rights and freedoms regardless of sex, race, nationality, language, origin, material and official status, place of residence, attitude to religion, convictions, membership of public associations, or of other circumstances. All forms of limitations of human rights on social, racial, national, language or religious grounds shall be prohibited. [...]

Article 28 states:

Everyone shall be guaranteed freedom of conscience and religion, including the right to profess individually or collectively any religion or not to profess any religion, and freely to choose, possess and disseminate religious and other convictions and act in accordance with them.

Sadly, religious freedom remained elusive to all but the Moscow Patriarchate Russian Orthodox Church (MPROC). Its special status was made clear in Russia's 1997 [Law on the Freedom of Conscience and Religious Associations](#). The [United States International Commission on Religious Freedom \(USCIRF\)](#) notes:

The religion law's preface, which is not legally binding, singles out Islam, Judaism, Buddhism, and Orthodox Christianity as the country's four "traditional" faiths. Although the Russian constitution guarantees a secular state and equal legal status for all religions, the Moscow Patriarchate of the Russian Orthodox Church (MPROC) – which claims as adherents 60 percent of Russians – is

strongly favored, including in chaplaincies, the education system, and state subsidies. “Non-traditional” religious groups do not receive state subsidies. Officials often refer negatively to religious and other minorities, which fosters a climate of intolerance.

MPROC’s special status stands in [contrast](#) to Russia’s 1993 constitution which mandates the separation of the church and state.

In 2001, religious groups who had previously been registered had to re-register under harsher regulations. The Russian Orthodox Church easily maintained its status but many were denied status.

In 2002, Russia passed the [Federal law on Combating Extremist Activity](#), anti-terrorism laws in response to the aftermath of the 2nd Chechnya war and the 9/11 events in the United States. These laws allowed state officials to go after groups they deemed to be violent and extreme even if no harm had been done to the public.

In 2007, publications that were deemed ‘extreme’ were required by law to be added to Federal List of Extremist Materials. The list included material by Jehovah Witnesses and Falun Gong.

In 2013, blasphemy laws were put in place after a peaceful protest took place outside of an MPROC church the year before. Anyone who ‘offended religious convictions and feelings’ faced a jail sentence of up to three years or would be forced to pay the equivalent of up to three years’ salary. Non-state sanctioned private religious speech was criminalized. People who expressed their views on social media were imprisoned if comments were deemed to be offensive to the MPROC or if other religious views were expressed.

### **Recent Rise in Religious Restrictions in Russia**

In July 2016, Russian President Vladimir Putin enacted the [Yarovaya Law](#), which included two bills designed to enforce stricter penalties on terrorists. Unfortunately, this law has been used to ban missionaries from sharing their beliefs in public places. According to the [International Center for Not-for-Profit Law](#), missionaries previously did not need official invitations from someone within the Russian Federation to come to conduct missionary work. Now, they must obtain letters containing proper authorization from an officially registered organization before missionary work can be done inside a residence or religious organization. All missionary materials must be labeled with the full name of the religious organization. Missionaries are no longer able to obtain a humanitarian visa for entry into Russia. They are fined if they do not label their material properly or if they are found to be infringing on a person's rights and freedoms as citizens. The fines are greater for foreigners, who are also expelled from Russia.

In April 2017, Russia's Supreme Court outlawed Jehovah’s Witnesses. All Administrative Centers, home to 395 Jehovah’s Witness branches, were shut down and

declared extremist organizations. This was followed by a court ruling in the Leningrad region which banned the Jehovah's Witnesses' 'New World Bible' in September 2017. According to [Human Rights Watch](#), Jehovah's Witnesses face criminal prosecution and fines ranging from 300,000 to 600,000 rubles (the equivalent of up to \$10,687 US dollars). They also face imprisonment of six to ten years.

In November 2017, [World Watch Monitor](#) reported on an "education to patriotism" law to have been introduced on January 1, 2018. According to [Asia News](#), the law outlines qualities of a 'well-formed patriot', and defines what is moral and spiritual for the common good according to the "traditional religious confessions of Russia."

According to the Multimedia Investment Ltd's [Foreign Affairs Global Open Source Intelligence](#)<sup>1</sup>, Russia has named the upcoming decade the "Decade of Children". It notes that "the Russian Orthodox Church should play an important role in the realization of its goals, the upbringing of the growing generation, the adherence of youth to spiritual sources and paternal traditions."

Discussions at the State Duma in December 2017 confirm this. The Russian Orthodox Church Department for External Church Relations, His Holiness Patriarch Kirill of Moscow and All Russian and the State Duma Chairman V. Volodin [attended](#) the opening of the 5th Parliamentary Christmas Meetings organized at the State Duma as a part of the 25th International Christmas Educational Readings under the theme '1917-2017: Lessons of the Centenary'. According to [Foreign Affairs Global Open Source Intelligence](#)<sup>2</sup> wire, the First Deputy Chairman of the Federation Council, Nikolai Fedorov, reported that the 'main theme of the Christmas Parliamentary meetings was the strengthening of the role of spiritual and moral values in human life.'

## **North Caucasus**

Persecution of religious minorities is particularly severe in places like Chechnya and Dagestan. There has been ongoing conflict in these two subdivisions of Russia since the region lost its independence over two hundred years ago. The region has become home to radical components of Islam since the Chechnyan wars of the 1990s, and is known for jihadist activity.

## **Exporting of Religious Persecution to Neighbouring Regions**

In 2014, Russia began exporting its repression of religious minorities through military invasion into neighboring regions. According to the [United States Commission on International Religious Freedom 2017 Report on Russia](#), the Russian Supreme Court banned the chief political body of the Crimean Tartars, barred its two leaders from

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<sup>1</sup> Multimedia Investment Ltd. "The main theme of the Christmas parliamentary readings is the strengthening of the role of spiritual and moral values in human life." [ForeignAffairs.co.nz](#) (accessed March 19, 2018).

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entering Crimea, and cut them off from the office of the Religious Administration of Muslims in Crimea (Muftiate). Russian security forces imprisoned human rights activists and searched Ukrainian homes for religious texts that had been legal in Ukraine, but not in Russia. The Kyiv Patriarchate of the Ukrainian Orthodox Church has also been the recipient of persecution and, according to USCIRF, was ‘stripped of its last prayer space in the capital of Crimea’. Religious groups that previously had legal status in Ukrainian law had to re-register in occupied Crimea, affecting hundreds of religious communities. After observing these changes and other cases of religious persecution, USCIRF placed Russia in its Tier 1 Country of Particular Concern list, joining the ranks of some of the world’s worst religious freedom offenders.

### **Sergei Magnitsky Law**

In October 2017, the [Sergei Magnitsky Law \(S-226\)](#) received Royal Assent in the Canadian Parliament. The legislation targets and punishes corrupt foreign officials to the fullest extent of the Canadian law. This is a step forward for Canada and can be used to target foreign officials in violation of religious freedom.

The Library of Parliament’s [Legislative Summary](#) states:

“Clause 16 of Bill S-226 amends the [Special Economic Measures Act] SEMA by expanding the grounds upon which the Governor in Council can... [sequester] any property in Canada that is held by... a foreign state... responsible for or... complicit in extrajudicial killings, torture or other gross violations of internationally recognized human rights against whistle-blowers, human rights advocates or anyone seeking to obtain, exercise or defend an internationally recognized human right, including freedom of conscience, religion, thought, belief, opinion, expression, peaceful assembly and association, and the right to a fair trial and democratic elections (new section 4(1.1)(c)).”

According to [Global Affairs Canada](#), the Bill:

...Bill S-226 also contained amendments to the [Immigration and Refugee Protection Act](#) which render inadmissible to Canada persons, other than permanent residents, who are subject to orders and regulations made under the new Act.

### **Call to Action**

We call on the Russian Federation to:

- Cease using ‘religious and anti-extremism laws’ against religious minorities.
- Stop the arrests, abuse, surveillance, and fining of religious minorities and missionaries.
- Stop exporting religious repression into neighboring regions.

- Repeal anti-blasphemy laws used to repress views outside of the MPROC.
- Respect the religious freedom of citizens both locally and abroad and respect Article 18 of the UN Declaration of International Human Rights and Freedoms, which states that:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

We call on Canada to:

- Use the Magnitsky Act to freeze the assets of foreign nationals who violate religious freedom and bar their entry into Canada.
- Raise Russia's profile as a violator of religious freedom at international gatherings and organizations.
- Press for the release of those currently in prison because of their religious beliefs.