

June 25, 2010

Dear Senators and Representatives:

We, the undersigned, write to communicate our concerns regarding the escalating threats to religious freedom in Russia, and to respectfully request that you raise this issue with the Russian Ambassador to the United States.

Article 29 of the Constitution of the Russian Federation guarantees freedom of religion, including the right to profess either alone or in community with others any religion or to profess no religion at all, to freely choose, have and share religious and other beliefs and manifest them in practice. Article 30 provides that everyone shall have the right to freedom of association.

Further, Russia has signed the Universal Declaration of Human Rights, and has signed and ratified the International Covenant on Civil and Political Rights, and the European Convention on Human Rights.

Yet Russian authorities are using the 2002 Extremism Law to combat “religious extremism” and, coming against an established pattern of local government obstruction of non-Russian Orthodox religious communities, this has led to a crackdown on religions that has been termed by Forum 18 News Service as the new “Inquisition.”

In 2007, the first bans on religious literature were implemented, and the Federal List of Extremist Materials was initiated. Then, in 2008-2009, the Justice Ministry reconstituted its Expert Religious Studies Council and gave it wide-ranging powers to investigate the activity, doctrines, literature and worship of religious organizations, and then recommend measures. The appointment of renowned "anti-cultists" and controversial scholars to the Council provoked an unprecedented outcry from many religious representatives and human rights defenders.

In coordination with the Expert Religious Studies Council, local authorities and low-level courts are instigating cases that create an increasingly hostile environment for “non-traditional” religions, and result in investigations, armed raids, nationwide bans on certain religious literature that has been published and read worldwide for decades, and even dissolutions and liquidations of religious organizations. The Federal List of Extremist Materials now runs to 573 items.

The crackdown on religions has been wide-ranging. Consider the following examples, mostly from Forum 18 News Service, since 2007:

- On May 13 and 14, 2007, police arrested and detained 15 members of the Voskresenye Baptist community in Ivanovo who were holding an event in a movie

- theater and distributing the New Testament and Book of Psalms. The police tried to intimidate the detainees and urged them not to attend Baptist meetings, stating that it was a "harmful sect."
- In the Siberian republic of Khakassia, Glorification Pentecostal Church was forced to demolish its prayer hall in June 2007.
  - A Pentecostal Bible Centre in Chuvashia was dissolved for unlicensed educational activity in August 2007 and has subsequently sent an appeal to the ECHR.
  - In another case, a small Methodist church in Belgorod Region was dissolved by court order in February 2008 for failing to file a report about its annual activities on time.
  - In February 2008 the Government added to the list of banned books the widely read *The Personality of a Muslim*, a moderate and pacifist work by Muhammad Ali al-Hashimi.
  - In March 2008, Moscow city authorities announced a yeshiva (Jewish school) would be dissolved.
  - In June 2008, a Moscow district public prosecutor issued an extremism warning to a local Baptist pastor without specifying its grounds for doing so.
  - Police in the town of Kaluga south-west of the Russian capital Moscow raided the Sunday morning service of St George's Lutheran congregation... eleven police officers armed with automatic weapons and accompanied by police dogs burst into the service, looking for alleged "extremist literature." "Our explanations that the Bible and books of the [Lutheran] Augsburg Confession have nothing to do with extremist literature didn't seem to convince them."... when the armed officers burst in, they blocked the church doors to prevent anyone leaving or entering... the police checked the only literature present at the church – Bibles and hymnbooks – as they hunted for the alleged extremist literature.
  - Two Baptist congregations in the regional centre of Lipetsk have lost their legal status and a third has lost its rented prayer house. "There's been nothing like this in Lipetsk for 20 years," Vladimir Boyev, pastor of one of the congregations, exclaimed to Forum 18 News Service. The state's methods may not be those of the Soviet period, when religious believers could end up in prison, Pastor Boyev admitted. "But they have found a different way – a bureaucratic way – to put our Church in a terrible position," he pointed out to Forum 18. "We are defenceless!"
  - Two Baptist preachers in Russia's Baltic Sea exclave of Kaliningrad have been fined after their community "sang psalms and spoke about Christ" in the street...
  - In the wake of a September Justice Ministry list of 22 religious organisations whose liquidation the Ministry has sought through the courts... Two decided to dissolve themselves: the Presbyterian Christian Theological Academy and the Institute of Contemporary Judaism, both in Moscow.
  - In the case of two Moscow-based yeshivas (Jewish schools), Torat Khaim and Ogalei Yakov, neither held – nor met the criteria for - an education licence, Rabbi Zinovy Kogan of the Congress of Jewish Religious Organisations and Associations in Russia (known by its Russian acronym, KEROR) explained to

- Forum 18. They had also failed to file annual accounts, as required of all non-commercial organisations since 2007. In extensive negotiation with state officials, local courts subsequently agreed not to dissolve them after each altered its self-description in its registered charter to a "religious institution" within KEROOR.
- In November 2008 the Yaroslavl city administration published its "Guide to Sects," in which it labeled the Krishna Conscience Society (Hare Krishnas) a "dangerous totalitarian sect."
  - Russian customs officials, Prosecutor's Office officials and FSB security service officers are continuing to seize works by Turkish Muslim theologian Said Nursi, most recently in Siberia and Bashkortostan... Russian translations of many of Nursi's works have been banned in Russia, as they have been placed on the Federal List of Extremist Materials. Yet local state officials in Tatarstan maintained to Forum 18 that federal accusations against a Tatar-Turkish lycee in the regional capital Kazan that it was linked with "religious extremism" were unfounded. Tatarstan's senior religious affairs official Renat Valiullin also told Forum 18 that the Moscow court decision banning Nursi translations was taken "without any strong expert analysis."
  - For the first time in Russia to Forum 18 News Service's knowledge, formal criminal charges have been brought against four readers of the works of the late Turkish Muslim theologian Said Nursi. Roman Gavrusik's account describes how, after 11pm on 16 February, a masked and armed group burst into a Krasnoyarsk flat where he and other Nursi readers were meeting.
  - In January 2009 in Taganrog (Rostov Region), the Rostov Region Prosecutor's Office filed a claim with the Rostov Regional Court to liquidate the Taganrog local religious organization (LRO) of Jehovah's Witnesses for carrying out extremist activity.
  - On April 28, 2009, authorities in Dagestan prevented an assembly of activists from Nurjular, a Muslim religious organization, in Izberbash. The Russian Supreme Court banned Nurjular from Russia in April 2008. A spokesman for the FSB said that all activists who participated in the meeting were questioned and released, and that their activities remain under surveillance "across Dagestan and elsewhere in Russia."
  - On May 7, 2009, the Russian Supreme Court ruled that the international religious organization Tablighi Jamaat was extremist and banned its activity. The General Prosecutor maintained that Tablighi Jamaat is a radical organization whose goal is the re-establishment of an Islamic caliphate, but Tablighi Jamaat and some human rights activists claimed that the organization scrupulously follows the law and exists solely to educate people about Islam.
  - Russia's Supreme Court upheld a September 2009 ban on 34 Jehovah's Witness titles as extremist on 8 December 2009. The Supreme Court of the Siberian republic of Altai upheld a similar ban on a further 18 items of Jehovah's Witness literature on 27 January.

- The September 2009 Rostov-on-Don decision also dissolved the local Jehovah's Witness organisation in Taganrog... bailiffs evicted Jehovah's Witnesses from and sealed the Taganrog organisation's Kingdom Hall – confiscated by the Rostov-on-Don ruling – on 1 March.
- In what Jehovah's Witnesses say is the first official order in post-Soviet Russia to confiscate and destroy their literature, Magistrate Sergei Bondarev of Tuapse District (Krasnodar Region) has fined Sevak Mesropyan and Artem Zograbyan... for "production and distribution of extremist material." Viewed by Forum 18, Bondarev's 12 March rulings note that when the pair were stopped by police while driving through the settlement of Messazhai on the morning of 11 March, "material of an extremist nature" was discovered in the boot of Mesropyan's car. The magistrate ordered the literature be "confiscated and destroyed".
- On March 16, 2010, over 25 police and government officials entered the Management Center of Scientology to conduct what is called a “pre-investigation” on the charge of extremism. The next day, officials entered the Church of Scientology of Moscow and seized additional Scriptural materials.
- On March 26, 2010, the Surgut City Court of Khanty-Mansi rendered a decision finding that 29 Scientology religious books, lectures and brochures should be labeled as “extremist.” This decision occurred after an *ex parte* hearing that did not include any party representing the Church of Scientology. Nobody associated with the Church was allowed to intervene as a party or was even given notice of the hearing.
- A total of 56 major religious organizations spanning confessions broadly considered mainstream in Russia were earmarked for court liquidation because the Justice Ministry claims not to have received their accounts... Old Believer, Armenian Apostolic, Catholic, Protestant, Nestorian, Muslim and Buddhist organizations are among those on the list. The courts issued rulings to liquidate 59 local organizations for violations of constitutional norms and federal legislation.

The European Court of Human Rights has issued multiple recent decisions against Russia, with regard to Articles 9 and 11 of the European Convention on Human Rights. Article 9 provides for the right to freedom of thought, conscience and religion, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance. Article 11 provides for the right to freedom of peaceful assembly and to freedom of association with others.

- In CASE OF JEHOVAH’S WITNESSES OF MOSCOW v. RUSSIA (Application no. 302/02), the Court held on June 10, 2010, “there has been a violation of Article 9 of the Convention read in the light of Article 11 on account of the dissolution of the applicant community and the banning of its activity”, and, “there has been a violation of Article 11 of the Convention read in the light of Article 9 on account of the refusal to allow re-registration of the applicant community.”

- In CASE OF KIMLYA AND OTHERS v. RUSSIA (Applications nos. 76836/01 and 32782/03), the Court held on October 1, 2009, “there has been a violation of Article 9 of the Convention read in the light of Article 11.”
- In CASE OF CHURCH OF SCIENTOLOGY MOSCOW v. RUSSIA (Application no. 18147/02), the Court held on April 5, 2007, “there has been a violation of Article 11 of the Convention read in the light of Article 9.”
- In CASE OF THE MOSCOW BRANCH OF THE SALVATION ARMY v. RUSSIA ( Application no. 72881/01), the Court held on October 5, 2006, “there has been a violation of Article 11 of the Convention read in the light of Article 9.”

Further, in the most recent decision, issued on June 10, the Court wrote:

157. Court has already had occasion to examine the particular situation obtaining in Moscow in the period following the enactment of the 1997 Religions Act where the authorities have consistently denied re-registration to religious organisations which were described as “non-traditional religions”, including The Salvation Army and the Church of Scientology. The Court found in both cases that “the Moscow authorities did not act in good faith and neglected their duty of neutrality and impartiality” (see *Church of Scientology Moscow v. Russia*, no. 18147/02, § 97, 5 April 2007, and *Moscow Branch of the Salvation Army v. Russia*, no. 72881/01, § 97, ECHR 2006-XI). This differential treatment, for which Jehovah’s Witnesses also appear to have been singled out, has remained a matter of concern for the Parliamentary Assembly of the Council of Europe...

172. ...Furthermore, the Court found in those same cases that the refusal of re-registration disclosed an interference with the religious organisation’s right to freedom of association and also with its right to freedom of religion in so far as the Religions Act restricted the ability of a religious association without legal-entity status to exercise the full range of religious activities and also to introduce amendments to its own articles of association (see *The Moscow Branch of The Salvation Army*, § 74, and *Church of Scientology Moscow*, § 83, both cited above). These findings are applicable in the present case as well...

180. It follows that the grounds invoked by the domestic authorities for refusing re-registration of the applicant community had no lawful basis...

Therefore, with deep concern about the oppression and obstruction of religions in Russia, and for the resulting violations of individual rights to freedom of thought, conscience, religion and association, all in contravention of the Russian Constitution and international human rights laws, we ask that you sign a letter to the Russian Ambassador. The Russian Government should make good on Russian guarantees of freedom of religion and association for every individual and religious community, and it should honor its international human rights obligations and commitments.

Thank you for your attention to this urgent matter.

Sincerely,

Ratan Barua  
Secretary General  
South Asia Human Rights Watch

Rev. Bishop Pedro Bravo-Guzman  
Presiding Bishop  
Association of Independent Evangelical Lutheran Churches

Barry Bussey  
Executive Director  
North American Religious Liberty Association

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*\* Organization names are for purposes of identification only.*

CC: The Honorable Hillary Clinton, Secretary of State  
General Jim Jones, National Security Advisor  
James Steinberg, Deputy Secretary of State