



The Muslim Problem Research Center

The situation of freedom of religion and beliefs in Russia 2013.

I welcome the participants of the conference!

We would like to inform you that the Russian law on combating Extremist Activity ("the Extremism Law") passed in 2002 gives rise to numerous violations of Muslims' rights for freedom to practice their religion and to spread their beliefs. There is no clear definition of extremism in the law which opens the door to arbitrary interpretation of the term by law enforcement, prosecutorial and judicial authorities of the country. For this reason many Russian citizens are prosecuted, especially Muslims. It looks like the anti-extremist legislation acquires the features of anti-Islamic legislation. The following facts urge to incline to this view.

As it was mentioned Russian prosecutors and court using the ambiguities in the anti-extremist law massively prohibit Islamic books and video materials, their number reached nearly 700 names. It is impossible not to say that on 17 September 2013 the court of Novorossiysk recognized the translation of Quran in Russian as extremist and banned it though it was in open sale since 2002. The activities of non-registered, non-violent, religious missionary organizations are prohibited and their members are prosecuted. Mosques are searched for the presence in them of Islamic literature included in the list of extremist materials. Today the translation of Quran has been banned. Can you imagine a mosque without Quran?!

Moreover, law enforcement agencies using the opportunities in the interpretation of the anti-extremist legislation are trying to use it as a way for prosecution under very serious articles of the Criminal Code which provide term imprisonments up to 20 years. The basis for such accusations is doubtful expert opinions on the fact that religious books seized from Muslims have (please note) hidden meanings aimed at encouraging reading these books to prepare the violent overthrow of the constitutional order. Then you can read a book about how the wolf ate Little Red Riding Hood. Must you be accused for the preparation of an act of cannibalism?

We consider that Russia does not perform the obligations that has taken before the international community in the field of respect of the freedom of religion and belief. Also in summer 2012 the Venice Commission of the Council of Europe expressed its concern about the lack of clear wording of the Russian law on combating Extremist Activity ("the Extremism Law") and recommended to clarify it. In spring 2013 the Council of Human Rights also criticized the Russian Extremism Law. The Russian Federation representative assured that all concerns were heard and anti-extremist law would be corrected. But in reality we see another, despite its shortcomings in the law and numerous abuses in law enforcement practice the Russian government has submitted to the legislative body of the country not a package of amendments to the law introducing maximum clarity of the definition of extremism and its procedures, but on the contrary proposed to toughen it and increase penalties for those who become victims of arbitrary interpretation of the law by authorities. If these amendments be adopted we can predict an increase in violations of freedom of Muslim for religion, belief and expression of opinion.

It is important to note that there are articles in Russian criminal law providing criminal prosecution for obstructing the activities of religious organizations (including unregistered), preventing to conduct their religious ceremonies, worships, meetings, rallies, but in practice these articles do not work. This fact can be understood by members of the

various security services as an indirect encouragement by the state of their abuses of the use of extremist law, through a broad interpretation of which, unregistered Muslim groups are harassed, their activities are hindered, such as the protection of their rights through peaceful protests, meetings, rallies.

Perhaps the Russian authorities should pay more attention to the reasons why the above-mentioned articles of the criminal law are not applied by the public officials who violate the rights of Muslims to freedom of religion and belief including in the result of an arbitrary interpretation of the extremist law. The use of 148, 149 Articles of the Criminal Code of the Russian Federation can stimulate the reticence of civil servants from the manifestation of excessive regulation in the sphere of freedom of religion and belief.

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