February 9, 2006: Russia: USCIRF Commissioner Prodromou Gives Presentation in Moscow on Human Rights and Tolerance

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Contact:
Anne Johnson, Director of Communications, (202) 523-3240, ext. 27WASHINGTON - On February 9, United States Commission on International Religious Freedom (USCIRF) Commissioner Elizabeth Prodromou gave a presentation on behalf of the Commission entitled "Human Rights and Tolerance in Today's Russia: An International View" at a conference onReligion in Civil Society organized by the Russian Presidential Administration's Academy of State Service in Moscow, Russia. The conference was co-organized by The Brigham Young University International Center for Law and Religion Studies, and is part of a training program for regional Russian government officials who work in the religion sphere. The conference also drew national religious, government, and academic leaders.In her presentation, Commissioner Prodromou underscored that freedom of thought, conscience, religion and belief is recognized by virtually every country in the world and is defined in various international human rights instruments signed by Russia and the United States. She noted that Russia has been a focus of consistent Commission attention and concern since the Commission was established in 1999 not because of the severity of the religious freedom violations, but because of the fragility of human rights protections, including those for freedom of religion and belief. Commissioner Prodromou expressed the Commission's concern that after Russia's significant progress on the human rights front in the dozen years since the collapse of the USSR, the Russian government has been retreating from democratic reform, endangering the significant gains for human rights, including freedom of religion or belief. Commenting on acts of intolerance and xenophobia - issues highlighted by last month's attack on a Moscow synagogue - Commissioner Prodromou expressed concern that incidents of religiously, racially, or ethnically motivated attacks have markedly increased in recent years, amidst the claims by some observers that Russian officials are not active enough in combating hate crimes, xenophobia, anti-Semitism and Islamophobia. She concluded that it is only when governments uphold - in practice as well as on paper - international guarantees of freedom of religion and belief - for communities as well as individuals - that societies will progress along the path towards a stable and prosperous future. The prepared text of Commissioner Prodromou's presentation follows:Human Rights and Tolerance in Today's Russia: An International ViewIntroductionI am very pleased to have the opportunity to be here in Moscow today and to speak to all of you. As I understand it, many of you are the individuals who are responsible for implementing Russian law and policies on religious activities and religious organizations. In this capacity, you also play an important role in ensuring that the rights recognized in the Russian Constitution and in international treaties are protected for all individuals in Russia.In my presentation, I would like to provide a perspective on how some of us in the international community who care about human rights view what is happening in Russia today. And I hope to learn from you during this conference.I would like to start by explaining why the protection of human rights in Russia is a concern of U.S. foreign policy. I would also like briefly to describe the role in the formation of U.S. foreign policy of the organization I represent, the U.S. Commission on International Religious Freedom. Then I would like to discuss the trends that are of concern to my Commission and others regarding the state of freedom of religion and belief and related issues in Russia. I. U.S. Policy Promotes International Standards of the Right to Freedom of ReligionAmerican interest in promoting freedom of religion and belief in other countries is not an attempt to enforce American values. Nor is it an effort to dictate to others that they should adopt the American system of church-state relations. Rather, we seek to hold governments accountable for their own commitments to implement international human rights standards, since concern for religious freedom and other human rights reflects universal values and norms.Freedom of thought, conscience, religion and belief is recognized by virtually every country in the world and is defined in various international instruments signed by Russia and the United States. These include the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights, as well as the Helsinki Final Act and other documents of the Organization for Security and Cooperation in Europe. It is these standards that constitute the legal mandate of the Commission.The first among these standards is Article 18 of the Universal Declaration, which states that:"Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."The international community has also adopted documents that focus on the need for religious tolerance, including the UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief. The principle of tolerance for the rights of others is, of course, necessary for the peaceful exercise of one's own rights - indeed, one cannot exist without the other. Moreover, it has become apparent since September 11 that freedom of religion or belief and religious tolerance are intimately connected to world peace and order. II. U.S. Policy to Promote International Religious FreedomAmericans care deeply about their own freedoms, particularly freedom of religion and belief, both in our own country and as a basic right to be guaranteed and protected in any democratic country.In 1998, the United States Congress passed a law entitled "the International Religious Freedom Act of 1998." In passing the law, Congress found that religious freedom is very important to the origin and existence of the United States. "Many of our Nation's founders fled religious persecution abroad, cherishing in their hearts and minds the ideals of religious freedom." Indeed, the guarantee of the free exercise of religion is the first right enumerated in our Constitution's Bill of Rights.The law also found that religious freedom is "under renewed and, in many cases, increasing, assault in many countries around the world" and that "more than one-half of the world's population" lives in countries where the right to freedom of religion and belief is in some manner restricted as a result of government action or, in some

cases, government inaction. Therefore, one of the main purposes and principles behind the 1998 law is to make the issue of international religious freedom an integral part of the U.S. foreign policy agenda, so as to help stem the tide of deteriorating religious freedom in all too many countries. This is not because the United States wishes to impose its traditions on others, but because a decline in freedom, when left unchecked, can ultimately result in human rights violations on a wide scale. History reveals all too many examples of crimes against humanity, acts of terrorism, or war crimes committed in the name of religion or when freedom of religion or belief is denied.At this point, I want to express my condolences -as well as on behalf of the Commission I represent - with the citizens of Russia - of various religions and ethnic groups - who have been subjected to terrorist attacks in recent years. But I have no words to express the horror and sorrow I feel for the community of Beslan who lost so many of their children on that terrible day in September 2004.Returning to the International Religious Freedom Act, Congress required the creation of an Office on International Religious Freedom within the U.S. State Department. Second, the law requires the State Department to prepare an annual report on conditions of religious freedom in every country in the world, as well as U.S. policies to promote it.In addition, the law created the Commission that I have the honor of representing today. The Commission is an independent, bipartisan, U.S. government entity that is not part of the State Department, the Executive Branch, or Congress. The nine Commissioners are private citizens who are appointed by the President and the leadership of both political parties. Commissioners are experts in U.S foreign policy, international law, human rights, and religious affairs. The main responsibilities of the Commission are to review the facts and circumstances of violations of religious freedom worldwide and to recommend policies to the President, the Secretary of State and the Congress, both in response to progress and in regard to violations of religious freedom. In recent years, for example, the Commission has called for the U.S. government to publicly respond to chronic abuses of religious freedom in such countries as Saudi Arabia, China and Pakistan; it has also been publicly critical of the decision by the French government to ban the wearing of headscarves in public schools, and has conducted a comparative study of religious freedom provisions in the Constitutions of countries with Muslim-majority populations. The Commission, also holds public hearings; testifies before Congress; meets with foreign officials, and consults with religious communities, non-governmental organizations, experts, and U.S. officials. Commissioners and staff have also traveled to various countries to gather first-hand information on conditions of freedom of religion or belief. III. The Russian Human Rights RecordSince the Commission was established in 1999, Russia has been a focus of consistent Commission monitoring and concern. Russia has drawn the Commission's attention not because of the severity of the religious freedom violations, but because of the fragility of human rights protections, including those for freedom of religion and belief. As recently as a few years ago, many praised Russia for its significant progress on the human rights front, particularly in comparison to the Soviet record. Unfortunately, however, today, few international observers would repeat that assessment. My Commission has expressed strong concern that the Russian government has been retreating from democratic reform, endangering the significant gains for human rights, including freedom of religion or belief, achieved in the dozen years since the collapse of the USSR.Permit me to outline several events in Russia over the last few years that have raised serious questions in the minds of many international observers about the Russian government's commitment to human rights.The number of independent Russian media outlets has dwindled to the point that today, only a small number of radio stations and newspapers in a few cities can still be called independent news sources. In 2004, the Russian Duma passed a law requiring organizers of public meetings and rallies to give at least ten days advance notice to authorities. Another new law requires two million signatures before the Russian government will consider any popular referendum. During President Putin's state-of-the-nation address in May 2004, he called into question the loyalty of foreign-funded Russian civil society groups, and in July the presidential administration sent to the Duma a draft law to regulate the funding of NGOs in Russia. After the terrible September 2004 terrorist attack on the school in Beslan, President Putin announced the elimination of direct election of Russia's regional governors and gave himself authority to disband local legislatures. In October 2004, a new unit was set up in the Justice Ministry to oversee the registration of NGOs and religious communities in Russia, suggesting an intention to increase government control. In early 2005, the Russian Constitutional Court upheld a new law on political parties which raised minimal membership requirements for their registration from 10,000 to 50,000 in at least half of Russia's 89 regions. Only eight of Russia's 44 political parties could meet that new legislative requirement.Just last month, President Putin signed into law new requirements on the Russian NGO community which many view as diminishing the rights of Russian citizens. Under these new regulations, a unit in the Justice Ministry will oversee the registration, financing and activities of the more than 400,000 NGOs that operate in Russia. The Ministry unit can also deny registration to any foreign group on the vague grounds that they threaten Russia's "sovereignty," "cultural heritage" and "national interests." The Ministry unit can also shut down an NGO for using foreign funds for political activities and engaging in activities unrelated to its stated goals. Reportedly, the ministry has already initiated a suit to close an association of independent human rights groups because the association allegedly has not informed officials of its operations. The measure also requires Russian NGOs to report all their foreign grants and how they are spent. The authorities can also require foreign grant-givers to cease funding specific Russian groups.Clearly, the government has a duty to protect its citizens and no group or individual is above the law. Yet, the concern these new regulations is that, however harmless they may seem on the surface, they can be implemented in an arbitrary manner to restrict civil society in Russia and to violate Russia's international commitments concerning freedom of speech, press and association.IV. General Religious Freedom ConcernsClearly, the practice of religion in Russia, particularly for individuals, is far freer now than during the Soviet period, when militant atheism was the preferred state policy. Yet, despite that improvement, concerns remain. Although thousands of religious organizations have been registered under the law passed in 1997, provisions of that law have prevented some religious groups from registering and thus practicing freely. Many observers believe that some regional governments have passed ordinances that are inconsistent with the Russian constitution and that result in restrictions against minority religious groups. Some government agencies and officials have granted certain privileges to the Russian Orthodox Church, calling

into question whether religious freedom will be guaranteed for all. Since the passage of the 1997 law, the Russian government has responded to some of these concerns, and Russian courts have provided some protection against violations. Developments in the past few years, however, raise doubts about Russia's commitment to the protection of freedom of religion or belief. Oleg Mironov, former Russian Human Rights Ombudsman, told the Commission last year that "freedom of religion in the last 10 years in Russia is greater than at any time since the 1917 Russian revolution...You can freely attend the house of worship of your choice... But even though there are positive achievements ...there are many complex trends. We fear that these negative trends may accelerate to such a point that they will in effect obliterate the positive achievements that have been made in the area of religious freedom."The Moscow court decision in March 2004 banning the Jehovah's Witnesses in that city, upheld on appeal, marked the first time a national religious organization in Russia has had a local branch banned under the 1997 law. The protracted trial took place even though 135,000 Jehovah's Witnesses practice their faith in registered communities in many other parts of Russia. The trial has led to increased difficulties for Jehovah's Witnesses in renting facilities to hold worship services in other parts of Russia. The Salvation Army also has not been re-registered, despite a Constitutional Court ruling that overturned the official decision not to register the organization in Moscow. A "Law on Traditional Religions," first proposed in February 2002 and whose status remains unclear, would formalize benefits already granted de facto, in varying degrees, to organizations from among the Moscow Patriarchate of Russian Orthodoxy, Islam, Judaism and Buddhism. Granting benefits to some communities and not to others raises the possibility of discrimination. The Russian Orthodox Church (ROC) - and the Orthodox tradition in general -- has played a special role in Russian history and culture. International law allows for the state to recognize this fact, but not in ways that result in discrimination against, or restrictions on, the rights of members of other religious communities or non-believers. Many international observers are concerned, however, that the Russian Orthodox Church enjoys a privileged status that sometimes results in official restrictions on the rights of members of other religious communities. There continue to be frequent reports that minority religious communities must secure permission from the local Orthodox Church before being allowed to build a place of worship. We understand that this permission is not required under Russian law, which establishes a separation between religious organizations and the state. Adherents of minority faiths, including Muslims, Roman Catholics, Mormons, Old Believers, Protestants, and Hare Krishnas, report that government officials sometimes create these and other unjustifiable barriers to their activities, sometimes allegedly at the behest of representatives of the Russian Orthodox Church. Members of some unregistered Baptist and Pentecostal communities faced particular hardships in 2004. On the eve of a major national conference, a Baptist church in Tula was burned. In the Buryatia republic, authorities have removed children from Pentecostal families and placed them in orphanages. In the Udmurtia republic, police raided a registered Pentecostal church in Izhevsk in April 2005, and reportedly threatened four women with rape. Russian authorities have continued to deny visas or residence permits for Catholic, Protestant, and Muslim clergy and religious workers and have refused to grant short-term visas, although a new government publication on the rights of foreign religious workers helped resolve problems. After many years of requests from the Buddhist community in Russia, the Dalai Lama finally received a visa and was allowed to visit Kalmykia in 2004. Yet, in April 2005, the head of the Evangelical-Lutheran Church of European Russia was denied re-entry to Russia and his one-year residence permit was annulled. And for several months last year, Moscow's chief rabbi was arbitrarily denied permission to re-enter Russia.V. Acts of Intolerance and XenophobiaMembers of minority religions continue to face prejudice and societal discrimination. All too often, the Russian media portray so-called "foreign sects," mostly Evangelical Protestants, as alien to Russian culture and society in hostile and even slanderous reports. Incidents of religiously, racially, or ethnically motivated attacks have markedly increased in recent years, though the exact motivation for such attacks is sometimes difficult to determine. Some estimate that the total number of extremist youth groups, usually known as "skinheads," is 50,000 in 85 cities. Skinhead groups often express anti-Muslim and anti-Semitic views as well as hostility towards "foreigners" and "foreign" religions. Perpetrators of vandalism and other violent attacks targeting members of religious communities or their properties are rarely held to account or may be charged with hooliganism. We all understand that no society is immune from the problems of intolerance, discrimination and violent extremism. From a human rights perspective, however, we ask how is the government responding to these problems? Is it doing what it can to prevent and prosecute hate crimes and acts of violence? Or are government officials and agencies encouraging or even engaging in discrimination or hate crimes? Some claim that Russian officials are not active enough in combating hate crimes, xenophobia, anti-Semitism and Islamophobia. Russian journalist Valery Panyushkin, recently wrote that the "Russian police always try to portray any murder committed for nationalistic motives as an isolated incident and to blame it on "hooliganism" instead of "nationalism." Muslims throughout Russia increasingly are subject to widespread discrimination, media attacks and occasional acts of violence. Meeting in secret session in February 2003, the Russian Supreme Court banned 15 Muslim groups because of their alleged ties to international terrorism. The factual findings on which the court made its decision have not been made public. Yet, police, prosecutors, and courts reportedly have used those secret findings to arrest and imprison individuals from among Russia's estimated 20 million Muslims. Individuals of nationalities traditionally associated with Islam have also been subjected to numerous attacks in Russia. Rarely is anyone held to account. Muslim cemeteries and mosques have been vandalized. Reportedly, Russian authorities have also taken steps-including arrests, allegedly on the basis of fabricated evidence-against Muslims, Muslim human rights activists and Muslim groups that are independent of the country's official Muslim organizational structures. In response, Muslim individuals and communities increasingly are engaging in public protests.The Commission has called upon the Russian government to end and prosecute acts of torture, arbitrary detention, rape and other abuses by members of the Russian military in Chechnya. Mufti Ismagil Shangareev told the Commission last year that "the anti-Islamic syndrome in daily life is now beginning to become more official, especially after the highest officials declared war against terrorism, the so-called third world war. Of course, if there is a war and it is directed against specific terrorists who can be prosecuted under specific articles of the criminal code, that is one thing.

But when this policy is simply directed against ordinary people who happen to be Muslims, then we consider such a war to be criminal." The United States and Russia, along with many other countries, are engaged in a struggle with those who commit criminal terrorist acts, but that cannot serve to justify indiscriminate violations of the rights of individuals or communities.Last month's wanton attack on worshippers in a Moscow synagogue has once again tragically highlighted the issue of virulent and sometimes violent xenophobia in Russia. Russian political and religious leaders expressed shock at the attack and solidarity with the victims and with the country's Jewish community. Speaking at a Kremlin press conference, Russia's chief rabbi pointed out that the slogan of "Russia for the Russians," can serve to motivate such vile attacks. He said that "the anti-Semitism problem, as we see it today, is part of a wider problem that Russia is facing. It is a problem with skinheads, organized criminals, who proceed from the simple idea that any alien is an enemy." He noted that "today I sometimes hear that people in the street feel insecure, even though they don't look like Jews. People from Chechnya or other regions feel alien in Moscow and Russia. And this is something that must be stopped." Lazar also called on the Russian government to step up security at Russian synagogues and improve its enforcement of existing legislation on hate crimes.Many in Russia's Jewish community say that conditions for the country's Jews are better than before 1991 because, unlike in the Soviet period, the state no longer has an official policy of sponsoring anti-Semitism. Nevertheless, anti-Semitic acts, including vandalism and physical attacks, are on the rise. According to one report, the number of anti-Semitic articles in the Russian media in the first few months of 2005 equaled the number for all of 2004. Jews have been assaulted in Moscow and other cities, but official investigations of these incidents have been inconclusive. Last year, synagogues and Jewish cemeteries and memorials were subjected to attacks by vandals; there have been few prosecutions. Moreover, in late January 2005, 20 members of the Russian State Duma called on the Procurator General to ban all Jewish organizations in Russia for alleged incitement of religious and ethnic hatred. Though the letter was later officially withdrawn, none of the signers have expressed regret for the views it expressed. In April 2005, another letter, expressing similarly virulent anti-Semitic views, was signed by 5,000 people, including many well-known Russian public figures and church officials. Both letters were publicly condemned by the Russian Foreign Ministry. For several years, the U.S. Commission on International Religious Freedom has heard warnings about growing xenophobia in Russia. Three years ago, the Commission noted that "most, if not all, of the religious freedom concerns [in Russia] ...appear to be directly related to the increasing influence of authoritarian, and perhaps even chauvinistic, strains with the Russian government." Last year, Lyudmila Alekseeva, head of the Moscow Helsinki Group, told the Commission that she was deeply concerned about possible fascist tendencies in Russia. A climate of intolerance, and the growing vehemence and violence of xenophobic acts, are matters of acute concern to the numerous religious and ethnic minorities in Russia. The Commission believes that government officials should promptly and vigorously condemn specific acts of xenophobia and discrimination. Governments should also take steps to vigorously prosecute those who have committed violent acts motivated by hate. Therefore, it is difficult to understand why the Russian government in June 2004 decided to end a national program on tolerance before its original 2005 end date. The program called for various measures, including the review of federal and regional legislation on extremism, mandatory training for public officials to promote ethnic and religious tolerance, and new educational materials. Ella Pamfilova, Presidential Human Rights Commission Chair, termed this decision "political nearsightedness." VI. ConclusionAll over the world, governments and societies are struggling with many similar problems. In an age of globalization, migration and the ever more rapid exchange of ideas, how can countries attain a stable and prosperous future which fuses national tradition and religious and cultural diversity? How can governments respect the rights of individuals while protecting the security of the many? How can societies expand the understanding of what is seen as "ours" from a narrow local view to include world-wide horizons? The Commission believes that it is only when governments uphold - in practice as well as on paper - international guarantees of freedom of religion and belief -- for communities as well as individuals -- that societies will progress along the path towards a stable and prosperous future. Thank you.

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