

UNITED STATES COMMISSION  
ON INTERNATIONAL RELIGIOUS FREEDOM

REPORT ON  
THE RUSSIAN FEDERATION

MAY 2003

U.S. Commission on International Religious Freedom  
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# United States Commission on International Religious Freedom

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\* Effective March 24, 2003, Ambassador Shirin Tahir-Kheli was appointed Special Assistant to the President and Senior Director for Democracy, Human Rights and International Operations by National Security Advisor Condoleezza Rice. This appointment necessitated Amb. Tahir-Kheli's resignation from the Commission.

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May 2003

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**LETTER OF TRANSMITTAL**

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

*Washington, DC, May 1, 2003*

The PRESIDENT

*The White House*

DEAR MR. PRESIDENT: On behalf of the United States Commission on International Religious Freedom, I am transmitting to you the Commission's Report on Russia, prepared in compliance with section 202(a)(2) of the International Religious Freedom Act of 1998, 22 U.S.C. 6401 *et seq.*, P.L. 105-292, as amended by P.L. 106-55 and P.L. 107-228.

We would welcome the opportunity to discuss with you this Report, and the policy recommendations that it contains.

Sincerely,

FELICE D. GAER  
Chair

Enclosure

**LETTER OF TRANSMITTAL**

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

*Washington, DC, May 1, 2003*

Hon. COLIN POWELL

*Secretary of State*

*Department of State*

DEAR MR. SECRETARY: On behalf of the United States Commission on International Religious Freedom, I am transmitting to you the Commission's Report on Russia, prepared in compliance with section 202(a)(2) of the International Religious Freedom Act of 1998, 22 U.S.C. 6401 *et seq.*, P.L. 105-292, as amended by P.L. 106-55 and P.L. 107-228.

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

*Washington, DC, May 1, 2003*

Hon. DENNIS HASTERT  
*Speaker of the House*  
*U.S. House of Representatives*

DEAR MR. SPEAKER: On behalf of the United States Commission on International Religious Freedom, I am transmitting to you the Commission's Report on Russia, prepared in compliance with section 202(a)(2) of the International Religious Freedom Act of 1998, 22 U.S.C. 6401 *et seq.*, P.L. 105-292, as amended by P.L. 106-55 and P.L. 107-228.

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

*Washington, DC, May 1, 2003*

Hon. TED STEVENS  
*President Pro Tempore*  
*U.S. Senate*

DEAR MR. STEVENS: On behalf of the United States Commission on International Religious Freedom, I am transmitting to you the Commission's Report on Russia, prepared in compliance with section 202(a)(2) of the International Religious Freedom Act of 1998, 22 U.S.C. 6401 *et seq.*, P.L. 105-292, as amended by P.L. 106-55 and P.L. 107-228.

We would welcome the opportunity to discuss with you this Report, and the policy recommendations that it contains.

Sincerely,

FELICE D. GAER  
Chair

Enclosure

## **THE RUSSIAN FEDERATION**

### **A. Introduction**

Since its founding in 1999, the U.S. Commission on International Religious Freedom has monitored and reported on the status of religious freedom in the Russian Federation. Russia has consistently drawn the attention of the Commission not because of the severity of the religious freedom violations there, but because of the fragility of human rights, including freedom of religion and belief, in the Russian Federation. Significant progress on the protection of human rights, including religious freedom, has been made in Russia in the last dozen years since the end of the Soviet Union. However, religious freedom problems in the 1990s drew ongoing attention, and several events in the past year affecting religious freedom have suggested attempts on the part of some in Russia to halt or even reverse the gains made thus far. Because democracy is still relatively new to the Russian government and its citizens, the country's continued progress toward democratic reform based on rule of law and the protection of human rights, including religious freedom, remains uncertain.

Clearly, the practice of religious freedom in Russia is freer than at any other time in its history, including during its pre-Soviet and Soviet past.<sup>1</sup> Throughout the Soviet era especially, religious belief and practice of every variant were harshly repressed by the regime, as religious adherence was seen as a primary obstacle to the state's determination to enforce allegiance to its all-encompassing Marxist-Leninist ideology. Thus, with regard to freedom of religion and other human rights, Russia under the Soviet regime was unequivocally not free. In comparison to the Soviet period, the current situation in Russia is dramatically improved.

Despite that improvement, restrictions on the universal human right to freedom of religion and belief continued in post-Soviet Russia. For example, federal laws governing freedom of association and religion contained language that effectively would have prevented many religious groups from registering and thus practicing freely. Regional governments frequently passed ordinances that resulted in discrimination against minority religious groups, and religious violence was widespread. What is more, foreign religious workers often experienced difficulty gaining entry or residence in Russia. At the same time, the Russian Orthodox Church began to seek preferential treatment from the state in a way that called into question the extent to which religious freedom would be guaranteed for all. Still, the Russian government responded to a number of these concerns in the late 1990s, Russian courts provided some protection against violations, and, in spite of the problems, progress was continuing.

In the past year, however, events have occurred that have raised questions about Russia's continued commitment to democratic reform and the protection of religious freedom. These events include: a recent conspicuous increase in the number of clergy and other religious workers denied visas or residency permits, even in cases of previous long-term residency in Russia; indications that one particular denomination, the Russian Orthodox Church, is more explicitly gaining influence as the favored church, resulting in various discriminatory practices against other religious groups; evidence of government meddling in the internal affairs of certain religious communities; the continued occurrence of anti-Semitic attacks; a recent increase in violence against Muslims; the persistent uncertainties in the legal situation, due in part to the seemingly vague procedures for amending the 1997 religion law and the tabling or passage of

other laws related to religious practice; and the leaking in December 2002 of a troubling report attributed to numerous government officials that specifically lists four religions or religious groupings—Roman Catholicism, Protestantism, militant Islam, and new “foreign” sects—as threats to Russia’s national security.

Most if not all of the religious freedom concerns the Commission has raised in the past, and those that have emerged more recently, appear to be directly related to the increasing influence of authoritarian, and perhaps even chauvinistic, strains within the Russian government. Thus, Russia’s progress toward democracy and the protection of human rights remains tenuous, for the country continues to be in danger of surrendering to, or becoming engulfed by, undemocratic forces, which believe that the state should control the development of religion and religious groups in Russia. More specifically, events in the past year indicate that an attempt is underway on the part of elements within the Russian government, aided or perhaps encouraged by the Russian Orthodox Church, to curb religious freedom further and bring the religious practice of Russian citizens under the closer control and tutelage of the state. In the face of this pressure, it is uncertain whether the Russian government can sustain its commitment to democracy and the protection of freedom of religion.

The Commission believes that Russia’s importance in the community of nations necessitates persistent scrutiny of the Russian government’s policies affecting democratic reform and the protection of religious freedom and other human rights. What is more, Russia continues to be a crucial model for many countries throughout the world, including the other former Soviet republics attempting to come out from under the burdens of Soviet totalitarianism, and also other nations struggling to establish rule of law based democratic systems after a history of corruption and despotism. In this sense, Russia continues to be of crucial importance as “confirmation” that such transitions can happen—that democracy can be learned and built. In addition, Russia is becoming an increasingly vital partner for the United States, a key relationship that affords the United States important opportunities to promote the strengthening of human rights protections in Russia. And finally, and perhaps somewhat controversially, attention must be maintained in light of a number of recent developments in Russia that indicate the growing influence of forces in the government who are much less committed to democracy, thus imperiling Russia’s future democratic development. Clearly, now is not the time to reduce U.S. vigilance on democratic progress in Russia.

## **1. Commission Visit to Russia**

Because of the continuing reports that protection of religious freedom was deteriorating in Russia, the Commission undertook a mission to Russia in January 2003. The purpose of the mission was to examine the lingering, persistent religious freedom problems in Russia; to establish contacts with key Russian government officials, religious leaders, and human rights organizations that are engaged with religious freedom issues; to explore the degree to which the continuing (and emergent) religious freedom restrictions represent official policy, and whether they reflect the weakening of democratic protections; and to explain to our Russian interlocutors and other audiences the Commission’s work to promote religious freedom as enshrined in international human rights documents, and the significance of the American commitment to this vital freedom.

In addition to its seven-day visit in January 2003, the Commission has examined the situation in Russia throughout the past year. In March 2002, Commissioner Richard Land traveled to Russia to present a speech entitled “Religions, Politics, and Human Rights” to a conference at the Russian Academy of State Service. At that time, Commissioner Land and Commission staff met briefly with Russian government officials, religious leaders, and representatives of numerous Russian non-governmental organizations (NGOs). In May 2002, the Commission co-hosted with the Department of State and members of Congress a Europe-Eurasia Religious Freedom Roundtable, at which representatives of numerous religious groups presented information on religious freedom conditions in various parts of Europe and Eurasia, including Russia. Throughout the past year, the Commission received private briefings from academic and other experts on Russia, met with key American officials, and interviewed representatives of religious groups from inside the country. In addition, Commission staff hosted a number of delegations of visitors from Russia to discuss further conditions for religious freedom there.

The Commission also reported and issued recommendations on Russia in its annual reports of May 2000 and May 2001. In May 2000, in addition to issuing recommendations, the Commission released an extensive, supplementary staff report that provided a background to religious freedom issues there, examining the historical framework, the consequences of the Soviet period, the reforms of the Gorbachev era, more current conditions, and societal relations among Russia’s numerous religious communities, as well as several laws affecting religious freedom. In 2001, the Commission issued an update of the situation in Russia and reiterated its May 2000 recommendations on ways in which the promotion of religious freedom should remain an integral element of the U.S. relationship with Russia.

## **B. Background**

### **1. Demographic Information**

The Russian Federation has a population of approximately 144 million. About 81 percent of the population is Russian, 4 percent Tatar, 3 percent Ukrainian, and 12 percent other nationalities, most of which, like the Tatars, are non-Slavic in language and ethnicity. Among that 12 percent are peoples who speak Turkic languages, languages related to Finnish, and speakers of Caucasian languages, among others. There are over 100 different ethnic groups in the Russian Federation.

According to the State Department, there are no reliable statistics that categorize the country’s population by religious denomination. Available information suggests that approximately half of the people of Russia refer to themselves as Russian Orthodox Christians.<sup>2</sup> The second largest religious group are Muslims, who, based on the population statistics of the ethnic groups that are traditionally Muslim, number from 12-20 million (approximately 10-12 percent of the population). Traditionally Muslim nationalities include: Tatars, Bashkirs, Chuvash, Chechens, and other groups from the North Caucasus. The majority of Muslims in Russia are of the Sunni branch. The third largest group is thought to be Protestants, who are estimated to number two million; the largest single group is comprised of Baptists and other Evangelical Christians, though there are also other Christian groups such as the Seventh-Day

Adventists, Lutherans, Methodists, various Pentecostal groups, Christian Scientists, members of the Church of Jesus-Christ of the Latter-Day Saints (Mormons), and others.

The State Department's *International Religious Freedom Report* estimates the number of Jews left in Russia to be from 600,000 to 1 million, a population that has significantly declined in recent decades due to large-scale emigration (almost 200,000 in the last years of the 1990s alone).<sup>3</sup> Similar in size are the Roman Catholics, who are thought to number approximately 600,000.<sup>4</sup> Buddhism is indigenous to three regions in Russia: Buryatia and Tuva, which are located on the border with historically Buddhist Mongolia, and Kalmykia, in the North Caucasus region. Buddhism is also practiced by some peoples of Siberia. There are also small numbers of religious groups that have long been present in Russia, such as the Old Believers and other Orthodox groups who do not accept the authority of the Patriarch, as well as groups relatively new to Russia, including the Salvation Army, the Society of Krishna Consciousness, and many others.

## **2. Historical Context**

Before the past decade, religion and state had never been separate in Russia.<sup>5</sup> Even during the Soviet period, when the two entities were officially declared to be separate, religious practice was never free from state and intelligence service interference and control. In pre-revolutionary times, the predominant Russian Orthodox Church was an integral part of Tsarist rule and was, for all intents and purposes, subordinate to it. The power of the tsar over the Church was deepened in the early eighteenth century, when Tsar Peter the Great expanded and consolidated the Russian Empire. In the process of redefining the power of the tsar, Peter curbed the Russian Orthodox Church's influence on political authority by abolishing the patriarchate in 1721 and establishing a government body called the Holy Synod, which was made up of bishops and secular officials, to administer and control the church.<sup>6</sup> Until the time of the 1917 Revolution, the Russian Orthodox Church acted as an arm of the state, including teaching the need for obedience to the political authorities. In return, tsarist rulers rarely interfered with Church doctrine and imposed limits on other religious communities in Russia, including Catholics, Protestants, and other groups.<sup>7</sup> In sum, according to one scholar, "the Church diligently served the State, and the State protected the Church."<sup>8</sup>

The Soviet Communist regime established in 1917 was ruthlessly antagonistic to religion. All religious activity was actively persecuted, particularly in the first two decades of Soviet rule. Led in the 1920s by the Communist Party group known as the "Union of Militant Atheists," all people in the country were compelled to reject religious belief and embrace atheism. The Soviet regime killed or imprisoned Christian, Jewish, Muslim, Buddhist, and other religious leaders and charged thousands if not millions of religious believers with political crimes and sent them to camps.<sup>9</sup> In the 1920s alone, 28 Russian Orthodox bishops and more than 1,200 priests were executed. The Soviet government nationalized church and other religious property, closed most seminaries, medressehs, and other teaching institutions, and many churches, mosques, synagogues, temples, and other religious buildings were either closed, destroyed, or converted for other uses. Some houses of worship were used as warehouses; others were turned into state museums or "monuments to architecture." Shrines containing relics were broken open and desecrated. The publication of nearly all religious material was prohibited.<sup>10</sup> One author writes

that “the almost total annihilation of organized religion in the 1930s is a well-known chapter of Soviet history.”<sup>11</sup>

The Soviet regime’s determination to control and regulate all religious activity was codified in 1929 with the passage in the Russian Soviet Republic of the “Law on Religious Associations.” This law, which became the foundation of the very Soviet notion that the state is entitled to define the basic framework in which believers can practice their religion, delineated religious practice throughout the Soviet period and served as a model for similar laws in all the Soviet republics.<sup>12</sup> The law set up numerous requirements that were barriers for any religious group seeking permission from the local authorities to carry out any number of religious activities. It also made illegal any form of religious education, literature, and persuasion, as well as the use of church monies for any charity or welfare work, and made all religious activities and rituals subject to restrictive regulations. Throughout the Soviet period, the state did not recognize any limitations on using the law to regulate the religious life of its citizenry.<sup>13</sup>

While there was some relaxation of the state’s persecution of religion during World War II in order to encourage greater popular support for the war effort, upon the war’s end, earlier levels of repression returned, though never to the extreme degree that occurred in the 1920s. Yet, even as certain facets of Soviet life were experiencing a period of relative relaxation, post-Stalin leader Nikita Khrushchev maintained and, after a time, increased the pressures on religious expression and practice. During the ensuing decades of Soviet rule, a small number of Russian Orthodox churches, mosques, synagogues, Buddhist temples, and a few Catholic and Protestant churches were permitted to function, though even these groups remained under state control and were subjected regularly to state infiltration and interference. The state also fully controlled the number and training of all clergy. According to one author, “the main legal method of combating religiosity in the population [was] strict regulation of the clergy.”<sup>14</sup> In part because of government control and infiltration of these congregations by intelligence services, there soon emerged additional, “unofficial” Russian Orthodox, Muslim, Protestant, and other congregations that refused to cooperate with the state and were forced to operate underground and in secret, and with a considerable amount of fear.

Throughout the Soviet period, anti-Semitism remained state sponsored and controlled, and Jews were regularly subject to government directed anti-Semitic campaigns, particularly in the late 1930s when Stalin began to exploit Russian nationalism for political purposes. The campaigns were not always overt, however, as the Soviet regime, proclaiming officially to oppose anti-Semitism, usually labeled these operations with “code words” that everyone understood to refer to Jews, such as “anti-cosmopolitanism” or “anti-Zionism.”<sup>15</sup> In the early 1950s under Stalin, Jews were accused of a plot to poison government officials in the so-called “doctors’ plot,” and it is thought that only Stalin’s death in 1953 prevented a mass deportation of Jews to camps.<sup>16</sup> Jews were the only religious group whose internal passports, which were required to travel within the country or establish residence, included a label indicating their religion. From the late 1960s through the 1980s, a massive orchestrated official “anti-Zionist” campaign was promoted. Soviet media and officials actively spread the anti-Semitic ideas of the infamous Protocols of the Elders of Zion and the UN “Zionism is racism” resolution as tools to demonize Jews. As one scholar has summed up the era, Zionism “was equated with every conceivable evil.”<sup>17</sup> The practical consequences of the campaign were discrimination against Jews in education, professional opportunities, and political participation, and other measures

such as prohibiting the teaching of Hebrew. All this led Soviet Jews to seek to emigrate from the Soviet Union, and between 1968-1990, approximately 580,000 left the country.<sup>18</sup> Popular anti-Semitism was also roused by this campaign.

Even in the last years of the Soviet regime, religious activities of most kinds remained prohibited, including religious education, the distribution of religious literature, and virtually all charity work. Essential religious texts were deliberately made difficult to obtain. Almost all public manifestations of religious belief were proscribed by the state. Anyone who dared openly to declare himself a believer was not only aggressively discriminated against, but was effectively kept at the lowest rungs of society by being denied access to higher education, any kind of public participation or leadership, and anything but the most menial of jobs. Contacts with coreligionists abroad were also strictly controlled or prohibited altogether.

With the fall of the Soviet Union and the establishment of the independent Russian Federation in 1991, conditions for religious freedom significantly improved, building upon changes that had begun during the *glasnost* era in the waning years of the Soviet regime. In 1993, Russia adopted a new constitution, which declared in Article 14 that “the Russian Federation is a secular state,” and that “no religion may be established as the state religion or a compulsory religion.” Moreover, according to the new Constitution, “Religious associations are separated from the state and are equal before the law.”<sup>19</sup> The Russian government abandoned its official promulgation of atheism and embraced international norms with regard to religious freedom and other human rights. Beginning in the last remaining years of the Soviet period, significant numbers of religious leaders and other workers flowed in to Russia, representing groups long existent in the country but severely persecuted, as well as groups that were relatively new to Russia. Many arrived to help in the process of rebuilding of, and to provide spiritual leadership to, the many religious communities destroyed and/or corrupted by the Soviet regime.

However, within a few years of independence, undue limitations on religious freedom emerged in post-Soviet Russia, stemming primarily from the desire on the part of some to curb the activities of foreign missionaries and other groups considered new to the country.<sup>20</sup> The Russian Orthodox Church in particular criticized the influx of new religious groups and the practices even of religious communities that had long had a presence in Russia, and representatives of the Orthodox Church helped to influence legal changes that in practice restricted the activities of certain religious groups. In 1997, the Russian government passed a new religion law containing highly burdensome registration requirements that impeded the ability of smaller and newer religious groups to gain registration and function fully. In the ensuing years, some of these problems were resolved through the Russian courts. However, the growing involvement of the Orthodox Church in the affairs of state became more pronounced, with, in effect, the restoration of the pre-Soviet relationship described above: government restrictions placed on the activities of numerous minority religious groups in exchange for Church support of government policies.<sup>21</sup>

### **C. Outline of Religious Freedom Concerns**

Despite the substantial progress that has been made on religious freedom protections in Russia in the past decade, this Commission has previously identified the many significant

problems that remain.<sup>22</sup> Some concerns are long-standing; more disturbingly, new ones have emerged—or intensified—only in the past year or two.

### 1. The “Zorin Report”

On December 5, 2002, the Russian newspaper *Gazeta* reported that it had obtained a copy of a draft report entitled “On the improvement of measures to counteract religious extremism in the Russia Federation,” a document purportedly being prepared within the Russian government. The report was allegedly co-authored by Minister for National Affairs Vladimir Zorin and Ahmad Kadyrov, head of the Chechen Administration, with the assistance of 33 other (unnamed) officials. The *Gazeta* article stated that the report was to be presented to a joint meeting of the State Council (an advisory body under President Putin), the Security Council (similar to the U.S. National Security Council), and the Council for Relations with Religious Organizations (a body that is under the Prime Minister).<sup>23</sup>

The most troubling aspect of the report is that it names several religious groups under the heading “estimation of national security threats concerning religious extremism.” The Roman Catholic Church is said to be “livening up its missionary work” on “traditionally Orthodox territories of the Russian Federation” and to have declared Russia to be a “church province,” both of which have led to an increase in tensions between the Catholic and Orthodox Churches. Protestant groups are said to be pointedly using humanitarian aid as a means of enticing (especially young) people away from “the Russian state, national traditions, and culture.” South Korea and the United States are named as sources of financial support for these groups. Also, the report states that “representatives of foreign religious communities,” naming specifically the Jehovah’s Witnesses and the Unification Church, try to penetrate the army and law enforcement agencies in order to gain information and “spread the ideology of permissiveness and egoism.” Such groups are described as having a “disrespectful attitude toward traditional Russian confessions.”<sup>24</sup>

The primary focus of the 15-page statement is the threat to Russia posed by “radical Islamic trends.” According to the report, Islamic groups are working to “oppose the interests of Russia’s Muslims,” and to encourage the country’s Muslim population to leave the Russian Federation and establish a separate Islamic state or states. Such groups represent a “real threat to the national security of Russia,” the leaked document states, due to the “political radicalism, nationalism, and separatism that are all under the umbrella of the Islamic banner.” The report also refers to the threat posed by foreign Islamic emissaries who “try to form skilled reserves in Russia,” and the number of young Russian citizens who are currently studying in Islamic centers abroad. “The majority of Russians who study [abroad],” the report states, “return home to become mediators of extremism and radicalism.”<sup>25</sup>

The leaked report notes a number of positive steps that have been taken to oppose religious extremism in Russia. These include the passage of numerous laws, such as the 1997 law on “Freedom of Conscience and Religious Organizations” and the 2002 law on “Counteracting Extremist Activity” (see below). The report also makes several recommendations on this subject, including: the establishment by the President of consultative bodies on church-state relations that would bring together representatives of public and religious organizations in all federal districts; the creation of a working group on “ethno-confessional

monitoring” and the early prevention of conflicts, which would include experts from the Security Council; the overcoming of “disunity and narrow national orientation” among the Muslim clergy; greater state support for “traditional religious organizations”; and the strengthening of the control of state bodies to ensure that the activities of religious organizations are in conformity with regulations and Russian law.

The recommendations also include a number of amendments to the 1997 law on religion, such as holding central religious organizations responsible for any crimes committed by its local constituent churches; banning methods of “hypnotic influence”; and requiring children to have authorization from their parents to attend church (including the Russian Orthodox Church).

The “Zorin report,” whatever its authority as a legitimate document, is nevertheless a disturbing indication that at least some in the Russian government persist in viewing entire religious communities as “threats” to Russia. It is also an indication that such views are shaped, at least in part, by the Russian Orthodox Church. After the alleged report was leaked in *Gazeta*, Nationalities Minister Vladimir Zorin and his staff repeatedly attempted to diminish its controversial nature. In a follow-up article in *Gazeta* on December 9, in response to a question on why Catholics, Protestants, and Muslims should be considered a threat to national security, Minister Zorin stated that that was “an absurd theory.” He added that “neither Islam nor the Catholic Church are a threat to security, of course.” In a *Moscow Times* article from the same day, Zorin was quoted as saying that the draft report was written only “to analyze how confessions develop and expand in Russia.”<sup>26</sup>

During its January 2003 visit to Russia, the Commission was repeatedly told by government officials that the document did not reflect Russian government policy.<sup>27</sup> Minister of Nationalities Vladimir Zorin, perhaps the person most closely associated with the leaked report since it has come to bear his name, told the Commission delegation unequivocally that no ethnic or religious group will ever be labeled “extremist” without a determination being made according to proper legal and court procedures. Given how hard the government has worked to implement religious freedom in Russia, Zorin said, it is inconceivable that it would classify entire denominations as threats to national security without going through the proper legal channels. Moreover, there is an official Presidential Council that is comprised of representatives from all the religious groups mentioned in the so-called “Zorin report.” Thus, Zorin told the delegation, it is simply impossible that the four groups listed [in the report attributed to him] could be considered threats to Russia’s national security at the same time. Terrorism and extremism, Zorin concluded, do not stem from any one ethnicity or religion.

This view was also stated by Aleksander Kudryavtsev, head of the Department of Religious and Public Organizations at the Ministry of Justice, who emphasized that the government has already outlined explicit criteria for determining when an organization can be labeled “extremist” and thus a threat to national security. These criteria are: a court decision, guided by criminal procedures and the law on extremism; a decision by the prosecutor’s office about the suspension of an organization’s activities, which the organization can appeal; or a decree from an international or other organization that has made this determination. Kudryavtsev was emphatic about the fact that the religious communities listed in the “Zorin report” will not be branded as extremist by the government. In fact, he stated, given that the ideas it contained are so contrary to Russian government policy, the so-called “Zorin report”

simply does not exist. In the same way, Boris Tsepov, Director of the Department of International Humanitarian Cooperation and Human Rights at the Ministry of Foreign Affairs, pointed out that the purported document clearly compromises the Russian government, which would never contradict itself in such a manner.

Andrey Sebentsev, who is head of the Department for Interaction with the State Duma and Public Organizations, stated that the formulation of Russian policy on matters such as sources of threats to national security is still very much in progress. Anything written about the subject in this early stage therefore does not merit attention. Similarly, Viktor Zorkaltsev, who is a member of the State Duma and Chair of the Committee on Public Associations and Religious Organizations, stated that while it may be the case that some points of view were leaked prematurely to the press, that information clearly should not be taken seriously.

While the many attestations that the “Zorin report” did not represent official policy were welcome clarifications, there are many continuing factors that suggest that its contents represent the views of at least some officials in the Russian government who have influence over the development or implementation of the state’s policies toward religion. These include: the expulsions of religious workers and clergy; expanded legal restrictions on newer religious communities; incidents of anti-Semitic and anti-Muslim violence which are not investigated or prosecuted; adoption and toleration of regional laws which run counter to federal protections; state support for a special place for the Russian Orthodox Church which would result in discrimination against other religious communities; and ongoing government interference in the selection of internal leadership of religious communities. Findings on these subjects, which the Commission examined on its visit to Russia, are discussed below.

## **2. Restrictions on Entry Visas to Religious Workers**

Since the beginning of 2002, a number of Catholic priests have been expelled from Russia, including priests who had lived in Russia for years. The increase in such expulsions occurred almost directly after the Vatican announced in February 2002 that the Catholic Church would form four dioceses in Russia, upgrading its four “apostolic administrations” to full-fledged dioceses. The most prominent expulsion was that of Bishop Jerzy Mazur, who had been living in Russia since the late 1990s, in April 2002 from the east-Siberian diocese.<sup>28</sup> At the date of this printing, Bishop Mazur had still not been allowed back in the country. Four other foreign-born Catholic priests had their Russian visas revoked or not renewed in the past year, and two in the year before that.<sup>29</sup> While it is the case that Catholic Bishop Clemens Pickel of Saratov received permanent residency status from Russian authorities in January 2003, the following month, the visa of another Polish Catholic priest was revoked. Fr. Bronislav Czaplicki, who had been working in Russia for ten years, was given two weeks to leave the country.<sup>30</sup>

According to a leader of Russia’s Roman Catholic Church, the policy of “one city, one bishop,” or the allowing of only one bishop—from the Russian Orthodox Church—in any city, has been in place for almost a decade. However, the notion was given attention and seriously enforced only in the past year, after the Vatican made its announcement about the creation of dioceses in Russia. Since then, he said, the Church has not been able to organize itself as it would like and several members of the clergy have been expelled from the country.

A discernible escalation in expulsions or visa denials was noted in 1997, when the new religious law was being promulgated. According to the Keston Institute, the granting of visas for foreign religious workers was made even more problematic after a January 2000 security policy directive was approved by President Putin. That policy reportedly views “the counteraction of the negative influence of foreign religious organizations and missionaries” as critical to national security.<sup>31</sup> In addition to the denials or revocations of visas for Catholic priests, there were reportedly 17 other cases during 2002 in which foreign religious workers were denied visas to enter or re-enter the country, including members of the Protestant Christian, Buddhist, and Muslim faiths. One Protestant group reported to the Commission that since November 1, 2002, all of its applications for one-year multi-entry visas for religious workers had been denied.<sup>32</sup> In the case of many Protestant churches, indigenous members can often replace the denied foreign minister or worker. Roman Catholics, though, who require ordained clergy with up to six years of training, rely particularly heavily on foreign-ordained clergy, not least because of the destruction of seminaries and Church leadership during the Soviet era. (There is currently only one Catholic seminary operating in Russia, and there were none during the Soviet period.) Russia’s Buddhists are similarly affected, as Buddhists often regard only Tibetan or other foreign teachers as appropriately authoritative.<sup>33</sup>

During the visit to Russia, the Commission heard a variety of views from Russian government officials on this matter. For example, Oleg Mironov, the Human Rights Ombudsman, made clear that the denials of visas to Catholic priests and other religious workers are in almost every case a violation of Russian law. However, he said, matters of entry to and exit from the country have recently been transferred from the jurisdiction of the Russian Foreign Affairs Ministry to the Internal Affairs Ministry, which has little experience with this issue. On the other hand, Boris Tsepov from the Foreign Affairs Ministry suggested to the Commission that the decision to deny visas to those persons (such as the Catholic priests) must have occurred because the applicants themselves violated the relevant laws in some way, referring to the new laws on citizenship and on entry and exit. In a press article, Russian Foreign Minister Igor Ivanov later confirmed this view, stating that the priests had violated the new regulations on foreigners. He also stated that “the decisions [to expel the priests] were individual in nature; neither religion nor nationality played any role.”<sup>34</sup> However, Tsepov stated, it is possible that the people in question were not expressly denied visas but are only experiencing a delay.

### **3. Ongoing Legal Issues**

As noted above, in 1997, the Russian government passed a new law on “Freedom of Conscience and Religious Associations.” This new law imposed onerous registration requirements that effectively created a hierarchy of religious communities, which generally left the newer and smaller religious communities with fewer rights and privileges than the more traditionally established religious groups. Since 1997, several court rulings have ameliorated some of the harsher registration requirements in the law that had threatened to result in the liquidation of a number of minority religious groups.<sup>35</sup> Because of the law’s vague and sometimes contradictory language, the registration process is open to abuse on the part of government officials, especially at the local level. Several minority religious communities, most notably the Jehovah’s Witnesses, still face legal challenges—and even threats to their existence—because of provisions of the 1997 law.<sup>36</sup>

A number of troubling amendments to the law have since been proposed. According to one report, the amendments call for significant government interference in a religious group's internal dealings, as the Ministry of Justice would be given the right, "with foundation," to request and receive information about the compliance of a group's charter with its stated aims and activities. If a religious group were found to be involved in activity not in line with its charter, the group will be issued a warning. After two warnings have been issued and if the offending activity has not been curtailed, the authorities have the right to file for the liquidation of that organization.<sup>37</sup>

Other recently passed or proposed laws could also have a significant effect on religious freedom in Russia. On November 1, 2002, Russia passed the Foreigners' Law, a new law on the legal status of foreigners, which has the potential of negatively affecting the situation for foreign religious workers. According to one description of this new law, an organization wishing to employ a foreign citizen must gain the permission of the internal affairs administration, which is another name for the police, who would consider the application together with the immigration service. The foreign person must also seek official permission to work in Russia, which would essentially be a second form of permission that is required. Permission will reportedly be granted based on a quota for that group that is determined by the Russian government.<sup>38</sup> Though it is as yet too soon to know the ramifications of the full implementation of this new law, observers have expressed alarm about the consequences for religious freedom if internal affairs authorities should have the power to establish quotas on how many priests or ministers may be invited into the country. At this stage, religious groups report widespread confusion about how to comply with the new law.

In July 2002, the Duma passed a law "On Counteracting Religious Extremism," which has drawn criticism from a variety of religious and human rights groups. One key concern about the law is its definition of extremism: "the propaganda of exclusivity, superiority, or inferiority of citizens on account of their attitude toward religion," a definition that would include persons from many religions who believe in the exclusive truth of their faith. Though the law has since been employed to curb the activities of violent skinhead groups, there are concerns that some its more vague provisions could easily be used against minority religious groups, particularly those that are new to Russia.<sup>39</sup>

Legislation still in draft form includes a "Law on Traditional Religions," which was proposed in February 2002, though its current status remains unclear. This law would grant benefits, at varying levels, to the Russian Orthodox Church and three other religious communities deemed "traditional" to Russia: Islam, Judaism, and Buddhism. According to one report on the proposed law, a "traditional religious organization" is understood to have been active in Russia for no fewer than 50 years, have no fewer than 100,000 adherents, and have been "an inalienable part of the historical, spiritual, and cultural heritage of the peoples of Russia."<sup>40</sup> Unlike other religious groups, these "traditional" religious communities would be granted wide-ranging opportunities for work in education, media and various social services, and would be assisted by the state in establishing their own schools and charities. Although granting these types of privileges to particular long-established religious groups is relatively common in Western Europe, passage of such a law at the present time in Russia may further entrench the notion, especially at the local levels, that discrimination or other abuses against smaller religious minorities is permissible.

#### 4. Continued Incidents of Anti-Semitism

Despite statements by President Putin decrying anti-Semitism and various government actions against extremist groups, violence against Jews in Russia continues. In May 2002, an anti-Semitic sign saying “Death to the Yids” and booby-trapped with explosives exploded, injuring a woman who tried to remove it. The following month, another anti-Semitic sign made to look similarly booby-trapped appeared outside Moscow, though it was found not to contain a bomb, and copycat signs appeared in other cities also.<sup>41</sup> In June and July, seven similar signs appeared on roads, and by the end of the year, there were a total of 15 incidents of real or fake exploding signs throughout Russia.<sup>42</sup> Pipe bombs with anti-Semitic slogans attached remain common, and synagogues and Jewish cemeteries continue to be desecrated.<sup>43</sup>

During the Commission’s visit to Russia, one Jewish leader stated that there is no longer official government anti-Semitism in Russia today. However, he continued, there is persistent government inaction in the face of attacks by others. What is more, “street anti-Semitism” is flourishing, including vandalism and attacks on synagogues or individual Jews. In recent years, this person said, publications from fascist groups have flooded into Russia and the government, especially at the lower levels, has done little to counter it. Though it is perhaps an ironic consequence, it seems that at the same time that the practice of the Jewish religion is more free than ever before in Russian history, Jews now increasingly live in fear for their lives and property because of continuing attacks by extremist groups. These groups act, for the most part, with impunity, especially in the regions. According to one expert, “regional authorities as a general rule ignore the activities of dangerous hate groups that aim violent rhetoric and actions against minority groups,” preferring instead to dismiss the incidents as “hooliganism.”<sup>44</sup>

Anti-Semitism is sometimes blatant on Russia’s political scene. In September 2002, the Russian government registered the National Sovereign Party as a political party, a party that at its founding conference has called for a battle against “fascist religious Jews” and “the criminal Jewish occupation.”<sup>45</sup> Also called the “National Great Power Party of Russia,” the party was reportedly examined by the Justice Ministry, which found no legal reason to deny its registration application, and it became the first openly extremist party to be granted registration in Russia.<sup>46</sup> In February 2003, Gennady Zyuganov, the leader of Russia's Communist Party and National Patriotic Union, delivered what observers described as his most openly anti-Semitic statement in years. In a speech at an All-Russia seminar of the chiefs of the party's regional election camps held outside Moscow, Zyuganov claimed that “there has been a glaring ethnic bias in the makeup” of governing bodies, suggesting that Jews occupy a large number of positions in executive and financial departments and are key figures in the media, creating “ethnic intolerance” in the government.<sup>47</sup>

Anti-Semitic literature is also widespread and there is little effort on the part of the authorities to bring charges against groups that produce it, even where it clearly violates the law. What is more, an atmosphere of intolerance against such minorities, including Jews and Muslims, is being left largely unchallenged. According to one report, anti-Semitism is also “rife among many, often self-appointed, Muslim clerics and elements of the Russian Orthodox Church.”<sup>48</sup> The Commission heard from Jewish leaders that there are still provinces, especially around Moscow, where the local Russian Orthodox Church publishes virulently anti-Semitic material. According to the publication of one Russian human rights group, “anti-Semitic

literature is readily sold in Orthodox churches and sometimes even with the local bishop's consent."<sup>49</sup>

## **5. Recent Increase in Violence Against Muslims**

In recent years, there has been a marked increase in attacks against Muslim or Muslim-appearing persons in Russia. As in the case of attacks on Jews, skinhead groups are frequently the perpetrators, but police generally do not make adequate efforts to investigate or prosecute these crimes. Most of the perpetrators remain "unidentified and unpunished."<sup>50</sup> Moreover, since the takeover of the Moscow theater by gunmen demanding the withdrawal of Russian forces from Chechnya in October 2002, Muslims in general as well as the Islamic religion have been the subjects of harsh diatribes in the Russian media, even in more mainstream publications, referring to all Muslims as "the enemy." Though Muslims are the second largest religious group in Russia, many now report living in fear of attack or other forms of discrimination.<sup>51</sup>

### ***a. The conflict in Chechnya***

The conflict between Russian government troops and Chechen fighters in Chechnya is thought to be a significant source fueling anti-Muslim sentiment throughout Russia. The Chechens, who are traditionally Muslim and speak a Caucasian language wholly unrelated to Russian, fiercely resisted incorporation into the Russian Empire in the 19th century. The Chechens also opposed absorption into the Soviet Union, and in 1944, the entire Chechen population was deported by Stalin to Central Asia. In the course of the forced transfer, almost half of the Chechen people died. When the Soviet Union collapsed in 1991, only former Soviet republics existing along the border of the Soviet Union gained independence; Chechnya, as an autonomous republic within the Russian Federation, was not therefore granted sovereignty.

In 1991, the Chechen Republic declared itself independent from the Russian Federation. In 1994, the Russian government sent troops to Chechnya, and the ensuing conflict between government troops and independence fighters lasted two years and resulted in the deaths of thousands and the displacement of hundreds of thousands. In 1999, after bombs placed in several Moscow apartment buildings killing hundreds were blamed on Chechen separatist fighters, the Russian government again sent troops to Chechnya. The second conflict continues still.<sup>52</sup> During both periods of conflict, the Russian government has been rigorously criticized by domestic and international human rights groups, as well as many western governments, for perpetrating severe human rights abuses against the civilian population in Chechnya. According to Amnesty International, "the conflict in Chechnya has been characterized by widespread and credible reports that Russian forces have been responsible for violations of international human rights and humanitarian law, including 'disappearances,' extrajudicial executions, and torture, including rape."<sup>53</sup> Chechen forces are also reported to have violated international humanitarian law by carrying out dozens of assassinations of civilian members of the generally pro-Moscow administration and being responsible for the kidnappings of civilians.<sup>54</sup>

### ***b. Effects on anti-Muslim violence***

Though people from traditionally Muslim regions of the Russian Federation and the former Soviet Union have been subjected in the past to violent racist attacks by extremist groups

because of their generally darker appearance, the outbreak of the conflict in Chechnya has resulted in an increase in such attacks throughout Russia. Moreover, the conflict has contributed to the development of an atmosphere of hatred against all Muslims, and a sense on the part of some that Muslims can be attacked with impunity.

The situation intensified first after the Moscow apartment bombings in 1999 and then in the wake of the attacks in the United States on September 11, 2001, after which the Russian government proclaimed that its conflict in Chechnya was also part of the global campaign against terrorism. According to one author, “even before the start of the Chechen war and terrorist attacks on Moscow, dislike of Caucasian and other Muslims was widespread. But the Chechen war and its fallout have magnified such feelings and led to their translation into actual attacks.”<sup>55</sup> Similarly, the State Department notes that “discriminatory attitudes [became] stronger since the outset of the conflict in the predominantly Muslim region of Chechnya and since the 1999 Moscow apartment bombings, for which the mayor and others quickly blamed Chechen separatists.”<sup>56</sup> Several reports indicate that any Muslim or person from the Caucasus is open to being branded an “extremist” and subject to violence as a result.<sup>57</sup> Thus, while the conflict in Chechnya did not begin as a religious freedom issue, the ongoing strife has had an effect on the religious freedom of Muslims in Russia.

Moscow’s chief mufti told the Commission that media attacks on Islam and Muslims, even in such mainstream newspapers as *Izvestiya*, have increased markedly in the past year. Largely because of the conflict in Chechnya, some Russian politicians also regularly attack Islam and brand all Muslim believers as extremists, he said. An appeal was made to the Russian government to speak out against such media attacks, and as a result, President Putin made several public statements declaring that Islam as a religion is not responsible for terrorist attacks and noting the importance of distinguishing between criminal terrorist violence and religion. Yet, even after the President’s words, the mufti said, the media did not stop their campaign against Muslims and no more was heard from the government on the matter.

Another Muslim leader described to the Commission the way in which the conflict in Chechnya affects all Muslims in Russia, as all Muslims are viewed suspiciously as potential terrorists, especially anyone who is more than nominally Muslim. Like the Jewish leader, this mufti noted the difference between the situation today and that during Soviet times; in the Soviet era, there were fewer mosques, he said, but “at least back then people did not enter the mosques with clubs.” In Moscow the previous fall, he witnessed clashes at a market in Moscow in which dozens of skinheads declared they wanted to kill people who “looked Muslim.”<sup>58</sup>

The leader of one human rights group told the Commission that the situation is particularly bad in Chechnya itself, where mosques are routinely defiled, cemeteries destroyed, and holy tombs thrown open. As a result, this person said, the youth there are being easily recruited into extremist Muslim groups. Certain newspapers, he continued, even in the mainstream, routinely print anti-Muslim articles, not in response to an order from above, but as a result of an anti-Muslim atmosphere that is tolerated and left uncontested. Another human rights activist agreed, noting that Chechens throughout Russia are the most persecuted group in the country, because all are seen as “terrorists.”

## **6. Persistent Non-Conformity of Regional Laws with Russian Federation Federal Laws and the Russian Constitution.**

According to the State Department, religious minorities continue to encounter the greatest difficulties at the regional and municipal levels. In the past decade, many of Russia's regional governments have passed laws and decrees directly aimed at restricting the activities of minority religious groups. The federal government has acknowledged that these local laws contradict the Russian Constitution and has made some effort to correct this situation, insisting that some localities rescind legislation that is not in compliance with federal laws. Yet, many examples of religious freedom violations at the local level persist.<sup>59</sup> It is at this level that Muslim groups, particularly in those regions where they are in the minority, Roman Catholics, Protestant and other Christian groups, and others continue to be denied registration, permits to build houses of worship, and the right to rent space to gather, and it is often the case that such denials are in opposition to federal laws on these matters. According to the State Department, "the vagueness of the law and regulations, the contradictions between federal and local law, and the varying interpretations provide regional officials with a pretext for restricting the activities of religious minorities."<sup>60</sup> Minority religious groups have been able to reverse some violations in local courts, but the vast majority of violations have gone unchecked.

## **7. Unofficial State Support for the Russian Orthodox Church Resulting in Discrimination Against Other Religious Communities**

There is sustained concern that the Russian Orthodox Church enjoys a favored status among many Russian government officials, a situation that sometimes results in restrictions on other religious communities. Particularly on the local level, evidence suggests that the Orthodox Church has a very close relationship with officials and other state bodies. For example, there are frequent reports that minority religious communities must secure permission from the local Orthodox Church before being allowed to build a house of worship. Though government officials claim to be doing everything possible to aid in the building of churches and other religious buildings, adherents of minority faiths in Russia, including Catholics, Protestants, Muslims, and others, report that government officials instead often create barriers, and do so increasingly "at the behest of the Orthodox Church."<sup>61</sup>

The Law Against Extremist Activity passed in July 2002 provides a legal basis for the government's collaboration with "religious entities" as a counterweight to the activities of extremist groups in Russia. In practical terms, "religious entities" refers to the Russian Orthodox Church. According to one report, this "church-state alliance means in practice that the Orthodox Church establishes the line that secular authorities take in their evaluation of this or that denomination."<sup>62</sup> The Moscow Patriarchate's Missionary Department reportedly widely disseminated information on religious organizations, information that was then used to form the "blacklists" found in a reference book for the staff of the Prosecutor's Office on the activities of religious organizations.<sup>63</sup>

During the visit to Russia, one NGO leader stated that in some cases, law enforcement agencies typically see the Orthodox Church as an ally and will use the Church as an "expert witness" in court cases against minority religious groups. In return, the Orthodox Church gains "protection" from the local law enforcement organs, with the result that other religious groups

find it difficult to gain permission to build churches or rent meeting halls. The Moscow Patriarchate's Missionary Department handbook, the source of the "blacklists" found in a reference book used by the Prosecutor's Office, was mentioned above. In addition, these blacklists are apparently also to be found in a Ministry of Education letter to schools and colleges on the activities of "non-traditional organizations," and in an instruction booklet from the mayor of at least one city "listing religious organizations with which the city government should not cooperate."<sup>64</sup>

This favored position for the Orthodox Church, particularly at the local level, sometimes results in discriminatory practices against other religious communities, even communities that are not new to Russia. For example, the Commission delegation was told by a Muslim leader that in one of the regions around Moscow, the local authorities have issued a decree requiring Muslim groups to gain permission from the local Russian Orthodox Church in order to build a mosque. There is a full list of requirements that must be satisfied before a house of worship can be built, including such items as satisfying building codes, sanitation requirements, and others, but one of the prerequisites is permission from the Orthodox Church. In other parts of Russia, this Muslim leader said, such as the cities of Sergiev Posad' and Murmansk, it is similarly made difficult for Muslims to build mosques through the imposition of often arbitrary rules that effectively deny them permission. Occasionally, he said, Muslims are denied the right to buy a plot of land or build a mosque, often in response to pressure on the authorities from the local Orthodox Church.

The Catholic Church and Protestant groups frequently face similar problems. One religious leader told the Commission that some local officials in the Orthodox Church have said that their church is the official religion and that other religions are "guests" in Russia. A representative of the Catholic Church described how, in several cities, the Russian Orthodox Church pointedly works to prevent the Catholic Church from getting church property returned or from building a new church. In the case of the town of Pskov, where the Catholic Church sought the return of some Church property, the Orthodox Church sent a letter to President Putin asking him to deny permission for the return of the church, and permission was subsequently denied. Approval was finally granted instead to build a new church, this person said, but only after lengthy negotiations about the building's height and other factors. Representatives of several Protestant groups also described to the Commission the way in which their members must seek permission from local Orthodox priests to organize an event in that city or to rent worship space. The situation is similarly difficult for Orthodox churches that do not accept the authority of the current Orthodox Patriarch.

In addition, the Russian Orthodox Church appears to be implementing a course on the Orthodox religion in the Russian state school curriculum. According to the State Department's religious freedom report, "the Russian Orthodox Church has made special arrangements with government agencies to conduct religious education and to provide spiritual counseling." Education Minister Vladimir Filipov sent "the Foundations of Orthodox Culture" as a new curriculum prototype to Russian regional education departments on October 22, 2002. The course was written by senior members of the Russian Orthodox clergy.<sup>65</sup> The Orthodox Church defends the course, claiming that it will not teach the Orthodox religion but only "Orthodox culture."<sup>66</sup> A representative of the Russian Orthodox Church explained to the Commission that there is a great need for such a course in Russian schools, because the old Soviet-style, atheist-

based education is still in place. Another part of the problem stems from the fact that unlike in the United States, there are very few private schools in Russia, he said, so all families must rely on that Soviet style public education.

However, as part of that “culture,” the text for the course reportedly contains grossly anti-Semitic material and also accuses non-Orthodox religions in Russia of “not always behaving nobly in the traditionally Orthodox state.”<sup>67</sup> One human rights leader told the Commission that an obligatory course in Orthodox catechism is already being taught in schools. This could split Russian society, he said, as the course apparently contains instructions on such topics as heresies, schisms, and other “unacceptable” religious practices. Education Minister Filipov later stated that the new course would be optional and “not religious in nature.”<sup>68</sup> There appears to be a division within the Russian government on the need for such a course, however, as Alexei Volin, the government’s deputy chief of staff was reported as stating that Russia, as a multi-confessional country, should not authorize the teaching of any religion in public schools.<sup>69</sup>

## **8. Continued Government Interference in the Internal Affairs of Religious Communities**

Echoing Soviet practices, the current Russian government continues to engage in or tolerate official interference in the internal affairs of various religious communities in Russia. Perhaps the most notorious example was President Putin’s actions in 2001 that effectively threw Russian government weight behind one chief rabbi in Moscow over another, reportedly because one was aligned with a media magnate out of favor with Putin. Russian government support for one Jewish leader over the other was reportedly “blatant,” as one rabbi was publicly replaced by the other as a member of the Putin’s Council for Cooperation with Religious Organizations.<sup>70</sup>

Another case of Russian government interference into the internal affairs of religious groups occurred in early 2002, when Russian government officials publicly opposed the Roman Catholic Church’s canonical decision to change its four apostolic administrations to dioceses. Shortly after the Vatican announcement, several Catholic priests were expelled from the country. The Russian Foreign Ministry issued a statement “calling on the Vatican to refrain from such a move,” and pointedly asked the Catholic Church first to settle the issue, which is essentially an internal matter for the Roman Catholic Church, with the Russian Orthodox Church.<sup>71</sup>

## **D. Recommendations**

The existence of the “Zorin report” suggests that the authoritarian viewpoint is reasserting itself in Russia’s religious policy. This, in turn, indicates that the continuing and intensifying problems outlined above represent a real threat to religious freedom and not merely a theoretical one. In 1997, the Russian government passed a law on religion that was problematic for religious freedom; the problems in the law have only been mitigated by the moderate policies of the central government and the implementation of a number of favorable court decisions. The Russian government must continue to take an active role in protecting religious minorities in Russia from violations by local and regional officials, as well as from violent attacks by extremist groups.

During the Commission's trip to Russia, it became apparent to the delegation that senior Russian officials do care about their international image on the question of protecting human rights. Their handling of their religious freedom problems will, in the end, serve as an important benchmark for progress in this regard. Given the persistent problems outlined above, Russia's full commitment to human rights, including religious freedom, is unclear. This is precisely why democracy remains fragile in Russia.

The United States must therefore continue vigilantly to monitor the democratic reform process in Russia at this important moment. The U.S. government should continue to work with the Russians to oppose authoritarian influences that threaten democracy, and also work actively to promote reform, oppose religious intolerance, and support those who work on behalf of religious freedom and other human rights in Russia.

## **I. Raise Concern about the Growing Influence of Undemocratic Forces on Russian Government Policies**

**1. Recognizing the Russian government's duty to protect its citizens from terrorist acts and violence, the U.S. government should make clear its concern to the Russian government that efforts to combat terrorism should not be used as an unrestrained justification to restrict the rights, including religious freedom, of members of Russia's religious minorities.**

**2. Though welcoming the assurances from Russian government officials that the so-called "Zorin report" does not reflect government policy, the U.S. government should continue to press the Russian government to ensure that the views expressed in the leaked report are not adopted as Russian government policy.**

Notwithstanding the genuine threat posed by terrorist and extremist groups, government actions to counter terrorism and extremism should not be an excuse to restrict disproportionately the rights of members of minority religious communities in contravention of international human rights norms. There have been terrorist attacks in Russia in recent years; however, these attacks should not justify measures targeting religious groups that do not directly address legitimate security concerns.

In the "Zorin Report," Catholics, Protestants, and others have been grouped together with Islamic extremists and collectively labeled as threats to Russia's national security. The Commission delegation to Russia expressed its alarm about the contents of the leaked report at every meeting with Russian government officials and NGOs. In response, the delegation heard a variety of explanations about the report and its significance for Russian policy. All of the government officials the Commission met with downplayed the document, and several even denied its existence or described it as a provocation or fabrication. At the same time, many if not most of the religious groups and human rights NGOs felt that the report represented a concrete point of view among many in the Russian government and that its contents warranted genuine concern.

Whatever the truth about the nature and background of the leaked report, clearly the notions expressed in the document point to the existence of such views among at least some officials in the Russian government, which in turn justifies some concern about the future of democracy in Russia. Indeed, representatives of virtually all of the human rights groups and other NGOs told the Commission that whoever is responsible for the so-called “Zorin report” represents a strong and worrisome influence within the Russian government and the report itself suggests that intolerant forces remain influential in Russian government circles.

It is therefore vital that the U.S. government engage Russia at every possible level on this matter to ensure that the views expressed in it do not become government policy or enshrined in Russian law. At the very least, such views are in direct violation of the Russian Constitution, which states that “all religions are equal before the law.” As noted above, the Commission received assurances from many high-ranking government officials that the contents of the “Zorin report” were not and would not become government policy. The Russian government should persistently be held to those assurances. The U.S. government should remain highly vigilant on this matter, for it is potentially a harbinger for Russia that affects far more than the protection of religious freedom.

## **II. Oppose Attempts to Rollback Religious Freedom**

### **3. While recognizing the historic role of the Russian Orthodox Church in Russian society, the U.S. government should urge the Russian government to ensure that any special role for the Orthodox Church or any other religious community does not result in violations of the rights of or discrimination against members of other religious groups.**

The Commission heard from a number of different sources in Russia that elements within the Russian Orthodox Church are attempting, and have already succeeded to some extent, to institute a state-sanctioned, favored position for itself that would, as a consequence, continue to result in discrimination against other religious communities. The leader of one NGO focused on religious liberty noted that some of the religious freedom violations in Russia stem from the country’s Soviet experience, which left a number of Russian elites with the notion that there must be one, unifying ideology for the country. Many are turning to the Orthodox Church to provide that ideology.<sup>72</sup> Thus, he stated, Orthodox leaders throughout Russia are sometimes perceived by Russian officials, especially at the local level, as political “commissars” responsible for promoting an official ideology and for keeping people “in line” with that ideology.

The Commission acknowledges the special role that the Russian Orthodox Church has played in Russian history and culture. It is true that in some countries, one religious community enjoys the status of “state church.” This is permitted under international standards on the right to freedom of religion or belief. However, the establishment of a state church or favored religious group is problematic for religious freedom when, as a consequence, there is the discriminatory or unjust treatment of members of other religious groups. As an authoritative UN interpretation of this matter has pointed out,

the fact that a religion is recognized as a state religion or that it is established as official or traditional or that its followers comprise the majority of the population,

shall not result in any impairment of the enjoyment of any of the rights under the [International Covenant on Civil and Political Rights], including articles 18 and 27 [addressing freedom of religion and minority rights] nor in any discrimination against adherents of other religions or non-believers.<sup>73</sup>

The U.S. government should urge the Russian government not to fashion either an official or *de facto* position for one religious community if the consequence is the violation of the freedom of religion of other persons or religious groups in Russia.

**4.a. The U.S. government should continue to urge the Russian government to cease the practice of unfairly denying entry visas or residency permits to foreign clergy and other religious workers and thereby to uphold the freedom of all religious communities to organize themselves according to their own tenets.**

**4.b. The U.S. government should also encourage the Russian government to cease other forms of interference in the internal affairs of religious communities.**

Because of Russia's repressive past, several religious communities have no choice but to rely on foreign clergy and other religious workers to minister to their adherents. Of the 33 clergy members or religious workers who have had their visas denied or been expelled from Russia since 1998, 19 such denials occurred in 2002. Among those denied visas or expelled were Catholics, Mormons, Buddhists, and Evangelical Protestants.

The UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief states that the right to religious freedom includes the right "to train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief."<sup>74</sup> The 1989 CSCE Vienna document reiterates that right and affirms also that participating states will respect the right of religious communities to "organize themselves according to their own hierarchical and institutional structure."<sup>75</sup>

It is understandable that any government should have control over the process of entry and exit across its borders, and the right to prevent persons from entering the country with the purpose of fostering violence in the name of religion. Nevertheless, entry visas and residency permits should not be used as means to harass any religious community or thwart its efforts to organize itself as it would wish. The freedom to manifest religion in community with others in the case of Russia's minority religions includes the right to call upon the services of co-religionists abroad. Limitations on foreign religious workers can be made only on the basis of the permissible exceptions outlined in Article 18 of the International Covenant on Civil and Political Rights, including that which is "necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others." However, the Russian government has presented no evidence that these foreign clergy or other religious workers represent a threat; indeed, in some cases, the persons in question have been living in Russia for over 10 years. Moreover, it seems highly unlikely that it is merely a coincidence that the expulsions of and visa denials to Catholic priests occurred not long after the Vatican announced its intention to restructure its church organization in Russia.

It is not the role of the Russian government to determine who should lead religious communities, either by expelling religious workers or championing one religious faction over another within any one religious community. The U.S. government should make clear its concerns about the denials and expulsions and strongly urge the Russian government to respect the right of members of religious communities to select, appoint, and replace their personnel in accordance with their respective requirements and without interference from the government. The U.S. government should urge the government of Russia to respect these rights, to which it has agreed to adhere, with regard to all religious communities in Russia.

**5. The U.S. Government should urge the government of Russia to monitor the actions of regional and local officials who interfere with the right to freedom of religion or belief, and to take steps to bring local laws and regulations on religious activities into conformity with the Russian Constitution and international human rights standards.**

The U.S. government should urge the Russian federal authorities to monitor local officials effectively and, if appropriate, to investigate and punish officials whose actions are in violation of the Russian Constitution and international human rights standards. In addition, Russian officials reportedly have stated that many regional and local laws and decrees concerning religious activities violate the Russian Constitution. The U.S. government should urge the government of Russia to act, consistent with its constitutional system, to bring such laws into conformity with the Russian Constitution and international human rights standards.<sup>76</sup>

While it is the case that the Russian government has made significant progress in tackling this problem, much more needs to be done. As noted above, it is at the local level that most religious freedom violations in Russia occur.

### **III. Protect Religious Minorities in Russia Against Violent Attacks and Intolerance**

**6. The U.S. government should persistently urge the Russian government to take all appropriate steps to prevent and punish acts of anti-Semitism, including to condemn anti-Semitic acts, to pursue and prosecute the perpetrators of violent incidents of anti-Semitism, and, while vigorously protecting freedom of expression, to counteract anti-Semitic rhetoric and other organized anti-Semitic activities.**

Attacks against the lives and property of members of the Jewish community continue in Russia. While these violent incidents are not being instigated directly by the Russian government, there is still little effort made on the part of law enforcement authorities to catch the perpetrators and hold them to account. According to one Jewish leader with whom the delegation met, higher level regional officials may make some attempt to respond to anti-Semitic attacks, but it is more than likely that the average local policeman will not. Russian human rights groups report that when Jewish property is attacked, the police do not detain the persons, even when they are known, and close the investigation under the claim that there is no evidence of guilt.<sup>77</sup>

The U.S. government should also make clear its explicit concern that the prevalence of anti-Semitic publications, not all of it disseminated by extremist hate groups, is helping to fuel an atmosphere in which certain groups believe they can physically attack Jewish persons and property with impunity. The Russian government has gone on record deploring certain attacks on Jews. While fully supporting the right to freedom of speech and expression, the U.S. government should urge the Russian government also to condemn anti-Semitic publications from every source, including from other religious communities in Russia. The Russian government should also be strongly encouraged to insist that regional and other local authorities pursue those responsible for these acts and bring them to account before the courts.

**7.a. The U.S. government should make clear its concern to the Russian government that hostile rhetoric against Muslims and the Islamic faith is fueling an atmosphere in which perpetrators believe they can attack Muslim or Muslim-appearing persons with impunity. While vigorously protecting freedom of expression, firm words and actions from the government of Russia are required to counteract this belief.**

**7.b. The U.S. government should also ensure that the humanitarian and human rights crisis in Chechnya remains a key issue in its bilateral relations with Russia.**

**7.c. The U.S. government should urge the Russian government to end, and prosecute acts of, torture, arbitrary detention, rape, and other abuses by members of the military in Chechnya and to accept a site visit to Chechnya from the UN Special Rapporteurs on Torture, Extrajudicial Executions, and Violence Against Women.**

The U.S. government should urge Russia to protect members of the Muslim community from religion-based violence and other attacks, investigate these incidents, and hold perpetrators to account. While fully supporting the right to freedom of speech and expression, the U.S. government should make clear its concern that the widespread media attacks on Muslims, particularly as a result of the conflict in Chechnya, are creating an atmosphere in which certain groups believe they can perpetrate violent attacks on Muslim persons and property without concern of prosecution. The U.S. government should urge the Russian government to speak out in ways that make clear its lack of support for such hostile rhetoric against any religious minority.

In May 2000, the Commission noted that the Russian government's handling of the humanitarian crisis in Chechnya should be an important consideration in U.S. government policy toward Russia. The Commission also stated that the U.S. government should deplore any efforts on the part of the Russian government to use intolerance against Muslims as a mechanism to fuel public support for its offensive in Chechnya, or the offensive in Chechnya as a justification to violate the religious freedom of Muslims in Russia.

The Commission urges the U.S. government to continue to express concern about the reported human rights abuses perpetrated in Chechnya. The U.S. government should also strongly encourage the Russian government to accept a site visit to Chechnya from the UN

Special Rapporteurs on Torture, Extrajudicial Executions, and Violence Against Women to examine the human rights abuses allegedly committed by both Russian troops and Chechen fighters in Chechnya.

#### **IV. Continue U.S. Vigilance on the Progress of Democratic Reform and Protections for Human Rights in Russia**

**8. If the Jackson-Vanik amendment is repealed with respect to Russia, the U.S. Congress should make certain that some other mechanism is in place to monitor the status of religious freedom and other human rights in Russia and report to Congress. In addition, the Smith Amendment should be reinstated by the Congress and maintained as U.S. law.**

The Jackson-Vanik amendment, attached to a bill on Most-Favored Nation (MFN) trade status for the then-Soviet Union, is today largely viewed as one of the more successful congressional initiatives in the fight for human rights in that country. As mentioned above, Jews in the Soviet Union faced harsh state-sponsored discrimination that intensified in the late 1960s. The active discrimination drove many Jews to attempt to emigrate, but the Soviet government generally made emigration extremely difficult. In the early 1970s, the regime began to levy high fees on those desiring to leave, a policy that mainly targeted Jews hoping to escape discrimination in their own country (as described above).

Passed by Congress in December 1974 and made into law in January 1975, the Jackson-Vanik amendment contained a key provision making MFN status contingent on reports from the President to Congress verifying the relevant country's compliance with free emigration requirements. Despite Moscow's fierce opposition to the amendment, which it considered "interference in its internal affairs," the total emigration of Jews rose dramatically after its passage. Even after the fall of the Soviet Union, the waiver provision remained a feature of the Russian-American trade relationship.<sup>78</sup>

In recent years, the U.S. Administration and several members of Congress have made clear their intention to seek the repeal of Jackson-Vanik. Since emigration barriers from Russia have largely disappeared and Russia has made significant progress on other human rights protections, many argue that the time has come for permanent normal trade relations between the United States and Russia to be established.<sup>79</sup> In March 2003, Senate Foreign Relations Committee Chairman Richard Lugar introduced legislation to grant Russia permanent normal trade relations and to end the annual human rights review for that country.<sup>80</sup> In the same month, Congressman Charles Rangel also introduced a bill to grant normal trade relations with Russia. The Rangel bill, which was introduced in the Senate by Senator Max Baucus, would also require the U.S. government to continue monitoring Russia's compliance with human rights standards, including through an annual assessment by the U.S. Commission on International Religious Freedom on whether Russia is adequately protecting religious freedom.<sup>81</sup>

In light of the Jackson-Vanik amendment's importance to the Jewish community in the former Soviet Union and the relative progress made since the fall of the Soviet Union, Jewish groups inside Russia have been strongly vocal in support of its repeal. Indeed, both chief rabbis

in Moscow expressed to the Commission their strong belief that the amendment was no longer warranted.

Other Members of Congress and some human rights organizations, however, have expressed concern that the amendment not be repealed without establishing some other mechanism to monitor religious freedom and other human rights in Russia. In a written statement for Congress on whether to “graduate” Russia from the trade strictures of the Jackson-Vanik, one human rights activist noted it would be possible to “support graduating Russia from Jackson-Vanik, but only if a bilateral institutionalized mechanism is established to assure periodic review of Russia’s status and efforts to reform its human rights and civil society, including concrete steps to combat anti-Semitism, xenophobia and manifestations of terrorism.”<sup>82</sup>

In 1997, the U.S. Congress enacted an amendment, now known as the Smith Amendment, to the foreign assistance appropriations act that would ban foreign assistance to the Russian government unless the U.S. President “determines and certifies in writing” to the Congress that

the Government of the Russian Federation has implemented no statute, executive order, regulation or similar government action that would discriminate, or would have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

The FY 2003 Foreign Operations Appropriations Act was included in the Omnibus Appropriations Act signed by President Bush on February 20, 2003 and did not include the Smith Amendment, language that had been included in the Foreign Operations Appropriations Acts each year since 1997.

The Commission believes that the Smith Amendment is a valuable tool for promoting religious freedom in Russia. The Commission thus urges the Congress to reinstate the amendment this year and every year until it becomes clear that democracy is firmly rooted in Russia. It is particularly important at a time when certain recent events indicate a larger trend in the wrong direction. If and when it is reinstated, the Smith Amendment should be invoked if the Russian federal government continues its practice of interfering with religious communities through the denial of entry visas or residency permits.

Given the relatively young and still tenuous nature of Russian democracy, and in view of the backward steps that have been taken in the past year, the Commission recommends that if Jackson-Vanik is repealed, some mechanism be in its place to ensure that continued advancement on human rights protection in Russia remains a prominent part of U.S.-Russia relations. While the Smith Amendment is one such mechanism, it does not address all human rights concerns. Russia is too influential a country at too critical a moment to abolish congressionally mandated monitoring of the country’s progress on democratic reform. The U.S. Congress should therefore ensure that some form of legislation remains in place that registers continued U.S. concern for human rights, including religious freedom, in Russia and establishes

a mechanism to assess human rights protections in accordance with Russia's international commitments. In addition, the U.S. Commission on International Religious Freedom could play a key role in that review process.

**9. The U.S. government should raise religious freedom and other human rights violations in multilateral fora, including the Organization for Security and Cooperation in Europe and the UN. The U.S. government should also continue, on a bilateral basis, to encourage the government of Russia to agree to the request of the UN Special Rapporteur on Freedom of Religion or Belief to visit Russia.**

The future of democracy and the protection of human rights, including religious freedom, in Russia is of concern not only to the United States. As Russia is an important power in Europe, European governments should be encouraged to raise religious freedom and other human rights concerns with the Russian government also. The U.S. government should strongly urge the other western democracies to make plain to the Russians the importance of human rights protections in the development of a stable democracy, and as a model for the countries of Eastern Europe, the Caucasus, and Central Asia.

As a member of the OSCE, Russia has committed itself to uphold the principles outlined in the Helsinki Final Act and other OSCE documents. As much progress as has been made, democracy has not been fully and irrevocably established in Russia. The U.S. government, through the OSCE, should continue to press Russia to adhere to its OSCE commitments, and urge other countries also to raise these important issues. In addition, the U.S. government should encourage European governments regularly to raise religious freedom and other human rights concerns with the Russian government, particularly in the Council of Europe. As noted above, now is not the time for the United States to reduce its vigilance on these matters.

In May 2000, the Commission recommended that the U.S. government urge the Russian government to agree to the requested visit of the UN Special Rapporteur on Freedom of Religion or Belief. As of the time of this writing, the Russian government was still "considering" the request.<sup>83</sup> The U.S. government, which has agreed to a site visit by the Special Rapporteur, should strongly urge the Russian government to accept such a visit also.

**V. Support Those Who Advance Democracy, Religious Freedom, and Other Human Rights in Russia**

**10. The U.S. government should use every possible means to engage and support the genuine democrats in the Russian government at the federal and local levels. The U.S. government should also ensure that U.S. aid programs are not being used to support the activities in Russia of authoritarian-minded officials.**

Though sometimes forgotten, the democratic reform movement has a long history in Russia.<sup>84</sup> Generally speaking, throughout much of the history of Russia's past two centuries, there has been an ongoing rivalry between democratic and reform minded government officials and intellectuals and those who have tended to look inward, mistrust outsiders, and assert the

need for strong authoritarian rule. It could be said that the rivalry or competition between these two currents continues to play out in Russia today. It is important that U.S. government policy not proceed on the supposition that either of these tendencies is more “typically” Russian, for both have been significant in Russia’s development and both continue to exist in Russia.

The U.S. government should identify the genuine democrats among Russian government officials and make vigorous efforts to support them. The long-standing democratic current in Russia should not be neglected, nor should the less-democratically minded among Russian officials be viewed as somehow more “traditional” to Russia.

The U.S. government should also be careful to ensure that U.S. assistance is not going to aid the activities in Russia of government officials and other leaders who have shown hostility to democratic practices and the promotion of human rights protections. The U.S. government maintains numerous assistance programs in Russia, many of them administered by the U.S. Agency for International Development (USAID), including local governance programs and others that fund and support political, business, and other leaders. While it is important to engage Russian government officials of every stripe at the government-to-government level, it is essential that U.S. government assistance not go to support or advance the activities or careers of persons who do not support the development of genuine democracy and human rights, including religious freedom, in Russia.

**11. The U.S. government should advance human rights, including religious freedom, in Russia by continuing to provide assistance, as appropriate, to non-governmental organizations, public interest groups, journalists, and academic institutions, and expand programs aimed at encouraging religious tolerance and supporting international standards on freedom of religion and other human rights. The U.S. government should also continue to promote exchanges between Russian judges, lawyers, and legal rights organizations with their counterparts in the United States.**

The United States has been engaged in supporting democratic development in Russia since the fall of the Soviet Union. In 2002, USAID financed numerous such activities, including programs focused on NGO development, human rights monitoring, political party development, the strengthening of local government, the promotion of independent media, civic education, the rule of law, and Internet training, among other programs. As part of its Open World Program based at the Library of Congress, the U.S. government also administers programs in which U.S. federal and state judges host Russian judges in cities throughout the United States. While in the United States, the Russian judges have observed court proceedings, received briefings on court administration, case management, and other topics, toured courthouses and correctional facilities, and attended law school classes.<sup>85</sup>

In May 2000, the Commission noted that Russian religious leaders in particular may benefit from travel in the United States. Such exchanges would expose them to American political and religious leaders involved in the protection and promotion of religious freedom and to inter-religious dialogue and other activities in the United States. At that time, the Commission recommended that the U.S. government should promote contacts with leaders of the Russian

Orthodox Church and members of other religious communities in Russia who may benefit from traveling to the United States and meeting with American political and religious leaders.

In addition to the USAID programs, in October 2002, Congress passed into law the Russia Democracy Act. The purposes of the Act, which authorizes \$51.5 million in funding, are

(1) to strengthen and advance institutions of democratic government and of free and independent media, and to sustain the development of civil society in the Russian Federation based on religious and ethnic tolerance, internationally recognized human rights, and international recognized rule of law; and

(2) to focus U.S. foreign assistance programs on using local expertise and to give local organizations a greater role in designing and implementing such programs, while maintaining appropriate oversight and monitoring.

The Act also states that it should be U.S. policy to “engage the government of the Russian Federation and Russian society in order to strengthen democratic reform and institutions, and to promote transparency and good governance in all aspects of society, including fair and honest business practices, accessible and open legal systems, freedom of religion, and respect for human rights.”<sup>86</sup>

The Commission commends the Congress for the passage of the Russia Democracy Act, an important piece of legislation that will do much to advance the cause of democracy and human rights protection in Russia. The USAID programs for Russia are also valuable and should be continued. The U.S. government should especially continue to support, in ways that do not compromise their independence or integrity, those public interest organizations in Russia that help defend minority religious communities in court.

However, USAID should develop programs that aim more specifically at advancing protection for religious freedom in Russian society. Religious freedom is a fundamental human right, and deeply connected to all other freedom; governments that do not protect the right to religious freedom are unlikely to protect other human rights. This aspect of democracy promotion is currently underserved in USAID’s democratization programs in Russia. What is more, as the Commission remarked in May 2000, many religious groups, in particular small and indigenous Russian communities in the smaller localities, do not have the resources to obtain adequate legal representation to challenge state action and defend their rights in court. Public interest organizations for these purposes do exist in Russia, but their effectiveness is limited due to a lack of resources.

Promoting religious tolerance is an essential element of protecting religious freedom, and it is especially important in those countries, such as Russia, where societal intolerance is a significant source of religious freedom violations.

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<sup>1</sup> The exception of the period between February-November 1917 is noted.

<sup>2</sup> U.S. Department of State, *International Religious Freedom Report 2002: Russia* (<http://www.state.gov/g/drl/rls/irf/2002/13958pf.htm>, accessed December 19, 2002).

<sup>3</sup> 2002 *International Religious Freedom Report* (Internet).

<sup>4</sup> This information comes from various press reports, including Judith Ingram, "Russian Orthodox Patriarch Meets Envoy," *Associated Press*, February 20, 2003.

<sup>5</sup> For a thorough analysis of the history of the relationship between religion and state in Russia, see U.S. Commission on International Religious Freedom, *Staff Memorandum for the Chairman: Religious Freedom in Sudan, China, and Russia*, May 1, 2000 Annual Report, 113-120.

<sup>6</sup> Library of Congress, "Federal Research Division Studies: Russia" (<http://lcweb2.loc.gov/frd/cs/rutoc.html>, accessed February 22, 2003).

<sup>7</sup> Firuz Kazemzadeh, "Reflections on Church and State in Russian History," in Witte and Bourdeaux, eds., *Proselytism and Orthodoxy in Russia: the New War for Souls*, Orbis Books: Maryknoll, NY, 237-238.

<sup>8</sup> *Ibid.*, 227

<sup>9</sup> According to one source, under Stalin, Buddhists suffered more than any other community. All religious buildings in the Kalmyk and Tuvan regions were destroyed or closed, and most monasteries were closed. Before World War II, not one lama, or Buddhist teacher, remained. See <http://wrc.lingnet.org/russno.htm>, accessed March 7, 2003.

<sup>10</sup> Library of Congress, "Federal Research Division Studies: Russia" (Internet).

<sup>11</sup> Albert Boiter, "Law and Religion in the Soviet Union," *American Journal of Comparative Law*, vol. 35, no. 1, Winter 1987, 111.

<sup>12</sup> Philip Walters, "The Russian Orthodox Church and the Soviet State," *The Annals of the American Academy of Political and Social Science*, January 1986, 137-138.

<sup>13</sup> Albert Boiter, "Law and Religion in the Soviet Union," 109.

<sup>14</sup> *Ibid.*, 121.

<sup>15</sup> Theodor Prager, "Hazards of Idealism," in *Stalinism*, G.R. Urban, ed., Wildwood House, 1982, 78.

<sup>16</sup> Union of Councils for Soviet Jews, *Anti-Semitism, Xenophobia, and Religious Persecution in Russia's Regions, 1998-1999*, December 1999, 19.

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<sup>17</sup> William Korey, "Glasnost and Anti-Semitism," The American Jewish Committee, 1991, 8 and passim.

<sup>18</sup> Over 200,000 of those 580,000 emigrated in 1990. Figures supplied by the Hebrew Immigration Aide Society and the National Council for Soviet Jews.

<sup>19</sup> The Russian Constitution can be found on the website of Russia's embassy to the United States: <http://www.russianembassy.org>.

<sup>20</sup> *Religious Liberty: the Legal Framework in Selected OSCE Countries*, Prepared by the Law Library, Library of Congress, at the Request of the Commission on Security and Cooperation in Europe, May 2000, 107.

<sup>21</sup> For an analysis of these developments, see *Ibid*, 122-127.

<sup>22</sup> For an in-depth outline of religious freedom problems in Russia throughout the 1990s, see U.S. Commission on International Religious Freedom, *Staff Memorandum for the Chairman: Religious Freedom in Sudan, China, and Russia*, May 1, 2000.

<sup>23</sup> Nadezhda Kevorkova, "Ideology of Permissiveness and Egoism," *Gazeta*, December 5, 2002 (available in English at <http://www.gzt.ru/rubricator.gzt?rubric=english&id=28550000000004178>, accessed February 24, 2003). The report itself was published on December 5 and 6, 2002 (<http://www.gzt.ru/rubricator.gzt?rubric=english&id=28550000000004192> and <http://www.gzt.ru/rubricator.gzt?rubric=english&id=28550000000004244>, respectively).

<sup>24</sup> Nadezhda Kevorkova, "Ideology of Permissiveness and Egoism" (Internet).

<sup>25</sup> *Ibid*.

<sup>26</sup> Geraldine Fagan, "Russia: Are Catholics and Protestants a Threat to National Security?" Keston News Service, December 11, 2002; Oksana Yablokova, "Catholics on a List of Security Threats," *Moscow Times*, December 9, 2002.

<sup>27</sup> Throughout this section, the views of Russian government officials, religious leaders, and representatives of NGOs in Russia were obtained through personal meetings and interviews carried out during the Commission's visit to Russia in January 2003.

<sup>28</sup> Lawrence Uzzell, "Russians and Catholics," *First Things*, October 1, 2002.

<sup>29</sup> Jim Heintz, "New Russia Vatican Envoy Eyes Relations," *Associated Press*, January 11, 2003. See also Geraldine Fagan, "Russia: Previously Unpublicised Case Brings Number of Expelled Catholics to Seven," Keston News Service, September 7, 2002.

<sup>30</sup> Several news reports reported that Church officials were not viewing this incident as a case of harassment, however, but more of a technical problem associated with the new law on entry and

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exit. See “Roman Catholic Must Leave Russia,” *Associated Press*, February 24, 2003; and Frank Brown, “Polish Priest Denied Visa Renewal in Russia, Asked to Leave Country,” *Catholic News Service*, February 24, 2003.

<sup>31</sup> Geraldine Fagan, “Russia: Escalation in Missionary Explosions,” Keston News Service, October 25, 2002.

<sup>32</sup> Information from the Association of Christian Churches in Russia, “Union of Christians.”

<sup>33</sup> Ibid.

<sup>34</sup> “Russian Foreign Minister on Expulsion of Catholic Priests,” *Interfax*, February 10, 2003.

<sup>35</sup> See Tatyana Titova, “Russia: Jesuits Finally Receive Re-Registration,” Keston News Service, September 18, 2000; Geraldine Fagan, “Russia: Landmark Constitutional Court Decision Vindicates Salvation Army,” Keston News Service, March 4, 2002; and “Church of Scientology Wins Ruling,” *Associated Press*, May 2, 2002.

<sup>36</sup> Details of the contents of this law and the problems it engendered can be found in U.S. Commission on International Religious Freedom, *Staff Memorandum for the Chairman: Religious Freedom in Sudan, China, and Russia*, May 1, 2000, 121-135. See also *Religious Liberty: the Legal Framework in Selected OSCE Countries*, 107-119.

<sup>37</sup> Geraldine Fagan, “Russia: Work in Progress on Draft Amendments to 1997 Law Leaked,” Keston News Service, October 28, 2003.

<sup>38</sup> Tatyana Titova, “Russia: How Will Foreigners’ Law Affect Religious Workers?” Keston News Service, December 9, 2002.

<sup>39</sup> Union of Councils for Soviet Jews, “Russian Authorities Begin to Apply Anti-Extremism Law,” *Bigotry Monitor*, vol. 2, no. 31, August 9, 2002. Also Geraldine Fagan and Tatyana Titova, “Russia: Diverse Opposition to Measures Outlawing ‘Religious Extremism,’” Keston News Service, July 17, 2002.

<sup>40</sup> Geraldine Fagan, “Russia: Draft Law on ‘Traditional Religious Organizations,’” Keston News Service, February 5, 2002.

<sup>41</sup> “Anti-Semitic Sign Found in Moscow,” *Associated Press*, June 13, 2002.

<sup>42</sup> Alexander Axelrod, *Anti-Semitism in Russia 2002*, Anti-Defamation League, Moscow.

<sup>43</sup> See 2002 *International Religious Freedom Report* (Internet).

<sup>44</sup> Micah Naftalin, “The Changing Face of Antisemitism in Modern-Day Russia,” *The Forward*, December 27, 2002.

<sup>45</sup> “Russian Government Defends Registration of Party Accused of Anti-Semitism,” *Agence*

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*France Presse*, October 23, 2002.

<sup>46</sup> Alexander Axelrod, *Anti-Semitism in Russia 2002*. This report also notes that the party's registration "caused an uproar in the Russian media."

<sup>47</sup> UCSJ: Union of Councils for Jews in the Former Soviet Union, *Bigotry Monitor*, vol. 3, no. 6, February 7, 2003. For more information see also U.S. Commission on Security and Cooperation in Europe, Briefing on *Intolerance in Contemporary Russia*, October 15, 2002.

<sup>48</sup> Micah Naftalin, "The Changing Face of Antisemitism in Modern-Day Russia."

<sup>49</sup> Moscow Helsinki Group, *Nationalism, Xenophobia, and Intolerance in Contemporary Russia*, T. Lokshina, ed., 2002, 236.

<sup>50</sup> Human Rights Center "Memorial" (Russia), *Compliance of the Russian Federation with the Convention on the Elimination of all Forms of Racial Discrimination*, an NGO Report to the UN Committee on the Elimination of Racial Discrimination, in collaboration with the Russian NGOs Network Against Racism, December 2002.

<sup>51</sup> Susan Glasser, "Russia's Muslims Become Targets," *Washington Post*, December 23, 2002.

<sup>52</sup> See Amnesty International, *Justice for Everybody: Human Rights in the Russian Federation* (<http://www.amnesty.org/russia/russia.html>, accessed April 2, 2003).

<sup>53</sup> Amnesty International, "Chechnya—Human Rights Under Attack," in *Justice for Everybody: Human Rights in the Russian Federation* (<http://www.amnesty.org/russia/chechnya.html>, accessed April 2, 2003). For more information on accusations of abuses in the Chechen conflict, see Human Rights Watch, "Into Harm's Way: Forced Return of Displaced People to Chechnya," January 2003 (<http://hrw.org/reports/2003/russia0103>, accessed April 2, 2003). Russian human rights groups, such as the Moscow Helsinki Group (<http://www.ihf-hr.org/rushc.htm>) also report on the conflict.

<sup>54</sup> Human Rights Watch, "Russian Federation/Chechnya," Briefing to the 59th Session of the UN Commission on Human Rights, February 27, 2003 (<http://www.hrw.org/un/chr59/chechnya.htm>, accessed April 3, 2003).

<sup>55</sup> Shireen T. Hunter, "Evolution of Russia's Post-Soviet Identity and Cultural Landscape: the Impact of the Islamic Factor," Center for Strategic and International Studies, Briefing Notes on Islam, Society, and Politics, December 2002, 13.

<sup>56</sup> 2002 *International Religious Freedom Report* (Internet).

<sup>57</sup> Ibid. See also Human Rights Watch, *Human Rights Watch World Report 2003: Russian Federation*, <http://www.hrw.org/wr2k3/europe11.html>, accessed February 20, 2003.

<sup>58</sup> This particular Muslim leader was reported later to have claimed that the September 11

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terrorist attacks were perpetrated by Israel and the United States, since only those two countries can be said to have “benefited” from the attacks. See Union of Councils for Soviet Jews, *Bigotry Monitor*, February 21, 2003. Other Muslim leaders have similarly troubling views, including one chief mufti who was reported to have called for a “holy war” against the United States because of the war in Iraq. Rival Russian Muslim leaders condemned those views, however, and Russia’s regional authorities warned the mufti calling for holy war that he was potentially breaking Russian law by making such pronouncements. See “Russia May Prosecute Islamic Leader,” *Associated Press*, April 3, 2004.

<sup>59</sup> 2002 *International Religious Freedom Report* (Internet).

<sup>60</sup> *Ibid.*

<sup>61</sup> Steven Lee Myers, “New Russian Cathedral Stymied by Interfaith Rift,” *New York Times*, September 10, 2002.

<sup>62</sup> Mikhail Zherybatev, “Religious Freedom and the War on Extremism,” *Russia and Eurasia Review*, vol. 1, no. 6, August 13, 2002, 4.

<sup>63</sup> *Ibid.*

<sup>64</sup> Mikhail Zherybatev, “Religious Freedom and the War on Extremism.” See also Moscow Helsinki Group, *Nationalism, Xenophobia, and Intolerance in Contemporary Russia*, 162.

<sup>65</sup> Nick Holdsworth, “Minister Gives Blessing to Orthodox Re Course,” *Times Educational Supplement*, December 20, 2002.

<sup>66</sup> “Moscow Church Official Assails State Approach to School Programs,” Interfax News Agency News Bulletin, November 18, 2002.

<sup>67</sup> “Russian Court Legalizes Textbook Critical of Jews,” *Associated Press*, March 27, 2003. The text states that Jews forced Pontius Pilate to crucify Jesus because “they thought only about power over other peoples and earthly wealth.”

<sup>68</sup> “Russian Education Minister Tries to Ease Fears Over New Plan to Teach Religion,” *Agence France Presse*, November 25, 2002.

<sup>69</sup> *Ibid.*

<sup>70</sup> Keston News Service Special Report, April 18, 2001. See also “Kremlin Changes Rabbis,” RFE/RL Newline, vol. 5, no. 57, March 22, 2001.

<sup>71</sup> 2002 *International Religious Freedom Report* (Internet).

<sup>72</sup> In the past year, several Russian government officials have been quoted on the need to establish “spiritual security” in Russia, or of promoting the country’s “spiritual integrity.” See

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Moscow Helsinki Group, *Nationalism, Xenophobia, and Intolerance in Contemporary Russia*, 161.

<sup>73</sup> Human Rights Committee, General Comment No. 22 (48) (art. 18), U.N. Doc CCPR/C/21/Rev.1/Add.4 (1993), ¶ 9.

<sup>74</sup> UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, United Nations General Assembly Resolution 36/55, November 25, 1981.

<sup>75</sup> Concluding Document of the Vienna Meeting of Representatives of the Participating States of the Conference on Security and Cooperation in Europe, Adopted in Vienna, January 17, 1989.

<sup>76</sup> This is a reiteration of a recommendation made by the Commission in May 2000. See *Report of the U.S. Commission on International Religious Freedom*, May 1, 2000, 51.

<sup>77</sup> Human Rights Center “Memorial” (Russia), *Compliance of the Russian Federation with the Convention on the Elimination of all Forms of Racial Discrimination*.

<sup>78</sup> For an extensive background on this legislation, see William Korey, “Jackson-Vanik: Its Origin and Impact as Russia Nears ‘Graduation,’” *The Harriman Review*, November 2002.

<sup>79</sup> “Anti-Russian Jackson-Vanik Amendment to Go Soon,” *RIA Novosti*, February 19, 2003; “Democrats Float Plan to End Russia Trade Restrictions,” *Reuters*, January 17, 2003.

<sup>80</sup> The bill is S. 580.

<sup>81</sup> Congressman Rangel’s bill is H.R. 1224; in the Senate, it is S. 624. H.R. 1224 is co-sponsored by Representatives Benjamin Cardin, Sander Levin, and Joseph Pitts.

<sup>82</sup> Micah Naftalin, House Ways and Means Committee, Hearing before the Subcommittee on Trade, April 11, 2002.

<sup>83</sup> See U.N. Doc. E/CN.4/2003/66, ¶ 89-90.

<sup>84</sup> The most prominent figures in Russian history in this regard include such persons as Vissarion Belinsky, Aleksander Herzen, and Mikhail Bakunin, all of whom lived in the 19th century. For a longer discussion of these and other Russian “westernizers,” see Nicholas Riasanovsky, *A History of Russia*, Oxford University Press, 1977, 403-406.

<sup>85</sup> Office of the Coordinator of U.S. Assistance to Europe and Eurasia, *U.S. Government Assistance to and Cooperative Activities with Eurasia, FY 2002 Annual Report*, U.S. Department of State, April 2003, 127-128, 132-133.

<sup>86</sup> H.R. 2121, found at <http://thomas.loc.gov/cgi-bin/query/C?c107:./~107K8D4ZF>, accessed February 11, 2003.