

17 May 2021

RUSSIA: Widened ban on "extremists" exercising religious freedom

By Victoria Arnold, Forum 18

Religion Law amendments – which come into force in October – ban those the state considers to be "extremists" from participating in religious groups. They also ban commercial entities (such as bookshops) from including a religious affiliation in their name unless they were founded by a centralised religious organisation (or, for NGOs, get their approval). Olga Sibiryova of the Moscow-based SOVA Center warns that "the wording of the amendments is very imprecise and leaves room for interpretation" by police and prosecutors.

The latest amendments to the Religion Law, signed by President Vladimir Putin on 5 April, will bar those the state considers to be "extremists" from participation in religious groups. Such people are already banned from participation in registered religious organisations.

Religious groups can be either independent or affiliated to centralised religious organisations. In neither case is the religious group a legal entity.

Those banned from leading or participating in religious groups could include individual Muslims who meet to study the works of Said Nursi, individual Jehovah's Witnesses, and individuals associated with the Crimean Tatar Mejlis, if these people have been convicted under the Extremism Law or have been added to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists" (see below).

It appears likely that opposition politician Aleksey Navalny's Anti-Corruption Foundation (FBK), Citizens' Rights Defence Foundation (FZPG), and regional headquarters will also soon be declared "extremist" organisations, as might the All-Tatar Public Centre, a cultural organisation based in Tatarstan's capital Kazan. Individuals associated with such organisations and subsequently convicted of "extremism"-related offences or placed on the Rosfinmonitoring List would also be banned from participating in religious groups, as well as religious organisations (see below).

The Religion Law amendments – which come into force on 3 October 2021 – also ban legal entities from including a religious affiliation in their name unless they were founded by or get the approval of a centralised religious organisation. This would affect a company wanting to set up an Islamic or Christian book shop, for example, or a non-governmental organisation, such as an Islamic or Christian human rights group (see below).

Religious groups will also be obliged to submit information on their composition and activities to the Justice Ministry once a year, rather than every three years (see below).

Another major change introduced by the amendments will be a requirement for clergy, religious teachers, and missionaries who have received professional training abroad to undergo a course in "state-confessional relations in the Russian Federation", and to be re-certified by a centralised religious organisation (https://www.forum18.org/archive.php?article_id=2657), before they can begin working in Russia. How this will be implemented remains unclear, as few religious educational institutions appear to be eligible to offer such courses, no list of secular providers has yet been published, and the course content, costs, and format are not yet known.

"The main problem is that the wording of the amendments is very imprecise and leaves room for interpretation," Olga Sibiryova of the Moscow-based SOVA Center told Forum 18. "Therefore, much will depend on how the new rules will be interpreted in the course of law enforcement practice" (see below).

It is so far unknown what punishment – if any – individuals or organisations might face for violating the provisions of the new amendments once they come into force in October.

The Duma may make corresponding changes to the Administrative Code in order to introduce explicit penalties for non-compliance, though there has been no indication as yet of if or when this will take place.

Lawyer Konstantin Andreyev thinks that specific administrative penalties will be introduced, although lawyer Vasily Nichik of the Seventh-day Adventist Church points out that this is not obligatory, and prosecutors could use the existing Article 19.7 ("Failure to provide information"), Article 19.4 ("Disobedience to a lawful order by an official of a state or municipal supervisory body"), and Article 19.5, Part 1 ("Failure to comply within the prescribed period with a legal order on the elimination of legal violations, issued by a body exercising state supervision").

The various Parts of these Articles carry penalties ranging from a few hundred Roubles for private individuals, to a few thousand for people in an official role, to tens of thousands for legal entities.

It is also unknown how the authorities might enforce compliance with the new amendments.

The Religion Law amendments, introduced by the Justice Ministry and overseen by the State Duma's Committee for the Development of Civil Society and Issues of Public and Religious Associations, are "aimed at increasing the transparency of religious associations' activities and increasing the efficiency of the justice authorities' exercise of their powers of state supervision over the activities of religious associations", according to the Committee's conclusions of 16 September 2020.

"Replete with vague wording"

Despite later alterations to these Religion Law amendments which have gone some way towards easing and clarifying the requirements, there are still outstanding problems and unanswered questions, the burden of which is likely to fall principally on religious communities themselves.

The amendments remain "replete with vague wording", lawyer Stanislav Kulov commented to Forum 18 on 24 March. They may be "safely viewed as unjustified interference in the activities of religious associations by the state and an encroachment on the constitutionally enshrined principle of separating religious associations from the state".

"We will comply with the law as much as possible, but some articles of the law are vague," Pentecostal Bishop Sergey Ryakhovskiy commented to RIA Novosti on 8 April 2021. "We hope that all these points will be regulated with by-laws. It is also important that the authorities consult with representatives of [religious organisations] when creating by-laws."

"The main problem is that the wording of the amendments is very imprecise and leaves room for interpretation. Therefore, much will depend on how the new rules will be interpreted in the course of law enforcement practice," Olga Sibiriyova of the SOVA Center told Forum 18 on 14 May. "It is impossible to predict this in detail now, but given the experience of the application of the 'anti-missionary' amendments, it can be assumed that not all the [legal] formulations will be interpreted in believers' favour."

Commenting on the "ever wider scope for a new stage of lawlessness" created by the amendments, Seventh-day Adventist lawyer Vasily Nichik drew comparisons with the 2016 anti-missionary amendments, whose imprecise definitions have permitted police and prosecutors to bring many prosecutions (https://www.forum18.org/archive.php?article_id=2593).

"[We could be fined] on the basis on which we experienced the first wave of fines for 'unlawful missionary activity'," Nichik wrote on Facebook on 23 March, "when we were fined for unmarked books in the cupboard, for a sign replaced by police, for not being able to read the sign from the street from a distance of 20 metres, for the gift of a New Testament, for the fact that the preacher in the pulpit was not authorised [to perform] missionary activity, for the fact that greetings were relayed from another city at a worship service .. the list can go on and on. And all this was portrayed in police reports as countering terrorism and extremism".

"The protection of our state from external interference"

Some amendments are also ostensibly motivated by the government's desire to combat the influence of "extremist" religious beliefs.

The State Duma's Committee for the Development of Civil Society and Issues of Public and Religious Associations said in a press release on 5 April that the law "is directed at strengthening the spiritual sovereignty of Russia" (https://www.forum18.org/archive.php?article_id=2657).

Sergey Gavrilov, head of the Committee, stated: "The ban on leadership of and participation in religious groups of persons connected to extremist activities, as well as the financing of terrorism, is dictated by the need to ensure the protection of our state from external interference."

Neither strengthening "spiritual sovereignty" nor protection from "external interference" are permissible reasons to restrict freedom of religion and belief (<https://www.refworld.org/docid/453883fb22.html>) under Russia's legally-binding international human rights obligations.

Forum 18 wrote to the Duma's Committee for the Development of Civil Society and Issues of Public and Religious Associations before the start of the working day on 11 May, asking why the amendments had been introduced for reasons which are not permitted under Russia's legally binding international human rights obligations. Forum 18 also asked how the amendments are expected to protect citizens from "extremism". Forum 18 received no reply as of the end of the working day on 17 May.

"Perhaps [legislators] really do see potential 'extremists' in all religious associations, except for the Russian Orthodox Church. Perhaps, given the general 'tightening of the screws', it seems that it is impossible to leave any part of public life uncontrolled," Olga Sibiriyova of the SOVA Center commented to Forum 18 on 14 May.

"In addition," Sibiriyova added, "the level of literacy in the field of religion among representatives of the authorities, unfortunately, is low, and xenophobia is inherent in them as well as in society as a whole – that is, they really could consider most religious associations to be dangerous 'sects'."

Bans on range of individuals in religious groups as well as organisations

The Religion Law amendments will ban the following categories of people from being leaders of or participants in religious groups:

- those whose names have been added to the Rosfinmonitoring "List of Terrorists and Extremists";
- those "whose actions contain signs of extremist activity, as established by a court decision which has entered legal force";
- foreign and stateless persons whose presence in Russia has been deemed "undesirable";
- people whose assets have been frozen by the Interdepartmental Commission on Countering the Financing of Terrorism.

The same categories of people are already barred from leadership of and participation in registered religious organisations, Russia's other form of legally recognised religious association.

Religious communities also exist which have neither registered as organisations nor submitted notification of their existence as religious groups, such as Council of Churches Baptists. Their members risk prosecution for all exercise of the right to freedom of religion or belief.

The ban "directly contradicts" such individuals' constitutional right to practise their religion together with others, according to Olga Sibiriyova's 29 April religious freedom report for the SOVA Center for Information and Analysis.

The amendments do not conform to the Constitution, Aleksandr Verkhovsky of the SOVA Center told Forum 18 on 7 May. "The state should not interfere in the internal life of religious associations, and that is exactly what this is."

As of 17 May, 10,859 individuals were on the Rosfinmonitoring "List of Terrorists and Extremists". These include terrorists such as the one survivor convicted of participating in the Beslan school siege in 2004. However, others included on the List as "extremists" are Jehovah's Witnesses and Muslim readers of Nursi's works.

Individuals are included on the Rosfinmonitoring List at the behest of investigators or prosecutors. Banks are obliged to freeze an individual's assets, blocking all but small transactions (up to 10,000 Roubles) (https://www.forum18.org/archive.php?article_id=2215). Being added to the List leads to a variety of problems in everyday life, including being unable to receive salaries, pensions, or benefits, renew insurance policies, or even purchase a phone SIM card.

Inclusion on the Rosfinmonitoring List usually takes place before a criminal case comes to trial, sometimes even before an indictment is issued, meaning that an individual may be added to the List – and thereby barred from participation in religious groups (and organisations) – without having been convicted of or even charged with any offence. If a person is acquitted or the case against them halted, it may also take a long time for them to be removed from the List.

Most of the entities on the Justice Ministry's list of public associations and religious organisations banned under the Extremism Law do violate the human rights of others. Such entities include far-right and Islamist groups, violent football hooligans, and organised criminal gangs.

There are also, however, both religious and non-religious organisations on the list which do not violate human rights. These include:

- Jehovah's Witnesses, over 450 of whom are under criminal investigation (https://www.forum18.org/archive.php?article_id=2265), are on trial, or have been convicted under the Extremism Law (https://www.forum18.org/archive.php?article_id=2637) for "continuing the activities" of their banned organisation;

- "Nurdzhular", an alleged association of Muslims who meet to study the writings of Turkish theologian Said Nursi (https://www.forum18.org/archive.php?article_id=2215). Muslims in Russia deny the association exists, and, like Jehovah's Witnesses, its alleged members are also subject to prosecution for "continuing the activities" of their banned organisation (https://www.forum18.org/archive.php?article_id=2637);

- the Khakassiya Republic's regional branch of the Chinese spiritual movement Falun Gong (https://www.forum18.org/archive.php?article_id=2215).

It appears likely that opposition politician Aleksey Navalny's Anti-Corruption Foundation (FBK), Citizens' Rights Defence Foundation (FZPG), and regional headquarters will also soon be declared "extremist" organisations, as might the All-Tatar Public Centre, a cultural organisation based in Tatarstan's capital Kazan. If this happens, individuals associated with these organisations and convicted under the Extremism Law or added to the Rosfinmonitoring List would be barred from participating in religious groups (and organisations).

The Crimean Tatars' highest representative body, the Mejlis, was also banned and added to the List after Russia's 2014 annexation of Crimea (https://www.forum18.org/archive.php?article_id=2051).

Jehovah's Witnesses and Muslims who meet to study Nursi's works are already subject to criminal prosecution if investigators think they are "continuing the activities" of their banned organisations. The ban on participation in religious groups (and religious organisations) means that they may also risk problems with the police and possible administrative prosecution if they decide to join other religious communities.

Among the people currently facing prosecution for Jehovah's Witness activities, for instance, is at least one person who is no longer a Jehovah's Witness - Vyacheslav Ivanovich Osipov, on trial in Volgograd (https://www.forum18.org/archive.php?article_id=2573) – and one person who has never been a Jehovah's Witness - Ruslan Garaftinovich Zalyayev, under investigation in Karpinsk (https://www.forum18.org/archive.php?article_id=2637), Sverdlovsk Region.

Who is and is not a "participant"?

Exactly to whom the ban on participation applies and how it will be enforced is unclear. The Religion Law contains no explicit definition of a "participant" in a religious group (or organisation).

Group leaders (or the centralised religious organisations with which they are affiliated) are obliged to submit information (https://www.forum18.org/archive.php?article_id=2246) about the "citizens, belonging to the religious group" (svedeniya o grazhdanakh, vkhodyashchikh v religioznuyu gruppu) to the Justice Ministry (see below).

This does not, however, preclude the involvement of other people, not among these citizens, in meetings for worship or other group activities. Society for Krishna Consciousness lawyer Mikhail Frolov thinks that the amendments will not stop people in the stipulated categories from worshipping with others, as participants in worship are not the same as participants in a religious group, who technically should only be those whose names are submitted to the Justice Ministry, he told Forum 18 on 22 April.

Nevertheless, the ambiguity of the law has already led to problematic police practice in relation to missionary activity – an individual is often accused of carrying out missionary activity on behalf of a religious group without its authorisation (https://www.forum18.org/archive.php?article_id=2593) (required under the Religion Law), as the local Justice Ministry has no evidence that the group submitted notification of its activities.

This is sometimes because the person is acting only on his or her own behalf, sometimes because no group exists in any formal sense. Police and prosecutors have nevertheless assumed the individual to be a group participant or leader without any written evidence of the fact. It seems likely that application of the new amendments will be similarly indiscriminate in this regard.

"Formally, there is no ban on participation in divine services," Olga Sibiryova of the SOVA Center noted to Forum 18 on 14 May, "but we again run into the issue of interpreting the norms contained in the amendments. Since today there are cases when participation in worship services is regarded as illegal missionary work, it cannot be ruled out that attendance at worship services will be interpreted as participation in a religious group."

"Those authorities that are directly involved in monitoring and tracing individuals who are on certain lists for 'extremism' and terrorism now have an additional opportunity to issue [formal] warnings to religious associations about the inadmissibility of 'extremist' activities," lawyer Vasily Nichik noted to Forum 18 on 17 May. "This kind of warning is not harmless, because several warnings can already serve as the basis for accusations of 'extremist' activities."

Mikhail Shakhov, President of the Guild of Experts on Religion and Law, argues that the lack of legal definition of "participant" (uchastnik), "follower" (posledovatel), and – prior to the current amendments – "member" (chlen), and the lack of any formal process of making people any of these things (unless they are among the "founder members" (uchrediteli) named in an organisation's

charter) "opens up ample opportunities for circumventing" Article 2, Paragraph 3 of the Religion Law. This declares that "nothing in the legislation on freedom of conscience, freedom of religion, and religious associations should be interpreted in the sense of diminishing or infringing upon the rights of person and citizen to freedom of conscience and freedom of religion, as guaranteed by the Constitution of the Russian Federation or arising from international treaties of the Russian Federation".

"Sad experience of law enforcement practice"

The current set of amendments also removes most uses of the word "member" [chlen] from the text of the law, leaving people involved in religious associations to be described only as "participants" [uchastniki], or sometimes "followers" [posledovately].

While this should technically have little impact on the everyday lives of believers and their communities (as "member" was in most instances accompanied by the word "participant" anyway), there is some concern over how this change may affect the attitudes and actions of police and prosecutors.

Some fear that police or prosecutors will regard anyone present at a religious meeting to be a "participant", allowing action against individuals and religious communities for alleged infringements of the new bans.

"The sad experience of law enforcement practice suggests that representatives of law enforcement agencies will not go into details (https://www.forum18.org/archive.php?article_id=2593), and for them everyone present at a worship service or even a friendly tea party where the Bible is being studied will be participants," Pentecostal Bishop Sergey Ryakhovsky commented to RIA Novosti on 21 September 2020.

Ryakhovsky fears that if police or prosecutor's office officials find a member of a banned "extremist" organisation (even one who has already served their sentence) at a meeting of a religious organisation or group, they will deem that organisation or group leader to be breaking the law.

"Before the worship service, the priest will have to make sure that no 'extremist' or person who has financed 'extremism' has entered the church building," Ryakhovsky said. "I'm sorry, but how can this be done?"

"It can be assumed that law enforcement officers will not be guided by formal definitions – or not only by them," Olga Sibiriyova of the SOVA Center commented to Forum 18 on 14 May. "The amendments provide an opportunity to manipulate the wording, for example, 'member' – 'participant'. Confusion with these terms will arise among the believers themselves, and this will certainly be used against them."

The situation may become clearer if corresponding offences and penalties are introduced to the Administrative Code.

The ban on certain people's participation in religious groups may present greater complications for religious communities than that on participation in religious organisations, as organisations at least have the option of defining in their statutes who counts as a member (now participant, as per the amendments).

As Mikhail Shakhov, President of the Guild of Experts on Religion and Law, pointed out in comments for the Institute of State Service and Administration on 1 July 2019, however, this is not always done. The model statutes for Russian Orthodox (Moscow Patriarchate) parishes, for example, contain no mention of participants or members.

The absence of such definitions in statutes may be because the religious communities' beliefs about their internal organisation do not include a category of "member", as is the case for Orthodox churches.

As the Organisation for Security and Co-operation in Europe (OSCE) / Venice Commission Guidelines for Review of Legislation Pertaining to Religion or Belief (<https://www.osce.org/files/f/documents/d/b/13993.pdf>) state: "It is reasonable to suggest that the State should be very reluctant to involve itself in any matters regarding issues of faith, belief, or the internal organization of a religious group. However, when the interests of religious or belief groups conflict with other societal interests, the State should engage in a careful and nuanced weighing of interests, with a strong deference towards autonomy except in those cases where autonomy is likely to lead to a clear and identifiable harm."

"In my view, the amendments to the Religion Law are aimed at depriving Russian citizens of their last hope of using their constitutional right to [freedom of] religion," Jehovah's Witness lawyer Yegiazar Chernikov commented to Forum 18 on 1 May.

"Insofar as all Jehovah's Witnesses facing criminal prosecution today are accused of 'extremism' precisely for exercising their constitutional rights and freedoms and this is considered by investigative agencies to be 'extremist' activity," Chernikov added, "then anybody who participates in the expression of their faith with relatives and friends will fall under the ban imposed by these amendments. Consequently, if earlier the Constitution left a chance remaining to believers, now they are deprived of their last hope of using their constitutional rights. In my view, this repressive law forces you to give up your faith. It is a cunning and veiled replacement of rights with 'criminal activity'."

In its explanatory note of 21 July 2020, appended to the Religion Law amendments (then in draft form), the Duma Committee for the Development of Civil Society and Issues of Public and Religious Associations noted that the ban on these categories of people leading or participating in religious groups was "due to the need to protect the foundations of the constitutional order, [and] the morality, health, rights and legitimate interests of person and citizen, [and] to ensure the country's defence and state security, and it should be considered a preventive measure for managing the risks of involving members of a religious group in extremist activities and activities aimed at financing terrorism".

Defence, state security, and managing risks are not among the legitimate reasons for restricting the exercise of freedom of religion or belief under Russia's legally binding international human rights obligations.

Forum 18 wrote to the office of Human Rights Ombudsperson Tatyana Moskalkova before the start of the working day of 11 May, asking why the amendments had been introduced on these grounds. Forum 18 also noted that some people on the Rosfinmonitoring "List of Terrorists and Extremists" have not been convicted of or even charged with any offence, yet would now be barred from participation in religious groups, and asked if Moskalkova had any comment on this. Forum 18 had received no reply as of the end of the working day on 17 May.

Notification now required three times as often

Since July 2015, religious groups have been obliged to inform regional branches of the Justice Ministry (https://www.forum18.org/archive.php?article_id=2246) of their composition and activities when they are set up, and submit notification of their continued activity every three years. This does not make them legal entities.

Once the amendments come into force, such notification will have to be submitted every year, thereby increasing the bureaucratic burden on religious groups, which are usually small, and – as they are not legal entities – cannot employ staff. The increase in frequency also creates more opportunities for groups to fall foul of the law.

This requirement for the leaders of religious groups (or the centralised religious organisations with which they are affiliated) to submit such information breaks Russia's legally-binding obligations under international human rights law, which do not allow the exercise of freedom of religion and belief to be made dependent on state permission.

Some religious communities – such as Council of Churches Baptists – choose not to inform the state of their activity or seek permission for it, as is their right under international human rights law. This leaves them at risk of raids and prosecutions for exercising their right to freedom of religion or belief.

The yearly notification must contain the same information as is currently only required at the beginning of a religious group's existence. This comprises a description of its religious affiliation, the name of its leader, the names and addresses of "citizens, belonging to the religious group" ("svedeniya o grazhdanakh, vkhodyashchikh v religioznuyu gruppu"), and the addresses of all locations where it meets.

"The state is trying to regulate [and] bring under control all [and] any religious activity of its citizens," Pentecostal Bishop Konstantin Bendas commented on the Pentecostal Union's website on 24 July 2020, describing this as "an unnecessary and dangerous tendency".

According to the bill's explanatory note of 21 July 2020, seen by Forum 18, the increase in frequency of notification "is associated with the instability of the composition of the members (followers) of a religious group, which, in turn, as the analysis of law enforcement practice in this field of activity has shown, creates difficulties in identifying religious groups that previously submitted notification of the commencement or continuation of their activities".

In its conclusions on the bill of 16 September 2020, the Duma Committee for the Development of Civil Society and Issues of Public and Religious Associations wrote that the more frequent notification requirement would "allow state bodies and society as a whole to receive timely information on the activities of religious groups and strengthen the prevention of possible violations of the legislation of the Russian Federation".

Forum 18 wrote to the Committee before the start of the working day of 11 May, asking why the state authorities need to have such information on religious groups, and why the authorities' permission is considered necessary for the exercise of freedom of religion and belief. Forum 18 received no reply as of the end of the working day of 17 May.

The amendments also oblige regional Justice Ministry branches to acknowledge in writing their receipt of religious groups' submission of notification within five days. This is a positive change, Forum 18 notes, as such written acknowledgement gives religious groups evidence of their compliance with the law and a clear indication of when they were formally established.

A lack of notification (or lack of proof of such) is one of the commonest reasons for the prosecution of individuals

(https://www.forum18.org/archive.php?article_id=2593) for "unlawful missionary activity" under Administrative Code Article 5.26, Part 4 ("Russians conducting missionary activity").

"It is difficult to say whether or not a majority of cases are related to non-notification of group creation, but this is a big problem," lawyer Sergey Chugunov told Forum 18 on 6 August 2020. He noted that at that time the Religion Law contained "no specified point at which a group is considered created. This is a gap. Therefore, anything is considered to be a religious group and fined."

Ban on religious names for some legal entities

Once the amendments come into force in October, legal entities will not be able to use "information about religion" [svedeniya o veroisповedanii] in their names unless:

- they were founded by religious organisations (or a religious organisation is a member);
- or they are public organisations or public movements which have obtained written permission to do so from a centralised religious organisation of the corresponding confessional affiliation.

"Information about religion", according to lawyers who have commented to Forum 18, refers to mention of specific religions or denominations (such as "Christian", "Muslim", "Orthodox", etc.), not merely to any terms with a religious connotation (such as "church", "parish" or "umma").

Society for Krishna Consciousness lawyer Mikhail Frolov noted, however, that it is unclear how this will be applied in practice: "We have a country of unlimited possibilities."

Under Russian law, a "public organisation" [obshchestvennaya organizatsiya] is "a membership-based public association created on the basis of joint activities to protect common interests and achieve the statutory goals of the associated citizens". A public movement [obshchestvennoye dvizheniye] is "a mass public association which consists of participants and is not based on membership, pursuing social, political, or other socially useful aims".

Commercial enterprises – including, for example, Islamic or Christian bookshops if these have no formal association with a religious organisation – will therefore have to remove references to religious affiliations from their names. They must bring their statutes into line with this requirement by 1 January 2022.

It is unclear from whom a public organisation or movement should seek permission, if there is no obvious corresponding centralised religious organisation.

"There is a practice among religions in Russia, not only among Protestants, of not only religious organisations creating NGOs, but also parishioners," Pentecostal Bishop Sergey Ryakhovsky commented to RIA Novosti on 8 April 2021.

"For example, such names as 'Foundation for the Support of Christian Culture'. To what confession should they be attributed?" Ryakhovsky asked. "We do not have a Christian church – there are Orthodox, Catholics, Protestants. The same with Muslims – there are many Islamic centralised religious organisations in Russia – from whom should a hypothetical 'Foundation for Islamic Culture' ask permission?"

"I believe that there is objectivity in this [amendment]", Seventh-day Adventist lawyer Vasily Nichik commented to Forum 18 on 17 May, "because it is not referring to religious associations, but to public, non-profit [organisations], which, when they use a confessional name, emphasise their belonging to a particular religion, which means to a certain extent they can either strengthen, or denigrate [and] discredit the image of religious associations professing a particular faith."

"Innovations that simplify the lives of religious organisations"

Alongside its restrictive measures, the amendments also contain some "innovations that simplify the lives of religious organisations", as it streamlines the registration procedure for religious organisations, according to Olga Sibiryova's 29 April religious freedom report for the Moscow-based SOVA Center for Information and Analysis.

The amendments also oblige Justice Ministry branches to within five days provide religious groups with written confirmation that they have submitted notification of their activities.

Police and prosecutors have used the apparent absence of such notification as evidence in anti-missionary prosecutions (https://www.forum18.org/archive.php?article_id=2593) of individuals for "unlawful missionary activity" under Administrative Code Article 5.26, Part 4 ("Russians conducting missionary activity").

"It is difficult to say whether or not a majority of cases are related to non-notification of group creation, but this is a big problem,"

lawyer Sergey Chugunov told Forum 18 on 6 August 2020. He noted that at that time the Religion Law contained "no specified point at which a group is considered created. This is a gap. Therefore, anything is considered to be a religious group and fined."

This is a positive change, Forum 18 notes, as such written acknowledgement gives religious groups evidence of their compliance with the law and a clear indication of when they were formally established.

Other changes

The amendments also include a number of other changes:

- if a religious organisation belongs to a foreign religious organisation, it must indicate the latter's name in its statutes;
- centralised religious organisations may include in their statutes a bar on local religious organisations withdrawing from their oversight;
- the registration process for religious organisations has been simplified by the removal of requirements to provide the address of an organisation's permanent governing body and a copy of the organisation's statutes. The Justice Ministry will now have to request the latter if needed. (END)

Full reports on freedom of thought, conscience and belief in Russia
(<https://www.forum18.org/archive.php?query=&religion=all&country=10>)

For more background see Forum 18's survey of the general state of freedom of religion and belief in Russia (https://www.forum18.org/archive.php?article_id=2246), as well as Forum 18's survey of the dramatic decline in this freedom related to Russia's Extremism Law (https://www.forum18.org/archive.php?article_id=2215)

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <https://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation (https://www.forum18.org/archive.php?article_id=1468)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

Follow us on Twitter @Forum_18 (https://twitter.com/forum_18)

Follow us on Facebook @Forum18NewsService (<https://www.facebook.com/Forum18NewsService>)

All Forum 18 text may be referred to, quoted from, or republished in full, if Forum 18 is credited as the source.

All photographs that are not Forum 18's copyright are attributed to the copyright owner. If you reuse any photographs from Forum 18's website, you must seek permission for any reuse from the copyright owner or abide by the copyright terms the copyright owner has chosen.

© Forum 18 News Service. All rights reserved. ISSN 1504-2855.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY