

# **Country Policy and Information Note** Russia: Muslims

Version 1.0 November 2022

# Preface

# Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the <u>Introduction</u> section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into 2 parts: (1) an assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

# Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within <u>paragraphs 339C and</u> <u>339CA(iii) of the Immigration Rules</u> / Article 3 of the <u>European Convention on</u> <u>Human Rights (ECHR)</u>
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within <u>paragraphs 339C and 339CA(iv) of the Immigration Rules</u>
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

# **Country of origin information**

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the <u>Common EU [European Union] Guidelines for Processing Country of Origin Information (COI)</u>, April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), <u>Researching Country Origin Information – Training Manual</u>, 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a <u>terms of</u> <u>reference</u> which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate and balanced, which is compared and contrasted where appropriate so that a comprehensive and up-to-date picture is provided of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote. Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

### Feedback

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the <u>Country Policy and Information Team</u>.

### Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

### Independent Advisory Group on Country Information

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the <u>gov.uk website</u>.

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# Assessment

Updated: 10 November 2022

# 1. Introduction

- 1.1 Basis of claim
- 1.1.1 Fear of persecution/serious harm by state actors on the basis of a person's Muslim faith and/or because the person is involved with a group which is perceived to be non-traditional, including groups which are banned on the grounds of terrorism or extremism.

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# Official – sensitive: Start of section

1.2

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# Official – sensitive: End of section

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# 2. Consideration of issues

- 2.1 Credibility
- 2.1.1 For information on assessing credibility, see the instruction on <u>Assessing</u> <u>Credibility and Refugee Status</u>.
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the <u>Asylum</u> <u>Instruction on Visa Matches, Asylum Claims from UK Visa Applicants</u>).
- 2.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider the need to conduct language analysis testing (see the <u>Asylum Instruction on Language Analysis</u>).

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# 2.2 Exclusion

- 2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 2.2.3 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instruction Exclusion under Articles 1F and 33(2) of the Refugee Convention and the instruction on Restricted Leave.

# Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

# Official – sensitive: End of section

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# 2.3 Convention reason

- 2.3.1 Actual or imputed religion.
- 2.3.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.
- 2.3.3 For further guidance on Convention reasons see the instruction on <u>Assessing Credibility and Refugee Status</u>.

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### 2.4 Risk

### a. State treatment: Russia as a whole

- 2.4.1 President Putin has expressed support for what he terms 'traditional Islam,' which appears to refer to a moderate, Russian version of Islam which is loyal to the state and co-exists harmoniously with other faiths. The authorities used antiterrorism and extremism laws, as well as other measures, to declare certain religious groups as 'terrorist,' 'extremist,' or 'undesirable'. Persons who are known (or perceived) by the authorities to be associated with, and involved in, activities on behalf of a banned Islamic group, including Nurdzhular, Hizb ut-Tahrir and Tablighi Jamaat, are likely to face treatment which, by its nature and repetition, or as a result of an accumulation of various measures, amounts to persecution. However, each case must be considered on its individual facts, with the onus on the person to demonstrate the state's adverse interest in them.
- 2.4.2 Estimates of the number of Muslims in Russia vary. According to information published by Minority Rights Group International, updated in December 2020, there were over 16.4 million Muslims in Russia in 2010, according to

the census of that year. Islam is recognised in law as one of 4 'traditional' religions. Societal attitudes are generally accepting of Muslims, although Muslims living outside the areas where they are traditionally based can experience xenophobia and racism.

- 2.4.3 The constitution states that the state is secular and provides for freedom of religion, including the right to profess any religion or none. It states that all religious associations are equal and separate from the state. The law provides for equality of rights, regardless of attitude towards religion. Under law, 4 religions (Islam, Christianity, Judaism and Buddhism) are identified as the country's 'traditional' religions. The Russian Orthodox Church is recognised as having a special role and is accorded privileges not granted to the other 3 religions. Minority religions, including Islam, are taught in schools (see <u>Constitution</u> and <u>Schools</u>).
- 2.4.4 President Putin has expressed support for what he terms 'traditional Islam' which appears to refer to a moderate, Russian version of Islam which is loyal to the state and co-exists harmoniously with other faiths. The government aims to encourage religious teachings which serve state interests but discourage Muslims from foreign influences which might provide a threat to the state via separatism, radicalism or terrorism. The authorities refer to 'non-traditional' Islam as 'Wahhabism' or 'Salafism' and consider it to be radical/fundamentalist (see <u>Non-traditional Islam and the state's approach</u>).
- 2.4.5 The law provides for the activities of a religious association to be prohibited on grounds including 'extremist activity.' However, it does not provide a precise definition of extremism, and violence or hatred do not need to be present for a classification of extremism to be applied. The US Department of State reported that the authorities misused anti-terrorism and antiextremism laws to ban peaceful religious groups, labelling them as terrorist, extremist or undesirable. 'Nurdzhular' (the teaching of Said Nursi), has been banned in Russia since 2008, Hizb ut-Tahrir was banned in Russia in 2003 and Tablighi Jamaat was banned in Russia in 2009. All 3 groups are on the Federal List of Extremist Organisations and/or the Federal List of Terrorist Organisations. Local laws in several administrative regions ban 'extremist Islamic Wahhabism,' but do not define the meaning of this term (see Antiextremism legislation. Groups banned on the grounds of extremism. Followers of Said Nursi (Nurdzhular / Nur movement), Hizb ut-Tahrir, and Tablighi Jamaat).
- 2.4.6 Participating in or organising the activity of a religious organisation which has been banned on the grounds of extremism may be punished by a fine of up to £11,384 or imprisonment for 6 to 10 years, with a prohibition on holding 'certain positions' or engaging in 'certain activities' (it is not clear what these are, but a ban on running for public office is included) for up to 10 years, plus restrictions such as house arrest or travel within the country for 1 or 2 years. For persons with 'official status,' i.e. anyone working for the government or state-owned institutions, or anyone in management roles in other organisations, the fines and prison terms are greater (see <u>Groups banned on the grounds of extremism</u>).
- 2.4.7 Under Article 282 of the Criminal Code, speech or actions aimed at 'inciting hatred or enmity' based on group affiliation (including religion) can be

punished with administrative penalties (i.e. penalties which are handed out without a trial) for first-time offences if there is no criminal offence involved. The penalties include administrative arrests of up to 15 days or administrative fines of up to £285 for individuals or £7,115 for legal entities. Individuals are held criminally liable if they commit multiple offences within a one-year period or for the first offence if they threaten to use violence or use their official position to incite hatred. Criminal penalties (i.e. penalties which are handed out after a trial is held) include fines of up to £8,538, compulsory labour for up to 5 years or imprisonment for up to 6 years (see <u>Political prisoners</u> and <u>Anti-extremism legislation</u>).

- 2.4.8 Furthermore, those charged under Article 282 ('inciting hatred or enmity') may receive a suspended sentence. The implications of a suspended sentence include being unable to secure a job or travel to other regions and being subjected to curfews. Forum 18 further noted that most appeals were unsuccessful (see <u>Political prisoners</u> and <u>Anti-extremism legislation</u>).
- 2.4.9 Publications which are found by courts to be extremist are included on the Federal List of Extremist Materials held by the Ministry of Justice. SOVA Center reported that 110 entries were added to the Federal List of Extremist Materials in 2021, compared to 139 in 2020. The Center reported that the 2021 entries included 19 items which they considered to have been added inappropriately, including peaceful Islamic publications. The US Department of State reported that there were 'several' instances of restrictions on Islamic literature in 2021 and SOVA Center stated that there had been 'several' cases of prosecution for distributing Islamic material on the internet, with consequences reported as being fines in the region of £9 to £14 (see Declaration of extremism and Extremist materials).
- 2.4.10 There have been criminal sanctions, including investigations, arrests, prosecutions and convictions against persons suspected of involvement in Hizb ut-Tahrir, and, to a lesser extent, Tablighi Jamaat and Nurdzhular. Numbers of members/affiliates of Hizb ut-Tahrir, Tablighi Jamaat and 'Nurdzhular' in Russia are not known. However, Memorial reported that 331 people had been investigated or convicted for alleged involvement with Hizb ut-Tahrir since the group was banned in 2002, with 206 people in prison on these grounds in 2021. In a report covering 2021, Human Rights Watch reported that 11 people had been convicted and 13 others detained for affiliation with Tablighi Jamaat since late 2020. In January 2022, Forum 18 noted that one person was in prison on the grounds of involvement with 'Nurdzhular,' with 5 having received suspended sentences and 3 having received fines on these grounds since 2015. In August 2022, Forum 18 reported that 6 men were to be tried in Moscow for alleged involvement with Nurdhzhular (see Arrests, sentencing and imprisonment: Hizb ut-Tahrir, Arrests, sentencing and imprisonment: Tablighi Jamaat and Arrests, sentencing and imprisonment: Followers of Said Nursi).
- 2.4.11 In the report covering 2021, the US Department of State reported that some members of groups deemed extremist or terrorist were subjected to prolonged imprisonment, harsh detention conditions, house arrest and house raids, discrimination, harassment, and criminal investigation for participating in the activities of a banned organisation deemed extremist. The US

Department of State reported that there were multiple allegations of torture at several penal colonies in 2021, and the US Commission on International Religious Freedom noted that the prosecution of alleged members of Hizb ut-Tahrir is often characterized by allegations of torture during interrogation (see <u>Action taken by the state</u>: <u>Introduction</u>, <u>Treatment in detention</u> and <u>Political prisoners</u>).

2.4.12 For further guidance on assessing risk, see the instruction on <u>Assessing</u> <u>Credibility and Refugee Status</u>.

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# b. State treatment: North Caucasus

- 2.4.13 For those following a 'non-traditional' form of Islam, treatment may be sufficiently serious by its nature or repetition as to constitute a severe violation of a basic human rightn amounting to persecution. Each case must be considered according to its individual facts.
- 2.4.14 There have been instances of harassment of Muslims following 'nontraditional' forms of Islam in the North Caucasus. Some Muslims have been detained and tried on criminal charges of extremism. Law enforcement agents have raided Salafi mosques and detained hundreds of those present. In February 2022, Human Rights Watch produced a submission to the UN High Commissioner for Human Rights in which it stated that Chechen law enforcement and security officials had used illegal detention, torture, collective punishment, public humiliation and other abuses against those it viewed as 'undesirable,' including Islamist militants and their family members (see <u>Non-traditional Islam and the state's approach</u>, <u>Police and security</u> forces, Action taken by the state: <u>Introduction</u>, <u>Treatment in detention</u> and <u>Political prisoners</u>).
- 2.4.15 For further guidance on assessing risk, see the instruction on <u>Assessing</u> <u>Credibility and Refugee Status</u>.

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# 2.5 Protection

- 2.5.1 Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities.
- 2.5.2 For further guidance on assessing the availability of state protection, see the instruction on <u>Assessing Credibility and Refugee Status</u>.

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### 2.6 Internal relocation

- 2.6.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk. However, each case must be considered according to its individual facts.
- 2.6.2 For further guidance on internal relocation see the instruction on <u>Assessing</u> <u>Credibility and Refugee Status</u>.

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# 2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see <u>Certification of Protection and</u> <u>Human Rights claims under section 94 of the Nationality, Immigration and</u> <u>Asylum Act 2002 (clearly unfounded claims)</u>.

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# **Country information**

Section 3 updated: 22 June 2022

# 3. Religious demography

### 3.1 Introduction

3.1.1 The United States Department of State's International Religious Freedom Report 2021 (USSD IRF Report 2021), covering events of 2021, stated:

'The U.S. government estimates the total population at 142.3 million (midyear 2021). A poll conducted in 2020 by the independent Levada Center found that 63 percent of the population identified as Orthodox Christian and 7 percent as Muslim, while 26 percent reported having no religious faith. Religious groups each constituting approximately 1 percent or less of the population include Buddhists, Protestants, Roman Catholics, Jews, members of The Church of Jesus Christ of Latter-day Saints, Jehovah's Witnesses, Hindus, Baha'is, members of the International Society of Krishna Consciousness (ISKCON), pagans, Tengrists, members of the Church of Scientology, and Falun Gong practitioners. ... '1

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# 3.2 Muslims

- 3.2.1 According to information published by MRGI, updated in December 2020, there were over 16.4 million Muslims in Russia in 2010, according to the census of that year<sup>2</sup>.
- 3.2.2 As noted above, a poll conducted in September 2020 by the independent Levada Center found that 7 percent of the Russian population, i.e. nearly 10 million people, identified as Muslim<sup>3</sup>. The USSD IRF Report 2021 continued:

'According to Mufti Ravil Gaynutdin, chairman of the Religious Board of Muslims of the Russian Federation, there were 25 million Muslims in 2018, approximately 18 percent of the population. Immigrants and migrant workers from Central Asia, which experts estimate at six to seven million, are mostly Muslim. Most Muslims live in the Volga-Ural Region and the North Caucasus. Moscow, St. Petersburg, and parts of Siberia also have sizable Muslim populations.'<sup>4</sup>

3.2.3 MRGI further noted:

'The territorially based Muslims can be subdivided into two main geographical groups: Tatars and Bashkirs of the Middle Volga, and peoples of the North Caucasus.

'Dagestan in the North Caucasus is one of the most ethnically complex areas of the former Soviet Union. ... Except for Russians, the largest groups

<sup>&</sup>lt;sup>1</sup> USSD, <u>IRF Report 2021</u> (Section 1), 2 June 2022

<sup>&</sup>lt;sup>2</sup> MRGI, <u>Russian Federation</u>, updated December 2020

<sup>&</sup>lt;sup>3</sup> USSD, IRF Report 2021 (Section 1), 2 June 2022

<sup>&</sup>lt;sup>4</sup> USSD, IRF Report 2021 (Section 1), 2 June 2022

– Avars, Dargins, Kumyks, Lezgins – are all Sunni Muslim.<sup>'5</sup> MRGI added that Dagestan is the centre of Islam in the North Caucasus<sup>6</sup>.

- 3.2.4 Hudson Institute, which '...guides public policy makers and global leaders in government and business through a vigorous program of publications, conferences, policy briefings, and recommendations<sup>7</sup>', published a report dated 7 February 2020 by Rebecca Fradkin, a political scientist specialising in national security, which stated, 'Within the Russian Federation there are eight recognized Muslim republics: Tatarstan, Bashkortostan, Chechnya, Ingushetia, Dagestan, Kabardino-Balkaria, Karachay-Cherkessia and Adygeya. Tatarstan and Bashkortostan are part of the Volga-Urals, while the other Muslim republics belong to the Northern Caucasus. Most of Russia's Muslims live in these republics, and each one has adopted its own policies toward Islam.'<sup>8</sup>
- 3.2.5 MRGI noted that 'There are ... substantial Muslim populations [in Russia], and after the collapse of the Soviet Union there has been a revival of Islam and Muslim culture. ... A number of Muslim political parties have been formed.'<sup>9</sup>
- 3.2.6 In May 2019, the news outlet Russia Beyond published an article which stated:

'Unlike Christians, Muslims in Russia do not have any centralized administration. This is a common feature for the religion: anyone educated enough, with good knowledge of the Quran and the Sunnah (the record of Prophet Muhammad's life), can become a preacher and establish its own school.

'Russian Muslims consist of three groups. First – Tatars and Bashkir compactly settled in the regions of the Volga River and in the Urals; second – the Muslims of the Northern Caucasus; third – Muslim minorities spread all around Russia, including migrants from the Central Asian republics, Azerbaijan and the Northern Caucasus," says Alexey Malashenko, research manager in the Civilization Dialogue center. "These groups are different ethnically, culturally and even religiously."

'Nevertheless, all these groups use Russian as the language of communication and often in mosques (in addition to traditional Arabic). The common language builds a bridge between different Islamic groups, uniting them into a specific "Russian Islam" where several common features can be found.

'According to Igor Zagarin, an expert on religion and an associate professor at the Russian Presidential Academy of National Economy and Public Administration [RANKhiGS], Russian Muslims mostly adhere to the Sunni branch of Islam, predominantly interpreting it in a more moderate way than extreme conservatives, such as the Saudis.

<sup>6</sup> MRGI, <u>Russian Federation; Background</u>, no date

<sup>&</sup>lt;sup>5</sup> MRGI, <u>Russian Federation</u>, updated December 2020

<sup>&</sup>lt;sup>7</sup> Hudson Inst, <u>About</u>, no date

<sup>&</sup>lt;sup>8</sup> Hudson Inst, The Co-optation of Islam in Russia, by Rebecca Fradkin, 7 February 2020

<sup>&</sup>lt;sup>9</sup> MRGI, <u>Russian Federation; Background</u>, no date

'Years of co-existence with the non-Muslim majority impacted Islam in Russia, making it quite tolerant. After all, Russia is not only Muslim, but also Orthodox, Catholic, Buddhist and so on, and all believers have to learn to live with each other.'<sup>10</sup>

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# 3.3 Map of Russia





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# 3.4 Followers of Said Nursi ('Nurdzhular' / Nur movement)

- 3.4.1 The Nursi Society states that it was formed to '... foster a greater understanding of the work of [Said] Nursi and to promote scholarly research on his life and thought.'<sup>12</sup> The Nursi Society website sets out the <u>beliefs</u> of Said Nursi, which included:
  - he did not advocate violence (see website section entitled, 'Terror and weapons of mass destruction')
  - he believed that Muslims and Christians should 'join forces' (although the Russian authorities accused him of believing that Islam is superior to other religions – see below)
  - he did not mix religion with politics (although the Russian authorities believed he/his followers wished to establish an Islamic state – see below).

<sup>&</sup>lt;sup>10</sup> Russia Beyond, Is Russia a Muslim country?, 16 May 2019

<sup>&</sup>lt;sup>11</sup> Mappr.co, <u>Russia Political Map</u>, no date

<sup>&</sup>lt;sup>12</sup> Nursi Society, <u>About Us</u>, no date

- Forum 18 News Service 'works for freedom of religion or belief for all.'<sup>13</sup> In 3.4.2 January 2022, Forum 18 noted, 'The Supreme Court banned [the organisation "Nurdzhular" (a russification of the Turkish for "Nursi followers"<sup>14</sup>)] as "extremist" in 2008, but Muslims in Russia deny any such formal organisation ever existed. Typically, such Muslims meet in homes to study Islam, with one or more expounding on Nursi's works. They also pray, eat, and drink tea together, and do not seek state permission to meet.<sup>15</sup>
- In November 2021, Radio Free Europe / Radio Liberty (RFE/RL) reported: 3.4.3

'The Nur movement was founded in Turkey by prominent Islamic scholar Said Nursi, who before his death in 1960 had advocated against communist secularism and for the integration of modern science and logic into Islam.

'The movement has millions of followers around the globe, especially in Turkey, but has been banned in Russia since 2008.

'Russian authorities have said the group promotes the creation of an Islamic state that encompasses all Turkic-speaking areas and countries.<sup>16</sup>

SOVA Center for Information and Analysis is a Moscow-based Russian 3.4.4 nonprofit organization founded in October 2002 which conducts research and informational work on nationalism and racism, relations between the churches and secular society, and political radicalism. The Center is also interested in human rights issues, especially government misuse of counterextremism measures<sup>17</sup>. In May 2022, it published a report which stated:

'It was recognized as an extremist organization in 2008 on the basis of unfounded (according to the ECHR among others) bans imposed on the books of moderate Turkish Islamic theologian Said Nursi for promoting the superiority of Islam over other religions. We also believe that Russian Muslims who study Nursi's heritage do not constitute a single organization. Nevertheless, Nurcular has been banned in Russia specifically as an extremist organization, and Muslims who read and discuss Nursi's books are persecuted as a result.'18

3.4.5 See Extremist materials for information about the banning of materials used by followers of Said Nursi. See Arrests, sentencing and imprisonment: Followers of Said Nursi for information on this subject.

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#### 3.5 Hizb ut-Tahrir

3.5.1 In the World Report 2022, covering events of 2021, Human Rights Watch noted that Hizb ut-Tahrir is a pan-Islamist movement that seeks to establish a caliphate but denounces violence to achieve that goal. Russia banned Hizb ut-Tahrir as a terrorist organisation in 2003<sup>19</sup>.

<sup>&</sup>lt;sup>13</sup> Forum 18, About Forum 18, no date

 <sup>&</sup>lt;sup>14</sup> Forum 18, <u>RUSSIA: "Extremism" religious freedom survey</u>, 13 September 2016
<sup>15</sup> Forum 18, <u>RUSSIA: Three acquitted on "extremism" charges but jailings continue</u>, 28 January 2022

<sup>&</sup>lt;sup>16</sup> RFE/RL, Prominent Islamic Scholar Sentenced To 6 1/2 Years..., 2 November 2021

<sup>&</sup>lt;sup>17</sup> SOVA Center, <u>Home</u>, no date

<sup>&</sup>lt;sup>18</sup> SOVA Center, Misuse of Anti-Extremism in April 2022, 27 May 2022

<sup>&</sup>lt;sup>19</sup> HRW, World Report 2022: Russia, 13 January 2022

# 3.5.2 In a report dated April 2022, SOVA Center stated:

'We believe that there were no sufficient grounds for banning Hizb ut-Tahrir as a terrorist organization, since this party was never implicated in terrorist attacks. Thus, we view the charges of terrorism against Hizb ut-Tahrir followers made solely based on their party activities (holding meetings, reading literature, etc.) as inappropriate. In our opinion, the fact that Hizb ut-Tahrir preaches the idea of establishing a worldwide Islamic caliphate does not, in and of itself, provide sufficient grounds for charging its followers with planning a violent seizure of power in Russia.'<sup>20</sup>

3.5.3 See <u>Arrests, sentencing and imprisonment: Hizb ut-Tahrir</u> for information on this subject.

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# 3.6 Tablighi Jamaat

- 3.6.1 In April 2022, SOVA Center stated, 'Tablighi Jamaat is a religious movement banned in Russia since 2009 in our opinion, without proper grounds. The movement advocates fundamentalist Islam but has never been implicated in any calls for violence. Therefore, we regard prosecutions against its supporters as inappropriate.'<sup>21</sup>
- 3.6.2 See <u>Arrests, sentencing and imprisonment: Tablighi Jamaat</u> for information on this subject.

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Section 4 updated: 14 October 2022

### 4. Legal and policy framework

# 4.1 Constitution

4.1.1 The USSD IRF Report 2021 stated:

'The constitution stipulates the state is secular and provides for religious freedom, freedom of conscience, and freedom of religious worship, including the right to "profess, individually or jointly with others, any religion, or to profess no religion." It provides for the right of citizens "to freely choose, possess, and disseminate religious or other beliefs, and to act in conformity with them," and it provides for equality of rights and liberties regardless of attitude toward religion. The constitution bans any limitation of human rights on religious grounds and prohibits actions inciting religious hatred and strife. It states all religious associations are equal and separate from the state...'<sup>22</sup>

- 4.1.2 The Constitution is available <u>here</u>.
- 4.1.3 The USSD Report 2021 continued, 'The law identifies Christianity, Islam, Judaism, and Buddhism as the country's four "traditional" religions and recognizes the special role of the Russian Orthodox Church (ROC). ... The

<sup>&</sup>lt;sup>20</sup> SOVA Center, <u>Misuse of Anti-Extremism in April 2022...</u>, 27 May 2022

<sup>&</sup>lt;sup>21</sup> SOVA Center, <u>Misuse of Anti-Extremism in March 2022...</u>, 29 April 2022

<sup>&</sup>lt;sup>22</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

government continued to grant privileges to the ROC not accorded to other religious groups.<sup>23</sup>

4.1.4 The report continued:

> 'The law states the government may restrict religious rights only to the degree necessary to protect the constitutional structure and security of the government; the morality, health, rights, and legal interests of persons; or the defense of the country. It is a violation of the law to force another person to disclose his or her opinion of a religion or to force them to participate or not participate in worship, other religious ceremonies, the activities of a religious association, or religious instruction.

> 'The law states those who violate the law on freedom of conscience, religion, and religious associations will be "held liable under criminal, administrative, and other legislation." The administrative code and the criminal code both punish obstruction of the right to freedom of conscience and belief with imprisonment of up to three years and/or fines of up to 500,000 rubles [approximately £6,756<sup>24</sup>] or 1,000,000 rubles [approximately £14,091<sup>25</sup>], depending upon which code governs the offense.<sup>26</sup>

4.1.5 The country is a party to the International Covenant on Civil and Political Rights, which includes protections for religious minorities<sup>27</sup>.

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#### 4.2 Anti-extremism legislation

4.2.1 The USSD IRF Report 2021 stated:

> 'By law, officials may prohibit the activity of a religious association on grounds such as violating public order or engaging in "extremist activity." The law criminalizes a broad spectrum of activities as extremist, including "assistance to extremism," but it does not precisely define extremism or require that an activity include an element of violence or hatred to be classified as extremist.

> 'Anti-extremism laws stipulate that speech or actions aimed at "inciting hatred or enmity" based on group affiliation (including religion) are punishable by administrative penalties for first-time offenses if the actions do not contain a criminal offense. These penalties include administrative arrests of up to 15 days or administrative fines of up to 20.000 rubles [approximately  $\pounds 270^{28}$ ] for individuals and up to 500,000 rubles [approximately  $\pounds 6.756^{29}$ ] for legal entities. Individuals are held criminally liable if they commit multiple offenses within a one-year period or for the first offense if they threaten to use violence or use their official position to incite hatred. The criminal

<sup>&</sup>lt;sup>23</sup> USSD, IRF Report 2021 (Exec. summary), 2 June 2022

<sup>&</sup>lt;sup>24</sup> <u>xe.com</u>, 1 RUB = 0.0135175 GBP, 11 August 2022 <sup>25</sup> <u>xe.com</u>, 1 RUB = 0.0140912 GBP, 1 November 2022

 <sup>&</sup>lt;sup>26</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022
<sup>27</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>28</sup> <u>xe.com</u>, 1 RUB = 0.0135175 GBP, 11 August 2022

<sup>&</sup>lt;sup>29</sup> xe.com, 1 RUB = 0.0135175 GBP, 11 August 2022

penalties include fines up to 600,000 rubles [approximately £8,109<sup>30</sup>], compulsory labor for up to five years, or imprisonment for up to six years.<sup>31</sup>

- The report further noted, 'Antiterrorism laws authorize law enforcement 4.2.2 agencies to regulate evangelism... These laws also allow security agencies to access private communications, which requires telecommunications companies to store all telephone conversations, text messages, videos, and picture messages for six months and make this data available to authorities.'32
- 4.2.3 Minority Rights Group International (MRGI) published (undated) information which noted:

'The right to freedom of religion of some minorities in Russia is at times restricted, through arbitrary application of legislation and discrimination by the government, judges and the police... In July 2016, President Putin approved a package of new "anti-terror" measures, commonly known as the "Yarovaya laws", that have been widely criticized by human rights organizations. One measure prohibits "missionary work" outside of a list of designated areas including religious buildings and cemeteries; convicted violators are subject to fines of 5,000 to 50,000 rubles [approximately equivalent to £68 to £675<sup>33</sup>]. Russia's slippery legal definition of missionary activity allows the law to be applied to almost any manifestation of religious belief.<sup>'34</sup>

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#### 4.3 Investigation of extremism

4.3.1 The USSD IRF Report 2021 noted:

> 'The Expert Religious Studies Council, a committee established by the MOJ [Ministry of Justice] to advise it on religious groups, has wide powers to investigate religious organizations. Some of the council's powers include reviewing organizations' activities and literature and determining whether an organization is "extremist." The law provides several examples of extremist activities, such as "incitement to violence," but does not precisely define how organizations or religious materials may be classified as "extremist." The council also advises the MOJ on the issue of granting religious organization status to a religious group.<sup>35</sup>

4.3.2 The same report stated:

> 'Within the MOJ, the Scientific Advisory Board reviews religious materials for extremism. Composed of academics and representatives of the four traditional religions, the board reviews materials referred to it by judicial or law enforcement authorities, private citizens, or organizations. If the board identifies material as extremist, it issues a nonbinding advisory opinion, which is then published on the MOJ website and forwarded to the

<sup>&</sup>lt;sup>30</sup> xe.com, 1 RUB = 0.0135175 GBP, 11 August 2022

 <sup>&</sup>lt;sup>31</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022
<sup>32</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>33</sup> <u>xe.com</u>, 1 RUB = 0.0135175 GBP, 11 August 2022

<sup>&</sup>lt;sup>34</sup> MRGI, <u>Russian Federation; Current issues</u>, no date

<sup>&</sup>lt;sup>35</sup> USSD, IRF Report 2021 (Section II), 2 June 2022

prosecutor's office for further investigation. In addition to the Scientific Advisory Board, regional board experts also may review religious materials for extremist content.<sup>36</sup>

4.3.3 See <u>Extremist materials</u> for further information on this subject.

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### 4.4 Declaration of material as extremist

4.4.1 The USSD IRF Report 2021 stated:

'Prosecutors may take material to a court and ask the court to declare it extremist, but a court may declare extremist, on its own accord, materials introduced during the consideration of administrative, civil, or criminal cases. By law, publications declared extremist by a federal court are automatically added to the federal list of extremist materials. Courts may order internet service providers to block access to websites containing materials included on the federal list of extremist materials. Courts review and reissue lists on a regular basis. If the courts determine the material is no longer "extremist," the MOJ is required to remove the material from the lists within 30 days. Very rarely, in response to a legal challenge, courts may also reverse a decision to list a material as extremist. The law makes it illegal to declare the key texts (holy books) of the four traditional religions in their "original languages" – Old and New Testaments of the Bible, Quran, and Tibetan Buddhist Kangyur (Kanjur) – to be extremist. The law does not define what constitutes an original language nor does it specify that foreignlanguage translations of these texts may not be declared extremist.<sup>37</sup>

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# 4.5 Groups banned on the grounds of extremism

### 4.5.1 The USSD IRF Report 2021 noted:

'Participating in or organizing the activity of a banned religious organization designated as extremist is punishable by a fine of up to 800,000 rubles [approximately £10,803<sup>38</sup>] or imprisonment for a term of six to 10 years, with deprivation of the right to hold "certain positions" or engage in "certain activities" (not well specified but including a prohibition on running for public office) for up to 10 years and restrictions on freedom for a period of one to two years. These restrictions may include house arrest or constraints on travel within the country.

'For persons with "official status," a term which applies to anyone working for the government or state-owned entities as well as to persons in management roles at commercial entities or NGOs, the prescribed prison term is seven to 12 years or a fine of up to 700,000 rubles [approximately  $\pounds 9,458^{39}$ ]. First-time offenders who willingly forsake their membership in

<sup>&</sup>lt;sup>36</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>37</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>38</sup> Xe.com, <u>800,000 RUB to GBP</u>, exchange rate: 1 RUB = 0.0135019 GBP, 11 August 2022

<sup>&</sup>lt;sup>39</sup> Xe.com, 800,000 RUB to GBP, exchange rate: 1 RUB = 0.0135019 GBP, 11 August 2022

banned religious organizations are exempt from criminal liability if they committed no other crimes as defined by the law.<sup>40</sup>

- 4.5.2 The report noted, 'On October 3 [2021], amendments to the law came into force formally prohibiting certain individuals from leading or participating in a group of believers. The law prohibits individuals suspected of financing terrorism, or whose actions have been deemed extremist by a court, to lead or take part in religious groups.'<sup>41</sup>
- 4.5.3 The report added, 'Local laws in several administrative regions, including the republics of Kabardino-Balkaria and Dagestan, ban "extremist Islamic Wahhabism" but do not define the term. Authorities impose administrative or criminal penalties (the former entail a maximum sentence of 15 days in prison, while sentences for the latter can be much longer) for violating these laws, in accordance with federal legislation.<sup>42</sup>
- 4.5.4 The same report noted:

'The Supreme Court has banned the activities of several religious organizations on the grounds of "extremism" and "terrorism," including … Hizb ut-Tahrir; Nurdzhular (a Russification of the Turkish for "followers of Said Nursi"); Tablighi Jamaat; and the Fayzrakhmani Islamic community. These organizations are on the Federal List of Extremist Organizations and/or the Federal List of Terrorist Organizations. Designations as extremist or terrorist organizations may be appealed in court.'<sup>43</sup>

4.5.5 The US Department of State's Country Report on Human Rights Practices 2021 (USSD HR Report 2021) stated, 'Authorities misused antiterrorism and antiextremism laws, as well as other measures to label wrongfully peaceful religious groups and their practices "terrorist," "extremist," and "undesirable." Among those designated without any credible evidence of violent actions or intentions were ... the Fayzrakhmani Islamic community, Tablighi Jamaat, followers of the Muslim theologian Said Nursi, and Hizb ut-Tahrir."<sup>44</sup>

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# 4.6 Extremist materials

4.6.1 In February 2019, TRT World (Turkish Radio and Television Corporation, the national public broadcaster of Turkey<sup>45</sup>), reported:

'Any Russian court can declare material (book, leaflet, song, slogan, video, website or webpage) "extremist" or "not traditionally Islamic." The Justice Ministry is then empowered to list that work on its Federal List of Extremist Materials, including classic literature such as the book "40 Hadith" by Imam Nawawi or works written by one of the most prominent and influential Islamic philosophers, Abu Hamid Al Ghazali.

<sup>&</sup>lt;sup>40</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>41</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>42</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>43</sup> USSD, IRF Report 2021 (Section II), 2 June 2022

<sup>&</sup>lt;sup>44</sup> USSD, <u>HR Report 2021</u>, 12 April 2022

<sup>&</sup>lt;sup>45</sup> TRT World, <u>About Us</u>, no date

'On 21st January 2019, a court in the Russian city Samara banned a translation of the Quran and blacklisted it as extremist - which outraged many Russian Muslims.'<sup>46</sup>

4.6.2 In April 2022, SOVA Center published a report on the inappropriate use of anti-extremist legislation during the year 2021, in which it noted:

'The Federal List of Extremist Materials increased by 110 entries in 2021 (from No. 5144 to No. 5253), compared to 139 new entries in 2020, so the downward trend of the recent years has continued. We regard 19 items as included on the list inappropriately (vs. 25 items in 2020). They include peaceful Islamic materials... We have to add, as usual, that we are not familiar with all the materials on the Federal List, and some other materials could also have been banned inappropriately.'<sup>47</sup>

4.6.3 The USSD IRF Report 2021 stated:

'According to the administrative code, mass distribution, production, and possession with the aim of mass distribution of extremist materials by private individuals may result in 15 days' imprisonment or a fine of 1,000 to 3,000 rubles [approximately £14 to £41<sup>48</sup>], or 2,000 to 5,000 rubles [approximately £27 to £68<sup>49</sup>] for public officials, as well as confiscation of these materials. Courts may suspend for 90 days the operations of legal entities found to be in possession of extremist materials and fine them 100,000 to 1,000,000 rubles [approximately £1,351 to £13,517<sup>50</sup>]. Individuals who produce materials later deemed extremist may not be punished retroactively but must cease production and distribution of those materials.'<sup>51</sup>

- 4.6.4 The report continued, 'Religious minorities said local authorities continued to use the country's anti-extremism laws to ban sacred religious texts and other books related to religion, other than the four holy books in their original languages recognized by law.'<sup>52</sup>
- 4.6.5 The same report noted, 'Authorities classified literature related to Said Nursi as extremist. On April 22, the Naberezhnye Chelny City Court in Tatarstan designated 163 editions of the works of Nursi as extremist, according to the SOVA Center. The court accused the defendants in the case of participating in the "Nurdzhular" organization, a Muslim organization that the Supreme Court declared extremist.'<sup>53</sup>
- 4.6.6 The report continued:

'There were several other instances of restrictions on Islamic literature. The SOVA Center reported on July 14 [2021] that the Sernursky District Court in Mari El fined Rosalia Timurgalieva for distributing extremist materials after she posted the film "Miracles of the Koran," which the center said contained no calls to violence or discriminatory content, on social media. In April

<sup>49</sup> <u>xe.com</u>, 1 RUB = 0.0135175 GBP, 11 August 2022

<sup>&</sup>lt;sup>46</sup> TRT World, <u>Is Russia on the path to marginalising its Muslim population?</u>, 6 February 2019

<sup>&</sup>lt;sup>47</sup> SOVA Center, <u>Inappropriate Enforcement of Anti-Extremist Legislation... in 2021...</u>, 27 April 2022 <sup>48</sup> xe.com, 1 RUB = 0.0135175 GBP, 11 August 2022

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<sup>&</sup>lt;sup>51</sup> USSD, <u>IRF Report 2021</u> (Section 1), 2 June 2022

<sup>&</sup>lt;sup>52</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>53</sup> USSD, IRF Report 2021 (Section II), 2 June 2022

[2021], the Yoshkar-Ola City Court fined Valea Takhmazova and Izzatilo Isakov 1,000 rubles [approximately £14<sup>54</sup>] each for the same offense.<sup>55</sup>

4.6.7 In January 2022, the SOVA Center published a report on the misuse of antiextremism in December 2021 in which it noted:

'In December, we recorded several cases of prosecution under Article 20.29 of the Code of Administrative Offenses for distributing Islamic materials on the Internet. Back in October, the Yoshkar-Ola City Court of Mari El fined Ruslan Zakharov 1,500 rubles [approximately equivalent to £20.26<sup>56</sup>] because his VKontakte page was found to contain a video about Islam identical to the video that was banned on April 7. 2011... We found no calls to violence, incitement to hatred, or discriminatory statements in this video. The film speaks about other religions in an emphatically respectful tone. Nevertheless, Russian courts punished citizens for disseminating the video on multiple occasions, including in Mari El.

'The Gudermes City Court of the Chechen Republic fined local resident Adam Saiev one thousand rubles [approximately equivalent to £14<sup>57</sup>] in late November under Article 20.29 of the Code of Administrative Offenses for posting on VKontakte "A Hadith of the Prophet," a song by Chechen songwriter Timur Mutsuraev. [However,] It is not included on the Federal List of Extremist Materials and, in our opinion, contains no signs of extremism...'58

- The same report noted that certain Islamic texts were found to be extremist 4.6.8 by a court in Tatarstan in December 2021. Further information can be found in the report<sup>59</sup> (see 'Persecution against Religious Organizations and Believers' – 'Muslims').
- 4.6.9 See Followers of Said Nursi (Nurdzhular / Nur movement) and Arrests, sentencing and imprisonment: Followers of Said Nursi for further information on these subjects. See Investigation of extremism for information about the identification of materials deemed extremist.

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#### 4.7 Use of other laws

4.7.1 In August 2016, Newsweek published an opinion piece by Denis Sokolov, who spent 7 years living among the populations discussed in the article, as well as 'researching transformation and migration in the highly complex and ethnically diverse North Caucasus, as well as in some large Russian cities, the north of West Siberia (the principal oil-producing area of the country) and Turkey.'60 The article discussed the research findings, and described the state's reaction to 'non-traditional' Muslims in particular:

...since 2003 social activists who... advocate the right to practice Islam according to one's beliefs have frequently found themselves on lists of

<sup>&</sup>lt;sup>54</sup> xe.com, 1 RUB = 0.0135175 GBP, 11 August 2022

 <sup>&</sup>lt;sup>55</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022
<sup>56</sup> <u>xe.com</u>, 1 RUB = 0.0135175 GBP, 11 August 2022
<sup>57</sup> <u>xe.com</u>, 1 RUB = 0.0135175 GBP, 11 August 2022

<sup>&</sup>lt;sup>58</sup> SOVA Center, <u>Misuse of Anti-Extremism in December 2021...</u>, 24 January 2022

<sup>&</sup>lt;sup>59</sup> SOVA Center, Misuse of Anti-Extremism in December 2021..., 24 January 2022

<sup>&</sup>lt;sup>60</sup> Newsweek, Putin's Savage War Against Russia's 'New Muslims', 20 August 2016

"untrustworthy" citizens. Some have found themselves on criminal "wanted" lists and under investigation for alleged violations of the same criminal code articles as radical Islamist fighters.

'Being on one of these lists means detentions, interrogations involving torture and abductions by law enforcement officers, including abductions for ransom.'<sup>61</sup>

- 4.7.2 The USSD IRF Report 2021 stated, 'According to international religious freedom NGO Forum 18, the government used increasingly strict legislation on "foreign agents" and "undesirable organizations" to curtail, complicate, or prohibit the activities of organizations that promote human rights, including freedom of religion and belief, and to monitor their violation.<sup>62</sup>
- 4.7.3 In April 2022, Forum 18 observed, 'In the 18 months from July 2020 to December 2021, Forum 18 found 108 prosecutions on administrative charges of unlawful "missionary activity" to punish a wide range of activities, including worship meetings for fellow believers...

'The proportion of cases involving Muslim individuals or organisations remains high, continuing a trend Forum 18 first observed in 2019-2020. The activity for which most Muslims are prosecuted under Administrative Code Article 5.26, Parts 4 and 5 is simply conducting (or allowing) prayers on premises which are not officially designated places of worship – such as homes, workplaces, or unregistered prayer houses...

'In an analysis of available court records, Forum 18 found a total of 108 prosecutions brought to court under Administrative Code Article 5.26, Part 4 and Part 5 in the last six months of 2020 and the calendar year 2021...

'Of the seven legal entities taken to court in this 18-month period, four were religious organisations (all Muslim), two cultural-educational centres (...one Muslim), and one a manufacturing company which provided a Muslim prayer room for employees.'<sup>63</sup>

4.7.4 For further information about the laws concerning 'foreign agents' and 'undesirable organisations,' see <u>2021 Country Reports on Human Rights</u> <u>Practices: Russia</u> (Freedom of Association). The <u>US Commission on</u> <u>International Religious Freedom Annual Report 2022</u> contains further information.

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### 4.8 Islamic attire

4.8.1 The USSD IRF Report 2021 stated:

'The country's 83 federal subjects (administrative divisions, excluding Russia-occupied Crimea and Sevastopol) maintained varying policies on the wearing of the hijab in public schools and/or government institutions. In January [2021], a schoolgirl in a Tyumen secondary school was barred from attending classes due to a Ministry of Education and Science policy that mandated students comply with "generally accepted norms of business style

<sup>&</sup>lt;sup>61</sup> Newsweek, Putin's Savage War Against Russia's 'New Muslims', 20 August 2016

<sup>&</sup>lt;sup>62</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>63</sup> Forum 18, <u>'Virtually anything can be deemed to be unlawful missionary work'</u>, 11 April 2022

[dress] in society." In March, a local Yekaterinburg media outlet published a report describing the ostracism experienced by Muslim women who chose to wear the hijab.'<sup>64</sup>

4.8.2 MRGI reported that there was a compulsory Islamic dress code for women in Chechnya<sup>65</sup>.

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# 5. Societal attitudes

### 5.1 Attitudes and experiences

- 5.1.1 In March 2016, the news outlet World Politics Review referred to '… "guestworkers" from Central Asia and the Caucasus, who have faced abuse from Russian police and right-wing activists. However, for many Muslims who hail from the Russian-born communities of Tatars, Bashkirs and others, patriotic identification with Russia—often overlapping with a regional identity, in the case of the republic of Tatarstan, for instance—is the norm."<sup>66</sup>
- 5.1.2 The same article referred to 'xenophobia and racism that Russia's Muslims are often confronted with on the streets of Moscow and in Russian media...<sup>67</sup>
- 5.1.3 In the Newsweek opinion piece of August 2016, the author, Denis Sokolov, expressed the view that:

'Many Russians now link the Muslim populations of the North Caucasus with extremism and terrorism. That perception is not entirely without basis... in truth, radical Islam in Russia, to the extent it exists, is the result of years of repressive Russian policies at the local and federal levels that at first pushed desperate people "into the woods" and are now pushing diverse people (veteran radicalized Russian Muslims, second-generation urban Muslims and newly converted ethnic Russians) through a pipeline of Russia's own construction onto the battlefields of the Middle East.<sup>68</sup>

5.1.4 In December 2017, AI Jazeera reported on the experiences of millions of Central Asians residing in Russia; however, it is not clear whether the attitudes and experiences described are based on ethnicity, religion or a mixture of both:

'Millions of Central Asians – mostly from Uzbekistan, Tajikistan and Kyrgyzstan – work in Russia, usually in low-paid, menial jobs. They face widespread xenophobia: Some 27 percent of Russians feel "irritation, dislike or fear" towards Central Asians, and almost one in five Russians think that their presence in Russia has to be "limited", according to a survey by the Levada polling agency conducted in July [2017].

- <sup>66</sup> World Politics Review, <u>A Patriotic Islam? Russia's Muslims Under Putin</u>, 8 March 2016
- <sup>67</sup> World Politics Review, <u>A Patriotic Islam? Russia's Muslims Under Putin</u>, 8 March 2016

<sup>&</sup>lt;sup>64</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>65</sup> MRGI, <u>Russian Federation; Background</u>, no date

<sup>&</sup>lt;sup>68</sup> Newsweek, <u>Putin's Savage War Against Russia's 'New Muslims'</u>, 20 August 2016

'Hundreds of them have been killed and thousands wounded in hate attacks by ultra-nationalists and skinheads...

'And yet, some Central Asians manage to succeed beyond expectations...

'Unlike Muslims moving to other European nations, Central Asians share a cultural background with many Russians and often speak their language fluently...

'Despite being labelled a blue-collar workforce, many Central Asians work as software engineers, designers, medical doctors and scholars. Success in Russia, however, does not always guarantee a carefree life and freedom from xenophobia...

'Some 800,000 [Central Asians] have become Russian nationals, and their presence in the already multi-ethnic nation of 143 million has contributed to Russia's cultural diversity and economic growth, said Sergey Abashin, an anthropologist and migration analyst with the European University in St Petersburg.'<sup>69</sup>

- 5.1.5 Pew Research Center describes itself as a 'nonpartisan fact tank' which conducts public opinion polling, demographic research, content analysis and other data-driven social science research. Pew Research Center does not take policy positions.<sup>70</sup> In October 2019, Pew Research Center reported that 'There is a wide divergence across Europe in attitudes toward Muslims. Generally, more favorable views of Muslims exist in … Russia …'<sup>71</sup> The report stated that 76% of respondents had a favourable opinion of Muslims in their country, while 19% had an unfavourable opinion<sup>72</sup>.
- 5.1.6 The USSD IRF Report 2021 noted that, 'Local residents opposed the construction of churches, mosques, and other places of worship in Nizhny Novgorod, Ulyanovsk, Stupino, and Irkutsk.'<sup>73</sup>

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# 5.2 High-profile Muslims

- 5.2.1 Little information could be found on this subject.
- 5.2.2 However, in August 2019, The Moscow Times reported:

'A Russian media outlet has for the first time compiled a ranking of the country's 100 most influential Muslims, with UFC lightweight champion Khabib Nurmagomedov featured alongside tycoons, government officials and spiritual leaders.

'Russia's grand mufti, or Muslim spiritual leader, Ravil Gainutdin topped the inaugural ranking of influential Muslims...

'Mintimer Shaimiyev, Tatarstan's first leader after the Soviet collapse, placed second, ahead of Dagestan's Nurmagomedov. Tatarstan's current leader

 <sup>&</sup>lt;sup>69</sup> Al Jazeera, <u>Central Asian migrants succeed in Russia despite xenophobia</u>, 24 December 2017
<sup>70</sup> Pew Research Center, <u>About Pew Research Center</u>, no date

<sup>&</sup>lt;sup>71</sup> Pew Research Center, Views on minority groups across Europe, 14 October 2019

<sup>&</sup>lt;sup>72</sup> Pew Research Center, Views on minority groups across Europe, 14 October 2019

<sup>&</sup>lt;sup>73</sup> USSD, IRF Report 2021 (Exec. Summary), 2 June 2022

Rustam Minnikhanov and Chechen leader Ramzan Kadyrov closed out the top-5...

'Billionaires Alisher Usmanov and Suleiman Kerimov... placed sixth and eighth, while Moscow's deputy mayor in charge of urban development Marat Khusnullin ranked ninth...

'The new index compiled by Business Online, published on the religious holiday of Kurban Bairam, or Eid al-Adha, was based on expert surveys.

'The news outlet said that its rating includes public figures "who don't publicly demonstrate their religiosity, but influence the Muslim community, lobby on its behalf or are considered its pride."<sup>74</sup>

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Section 6 updated: 14 October 2022

# 6. Action taken by the state

# 6.1 Introduction

6.1.1 The US Department of State published information on its website which noted that Russia was once again designated as a 'country of particular concern' by the Secretary of State on 15 November 2021. The webpage further stated:

'Under the International Religious Freedom Act (IRFA) of 1998, the President is required to annually review the status of religious freedom in every country in the world and designate each country the government of which has engaged in or tolerated "particularly severe violations of religious freedom" as a Country of Particular Concern (CPC). The law defines particularly severe violations as "systematic, ongoing, egregious violations of religious freedom," including violations such as: (1) torture; (2) prolonged detention without charges; (3) forced disappearance; or (4) other flagrant denial of life, liberty, or security of persons.'<sup>75</sup>

### 6.1.2 The USSD IRF Report 2021 noted that:

'Religious groups and nongovernmental organizations (NGOs) reported authorities continued to investigate, detain, imprison, torture, physically abuse persons, and/or seize their property because of their religious belief or affiliation or membership in groups designated "extremist," "terrorist," or "undesirable,"... The human rights NGO Memorial identified 340 persons it said were persecuted for their religious beliefs or affiliation as of November, compared with 228 in all of 2020. Memorial said the actual total was likely three to four times higher.<sup>76</sup>

6.1.3 On 10 February 2022, Human Rights Watch published a submission to the UN Office of the High Commissioner for Human Rights which stated: 'Under Kadyrov's leadership, Chechen law enforcement and security officials have used illegal detention, torture, collective punishment, public humiliation, and other abuses against a wide range individuals whom local authorities may

<sup>&</sup>lt;sup>74</sup> The Moscow Times, 'Top 100 Influential Russian Muslims' Ranking Released..., 14 August 2019

<sup>&</sup>lt;sup>75</sup> USSD, <u>Countries of Particular Concern...</u>, no date

<sup>&</sup>lt;sup>76</sup> USSD, IRF Report 2021 (Section II), 2 June 2022

view as "undesirable"—including, among others, alleged Islamist militants and their family members...<sup>77</sup>

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### 6.2 Presidential and governmental views

6.2.1 In April 2015, The National Interest, an American news outlet, published an article which stated that '...among other religions, Islam, once shunned by the Soviet state, has increasingly been embraced by the Russian state...

"...the percentage of Muslim "believers" has increased dramatically over the last two decades or so.<sup>78</sup>

6.2.2 In March 2016, World Politics Review reported on the opening of a large mosque in Moscow in September 2015, stating:

<sup>•</sup>... Russian President Vladimir Putin presided over the ceremonies, signaling the importance that the Kremlin attaches to Islam. In a speech broadcast on Russian television and covered widely by Russian media, Putin proclaimed that the mosque would become a spiritual center for all of Russia's Muslims and "a source of enlightenment, the spread of humane ideas and true, authentic Islamic values." The mosque would unify "not just Muslims but people of other faiths in the name of a shared common good," he added, while emphasizing that the Quran calls on believers to "vie with one another in virtuous works."<sup>79</sup>

6.2.3 The article continued:

'That a Russian head of state quoted approvingly from Islam's most sacred text may come as a surprise to many observers. ...

'Yet the Putin administration's politics are more complicated and its bases of support more varied than is usually acknowledged. In fact, as the 2015 opening of the Cathedral Mosque demonstrated, the Russian federal government has carefully fostered close ties to Muslim religious authorities, looking to Islam as a bastion of "traditional" values and a guarantor of loyalty to the Russian state and nation....

'The Russian authorities have taken great pains to distinguish Chechnya from other Muslim regions. Even while combating jihadis in the Caucasus, the Kremlin has portrayed Islam as a "traditional" Russian religion, one that lends Russia a special identity and that binds its followers to the Russia state...

'In recent years, the Kremlin has largely succeeded in making Islam a solid pillar of Putin's system of governance, albeit one that's hardly been noticed outside of Russia. '<sup>80</sup>

6.2.4 In January 2018, The Moscow Times reported:

<sup>79</sup> World Politics Review, <u>A Patriotic Islam? Russia's Muslims Under Putin</u>, 8 March 2016

<sup>&</sup>lt;sup>77</sup> HRW, <u>Submission by Human Rights Watch on Russia</u> ..., 10 February 2022

<sup>&</sup>lt;sup>78</sup> The National Interest, <u>Comeback: How Islam Got Its Groove Back in Russia</u>, 13 April 2015

<sup>&</sup>lt;sup>80</sup> World Politics Review, <u>A Patriotic Islam? Russia's Muslims Under Putin</u>, 8 March 2016

'President Vladimir Putin has promised government backing for Islamic religious education in Russia, in a bid to stave extremism and cater to Russia's large Muslim community...

'At a meeting with Islamic religious figures ..., Russia's president pledged "undoubted support" for a "revival of Islamic education in Russia," ...

"Traditional Islam is an integral part of the Russian cultural code, and the Muslim Ummah [community], without any doubt, is a very important component of the multinational Russian people," he said.'81

6.2.5 In July 2021, Asia Times reported:

'The annual MAKS aerospace show kicked off its 2021 installment at Zhukovsky Airport outside Moscow ... MAKS ... is famous for showing off the latest hits in aerospace and defense technology from major Russian and foreign companies.

'The lands of Islam would not have failed to notice that President Vladimir Putin's welcoming address fell on Eid al-Adha – and the president made sure to note, in a nod to ethnic integration, that 20% of Russian aviation industry employees are Muslims.<sup>22</sup>

6.2.6 The US CIRF report 2021 observed: 'The Russian government views independent religious activity as a threat to stability and to its own control, yet it simultaneously cultivates relationships with what it deems "traditional" religions [Christianity, Islam, Judaism, and Buddhism].<sup>83</sup>

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#### Non-traditional Islam and the state's approach 6.3

- 6.3.1 In undated information, MRGI reported that 'There have ... been instances of harassment of Muslim communities practising non-traditional forms of Islam, particularly in the North Caucasus. Some Muslims and members of other religious communities have been detained and tried on criminal charges of extremism. In the North Caucasus region, security agencies have raided Salafi mosques and detained hundreds of congregants at a time.<sup>84</sup>
- 6.3.2 In March 2016, World Politics Review published an article which stated, ....Muslim clerical authorities, as well as their state counterparts, often accuse Muslims of being "Wahhabi"-the Saudi-born approach to Sunni Islam that has become closely associated with militancy-based on nothing more than a particular kind of beard or style of pants. The charge often draws police scrutiny, harassment and even prison sentences.<sup>785</sup>
- The same article noted, 'The government has emphasized the need to 6.3.3 consolidate religious teachings that would serve state interests, with the aim of safeguarding Russian Muslims from foreign ideologies that might

<sup>&</sup>lt;sup>81</sup> The Moscow Times. Putin Calls for a 'Revival' of Islamic Education in Russia. 25 January 2018

<sup>&</sup>lt;sup>82</sup> Asia Times, Checkmate fighter puts Russia ahead of the game, 21 July 2021

 <sup>&</sup>lt;sup>83</sup> US CIRF, <u>Annual Reports 2022</u>, 25 April 2022
<sup>84</sup> MRGI, <u>Russian Federation; Current issues</u>, no date

<sup>&</sup>lt;sup>85</sup> World Politics Review, <u>A Patriotic Islam? Russia's Muslims Under Putin</u>, 8 March 2016

challenge the status quo or encourage loyalties to religious authorities abroad.<sup>86</sup>

6.3.4 In the article of August 2016, Newsweek described the migration of people from rural areas of the North Caucasus to urban areas of Russia following the collapse of the Soviet Union; the article stated:

'These dislocated populations, severed from their homes and traditions, would often turn to their religion of Islam as a way to connect with their past, rebuild their identity and forge community. This growing Islamic renaissance gathered strength, both in the villages and among the communities that scattered in search of work.

'Law enforcement agencies in regions with Islamic populations (whether in Russia proper or in the newly independent post-Soviet states) began to persecute Salafites, or Muslims with fundamentalist religious beliefs.

'These were sometimes referred to as the "new Muslims," who did not follow the so-called "official clergy" or the old "Soviet imams" that had been loyal to Moscow and were traditionally heavily penetrated by state security services. The new Salafi imams constituted serious competition to the latter.

'More importantly, the central government, as well as regional authorities, viewed this growing community of believers as a threat to state power. Some of the new Islamic leaders had received religious training abroad. Some Islamic centers in Russia were funded from abroad.

'The authorities feared that adherence to what they considered radical Islam would result in allegiance to separatist causes or radical terror movements. That fear only grew with the experience of the two Chechen Wars and other conflicts across the Caucasus.

'When the state, both central and regional, began to confront the threat, they perceived from Islam to state power, they used two main tools.

'First, they relied on the use, and abuse, of law enforcement and security agencies to kill, arrest and intimidate local leaders and believers alike. Second, they instituted laws and propaganda to label certain branches of Islam, and their believers, as extremist.'<sup>87</sup>

6.3.5 The article further stated:

'In recent years, the Kremlin has taken its terrorism rhetoric against Islamic opponents even further. They cite the many natives of the North Caucasus on the battlefield fighting for ISIS...

'These developments make it easy for Kremlin propagandists to construct a believable narrative of war with the heroic Russian armed forces and special services in a battle against the forces of radical Islam.'<sup>88</sup>

6.3.6 The same article noted:

'The Russian state's war on the region's Islamic awakening demonstrates that the issue is mainly about maintaining political control. One need not be a

<sup>&</sup>lt;sup>86</sup> World Politics Review, <u>A Patriotic Islam? Russia's Muslims Under Putin</u>, 8 March 2016

<sup>&</sup>lt;sup>87</sup> Newsweek, <u>Putin's Savage War Against Russia's 'New Muslims'</u>, 20 August 2016

<sup>&</sup>lt;sup>88</sup> Newsweek, Putin's Savage War Against Russia's 'New Muslims', 20 August 2016

confirmed jihadist to be targeted by the state: it is often sufficient to go to the "wrong mosques" or to fail to demonstrate sufficient loyalty to the "official" muftiates of the North Caucasian republics.

<sup>'</sup>Failure to adhere to the state's approved version of Islam and Islamic leaders can and does lead to the charge of extremism, providing justification for law enforcement and security agencies to respond accordingly.<sup>'89</sup>

### 6.3.7 On 6 February 2019, TRT World reported:

'In the last few years, the Kremlin has been widely using the phrase "traditional Islam" to regulate and design a new form of Islam that is difficult to define due to its several connotations.

'The term has confused Muslims with its varied usage in designating forms of Islam that are inscribed in Russian history, and seen as "moderate" as well as loyal to secular authorities...

'Russian President Vladimir Putin has stated that traditional Islam is an integral part of the Russian cultural code and an essential component of Russia's cosmopolitanism. He has also defined the hijab as not a part of "traditional Islam" – merely borrowed from an alien tradition. This statement has raised eyebrows among Muslims and in particular Muslim women who feel the brunt of his words...

'According to some scholars, traditional Islam is best described as Russian Islam, or Islam within the context of a post-Soviet country. Repeatedly this phrase has been used within this context by the state and public figures, to ensure that Muslims support the statehood of their homeland and live in peace and harmony with other faiths.

'The second interpretation of the phrase is viewed as a "popular Islam" which refers to nominal, ethnic Muslims, in whose lives Islam is nothing more than the memory of their traditional practising grandmother, whose remnants partly survived after the era of enforced atheism...

"Whatever is not deemed as "traditional" Islam in Russia is seen as "fundamentalist, Wahhabist, Salafist, radical" and will be seen as a challenge to the Kremlin...

'According to the Kremlin, all foreign Muslims are the principal factor behind the radicalisation of Muslims in Russia. Any Islamic idea, book and organisation influenced outside of Russia can be branded as "non-traditional Islam."

'The "domestication" of Islam has created dilemmas for Russian Muslims in contemporary Russia and raised concerns of how they relate at the same time to secular authorities. The concept of "traditional Islam" will make it easier for Russian authorities to repress religious communities, stifle peaceful dissent, and detain and imprison people.<sup>90</sup>

6.3.8 The article published by the Hudson Institute in February 2020 stated:

<sup>&</sup>lt;sup>89</sup> Newsweek, <u>Putin's Savage War Against Russia's 'New Muslims'</u>, 20 August 2016

<sup>&</sup>lt;sup>90</sup> TRT World, <u>Is Russia on the path to marginalising its Muslim population?</u>, 6 February 2022

'In recent years, the republics of the Northern Caucasus have transitioned from policies that primarily repressed Islam in the early 2000s to following the Volga-Ural model of co-opting Islam. This broad shift, or "policy diffusion," has occurred as political authorities in one republic after another have increasingly learned that repression of a majority religious group is costly and largely ineffective. Moreover, repression may contribute to radicalization. As an alternative, the co-optation of religion allows republican authorities to bolster their legitimacy and allows both Moscow and the Muslim republics to influence how Islam is organized, practiced and expressed. Co-optation is the "encapsulation" of potential sources of opposition through institutions via the distribution of benefits, such as money, positions of power, or policy concessions.

'So far, Russia's efforts have largely been effective in reducing the threat of terrorism and separatism. However, the country still faces a threat from violent extremism - or what Russian officials refer to with a broad-brush as "Wahhabism" and "Salafism." Russian authorities have used this threat to justify not only their ongoing efforts to co-opt and shape Islam, but to dramatically reduce the space for religious freedom...<sup>91</sup>

6.3.9 See <u>Use of extremism legislation</u> for further information about the state's response to 'non-traditional' Muslims. See <u>Police and security forces</u> for information about action taken against those perceived to be non-traditional Muslims.

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### 6.4 Extremism: misuse of law

6.4.1 The Newsweek article of August 2016 stated:

'The state's second front directed at devout Muslims is in the realm of rhetoric and law. The Russian state has increasingly identified domestic opponents, especially Islamic activists or clergy, as agents of international terrorism or of foreign secret services.

"... Recent laws on extremism make it very easy for the authorities to brand any belief, individual, writing, or group as extremist.

'The labeling of persons and organizations as terrorist or extremist has in some cases reached absurd proportions. One lawsuit suggested recognizing a suburban summer home (dacha) association in Dagestan as an extremist organization because someone in authority wanted to take over the property.

'In recent years, the Kremlin has taken its terrorism rhetoric against Islamic opponents even further. They cite the many natives of the North Caucasus on the battlefield fighting for ISIS...

'These developments make it easy for Kremlin propagandists to construct a believable narrative of war with the heroic Russian armed forces and special services in a battle against the forces of radical Islam.'<sup>92</sup>

<sup>&</sup>lt;sup>91</sup> Hudson Inst, <u>The Co-optation of Islam in Russia</u>, 7 February 2020

<sup>&</sup>lt;sup>92</sup> Newsweek, Putin's Savage War Against Russia's 'New Muslims', 20 August 2016

- 6.4.2 See <u>Non-traditional Islam</u> for further information on this subject and see <u>Police and security forces</u> for further information about action taken against those perceived to be 'non-traditional' Muslims.
- 6.4.3 The USSD IRF Report 2021 noted, 'The U.S. Ambassador and embassy representatives advocated greater religious freedom in the country, highlighting the government's misuse of the law on extremism to restrict the peaceful activities of religious minorities.'<sup>93</sup>

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### 6.5 Extremism: consequences of investigations and convictions

6.5.1 In January 2022, Forum 18 noted:

'There are eight interlocking consequences related to "extremism" investigations and convictions for exercising freedom of religion or belief:

- during investigation and even if no trial takes place, inclusion on the Rosfinmonitoring "List of Terrorists and Extremists". This blocks bank accounts, and causes for problems in finding formal employment, obtaining insurance, buying and selling property, and a range of other financial activities. Most of those listed below have been placed on the Rosfinmonitoring List;
- if convicted, the prison sentence itself, or possible fines. Fines must be paid within 30 days of the fine entering legal force – this happens either 10 days after the judge issues the sentence, or upon an unsuccessful appeal;
- 3) for suspended sentences, the probationary period, which is the time during which any other conviction would send the defendant to prison;
- 4) for those not given prison or suspended sentences, or fines, a possible period of assigned labour. This may take the form of a paid job in any organisation, as determined by the correctional centre administering the sentence. The assigned work depends on availability and the convicted person has no right to refuse. Officials check on convicted persons' locations at least once a day;
- 5) a possible period of restrictions on freedom. This normally includes a curfew between particular hours, a ban on visiting certain places, a ban on leaving one's home town, a ban on attendance at or participation in particular events, a ban on changing one's place of residence, work, or study without the probation authorities' permission, and an obligation to register with probation authorities one to four times per month;
- 6) sudimost, or the state of having an active criminal record. Individuals may face a harsher sentence if prosecuted and convicted again during this period. Individuals are also barred from holding certain jobs in sectors such as education, finance, the police and similar agencies, and the civil service, and from standing for election. Although there is no legal bar on employment in other sectors, many people find it hard to secure formal work after criminal convictions. Sudimost expires at the end of the probationary period for those who have received suspended

<sup>&</sup>lt;sup>93</sup> USSD, <u>IRF Report 2021</u> (Exec. summary), 2 June 2022

sentences. For those who have received fines, sudimost expires one year after the fine is paid. The length of sudimost for those given prison terms depends on the category of crime of which they have been convicted – for serious offences such as those under Criminal Code Article 282.2, sudimost lasts for eight years;

- for those given prison sentences, administrative supervision for the entirety of their period of sudimost. Administrative supervision consists of a set of restrictions on movements and activities, and a requirement to register regularly with the police;
- and for those convicted under <u>Criminal Code Article 282.2</u>, <u>Parts 1 or</u> <u>2</u> either compulsory or discretionary bans on holding particular positions or undertaking particular activities.'<sup>94</sup>
- 6.5.2 In August 2022, Forum 18 noted that:

'July legal amendments introduce a new register of people allegedly connected to "extremism", apparently to be used in parallel with the existing Rosfinmonitoring "List of Terrorists and Extremists". Individuals liable for inclusion are so broadly defined that it is unclear whether there may be wider implications, including for religious believers whose organisations have been banned as "extremist", such as ... Muslim Nursi readers. "Anyone could end up [on the new unified register]," says Aleksandr Verkhovsky of the SOVA Centre in Moscow.<sup>'95</sup>

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### 6.6 Russian citizens abroad

6.6.1 The Newsweek article of August 2016 described a myth perpetrated by the state that 'All Muslims who have left Russia and other post-Soviet countries are extremists and terrorists who support ISIS ideology and are ready to fight for it,' stating:

'Russian official sources promote this myth, and many Muslims are surprised to find their names on the lists of wanted ISIS fighters while spending a vacation in Turkey or studying at Al-Azhar University in Egypt.

'Over the past 25 years, many Muslims left Russia to study in Turkey, Syria, the United Arab Emirates and Egypt. Some chose to stay in those Muslim countries, others would like to return home, but fear persecution. Some Islamic activists are warned not to come back and are threatened with arrest.

'The last two or three years have seen a sharp rise in the number of Islamic activists leaving for Turkey, Egypt and Ukraine. This comes as a result of increased pressure from law enforcement agencies...'<sup>96</sup>

### 6.6.2 The USSD IRF Report 2020 stated:

'Forum 18 stated authorities also sought to prosecute citizens living abroad who exercised their freedom of religion or belief. The NGO said the government had issued three Red Notices (requests to law enforcement worldwide to locate and detain individuals) through Interpol, two during the

<sup>94</sup> Forum 18, <u>RUSSIA: Three acquitted on "extremism" charges but jailings continue</u>, 28 January 2022

<sup>&</sup>lt;sup>95</sup> Forum 18, <u>New registers of 'extremist' people and literature</u>, 15 August 2022

<sup>&</sup>lt;sup>96</sup> Newsweek, Putin's Savage War Against Russia's 'New Muslims', 16 August 2016

year and one in 2018, to attempt to detain and extradite at least three citizens living abroad to face criminal charges under the extremism law. Two of the Red Notices were against followers of the Turkish Muslim theologian Said Nursi. At year's end, none of the individuals had been detained or extradited.<sup>97</sup>

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# 6.7 Other state actions

- 6.7.1 The USSD IRF Report 2020, covering the year 2020, noted the case of Yevgeny Kim: 'Yevgeny Kim, whom authorities stripped of citizenship in 2019 because of what they said were actions that promoted the works of Nursi, remained stateless and in a pre-deportation detention center for foreign nationals. After Kim's release from prison in 2019, authorities had charged him with violating immigration law and ordered his deportation to Uzbekistan. Kim was born in Uzbekistan but did not have Uzbek citizenship.'<sup>98</sup>
- 6.7.2 On 13 June 2021, Eurasia Review reported that Yevgeny Kim remained in the detention centre for foreign and stateless persons as his birthplace of Uzbekistan refused to accept him<sup>99</sup>.
- 6.7.3 The <u>USSD IRF Report 2021</u> noted reactions of the authorities to the availability of mosques (see section II).

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### 6.8 Schools

- 6.8.1 MRGI noted that some minority religions, including Islam, were taught in schools<sup>100</sup>.
- 6.8.2 The USSD IRF Report 2021 noted, 'Religious education or civil ethics classes are compulsory in all public and private secondary schools. Students may choose to take a course on one of the four traditional religions, a general world religions course, or a secular ethics course. Regional and municipal departments of education oversee this curriculum at the local level in accordance with their capacity to offer the courses and according to the religious makeup of the given location.'<sup>101</sup>

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Section 7 updated: 14 October 2022

### 7. Law enforcement

- 7.1 Police and security forces
- 7.1.1 In March 2016, World Politics Review stated that Muslim guestworkers from Central Asia and the Caucasus have faced abuse from Russian police<sup>102</sup>.

<sup>&</sup>lt;sup>97</sup> USSD, <u>IRF Report 2020</u> (Section II), 12 May 2021

<sup>&</sup>lt;sup>98</sup> USSD, <u>IRF Report 2020</u> (Section II), 12 May 2021

<sup>&</sup>lt;sup>99</sup> Eurasia Review, Russia: More Jailed After 'Extremist Organization' Trials, 13 June 2021

<sup>&</sup>lt;sup>100</sup> MRGI, <u>Russian Federation; Background</u>, no date

<sup>&</sup>lt;sup>101</sup> USSD, <u>IRF Report 2021</u>, 2 June 2022

<sup>&</sup>lt;sup>102</sup> World Politics Review, <u>A Patriotic Islam? Russia's Muslims Under Putin</u>, 8 March 2016

7.1.2 The Newsweek article of August 2016 described actions taken by law enforcement against those perceived to be 'non-traditional' Muslims, stating:

'A typical tactic of law-enforcement agencies in Russia and Central Asia is to plant drugs and ammunition while searching the homes and cars of "new Muslims." Victims are then arrested and given the choice between a long prison sentence or buying their freedom ... and with it, the chance to leave the country.

'Often, if a known Islamic activist is out of the country, law enforcement will orchestrate a surprise search at this person's home where a hand grenade or ammunition is planted. The message is simple: "Do not come back or we will put you behind bars."

'As a consequence of the crackdown on devout Islamic communities, Russia is creating new flows of political and religious emigrants, if not refugees.<sup>103</sup>

7.1.3 The article continued:

> '...the indiscriminate tactics of the Russian army and security forces led many Muslims and public activists in these regions [of the North Caucasus] to fear persecution and torture at the hands of either the army or law enforcement agencies.

'They went underground, and many perished in the course of counterterrorist operations carried out by local law enforcement officers, internal troops, and special ops units, many of which used army-style armored vehicles and large-caliber arms.<sup>104</sup>

- 7.1.4 In December 2017, AI Jazeera reported that '...corrupt police officers routinely prey on [central Asians] to extort money, otherwise threatening detention or deportation.<sup>105</sup>
- 7.1.5 The USSD IRF Report 2021 stated, 'The SOVA Center reported that in August, law enforcement officers checked the documents of those who had gathered for Friday prayers in several mosques in Moscow and the Moscow region, for example, in Kotelniki. The officers reportedly took a total of 140 persons to police stations, where they released Russian citizens after checking their documents. They released the foreigners after collecting their DNA.'106
- 7.1.6 See Non-traditional Islam for further information on this subject.

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#### 7.2 State protection

7.2.1 SOVA Center noted that, in August 2021, '...three individuals were sanctioned under Article 205.2 of the Criminal Code (public justification of terrorism) over statements of approval of the attacks on two mosques in Christchurch, New Zealand.'107

 <sup>&</sup>lt;sup>103</sup> Newsweek, Putin's Savage War Against Russia's 'New Muslims', 20 August 2016
<sup>104</sup> Newsweek, Putin's Savage War Against Russia's 'New Muslims', 20 August 2022
<sup>105</sup> Al Jazeera, <u>Central Asian migrants succeed in Russia despite xenophobia...</u>, 24 December 2017

<sup>&</sup>lt;sup>106</sup> USSD, IRF Report 2021 (Section II), 2 June 2022

<sup>&</sup>lt;sup>107</sup> SOVA Center, Russian Nationalism and Xenophobia in August 2021..., 10 September 2021

# 7.3 Impunity

# 7.3.1 The USSD HR Report 2021 stated:

'Impunity was a significant problem in the security forces. In most cases where law enforcement officers or other government officials were publicly implicated in human rights abuses, authorities denied internal and external requests for independent investigation and engaged in disinformation campaigns or other efforts to obfuscate such allegations. The government's propensity to ignore serious human rights allegations along with the uneven application of the rule of law and a lack of judicial transparency resulted in impunity for most perpetrators.'<sup>108</sup>

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Section 8 updated: 14 October 2022

# 8. Arrests, sentencing and detention

# 8.1 Political prisoners

8.1.1 The USSD IRF Report 2021 stated:

'As of November 9, Memorial identified 340 persons persecuted for their religious belief or affiliation whom it considered to be political prisoners, meaning they were either already imprisoned or were in custody or under house arrest awaiting a formal sentence to begin. Memorial stated that the actual number of cases of persecution was likely three to four times higher, given the number of cases the organization identified as similar to those designated as political prisoners; however, the organization said it lacked the supporting evidence to make designations in those instances.

'Memorial's list of political prisoners included 206 persons (45 percent more than in 2020) accused of involvement with the banned Hizb ut-Tahrir, an organization that Memorial characterized as a "nonviolent international Islamic organization" ... According to Memorial, none of the political prisoners being persecuted for their religious belief or affiliation called for violence or planned violent acts.'<sup>109</sup>

- 8.1.2 The report continued, 'On October 25 [2021], the SOVA Center and human rights activists reported that staff at correctional colony No.2 in Kurgan Region mocked Muslim prisoners and threw the Quran on the ground, "trampling" it. Media reported that investigators said they found no evidence of the action as video from the surveillance cameras was destroyed.'<sup>110</sup>
- 8.1.3 With reference to the misuse of antiterrorism and anti-extremism laws in connection with Tablighi Jamaat, followers of Said Nursi and members of Hizb ut-Tahrir, the USSD HR Report 2021 stated that 'These designations effectively banned their worship and activities, and members were subject to prolonged imprisonment, harsh detention conditions, house arrest and house

<sup>&</sup>lt;sup>108</sup> USSD, <u>HR Report 2021</u>, 12 April 2022

<sup>&</sup>lt;sup>109</sup> USSD, <u>IRF Report 2021</u>, 2 June 2022

<sup>&</sup>lt;sup>110</sup> USSD, IRF Report 2021 (Section II), 2 June 2022
raids, discrimination, harassment, and criminal investigation for participating in the activities of a "banned extremist organization."<sup>111</sup>

8.1.4 In December 2021, Forum 18 noted:

'A total of 54 people have been given jail terms under the Extremism Law since 2015 for peacefully exercising their right to freedom of religion and belief (listed at the foot of this article). Of this total:

'Sentences have entered legal force: 20 people (... 1 Muslim);...

'Released but under restrictions/supervision: 16 people (... 4 Muslims);

'Left Russia after completing prison term: 2 people (2 Muslims)...'<sup>112</sup>

8.1.5 Forum 18 noted that those prosecuted under article 282 of the Criminal Code (which covers 'inciting hatred or enmity') may receive suspended sentences and fines. Forum 18 described the impact of a suspended sentence:

'If the convicted person commits another crime or repeated administrative offences while a suspended sentence is in force, they may be sent to prison.

'Jehovah's Witnesses already serving suspended sentences have described the consequences of suspended sentences, including being unable to see relatives living in other regions, and finding it impossible to secure jobs. They must also register regularly with probation authorities, and police may visit their homes at any time to check that they are obeying night-time curfews and travel restrictions.'<sup>113</sup>

8.1.6 Forum 18 noted that 'Most appeals [from approximately October 2021 to January 2022] have ... been unsuccessful ... although four cassational hearings and one appeal hearing have sent cases back for re-examination (with one of the former leading to acquittal [for a Jehovah's Witness]).'<sup>114</sup>

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### 8.2 Arrests, sentencing and imprisonment: Hizb ut-Tahrir

### 8.2.1 Quoting various sources, the USSD IRF Report 2021 stated:

'According to the NGO Memorial, between January and November, authorities convicted, investigated, or charged 18 persons for alleged involvement with Hizb ut-Tahrir, nine of whom were from Crimea. Since the Supreme Court first labeled the group a terrorist organization and banned it in 2003, Memorial reported that authorities had investigated or charged 331 persons for involvement with Hizb-ut-Tahrir and tried and convicted 258. Since 2003, courts had sentenced 70 persons to between 10 and 15 years in prison, and 87 to 15 years or more. The SOVA Center reported that at least 35 defendants in new cases were arrested during the year.'<sup>115</sup>

8.2.2 The report noted the following examples of state action taken against members of Hizb ut-Tahrir:

<sup>&</sup>lt;sup>111</sup> USSD, <u>HR Report 2021</u>, 12 April 2022

<sup>&</sup>lt;sup>112</sup> Forum 18, <u>Jailed, awaiting appeal, deported, post-prison restrictions...</u>, 7 December 2021

<sup>&</sup>lt;sup>113</sup> Forum 18, <u>RUSSIA: Suspended sentences and fines</u>, 21 January 2022

<sup>&</sup>lt;sup>114</sup> Forum 18, <u>RUSSIA: Suspended sentences and fines</u>, 21 January 2022

<sup>&</sup>lt;sup>115</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

'The SOVA Center reported that on February 18, the FSB conducted a special operation against Hizb u-Tahrir across 10 regions of the country. The FSB detained alleged members, and authorities opened criminal cases against seven of them. Individuals continued to receive long prison sentences for their alleged involvement with Hizb-ut-Tahrir.

'In April, the Central District Military Court in Yekaterinburg sentenced Rais Mavlyutov to 23 years in a maximum security penal colony after convicting him of recruiting for a terrorist organization, using the internet to incite terrorism, and organizing and participating in meetings where the literature of a terrorist organization, Hizb ut-Tahrir, was read and discussed. Memorial classified Mavlyutov as a political prisoner and stated there was no evidence that he represented a public danger or was involved in terrorist activities.

'On September 6, the Oktyabrsky District Court of Ufa sentenced Ilmira Bikbaeva to three years' probation for transferring money to the mother of Ayrat Dilmukhametov, a prisoner accused of supporting Hizb ut-Tahrir. The prosecution said the transfer was proof that Bikbaeva was financing extremism. Bikbaeva said she simply wanted to help the mother who lacked the means to support herself.

'On December 24, the Second Western District Military Court of Moscow sentenced Marifjon Mamadaliyev and Ikboljon Sultonov to terms of between 16 and 18 years in a penal colony for allegedly creating a Hizb ut-Tahrir cell. The court convicted six additional defendants of participating in the activities of the cell and sentenced them to imprisonment for terms of 11 to 12 years. The SOVA Center stated the case was based on testimony by a secret witness.'<sup>116</sup>

8.2.3 SOVA Center published a report on the inappropriate use of anti-extremism legislation during the period January to September 2021, in which it noted that there were:

'... five sentences against eleven people under Article 205.5 of the Criminal Code (organizing activities of a terrorist organization or participating in it) for their participation in the Islamic religious party Hizb ut-Tahrir, which is banned in Russia as a terrorist one, although there is no information about its actual involvement in terrorist activities. Nine people were sentenced to long terms of imprisonment, from 11 to 23 years, in Crimea, Tatarstan, Yekaterinburg, and the Samara Region; seven of them were also sentenced under Part 30 and Article 278 of the Criminal Code for preparation for the forcible seizure of power, three more – under Article 205.2 of the Criminal Code for party propaganda, and one – under Article 205.1 Part 1 of the Criminal Code (recruiting for terrorist activity).'<sup>117</sup>

8.2.4 SOVA Center issued a statement in October 2021, which stated, 'Though the party has never been involved in any violence in Russia, hundreds of Muslims all over the country, including Crimean Tatars, get prison terms of up to 24 years for involvement in Hizb ut-Tahrir.'<sup>118</sup>

<sup>&</sup>lt;sup>116</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>117</sup> SOVA Center, <u>Brief Report on Inappropriate Use ...</u>, 21 November 2021

<sup>&</sup>lt;sup>118</sup> SOVA Center, <u>SOVA Center's statement for the session ...</u>, 15 October 2021

8.2.5 In the World Report 2022, covering events of 2021, Human Rights Watch stated:

'Since November 2020, at least eight people were sentenced, and several dozen detained over alleged involvement with Hizb-ut-Tahrir (HuT) ... In May, an appeals court upheld verdicts against 10 people sentenced to 11 to 22 years in prison. According to Human Rights Center Memorial, as of October 2021, over 170 people served prison sentences upon conviction for involvement with HuT, 29 were on trial, at least 61 were under investigation and 27 more were wanted. Memorial's figures include Crimean Tatars.'<sup>119</sup>

8.2.6 In April 2022, SOVA Center reported on the misuse of anti-extremism legislation in March 2022, stating:

'In early March, the Southern District Military Court issued a sentence under Article 205.5 Part 2 CC (participating in the activities of a terrorist organization) and Article 278 CC with Article 30 Part 1 CC (preparation for violent seizure of power) to five supporters of the radical Islamic party Hizb ut-Tahrir. Riza Izetov and Remzi Bekirov were sentenced to 19 years of imprisonment, Shaban Umerov – to 18, Raim Aivazov – to 17, and Farkhod Bazarov – to 15 years behind bars.'<sup>120</sup>

8.2.7 In May 2022, SOVA Center reported on the misuse of anti-extremism legislation in April 2022, stating:

'In mid-April, the Southern District Military Court sentenced Crimean Tatar activist Emil Ziyadinov to 17 years of imprisonment with the first four years to be served in prison, the remaining term in a strict regime colony under Article 205.5 Part 1 CC (organizing the activities of a terrorist organization) and Article 278 CC with Article 30 Part 1 CC (preparation for violent seizure of power). He was found guilty of involvement in the activities of the Islamic radical party Hizb ut-Tahrir, which is banned in Russia as a terrorist organization.'<sup>121</sup>

8.2.8 In the same report, SOVA Center continued:

'In early April [2022], officers of the FSB Regional Directorate for Crimea and Sevastopol searched the house of Server Bariev in the settlement of Razdolnoye. Bariev was charged under Article 205.2 Part 2 CC (calls for terrorist activities or public justification of terrorism). As reported later, a criminal case against Bariev was opened based on his social media posts, in which he allegedly promoted the ideology of Hizb ut-Tahrir. Bariev was put under preventive travel restrictions. We consider it incorrect to characterize the dissemination of the Hizb ut-Tahrir ideology as propaganda or justification for terrorist activities unless these materials contained incitement to violence.'<sup>122</sup>

8.2.9 See <u>Hizb ut-Tahrir</u> for further information on this subject.

<sup>&</sup>lt;sup>119</sup> HRW, <u>World Report 2022: Russia</u>, 13 January 2022

<sup>&</sup>lt;sup>120</sup> SOVA Center, <u>Misuse of Anti-Extremism in March 2022</u>, 29 April 2022

<sup>&</sup>lt;sup>121</sup> SOVA Center, Misuse of Anti-Extremism in April 2022..., 27 May 2022

<sup>&</sup>lt;sup>122</sup> SOVA Center, Misuse of Anti-Extremism in April 2022..., 27 May 2022

### 8.3 Arrests, sentencing and imprisonment: Tablighi Jamaat

8.3.1 The USSD IRF Report 2020, covering the year 2020, noted actions taken towards members of other Islamic organisations:

'Authorities continued to investigate and detain alleged members of other Islamic organizations. Local media reported on June 6 that FSB agents in Moscow conducted searches and detained several supporters of Tablighi Jamaat, an organization that Memorial characterized as a peaceful, international Islamic missionary movement. FSB [Security Service] investigators opened a criminal case against the individuals on the grounds that they were participating in a banned religious organization. On July 31, local media reported that FSB officers detained six members of Tablighi Jamaat in the Volgograd Region. Authorities said banned extremist literature was found on the individuals and opened a criminal investigation.'<sup>123</sup>

8.3.2 SOVA Center published a report on the inappropriate use of anti-extremism legislation during the period January to September 2021, in which it noted that there were:

'Two sentences under Article 282.2 of the Criminal Code (organizing the activities of an extremist organization or participating in it) were issued to followers of Tablighi Jamaat, a peaceful movement of Islamic preachers recognized as extremist in Russia. Three people were fined large sums in Saransk (Mordovia) in August (in October, the appellate court increased their punishment, replacing the fines with incarceration: two offenders received three years and the third one – one year in a minimum-security penal colony); also in August, a resident of the Volgograd Region received a two-year suspended sentence in Saratov.'<sup>124</sup>

- 8.3.3 In the World Report 2022, covering events of 2021, Human Rights Watch stated: 'Since late 2020, at least 11 people were convicted for alleged affiliation with Tablighi Jamaat, an international Islamic missionary movement banned in Russia as extremist since 2009 although it disavows violence. At least 13 others were detained in 2021, with authorities pressing charges against five and deporting several others.'<sup>125</sup>
- 8.3.4 In April 2022, SOVA Center reported on the misuse of anti-extremism legislation in March 2022, stating:

'It became known in mid-March that a court in Saratov sentenced a 51-yearold local resident to two years in a minimum-security penal colony with restriction of freedom for a period of eight months under Article 282.2 Part 2 CC (participating in the activities of an extremist organization) for involvement in the banned religious association Tablighi Jamaat...

'In late March, the Omsk Regional Court reviewed a prosecutorial appeal and toughened the sentence issued in mid-January by the Kirovsky District Court of Omsk against three followers of Tablighi Jamaat. Instead of the fines imposed by the district court, Sultan Dyusekenov was sentenced to two years in a minimum-security penal colony under Article 282.2 Part 1 CC.

<sup>&</sup>lt;sup>123</sup> USSD, <u>IRF Report 2020</u> (Section II), 12 May 2021

<sup>&</sup>lt;sup>124</sup> SOVA Center, <u>Brief Report on Inappropriate Use ...</u>, 21 November 2021

<sup>&</sup>lt;sup>125</sup> HRW, World Report 2022: Russia, 13 January 2022

Abdimomun Mamytov and Murat Baltabaev received suspended sentences of one and a half years under Article 282.2 Part 2 CC.

'A newly opened criminal case on involvement in Tablighi Jamaat under Article 282.2 Part 2 CC against three residents of Dagestan was reported in the second half of the month.'<sup>126</sup>

8.3.5 See <u>Tablighi Jamaat</u> for further information on this subject.

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### 8.4 Arrests, sentencing and imprisonment: Followers of Said Nursi

- 8.4.1 SOVA Center published a report on the inappropriate use of anti-extremism legislation during the period January to September 2021, in which it noted that 'A woman from Tatarstan, sentenced in August, received a two-year suspended sentence under Article 282.2 Part 1 of the Criminal Code for conducting classes to study the works of the Turkish theologian Said Nursi; her actions were interpreted as continuing the activities of the banned religious association Nurcular.'<sup>127</sup>
- 8.4.2 In November 2021, RFE/RL reported:

'A court in Russia's Tatarstan region has sentenced a prominent Islamic scholar to 6 1/2 years in prison for running a branch of a banned religious group.

'Gabdrakhman Naumov was sentenced by a court in Kazan for leading a branch of the Islamic Nur movement, his lawyer Ruslan Nagiyev told RFE/RL on November 2.

'Naumov is well-known in Tatarstan as a teacher at the Russian Islamic University and the former imam of a mosque in Kazan.

'He was arrested in March 2020 and charged with being the leader of the Nur movement in Tatarstan, where Turkic-speaking ethnic Tatars live.'<sup>128</sup>

- 8.4.3 On 8 February 2022, RFE/RL reported that the Supreme Court rejected an appeal by Gabdrakhman Naumov and upheld his sentence<sup>129</sup>.
- 8.4.4 In January 2022, Forum 18 reported on prosecutions of followers of Said Nursi:

'Muslims who meet to study the writings of the late Turkish theologian Said Nursi may also be prosecuted under the Extremism Law for organising or participating in the activities of "Nurdzhular"...

'Most recently, Nakiya Khametzakirovna Sharifullina (born 1 January 1958) received a two-year suspended sentence with 18 months' probation under Criminal Code Article 282.2, Part 1 on 31 August 2021. Both defence and prosecution challenged the decision, but Tatarstan's Supreme Court upheld Naberezhnyye Chelny City Court's original ruling and sentence on 17 December 2021.

- <sup>127</sup> SOVA Center, Brief Report on Inappropriate Use ..., 21 November 2021
- <sup>128</sup> RFE/RL, <u>Prominent Islamic Scholar Sentenced To 6 1/2 Years...</u>, 2 November 2021

<sup>&</sup>lt;sup>126</sup> SOVA Center, <u>Misuse of Anti-Extremism in March 2022...</u>, 29 April 2022

<sup>&</sup>lt;sup>129</sup> RFE/RL, <u>Tatarstan's Supreme Court Upholds Islamic Scholar's Sentence...</u>, 8 February 2022

'At present, only one person who met with others to read Nursi's works remains imprisoned. A court in Dagestan sentenced Ilgar Vagif-ogly Aliyev (born 16 February 1977) in May 2018 to eight years' imprisonment plus two years of restrictions on freedom for alleged involvement in "Nurdzhular".

'No trials are currently known to be underway of Muslims who met to study Nursi's works, but eight people in Dagestan and Tatarstan appear to be facing criminal prosecution.'<sup>130</sup>

8.4.5 In January 2022, Forum 18 further noted:

'A total of 5 Nursi readers are known to have received suspended sentences since 2015; all but one have completed their probationary periods...

'Since 2015, three Muslims who read Nursi's works have received fines, all in Krasnoyarsk Region. Two men who were fined in December 2015 had their punishments waived by an appeal court because of the statute of limitations in force at the time.'<sup>131</sup>

8.4.6 Forum 18 further noted that Muslims who meet to study the works of Said Nursi are most frequently prosecuted under the following articles of the Criminal Code:

- 'Article 282.2 for "organising" (Part 1, possible prison term of 6 to 10 years), or "participating in" (Part 2, possible prison term of 2 to 6 years), "the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity". The majority of convictions have been under this Article;

- 'Article 282.2, Part 1.1 ("Inclination, recruitment or other involvement of a person in an extremist organisation") with a possible prison term of 4 to 8 years;

- 'and Article 282.3, Part 1 ("Financing extremist activity") with a possible prison term of 3 to 8 years.'<sup>132</sup>

- 8.4.7 Forum 18 also noted that people prosecuted under the articles listed above have also received suspended sentences and fines<sup>133</sup>.
- 8.4.8 In May 2022, SOVA Center published a report on the misuse of antiextremism legislation in April 2022; this report stated:

'In the second half of April, we were informed of another criminal case opened in Dagestan under Article 282.2 Part 2 CC (participating in the activities of an extremist organization) for involvement in the international religious association Nurcular. According to investigators, the suspect, a 35year-old resident of the republic, "took part in meetings to study the ideological sources of the indicated extremist organization." It is worth reminding that a similar case was initiated against three residents of Dagestan in March, while, in 2021, a court in Dagestan dropped several

<sup>&</sup>lt;sup>130</sup> Forum 18, <u>RUSSIA: Three acquitted on "extremism" charges but jailings...</u>, 28 January 2022

<sup>&</sup>lt;sup>131</sup> Forum 18, <u>RUSSIA: Suspended sentences and fines</u>, 21 January 2022

<sup>&</sup>lt;sup>132</sup> Forum 18, <u>RUSSIA: Three acquitted on "extremism" charges but jailings...</u>, 28 January 2022

<sup>&</sup>lt;sup>133</sup> Forum 18, <u>RUSSIA: Jailed, awaiting appeal, deported, post-prison restrictions</u>, 7 December 2021

cases against the alleged Nurcular participants charged under Article 282.2 Part 2 CC. We view the ban against Nurcular as inappropriate.'134

- 8.4.9 In June 2022, Forum 18 reported that, 'Three Muslims who met with others to study the works of theologian Said Nursi are on criminal trial on "extremism" charges in Izberbash, Dagestan, Judges closed similar cases with the "active repentance" of the defendants, the court claims. "People have been persuaded or forced to sign confessions by intimidation and deception," says a fellow Muslim.'135
- 8.4.10 In August 2022, Forum 18 reported that, 'On 1 September [postponed to 22 September]. Moscow's Kuzminsky District Court is due to begin the largest criminal trial for eight years of Muslims who met to study the works of the theologian Said Nursi, which have been banned as "extremist". Prosecutors accuse the six men - who face possible long jail terms - of forming a "home madrassah". The men have been in Butyrka prison since October 2021.<sup>136</sup>
- 8.4.11 See Political prisoners for information about the potential impact of suspended sentences. See Followers of Said Nursi (Nurdzhular / Nur movement) for further information on this subject.

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#### 8.5 Treatment in detention

- 8.5.1 The Newsweek article of August 2016 reported on non-traditional Muslims, stating that those placed on lists of 'untrustworthy' citizens or criminal 'wanted' lists could be subjected to detention and interrogation involving torture<sup>137</sup>.
- 8.5.2 The USSD HR Report 2021 noted the use of prolonged imprisonment and harsh detention conditions for those connected with Tablighi Jamaat, followers of Said Nursi and members of Hizb ut-Tahrir who were considered to have been involved with a banned extremist organisation<sup>138</sup>.
- 8.5.3 The USSD IRF Report 2021 noted that religious groups and nongovernmental organisations (NGOs) reported that the authorities used torture on the grounds of a person's religious belief or affiliation or membership in groups designated 'extremist,' 'terrorist,' or 'undesirable.'139
- The US CIRF report 2021 noted that 'Russia considers HT [Hizb-ut-Tahrir] a 8.5.4 terrorist group despite the lack of any corroborating evidence, and its prosecution of alleged members is often characterized by allegations of torture during interrogation...'140
- On 10 February 2022, Human Rights Watch published a submission to the 8.5.5 UN Office of the High Commissioner for Human Rights (OHCHR) which stated that Chechen law enforcement and security officials had used illegal

<sup>&</sup>lt;sup>134</sup> SOVA Center, Misuse of Anti-Extremism in April 2022, 27 May 2022

<sup>&</sup>lt;sup>135</sup> Forum 18. Renewed criminal trials of Muslim Nursi readers, 1 June 2022

<sup>&</sup>lt;sup>136</sup> Forum 18, Six who met to study their faith on trial in Moscow, 29 August 2022

 <sup>&</sup>lt;sup>137</sup> Newsweek, <u>Putin's Savage War Against Russia's 'New Muslims'</u>, 20 August 2016
<sup>138</sup> USSD, <u>HR Report 2021</u>, 12 April 2022

<sup>&</sup>lt;sup>139</sup> USSD, IRF Report 2021 (Section II), 2 June 2022

<sup>&</sup>lt;sup>140</sup> US CIRF, <u>Annual Reports 2022</u>, 25 April 2022

detention and torture against alleged Islamist militants and their family members<sup>141</sup>.

- 8.5.6 In August 2022, Caucasion Knot reported that, 'Natives of Dagestan told advocates new details of torture in the Kalmyk colony and stated that they and other Muslims were not allowed to pray and read the Koran. Vladimir Osechkin, the head of the "Gulagu.net" project, has called on Ramzan Kadyrov, who positions himself as a defender of Muslims, to intervene in the situation.'<sup>142</sup>
- 8.5.7 The USSD HR Report 2021 provided the following general information regarding individuals in police custody:

<sup>6</sup>Physical abuse of suspects by police officers was reportedly systemic and usually occurred within the first few days of arrest in pretrial detention facilities. Reports from human rights groups and former police officers indicated that police most often used electric shocks, suffocation, and stretching or applying pressure to joints and ligaments because those methods were considered less likely to leave visible marks. The problem was especially acute in the North Caucasus. According to the Civic Assistance Committee, prisoners in the North Caucasus complained of mistreatment, unreasonable punishment, religious and ethnic harassment, and inadequate provision of medical care... In the North Caucasus region, there were widespread reports that security forces abused and tortured both alleged militants and civilians in detention facilities.<sup>1143</sup>

### Official: sensitive – start of section

The information in this section has been removed as it is restricted for internal Home Office use.

### Official: sensitive – end of section

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## 9. Avenues of redress

- 9.1 Religious freedom
- 9.1.1 The USSD IRF Report 2021 stated:

'The Office of the Director of Religious Issues within the Office of the Federal Human Rights Ombudsman handles complaints about the government's actions on religious freedom. The ombudsman may intercede on behalf of those who submit complaints; however, the ombudsman may not compel other government bodies to act or intervene in complaints not addressed to the government.

<sup>&</sup>lt;sup>141</sup> HRW, <u>Submission by Human Rights Watch on Russia</u>..., 10 February 2022

<sup>&</sup>lt;sup>142</sup> Caucasian Knot, <u>Details of Muslims' torture in Kalmyk colony...</u>, 18 August 2022

<sup>&</sup>lt;sup>143</sup> USSD, <u>HR Report 2021</u>, 12 April 2022

'The law entitles individuals and organizations to take religious freedom cases to the European Court of Human Rights (ECHR) in Strasbourg, France. The state must pay compensation to a person whose rights were violated as determined by the ECHR and ensure his or her rights are restored to the extent possible. The Constitutional Court determines whether judgments by international and regional courts, including the ECHR, are consistent with the constitution.'<sup>144</sup>

9.1.2 However, on 23 March 2022, the Council of Europe reported Russia's expulsion from the Council: 'Following its expulsion from the Council of Europe on 16 March 2022, the Russian Federation will cease to be a High Contracting Party to the European Convention on Human Rights on 16 September 2022. This was confirmed today in a Resolution by the Committee of Ministers.'<sup>145</sup>

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<sup>144</sup> USSD, <u>IRF Report 2021</u> (Section II), 2 June 2022

<sup>&</sup>lt;sup>145</sup> CoE, Russia ceases to be a Party to the European Convention..., 23 March 2022

# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the <u>country information section</u>. The Home Office's Country Policy and Information Team uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal framework
  - Law regarding freedom of religion
  - o Law regarding extremism/terrorism
- Religious demography
  - o Number of Muslims
  - Regions where Muslims reside
  - o Islamic groups represented in Russia
- Societal attitudes
- State attitudes
  - o State protection
  - o Police
  - Arrest, sentencing and detention
  - o Treatment in detention
  - o Fair trial
  - Avenues of redress

# Bibliography

# Sources cited

Al Jazeera, <u>Central Asian migrants succeed in Russia despite xenophobia</u>, 24 December 2017. Last accessed: 23 February 2022

Asia Times, <u>Checkmate fighter puts Russia ahead of the game</u>, 21 July 2021. Last accessed: 23 February 2022

Caucasian Knot, <u>Details of Muslims' torture in Kalmyk colony give rise to appeal to</u> <u>Kadyrov</u>, 18 August 2022. Last accessed: 14 October 2022

Council of Europe (CoE), <u>Russia ceases to be a Party to the European Convention</u> <u>on Human Rights on 16 September 2022</u>, 23 March 2022. Last accessed: 15 June 2022

Eurasia Review, <u>Russia: More Jailed After 'Extremist Organization' Trials</u>, 13 June 2021. Last accessed: 24 June 2022

Forum 18,

About Forum 18, no date. Last accessed: 23 June 2022

<u>RUSSIA: "Extremism" religious freedom survey</u>, 13 September 2016. Last accessed: 21 February 2022

<u>Jailed, awaiting appeal, deported, post-prison restrictions - list</u>, 7 December 2021. Last accessed: 21 February 2022

<u>RUSSIA: Suspended sentences and fines</u>, 21 January 2022. Last accessed: 21 February 2022

RUSSIA: Three acquitted on "extremism" charges but jailings continue, 28 January 2022. Last accessed: 21 February 2022

Renewed criminal trials of Muslim Nursi readers, 1 June 2022. Last accessed: 14 October 2022

RUSSIA: Religious opposition to war in Ukraine - prosecutions and detentions, 6 May 2022. Last accessed: 21 June 2022

<u>New registers of 'extremist' people and literature</u>, 15 August 2022. Last accessed: 13 October 2022

Six who met to study their faith on trial in Moscow, 29 August 2022. Last accessed: 14 October 2022

Hudson Institute,

About, no date. Last accessed: 14 March 2022

<u>The Co-optation of Islam in Russia, by Rebecca Fradkin</u>, 7 February 2020. Last accessed: 14 March 2022

Human Rights Watch (HRW),

Submission by Human Rights Watch on Russia to the Human Rights Committee, 10 February 2022. Last accessed: 18 February 2022 World Report 2022: Russia, 13 January 2022. Last accessed: 18 February 2022

Mappr.co, <u>Russia Political Map</u>, no date. Last accessed: 11 August 2022 Minority Rights Group International (MRGI),

Russian Federation; Current issues, no date. Last accessed: 18 February 2022

Russian Federation; Background, no date. Last accessed: 18 February 2022

Russian Federation, updated December 2020. Last accessed: 18 February 2022

Newsweek,

Putin's Savage War Against Russia's 'New Muslims', 20 August 2016. Last accessed: 11 March 2022

Nursi Society, About Us, no date. Last accessed: 14 July 2022

Pew Research Center,

About Pew Research Center, no date. Last accessed: 23 June 2022

<u>Views on minority groups across Europe</u>, 14 October 2019. Last accessed: 23 February 2022

Radio Free Europe / Radio Liberty (RFE/RL),

Prominent Islamic Scholar Sentenced To 6 1/2 Years in Russian Prison, 2 November 2021. Last accessed: 23 February 2022

<u>Tatarstan's Supreme Court Upholds Islamic Scholar's Sentence For Activities</u> of Banned Religious Group, 8 February 2022. Last accessed: 22 June 2022

Russia Beyond, <u>Is Russia a Muslim country?</u>, 16 May 2019. Last accessed: 24 February 2022

SOVA Center for Information and Analysis (SOVA Center),

Home, no date. Last accessed: 23 June 2022

Russian Nationalism and Xenophobia in August 2021 / September / 2021 / <u>News Releases / Racism and xenophobia</u>, 10 September 2021. Last accessed: 22 June 2022

SOVA Center's statement for the session on promoting and protecting human rights and fundamental freedoms at ODIHR 30th anniversary conference / October / 2021 / Conference Papers and Other Documents / Misuse of antiextremism, 15 October 2021. Last accessed: 18 February 2022

Brief Report on Inappropriate Use of Anti-Extremist Legislation in January– September 2021 / November / 2021 / Reports and Analyses / Misuse of antiextremism, 21 November 2021. Last accessed: 22 June 2022

<u>Misuse of Anti-Extremism in December 2021 / January / 2022 / News</u> <u>Releases / Misuse of anti-extremism</u>, 24 January 2022. Last accessed: 18 February 2022

Inappropriate Enforcement of Anti-Extremist Legislation in Russia in 2021, 27 April 2022. Last accessed: 22 June 2022 Misuse of Anti-Extremism in March 2022, 29 April 2022. Last accessed: 22 June 2022

Misuse of Anti-Extremism in April 2022, 27 May 2022. Last accessed: 20 June 2022

The Moscow Times,

Putin Calls for a 'Revival' of Islamic Education in Russia, 25 January 2018. Last accessed: 14 October 2022

<u>'Top 100 Influential Russian Muslims' Ranking Released by Local Media</u>, 14 August 2019. Last accessed: 22 June 2022

The National Interest, <u>Comeback: How Islam Got Its Groove Back in Russia</u>, 13 April 2015. Last accessed: 22 June 2022

TRT World,

About Us, no date. Last accessed: 14 March 2022

<u>Is Russia on the path to marginalising its Muslim population?</u>, 6 February 2019. Last accessed: 14 March 2022

United States Commission on International Religious Freedom (US CIRF), <u>Annual</u> <u>Reports 2022</u>, 25 April 2022. Last accessed: 11 August 2022

United States Department of State (USSD),

Countries of Particular Concern, Special Watch List Countries, Entities of Particular Concern, no date. Last accessed: 17 June 2022

2020 Report on International Religious Freedom: Russia (IRF Report 2020), 12 May 2021. Last accessed: 4 February 2022

2021 Country Reports on Human Rights Practices: Russia (HR Report 2021), 12 April 2022. Last accessed: 17 June 2022

2021 Report on International Religious Freedom: Russia (IRF Report 2021), 2 June 2022. Last accessed: 17 June 2022

World Politics Review, <u>A Patriotic Islam? Russia's Muslims Under Putin</u>, 8 March 2016. Last accessed: 11 March 2022

<u>xe.com</u>, 1 RUB = 0.0135175 GBP, 11 August 2022

## Back to Contents

### Sources consulted but not cited

Amnesty International,

Report 2020/21; The State of the World's Human Rights; Russian Federation 2020, 7 April 2021. Last accessed: 22 February 2022

Report 2021/22; The State of the World's Human Rights; Russian Federation 2021, 29 March 2022. Last accessed: 20 June 2022

Freedom House,

Russia: Freedom in the World 2021, 3 March 2021. Last accessed: 22 February 2022

Nations in transit, 2021 - Russia, 28 April 2021. Last accessed: 22 February 2022

Freedom in the World 2022; Russia, 28 February 2022. Last accessed: 20 June 2022

Nations in Transit 2022; Russia, 21 April 2022. Last accessed: 20 June 2022 Islam.ru, <u>islam.ru</u>, no date. Last accessed: 14 March 2022

Reuters, <u>Fact check: No record of Putin making anti-Muslim speech in 2013</u>, 1 January 2021. Last accessed: 14 March 2022

Ummid.com, <u>Number of Muslims in Russia growing with every passing day</u>, 5 March 2019. Last accessed: 14 March 2022

# Version control

# Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **10 November 2022**

# Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

## Official – sensitive: End of section

### Changes from last version of this note

This is the first Country Policy and Information Note published on this subject.