

17 September 2018

Working session 7: Fundamental freedoms I, including freedom of thought, conscience, religion and belief**Violation of freedom of religion in Crimea**

An unlawful annexation of Crimea has resulted into applying the Russian practices of persecuting religious communities and its representatives that earlier was unknown on the peninsula.

One of such practices is an administrative persecution for storing religious books through searching and then imposing fines. The authorities de facto regularly accuse the Crimeans of distributing extremist literature on a wide scale. However, the court practice demonstrates that just one book or internet publication when found is sufficient for charging with mass scale distribution.

Since the time when Crimean occupation started, numerous searches have been made in educational institutions, libraries, madrassas and mosques. During some of these searches the property of the religious communities was destroyed. Upon the outcomes of most of the searches fine rulings were issued regarding the people whose relation to the books found was not testified. For instance, a hostel administrator, a woman, was fined for a Muslim book found in the praying room where woman is not allowed to enter.

Including Crimea into the Russian jurisdiction has become a reason for persecuting for missionary activities under RF CoAO Article 5.26. Major official explanations for such persecution are, for instance, the name of religious organization on the sign board is not given in full, sermons beyond the religious building walls. The Crimean Human Rights Group has recorded 29 rulings under RF CoAO Article 5.26, including 17 regarding Protestant organizations and their members; 5 regarding Jehovah's Witnesses, 2 regarding the Muslims, and regarding a Krishnaite, a Scientist, a Catholic, and a Greek Catholic, one for each. One more ruling was made regarding a non-religious woman who was inviting people to the recreational gymnastics. For instance, on April 28th 2017, a follower of the Crimean Krishna Conscience Society was not allowed to make a procession, and was imposed a fine because in the streets of Simferopol he was telling that the Krishnaites were against smoking and drinking alcohol, enjoyed life and sang prayers.

Another illustration of religious persecution is mass detentions in the mosques during the Friday prayer (namaz). For instance, on April 6th 2018 armed people entered the mosque in the village of Pavlovka, claimed that extremist actions were held in the mosque, searched and took photos of all mosque-goers.

The Crimean residents have been persecuted for membership in the religious organizations declared terrorist or extremist in Russia. At the moment at least 29 Muslims of Crimea have been deprived from freedom due to membership in the Hizb-ut-Tahrir or its public support. On April 20th 2017 the Supreme Court of RF declared extremist the Jehovah's Witnesses religious organization, so members of 18 Jehovah's Witnesses organizations in Crimea are facing persecution for extremist activities. According to the Ukrainian laws, these organizations are not forbidden.

The Muslims are still subject to searches and administrative persecution like arrests and fines for publishing Hizb-ut-Tahrir symbols in the social networks, though many of these publications were made before the occupation of Crimea, i.e. before the unlawful application of the Russian laws in Crimea.

In parallel to the persecution, the occupation authorities and the mass media in Crimea are active in using the hate speech regarding the Muslims, the Protestants, and the Ukrainian Orthodox Church of Kyivan Patriarchate.

It should be pointed out that representatives and the communities of the Russian Orthodox Church subordinate to the Russian authorities are not subject to all these persecutions under the similar conditions. The Russian Orthodox priests feel free in holding ceremonies beyond the church areas, leading numerous church processions, and the sign boards with a full organization name may be found not on all church buildings. This demonstrates a selective application of the Russian legal norms in Crimea to persecute non-subordinate religious organizations and their representatives.

The Crimean Human Rights Group