

Religious Discrimination Directed at the Church of Scientology and Scientologists in Russia in Contravention of Fundamental Human Rights

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St. Petersburg: Imprisonment of Local Religious Leaders

On June 6, 2017, over 60 Federal Security Bureau (FSB) officials and SWAT police raided the premises of the Church of Scientology religious group in St. Petersburg as well as the homes of four leaders of the religious group.

Five leaders of the religious group were arrested, interrogated and detained by the FSB. Four of these individuals, Anastasia Terentieva, Galina Shurinova, Ivan Matsitskiy and Sakhib Aliev were sentenced to two months pretrial imprisonment at detention centers by the Court.

The four imprisoned detainees filed appeals contesting their pretrial detention on the grounds that their imprisonment constituted arbitrary deprivation of liberty in violation of Article 5 of the European Human Rights Convention as well as violations of their right to freedom of religion, freedom of expression and freedom of association.

Appeals hearings for the imprisoned detainees have taken place. The pretrial detention sentences have all been upheld, with the exception that Galina Shurinova's sentence was changed to house arrest due to her medical condition.

These five leaders of the religious group have been imprisoned or subjected to house detention for over three months. These pretrial sentences were recently extended by the Court until October 19, 2017. It is anticipated that pretrial imprisonment and detention will continue indefinitely, with extensions sought and granted every two months.

If convicted, these five individuals could face a six to ten-year prison term. Numerous human rights and interfaith groups have expressed concern that the actions of the FSB constitute an egregious violation of the right to freedom of religion.

Recently, the St. Petersburg Human Rights Council, a human rights NGO composed of numerous human rights organizations, such as Citizen's Watch, the Human Rights Resource Center and Russian Lawyers Committee in Defense of Human Rights, issued a "Statement on the Scientology Case". The Human Rights Council called for the "immediate release" of the Scientology Five in an "obviously absurd and fabricated case". The Council noted that:

"The very formulation of the accusation that the defendants have been deprived of their freedom for the third month solely for observing the principles and precepts of their religious tradition is not only absurd in content but also obviously anti-constitutional in nature: in fact, believers are charged of having their faith prescribing certain sanctions to those who violate religious orders in one way or another. Such charges, in fact, can be brought to any religion in general."

Extremism Charges

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Extremism Laws may be necessary to combat terrorism. However, these laws should not be used as a pretense to justify discrimination and suppression of peaceful religious organizations.

Over fifty cases regarding Russia's misuse of the Extremism Law against religions have been filed by numerous religious groups before the European Human Rights Court. The Moscow Church of Scientology currently has two cases pending before the Human Rights Court regarding distinct Scientology religious writings and related materials that have been improperly placed on the "Extremist Materials" list.

In the pretrial detention hearings, the Court accepted the prosecutor's unsupported argument, forwarded by the FSB, that the Church of Scientology is an "extremist organization" even though no Court in Russia or elsewhere has ever made such a finding. This fallacious finding that the Scientology Five were "dangerous extremists" who would imperil society if released on their own recognizance pending trial, supported by not a shred of evidence, provided the purported justification for their pretrial imprisonment and detention.

The Church of Scientology operates in over 150 countries throughout the world as a peaceful, law abiding group. One of Scientology Founder L. Ron Hubbard's directives to all Scientologists and the Church is to abide by the laws of a country.

People who come into the Scientology religion receive spiritual help, improve their lives and the lives of their loved ones. They also actively participate in social programs to improve their communities, to save children from the menace of drugs, to help in times of disaster, to provide assistance to victims and to work to better their local communities.

The Russian Constitution guarantees every citizen the right to practice the religion of their choice. Scientologists have been practicing their faith in Russia for more than thirty years, providing spiritual help to fellow citizens and actively participating in solving the most urgent problems of society.

Illegal Commercial Activity Without Proper Registration

The charge of performing illegal commercial activity without proper registration of a legal entity is equally spurious. The reason that the religious group has not formed a legal entity is because the Russian government has refused to register it as a religious organization in contravention of the right to religious freedom and the right to freedom of association guaranteed by human rights treaties that Russia has signed and is obliged to follow.

Ironically, three of the imprisoned individuals, Anastasia Terentieva, Galina Shurinova and Ivan Matsitskiy, were applicants before the European Human Rights Court in the case Church of Scientology of St. Petersburg and Others v. Russia. There, the Human Rights Court determined: "... Thus, the restricted status afforded to 'religious groups' under the Religions Act did not allow members of such a group to enjoy effectively their right to freedom of religion, rendering such a right illusory and theoretical rather than practical and effective, as required by the Convention."

Rather than comply with this unequivocal decision by the Human Rights Court, Russian local authorities have refused to register the St. Petersburg religious group as a legal entity. Worse, they have determined to arrest and imprison the religious leaders who successfully challenged the government's refusal to register the religious organization as a legal entity on the grounds that they are collecting and distributing funds for religious services and materials, renting a place of worship, and producing and distributing religious materials "without proper registration of a legal entity."

Conclusion

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The right to religious freedom is in serious peril in Russia for religious minorities as the government continues to foster an atmosphere of intolerance and discrimination throughout the entire country against these targeted religious communities and their members.

The Scientology religion, its parishioners and its religious and social organizations have been a primary target of this Russian national campaign of religious repression. The campaign has been chillingly wide-ranging. Jehovah's Witnesses, Muslims, Evangelicals, Lutherans, Baptists, Pentecostals, Methodists, Presbyterians, Hindus, Buddhists and others have been targeted.

Millions of Scientologists around the world sincerely believe in freedom of religion and the religious tenets and practices of Scientology. For everyone of these individuals, Scientology is their religion. Scientology is fully developed, by definition of religion, in its theology, religious practice and organization. The breadth and scope of the religion include nearly 8,000 Churches of Scientology, Missions and related organizations with over 20,000 full-time staff in 164 countries, all unified by a common religious goal.

The 5 Scientologists currently imprisoned in Russia are prisoners of conscience. This is not a light matter. Russia is not an enemy. It is a brother country, as we are part of the same family: Russia is a member of the Council of Europe, as well as a member of OSCE. Every brother has the right to be different, but when your brother starts to break the law, or to harm his children, or his brothers or sisters, if you care about him, you have to intervene. That is why there is no country in Europe that can now close his eyes on what is happening in Russia as regards Freedom of Religion. Every country has to do something. Because if we do not act, then Religious Freedom is at stake in all Europe.