

EXPRESSING THE SENSE OF THE CONGRESS THAT THE RUSSIAN
FEDERATION SHOULD FULLY PROTECT THE FREEDOMS OF
ALL RELIGIOUS COMMUNITIES WITHOUT DISTINCTION,
WHETHER REGISTERED AND UNREGISTERED, AS STIPULATED
BY THE RUSSIAN CONSTITUTION AND INTERNATIONAL
STANDARDS

MARKUP

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN
RIGHTS AND INTERNATIONAL OPERATIONS

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

ON

H. Con. Res. 190

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**EXPRESSING THE SENSE OF THE CONGRESS THAT THE
RUSSIAN FEDERATION SHOULD FULLY PROTECT THE
FREEDOMS OF ALL RELIGIOUS COMMUNITIES WITHOUT
DISTINCTION, WHETHER REGISTERED AND UNREGIS-
TERED, AS STIPULATED BY THE RUSSIAN CONSTITUTION
AND INTERNATIONAL STANDARDS**

TUESDAY, NOVEMBER 15, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS
AND INTERNATIONAL OPERATIONS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 2:25 p.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Chairman of the Subcommittee) presiding.

Mr. SMITH. We will now convene a very brief business meeting of the Subcommittee to mark up a resolution. The Subcommittee will come to order.

Pursuant to notice, I call up the bill, H. Con. Res. 190, "Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards," for purpose of markup, and to move its recommendation to the Full Committee.

Without objection, the resolution will be considered as read and open to amendment at any point.

[H. Con. Res. 190 follows:]

109TH CONGRESS
1ST SESSION

H. CON. RES. 190

Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2005

Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. CARDIN, Mr. PITTS, and Mr. MCINTYRE) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

Whereas the Russian Federation is a participating State of the Organization for Security and Cooperation in Europe (OSCE) and has freely committed to fully respect the rights of individuals, whether alone or in community with others, to profess and practice religion or belief;

Whereas the Russian Federation specifically committed in the 1989 Vienna Concluding Document to “take effective measures to prevent and eliminate discrimination against

individuals or communities on the grounds of religion or belief” and to “grant upon their request to communities of believers, practicing or prepared to practice their faith within the constitutional framework of their States, recognition of the status provided for them in the respective countries”;

Whereas Article 28 of the Constitution of the Russian Federation declares “everyone shall be guaranteed the right to freedom of conscience, to freedom of religious worship, including the right to profess, individually or jointly with others, any religion” and Article 8 of the 1997 Law on Freedom of Conscience and Religious Associations provides for registration for religious communities as “religious organizations,” if they have at least 10 members and have operated within the Russian Federation with legal status for at least 15 years;

Whereas registration is critical for religious groups to fully enjoy their religious freedoms, as many rights and privileges afforded to religious communities in the Russian Federation are contingent on obtaining registration;

Whereas many religious groups refuse to seek registration on theological or other grounds, while other communities have been unjustly denied registration or had their registration improperly terminated by local authorities;

Whereas many of the unregistered communities in the Russian Federation today were never registered under the Soviet system because they refused to collaborate with that government’s anti-religious policies and they are now experiencing renewed discrimination and repression from the authorities;

Whereas over the past 2 years there have been an estimated ten arson attacks on unregistered Protestant churches, with little or no effective response by law enforcement officials to bring the perpetrators to justice;

Whereas in some areas of the Russian Federation law enforcement personnel have carried out violent actions against believers from unregistered communities peacefully practicing their faith; and

Whereas the United States has sought to protect the fundamental and inalienable human right to seek, know, and serve God according to the dictates of one's own conscience, in accordance with the international agreements committing nations to respect individual freedom of thought, conscience, and belief: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That it is the sense of the Congress that the
 3 United States should—

4 (1) urge the Russian Federation to ensure full
 5 protection of freedoms for all religious communities
 6 without distinction, whether registered and unregis-
 7 tered, and end the harassment of unregistered reli-
 8 gious groups by the security apparatus and other
 9 government agencies;

10 (2) urge the Russian Federation to ensure that
 11 law enforcement officials vigorously investigate acts
 12 of violence against unregistered religious commu-
 13 nities, as well as make certain that authorities are
 14 not complicit in such attacks;

1 (3) continue to raise concerns with the Govern-
2 ment of the Russian Federation over violations of re-
3 ligious freedom, including those against unregistered
4 religious communities, especially indigenous denomi-
5 nations not well known in the United States;

6 (4) ensure that United States Embassy officials
7 engage local officials throughout the Russian Fed-
8 eration, especially when violations of freedom of reli-
9 gion occur, and undertake outreach activities to edu-
10 cate local officials about the rights of unregistered
11 religious communities;

12 (5) urge both the Personal Representative of
13 the OSCE Chair-in-Office on Combating Racism,
14 Xenophobia and Discrimination, also focusing on In-
15 tolerance and Discrimination against Christians and
16 Members of Other Religions, and the United Nations
17 Special Rapporteur on Freedom of Religion or Belief
18 to visit the Russian Federation and raise with fed-
19 eral and local officials concerns about the free prac-
20 tice of unregistered religious communities; and

21 (6) urge the Council of Europe and its member
22 countries to raise with Russian Federation officials
23 issues relating to freedom of religion, especially in

6

5

- 1 light of the Russian Federation's responsibilities as
- 2 President of the Council in 2006.

○

Mr. SMITH. I recognize myself to make a brief statement to explain the resolution.

Today we mark up H. Con. Res. 190, "Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards."

In April of this year, as Co-Chairman of the U.S. Helsinki Commission, I convened a hearing to highlight the plight of unregistered religious groups in Russia. That hearing, I have to point out, was a direct response to concerns raised by one of our previous witnesses, Larry Uzzell.

At the hearing, we heard moving testimony about arson attacks and police raids occurring sporadically, yet consistently, across the vast Russian Federation. I know I will never forget the pictures I saw of the arson attack against a Baptist Church in Tula. After receiving numerous anonymous threats, late one night, hate-mongers finally took action and razed the church to the ground. The local authorities have been no help, attributing the explosion to a natural gas leak, although the local gas company reportedly found no gas residue at the site.

The actions or, at times, the inactions of local authorities send a clear message that unregistered communities are not welcome. While religious freedoms are generally respected at the Federal level, minority religious communities continue to report serious problems.

Since the hearing, the Emanuel Presbyterian Church in Russia's North Caucasus faces the confiscation of its church because of filing errors when it attempted to register. Independent Muslim groups continue to face government pressure, discrimination, and even jail.

Further indicative of the challenges being faced by religious communities in this Putin era, in October, Moscow's Chief Rabbi Goldschmidt was denied a visa for reentry into Russia, despite having lived in Moscow since 1989. And this month, Moscow authorities overturned the decision to allot land for the construction of the Krishna temple, leaving the Moscow Krishna community without a place of worship.

The State Department's *Annual Report on International Religious Freedom*, released last week, offers further evidence. It reports how "conditions deteriorated for some minority religious faiths" and that "some Federal agencies and many local authorities continue to restrict the rights of various religious minorities."

Based on the findings of the Helsinki Commission hearing and the ongoing problems, I decided to introduce H. Con. Res. 190. Foremost, this resolution urges the Russian Federation to ensure the full protection of freedom for all religions, as I said, without distinction, whether registered or unregistered, and to end the harassment of unregistered religious groups by security apparatus and other government agencies.

It also urges Russia to ensure that law enforcement officials vigorously investigate acts of violence against unregistered religious communities, as well as to make certain that authorities are not complicit in such attacks.

In addition, many of the victims coming from unregistered religious communities do not have the networks of co-religionists in America and in Western Europe to advocate on their behalf. To remedy this, the resolution calls on all United States Embassy officials to continue to raise concerns with the Government of the Russian Federation over violations of religious freedom, including those of unregistered churches. Part of the problem is, they don't have friends or advocates, so we are trying to rectify that to some extent.

The resolution has 27 co-sponsors, including many Members of our Subcommittee, and I do hope it will be supported by all the members.

Mr. Payne.

Mr. PAYNE. Thank you very much. Thank you, Mr. Chairman, for introducing H. Con. Res. 190.

I am one of the 27 co-sponsors. As you know, it is just expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of groups, whether they are registered or not registered.

We feel that Russia, by participating in OSCE, should really try to respect what that organization stands for, and that the behavior and acts that are occurring in Russia are really moving in the right direction.

As the Chairman said, we just urge the Russian Federation to ensure full protection of freedoms of all religions and that they ensure that law enforcement officials vigorously investigate acts of violence and continue to raise concern to the Russian Federation over these violations.

So we urge our colleagues to support this important resolution and hope that the Russian Federation will respect the content of it and move in a positive direction in the future.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you for your leadership on this as well.

Are there any amendments?

If not, the question occurs on the motion to report the resolution, H. Con. Res. 190, favorably to the Full Committee. All in favor, say aye.

All opposed, say no.

The ayes have it, and the bill is reported favorably.

The staff is directed to make any technical and conforming amendments.

The markup is adjourned. I thank my good friend.

[Whereupon, at 2:25 p.m., the Subcommittee was adjourned.]

