



Increasing Misuse of the 2002 Extremism Law to Censor and Disrupt Religious Organizations, and in particular Falun Gong

Since 2008, Russian authorities have been working to censor the publication of materials related to the religious practice of Falun Gong, as well as materials documenting the persecution of the Falun Gong in China.

- On August 26, 2008, the Pervomaysky Regional Court, acting on a proposal put forward by the public prosecutor of the city of Krasnodar, declared several printed materials relating to Falun Gong to be “extremist literature.”
- These texts included *Zhuan Falun*, by Li Hongzhi (a collection of spiritual teachings written by the founder of Falun Gong); the *Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China*, by David Matas and David Kilgour; and the information leaflets “Falun Dafa Around the World” and “Global Human Rights Torch Relay.”
- In reaching this decision, the Court heard from no Russian followers of Falun Gong. In fact, Russian Falun Gong practitioners only became aware of the decision when the materials were included in a list of “extremist” material posted on the website of the Ministry of Justice of the Russian Federation at the end of December 2008.
- On April 28, 2009, after an appeal brought by the Moscow, St. Petersburg, and Krasnodar Falun Dafa Centers, and Falun Gong practitioners Sinitsyn M. V. and Alehina S.N., the Krasnodar Regional Judicial Board on Civil Cases cancelled the decision of the district court, and returned the case to Pervomaysky Court for a new investigation into the banned materials.
- On October 27, 2011, however, after hearing a report commissioned by the Court on the contents of the disputed material, the Pervomaysky Regional Court again pronounced Falun Gong religious materials extreme, and therefore reinstated the prohibition on their distribution.
- The decision of October 27, 2011, suffered from a number of procedural irregularities, all of which constitute denials of the human rights of Russian Falun Gong practitioners:
 - In reconsidering the “extremist” nature of the publications at issue, the Regional Court granted all requests of the public prosecutor regarding evidence of the “extremism” of the texts, including the appointment of a panel of experts to investigate the alleged “extremism” of the texts, and the prosecutor’s requests with respect to the particular questions which would be asked of those experts. Furthermore, the Regional Court took written evidence presented by the prosecutor as a basis for its decision, and denied the requests of Falun Gong practitioners, as interested persons,

to present evidence.

- Evidence contrary to the Court's conclusion was systematically ignored, including expert opinions concluding that there were no "extreme" statements in the texts under consideration.
- Finally, one of the parties that filed the appeal was not given any notice of the time and place of the court hearing on October 27, 2011.
- The classification of Falun Gong material as "extremist" has already had real effects on the liberty of Falun Gong practitioners in Russia. For example, on April 30, 2011, in Nizhny Novgorod on Svoboda Square, ten adherents of Falun Gong held a public activity, during which their bags were searched by three policemen. In the course of this search, the policemen discovered *Zhuan Falun* in one of their bags. Because the book is officially on the list of "extreme" publications, the organizer of the activity, Karpova Yulia Vyacheslavovna, was taken into custody and interrogated.

Beyond the classification of literature integral to the practice of Falun Gong as "extreme," Russian authorities have restricted the religious liberty of Falun Gong practitioners in a number of other ways. These restrictions include the systematic denial of the right to freedom of assembly, and repeated interference with Falun Gong cultural events.

- In May 2011 in the city of Kotlas, in the Arkhangelsk region, a group of Falun Gong adherents were trying to hold a public activity to distribute information about the practice of Falun Gong. They were refused permission to hold this demonstration by local authorities. The refusal quoted part 2 of Article 8 of the Treaty of Friendship & Cooperation between the Russian Federation and the People's Republic of China, signed on July 16, 2001, as grounds for the decision.
- On July 20, 2011 around 30 people were planning to hold a protest in front of the Chinese Embassy in Moscow to inform the public about the persecution of the spiritual practice Falun Gong in China. The district authorities refused to give permission for the event and again quoted part 2 of Article 8 of the Treaty of Friendship & Cooperation between the Russian Federation and the People's Republic of China, signed on July 16, 2001, as grounds for the decision.
- Finally, in 2011, Falun Gong adherents organized an art opening entitled *Truth, Compassion, Forbearance* in the city of Abakan, in the Khakassiya region, from October 2–8. On October 5, 2011, electricity was suddenly turned off in the space holding the exhibition. On October 6, 2011, the local administration demanded that the paintings be removed. The organizers of the exhibition later found out that the order to close down the art exhibition came from higher authorities, supposedly from the regional Ministry of Culture. Similar incidents regarding exhibitions organized by Falun Gong practitioners occurred in 2008 and 2011.

For more information on restrictions of religious liberty in China, please see *Trumpet to Conscience: A Call to End China's Suppression of Spiritual Belief*, available at http://www.hrlf.net/book_v11.pdf.