

17 June 2025

RUSSIA: Foreigners face summary expulsion for illegal "missionary activity"

By Victoria Arnold, Forum 18 (<https://www.forum18.org>)

On 5 February, amendments to the Administrative Code entered force allowing police - without having to go to court - to fine and expel from Russia foreign citizens who conduct "illegal missionary activity". Forum 18 has so far found one such case. Among earlier cases, in October 2024, 85-year-old Catholic priest W?adys?aw Kloc lost his appeal against a fine and expulsion for leading worship in his parish. Most known prosecutions of foreign citizens involve Muslims who appear to be Central Asian migrant workers.

While individuals and religious organisations are regularly brought to court on administrative charges of unlawful "missionary activity", the impact on foreign citizens can be severe. Not only are they subject to higher fines than local citizens, they also risk expulsion from Russia. Such expulsions became easier in February, when amendments to the Administrative Code empowered police to conduct summary expulsions without the need for a court decision.

"The chances of protecting your rights are significantly reduced," lawyer Sergey Chugunov commented on the February amendments. "The citizen will need to appeal against the decision in court themselves, asking for it to be suspended. But by that time, the probability is high that such a citizen will already have been forced to leave the Russian Federation" (see below).

Out of 35 known prosecutions under Administrative Code Article 5.26, Part 5 ("Foreigners conducting missionary activity") in 2024 and the first four months of 2025, most involve Muslims who appear to be migrant workers from Central Asian countries. They are mostly prosecuted for praying in their workplaces (despite often having their employers' support) or in hostel accommodation (see below).

Of the 35 known prosecutions, 32 resulted in guilty verdicts, 18 of which are known to have included administrative expulsion from Russia (some punishments are unknown). This appears to represent an increase on previous years (see below).

Moscow police fined Muslim university student Samir Sharipov on 31 March for leading namaz prayers at his college. Police deemed this to be leading a religious meeting without "the appropriate authority to carry out missionary activities" as a foreign citizen. Police ordered that he be expelled from Russia, and sent him to an immigration detention centre. A Moscow court rejected his appeal on 8 April. He then lodged a further appeal (see below).

In September 2024, a Sochi court fined 85-year-old W?adys?aw Kloc, a Roman Catholic priest of the Salesian Order, and ordered that he be expelled from Russia. According to the court decision, police charged him with carrying out unspecified missionary activity "without a permit document" on the church's own premises. The judge ruled that he should be held in an immigration detention centre until departure. Fr Kloc appealed unsuccessfully. A Polish citizen, Fr Kloc had served in Russia for nearly three decades (see below).

Some foreign citizens prosecuted under Article 5.26, Part 5 are spared expulsion. In August 2024, a court in Tula Region fined Kyrgyz citizen Okhunzhon Isabayev for leading Muslim prayers "without documents on state registration" in a prayer room his company had provided at the request of Muslim employees. The judge noted his employer's positive character reference, his legal migration status, and his lack of previous offences in deciding not to expel him from Russia (see below).

In none of these cases did Police, Prosecutor's Offices or the Courts answer Forum 18's questions about these cases (see below).

"Missionary activity" punishments

On 6 July 2016, President Vladimir Putin signed amendments to the Religion Law imposing tight restrictions on the sharing of beliefs (https://www.forum18.org/archive.php?article_id=2983), including on where and by whom they may be shared. The amendments effectively ban broadly defined "missionary activity" by anyone without written permission from an officially recognised religious association, and apparently any activity performed by religious organisations not using their full legal names.

The amendments also prohibit "missionary activity" on residential premises, or by anyone who is a former member of an "extremist" religious organisation. They allow wide scope for arbitrary official actions.

Russian citizens found guilty of "unlawful missionary activity" are prosecuted under Administrative Code Article 5.26, Part 4, and can receive fines of 5,000 to 50,000 Roubles. Registered organisations (also prosecuted under Part 4) can be fined up to 100,000 Roubles. Prosecution under Article 5.26, Part 4 may have further consequences for religious communities (https://www.forum18.org/archive.php?article_id=2983).

Foreign citizens found guilty of "unlawful missionary activity" are prosecuted under Administrative Code Article 5.26, Part 5, and can receive fines of 30,000 to 50,000 Roubles. They may also be expelled from the country.

Administrative expulsion (administrativnoye vydvoreniye) is technically different from deportation (deportatsiya), as it is punishment for an administrative offence imposed by a court ruling. Deportatsiya is decided on by the migration authorities or the FSB's border service. The two concepts also differ procedurally.

A fine of 50,000 Roubles represented two and a half weeks' average wages in 2024 for those in work or just over 10 weeks' average state retirement pension.

Forum 18's review of available court records (https://www.forum18.org/archive.php?article_id=2983) found 90 prosecutions in the calendar year 2024 (64 under Article 5.26, Part 4, 26 under Article 5.26, Part 5). It found 34 in January to April 2025 (26 under Part 4, 9 under Part 5). Few individuals appeal and, if they do, rarely have their punishments overturned.

The recent Administrative Code amendments, which mean that most Part 5 cases are now handled only by police, not by courts, has also made the prosecution of foreigners hard to track since February 2025 (see below).

For a list of the 90 known prosecutions in the 2024 calendar year and 34 known prosecutions in the first four months of 2025, see forthcoming F18News article.

(Russia is also imposing these punishments (https://www.forum18.org/archive.php?article_id=2963) in parts of Ukraine it has illegally occupied.)

The proportion of cases involving Muslims remains high (https://www.forum18.org/archive.php?article_id=2983), 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 prayers on premises which are not officially designated places of worship – such as workplaces, workers' hostels, or unregistered prayer houses.

Muslims appear to be particularly vulnerable to the continued tendency of police and prosecutors to discern a "missionary" element (https://www.forum18.org/archive.php?article_id=2983) even in ordinary gatherings for worship involving only fellow believers. An increasing number of raids on workplaces, hostels, and cultural centres by police looking for illegal immigrants, particularly in Moscow, have also led to a high number of Article 5.26, Part 5 prosecutions of Muslim migrant workers (23 known cases out of 34 such cases found).

Expulsion from Russia – now extrajudicial?

On 5 February 2025, amendments to several Articles of the Administrative Code, signed into law on 8 August 2024, came into legal force – notably, changes to Article 23.1 (on judges), Article 23.3 (on police), and Article 3.10 (on administrative expulsion of foreign citizens and stateless persons).

These amendments remove Article 5.26, Part 5 ("Foreigners conducting missionary activity") from the list of offences automatically considered by a judge and transfer them largely to the jurisdiction of the police and other Interior Ministry bodies, while adding the police to the list of authorities able to impose administrative expulsion as punishment for administrative offences (previously, only a judge could issue such an order).

If a Part 5 case is initiated by "a body authorised to exercise functions in the sphere of control (supervision) over the activities of non-profit organisations", i.e. a branch of the Justice Ministry (vanishingly rare in Part 5 cases), it is still sent to court and considered by a judge.

If the police decide to have an individual expelled from Russia, there will be no public court record of the case unless the person manages to lodge an appeal.

"The chances of protecting your rights are significantly reduced," lawyer Sergey Chugunov commented on his Telegram channel (<http://t.me/chugunovsv/369>) on 5 February. "The citizen will need to appeal against the decision in court themselves, asking for it

to be suspended. But by that time, the probability is high that such a citizen will already have been forced to leave the Russian Federation. In the event that the offence is discovered by the Justice Ministry, the chances are not that high, but at least there will be an opportunity to try to defend your rights personally in court."

Police fine, order expulsion of university student for leading prayers

Forum 18 has so far found only one case of the police extra-judicially punishing a foreign citizen under Article 5.26, Part 5 since the amendments entered into force on 5 February 2025.

Moscow police found Muslim university student Samir Sharipov guilty under Part 5 for leading namaz prayers at his college. Police deemed the prayers "a meeting of citizens in a public place, uncoordinated with local government bodies", without "the appropriate authority to carry out missionary activities" as a foreign citizen. Police fined him an unknown amount on 31 March 2025, ordered that he be expelled from Russia, and sent him to an immigration detention centre.

On 8 April 2025, according to court records, Sharipov appealed unsuccessfully at Moscow's Kuzminsky District Court against the fine and expulsion order. His country of citizenship is redacted in the appeal court decision. Sharipov lodged a further appeal on 21 April, but the outcome of this is unknown.

Muslim migrant workers main victims

Out of 35 prosecutions under Administrative Code Article 5.26, Part 5 ("Foreigners conducting missionary activity") in 2024 and the first four months of 2025, 32 resulted in guilty verdicts, 18 of which are known to have included administrative expulsion from Russia (some punishments are unknown). This appears to represent an increase on previous years.

Forum 18 found Part 5 cases involving citizens of the following countries: Tajikistan – 7; Uzbekistan – 7; Poland – 2; Kyrgyzstan – 1; Armenia – 1; Ireland – 1. In 16 court rulings, defendants' citizenship was redacted, but the majority of these also appear to come from Central Asia.

Most Part 5 cases involve Muslims who appear to be migrant workers from Central Asian countries. They are mostly prosecuted for praying in their workplaces (despite often having their employers' support) or in hostel accommodation.

In summer 2024, Police in Leningrad Region charged Tajik citizen Umarali Kodirov with leading namaz in a construction workers' canteen "without documents issued by the governing body of the relevant religious association confirming the authority to carry out missionary activities on its behalf". Police interpreted this as "missionary activity in a place not intended for religious rites and ceremonies".

On 15 September 2024, Kingisepp City Court handed Kodirov a 30,000 Rouble fine, plus forcible administrative expulsion, according to the court decision seen by Forum 18. He did not appeal, and was ordered to be held in an immigration detention centre until his departure.

Forum 18 wrote to Leningrad Region police and Kingisepp City Court, asking why Kodirov had been prosecuted for simply leading worship for fellow believers, given that this does not constitute the "defining feature" of missionary activity as set out by the Constitutional Court (https://www.forum18.org/archive.php?article_id=2983) in a determination of 13 March 2018, and why it was deemed necessary to detain and expel him. Deputy Chair of the Court Natalya Shturmanova responded on 9 June, reiterating the basic details of the case but failing to answer Forum 18's questions. Forum 18 had received no response from the police by the end of the working day of 17 June.

Some foreign citizens prosecuted under Article 5.26, Part 5 are spared expulsion. On 1 August 2024, Aleksin Inter-District Court (Tula Region) fined Kyrgyz citizen Okhunzhon Isabayev 35,000 Roubles for leading Muslim prayers "without documents on state registration", in a prayer room he had equipped with carpets, a clock, and religious literature. His company had provided the prayer room in an administrative building at the request of Muslim employees. The judge noted Isabayev's employer's positive character reference, his legal migration status, and his lack of previous offences in deciding not to expel him from Russia, according to the court decision seen by Forum 18.

Forum 18 wrote to Tula Region Prosecutor's Office and Tula Region's Unified Court Press Service on 6 June, asking why Isabayev had been prosecuted for simply leading prayers, when this does not have the defining feature of missionary activity as set out by the Constitutional Court in March 2018.

Olga Dyachuk, head of the Unified Court Press Service, responded on 11 June, directing Forum 18 to the written verdict on the court website. Forum 18 had received no response from the Prosecutor's Office by the end of the working day of 17 June.

85-year-old Catholic priest ordered expelled

On 25 September 2024, Sochi's Central District Court (Krasnodar Region) fined 85-year-old W?adys?aw Kloc, a Roman Catholic priest of the Salesian Order, 30,000 Roubles, and ordered that he be expelled from Russia. He had served in Russia for nearly three decades. The judge ruled that he should be held in an immigration detention centre until departure. Fr Kloc appealed unsuccessfully on 1 October 2024 at Krasnodar Regional Court.

A Polish citizen, Fr Kloc served at the Parish of the Holy Apostles Thaddeus and Simon in the Black Sea coastal city of Sochi. According to the court decision, police charged him with carrying out unspecified missionary activity "without a permit document" on the church's own premises. Fr Kloc stated in court that he had lost the document "confirming his right to preach in the city of Sochi", independent news website Caucasus Knot reported on 8 November 2024 (<https://www.kavkazuzel.com/articles/405376>).

Despite the fact that the case file contained a copy of the decree appointing Fr Kloc to the position of assistant priest in the Sochi parish, the judge concluded that the submitted documents "do not indicate that [Kloc] could carry out his activities in the city of Sochi, since they were issued by the regional branch [of the Catholic Church, ie. the Diocese]".

Forum 18 wrote to Central District Court in Sochi and the Information Centre at Krasnodar Region's Interior Ministry, asking why Fr Kloc had been prosecuted for conducting "missionary activity" on church premises and as a member of the clergy, both of which are permitted under the Religion Law, and why it was considered necessary to detain and expel him, especially given his age. Forum 18 had received no response from the police by the end of the working day of 17 June.

On 20 November 2024, another Sochi priest ordered expelled from Russia, Fr Mayis Melikyan of the Armenian Catholic Church, an Armenian citizen, managed to have his expulsion order overturned on appeal. (END)

More reports on freedom of thought, conscience and belief in Russia (<https://www.forum18.org/archive.php?country=10>)

For background information see Forum 18's Russia religious freedom survey (https://www.forum18.org/archive.php?article_id=2897)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY