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34 Jehovah's Witness publications and one congregation banned

By Geraldine Fagan and Felix Corley

Forum 18 (08.12.2009) / HRWF (13.12.2009) - Website: www.hrwf.net - Email: info@hrwf.net - The decision today (8 December) by Russia's Supreme Court in Moscow rejecting a Jehovah's Witness appeal opens the way for distribution of all their literature in Russia to be banned in future, Forum 18 News Service notes. The Court upheld the September decision of the Rostov-on-Don Regional Court finding 34 named Jehovah's Witness publications "extremist", ensuring that they will be banned nationwide, and that the Jehovah's Witness congregation in the town of Taganrog is extremist and is liquidated.

The secretary for the Civil Cases Division at the Supreme Court, who would not give her name, told Forum 18 from Moscow just minutes after the decision had been handed down that the Supreme Court found the Regional Court decision to be "legally grounded" and left the Jehovah's Witness suit without satisfaction. "The Jehovah's Witnesses are extremist," she explained.

Asked in what way the Jehovah's Witnesses can be considered extremist, the secretary responded: "People's spiritual views and outlook here are different. The Jehovah's Witnesses here are not like they are in other countries. They propound extremist views." Asked if the Jehovah's Witnesses in Russia have killed anyone, for example, she told Forum 18: "To a certain extent, yes."

Grigory Martynov of the Jehovah's Witnesses expressed disappointment at the decision. "The decision was taken very quickly and they gave no explanation as to why they upheld the Rostov decision," he told Forum 18 in the wake of the hearing. He said they will have to wait until they receive the decision in writing - expected within ten days - before they see the Court's reasoning. He said that as the Jehovah's Witnesses cannot appeal any further within Russia, they will now consider whether to take their case to the European Court of Human Rights (ECHR) in Strasbourg.

In March 2004 the Moscow Jehovah's Witness community was liquidated by a local court. Jehovah's Witnesses at that time added information about this case to one they had already lodged with the ECHR about harassment of the community (Jehovah's Witnesses of Moscow and Others v. Russia, Application 302/2). However, the ECHR has not yet ruled on whether the case is admissible, or when a judgment may be made.

Implications of the ruling

Forum 18 notes that distribution of the 34 named Jehovah's Witness texts is now banned. Under the 2002 Extremism Law, even a local court may rule literature extremist (Article 13). If not successfully challenged, such rulings oblige the Justice Ministry to add relevant titles to the Federal List of Extremist Materials, at which point they are banned throughout Russia. Anyone possessing banned literature can be punished. This could make it difficult for Jehovah's Witnesses to distribute any of their literature, as police officers will be unlikely to know if publications are banned or not and might confiscate them as a preemptive move.

The Taganrog congregation, who have been continuing to use their property even though it was placed under state arrest in the wake of the Regional Court decision, should now see this property confiscated. Any further meetings by the community will be illegal.

But perhaps the most significant impact will be on the many other cases brought by prosecutors against other local Jehovah's Witness congregations and publications elsewhere in Russia (see below). Local courts are likely to look to the Supreme Court decision for guidance. Prosecutors are likely to be encouraged by the decision to bring yet more similar cases.

The earlier Rostov decision

Rostov-on-Don Regional Court in southern Russia ruled 34 Jehovah's Witness texts extremist on 11 September. It also declared the Jehovah's Witness community in the local town of Taganrog an extremist organisation and ordered its liquidation. The organisation's property - including land, office and residential premises - was placed under state arrest pending the Supreme Court appeal, but the community has so far been able to use these facilities without obstruction.

The items considered extremist by the Rostov court are all published in the United States and Germany. The court's 56-page ruling, seen by Forum 18, gives three categories of alleged extremism located by expert analysts in the texts: 1) "incitement of religious hatred (undermining respect and hostility towards other religions)"; 2) "refusing blood" and 3) "refusing civil responsibilities". Half the titles condemned by the Rostov court feature examples only of the first category. Thus, in an October 1998 issue of "Watchtower", one analyst found "information capable of undermining the reader's respect for the Christian (other than JW) religion, the assertion of popular disillusionment in religion in the context of processes taking place within the Anglican Church".

Overall, the verdict characterises the literature as containing "a negative evaluation of other confessions, propaganda and superiority of the Jehovah's Witness religion (..) of exclusivity of one religion over another". The court thus confused a justifiable definition of extremism in the 2002 Law - "propaganda of exclusivity, superiority or inferiority of citizens according to their attitude towards religion or religious affiliation" (Article 1) - with propaganda of the superiority of the religion itself: a fundamental tenet of freedom of religion or belief. The same confusion is made in every attempt to ban allegedly religious extremist literature in Russia with which Forum 18 is familiar.

In ordering the liquidation of Taganrog's Jehovah's Witness organisation, the court also maintained that it encourages people whose life or health are at risk to refuse medical assistance for religious reasons (declining blood transfusions) and to refuse civil obligations prescribed by law (citing a Jehovah's Witness who rejected both military and alternative service). The court also claimed to have identified instances of minors enticed into the organisation's activity and families broken up due to religious differences related to Jehovah's Witness activity. These charges are among grounds for seeking the liquidation of a religious organisation under Article 14 of the 1997 Religion Law and led to the 2004 ban on the Jehovah's Witnesses' Moscow organisation.

Rostov-on-Don Regional Public Prosecutor's Office ordered its sub-offices to investigate all local Jehovah's Witness communities and consider filing applications for their liquidation in September 2007.

Altai Supreme Court case

Three time zones east, the Supreme Court of Altai Republic will hear a similar appeal on 23 December. The city court in Gorno-Altai, the republic's capital, also ruled 18 Jehovah's Witness publications extremist on 1 October 2009. Only a few of the titles coincide with those in the Rostov ruling, and the Altai court did not examine Jehovah's Witness religious practice.

Among the seven local cases currently seeking to ban Jehovah's Witness literature as extremist, those in Rostov-on-Don and Gorno-Altai have progressed furthest. The

deportations of four North American lawyers since March have damaged their already pressed defence in the trials.

While not involving extremism charges, the Jehovah's Witnesses have won two appeals to the Supreme Court in recent months, against the authorities in Kaliningrad and Samara Regions.

In the wake of the Rostov ruling, customs officers at Vyborg near the Russian-Finnish border refused to admit a consignment of Jehovah's Witness literature bound for the organisation's St Petersburg headquarters. They claimed it "may contain features aimed at inciting religious hatred" and was banned under Russian law, according to their 19 and 26 October customs documents seen by Forum 18.

The Jehovah's Witnesses believe a total ban is the aim of a harassment campaign by the law enforcement agencies. In February, an unprecedented nationwide sweep on Jehovah's Witness communities - resulting in at least 500 check-ups - was ordered by the General Public Prosecutor's Office. The General Public Prosecutor's Office has insisted to Forum 18 that the check-ups were lawful and uncovered legal violations.

The 454 titles on the Federal List of Extremist Materials as of 26 November typically suggest extreme nationalist or anti-Semitic content. Most entries relating to religious material - the inclusion of which is also disputed - are Islamic.

Russian customs office finally releases bulk of literature shipment

JW Public Affairs Office (18.11.2009) / HRWF (01.12.2009) - Website: www.hrwf.net - Email: info@hrwf.net - Most of the contents of a shipment of literature addressed to the Administrative Center of Jehovah's Witnesses in Russia was released by the Vyborg Customs officials after being detained for two months.

Earlier, on October 6, the Vyborg Customs officials held up a shipment of literature intended for Jehovah's Witnesses because "it may contain material intended to incite religious discord." Then on October 22, Customs officials issued a decision to have all the literature in the shipment subjected to an expert study. On October 26, without awaiting the results of the study, Customs issued a letter to the Administrative Center of Jehovah's Witnesses in Russia stating that "release of the goods is forbidden" and that "action must be taken to ensure that the goods are removed" from the country within 72 hours, with no further explanation given. The shipment was not yet transported out of the country because of an appeal to the St. Petersburg Court of Arbitration.

In a letter dated October 29, the Vyborg Customs stated the following: ". . . In agreement with the decision of the Rostov District Court from September 11, 2009, customs processing of the goods declared in the freight declaration is deemed impossible since the printed item "Come Be My Follower" has been declared extremist material." In response, Jehovah's Witnesses supplied proof that the Rostov court decision could not yet be enforced since it has been appealed to the Supreme Court of the Russian Federation. The Customs sent their own inquiry to the Rostov District Court to confirm that fact. On November 11, after more than a month, all of the literature with the exception of one title was released to the Administrative Center of Jehovah's Witnesses in Russia.

Several shipments of Bibles and other publications intended for Jehovah's Witnesses have since been imported into Russia and processed by the St. Petersburg Customs without hindrance. Meanwhile, a significant case related to the literature itself will soon be heard by the Russian Supreme Court.

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Russian Supreme Court to hear controversial case examining internationally recognized publications

JW Public Affairs Office (18.11.2009) / HRWF (01.12.2009) - Website: www.hrwf.net - Email: info@hrwf.net - The Supreme Court of the Russian Federation will hear the appeal of Jehovah's Witnesses from the city of Taganrog regarding the decision of the local and appellate courts to liquidate their congregation and to put 34 pieces of their religious publications on a national list of "extremist literature." The publications at the heart of this controversy are distributed in over [500 languages](#) worldwide. Lower courts in Russia have already ruled that the literature is extremist under Russian law. The Supreme Court will hear the appeal on December 8, 2009.

Taganrog is in the Rostov Region, near the Ukraine border with Russia. Two months ago, on September 11, 2009, the Rostov Regional Court issued its decision to liquidate the local congregation of Jehovah's Witnesses in Taganrog and declare 34 publications of Jehovah's Witnesses as extremist. Although the decision is under appeal and thus is not yet enforceable, various government agencies are already conducting raids and searches of religious buildings and private homes. Literature has been seized, religious services have been interrupted, and [shipments of literature](#) from abroad have been held at the border. Unwarranted detainments and questionings of believers have increased in frequency.

The Supreme Court's decision, if adverse, could set a precedent not only for Jehovah's Witnesses, but for believers of all confessions. It would be the first time internationally recognized Christian literature was censored in Russia. On the other hand, if the Supreme Court rules in favor of the local congregation it would continue its recent pattern of ruling in favor of Jehovah's Witnesses, as it has done twice recently, and in favor of religious pluralism.

Regarding this upcoming session of the Russian Supreme Court, Vasiliy Kalin, the chairman of the governing committee of Jehovah's Witnesses in Russia, stated: "This decision of the Supreme Court may put an end to the unfounded accusations against the activity and literature of Jehovah's Witnesses. We hope that the Court will defend the constitutional right of Jehovah's Witnesses, and indeed all believers in Russia, to freedom of religion."

The hearing will take place on December 8, 2009, at 10:00 at 15 Povarskaya St., Moscow, in courtroom 5038.

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Eliminate 'God' from national anthem. The Russian Communists against Putin and patriarchate

Evgeny Vorotnikov

AsiaNews (25.11.2009) / HRWF (26.11.2009) - Website: www.hrwf.net - Email: info@hrwf.net - The Communist Party of the Russian Federation (Kprf) wants to delete the reference to God from the text of the national anthem. Boris Kashin, of the Chamber of Deputies of Moscow (the Duma), has submitted a bill to replace the phrase of the anthem that says "protected by God as our beloved homeland," with "protected by us as our beloved homeland".

For the Kprf deputy reference to God undermines national unity and disrupts the multi-ethnic society in Russia. Kashin complains that the anthem does not respect the various non-Christian religions recognized in the Federation and offends the feelings of atheists.

Already in 2005, Alexander Nikonov, president of the Atheist Society of Moscow, had stated that the offending sentence is inconsistent with the constitutional rights of citizens and had lodged a complaint with the Constitutional Court. Today, as then, no one believes that the anthem will be changed also because the Kashin proposal has not met the support of any political leader in Russia. However, the incident has reopened the controversy that emerges cyclically around the anthem and the summons of God.

The proposal of the Kprf exponent was stamped by Lyubov Sliska, vice-chairman of the Duma and United Russia party as a "rude initiative." "If the communists think that the word 'God' is in contradiction with the Constitution - said Sliska - that means they think they can put themselves in the place of God and this is a grave mistake."

Even the Moscow Patriarchate has intervened in the debate arising from the Kashin proposal. Father Vsevolod Chaplin, head of the Synod department for dialogue between the Church and Society, said that "the majority of our people have adopted this anthem and although some are still contrary there is no reason to remove the sentence that mentions God."

The history of the hymn is linked to the Russian Soviet period. The music was composed by Alexander Alexandrov, the text by Sergei Mijalkov. It was performed for the first time in 1944 to replace the International. The text contained praises to Stalin that were later cancelled in 1953 with the end of the cult of personality attributed to the "little father". With the death of the dictator, the anthem was played but without a text until the lyrics realised by Mijalkov in 1977. With the fall of the Soviet Union the country remained without an anthem until Vladimir Putin, in 2000, decided to retrieve the music accompanying it with new text in which Russia is celebrated as the "Holy motherland", "unique" and "protected by God."

The controversy emerges cyclically and finds space in public debate, especially because it highlights a very debated Putin era: the use of religion to cement national unity. The premier is accused of wanting to restore a new form of Tsarism where orthodoxy is reduced to the handmaiden of political power.

Boris Nemtsov, former Yeltsin vice-premier and now deputy leader of the coalition of democratic forces Solidarnost, described with harsh tones that line in his latest book "Disaster Putin. Freedom and democracy in Russia. " Nemtsov writes: "Communism had its own ideology, Putin has nothing, so he uses orthodoxy as an ideology." For the former Yeltsin man the Patriarchate of Moscow, especially under the leadership of Alexei II, has neither remained immune from liability. For Putin, the union of political action and religious tradition is the basis of a solid power in Russia today. Nemstov speaks of a "regime" that "is based on two pillars: orthodoxy and self-sufficiency." But he adds that, however strong, "it is a structure that is not destined to last."

Proposed missionary restrictions - a paper tiger?

Geraldine Fagan

Forum 18 (23.11.2009) / HRWF (26.11.2009) - Website: www.hrwf.net - Email: info@hrwf.net - Justice Ministry proposed amendments to the 1997 Religion Law and the Administrative Violations Code imposing draconian controls on religious activity have provoked protest from religious communities and have now been removed from the Ministry's website. Andrei Sebentsov, secretary of the government's Commission for Issues Concerning Religious Associations, told Forum 18 News Service that the parliamentary Religion Committee has refused to consider the proposals, leading the Ministry to approach the parliamentary Security Committee. He says the proposed draft is "so clearly against the demands of the Constitution that the presidential administration would hardly support it." Yet Muslims, Old Believers, Protestants and some Russian Orthodox remain concerned. The draft echoes proposals the Ministry made unsuccessfully in 2006, but Vitali Vlasenko of the Baptist Union believes the threat of their adoption is now greater, since "society is scared by religious extremism".

Legal proposals which would severely restrict religious activity currently sought by the Justice Ministry are so blatantly unconstitutional that they are highly unlikely to succeed, opponents have told Forum 18 News Service. Crucially, key federal officials also appear unenthusiastic. But a Baptist Union representative warns that the Ministry's efforts to restrict mission are ongoing - and increasingly in keeping with the general political climate.

"I'll move to a village and become a beekeeper if they go through!" Moscow-based religious lawyer Anatoli Pchelintsev remarked to Forum 18 on 16 November. Seeing the proposals as "out of all proportion", however, he doubted they would reach even preliminary discussion stage in the Duma, or parliament, although he was unaware of their current status: "No one knows what's happening - there's some kind of under-the-carpet fight going on."

The proposals were published on the Justice Ministry's website on 12 October, but have since been removed. In questions faxed to the Ministry on 17 November, Forum 18 asked why the text is no longer on its website, what its current status is and who prepared it. There was no response by the end of the working day on 23 November.

The head of the Ministry's Department for Non-commercial Organisations, Sergei Milushkin had presumed the proposals would reach parliament by December 2009, Interfax reported on 12 March. Roman Silantsev, a vice-chair of the Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis, has told Izvestiya newspaper he sees nothing wrong

in authorising missionaries. There are "so many swindlers collecting money in cassocks", he commented on 13 October, that "anyone wearing a 'uniform' should have a document."

Will proposals reach parliament?

Andrei Sebentsov, now secretary of the government's Commission for Issues Concerning Religious Associations, told Forum 18 on 23 November that the proposals had gone no further than the Justice Ministry, and that procedurally they would have to pass his Commission before reaching the Duma. There, the first stage would ordinarily be discussion by the Duma's Religion Committee, which would decide whether the draft should proceed to the Duma itself.

According to Sebentsov, however, the Religion Committee has already refused to consider the proposals, leading the Ministry to approach the Duma's Security Committee, "who weren't opposed in principle, but they have a discipline." Since the proposals focus on religious activity, he explained to Forum 18, the Security Committee would not wish to meddle in the affairs of another Committee.

Publicly, Sergei Popov, who chairs the Religion Committee, has broadly supported the Ministry's initiative. While subject to revision, "there is no need to be alarmed by these amendments in general," he reportedly told Protestant clergy at a meeting he hosted in the Duma on 20 October, the Moscow-based Slavic Centre for Law and Justice reported.

The telephone of Religion Committee consultant Stepan Medvedko went unanswered on 20 and 23 November. The Security Committee provides detailed information on its website about draft legislation it is considering; the Justice Ministry's proposals do not feature as of 23 November.

Even if a group of Duma deputies were to back the draft, believes Sebentsov, "it's so clearly against the demands of the Constitution that the presidential administration would hardly support it." The Justice Ministry has not altered its basic approach from that of a failed 2006 draft, he pointed out. "If they are against harassing people and knocking on doors, then a draft law covering that in an economic and political - as well as religious - context is conceivable," he told Forum 18. "But why separate religion as something particularly dangerous and requiring special regulation? It's ridiculous! Dissemination of information is dissemination of information, and it's a right upheld by the Constitution."

Contrary to his public statement, Popov of the Religion Committee told Baptist Union representatives that such anti-constitutional proposals would pass "over his dead body", Union spokesperson Vitali Vlasenko told Forum 18 on 20 November. As no Protestant representative is close to it, however, he was uncertain how far they had got with the Security Committee. Vlasenko pointed out that while the Ministry's current proposals resemble its failed 2006 draft, the threat of their adoption is now greater, since "society is scared by religious extremism" and the Duma's majority "reflects the view of the authorities more than citizens".

Draconian proposals provoke protests

The proposals - which would amend the 1997 Religion Law and the Administrative Violations Code - are indeed draconian. Every religious community would have to make itself known to the state, including with a list of members. "Why does a justice organ need to know the names of grandmothers who gather to pray?" asked Irina Budkina on her Samara Old Belief website on 13 October. "What is the aim of this total control over the religious affiliation of

each Russian citizen?" A crucial difference from more repressive religion laws in Belarus and Central Asia, the 1997 Law currently obliges religious communities to notify the state of their existence only if they intend to register.

Overshadowing even this proposal, however, is the draft's extensive regulation of "missionary activity", a term new to federal law. It is defined as "activity by a religious association aimed at disseminating its doctrines among persons who are not members, participants or followers of the given religious association, with the aim of drawing the said persons into the religious association, and conducted directly, publicly, through mass media or other legal means by religious associations or persons authorised by them."

Anyone conducting such activity must carry authorisation issued by the religious association being promoted, unless it is taking place at specifically religious sites - such as churches or cemeteries - or on premises provided to the religious association for worship.

Missionary activity by people without such authorisation, and by foreign citizens without religious work visas, would be banned. It must not be accompanied by "material, social or other benefits" or "psychological pressure". To be subject to missionary activity, persons under 18 would require their parents' consent. In such cases, punishment fines would range up to 5,000 Roubles (969 Norwegian Kroner, 116 Euros or 174 US Dollars) for individuals and 12,000 Roubles (2,324 Norwegian Kroner, 278 Euros or 417 US Dollars) for legal personalities - liable for the missionaries they authorise.

Protestants were quick to condemn the proposals. To Baptist Union leader Yuri Sipko, they recalled Soviet norms. "The same old pitfalls: 'Regulate', 'Monitor', 'Grant permission', 'Bring a document saying you need a document saying they need a document'," he remarked in an interview published by the Slavic Centre on 25 September. Sipko also guessed how the regulations might operate in practice: "I start talking to citizen N. At a certain point, our chat about the meaning of life leads me to tell him about the essence of faith. (..) Of course I'll try and paint the Baptist Church in glowing colours (..) I reach for a booklet with our address, the times of our services. At which point an omnipresent representative of the competent organs appears. 'Citizen! Your documents! What organisation are you from? Where's your permission for missionary activity? Come along with me!'"

In its 1 November protest, Philadelphia Pentecostal Church - with over 900 full members, one of Udmurtia Republic's largest Protestant congregations - alerted President Dmitry Medvedev to the likelihood that officials would use the regulations to supplement the local budget by levying fines. "This is only one step away from legally enshrined 'civilised' repression (..) and persecution of dissidents," the Church suggested. "This already took place with Stalin's repressions, which you, Mr. President, have said should never be justified or repeated."

Co-chairman of the Council of Muftis, Mukaddas Bibarsov also criticised the Justice Ministry proposals, predicting "chaos, lawsuits and investigations", should they be adopted, in comments published by the Slavic Centre on 29 October.

Some Russian Orthodox commentators were similarly incensed, most notably leading missionary Deacon Andrei Kurayev. "It doesn't say in the draft, 'This does not affect Deacon Kurayev', so I believe they're gagging me too," he wrote on his internet blog on 12 October. Among Kurayev's concerns are the draft's apparent extension to all believers - "If a granny starts up a conversation with fellow train passengers about her ailments and St Matrona, is she supposed to be fined?" - and a religious organisation's right to mission being contingent

upon state registration – "our duty of mission was given to us by Christ, not the Justice Ministry".

Deacon Kurayev also voiced doubt over a proposed bar on persons convicted of extremism from participating in religious organisations. "Every parishioner is a member or participant in a religious organisation, after all," he stated in Gazeta newspaper on 12 October, "and we do not know who has been convicted or what for, nor can we close church doors to particular parishioners, especially as we preach in prisons."

Official Moscow Patriarchate representatives have praised the Ministry's initiative, however. Fr Vsevolod Chaplin of the Department for Church Relations with Society suggested that missionary activity should be conducted only in the name of specific organisations and found its definition in the draft "very correct", Interfax reported on 14 October. "Many people are inconvenienced by missionaries pestering them on the street [who] often hide their true confessional affiliation or sometimes mimic Orthodox," he claimed.

Patriarchate legal adviser Kseniya Chernega also favours regulation of missionary activity. This would prevent "non-traditional confessions and people without a connection to the Russian Orthodox Church" from conducting mission in its name and so "leading citizens astray", she told Russkaya Liniya Orthodox news service on 14 October. Chernega struggled to explain how law enforcers would differentiate between speaking about faith and trying to draw a person into a specific religious community, however. While initially claiming these were "quite different", she quickly noted that, "of course, it's very difficult to draw a distinction between speaking about faith and drawing into a religious association on the level of the law."

Both Fr Vsevolod and Chernega suggested the Ministry's draft still required discussion and refining.

Reworking of earlier proposals

The current proposals appear to be a reworking of a Justice Ministry draft made public in September 2006, and are thus an initiative preceding both this year's controversial revision of the Expert Council and Konovalov's 2008 appointment as Justice Minister.

Key differences in the current draft are: firstly, its narrower definition of mission as drawing non-followers into a specific religious association; and secondly, the absence of a requirement to inform the state authorities about plans to conduct mission in addition to internal authorisation from the relevant religious association. Whereas the current draft – which she broadly supports – otherwise corresponds to the 2006 proposals, Chernega described them at the time as "massively deficient"

St Joseph Church to be returned to the Roman Catholics of Dnepropetrovsk

Religious Panorama nr 7 (05.10.2009) / HRWF (27.10.2009) - Website: www.hrwf.net - Email: info@hrwf.net - For 17 years the Roman Catholic community of Dnepropetrovsk has been waiting for the return of the St. Joseph Church building and there is now some hope for them to get it back as the recent regional economic court decision obligates the American corporation "Duxbury Ink" to return the building due to "illegal ownership".

As early as in 1998 the building was sold to some Panamean company. Although this agreement was found illegal, the building was resold several times. Its last owner was some "conscientious buyer" from California, which leased it out to different organizations, even to the socialist party of Alexander Moroz. To avoid the restitution of the building to its legal owner, the church was unroofed despite the fact that some unique frescos on its walls were damaged as a result. Though the city authorities offered the Californian proprietor two land plots in the centre of Dnepropetrovsk as a compensation, he was implacable. He was not moved by the prayers of the Catholic community nor by the appeals of believers and priests.

As the agreement on selling the church was illegal right from the beginning, all its subsequent re-sales were illegal too. The parish plans to restore the age-old church at its own expense.

Jehovah's Witnesses to be banned?

By Geraldine Fagan,

Forum 18 - (23.10.2009) / HRWF (26.10.2009) - Website: www.hrwf.net - Email: info@hrwf.net - If an upcoming Supreme Court hearing confirms a lower court ruling that Jehovah's Witness literature is extremist, distribution throughout Russia will be banned and the religious organisation in effect crippled, Forum 18 News Service notes. Since preaching through literature is an integral part of the Jehovah's Witness faith, such a ban would also boost efforts to outlaw the organisation itself as extremist.

The Jehovah's Witnesses believe a total ban is the aim of a harassment campaign by the law enforcement agencies. In February, an unprecedented nationwide sweep on Jehovah's Witness communities - resulting in at least 500 check-ups - was ordered by the General Public Prosecutor's Office.

These check-ups were conducted without any legal violations, the assistant head of the Department for Supervising Observance of Citizens' Rights and Freedoms at the General Public Prosecutor's Office insisted in a 13 August written response to Forum 18's earlier enquiry. On the contrary, Olga Shamshina maintained, they uncovered violations of the Religion and Extremism Laws: refusing blood transfusions to people whose life or health are at risk, refusing military and alternative service, divorce due to one spouse being a Jehovah's Witness - and distribution of extremist literature.

Rostov-on-Don Regional Court in southern Russia ruled 34 Jehovah's Witness texts extremist on 11 September, the first court to do so. It also declared the Jehovah's Witness community in the local town of Taganrog an extremist organisation and ordered its liquidation. While the organisation's property - including land, office and residential premises - are under state arrest pending an appeal to the Supreme Court in Moscow, the community is still able to use these facilities without obstruction, Jehovah's Witness representative Grigory Martynov told Forum 18 from St Petersburg on 21 October. No date for the appeal has been set, but Martynov believes it will be heard in late November.

Under the 2002 Extremism Law, even a local court may rule literature extremist (Article 13). If not successfully challenged, such rulings oblige the Justice Ministry to add relevant titles to the Federal List of Extremist Materials, at which point they are banned throughout Russia.

Opposing Orthodoxy = extremist

The texts considered extremist by the Rostov court are all published in the United States and Germany. They include the books "What Does the Bible Really Teach?" and "My Book of Bible Stories" as well as issues of the tracts "Watchtower" and "Awake!". The court's 56-page ruling, seen by Forum 18, gives three categories of alleged extremism located by expert analysts in the texts: 1) "incitement of religious hatred (undermining respect and hostility towards other religions)"; 2) "refusing blood" and 3) "refusing civil responsibilities". Thus, from the book "Knowledge That Leads to Everlasting Life", "true Christians do not celebrate Christmas or other festivals based on false religious ideas" appears in the first category; "out of respect for the sacred nature of life God-fearing people refuse blood transfusions" in the second; and "true Christians avoid false forms of idolatry, such as revering flags and performing anthems" in the third.

Half the titles condemned by the Rostov court feature examples only of the first category. Thus, in an October 1998 issue of "Watchtower", one analyst found "information capable of undermining the reader's respect for the Christian (other than JW) religion, the assertion of popular disillusionment in religion in the context of processes taking place within the Anglican Church". In a February 2000 issue of "Awake!" a religious studies expert located "a negative attitude towards the Russian Orthodox Church", including a quotation from "Tolstoy, an opponent of Orthodoxy".

Overall, the verdict characterises the literature as containing "a negative evaluation of other confessions, propaganda and superiority of the Jehovah's Witness religion (..) of exclusivity of one religion over another". The court thus confused a justifiable definition of extremism in the 2002 Law – "propaganda of exclusivity, superiority or inferiority of citizens according to their attitude towards religion or religious affiliation" (Article 1) – with propaganda of the superiority of the religion itself: a fundamental tenet of freedom of religion or belief. The same confusion is made in every attempt to ban allegedly religious extremist literature in Russia with which Forum 18 is familiar.

In ordering the liquidation of Taganrog's Jehovah's Witness organisation, the court also maintained that it encourages people whose life or health are at risk to refuse medical assistance for religious reasons (declining blood transfusions) and to refuse civil obligations prescribed by law (citing a Jehovah's Witness who rejected both military and alternative service). The court also claimed to have identified instances of minors enticed into the organisation's activity and families broken up due to religious differences related to Jehovah's Witness activity. These charges are among grounds for seeking the liquidation of a religious organisation under Article 14 of the 1997 Religion Law and led to the 2004 ban on the Jehovah's Witnesses' Moscow organisation.

Rostov-on-Don Regional Public Prosecutor's Office ordered its sub-offices to investigate all local Jehovah's Witness communities and consider filing applications for their liquidation in September 2007.

Other legal cases against Jehovah's Witnesses

Three time zones east, Gorno-Altai's city court also ruled 18 Jehovah's Witness publications extremist on 1 October 2009. The decision is currently pending appeal at the Supreme Court of Altai Republic. No date has yet been set, and it is unclear whether the federal Supreme Court in Moscow would consider a further appeal should it fail, according to Jehovah's Witness representative Martynov. Only a few titles coincide with those in the Rostov ruling: the books "My Book of Bible Stories", "Mankind's Search for God" and

"Jehovah's Witnesses. Who Are They? What Do They Teach?" The Altai court did not examine Jehovah's Witness religious practice.

While not involving extremism charges, the Jehovah's Witnesses have won two appeals to the Supreme Court in recent months. On 22 September, the Court upheld a 14 July ruling by the regional court in the Russian exclave of Kaliningrad rejecting a regional justice department suit for the liquidation of Kaliningrad city's Jehovah's Witness organisation. The justice department alleged that the organisation had conducted two worship services in premises not provided for that purpose, but the lower court found that no special permission or agreement was required, the Jehovah's Witnesses reported on 23 September. In the second case, the Supreme Court on 18 August rejected a cassation appeal brought by Samara Regional Public Prosecutor's Office against the 29 May refusal by Samara Regional Court to liquidate the Jehovah's Witness organisation in Tolyatti. The lower court had found insufficient evidence that the Tolyatti Jehovah's Witnesses promoted conscientious objection or broke up families, as alleged by the Prosecutor's Office.

Among the seven local cases currently seeking to ban Jehovah's Witness literature as extremist, those in Rostov-on-Don and Gorno-Altaysk have progressed furthest. The deportations of four North American lawyers since March have damaged their already pressed defence in the trials.

The criminal case accusing Jehovah's Witnesses in Asbest (Sverdlovsk [Yekaterinburg] Region) of distributing allegedly extremist literature – the first to be opened – was formally closed on 6 July, according to an order seen by Forum 18 and signed by Vitaly Romsa, Senior Investigator for the Investigation of Especially Important Cases at the Investigation Department of the Investigation Committee attached to Sverdlovsk Regional Public Prosecutor's Office. However, the Regional Prosecutor's Office announced that this order was cancelled by the Department on 31 July and the investigation re-opened, local Jehovah's Witness lawyer Egiazar Chernikov confirmed to Forum 18 from Yekaterinburg on 21 October.

St Petersburg obstruction

Some state officials in the St Petersburg area are reportedly acting as if a ban were already in force.

On 5 October customs officers at Vyborg near the Russian-Finnish border – including from the Department Against Especially Dangerous Types of Contraband – detained a consignment of Jehovah's Witness literature bound for the organisation's St Petersburg headquarters, orally explaining on 19 October that "the literature may contain features aimed at inciting religious hatred," according to the Jehovah's Witnesses. To secure the literature's release, they must now present documentation showing it is not subject to import restrictions. The Jehovah's Witnesses also report that customs officers in Bryansk Region – which borders Ukraine – detained Kyrgyz-language Jehovah's Witness literature bound for Kyrgyzstan in late September, but released it after two weeks.

The North-West Customs Department press office insisted on faxed questions on 23 October, which Forum 18 submitted that day.

Claiming to be acting on information that "extremist activity" was taking place in a Kingdom Hall in the St Petersburg suburb of Strelna, Sergei Butenko, assistant public prosecutor of Petrodvorets District, prevented 68 participants from leaving a 30 September evening Bible study, according to the Jehovah's Witnesses. With other state representatives, Butenko reportedly took the full names, dates of birth, home and work addresses of those present

and forced some to state in writing when and why they attend Jehovah's Witness meetings and what they do there. Some were not permitted to leave for nearly five hours.

Assistant Public Prosecutor Butenko declined to comment to Forum 18 on 23 October, explaining that he never discusses his investigations by telephone; "I don't know who you are - you could be some kind of spy."

As in previous years, the Jehovah's Witnesses also report state disruption to their summer conventions, forced in some cases to be held in Kingdom Halls or on rented fields, "as the managers of most stadiums in Russia now refuse to rent to Jehovah's Witnesses for fear of reprisals from the FSB [security service] and city administrations."

Jehovah's Witnesses cite examples of attempted disruption: near Moscow, a tractor driven by someone unconnected to the owner of a rented field tried to plough up the field to stop a convention; in Nevinnomyssk (Stavropol Region), participants in a two-day convention from 18-19 July managed to outwit police attempts to block entry to their Kingdom Hall by arriving before 6am on the first day and at 11am on the next. While subsequent meetings went ahead without interference, a 17 July instruction issued by the municipal administration and seen by Forum 18 bans worship events by local Jehovah's Witnesses at the Kingdom Hall on 14 dates in July and August.

Islamic literature

The 432 titles on the Federal List of Extremist Materials as of 23 October typically suggest extreme nationalist or anti-Semitic content. Most theological entries - the inclusion of which is also disputed - are Islamic.

Chairing the 11 March meeting of the presidential Council for Co-operation with Religious Organisations, President Dmitry Medvedev supported the creation of a federal expert body in response to Council of Muftis chairman Ravil Gainutdin's complaints about what he sees as the unwarranted inclusion of Islamic literature on the List. Formed by a 31 July Justice Ministry order but announced only on 23 September, the Council for the Study of Informational Materials with Religious Content for the Identification Therein of Characteristics of Extremism appears to address Gainutdin's concerns, numbering Islamic scholars such as Farid Asadullin, Council of Muftis vice-chairman, and Vitaly Naumkin, director of the Oriental Studies Institute at the Russian Academy of Sciences, among its 23 members. However, the Ministry's Order 224 establishing the Council stipulates that its activity is not an alternative to the legally prescribed procedure for recognising signs of extremism in informational materials. Also, it may not examine material already ruled extremist if the relevant court judgment is in force.

In the wake of an outcry at its creation in early 2009, another Justice Ministry body with powers to assess religious literature is proceeding with caution. Chaired by prominent anti-cultist Aleksandr Dvorkin, the Expert Council for Conducting State Religious-Studies Expert Analysis has so far issued only one conclusion, confirming the authenticity of a registration application by adherents of the Yezidi faith (a uniquely Kurdish ancient faith).

Old Testament extreme?

Launched in July 2009, various Russian bloggers are promoting an "Old Testament Extreme" campaign, in which complaints about allegedly extremist content in the Old Testament have been submitted to public prosecutor's offices in 19 regions. While some participants express anti-Semitic sentiment, an anonymous statement by a co-ordinator explains that the

campaign's aim "isn't to ban the Bible, as the communists did (..) [but] to show the whole absurdity, nonsense and anti-constitutionality of the Extremism Law". Of the few state responses by late September, according to the co-ordinator, the head of the Urals Regional Centre for Court Analysis maintained that it did not have "specialists of a sufficient level" to analyse the Old Testament, while the Public Prosecutor of Tula city pronounced: "In answer to your statement about recognising the Old Testament of the Bible extremist literature, I inform you that the Bible is not such literature, so there are no grounds for analysis."

Russian evangelism under threat

Ministry of Justice anathematizing evangelists

by Mikhail Smilian

Postalcredu - (13.10.2009) / HRWF (20.10.2009) - Website: www.hrwf.net - Email: info@hrwf.net - The Ministry of Justice of the RF decided to complicate the procedure for registration of religious groups. For example, their founding members cannot include persons accused of extremism, and every evangelist must receive a series of permissions. Representatives of religious organizations are upset by this initiative: they say that every believer already is an evangelist, and "the apostles did not have documents."

The Ministry of Justice has proposed restricting evangelistic activity in Russia. A corresponding draft of amendments to the federal law "On freedom of conscience and religious organizations" and to the Code of Administrative Violations of Law was published on the ministry's site on Monday, 12 October.

The document proposes to change the procedure for registration of a religious group and for the first time gives a definition of evangelistic activity. Whereas hitherto Russians who confess one and the same religion could simply give notice about the creation of their group by simply submitting to organs of local administration, now, in the event the initiative of the Ministry of Justice is approved, they will have to make their submission to a territorial organ of state registration.

Strange verdict

In their declaration the believers will have to provide information about the date and place of the creation of a new society, the leader, and the founding members. A principal requirement of registration will be the absence from among the founders, members, and participants of the congregation of people who have been convicted by court decision of incitement of inter-ethnic and inter-religious strife or other crimes of an extremist nature.

"This is, at the least, a strange verdict. After all, a member and participant of a religious organization is any parishioner, and we, in the first place, do not know who of them has been convicted and of what, and, in the second place, we cannot close the doors of the church to some parishioners, especially since we preach in jails and prison colonies," Professor of the Moscow Ecclesiastical Academy Deacon Andrei Kuraev told "Gazeta.ru."

He thinks that if this amendment gets into the law "On freedom of conscience and religious organizations" the state will take upon itself the function of anathematizing, which is inappropriate to it, by deciding who has the right to be a member of a religious organization and who does not.

Preaching in crematoria permitted

The Ministry of Justice would like to impose similar demands on foreign missionaries. As of now, their activity generally is not regulated by any law, which is considered a natural sign of freedom of conscience. In the draft of amendments it is proposed to consider as evangelistic any "activity of a religious association intended for the dissemination of its confessional teaching among persons who are not members, participants, or adherents of the given religious association for the purposes of attracting said persons into the religious association." Sermons of priests within their own churches, at weddings, cemeteries, and in crematoria are not considered evangelism.

Only directors of a society have the right of propagating confessional teaching, according to the document, without any permissions. All other preachers must be given authorization "confirming their right to conduct evangelistic activity in the name of the religious organization." The document must contain reference to the permission of a general meeting of a religious group "granting corresponding authorization of said citizen by decision of a general meeting of the religious group, indicating its denomination, religious confession, and address of the premises."

According to point 3 of the amendment to article 18, "Evangelistic activity," foreign evangelists also will be required to have in their possession written authorization for preaching from the religious organization registered in Russia that invited them.

It is proposed to forbid both foreign and Russian preachers to spread their teaching in churches or monasteries belonging to another religious society, to offer material, social, and other benefits to potential believers, threatening the use of force, psychological pressure, and manipulation of consciousness. At the same time, the Ministry of Justice does not clarify what can be considered "manipulation of consciousness."

The apostles did not have documents

Kuraev thinks that until the term is given a legal definition, both in Russia and abroad, it is totally impossible to introduce it into law. After all, it could include, it would seem, the most ordinary statement, for example, about salvation of the soul after death.

In addition, the ministry suggested forbidding evangelists to preach in mental care facilities and hospitals, orphanages, and nursing homes for the elderly and disabled without the consent of their directors in city and village administrations.

Kuraev thinks that if such the suggestion from the Ministry of Justice is confirmed, then evangelistic activity will be severely restricted. "After all, now just about every believer is a preacher. The babushka in the train talking with a fellow-traveler about how she is fasting also could be considered an evangelist and preacher. But we cannot give to every parishioner authorization and confirm the absence of any criminal conviction. Indeed the apostles did not have on themselves any certificate or document," Kuraev says with amazement. At the same time the deacon recognizes that evangelism does need regulation, although not by laws but by some public norms that condemn, for example, extremist cults. But, Kuraev notes, this can be accomplished by counter-propaganda in the press.

Fine for unauthorized preaching

In the event of a violation of the law, evangelists can expect fines. Thus, for attracting minors into the activity of a church in defiance of their will and without consent of their parents, evangelists can be punished by 2 – 5 thousand rubles and the director of the organization, by 5 – 10 thousand rubles.

Preaching without authorization will cost the evangelist 2 to 5 thousand rubles, and his organization 5 to 7 thousand rubles. A fine of up to 10 thousand rubles can threaten the societies issuing such authorization to foreigners who had received a visa for Russia that is not for evangelistic activity. A fine of 7 to 10 thousand rubles is promised to those who begin preaching when they have hanging over their shoulders a judgment for extremism, even one that has been rescinded. Evangelistic activity in somebody else's churches, hospitals, and local government buildings can be punished by a fine of up to 15 thousand rubles.

In the currently effective Code of Administrative Violations of Law punishment is provided only for "obstructing the exercise of the right to freedom of conscience and freedom of religious confession," and "offense against the religious feelings of citizens or desecration of objects, signs, and emblems of worldview symbolism venerated by them." The maximum fine for a first offence is up to 800 rubles, and for a second offence, 1,000. Having become acquainted with the amendments to the code, Kuraev noted that a desire on the part of representatives of some confessions to distribute their brochures and books could be considered offensive, but it is in essence harmless: "I much more dislike vulgarity in public places, but for some reason the government is in no hurry to fine that."

Discussion of the initiative

The head of the State Duma Committee for Affairs of Public Associations and Religious Organizations, Sergei Popov, notes that it is necessary to give a definition to evangelistic activity, but whether it should be done in the way proposed by the Ministry of Justice is still a question. "This idea has been discussed in the State Douma for more than a year. But the Ministry of Justice's initiative is no more than a draft of amendments. In two weeks we will hold a round table in the lower house, where we will discuss with representatives of confessions the ministry's initiative. We need a draft law, first, for them and not for us or for bureaucrats. Therefore their opinion will become decisive," Popov assured Gazeta.

The deputy noted that what is beyond dispute is only the necessity of regulating evangelistic activity in principle. All other norms will still be under discussion. (tr. by PDS, posted 15 October 2009)

Draft amendments to the Law on Freedom of Conscience and Religious Organizations about evangelistic activities

Ministry of Justice - (12.10.2009) / HRWF (20.10.2009) - Website: www.hrwf.net - Email: info@hrwf.net -

Article 18.

Evangelistic activity

1. For the purposes of the present federal law evangelistic activity is recognized as activity of a religious association intended for the dissemination of its confessional teaching among persons who are not members, participants, or adherents of the given religious association, for the purposes of attracting said persons into the religious association, and conducted by

religious associations or persons immediately authorized by them, in public with the assistance of means of mass communication or other legal means.

Activity of a religious association within the confines of buildings and premises having religious purposes and grounds connected to them is not evangelistic, nor is activity in other places allotted to the religious association on a permanent basis for conducting worship services and other religious rituals and ceremonies, or places of pilgrimage, institutions and enterprises of religious organizations, or cemeteries and crematoria.

2. The right of a religious organization to conduct evangelistic activity takes effect on the day of its state registration.

The right of a religious group to conduct evangelistic activity takes effect on the day notice has been given of the creation of the religious group and commencement of its activity to the corresponding territorial organ of the federal agency of state registration.

3. The right to conduct evangelistic activity in the name of a religious organization is possessed by the director of the religious organization and (or) a member of its administrative body. Other citizens and legal entities have the right to conduct evangelistic activity in the name of a religious organization on the basis of authorization given by the respective religious organization or other written documentation, confirming the right to conduct evangelistic activity in the name of the religious organization.

Foreign citizens resident on the territory of the Russian federation in accordance with the procedures provided for by point 2 of article 20 of the present federal law, may conduct evangelistic activity in the name of the religious organization that invited them in accordance with legislation of the Russian federation.

A religious group is required to give to a citizen who is conducting evangelistic activity in its name corresponding authorization of said citizen by decision of a general meeting of the religious group, indicating its denomination, religious confession, and the address of the premises assigned for the activity of the religious group.

4. A religious association bears legal liability for violation of the legislation of the Russian federation on freedom of conscience and religious associations committed in the course of evangelistic activity by persons its has authorized.

5. Conduct of evangelistic activity is prohibited

1) to persons who do not possess the document provided for by point 3 of the current article;

2) to foreign citizens and persons without citizenship who are temporarily resident in the Russian federation, with the exception of cases provided for by the second paragraph of point 3 of the current article;

3) to persons who have been convicted by a sentence of a court for incitement of inter-ethnic and inter-religious strife or other crimes of an extremist nature.

4) on the premises of places of religious significance belonging to another religious association, without the written consent of its administrative body;

5) when accompanied by the offer of material, social, or other benefits for the purpose of attracting citizens into a religious association or by a threat of use of force, psychological pressure, manipulation of consciousness, that is, conducted in defiance of the will of persons toward whom it is directed;

6) in treatment or prophylactic and hospital institutions, orphanages, facilities for the elderly and disabled, without the consent of the administration of said institutions and persons resident in such institutions (their legal representatives, guardians, or trustees);

7) within the premises of administrative buildings of state agencies or organs of local administration and on the grounds associated with these buildings.

Draft amendments to the Code of Administrative Law about evangelistic activities

Article 2

Ministry of Justice - (12.10.2009) / HRWF (20.10.2009) - Website: www.hrwf.net - Email: info@hrwf.net - To introduce into the Code of the Russian federation regarding administrative violations of law the following changes:

1) To add articles 5.26.1 and 5.26.2 with the following text:

2) Article 5.26.1 "Attraction of minors into the activity of a religious association in defiance of their will and (or) without the consent of their parents or other legal representatives"

Attraction of minors into the activity of a religious association in defiance of their will and (or) without the consent of their parents or other legal representatives by means of inviting minors to participate in meetings of a religious association or not discouraging minors to participate in meetings of a religious association by means of conducting conversations with minors, presenting for their acquaintance printed, audio, and video materials, and offering minors material benefits for participation in the activity of a religious association—

incurs an administrative fine of citizens of from two to five thousand rubles and of legal entities of from five to ten thousand rubles.

Article 5.26.2 "Violation of the procedures established by law of conduct of evangelistic activity"

1. Conduct of evangelistic activity by persons who do not possess a document confirming their right to conduct evangelistic activity in the name of a religious association—

incurs an administrative fine of citizens of from two to five thousand rubles, and of legal entities, of from five to ten thousand rubles.

2. Giving to foreign citizens and persons without citizenship who are temporarily residing in the Russian federation, and who entered the Russian federation not for the purpose of religious activity, a document confirming the right to conduct evangelistic activity—

incurs an administrative fine of the legal entity that gave said persons a document confirming the right to conduct evangelistic activity in its name of from seven to ten thousand rubles.

3. Conduct of evangelistic activity by persons who have been convicted by sentence of a court of incitement of inter-ethnic and inter-religious strife or other crimes of an extremist nature—

incurs an administrative fine of citizens of from five to seven thousand rubles.

4. Evangelistic activity on the premises of places of religious significance belonging to another religious association, without the written consent of its administrative body--

incurs an administrative fine of citizens of from one to three thousand rubles, and of legal entities, of from three to eight thousand rubles.

5) Conduct of evangelistic activity accompanied by the offer of material, social, or other benefits for the purpose of attracting citizens into a religious association or by a threat of use of force, psychological pressure, manipulation of consciousness, that is, conducted in defiance of the will of persons toward whom it is directed—

incurs an administrative fine of citizens of from two to five thousand rubles, and of legal entities, of from eight to twelve thousand rubles.

6) Evangelistic activity within the premises of administrative buildings of state agencies or organs of local administration and on the grounds associated with these buildings—

incurs an administrative fine of citizens of from one to three thousand rubles, and of officials of from five to eight thousand rubles, and of legal entities of from ten to fifteen thousand rubles.

7. Evangelistic activity in treatment or prophylactic and hospital institutions, orphanages, facilities for the elderly and invalids, without the consent of the administration of said institutions and persons resident in such institutions (their legal representatives, guardians, or trustees)—

incurs an administrative fine for citizens of one to three thousand rubles, and for employees, of five to eight thousand rubles, and of legal entities, of ten to fifteen thousand rubles.

Article 3

1. The present federal law takes effect sixteen days after its official publication.

2. Religious groups which have given notice of their creation and the commencement of activity to organs of local administration before the present federal law takes effect will present within one year from the day of its taking effect to the territorial organ of the federal agency of state registration corresponding to the place of the religious group's creation a document confirming the submission of said notice, including information about the date and place of its creation, confessional doctrine, person who is authorized to represent the religious group, and citizens constituting the religious group, as well as, in the case of membership in a centralized religious organization, the denomination of that organization.

The territorial organ of the federal agency of state registration issues (sends) to the religious group within three days of the receipt of said documents a document confirming the notification of creation of the religious group and commencement of its activity, with an indication of the date of the notice previously submitted to the corresponding organ of local administration. (tr. by PDS, posted 15 October 2009)

Meeting for Bible instruction raided in St. Petersburg

Jehovah's Witnesses Office of Public Information - (08.10.2009) / HRWF (13.10.2009) - Website: www.hrwf.net - Email: info@hrwf.net - A religious meeting in a Kingdom Hall of Jehovah's Witnesses in the St. Petersburg suburb of Strelna had routinely concluded when officials entered the premises and prevented the 68 persons present from leaving the building. They were told they were being detained because their activities were classified as "extremist" and were thus illegal.

On September 30, 2009, at 8:45 p.m., Sergey Vladimirovich Butenko, assistant district prosecutor of the Petrodvorets District Prosecutor's Office of St. Petersburg, came into the yard of the Kingdom Hall, closed the gate and ordered those leaving to go back into the building. He attributed the disruption to information he possessed alleging that the activity in the hall was extremist in nature, and he referred to articles 6, 21.1, and 22 of the Law on the Prosecutor's Office as empowering him to take such action. Other officials soon arrived and participated in the raid.

All in attendance had to provide their names, dates of birth, and places of residence and of work. They also had to give written explanations of what they do at the religious meetings of Jehovah's Witnesses, why they attend, and how often they meet together. Some were also asked to specify how they receive their Bible literature.

When the officials wanted to know on what grounds the group is allowed to meet, the detained Witnesses said it was on the basis of the Federal Law on Freedom of Conscience and Religious Associations. Documentation was provided to the officials establishing the right to use that specific building as a meeting place.

Many of the members were released by 11:30 p.m.; others were held until 1:30 a.m. No warrant had been issued for the raid, and no written explanation for the detention was provided.

The bold actions of the prosecutor's office follow less than three weeks after a disturbing decision of the Rostov Regional Court. On September 11, 2009, that court ruled to grant the prosecutor's claim to liquidate the Taganrog congregation of Jehovah's Witnesses and pronounce a list of their literature "extremist." An appeal has been filed and is pending with the Supreme Court of the Russian Federation.

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Jehovah's Witnesses banned in Taganrog

HRWF (17.09.2009) -Website: <http://www.hrwf.net> - Email: info@hrwf.net - On 11 September 2009, the Rostov provincial court declared the congregation of Jehovah's Witnesses in Taganrog extremist and pronounced its liquidation. Their activities have been prohibited not only on the territory of Taganrog itself but also in the Neklinov and Matveevo-Kurgan regions of Rostov province.

The lawsuit against the city's congregation of Jehovah's Witnesses was filed on 11 June 2008 by the prosecutor of Rostov province. According to the judicial decision, the property of the organization must be taken over as Russian property. The literature and the informational materials they distribute will be included in the federal list of extremist materials and confiscated. Parts of specific issues of the "Awake" and "Watchtower" magazines, books, and pamphlets (34 enumerated sources) were labeled "extremist materials." At the same time all 34 sources, as appears from the cited list, were published without any problem in Germany and the USA.

In the opinion of an expert from the International Institute of Humanities and Political Research, Mikhail Zherebiatiev, which he expressed in an interview with a "Portal-credo.ru" correspondent, the decision of the Rostov court casts doubt on the partnership in the sphere of the struggle with religious radicalism and terrorism, which exists between Russia, the USA, and Germany. "Instead of struggling with real terrorism arising on a religious basis in Russia, they are trying to apply the extremist label to a religious organization that isn't hiding from anybody and is respectable according to the standards of law-based states." "This is how, most likely the decisions of the Rostov and other Russian courts against Jehovah's Witnesses will be assessed by Russia's partners in the antiterrorist coalition," the expert of the International Institute of Humanities and Political Research, Mikhail Zherebiatiev, said.

Jehovah's Witnesses will appeal the decision of the Rostov provincial court ruling.

"You have the law, we have orders"

By Geraldine Fagan

Forum 18 (02.10.2009) / HRWF (06.10.2009) - Website: www.hrwf.net - Email: info@hrwf.net - Two Baptist preachers in Kaliningrad – Russia's Baltic exclave bordered by the European Union - were fined a total of 2,200 roubles (424 Norwegian Kroner, 50 Euros or 73 US Dollars) on 25 September after their community "sang psalms and spoke about Christ" in the street, they have told Forum 18 News Service.

Mikhail Alentyev and Aleksandr Legotin have not yet decided whether to appeal against the fine, handed down by a magistrate at Gusev Municipal Court for violating regulations on holding public demonstrations (Article 20.2, Part 1 of the Administrative Violations Code), Alentyev told Forum 18 from Kaliningrad on 29 September.

All public gatherings – whether political or religious – must be sanctioned by the municipal authorities in advance, a Kaliningrad police source speaking on condition of anonymity told Forum 18 on 1 October. "But they didn't have permission and they had no intention of getting it!" he remarked, clearly irritated by the Baptists' actions, while admitting they had not disturbed public order. Asked why permission is necessary, the source replied, "That's

the law in Russia!" and pointed to Article 20.2 of the Administrative Violations Code. He declined to comment further.

Legotin insisted that, as the Baptists held a religious service and not a demonstration, the legal requirement to notify the authorities in advance should not have applied. "We follow the law very carefully," he told Forum 18 from Kaliningrad on 1 October. "And under the Universal Declaration [of Human Rights] we have the right to freedom of conscience – the law should be doing the opposite, protecting us from such arbitrariness."

Under the 1997 Religion Law (Article 16, Part 5) public religious gatherings come under the law on demonstrations. But according to the 2004 Demonstrations Law - which demands advance notification (not permission) from organisers – religious gatherings are regulated by the Religion Law (Article 1). Law enforcement agencies are thus free to interpret as they choose, and often understand notification as permission.

Alentyev commented to Forum 18 that his 30-strong Gusev congregation "knows from experience" that the local authorities will block its public evangelisation if they do submit advance notification. The community belongs to the Baptist Council of Churches, which broke away from the Soviet-recognised Baptist Union in 1961 in protest at regulations preventing missionary activity and religious instruction to children. Its communities refuse on principle to register with the authorities in post-Soviet countries.

As the Gusev Baptists preached, sang, played musical instruments and handed out gospels in the town's centre during their end-August evangelisation week, they were disrupted by police four times. "They said, 'What right do you have to do this? Permission? No? Then down to the police station!'" recalled Alentyev, who was detained there for an hour on 3 September.

When likewise detained, Legotin tried to point to religious freedom guarantees in international and national law, as well as the 1993 Russian Constitution, he told Forum 18, but one police officer retorted, "You have the law, we have instructions!" He also said that police accused the Baptists of being extremists.

According to an 18 September Council of Churches report, police officers shouted at and ridiculed the Gusev preachers, and threatened to shut them in a cellar when they refused to sign statements.

Legotin and Alentyev both told Forum 18 this is the first year they have been obstructed by the Kaliningrad authorities. According to the Council of Churches report, police detained and interrogated preachers in Polesk in July. Ten days later, Legotin and a second preacher were summoned to the municipal public prosecutor's office and told they were banned from conducting religious activity in the district without state registration.

In January, police disrupted evangelisation by some 25 Baptists, including Legotin, in Domnovo village (Pravdinsk District). All were detained by police, who took their names, home and work addresses, and interviewed minors without their parents. They also accused the Baptists of receiving funds from abroad and "parasitism" ["tuneyadstvo"], an allegation commonly levelled at religious believers and dissidents during the Soviet period. Legotin rejects this charge. "I have two jobs," he told Forum 18 indignantly. "We all work."

Council of Churches communities consistently encounter state opposition when they conduct public religious activity. According to their 23 May report, a female police officer in civilian clothes and several unidentified men broke up evangelisation at Losevo village market in

Voronezh Region on 20 May, warning that if the Baptists did not leave they would be beaten. The preachers later received death threats from locals, and one of their cars was set alight. Similar attacks have taken place in other regions in previous years.

Jehovah's Witnesses fight against accusations of extremism

Portal-credo.ru (02.10.2009) / HRWF (06.10.2009) - Website: www.hrwf.net - Email: info@hrwf.net - A city court of Gorno-Altai in the Altai republic on 1 October found 18 publications distributed by Jehovah's Witnesses to be extremist. The decision will be appealed in the Supreme Court of the Altai republic. The court had earlier denied the petition of the defendant Witnesses, which would have halted the review of the case on the basis that a similar case from Taganrog (in the Rostov region) will be reviewed in the near future. The organization's branch in Taganrog was liquidated over a month ago when a Rostov provincial court found Jehovah's Witnesses' literature to be extremist, and attorneys for the Jehovah's Witnesses filed an appeal to the Supreme Court on September 30 regarding that case.

The investigation of the "extremist" literature, a deciding factor in the case, consisted of a "complex psycho-linguistic religious analysis," and was conducted by local specialists who often publicly spoke against Jehovah's Witness activity, and who do not have education in religious studies. These "experts" perceived in the publications indicators of "incitement to religious strife." The Gorno-Altai court agreed with these conclusions.

One publication was found to be "extremist" because an autobiographical article mentioned a protestant priest who could not answer a theological question. On the basis of this the experts concluded: "The brochure does not contain information about the positive conduct of clergy or about their conscientious attitude toward ministry. Consequently, the material was created with an original intent of portraying a negative image of Christian clergy." Thus, the expert came to the conclusion: "If a confessional publication does not contain a positive assessment of another religion, that means that it is intended to arouse religious strife."

Since now Jehovah's Witnesses are allegedly prohibited; the leadership and members of the organization worry that this will motivate increased violence against the group.

In a separate case on 22 September, the Supreme Court of the Russian federation refused to close the local Jehovah's Witnesses religious organization in Kaliningrad at the request of the region's Ministry of Justice. The court also confirmed that no kind of supplementary permissions or consents are required for conducting worship services.

Earlier on 18 August 2009, the Supreme Court also upheld the decision of a Samara provincial court, which refused to shut down the Togliatti Jehovah's Witness organization upon an appeal by the local prosecutor's office.

Media, internet must oppose extremist ideology with true information about Islam

Interfax (28.08.2009) / HRWF Int. (31.08.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - The mass media and the Internet should more actively promote truly

Islamic values and religious education to counter the information of extremist nature, said Russian President Dmitry Medvedev.

Such work is not easy but has to be done by the media and the Internet, Medvedev said at a meeting which discussed the support for the Muslim religious organizations in North Caucasus on Friday.

"So far we have seen very weak efforts, and if we talk about how extremist websites and normal website promoting Islam and dogmas existing in our country, impact people's minds, I am afraid the result will not be in favor of the websites that we have, including those run by relevant universities," the president said.

"More work has to be done, because no one can be stopped from using the Internet and we understand that we will be unable to block such extremist websites because they can always continue their propaganda from mirror websites to ensure the flow of information with absolutely extremist content," he said.

Medvedev backs proposal to control people who study at Islamic centers abroad

Interfax (28.08.2009) / HRWF Int. (31.08.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Russian President Dmitry Medvedev said he agrees that it is necessary to strictly control people who leave Russia to study at Islamic universities abroad.

Medvedev also proposed signing long-term treaties with recognized Islamic educational centers.

"This control must be exercised, and not only from the point of view that they go to states from where they could subsequently bring the wrong Islam [to Russia]. First and foremost, they are our citizens, and we need to know what could happen to them there," Medvedev told a meeting with muftis and regional heads from the North Caucasus in Russia's Black Sea resort of Sochi on Friday.

Ingushetia's President Yunus-bek Yevkurov earlier proposed tightly controlling young people who travel abroad to study at Islamic universities.

However, this measure should not lead to Russia's isolation from the Islamic world, Medvedev said.

"All our attempts to isolate ourselves will not get us anywhere. We, as a large state where representatives of different faiths live, need to have our own such educational institutions with qualified teachers. But we should not shut out the rest of the world. Forbidden fruit always tastes the sweetest. They will go there to study in any case, and then say that what they get there is the true picture of Islam, which is described differently here [in Russia]," the Russian President said.

Medvedev said he backs the idea of signing "long-term treaties with recognized Islamic centers that are understandable to us."

"In this case, at least, we will understand where our guys go to study and what they bring back," he said.

It is necessary "both to promote our own Muslim education and to communicate with Islamic centers [abroad], but we need to act carefully," he added.

Sharabuttin Chochayev, rector of the Abu Khanif North Caucasus University, backed the President's proposals.

Today, there is no organized system that allows Russians to receive a Muslim education abroad, and this problem is quite acute, Chochayev said.

There are no documents giving the precise number of Russian citizens studying abroad, or the countries where they go, he said.

"We are convinced that our citizens should receive a spiritual Muslim education in Russia and then go abroad for advanced training, should it prove necessary," he added.

Medvedev backs more religion in class and in the army

By Nabi Abdullaev

The Moscow Times (22.08.2009) / HRWF Int. (23.08.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - President Dmitry Medvedev pledged Tuesday to support the study of religion in schools and hiring chaplains from major Russian religions, in what could pose a major challenge to the constitutional separation of religion and state. "I have made a decision to support both these ideas: teaching the basics of religious culture and secular ethics in Russian schools, and I also consider it expedient to organize on a regular basis the work of clergymen representing traditional Russian confessions in our Armed Forces," Medvedev said at the meeting with top religious and government officials at his Barvikha residence outside Moscow.

The so-called traditional Russian confessions include Orthodox Christianity, Islam, Judaism and Buddhism.

Medvedev said he based his decision on requests and suggestions sent to him by religious leaders.

The two initiatives are among the most debated and controversial in Russian society. Their critics claim that the Russian Orthodox Church is significantly better prepared to install its priests in schools and garrisons, which would leave others at a disadvantage. Opponents also say a conflict of subordination could arise in military units between priests and commanders.

Other say that teaching religious classes in schools would likely degenerate into religious propaganda, while little freedom would be left for nonbelieving or non-Christian soldiers who do not want to attend religious services.

Proponents of the initiatives - with the most vocal being the Russian Orthodox Church - maintain that they would boost the morals and spirituality of the younger generations.

Medvedev stressed on Tuesday that any interaction with clerics in schools or the Armed Forces should be voluntary.

Education and Science Minister Andrei Fursenko, who attended the meeting in Barvikha, said that only secular teachers would conduct classes on the history and culture of religion, which will require training for 40,000 people and hundreds of millions of rubles. The first classes on religion will start in several Russian regions in March, he said.

Defense Minister Anatoly Serdyukov said Tuesday that the Armed Forces would hire up to 250 clerics and would pay their salaries.

The church and the state are separated by the Constitution, raising questions about the legality of the Defense Ministry funding.

The head of the Russian Orthodox Church, Patriarch Kirill, praised Medvedev's decision Tuesday.

Russian Supreme Court decision holds out hope

JW Office of Public Information (18.08.2009) / HRWF Int. (01.09.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - The Supreme Court of Russia issued a decision protecting freedom of religion. It upheld an earlier ruling by the Samara Regional Court that dismissed an application by the Tolyatti City Prosecutor to liquidate the Local Religious Organization (LRO) of Jehovah's Witnesses.

On May 29, 2009, the Samara Regional Court rejected the Tolyatti City Prosecutor's request, stating: "the Court is convinced of the groundlessness of the charges . . . and the absence of evidence." The Prosecutor's Office then filed an appeal. However, when questioned by the Supreme Court Judges, the Prosecutor General's representative acknowledged that he had no legal argument to support his request for reversal of the lower-court decision.

The Supreme Court's robust dismissal of the prosecutor's appeal was welcomed by Jehovah's Witnesses, who are hopeful that this decision paves the way for them to enjoy religious freedom in Russia without harassment by government officials and the Russia judiciary.

For now, Jehovah's Witnesses continue to face a coordinated attack on their peaceful worship. An ongoing five-year investigation of the Administrative Center of Jehovah's Witnesses continues unabated. Early in 2009, the General Prosecutor's Office ordered local prosecutors throughout Russia to conduct a wide-ranging investigation of every LRO (Local Religious Organization, or congregation) of Jehovah's Witnesses in the country and to use the law on extremism seemingly with the aim of banning their peaceful worship. As a result, there have been over 500 separate investigations recorded, and 50 warnings and notices were issued leading to eight current ongoing court cases advancing the groundless charges of extremist activity. If the courts uphold these charges, the LROs of Jehovah's Witnesses could be liquidated and the religious literature of Jehovah's Witnesses, which is used worldwide for their instruction and worship, could be banned throughout Russia.

It remains to be seen whether the General Prosecutor's Office and the Russia judiciary will take note of the Supreme Court's August 18, 2009, decision and put an end to the unjustified harassment of an internationally known religious minority.

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Towards the clericalization of the State?

HRWF (18.08.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - - In the last few years, a number of Russian experts in religious studies, leaders of religious minorities and observers of the relations between the State and the Orthodox Church have repeatedly warned against a possible revival of clericalism in Russia and further weakening of the separation between State and Religion. The latest news collected by Stetson University/ Russia Religion News confirm this tendency.

The Patriarch of the Orthodox Church to be consulted on draft laws by the ruling party

According to Nezavisimaya Gazeta (10 July 2009), Russia's ruling party "United Russia" has announced that it will henceforth present all Duma projects to the Patriarch Kirill for approval. By doing so, party leaders have said, they hope to avoid "misunderstandings." Such a move, the paper notes, is a controversial one. While it will undoubtedly attract more voters and make the party look more legitimate, it will also deeply involve the office of the Patriarch in the secular affairs of the Russian state, as the author of the article notes:

"On the one hand, it is flattering. The Patriarch has climbed to the political summit and stands there on the sixth step. However, in this case, how is a simple orthodox patron to relate to his chief pastor, who, in influence, is higher than Lushkov, mayor of Moscow, but lower than Surkov, the administration's First Deputy Chief?

Having been drawn into worldly problems, the Patriarch, in my view, is losing his sense of proportion. Certainly, the Church cannot stand outside of social problems, and Kirill accepts this burden efficiently and willingly. But, on the other hand, being wrapped up in worldly questions, he is losing his majesty and reverence before a higher spiritual authority, which a churchly man must experience. Eventually, Kirill will be accepted as an ordinary politician - more interesting than Grislov, but more boring than Zhirinovski.

What's more, accepting to take part in project consultations, and being even more drawn into the political game, the Patriarch will inevitably share the blunders of his secular counterparts (deputies, ministers, and officials), who, as is well known, are not very respected or valued among the people.

The politicization of Kirill will lead to a fall in the authority of patriarchal throne itself. The Russian Orthodox Church will permanently be accepted as a state institution, which is unlikely to be of benefit to the Church itself or to the clergy.

I will not attempt to discuss the question of whether or not the position of 'United Russia' and the Patriarch is in line with the Russian Constitution, in which religion is separated from the government. It is well known, that our power is not in literalness, but in interpretation. However, due to the fact that in our homeland millions of Muslims live next to orthodox members, this situation deserves attention.

Of course, it is very simple to explain to the orthodox community that consultations with the Patriarch in no way minimize the merit of Islam. Nevertheless, why not discuss future projects with, for example, the Chairman of the Russian Mufties Council, Ravil Gaynutdin? Is he not also capable of making very intelligent observations?

Indeed, why create additional troubles in inter-confessional relations?

Furthermore, a curious precedent is being created in party-patriarch relations. What will Kirill do if, forgive me for suggesting, the Communist Party of the Russian Federation wishes to consult with him? If 'United Russia' is consulting with the Patriarch, then the socialists have every right to discuss their problems with, let's say, a rabbi.

Generally speaking, if this continues further, then our customary tandem may be converted into a triumvirate. It goes without saying that our democracy will hardly be strengthened in the process."

Patriarch seeks to influence national legislation about sexual education in public schools

Portal-credo.ru, 8 July 2009 - A meeting of Patriarch of Moscow and all-Rus Kirill with the secretary of the presidium of the General Council of the "United Russia" party, Viacheslav Volodin, and his deputy Andrei Isaev was held on 8 July in the working residence of the head of the Orthodox Church on Chisty lane, "Sedmitsa.ru" reports.

At the meeting were discussed questions of the relations between the Church, the State Duma, and the "United Russia" party, which calls itself the "party of Vladimir Putin.

Patriarch Kirill reported to the State Duma deputies about the "concern of many believers," who fear the possibility of the introduction into Russia of a program of sex education in the schools and a system of juvenile justice

Representatives of the "United Russia" party assured Kirill that they will defend Russian traditions in the area of education of children and protection of their rights. V.V. Volodin and A.K. Isaev promised to work against the understanding of such an interpretation of the Social Charter of the Council of Europe which would prod Russia toward the introduction of sex education and juvenile justice. The deputies said that the text of the charter does not contain provisions which would point toward the necessity of such steps.

Patriarch Kirill participates in conference of religious leaders and government ministers with Russian President

Portal-credo.ru, 21 July 2009 - Patriarch of Moscow and all-Rus Kirill participated in a conference conducted by Russian President D.A. Medvedev, which was held at the residence of the president in the suburbs of Moscow on 21 July. The topic of the conference, according to a report of the press service of the Moscow patriarchate, was questions of the teaching in secondary schools of the foundations of religious culture and secular ethics as well as the introduction into the armed forces of Russia of the institutions of army and navy chaplains.

The conference was held at the "Barvikha" state residence and included the director of the presidential administration of Russia, S.E. Haryshkin, the first deputy director of the Russian presidential administration, V.Yu. Surkov, Russian Minister of Defense A.E. Serdiukov, Russian Minister of Education and Science A.A. Fursenko, the head of the Buddhist Traditional Sangkha of Russia, Damba Aiusheev, the chairman of the Coordinating Center of

Muslims of the Northern Caucasus, Mufti of Karachaevo-Cherkesia Ismail Berdiev, the chairman of the Council of Muftis of Russia Ravil Gainutdin, the chairman of the Central Ecclesiastical Board of Muslims of Russia, Talgat Tadzhuddin and the chief rabbi of Russia Berl Lazar.

Opening the meeting, Medvedev reported that he had received two appeals from leaders of religious associations. One of them dealt with the question of teaching the foundations of religious culture in secondary schools and the second was the introduction of the institution of army chaplains into the armed forces of Russia.

As the president noted, these topics deserve careful attention and an immediate response on the part of the government. At the same time Medvedev stressed especially the importance of a religious component in education and military training, which exerts a substantial influence on the formation of the person and Russian citizen.

"I have made the decision to support both of these suggestions," the head of the Russian state declared.

Commenting on the first question placed on the conference agenda, D.A. Medvedev emphasized that in many regions of the country substantial experience in teaching the foundation of religious culture has been acquired, which simplifies the accomplishment of this task on the federal level. As regards the Ministry of Defense of RF, the president said that for a long time already it has been cooperating fruitfully with the main religious associations of Russia.

At the same time, Medvedev gave special attention to the fact that every normative act regulating questions dealt with at the conference must go through public discussion, since the decisions made by it touch upon an extremely delicate sphere of human individual and social life.

"I think it necessary to conduct an experiment in teaching the foundations of religious culture in 18 regions," the president declared.

The head of state noted that pupils and their parents will be able to select the confessional subject themselves, the foundations of Orthodox, Muslim, Jewish, or Buddhist culture. Also, Medvedev suggests, there may be worked out a general course on the history of religions of Russia. In addition, the president pointed to the necessity of giving those desiring it the right to study the foundations of secular ethics.

"The selection of the pupils and parents must be voluntary. Any compulsion in this sphere will be counterproductive," Medvedev noted.

The president indicated that the foundations of religious culture will be taught by secular pedagogues, but at the same time the necessity will be recognized of having broad experience of the methodological, conceptual, and other achievements that have been acquired by the traditional confessions of Russia.

As a result of the experiment being conducted, the practice of teaching of these disciplines will be able to extend to the entire country, the president emphasized. In the opinion of the head of state, the proposed date for beginning the universal introduction into school curricula of the foundations of religious culture and secular ethics could be designated as 2012.

As regards the second question discussed at the conference, the president stressed that among the armed forces personnel of Russians there are adherents of all traditional confessions of the country. "They risk what is most dear, their lives. And they all have the right to spiritual support in accordance with their own religious convictions," the head of state noted.

As one variant of the resolution of the question, D.A. Medvedev suggested introducing a standard according to which in those units where followers of a certain confession constitute more than 10 percent of the personnel, it would be appropriate for clergy representing it to be on the staff.

"I think that your position is an example that it is possible to achieve consensus on contentious questions. Very correct conclusions have been drawn from many years of discussion," Patriarch Kirill emphasized in his speech. The primate of the Orthodox Church rated highly the idea of voluntariness that lies at the base of the proposals on teaching religious culture in the schools. The most important thing, according the Kirill, is to manage to overcome the anxiety displayed in various public circles in connection with the discussion of this topic. "Voluntariness and alternatives are the basis on which this system may exist," the patriarch noted. (tr. by PDS, posted 15 August 2009)

Hundreds of millions of rubles to finance teaching religious culture in Russian schools

Portal-credo.ru, 21 July 2009 - After a conference with the president of Russia, the Russian Minister of Education reported that hundreds of millions of rubles will be directed to the introduction of foundations of religious culture in Russian schools.

The introduction of a system of teaching the foundations of religious cultures in Russian schools will cost hundreds of millions of rubles, Russian Minister of Education and Science Andrei Fursenko told journalists on 21 July, as a result of a special conference with the president of the country.

According to the minister, in the process of implementing this idea, more that 40,000 teachers will be retrained, RIA Novosti reports.

"The scale of the money is hundreds of millions of rubles," he said. "But this money will not be wasted," the minister emphasized, adding that even without the introduction of new subjects teachers still must go through retraining, which permits the improvement of the quality of instruction.

The minister reported that at the first stage 12,000 schools in 18 regions will be involved, which is a fifth of all schools in Russia.

In preparing the new curriculum, according to Fursenko, consideration will be given, first, to the secular nature of education and, second, to the fact that "all materials must be acceptable to representatives of all confessions, as well as atheists."

"We must create conditions under which the children will be able themselves to formulate their own world views; these are not religion courses and we must not offend or embarrass anyone," the minister stressed.

He said that the instruction must not be conducted from a position that all religions are a myth. "This would be offensive to representatives of one or another confession," Fursenko emphasized.

At the same time the minister stressed that the government does not have the right to rush into anything since this is a very complex subject and the main principle is to do no harm. He added, too, that the system of evaluation will be the same as for any other subject.

"Even if it is a textbook on Orthodoxy that is prepared, representatives of all confessions will express their impressions," Fursenko said. (tr. by PDS, posted 15 August 2009)

Jehovah's Witness lawyers deported for defending extremism cases?

By Geraldine Fagan,

Forum 18 (23.07.2009) / HRWF Int. (24.07.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - The deportations of four lawyers since March strike at the Jehovah's Witnesses' already pressed defence against attempts to ban their literature as extremist, one of those deported, Mario Moreno, has told Forum 18 News Service. The lawyers – two Americans and two Canadians – were defending in four out of seven simultaneous local extremism cases against Jehovah's Witnesses. A recent police detention allegedly involving torture and a raid on a Sunday service – after which one worshipper had a miscarriage and another was sent to a children's shelter – suggest the law enforcement agencies continue to view Jehovah's Witnesses as religious extremists even without a ban.

In Russia, religious and other extremism charges are increasingly used to criminalise dissent in the Soviet manner. As a local television news report of the raid concluded, "The thing is that the Jehovahists [a Soviet-era term for Jehovah's Witnesses] recognise only their own faith as the truth and try to preach this given any opportunity, thus offending the sensitivities of representatives of other confessions."

Total ban

The Jehovah's Witnesses believe the latest moves to be part of a new harassment campaign against them. "As events develop, it becomes more and more apparent that their [the law enforcement agencies'] ultimate aim is (..) to achieve a total ban on the activity of this religion by finding a pretext for a criminal prosecution," a special April report by the organisation maintains. In February, an unprecedented nationwide sweep on Jehovah's Witness communities - resulting in at least 500 check-ups - was ordered by the General Public Prosecutor's Office.

Russia's Human Rights Ombudsman has written to General Public Prosecutor Yuri Chaika criticising his Office's instructions as forming "a deliberately negative attitude towards the religious organisation of Jehovah's Witnesses" and encouraging inspectors "to go on a deliberate hunt aimed at finding grounds to repress or ban their activity." Jehovah's Witnesses operate lawfully in Russia, adds Vladimir Lukin in his 16 April letter.

Forum 18 submitted questions in writing to the General Public Prosecutor's Office before the start of the working day of 17 July, requesting its response to Ombudsman Lukin's 16 April letter. There was no reply by the end of the working day on 22 July.

Deportations

Due to continue his defence of local Jehovah's Witnesses in a religious extremism case in Krasnodar, US citizen Mario Moreno was recently turned back from St Petersburg airport, he told Forum 18 from New York on 15 July: "Because of my appearance in court is all that I can think of – they never tell you why." Originally valid until March 2010 and viewed by Forum 18, his multi-entry Russian business visa was stamped "annulled" by a Leningrad [St Petersburg] regional border guard on 30 June.

James Andrik, Moreno's colleague at the Office of General Counsel for Jehovah's Witnesses and also a US citizen, was issued a deportation order by Salsk Municipal Court (Rostov-on-Don Region) on 14 May, seen by Forum 18. He was arrested as he entered the same courthouse on 7 May, when he was due to present local Jehovah's Witnesses' defence in an ongoing religious extremism case, Moreno told Forum 18. Instead, Andrik was charged with practising law without being licensed locally and being illegally employed by the Jehovah's Witnesses' St Petersburg headquarters. As he left Russia before his deportation was ordered, no deportation stamp was placed in his passport.

A 10 June ruling by Rostov-on-Don Regional Court, viewed by Forum 18, reversed Andrik's deportation order. It agreed that – like the other deportees – he had appeared in the Salsk case not as a lawyer, but as an appointed representative pursuant to a power of attorney, and an unpaid volunteer. Armed with a copy of this decision, Andrik attempted to return to Russia on 2 July, but was detained for 24 hours at Moscow's Domodedovo Airport before being turned back to Brussels, Moreno told Forum 18: "He was never given any official reason."

An "Act of Return" bearing a 3 July Domodedovo border control stamp, seen by Forum 18, states that Andrik "does not have grounds to enter the Russian Federation" under Article 27 of the 1996 federal law on entry to and exit from Russia. With respect to those already holding a Russian visa, this provision bars foreign citizens who pose a threat to state security, were recently deported from or committed a serious crime in Russia from entering the country.

Moreno and Andrik's two Canadian colleagues, John Burns and Shane Brady, were deported on 5 April by decisions of Kirov District Court in Vladikavkaz (North Ossetia Republic). Burns had been defending in a religious extremism case against local Jehovah's Witnesses, which Brady was observing after defending in an analogous case in Samara, Moreno told Forum 18. On their way to Vladikavkaz airport on 4 April, the two were arrested by police, FSB security service and immigration officials as soon as they stopped to use the bathroom at the house of relatives of a friend who lives less than 100 metres from the main road, he continued. The pair were charged with entering an area out of bounds to foreign citizens – as the 5 May Republic Supreme Court rulings upholding the original deportation orders, seen by Forum 18, note. The lawyers were permitted to leave Russia unescorted.

Burns and Brady dispute the charges. According to Moreno, they argue that the Russian authorities did not inform the Canadian Embassy about the restricted area, that they were not given an opportunity to defend their actions ("Burns didn't even get a chance to open his mouth"), and that the punishment of deportation was out of proportion with the alleged offence.

Raid

Other forms of state pressure on Jehovah's Witnesses continue. Police and FSB in the small asbestos-mining town of Asbest (Sverdlovsk Region) raided the local Jehovah's Witness Sunday service on 24 May, the group's local spokesperson Sergei Tantsura told Forum 18 from the regional centre, Yekaterinburg, on 14 July. Disrupting worship at a rented hairdresser's premises, the state representatives maintained they were responding to a neighbour's complaint but were unable to provide further details, he said. Querying whether the Jehovah's Witnesses had state permission to hold the service – not a legal requirement – they then copied passport details from most of the approximately 50 worshippers present. Tantsura believes this was the real aim of the raid, as the Asbest Jehovah's Witnesses had repeatedly refused to provide membership details to state investigators working on a religious extremism case against them.

The raid had serious consequences. According to Tantsura, one worshipper, 37-year-old Aleksandra Mastyugina, suffered a miscarriage after police threatened her and others who protested their actions with referral to a detoxification unit, and an investigator summoned her for questioning on 31 May. Police sent another worshipper, 15-year-old Mikhail Zhilko, to a children's shelter for three weeks against his will, as his parents – also Jehovah's Witnesses – were not in Asbest at the time of the raid, local lawyer Egiazar Chernikov told Forum 18 from Yekaterinburg on 14 July.

The acting chief of Asbest Police Department, Roman Bunkov told Forum 18 on 21 July that police checked the service at the hairdresser's due to complaints from neighbours that it was not in an appropriate place: "There was nothing terrible about it." Asked what part of Russian law states that religious gatherings must take place in premises designated for worship, Bunkov pointed out that the hairdresser's is a place providing a domestic service to the public. "People go there to have their hair cut, not to pray to their gods, to put it plainly," he remarked. While acknowledging that no prosecution had taken place, he told Forum 18 that the police had instructed the hairdresser to allow only domestic services, and not "religion", at the premises. Asked whether the Jehovah's Witnesses could meet at other premises in Asbest – which, at the time of Forum 18's 2004 visit, did not have a single cafe or hotel – Bunkov maintained that the Jehovah's Witnesses would be found premises if they appealed to the municipal administration.

Bunkov told Forum 18 he could not comment on Aleksandra Mastyugina's miscarriage due to alleged threats as he knew nothing about it; his department had not received any complaints. He confirmed that a 15-year-old boy was sent to a children's shelter as his parents were living in another town and no one was formally responsible for him: "It's not clear how he ended up there [at the worship service]." Bunkov also expressed mild suspicion that Forum 18 might have called at the Jehovah's Witnesses request: "They have some kind of connection with Holland, Norway – that's where their money comes from."

The local Asbest Television station filmed the raid. In its 28 May news item, local police officer Eduard Latypov states that the police discovered the Jehovah's Witnesses "did not have documentation permitting the gathering". According to the news report's authors, police carried out the raid "after a phone call from vigilant citizens" and took several Jehovah's Witnesses for questioning, but "as if hypnotised, they kept repeating the same thing, demanding a lawyer." The broadcast shows one, Viktoria Golovka, being asked by an off-camera investigator, "You have said you are a Jehovah's Witness. Excuse me, but is this a sect, or what?" Golovka replies that she will respond to such questions only in the presence of a lawyer. Reminding viewers that the FSB seized literature deemed extremist from the Asbest group in 2008, the broadcast explains in conclusion that Jehovah's Witnesses "only recognise their own faith as the truth and try to preach this given any opportunity, thus offending the sensitivities of representatives of other confessions."

Torture

The Jehovah's Witnesses also maintain that their member Yuri Panov was detained by police for several hours on 23 April after preaching from house to house in the town of Ramon (Voronezh Region). Accused of committing burglaries in the neighbourhood, Panov denied the charges and was reportedly handcuffed, beaten, forced to wear a gasmask with no oxygen supply and threatened with electric shocks and sexual assault. Intimidated into confessing to the crimes, the police then "abruptly ended the torture and stated that they had made a mistake," the Jehovah's Witnesses state.

After asking for full details about the incident and checking police files, a spokesperson at Ramon District Police Department insisted to Forum 18 on 22 July that it had no information about Panov.

Muslims accused of religious extremism in Tatarstan have also complained of torture to Forum 18, including similar treatment with a gasmask.

New religious extremism cases

Seven local courts are now seeking to ban Jehovah's Witness literature as extremist, in Gorno-Altai (Altai Republic), Krasnodar, Rostov-on-Don, Salsk, Samara, Vladikavkaz and Yekaterinburg. In the two newest cases, Krasnodar and Samara, hearings began in April. An eighth case sought to dissolve the Tolyatti (Samara Region) local Jehovah's Witness religious organisation for promoting conscientious objection and breaking up families, rather than religious extremism, according to 27 February and 2 April suits issued by Samara Regional Public Prosecutor's Office. While Samara Regional Court ruled in favour of the Tolyatti Jehovah's Witnesses on 29 May, an appeal is pending.

Nor has there been a final ruling in the other seven cases. Since the first to be opened was transferred from Asbest to Yekaterinburg Public Prosecutor's Office investigators some four months ago, "the situation has been more favourable", Egiazar Chernikov, the local lawyer, told Forum 18. A new, 13 May expert literary analysis found no evidence of extremism, he pointed out, while Sverdlovsk [Yekaterinburg] Regional Court on 4 June upheld a 19 March district court ruling that Asbest Public Prosecutor's Office's original May 2008 religious extremism warnings were unfounded. The criminal case has not been formally closed, however.

Under the 2002 Extremism Law, even a low-level court may rule literature extremist. It is then automatically added to the Federal List of Extremist Materials and banned throughout Russia. The List's 401 titles as of 23 July typically suggest extreme nationalist or anti-Semitic content. Most theological entries - the inclusion of which is also disputed - are Islamic.

Pagan extremism?

Another is now on the Federal List. On 28 April the Supreme Court of the Volga republic of Mari El upheld an earlier city court ruling that Vitali Tanakov's Russian-language leaflet "Onaen Oila" ("A Priest Speaks") contains religious and other extremism. If Russia's Supreme Court agrees, Tanakov told Forum 18 in Yoshkar-Ola on 20 June, he will appeal to the European Court of Human Rights (ECHR): "There is nowhere else to turn."

Tanakov is a kart, or pagan priest, of the Mari traditional faith. Unlike in Western Europe, Mari paganism is a long-standing tradition rather than a New Age construction, and, with Orthodoxy and Islam, even holds the status of traditional religion in Mari El. Tanakov believes that the strongly ecological nature of the Mari religious worldview makes it a threat to those who wish to exploit the republic's timber resources. "We are the only people who maintain nature reserves in each village," he explained to Forum 18, referring to Maris' sacred groves. Whereas many people strive to become rich and happy through business, he said, "We give the understanding that this is the wrong way, you won't become happy by becoming a businessman, by felling the forests."

Tanakov earlier sent an appeal to the ECHR regarding a December 2006 ruling against him personally, according to which he was forced to work 120 hours as an electrician in a local school. He has yet to receive a response.

Salvation Army complaint finally settled

More than two years after the ECHR granted its appeal, the Moscow branch of the Salvation Army was finally re-registered by the city's Justice Department on 10 April 2009, according to the Moscow-based Slavic Centre for Law and Justice. The branch was originally refused re-registration almost ten years ago. After the branch's case was repeatedly rejected in Russian courts – one cited a constitutional ban on the creation of paramilitary formations – it was taken up by the ECHR in June 2004. The Russian state did pay compensation of 10,000 Euros (then worth 338,141 Russian Roubles, 84,192 Norwegian Kroner or 12,557 US Dollars) promptly in early 2007, but did not take steps to remedy the original complaint, as the ECHR requires, until this year. The Salvation Army's ECHR case is the only one in which a religious organisation has been awarded compensation and where a clear remedy was also possible.

Raids continue as doubts grow over Nursi ban

By Geraldine Fagan

Forum 18 (09.07.2009) / HRWF Int. (10.07.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - False claims passed from Turkey to Russia sparked the crackdown on works by moderate Turkish theologian Said Nursi and his followers, Marat Fattiyev, headteacher of a lycee whose entire Turkish staff were consequently forced to leave Russia, has suggested to Forum 18 News Service in the Tatar capital, Kazan. Officials in Tatarstan agree, telling Forum 18 there was no evidence of "religious extremism". But Moscow continues to defend the action against the teachers, and to pursue Nursi followers as an "extremist" and even "terrorist" organisation.

Forum 18 put Tatarstan officials' doubts over the claims of "religious extremism" in relation to the lycee teachers to the General Prosecutor's Office in Moscow. In written questions submitted in the middle of the working day on 14 July, Forum 18 asked why, in the light of these claims, the Turkish teachers were forced to leave Russia in 2008 and why moves are still underway in various parts of the Russian Federation against those who study the works of Said Nursi. Forum 18 had received no response from the General Prosecutor's Office by the end of the working day in Moscow on 16 July.

"Absurd" allegations?

Headteacher Fattiyev, a Turkish speaker, cited recent Turkish media claims by a key witness in the ongoing criminal investigation into Ergenekon, an ultra-nationalist conspiratorial network alleged to exist within, and be seeking to undermine, Turkish state institutions. According to these claims, highly placed Ergenekon members intentionally gave false warnings to Russia's FSB security service linking followers of Said Nursi and his disciple Fethullah Gülen with religious extremism.

"And this has harmed not just Tatarstan, but the whole of Russia," the headteacher of Tatar-Turkish Lycee No 4 suggested to Forum 18 on 23 June.

While Gülen's modernist Islamic movement is known for its network of faith-based schools in Turkey and elsewhere, Tatarstan's seven Tatar-Turkish lycees – state secondary schools with an emphasis on Tatar, Turkish and English – are secular and unconnected with Gülen, Fattiyev insists. They were founded in the early 1990s when then Turkish President Turgut Özal and Tatar President Mintimer Shaimiyev agreed on a programme of cultural and economic co-operation; Turks and Tatars share close ethnic and linguistic ties. Despite this, the lycees' approximately 50 Turkish teachers were refused visa extensions in 2008 following a religious extremism investigation.

The absurdity of the allegations is clear, Fattiyev suggested to Forum 18, from his own 2006 interrogation by Tatarstan Public Prosecutor's Office and regional FSB, during which he was likewise accused of membership of "Nurdzhular" (a russification of "Nurcular", Turkish for "Nursi followers").

"Then – and to this day – I didn't know whether such an organisation even exists," the lycee headteacher remarked. After asking how and when he had become a member, the state representatives posed "provocative questions" such as whether he loved his family and was ready to die for Allah, he added. "After that I became interested in what I was supposed to be accused of," Fattiyev commented. Whereas his interrogators claimed Nursi works are banned in Turkey, Fattiyev found them freely available during a visit and read them while in Turkey. "I was pleasantly surprised at how Nursi is comprehensible, contemporary, tolerant," he told Forum 18. "I never found anything extremist there."

Fattiyev also pointed out that the daughters of local Muslim leaders and FSB officers continue to attend his lycee – hardly likely if the allegations bore any foundation. Russians in Tatarstan who have studied Nursi's writing have insisted that no organised Nursi movement exists, let alone a "Nurdzhular sect".

Tatar officials question federal claims

Renat Valiullin, head of Tatarstan's Council for Religious Affairs, told Forum 18 on 22 June that to his knowledge there had been no religious activity at the lycees. Describing the situation as "our sore point", he claimed that extensive tuition in English – rather than the state languages of Russian and Tatar – had led to the Turkish teachers' removal. Valiullin went on to express doubt about the inclusion of Nursi literature on the Federal List of Extremist Materials: "The decision was made without any strong expert analysis (..) on the basis of linguistic or other examinations (..) professionals weren't working on it."

The Justice Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis has been reconstituted in part to re-evaluate the inclusion of religious titles on the Federal List, he maintained.

Irek Arslanov, responsible for relations with religious organisations at Kazan City Government, similarly defended the lycees' educational standards. He suggested there was "a certain air of invention" about claims that the Turkish teachers' documentation had been incomplete. "We can't speak about extremism, because it was not proven by the courts," he stressed to Forum 18 on 24 June. While the lycees' education might be based on Islamic values, he added, it did not go "beyond common human principles; what is found in mosques, churches."

Federal moves against Nursi followers

Federal officials take a quite different view. The discovery of "a network of the Turkish extremist group Nurdzhular" teaching in Tatarstan's state schools for more than a decade was announced at a 28 May meeting of the parliamentary Security Committee by Vyacheslav Sizov, responsible at the General Public Prosecutor's Office for monitoring implementation of laws on federal security, international relations and extremism, Russian media reported. Since the Tatar authorities had failed to take measures, the Turkish teachers were forced to leave Russia only thanks to intervention by the General Prosecutor, Sizov maintained.

The Collective Security Treaty Organisation (CSTO), consisting of Russia and six other ex-Soviet republics, added "Nurdzhular" - as well as Tabligh and Salafism - to its list of terrorist and extremist organisations this May.

Russia's Supreme Court banned "the international religious organisation Nurdzhular" as extremist on 10 April 2008. Moscow's Koptevo District Court similarly outlawed the Russian translations of fourteen parts of Risale-i Nur (Messages of Light), Nursi's commentary on the Koran and Islam more broadly, on 21 May 2007. Automatically added to the Federal List of Extremist Materials, these are now banned throughout Russia.

Russia's Ombudsman for Human Rights denounced the Moscow trial even before its verdict. "No form of opposition to citizens due to their choice of world view (religious or non-religious) is contained in the books and brochures, still less calls for religious hatred and intolerance," Vladimir Lukin declared. "It is very important that we do not allow interference in the convictions and beliefs of millions of citizens on the poorly grounded, unproven pretext of fighting against extremism, as this really could provoke wide-scale violations of their right to freedom of belief."

Ravil Gainutdin, who chairs the Council of Muftis, described the ban in an open letter as "a crude violation of freedom of conscience in our country".

In the wake of the ban, Tatarstan Public Prosecutor's Office representatives twice sought Nursi literature at Lycee No 4 in 2007, even photocopying pages from English-language science textbooks. In the context of a religious extremism case opened "due to the activity of the religious-nationalist sect Nurdzhular", the Office warned the lycee on 11 April 2008 that its Turkish teachers were holding "secret discussions about religion" with pupils. Soon afterwards, a Public Prosecutor's Office representative denied to Forum 18 that the check-ups and warning were connected with the Nursi case.

Both before and after the Moscow ban, law enforcement agencies conducted raids on the homes of Nursi readers across Russia.

A particular target was a Nursi study group of about 50 Muslim women in Naberezhnyye Chelny (Tatarstan), who were subject to forced psychiatric examinations. The women insist they are not part of any organised Nursi movement.

While they first reported harassment in 2005, member Alsu Khusayenova told Forum 18 from Naberezhnyye Chelny on 20 June that the group has not been disturbed in recent months.

Hunt for Nursi literature continues

In other regions, however, state representatives continue to hunt for Nursi literature and readers. On 4 June Krasnoyarsk Regional Court began consideration of whether a further part of Risale-i Nur – seized during a house search in the city - is extremist, Russian Islamic affairs website Islam.ru reported. Among evidence proposed by the regional Public Prosecutor's Office: "the core values of the given text are postulates suggested by Islam, which, according to the text, are the truth," "the idea of a single God and a single Prophet is suggested," and the presence in the text of "militaristic metaphors". The court reportedly rejected defence testimony from Sheikh Nafigulla Ashirov, who heads the Spiritual Directorate of Muslims of Asiatic Russia, as coming from an "interested party".

Siberian customs officers seized 350 copies of Nursi's works from a car belonging to a Kyrgyz citizen, Interfax Russian news agency reported on 15 May.

On 21 April representatives of the FSB and Lenin District Public Prosecutor's Office in Ufa (Bashkortostan) seized a banned Nursi work from the Central Spiritual Muslim Directorate's Russian Islamic University library, Interfax reported.

Recalling the ban on "Nurdzhular" on 13 April, General Public Prosecutor Yuri Chaika remarked: "We are particularly concerned by attempts by certain foreign centres to penetrate radical religious trends into Russia, which in future become a weapon in the hands of extremist organisations," according to Interfax.

The inclusion of two banned Nursi works on a list of Islamic literature approved by the Spiritual Directorate of Muslims of European Russia is "an open challenge which could be seen as spitting in the face of the Russian authorities," Mufti Mukhammedgali Khuzin, a member of the Justice Ministry's working group on civil rights law, told Interfax on 9 April.

On 3 March, FSB and Organised Crime Police in Orenburg raided flats of university students suspected of activity in "Nurdzhular", Islam.ru reported. All their religious literature – including the Koran – was seized without explanation, and the students were detained and questioned for nine hours. "We were in shock, treated like criminals – taken to the Organised Crime Police building and made to stand facing a wall for several hours," remarked Ravil Latypov, one of the detained. The students also reported that Nursi brochures and a leaflet called "How to Join the Nurdzhular Organisation" appeared "miraculously" in their flats during the raid.

Russian Muslim sources have told Forum 18 that the situation surrounding Nursi's works has led their principal translator into Russian, Marat Tamimdarov, to flee the country. Tamimdarov's home in Naberezhnyye Chelny was raided by FSB and Public Prosecutor's Office representatives in December 2007.

From a Sufi family, Turkish theologian Said Nursi (1876-1960) attempted to integrate Islamic and modern scientific thought. Known particularly for his biting opposition to the social consequences of atheist ideology, he once wrote to the Vatican suggesting that Muslims and Christians should join forces against it. Inevitably at odds with Mustafa Kemal Atatürk's rigidly secularist regime, Nursi spent many years in internal exile and prison.

Any school of Islam, as long as it's Hanafi

By Geraldine Fagan

Forum 18 (09.07.2009) / HRWF Int. (10.07.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Not only do leaders of the Spiritual Directorate of Muslims of Tatarstan support a local monopoly over all Muslim activity in the traditionally majority Muslim republic, so too do state officials, Forum 18 News Service has found. Renat Valiullin, the republic's top religious affairs official, acknowledged to Forum 18 that a requirement in Tatarstan's 1999 Religion Law that all Muslim religious organisations be subject to the Directorate had been struck down as unconstitutional. Yet he insisted all Muslim organisations must be subject to it "so as to keep the argument" of the 1999 Law, adding that they must also be of the Hanafi school of Islam. Kazan City Government religious affairs official Irek Arslanov spoke to Forum 18 approvingly of the Directorate's monthly meetings with the city's imams where "ideology is explained to them". Imam Ildus Faizov of the Directorate's Propaganda Department defended "good censorship" of Islamic thought, including the federal ban on many works of Turkish Muslim theologian Said Nursi. One Muslim told Forum 18 some Muslim women locally are afraid to wear the hijab and men are afraid to attend mosque for fear of being branded "religious extremists".

While stopping short of formal restrictions, the government of the traditionally majority Muslim republic of Tatarstan supports a monopoly on Islamic life by a single Muslim body, Forum 18 News Service has found.

A provision in Tatarstan's 1999 regional Religion Law stated that all Muslim religious organisations are subject to the Spiritual Directorate of Muslims of Tatarstan. This was later struck down as unconstitutional, Renat Valiullin, the republic's top religious affairs official, acknowledged to Forum 18 on 22 June in the republic's capital Kazan. Nevertheless, he repeatedly referred to the Spiritual Directorate's registered statutes as if they were law. Tatarstan's 1,072 registered Muslim organisations must belong to the Spiritual Directorate on the basis of these statutes (charter), he stressed, whose relevant provision exists "so as to keep the argument" of the 1999 Law.

While Valiullin also acknowledged that the 1997 federal Religion Law allows for separate religious organisations of the same faith, "we follow such a subtle and balanced policy – both the Spiritual Directorate and state organs - that we do not see such incidents in the republic of Tatarstan."

Hanafi Muslim monopoly

Again according to the statutes of the Spiritual Directorate, all Muslim organisations must work on the basis of the Hanafi madhhab (school) of Islam, the head of Tatarstan's Council for Religious Affairs also stressed. "Our Islam here is the Hanafi madhhab, which finds a common language with people of other religions," Valiullin told Forum 18. "When Volga Bulgaria [the Tatar proto-state] adopted Islam in 920, there were also Orthodox churches, synagogues - that is the mindset of the people." While other places might follow a different madhhab or trend, such as Wahhabism in Saudi Arabia, he suggested, "For them it is acceptable – 99 per cent of the people there are Muslims. But for us it is unacceptable."

Accepting that the state may not explicitly oppose or ban dissenting trends, Valiullin nevertheless spoke in support of the Spiritual Directorate's insistence upon a particular form of Islam. The Directorate produces copious literature promoting "traditional Islam", he pointed out, and mosque-goers "keep a check on" Salafi adherents seen to pray with their arms crossed and feet spread wide. "Tatars don't do this (..) there were cases when such people were told [by mosque-goers] to keep to the back, or leave, or do the same as us. That kind of approach is more effective than using force."

Unable to prohibit Muslims from studying Islam in countries following other traditions, the Tatar authorities also bolster local Islamic education by the Spiritual Directorate, Valiullin told Forum 18. The republic now has 11 licensed Islamic educational institutions, he said, while 35,000 students are enrolled on part-time courses at mosques. This policy has federal backing: senior presidential administration official Aleksei Grishin announced the allocation of 800 million roubles (approximately 165 million Norwegian Kroner, 18 million Euros or 25 million US Dollars) for Islamic education in Russia at a meeting in Kazan to mark the Spiritual Directorate's tenth anniversary in February 2008.

Responsible for relations with religious organisations at Kazan City Government, Irek Arslanov also praised containment of Islamic dissent in a 24 June interview in the Tatar capital. The Spiritual Directorate closely monitors activity at the city's 42 mosques, he told Forum 18: "The imams gather almost every month and ideology is explained to them (..) sermons are kept to particular subjects (..) mosque-goers watch to see whether leaflets or newspapers are circulated without the approval of the Spiritual Directorate."

Imam Ildus Faizov, who heads the Spiritual Directorate's Propaganda Department, defended "good censorship" of Islamic thought at his Bulgar Mosque in Kazan on 23 June. Asked by Forum 18 about the ban on works by moderate Turkish theologian Said Nursi (see forthcoming F18News article), he maintained that state policy was "correct, in the sense that people who don't know the foundations of Islam get into different trends."

Asked about Muslims who support re-establishment of a caliphate (Islamic rule led by a caliph), Faizov described their sources of knowledge as "Building an Islamic State for Dummies". "Reading that, they think they can run a state, when there is no order in their families and they can't even run a small business," he remarked. "And any real Muslim knows that there will never be a caliphate."

From 1991, Faizov maintained to Forum 18, "dissidents began to penetrate and spread this kind of literature, repudiating our local, centuries-old Islamic scholarly heritage." As a result, Islam is only now beginning to develop in Tatarstan, he suggested: "Their books should have been banned from the start."

Religious expression restricted

While the Tatar approach to Islamic dissent is considerably more carrot than stick, Muslims affected by "extremism" charges fear it is nevertheless beginning to hamper religious expression. Handed a two-year suspended sentence in May 2009 for "religious extremism" charges he denies, the acting imam of Kazan's Al-Ikhlâs mosque, Rustam Safin, suggested to Forum 18 there on 22 June that the Tatar authorities wish to make "Sufism" official, as it does not encourage participation in public life: "I'm not against it, but then other trends will be oppressed and banned."

Books from which Safin taught before recently being ousted from a local madrassah (Muslim college) - including "The Foundations of Islamic Doctrine" and "The Personality of a Muslim" - are now among banned titles on the Federal List of Extremist Materials, he pointed out.

"The Personality of a Muslim", by Arab theologian Muhammad ali Al-Hashimi, is a manual of Koran-based advice for living whose sole emphasis is on kindness and generosity, including towards non-Muslims. Ruled extremist by Buguruslan City Court (Orenburg Region) in August 2007, the work was automatically added to the Federal List the following December.

Afraid to look like devout Muslims

In the North Caucasus republic of Kabardino-Balkaria, names of those detained or wanted for Islamic extremism were culled from "Wahhabi lists" - police records of frequent mosque-goers - local Muslims there told Forum 18 in July 20.

While doubting that such lists exist in Tatarstan, Taliya Gabdulkhakova does believe that particularly devout Muslims are targeted as "religious extremists". This is why her son, daughter-in-law, nephew and his wife are currently on trial at the Supreme Court of Bashkortostan, she insisted to Forum 18 in Kazan on 21 June. From the Tatar city of Elabuga, the four face a wide-ranging set of charges - including religious extremism, terrorism and murder - which she and they insist are "fabricated from beginning to end".

Echoing Muslims in southern Russia, Gabdulkhakova told Forum 18 that Tatar women who wear the hijab or headscarf and men who wear beards and rolled trousers arouse state suspicion. (One indictment against a Muslim activist in the southern Astrakhan Region viewed by Forum 18 accused him of inviting "Hindus [sic] and immigrants from the Caucasus propagandising radical Islam - specifically 'Wahhabism' - who wore untrimmed long beards and socks tucked into their trousers [sic]").

As a result, Gabdulkhakova told Forum 18, local women - including her otherwise devout niece - are afraid to wear the hijab, and men are afraid to attend mosque. "Many Muslims here now say, 'Let our sons smoke, drink, take drugs, go to prostitutes - just not get into Islam, God forbid'."

Detained and tortured for faith, Tatar Muslims claim

By Geraldine Fagan

Forum 18 (08.07.2009) / HRWF Int. (09.07.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Dina Amirova, on trial in Tatarstan's capital Kazan, insists that she and her husband have been targeted as devout Muslims trying to find out more about their faith, after leaflets of the banned Hizb ut-Tahrir political movement were found among a wide range of Islamic-related literature at her home. She told Forum 18 News Service she and her husband have never had personal contact with any of the group's members. Her husband Renat Amirov told Forum 18 he was arrested, beaten and tortured to try to force him to testify against 12 local Muslims on trial for alleged Hizb ut-Tahrir membership. From the town of Elabuga, Taliya Gabdulkhakova insists charges including murder and religious extremism against her son and three other relatives have been fabricated. "My son obeyed Russian laws and paid taxes - he just stood out because he never missed a prayer time, wore a beard and wasn't dressed like everybody else," she told Forum 18. Her son has alleged "medieval torture" against the four while in detention, including heavy beatings,

threatened rape and execution. Irek Arslanov, who is responsible for relations with religious organisations at Kazan City Government, dismissed suggestions to Forum 18 that torture and intimidation are practised.

Intimidation and torture are used to try to secure "religious extremism" convictions in Tatarstan, young Muslims have maintained to Forum 18 News Service in the republic's capital, Kazan. Local state representatives categorically deny the allegations.

Dina Amirova is currently on trial at Kazan's Moscow District Court for alleged participation in the banned organisation Hizb ut-Tahrir. While a 2006 police search of her student room uncovered Hizb ut-Tahrir literature, Amirova has never been in contact with anyone from the organisation, she insisted to Forum 18 at Kazan's Al-Ikhlâs mosque on 22 June. Rather, as Hizb ut-Tahrir was much discussed in Kazan in 2004-6, she downloaded some of its brochures from the internet and took others left in mosques. "As people who had recently come to Islam we found it interesting," she remarked. "But we never thought we'd be accused of extremism or overthrowing the government for reading literature." The seized brochures had no special significance in her personal library, Amirova added, being taken from among books ranging from Salafi to Sufi Islamic thought.

Hizb ut-Tahrir is an international political movement vowing to re-establish a single Islamic state, or caliphate, and claiming to be entirely peaceful. However, Forum 18 notes its denial of key human rights, including religious freedom. Hizb ut-Tahrir's Draft Constitution prescribes execution for Muslims who change their faith and restricts the rights of non-Muslims.

While members have been prosecuted in Western Europe for a vehemently anti-Semitic 2002 statement, this text is little known in Russia. The Supreme Court here chose to outlaw the group as terrorist in a closed, 14 February 2003 session simply because its adherents aim to re-establish a caliphate and are "working to create a schism in society". Dozens of Hizb ut-Tahrir pamphlets are now on the Federal List of Extremist Materials, as is a statement by Sheikh Nafigulla Ashirov, head of the Spiritual Directorate of Muslims of Asiatic Russia, questioning the soundness of the Supreme Court ban.

Russian human rights defenders have similarly criticised the apparently flimsy evidence – particularly "expert" interpretations of the group's literature – in mass trials of alleged Hizb ut-Tahrir members. Many of those charged claim they are being persecuted as devout Muslims.

Police raids, surveillance, interrogations and beatings

Shortly after Amirova's criminal case was opened on 29 April 2008, police again raided her home, a flat in Kazan shared with her husband, Renat. During subsequent interrogation, officers threatened to charge her with terrorism and violent overthrow of the government if she did not denounce other Muslims, Amirova told Forum 18. Harsher treatment was reserved for her husband.

Renat Amirov was detained separately after the 16 May 2008 early morning raid, he told Forum 18. Ramil Ismagilov of the Organised Crime Police first warned him that he would be imprisoned for decades for terrorism and organised crime if he did not sign a statement denouncing 12 local Muslims as terrorists, he said. The 12 are currently on trial in Tatarstan's Supreme Court for alleged Hizb ut-Tahrir membership. On refusing, Amirov was then beaten about the legs and body by Renat Safin of the FSB security service and two

other officers, he told Forum 18. Light beatings and questioning – including on why and how he became a Muslim – continued for approximately eight hours, he said.

After an 8pm hospital visit certified no injury, Amirov was subjected to three further forms of physical brutality in repeated succession, he recalled. First, a gasmask was placed over his head and the air supply cut off at intervals with the instruction that he should raise his leg if prepared to co-operate; when this did not work, one interrogator exhaled cigarette smoke along the air supply tube. Amirov then demonstrated to Forum 18 the "swallow" ("lastochka") – a position in which his hands were handcuffed behind his back and he was suspended by them – and how he was also made to stand with legs splayed as far as possible and then beaten about the thighs. This continued for approximately nine hours, he told Forum 18, but he still refused to sign the statement. After a short break and six hours' verbal interrogation, Amirov was finally released at approximately 4pm on 17 May, he said.

Initially intimidated, Amirov lodged a complaint with the Investigatory Committee of Tatarstan Public Prosecutor's Office on 9 July 2008, but it was dismissed two days later for lack of evidence.

On 10 December 2008, Amirov was escorted from his workplace by two FSB officers who tried to induce him to collaborate by making offers of money and threats against his wife – including of televising a film of her naked made with a secret surveillance camera in their flat, he told Forum 18. "After I was shown that film I refused to talk to them," Amirov said. No further action has been taken against him.

Acting imam at Al-Ikhlās mosque, Rustam Safin also declared publicly that he would not denounce the 12 Muslims currently on trial for alleged Hizb ut-Tahrir membership, he told Forum 18 at the mosque on 22 June. "As I said, it is not 12 Muslims being judged, but the whole ummah [Muslim community]," he explained. "We can't divide the ummah into separate groups – if someone is in error, then other Muslims should correct him." By saying this, he believes, "I supposedly created the conditions for this party [Hizb ut-Tahrir] to operate."

According to Russian media, Safin "created conditions for the development" of Hizb ut-Tahrir in Kazan from 2006-8, including arranging "a secret meeting where he tried to persuade those present of the exclusive role" played by the movement, thus leading them "astray". A search of the imam's flat found publications setting out Hizb ut-Tahrir's "extremist ideology, contradicting traditional trends in Islam". On 12 May 2009 Kazan's Soviet District Court handed Safin a two-year suspended sentence for organising the activity of a banned extremist organisation (Article 282.2, Part 1 of the Criminal Code). He was consequently ousted from his long-standing teaching post at a local madrassah [Muslim college] and formally dismissed as imam by the Spiritual Directorate of Muslims of Tatarstan.

Safin denies links with Hizb ut-Tahrir and stresses that he calls for tolerance and understanding in his sermons. "Christians and Muslims live peacefully in Tatarstan," he remarked to Forum 18. "There can be no talk of revolution." Safin believes that an acquaintance among the 12 on trial who admitted Hizb ut-Tahrir membership probably confessed under duress while in detention.

Official denial of torture

Irek Arslanov, who is responsible for relations with religious organisations at Kazan City Government, dismissed suggestions that torture and intimidation are practised by religious extremism investigators in Tatarstan. "Of course we don't have any such instances -

violations by the courts, pressure on witnesses or anyone else," he told Forum 18 in Kazan on 24 June. "Everything is sufficiently civilised and reasonable – the investigative organs respond well and sort things out."

Renat Valiullin, head of Tatarstan's Council for Religious Affairs, was also confident in the fairness of the local criminal justice system. Rustam Safin was sentenced due to literary evidence and "using the idea of building a caliphate in his sermons," he pointed out to Forum 18 in Kazan on 22 June. Asked whether the method used to achieve a caliphate might in that case be crucial, Valiullin replied that, "it's not important whether by military or peaceful means. The main thing is that they don't recognise the existing authorities and speak out against them. That in itself is evidence that the institution of a constitutionally based state is being violated."

Imam Ildus Faizov, who heads the Propaganda Department of the Spiritual Directorate of Muslims of Tatarstan, agrees. Asked at his Bulgar Mosque in Kazan on 23 June what danger the alleged Hizb ut-Tahrir members posed, he maintained that, "People not learned in the foundations of religion began to say we need to rebuild the state and bring Muslims to power." While they might claim to use peaceful methods, he continued, "this is what all extremists say - only once you're inside and have passed a number of stages do you understand you have to fight. And when they start overt and persistent protest, the next step is obvious."

At first maintaining that Rustam Safin "turned out to be one of them" but later expressing doubt, Faizov also berated some of the 12 alleged Hizb ut-Tahrir members as former drug addicts and criminals. "How can they build a caliphate?"

Devout Muslims targeted?

From the Tatar city of Elabuga, Taliya Gabdulkhakova believes a wide-ranging set of charges - including religious extremism, terrorism and murder – against her son, daughter-in-law, nephew and his wife were "fabricated from beginning to end", she told Forum 18 in Kazan on 21 June. Currently on trial at the Supreme Court of neighbouring Bashkortostan, the four have been detained since autumn 2007. They were targeted as particularly devout Muslims, Gabdulkhakova maintains. "My son obeyed Russian laws and paid taxes – he just stood out because he never missed a prayer time, wore a beard and wasn't dressed like everybody else." Danil Gabdulkhakov was also under police surveillance from 1998, she added, when, aged 16, he took up an offer to study Islam in Chechnya, returning several months later in poor health.

A recent statement by Danil Gabdulkhakov viewed by Forum 18 maintains that the four have been subject to "physical and psychological pressure and medieval torture" while in detention, including heavy beatings, physical exposure, threatened rape and execution. As a result, he writes, "my will was broken and, as dictated by the investigator, I wrote everything they wanted to hear from me, signed all the papers." These establish that the detainees were involved in a religious organisation called "Islamic Jamaat", he writes - many of whose members were arrested on the eve of celebrations to mark the 450th anniversary of Bashkortostan's incorporation into Russia - as well as the murders of three policemen.

A 25 June 2008 response to Taliya Gabdulkhakova from the Volga Federal District Office of the General Public Prosecutor, viewed by Forum 18, states that the four detainees have not been subject to unlawful treatment.

Previously, claims of detention and torture due to Muslim beliefs have centred on the North Caucasus.

Latterly, ordinary Muslim prisoners outside the North Caucasus have also complained of maltreatment due to their faith. In one prison colony in Sverdlovsk Region, they are not permitted to observe prayer times and beaten by prison staff for trying to do so, according to Islam.ru Russian Islamic affairs website. In Tambov region, Tajik, Uzbek and Kyrgyz prisoners have complained that a mosque they were permitted to build was closed in April, when prison guards also demonstratively destroyed a copy of the Koran.

Russian Orthodoxy: ethnic or religious identity?

AsiaNews (03.07.2009) / HRWF Int. (07.07.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - "I am Russian and so I am Orthodox." The sociologist Natalia Zorkaia, from the NGO Levada Center, thus summarizes the results of research conducted among the population of the Federation entitled "Religion and Religiosity in Russia." It notes that over 72% of people claim to be Orthodox, but only 3% go to church at least once a week. A high percentage loosely follows the precepts of their faith.

The research, commissioned by the Catholic organisation Renovabis, was born of a desire to "observe the return of the religious phenomenon in Eastern Europe and nothing more," says Christopher Dam representative of the organisation that is based in Berlin. Zorkaia says that, interviews from a sample group of 1600 people showed that "Orthodoxy in contemporary Russia is a form of ethnic identity rather than religious conviction."

The figures, presented in late June at a press conference in Berlin, show that 72.6% of respondents stated they were Orthodox and only 7.3% claimed to be atheist. People, who claim to belong to other Christian groups, including Catholicism, count for 1.2%, while Judaism, Islam and Buddhism count for 6.3% of respondents.

The Levada Center research shows that among those who consider themselves Orthodox only 42% say they believe in "unconditionally" God. The survey also notes that of these 55% attend church on the occasion of major celebrations, only 3% visiting every week while 12% never go to church. Data regarding the rules and precepts of the faith, such as fasting, confession and prayer, reveals a similar breakdown in percentages.

Hegumen Filipp, professor of Church History at the State University Mgu Moscow, says that the results of research show that "people come to church with their own superstitions and they try to make them a part of church life." The project promoted by Renovabis has aided understanding of the development of the religious phenomenon since the end of the prohibitions of the Soviet era. With regard to the orthodoxy in particular, it covers the period under Patriarch Alexei II.

For Filipp this snapshot of the situation sets out a future task both for the Orthodox clergy and for the leaders of other religions in the country. The Professor, who participated in drawing up the questionnaire, considers training of the clergy to be a vital element. Proper education of the people entrusted with the leadership of the different communities of believers is the only way to raise a genuine religious experience among the laity and greater awareness of the meaning of their faith.

Obama in Moscow: Speak out for religious freedom, says a European NGO

Dear President Obama,

HRWF Int. (29.06.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - On 6-8 July, you will make your first visit to Moscow. Expectations are running high in anticipation of your upcoming meeting with Russian President Medvedev.

A number of important issues will be on your agenda such as a new security architecture in Europe, the role of NATO, the events in Iran and North Korea, and Afghanistan.

Human Rights Without Frontiers International (HRWF Int'l), a Brussels-based organization, urges you to also use this opportunity to raise a number of pressing issues such as religious freedom, religious intolerance and discrimination in Russia.

HRWF Int'l is publishing today a 20-page report on Freedom of Religion or Belief in the Russian Federation which highlights a number of areas of concern:

- 1** Article 14 of the 1997 "**Law On Freedom Of Conscience And Association**" which allows the liquidation of a Religious Organization and the banning of its activities.
- 2** The 2002 "**Law On Fighting Extremist Activity**" which gives authorities the power to criminalize a broad spectrum of religious speech, literature, and activities: i.e. Article 13 provides for the creation of a controversial list of extremist materials that shall be banned in the Russian Federation.
- 3** The abuse of the Law On Extremist Activities against non-confrontational Islamic literature, activities, and organizations.
- 4** The harassment of Jehovah's Witnesses: From 2007 to 2009 Jehovah's Witnesses in various regions across the country were served with over 45 warnings "on the impermissibility of carrying out extremist activity." In February-March 2009, Jehovah's Witness groups across the country underwent over 500 government "check-ups", in what religious leaders considered an attempt to find any incriminating evidence against them. In early 2009, Jehovah's Witness were being faced with having their religious literature banned in at least four areas of Russia.
- 5** The 2006 "**Law on Introducing Amendments to Certain Legislative Acts of the Russian Federation**" (**NGO Law**) which restricts the actions of foreign-controlled organizations, including religious organizations.
- 6** The creation of an **Expert Council** for Conducting State-Religious Studies under the Ministry of Justice in March 2009 whose membership consists of various "anti-sectarians actors", such as Aleksandr Dvorkin, a controversial Orthodox scholar notorious for speaking out against "non-traditional" religions and which has been granted broad powers of investigation over religious organizations and their literature.
- 7** The non-implementation of judgments of the European Court in cases won by Russian religious organizations: Salvation Army, Jehovah's Witnesses, and so on.

HRWF Int'l urges you, Mr. President, to ask President Medvedev

- 1 To facilitate the registration of Local Religious Organizations;
 - 2 To facilitate the preservation of the registered status of Local Religious Organizations by further easing the administrative burden placed on them, specifically with regards to annual reports (2006 Law on Public Associations);
 - 3 To discontinue the misuse of the right of public authorities to attend meetings of religious organizations every year in order to verify whether or not they are acting in compliance with their charter (2006 Law on Public Associations);
 - 4 To revise Article 14 of the 1997 **Law on Freedom of conscience and association** which deals with the banning of the activities of a Religious Organization and their liquidation as several of its provisions are not necessary in a democratic society;
 - 5 To abrogate the 2002 **Law On Fighting Extremist Activity** as it is used and abused to restrict religious freedom, to repress and attempt to ban non-violent religious groups such as Jehovah's Witnesses;
 - 6 To put an end to the harassment of Jehovah's Witnesses;
 - 7 To dissolve the Expert Council for Conducting State-Religious Studies under the Ministry of Justice as its powers have been unduly extended to limit the freedom of "non-traditional" religious movements and its members include activists of the Orthodox Church and anti-sect movements;
 - 8 To fully implement the decisions of the European Court, especially in the following cases:
 - 9 To ban the mandatory classes on Russian Orthodox Culture or Islamic culture in public schools as they are used to propagate the teaching of the Orthodox of Islamic religion despite articles 14 of the Constitution on the separation between state and religions;
 - 10 To put an end to the use of public school buildings by the Russian Orthodox Church for conducting religious education classes after hours;
 - 11 To facilitate the granting of visas to foreign missionaries;
 - 12 To actively oppose anti-Semitism.
-

Southern Russian hospitals to display Orthodox icons

RFE/RL (24.06.2009) / HRWF Int. (29.06.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Two large maternity hospitals in the southern Russian city of Astrakhan will soon display Russian Orthodox icons of the Virgin Mary, RFE/RL's Tatar-Bashkir Service reports.

The icons are to be unveiled in a ceremony scheduled for June 29.

In addition, all patients in maternity hospitals and prenatal clinics in Astrakhan will be given small versions of the icon for free.

The initiative was organized by the Russian Orthodox Church and has provoked controversy, since 20 percent of the population of Astrakhan is Muslim, mainly ethnic Kazakhs and Tatars.

CSCE leaders call on White House to raise human rights concerns at Moscow Summit

Hon. Benjamin L. Cardin, Chairman
Hon. Alcee L. Hastings, Co-Chairman
Media Contact: Neil Simon

CSCE (23.06.2009) / HRWF Int. (24.06.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - U.S. Senator Benjamin L. Cardin (D-MD), Chairman of the Commission on Security and Cooperation in Europe (U.S. Helsinki Commission), along with Co-Chairman Congressman Alcee L. Hastings (D-FL), Ranking Minority Members Senator Sam Brownback (R-KS) and Congressman Chris Smith (R-NJ) sent a letter to President Barack Obama today urging him to make the discussion of violations of human rights, including religious and press freedoms, high priorities for his upcoming summit in Moscow.

The leaders of the U.S. Helsinki Commission cited Russia's violations of religious and press freedoms – including the country's attacks on Jehovah's Witnesses and its failure to prosecute those who have murdered journalists.

"Human rights, freedom of the press and freedom of religion are critical issues that need to be raised with Russia at the highest levels possible," said Chairman Cardin. "Silence allows others to wrongly interpret our actions as tacit support. I strongly encourage the Administration to include human rights in a very visible and frank manner."

The joint letter voices concerns which were highlighted today in a Commission hearing titled "The Medvedev Thaw: Is it Real? Will it Last?" Commissioners heard from the leader of Jehovah's Witnesses in Russia about how members of that religion face official harassment because of their faith; a prominent businessman whose company was stolen by a network of corrupt government officials; and the widow of murdered Forbes Russia editor Paul Klebnikov, who was assassinated five years ago July after reporting on political corruption. Nobody has been held to account for Klebnikov's murder.

"I hope President Obama will make discussions of freedom a central part of his visit with President Medvedev and show human rights advocates the world over that America's

commitment to reset the Russian relationship should come with a corresponding reset of Russia's human rights record," Co-Chairman Hastings said.

The Russian crackdown on Jehovah's Witnesses, including the banning of religious literature is an outrageous display of discrimination.

"As an OSCE participating State, Russia should be encouraged to fully respect the rights of all Russians, including Jehovah's Witnesses, to freely profess and practice their faith without fear or intimidation," Commissioners wrote in the letter to President Obama.

The full text of the joint letter is below.

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June 23, 2009

The Honorable Barack Obama
President
The White House
Washington, DC

Dear Mr. President:

We hope that your upcoming summit with Russian President Dmitry Medvedev results in improvements in bilateral relations and decisions that prove mutually beneficial to citizens in both countries. In this regard, we urge you to raise three specific concerns with President Medvedev during your meetings in Moscow.

Mr. President, the Congress is on record expressing concern over attempts to limit the free flow of information in Russia and the fate of journalists, including American Paul Klebnikov, killed as a result of their professional pursuits. Notwithstanding pronouncements by senior Russian government officials regarding the need to ensure protection of journalists and the importance of objective investigation of the murders, inquiries into such cases typically falter. According to the U.S.-based Committee to Protect Journalists, scores of journalists have been murdered in Russia alone since the early 1990s. As your visit coincides with the fifth anniversary of Paul Klebnikov's murder, we urge you to impress upon the Russian authorities the importance the United States attaches to bringing to justice all of those responsible in any way for his murder.

The Helsinki Commission has a long history of engagement on the Schneerson Collection, a library of sacred Jewish texts written by rebbes of the Lubavitcher Chasidic community prior to the Bolshevik Revolution. Seized by the Soviet government in the 1920s, it is currently held in the Russian State Library and the Russian State Military Archive. We are particularly concerned over recent reports that handwritten pages from the Schneerson Collection have appeared on the black market. The prospect that the integrity of this religious library has been compromised has caused profound sadness throughout the Chabad community and great concern to those of us who have followed developments relating to the Collection over the years. Recalling that you were among the 100 senators to write to then-President Vladimir Putin in early 2005 on the Schneerson Collection, we ask that you raise this longstanding issue with President Medvedev with the aim of securing the return of these sacred religious texts, archives, and manuscripts to Agudas Chasidei Chabad without further delay.

Finally, we urge you to voice concern regarding the country-wide crackdown against Jehovah's Witnesses in Russia, a community that has been present there for over a century. Earlier this year, the General Prosecutor's Office of the Russian Federation reportedly contacted local prosecutors suggesting that investigations be launched targeting the communities of Jehovah's Witnesses in their area. At least eight cases have been filed under Russia's Law on Counteracting Extremism, with the aim of banning religious literature produced by the Jehovah's Witnesses. A wide array of government agencies have been employed as part of this nationwide sweep which is having a chilling effect on this minority community. As an OSCE participating State, Russia should be encouraged to fully respect the rights of all Russians, including Jehovah's Witnesses, to freely profess and practice their faith without fear or intimidation.

Respectfully yours,

Benjamin L. Cardin, U.S.S., *Chairman*
Alcee L. Hastings, M.C., *Co-Chairman*
Sam Brownback, U.S.S., *Ranking Minority Member*
Christopher H. Smith, M.C., *Ranking Minority Member*

Widespread protests at new 'Inquisition'

By Geraldine Fagan

Forum 18 (02.06.2009) / HRWF Int. (09.06.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Widespread protests by Russian religious communities and human rights defenders followed the appointment of "anti-cultists" and controversial scholars of Islam to a state body with sweeping powers to investigate religious organisations, Forum 18 News Service notes. Particularly striking opposition to the Justice Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis has come from the Old Believers, a group not directly threatened. They view the body's re-organisation as "a direct threat to the constitutional rights of the citizens of Russia to freedom of confession [which] could serve as a dangerous catalyst for inter-confessional strife, a prologue to the beginning of struggle against religious dissent, oppression of believers, the restoration of religious censorship and inquisition." The Old Believers have called for the complete abolition of the Council. The Justice Ministry has failed to respond to Forum 18's questions, including why the Council is needed. The state's position is not unanimously supportive of the Council, and if the authorities heed the widespread protests its activity may be significantly curtailed.

The appointment of renowned "anti-cultists" and controversial scholars of Islam to a government body allocated sweeping powers to investigate religious organisations has provoked an unprecedented outcry from many religious representatives and human rights defenders, Forum 18 News Service notes.

Particularly striking opposition to the Justice Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis has come from the Union of Old Believer Theologians, a group not directly threatened. The developments are "a direct threat to the constitutional rights of the citizens of Russia to freedom of confession [which] could serve as a dangerous catalyst for inter-confessional strife, a prologue to the beginning of struggle against religious dissent, oppression of believers, the restoration of religious censorship and inquisition," they state. "Professing pre-schism, Old Russian Orthodoxy (...) Old Believers had to experience the terrible fruits of religious violence as no one else."

The Old Believers also go further than simply calling for the removal of some Council members; they suggest that the best course of action would be the complete abolition of the Council. "Otherwise, the religious life of Russia will always depend upon the subjective opinion of whichever people have ended up on this body," they argue. "Questions of the existence of religious associations should be regulated by relevant civil law, without the interference of any 'councils' 'committees' or 'departments'."

The Council's members and powers

Orders signed by Russia's Justice Minister Aleksandr Konovalov on 18 February and 3 March 2009 appointed 24 members – all but one new – to the Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis. They also greatly expanded the Council's powers, allowing it to investigate the activity, doctrines, leadership decisions, literature and worship of any registered religious organisation and recommend action to the Ministry.

The appointees include figures notorious for their virulent opposition to certain religious groups. One is the author of a leaflet linking Hare Krishna devotees with murder and child abuse that was recently declared extremist by a court in the Russian Far East. Another has urged Muslims to burn Islamic books banned as extremist – even as prominent Muslim leaders press for a review of such rulings.

Will the authorities reconsider the Council's members and powers?

If the unprecedented indignation expressed by many leaders of Russia's religious communities – Seventh-day Adventist, Baptist, Muslim, Old Believer and Pentecostal – and human rights defenders is heeded by the authorities, the protests may put a check on the Council's activity.

The developments around the Council caused "a big shock" within the Presidential Administration, "as they have been trying to follow a balanced policy there, pressing for peace and co-existence between confessions," Maksim Shevchenko, a member of the Public Chamber's Commission on International Relations and Freedom of Conscience and well-known television journalist, told Forum 18 on 20 May. The initiative for the Council's re-organisation originates with Justice Minister Konovalov, he believes.

One of the Council's vice-chairs, Roman Silantyev, maintained that the main credit for reviving the Council belongs to Konovalov, the Russian news agency Interfax reported on 3 April.

Among Forum 18's written questions submitted to the Justice Ministry before the start of the working day on 22 May were: whether the two orders appointing new members to the Council and expanding its powers were the initiative of Minister Konovalov or the result of consultation with another state organ. Forum 18 also asked the Ministry on 29 May why the Council exists at all. However, the Ministry failed to respond to any of the questions by the middle of the working day in Moscow on 2 June.

The state's position is not unanimously supportive of the Council. Andrei Sebentsov, head of the Russian government's Department for Relations with Religious Associations, remarked to Portal-Credo religious-affairs website on 9 April that the appointments of Aleksandr Dvorkin – "not a religious-studies scholar and de facto representing the interests of the Russian

Orthodox Church (Moscow Patriarchate)" - and Silantyev were "a very strange fact which could have far-reaching consequences."

So far there has been no public move by a state representative to counter the changes to the Council. Shevchenko told Forum 18 that his Commission currently has no hearing planned to press the issue. "I can only suggest things to them - but we are following the situation closely," he remarked. "As a Russian citizen, I don't want this kind of justice." Shevchenko co-ordinated the 3 March Public Chamber hearing at which Ravil Gainutdin, Council of Muftis chair, questioned recent bans on Islamic literature.

Widespread opposition to the Council

In addition to the Old Believers, there have been unusually strong responses to the Council from many religious representatives and human rights defenders over the past few weeks, as reported by Interfax, Portal-Credo and the Moscow-based Slavic Centre for Law and Justice.

Roman Lunkin, who heads the Institute of Religion and Law at the Slavic Centre, called the Council's formation "a declaration of war" to religious associations other than the Moscow Patriarchate, "at the very least, an inquisition." He subsequently published an open letter to Minister Konovalov – intended as a petition – calling for Dvorkin, Aleksandr Kuzmin, Yevgeny Mukhtarov, Fr Lev Semenov and Andrei Vasilchenko to be removed from the Council. Lunkin also reported that Igor Yablokov, who heads the faculty of Religious Philosophy and Religious Studies at Moscow State University and is the only previous Council member, vowed at its first, 3 April meeting that he would not attend in future as it did not bear "even the remotest resemblance to a meeting of scholars".

The head of the Baptist Union, Yuri Sipko maintained that the changes to the Council sought to reduce religious freedom to a level at which "everything is controlled and subordinate to a single ideology and freedom itself is banned (..) this only underscores the helplessness of our state authorities, who, instead of following constitutional principles of freedom - including religious freedom – constantly feel the urge to curb these freedoms." In a later statement on his Union's website, Sipko claimed that whereas President Dmitry Medvedev criticised "legal nihilism", he had appointed a Justice Minister "who clearly doesn't understand the essence of law."

Apparently in response to Minister Konovalov's criticism of disquiet over the new Council, Sipko also insisted that the authorities should not evaluate the actions of "citizens in pain, and wishing to speak about their pain" as actions against the authorities. "This is the same as if a doctor were to evaluate the actions of a patient who is complaining of his indisposition as actions against his authority as a doctor (..) only talentless officials evaluate protests as actions directed against the authorities. The voice of citizens is the expression of higher authority, behind which is the voice of God."

Pentecostal Bishop Sergei Ryakhovsky remarked that the appointment of Dvorkin – "a thoroughly odious personality in Russian religious circles" – was "a huge provocation by the Justice Ministry." He later told the Protestant TBN television channel that he expected "very unpleasant actions" from the new Council and urged Konovalov to resign.

In response, Council vice-chair Silantyev suggested that Ryakhovsky should not make "rash offensive statements". The Council was "not created to flatter the gaze of the US State Department," he continued, maintaining that Council recommendations would instead be taken seriously by major government organs. "That they won't have any authority with

Sergei Ryakhovsky and Ravil Gainutdin will not harm the work of the Council in any way," Silantyev maintained. Dvorkin interpreted Ryakhovsky's call for Konovalov to resign as "his yearning to get into power, painfully reminiscent of the events of the 'Orange Revolution', when the same neo-Pentecostals in Ukraine came out [to demonstrate] on Maidan [Independence Square] in Kiev."

In an open letter to Minister Konovalov, Viktor Vitko, vice-chair of the Seventh-day Adventist Church's Euro-Asia Division, supported Lunkin's call for Council members to be removed, and suggested that allocating the right to make recommendations on the state's behalf to "people renowned for their fight against non-Orthodox organisations and movements in Russia" would inevitably result in future conflicts and court cases.

Mufti Ravil Gainutdin maintained that the newly formed Council contains no Islamic scholars capable of giving an objective evaluation of Islamic literature, so that Muslims "will hardly pay due attention to its conclusions, still less follow them." Co-chair of the Council of Muftis and head of the Volga Spiritual Directorate of Muslims, Mukadas Bibarsov described the development as "either a bad joke or positive mockery of the religious sentiments and civil rights of Russian believers."

However, the Russian Orthodox Church has expressed support for the Council. Fr Vsevolod Chaplin, who heads the Moscow Patriarchate's Department for Relations between Church and Society, has defended the new Council, claiming that it obviously now contains "specialists at a serious level, active, well-known in society."

Pentecostals oppose justice ministry council

Evangelical churches call authorities to pay attention to "outrages" of sectologists

Slavic Legal Center (29.05.2009) / HRWF Int. (03.06.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Evangelical churches from widely scattered regions of Russia have called authorities to pay attention to the "outrages" of sectologists and the publication of slanderous articles directed against believing citizens of Russia, the press service of the Slavic Legal Center reports.

In particular a religious group of Christians of Evangelical Faith (Pentecostals) of the cities of Kirovsk and Apatita in Murmansk province sent a letter in support of the "No to inquisitors!" action with 22 signatures on two sheets.

The letter notes: "We think that the expansion of the powers of the Expert Council for Conducting State Religious Expert Analysis within the Ministry of Justice of RF and its present membership is a direct step toward incitement of religious strife. In addition, it is state approval of all actions of partisan personalities, the infamous sect fighter Dvorkin and coworkers of centers that have been created in the dioceses of the Russian Orthodox church.

"The flood of slander from television stations and public announcements accompanied by violation of all imaginable norms of legislation, the distribution of pamphlets with extremist calls, and publication of slanderous articles—all of which we have personally experienced, while we are citizens of Russia who have thoroughly healthy families and are active in social programs of various kinds.

"We had hoped that at sometime the government would pay attention to these outrages, but instead we see at the head of the expert council and in its membership people who use just these methods in relations with people who think differently than they do."

In the appeal to Russian Minister of Justice A.V. Konovalov the believers request: "Review the membership and powers of the expert council; remove from membership the scandalous personalities who stir up hysteria and cast doubt on the legality and objectivity of the council's decisions; and co-opt into the membership genuinely secular scholars of religion who have credentials and academic degrees."

In addition, a letter of support of the "No to inquisitors!" action also was sent by the "Word of Life" church of Christians of Evangelical Faith in the city of Strezhevo, Tomsk province (35 signatures on three sheets). The letter notes that the signatures were collected at a prayer meeting and that among the members of the church are teachers, programmers, internet technology specialists, and petroleum engineers.

An appeal to the Russian minister of Justice and a letter in support of the Russia-wide action were received from the "Word of Life" church of Christians of Evangelical Faith of the city of Ulan-Ude, republic of Buriatia. The church collected 158 believers' signatures.

Jehovah's Witnesses victims of a new harassment campaign in Russia



April 2009

SUMMARY OF EVENTS

This report, compiled by Jehovah's Witnesses in Russia, presents facts to demonstrate that certain government authorities in that country are sponsoring mass violations of the rights of this religious group to enjoy freedom of worship. By way of an introduction, the following background summary of events shows that there exists a relentless campaign of harassment aimed at banning their activities throughout the country.

In 1991 Jehovah's Witnesses received official recognition in the USSR. In the same year in accordance with the Law on Rehabilitation of Victims of Political Repression, and in 1996 by Presidential order, they were fully rehabilitated as victims of political repression. This enabled hundreds of thousands of citizens of the former Soviet Union to enjoy exoneration and freedom of worship and expression.

Unfortunately, since 1995 they have again experienced surveillance by the law-enforcement organs. Jehovah's Witnesses fully recognize the right of the authorities to inspect their activity and to ensure that they adhere to the law. It is noteworthy, however, that the many inspections and investigations that have been conducted on individual Witnesses and on the organization as a whole throughout the last 14 years have not uncovered a single violation of the law. Nevertheless, inspections and investigations continue unabated and are becoming ever more intense and intrusive.

In 2004, the Moscow City Court, after six years of hearings, upheld the decision to liquidate the legal entity of Jehovah's Witnesses in Moscow despite its not having established that a single one of Jehovah's Witnesses was guilty of any unlawful actions. Rather, the Moscow ban was based on a tendentious examination of religious belief and is currently being used to justify a campaign of harassment, discrimination and religious intolerance throughout Russia. The Moscow ban has been appealed to the European Court of Human Rights as it flies in the face of Russia's obligations, noted in Resolution 1277 adopted by the Parliamentary Assembly of the Council of Europe on 23 April 2002. The Resolution states in part:

"The Assembly regrets the problems of... Jehovah's Witnesses in Moscow, but welcomes the decision of the Russian authorities to ensure that the problem of local discrimination and harassment of these religious communities be brought to an end."

Between 2007 and 2009 prosecutor's offices have served local religious associations of Jehovah's Witnesses in various regions of Russia with over 45 similar warnings "on the impermissibility of carrying out extremist activity." And once again not a single individual Jehovah's Witness or registered association has been charged with specific violations of the law. All the accusations are built around biased interpretations of the religious literature of Jehovah's Witnesses, often prepared by prejudiced self-styled experts. In the opinion of Russian defenders of human rights this is a shocking example of how the Law on Counteracting Extremist Activity is, in fact, being used to counteract legitimate freedom of thought.

In February 2009, all prosecutor's offices in Russia received a letter from the Prosecutor General's Office demanding that they gather any negative information whatsoever on Jehovah's Witnesses, with a view to banning their activity. They were authorized to involve agencies of the FSB, the police, the public health agencies, local departments of justice, and military commissariats in the quest for such information.

Taking these events to their logical conclusion, conditions are being created for the criminal prosecution of individuals simply for holding religious convictions; and the advances in democracy achieved since 1991 are again under threat. The prosecutor's office, recently assigned to rehabilitate victims of religious persecution, is once again gearing up to take the lead in their persecution. Mass violations of the rights of Jehovah's Witnesses in Russia are already evident. Therefore, Jehovah's Witnesses appeal to the authorities to protect their rights as guaranteed by the Russian Constitution and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

SHOCKING EXAMPLES OF INTOLERANCE

During 2008 and continuing into 2009 Jehovah's Witnesses in Russia have been facing shocking demonstrations of religious intolerance and violations of their right to freedom of worship. There is good reason to believe that this is the result of the policies of certain government structures, pursued over several years.



In the photographs on this page:

④ A picket sanctioned by the local authorities at the venue of a religious meeting of Jehovah's Witnesses. The banners feature abusive slogans such as "Sectarians – Out!!!" At the rear police officers observe but fail to take any action (Novoshakhtinsk, Rostov Region, 2008).

□ A burned down Kingdom Hall of Jehovah's Witnesses. Despite obvious arson, a proper criminal investigation has not yet been conducted (Chekhov, Moscow Region, 2008).



□ Officers from the FSB carry out a search and seize literature in a Kingdom Hall of Jehovah's

Witnesses (Yekaterinburg, 2008).



Regrettably, instead of protecting the rights of religious worshippers, the law-enforcement agencies themselves are taking the initiative in encouraging religious intolerance. As events develop, it becomes more and more apparent that their ultimate aim is to liquidate the Administrative Center of Jehovah's Witnesses in Russia, along with all other registered legal entities of Jehovah's Witnesses, and to achieve a total ban on the activity of this religion by finding a pretext for a criminal prosecution.

HUMAN RIGHTS VIOLATIONS IN YEKATERINBURG AND SVERDLOSK REGION

On 19 June 2008, in Asbest, Sverdlovsk Region, a criminal case was instigated in connection with the distribution of the religious literature of Jehovah's Witnesses. To this day, no charges have been brought against a single one of Jehovah's Witnesses. However, the fact that a criminal investigation is under way is being used to intimidate and pressurize Jehovah's Witnesses, as well as to arouse public enmity and mistrust towards the organization.

- Between 5 June and 20 August 2008, Valentina Bykova, Yulia Andreyeva, Maria Kilina, Maria Aleskerova, minor Darya Golovko, Igor Ananyin and others were detained by the police while lawfully engaging in religious activity, some on more than one occasion. They were escorted to the police station where they were searched, forcibly fingerprinted and photographed, and their religious literature was confiscated.
- On 16 July 2008, a search was conducted of a Kingdom Hall of Jehovah's Witnesses in Yekaterinburg, and religious literature was seized. The raid was carried out by a division of the FSB. Eighteen individuals were unlawfully detained for up to nine hours in violation of their right to personal integrity (as guaranteed by Article 22 of the Russian Federation Constitution). The FSB agents in particular psychologically and physically abused Anastasia Lelikova, pinning her to the wall and twisting her arms. The lawfulness of the raid, the seizing of literature and the actions of the law-enforcement agencies were contested by all 18 individuals using both civil and criminal procedures, but the complainants were refused access to court (see the section on violations of Article 6 of the European Convention by the Russian Federation).
- On 23 February 2009, in Bogdanovich, deaf Jehovah's Witnesses Vera Ivanova, Yulia Strokun and Yelena Plotnikova, were escorted to the police station (Vera

Ivanova late at night), where they were treated roughly and ridiculed for their religious beliefs by the local police chief V.G. Telepov.

- On the initiative of the FSB and the prosecutor's office, over 80 unsubstantiated reports have been posted on internet sites and in other media sources characterizing the literature of Jehovah's Witnesses as extremist. Moreover, the prosecutor has used the media to encourage the public to testify against Jehovah's Witnesses, in violation of Article 4.4 of the Federal Law on Freedom of Conscience and Religious Associations, according to which officials of State agencies must not use their official status to influence the public perception of any religion.

ATTEMPTS TO OBSTRUCT ACCESS TO JUSTICE

- By placing bureaucratic obstacles in their path, the authorities have effectively blocked the road to justice for Jehovah's Witnesses. Their complaints filed to the Asbest City Court under the criminal procedure were rejected on the grounds that it should have been filed under the civil procedure. At the same time, their complaint filed to the Ordzhonikidzevskiy District Court of Yekaterinburg under the civil procedure was rejected on the grounds that it should have been filed under the criminal procedure!
- Lawyer Yegiazar (Igor) Chernikov, who is assisting Jehovah's Witnesses in Yekaterinburg and Asbest, was subjected to severe pressure from the law-enforcement agencies. Following a complaint filed by B.N. Kozinenko, the head of the Sverdlovsk Region Directorate of the FSB, the possibility of his being stripped of his license to practice was considered, and a disciplinary case was initiated. At the same time, on the initiative of the Investigation Committee of the Sverdlovsk Region Directorate of the RF Prosecutor General's Office an investigation was conducted with the aim of instigating a criminal case against him. Eventually, no criminal case was instigated, and the disciplinary case was dropped. However, this is still considered by the European Court of Human Rights as a violation of the rights of religious worshippers. The Court has stated that "moves made by the authorities to institute criminal proceedings against the applicant's lawyer, **even though they were not followed up**, must be considered an interference with the exercise of the applicant's right of individual petition and incompatible with the respondent State's obligation" (Judgment in the case of *Kurt v. Turkey*, 25 May 1998, paragraph 165).

RELIGION ON TRIAL

On 11 February 2009, the Appeal Court of the Republic of Altay upheld the decision of the lower court and, as a preventive measure, **put a ban on the distribution of the religious literature of Jehovah's Witnesses in the territory of the republic.**

Jehovah's Witnesses have been publishing religious literature for over 130 years. Today it is published in over 500 languages and distributed in 235 lands throughout the world. Tens of

thousands of responses from all over the globe show how both religious believers and non-believers value the literature. Reading and studying Bible literature is an integral part of the religious worship of Jehovah's Witnesses.

However, beginning in 2007 the Russian Federation Prosecutor General's Office initiated a massive campaign throughout the country to have the literature of Jehovah's Witnesses pronounced extremist **with the aim of having its import, distribution and use proscribed**. Between 2007 and 2009 over 40 summonses have been served by the prosecutor's office on religious associations of Jehovah's Witnesses referring to "the impermissibility of carrying out extremist activity."

This has occurred in spite of the fact that, according to the conclusions of a State religious expert study ordered by the Russian Federation Ministry of Justice and dated 15 April 1999, "The... literature of the religious organization of Jehovah's Witnesses... **does not contain calls for... incitement of social, racial, national, and religious discord**".

If the prosecutor's office succeeds in achieving its aims, the right to freedom of worship of over 280,000 Russian citizens who profess the religion of Jehovah's Witnesses or associate with them at their meetings will be violated.

LEGAL CLASHES AND PREFABRICATED EXPERT STUDIES

- ④ In 2006 the Federal Law on Counteracting Extremist Activity was amended, resulting in the removal of the words "in connection with violence or calls for violence" from the definition of extremism, which originally read "incitement to racial, nationalistic, or religious enmity, and also social enmity, in connection with violence or calls for violence." As a result of such a vague definition of extremism, the law is now being freely interpreted by the authorities to indicate that any faith which contradicts the teachings of the Russian Orthodox Church can be classed as "inciting to religious enmity."
- In Salsk, Rostov Region, an administrative case was instigated against Jehovah's Witness Yemelyan Lakashia on the grounds that a certain citizen M considered himself offended by the fact that in the publications of Jehovah's Witnesses Christ is pictured as impaled on a stake rather than on a cross.
- On 25 February 2009, the Republic of North Ossetia-Alaniya, on the basis of the same pre-ordered expert study used in the case in Salsk, Rostov Region, and in other cities, filed a claim to liquidate all four (!) local religious organizations of Jehovah's Witnesses registered in the republic. Moreover, Jehovah's Witnesses have been registered in North Ossetia since 1993, during which time not a single complaint has been registered against their activity!
- In Asbest a criminal case was instigated on the basis of complaints from citizens whose religious feelings were allegedly insulted by the fact that the publications of Jehovah's Witnesses capitalize the word "Devil," and claim that the teachings of the Trinity and the immortality of the soul are unbiblical.
- According to information published by the Asbest City Prosecutor, in court cases

against Jehovah's Witnesses five expert studies of their literature prepared by specialists from the FSB will be used.

- At the heart of the claim filed by the Gorno-Altaysk City Prosecutor to pronounce the literature of Jehovah's Witnesses extremist lies a pre-ordered religious analysis prepared by Yu.V. Khvastunova of the Gorno-Altaysk State University, who does not hide her prejudice toward religious minorities. She has actively participated in events conducted by the Russian Orthodox Church and was the author of an essay entitled *Cooperation Between the Church and the State in Politics of Counteracting Destructive Cults in the Russian Federation*.

When prosecutor's offices apply for such prefabricated expert studies, and when courts admit them as reliable evidence, the principle of the secularity of the State, enshrined in the Russian Constitution, is violated, and judgments of the European Court of Human Rights are ignored, in which it has been stressed that "the right to freedom of religion as guaranteed under the Convention excludes any discretion on the part of the State to determine whether religious beliefs or the means used to express such beliefs are legitimate." (*Manoussakis and Others v. Greece*, 26 September 1996, paragraph 47; *Moscow Branch of the Salvation Army v. Russia*, 5 October 2006, paragraph 58).

DISRUPTIONS OF RELIGIOUS SERVICES



- ④ Of the 57 district conventions of Jehovah's Witnesses planned for 2008 in Russia, 14 were disrupted, despite the existence of valid rental contracts (three in Saint Petersburg, Kirov, Naberezhniye Chelny, Novosibirsk, Krasnoyarsk, Nizhniy Novgorod, Omsk, Perm, Tolyatti, Ufa, and one in Yekaterinburg).

Jehovah's Witnesses at a religious service in the forest, similar to the time when under ban in the Soviet Union. Is history repeating itself?

- The majority of the remainder of the conventions were conducted only with difficulty (including a gathering convened in a forest, a solution alarmingly similar to the religious situation in the Soviet Union up to 20 years ago).
- According to the managers of stadiums and other premises, in many places officers from the FSB ordered them to cancel the contracts with Jehovah's Witnesses or to find other means of stopping the district conventions from going ahead.

- On 21 February 2009, in Naberezhniye Chelny (Republic of Tatarstan), a religious service being conducted by Jehovah's Witnesses in rented premises was interrupted by officers from the FSB and the police. Carrying out orders received from the prosecutor's office, these officers halted the meeting and went around the hall questioning children and checking the identity documents of their parents.
- On 26 February 2009, in Novouralsk, Sverdlovsk Region, officers from the police and FSB entered the private home of Nikolay Parshukov where a religious meeting was taking place and wrote down the names and addresses of all in attendance.



A congregation meeting of Jehovah's Witnesses in Naberezhniye Chelny was interrupted by police officers and the FSB.

The European Court of Human Rights has stressed that disruption of the religious meetings of Jehovah's Witnesses is a violation of the Convention, stating "The Court further reiterates that Article 9 of the Convention protects acts of worship and devotion which are aspects of the practice of a religion or belief in a generally recognised form... It is undeniable that the collective study and discussion of religious texts by the members of the religious group of Jehovah's Witnesses was a recognised form of manifestation of their religion in worship and teaching. Thus, the applicants' meeting on 16 April 2000 attracted the protection of Article 9 of the Convention." (Judgment in the case of *Kuznetsov and Others v. Russia*, 11 January 2007, paragraph 57).

INTERFERENCE IN THE PRIVATE LIVES OF RELIGIOUS BELIEVERS

- Since 2004, on the orders of the Prosecutor General's Office, an apparently interminable investigation of the Administrative Center of Jehovah's Witnesses in Russia has been in progress. The grounds for the investigation are once again identical complaints filed by 'anti-cult' organizations such as the Center for Victims of Non-Traditional Religions and the Committee for Salvation of Youth. During the now more than four-year-long investigation it has been established on numerous occasions that the Administrative Center has not committed a single violation of the law requiring prosecution. However, the investigation continues.

- In 2007 information was sent by the prosecutor's office to medical institutions in Saint Petersburg painting Jehovah's Witnesses as fanatics who do not value their life or health. On the basis of the information several Jehovah's Witnesses have been refused medical treatment for no valid reason.

THE GATHERING OF PRIVATE INFORMATION

- In February 2009 in Izobilniy, Stavropol Territory, the administration of a high school conducted a survey to discover whether any of their pupils were Jehovah's Witnesses and subsequently produced reports on them.
- In Mostovskiy District, Krasnodar Territory, the director and teachers of School No. 18 threatened parents with being stripped of parental rights merely because their 14-year-old daughter does not attend the Fundamentals of Orthodox Culture lessons and events connected with the 23 February and 8 March celebrations. This rides roughshod over parental rights including their constitutional freedom of thought, conscience and religion.
- On Sakhalin island disciplinary measures were brought against a child psychologist on trumped-up charges purely because she was one of Jehovah's Witnesses.
- Lev Ponomaryov, a journalist and human rights activist, stated: "I saw for myself back in 2006 a list of organizations that are considered extremist and subject to special control that was sent by the Ministry of Internal Affairs to a district police station (just think—the list was in all probability sent to all police departments throughout Russia!). I saw Jehovah's Witnesses on it..." (*Daily Journal*, article entitled "Hotline. In favor of Human Rights in Russia". www.ej.ru. 6 March 2009). Apparently such lists were received by all the police stations in Russia!

PICKETS AND ARSON ATTACKS

- During the night of 4 April 2007, in Tsimlyansk, Rostov Region, a private home owned by one of Jehovah's Witnesses was set on fire and burned down.
- During the night of 11 July 2008, a Kingdom Hall of Jehovah's Witnesses (religious building, used for worship) was burned down in Chekhov, Moscow Region.
- On 15 June 2007, in Zvenigorod, Moscow Region, a private home belonging to Zhilyaeva, one of Jehovah's Witnesses, in which Christian meetings of her fellow believers were often held, was set on fire and burned to the ground. Prior to this, on 25 April 2007, in the neighbouring town of Ruza, an explosion and fire occurred at another home belonging to the Chursin family, Jehovah's Witnesses. No criminal case was ever instigated.



Religious intolerance towards Jehovah's Witnesses in Russia continues unabated

UNPRECEDENTED HARASSMENT OF JEHOVAH'S WITNESSES THROUGHOUT RUSSIA

- In February 2009, all prosecutor's offices throughout Russia received a letter from the Prosecutor General's Office demanding that they order their subordinate offices to gather any negative information whatsoever on Jehovah's Witnesses with a view to banning their activity. They were authorized to involve agencies of the FSB, the police, the public health agencies, local departments of justice, and military commissariats in the collection of information.
- This was accompanied by mass violations of the rights of religious believers and has paralyzed the activity of local religious communities, flouting the judgment of the European Court of Human Rights, which stated: "The right of believers to freedom of religion... encompasses the expectation that believers will be allowed to associate freely, without arbitrary State intervention." (*Moscow Branch of the Salvation Army v. Russia*, 5 October 2006, paragraph 58).
- The unprecedented scale of the harassment launched by the Prosecutor General's Office, along with the character of the accusations, leave no doubt as to the goal of liquidating the Administrative Center of Jehovah's Witnesses in Russia, opening the way for the criminal prosecution of religious believers.

THE PAST MUST NOT REPEAT ITSELF



Vasily Kalin, Chairman of the Administrative

Center of Jehovah's Witnesses in Russia: As a child with his family in exile in Siberia.

□ Jehovah's Witnesses (then known as International Bible Students) were first registered in the Russian Empire in 1913. However, during the Soviet era they faced intense persecution. In 1951 thousands of Jehovah's Witnesses from western regions of the USSR were exiled to Siberia. Between 1957 and 1967 many were sent to labour camps in Mordovia where they were subjected to psychological pressure. Up until 1985 arrests, confiscation of religious literature and disruption of religious services continued. On frequent occasions the charges contained no more than vague accusations and unscientific religious expert studies. During that period the authorities actively used the media and even emotive fictional feature films to create a negative attitude towards Jehovah's Witnesses among the public.



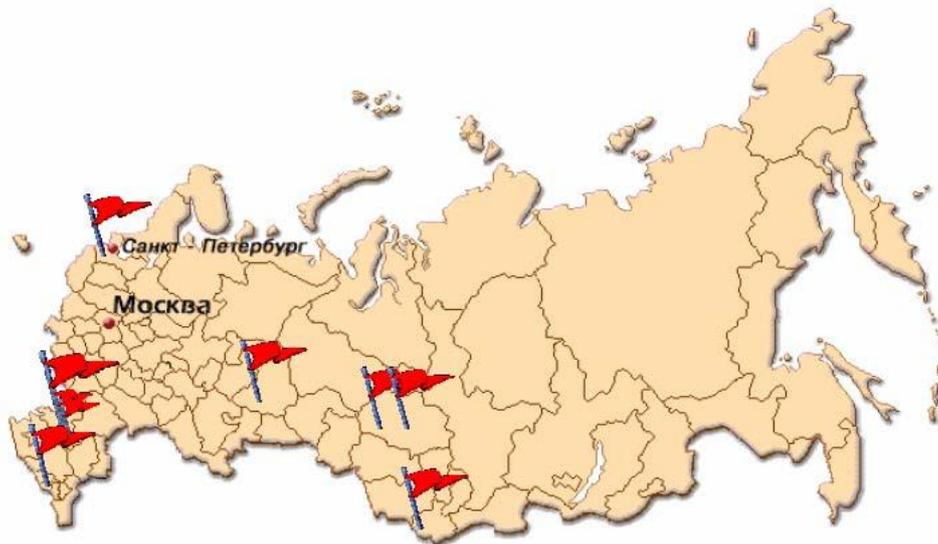
His certificate of rehabilitation as a victim of political repression.

□□ In 1991 Jehovah's Witnesses received official recognition in the USSR. In the same year in accordance with the Law on Rehabilitation of Victims of Political Repression, and in 1996 by Presidential order they were fully rehabilitated as victims of political repression, allowing for hundreds of thousands of citizens of the former Soviet Union to enjoy religious freedom and exoneration.



Today, with his children and grandchildren.

□ Unfortunately many of the generation raised in the spirit of religious intolerance in the Soviet Union have not been prepared to surrender their position, and in the same year (1996), the prosecutor for the Northern Administrative Circuit of the City of Moscow began a campaign against Jehovah's Witnesses in Moscow. Their accusations were based solely on material furnished by 'anti-cult' organizations, which are known throughout the world for their religious intolerance. During the course of the investigation, accusations were constantly changed, as were investigators and prosecutors. The campaign began with a criminal investigation, and then continued by civil procedure. Concurrently a smear campaign was waged in the media, consisting of over 1000 defamatory, and in many cases slanderous, television and radio reports, newspaper articles and internet postings.



The map pinpoints the regions in which heightened harassment of Jehovah's Witnesses is taking place.

Committee of Ministers to supervise the execution of European Court of Human Rights judgments

Non-execution of court decisions in 4 'religious cases' to be supervised

HRWF (27.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - The Council of Europe's Committee of Ministers holds its second special "human rights" meeting" of 2009 from 2 to 5 June. The Committee supervises the adoption of individual measures needed to erase the consequences for applicants of violations established by the Court (including the payment of any just satisfaction awarded) and/or general measures (legislative or other changes) aimed at preventing new similar violations.

476 new cases will be examined, a number of which raises questions related to the adoption of new individual or general measures. The others are either linked to issues which are already examined under other cases, or do not reveal any structural problem.

In the remaining cases, the Committee will examine progress made, notably as far as some 400 legislative or other reforms are concerned.

Four "religious" cases are on the list of the court decisions to be supervised

Case name : MOSCOW BRANCH OF THE SALVATION ARMY v. Russia Appl N° : 72881/01

Judgment of : 05/10/2006

Final on : 05/01/2007

Violation : Payment status : Paid in the time limit

Theme / Domain :

Next exam : 1059-4.2(02/06/2009)

Last exam : 1043-4.2(02/12/2008)

First exam : 992-2(03/04/2007)

NOTES OF THE AGENDA

72881/01 Moscow Branch of the Salvation Army, judgment of 05/10/2006, final on 05/01/2007

18147/02 Church of Scientology Moscow, judgment of 05/04/2007, final on 24/09/2007

The cases concern the refusal to re-register the applicant associations, resulting in the loss of legal status (violation of Article 11 read in the light of Article 9). The Religious Act which entered into force in 1997 required all religious associations that had been previously granted legal-entity status to amend their articles of association in conformity with the new Act so as to be "re-registered" before the end of 2000.

Moscow Branch of the Salvation Army: The European Court observed that the grounds for refusing re-registration of the applicant branch were not consistent throughout the domestic proceedings. As to the first reason adduced for refusing the applicant's re-registration request, namely the applicant's "foreign origin", the Court found that this was neither "relevant and sufficient", nor "prescribed by law". As to the second reason, namely the applicant's omission to set out its religious affiliation and practices in a precise manner, the Court observed that the Religions Act did not lay down any guidelines as to the manner in which the religious affiliation or denomination of an organisation should be described in its founding documents. Regarding the arguments that the applicant should be denied registration as a "paramilitary organisation" because of the use of the word "army" in its name and the fact that its members wore uniform, the Court found that there was no evidence to suggest that the applicant advocated violence, contravened any Russian law or pursued objectives other than those listed in its articles of associations.

Church of Scientology Moscow: The European Court noted that the Justice Department had refused to process four applications for re-registration on account of the applicant's

alleged failure to submit a complete set of documents. The Department, however, had not specified the missing information or documents, claiming that it had not been competent to do so. Thus, the applicant association was prevented from amending and re-submitting its application. Furthermore, as domestic law required any refusal to be justified, the Court considered that the refusal had not been "in accordance with the law". The Court also stated that the domestic court had not explained why the book submitted by the applicant had not contained sufficient information on the basic creed, tenets and practices of Scientology, and therefore had failed in its task to clarify the applicable legal requirements and give the applicant clear instruction on how to prepare a complete and adequate application. As regards the applicant's failure to secure re-registration within the established time-limit, the Court found this to be a direct consequence of arbitrary rejection of its earlier applications. The Court also found unlawful the latest requirement to produce the document showing the applicant's fifteen-year presence in Moscow.

Individual measures

1) Moscow Branch of the Salvation Army: According to the information provided by the authorities, the Federal Registration Service of the Russian Federation invited the representatives of the religious organisation "Moscow Branch of the Salvation Army" to submit, in accordance with the procedure provided by law, the documents required to registrar the modifications in its statute. No document has been presented by the representatives of this organisation.

2) Church of Scientology Moscow: In its judgment the European Court established the government's obligation to take appropriate measures to remedy the applicant's individual situation. It further noted that it falls to the respondent state to decide whether such measures involve granting re-registration of the applicant, removing the requirement to obtain re-registration from the Religious Act, re-opening of the domestic proceedings or a combination of these and other measures.

According to information provided by the applicant on 29/04/2008, the application for re-opening of the case was refused by the Nikulinsky District Court on 11/03/2008. The district court stated that there was no provision in domestic law allowing re-opening of a civil case on the basis of a finding of a violation of the Convention by the European Court. The applicant's submissions have been transmitted to the government. Their comments are awaited.

General measures

Publication and dissemination: The Representative of the Russian Federation at the European Court has informed the Federal Registration Service and the Supreme Court of the Russian Federation of the European court's judgment in the case of Moscow Branch of Salvation Army so that they may adopt individual and general measures and take the findings of the European Court into account in their daily practice.

The Federal Registration Service has summarised the implementation practice of its territorial departments with regard to the refusal of documents submitted by the religious organisations. This information was notified to all territorial departments for use in their daily practice, with a view to preventing new, similar violations.

These issues, including the judgment of the European Court in the case of Moscow Branch of Salvation Army, were also discussed at a seminar of all heads of territorial departments on 27-28 September 2007.

· Information is awaited on publication and dissemination of the judgment in the case of Church of Scientology Moscow. More details would be useful on concrete measures (instructions, circular letters, etc) taken as a result of the judgments and in particular as

to whether the judgments have been sent out to all domestic courts with a circular letter of the Supreme Court.

The Deputies decided to resume consideration of these items at the latest at their 1043rd meeting (2-4 December 2008) (DH), in the light of information to be provided concerning individual and general measures.

Case name : KUZNETSOV AND OTHERS v. Russia Appl N° : 184/02

Judgment of : 11/01/2007

Final on : 11/04/2007

Violation : Payment status : Paid outside time limit, interest paid

Theme / Domain :

Next exam : 1059-4.2(02/06/2009)

Last exam : 1043-4.2(02/12/2008)

First exam : 997-2(05/06/2007)

NOTES OF THE AGENDA

184/02 Kuznetsov and others, judgment of 11/01/2007, final on 11/04/2007

10519/03 Barankevich, judgment of 26/07/2007, final on 26/10/2007

The cases concern interference with a religious event organised by members of the Chelyabinsk community of Jehovah's Witnesses (Kuznetsov case) found by the Court not to be prescribed by law (violation of Article 9) and the ban imposed on a service of worship planned by the "Christ's Grace" Church of Evangelical Christians in a town park (Barankevich) (violation of Article 11 interpreted in the light of Article 9).

In the Kuznetsov case the Court also found that the domestic courts, in dismissing the applicants' civil complaints, failed in their duty to state the reasons on which their decisions were based and to demonstrate that the parties had been heard in a fair and equitable manner (violation of Article 6).

Individual measures

1) Barankevich case: The European Court awarded the applicant just satisfaction in respect of non-pecuniary damage. According to the information provided by the authorities, no further application for permission to hold a service in public has been received from the applicant.

· Assessment: no further measure appears necessary.

2) Case of Kuznetsov and others: The applicants informed the Secretariat on 04/05/2007 that the premises of the Jehovah's Witnesses were raided by the police in April 2006 in Moscow and in April 2007 in Satka (Chelyabinsk region). They also submitted that the judgment of the European Court had been disregarded by the domestic courts in Moscow seized by members of Jehovah's Witnesses.

The Russian authorities have indicated that following the applicants' submission to the Committee of Ministers the local department of the Ministry of the Interior in Satka carried out an internal inquiry into the facts which took place on 2/04/2007 in Satka (Chelyabinsk region). As a result of this inquiry, disciplinary sanctions were imposed on the First Deputy to the Head of the Local Department, the Chief of the Criminal Police Tsvilev, and the District Police Officer Spiridonov.

On 16/11/2007, the applicants' representative informed the Committee of Ministers of the Russian courts' failure to comply with the Kuznetsov judgment in other similar cases pending before them, in particular in Moscow.

On 6/12/2007, this submission was forwarded to the Russian authorities.

· Their comments are still awaited.

General measures:

1) Legislative amendments: At the material time, domestic law provided that a person wishing to hold an assembly or a service of worship in a public place should obtain prior authorisation from the authorities. In 2004 a new law on assemblies, meetings, demonstrations, marches and picketing entered into force and the requirement of authorisation was replaced by simple notification.

2) Publication and dissemination: The Kuznetsov judgment has been sent to all domestic courts by letter of the Deputy President of the Supreme Court of the Russian Federation.

· Information is awaited on dissemination of the Barankevich judgment and publication of both judgments.

3) Other measures: Following the adoption of the Kuznetsov judgment, the Ministry of the Interior has taken measures to reinforce its control over the activities of its officers and to prevent new, similar violations: in particular, additional training was organised with the officers of the Satka local department, during which they studied material concerning freedom of thought and of religion as well as the legislation governing demonstrations and meetings.

Moreover, the Ministry of the Interior has notified all local departments of their obligation to comply unconditionally with the judgment of the European Court.

· The need for further measures is being assessed by the Secretariat.

The Deputies decided to resume consideration of these items at the latest at their 1043d meeting (2-4 December 2008) (DH), in the light of information to be provided on individual and general measures.

Notorious 'anti-cultists' on new 'Inquisition'

By Geraldine Fagan

Forum 18 (27.05.2009) / HRWF (28.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - Fears by religious minorities about the Justice Ministry's reconstituted Expert Council for Conducting State Religious-Studies Expert Analysis have been exacerbated by the Minister's choice of members, Forum 18 News Service notes. The chair is Aleksandr Dvorkin, Russia's most prominent "anti-cult" activist, who has described the faith of charismatic Protestants as "a crude magical-occult system with elements of psychological manipulation". In a Moscow courtroom in 2004, Forum 18 observed Dvorkin congratulate the Public Prosecutor's Office representative who successfully pushed for the ban on the Jehovah's Witnesses' Moscow organisation. Fellow Council member Aleksandr Kuzmin wrote a leaflet alleging that "Krishnaites are involved in the drugs and arms trade" and "are prepared to murder on religious grounds", and that "beatings and rapes of teenagers in closed children's homes are attributed to Krishnaites." A Siberian court declared the leaflet extremist in March 2009. Another Council member has urged Muslims to burn Islamic books banned as extremist. Forum

18 asked the Justice Ministry whether Council members will have the right to speak for the Ministry and whether Kuzmin will be excluded from the Council. The Ministry has not yet responded.

If given free rein, the new members of a government body empowered to scrutinise religious activity are likely to recommend harsh measures against certain confessions, Forum 18 News Service notes. One appointee is the author of a leaflet linking Hare Krishna devotees with murder and child abuse that was recently declared extremist by a Siberian court. Another has urged Muslims to burn Islamic books banned as extremist – even as prominent Muslim leaders press for a review of such rulings.

Orders signed by Justice Minister Aleksandr Konovalov on 18 February and 3 March 2009 appointed 24 members – all but one new – to the Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis. The orders also gave it wide-ranging powers, allowing it to investigate the activity, doctrines, leadership decisions, literature and worship of any registered religious organisation and recommend action to the Ministry.

If heard, one check on the Council's activity may be the unprecedented outcry the development has provoked from a range of Russia's religious representatives – Seventh-day Adventist, Baptist, Muslim, Old Believer and Pentecostal – and religious-freedom defenders. Some have likened the body to a new "inquisition".

Forum 18 submitted written questions to the Justice Ministry before the start of the working day on 22 May. These included: whether the Council's new members have the right to make statements on behalf of the Ministry; whether Aleksandr Kuzmin will be excluded from the Council as the author of a leaflet ruled extremist by a court in the Russian Far East. However, the Ministry failed to respond to Forum 18's questions by the middle of the working day in Moscow on 27 May.

Justice Minister Konovalov rebuffed criticism of the Council as "incompetent and improper" and "unacceptable pressure on the mechanism of partnership taking shape between state and society," the Russian news agency Interfax reported on 21 April. He insisted his Ministry had created the Council in strict conformity with current laws, that adequate control mechanisms would limit its competency and that its decisions were only recommendatory.

Konovalov also defended his decision by sending his greetings to a 15-16 May St Petersburg conference on "totalitarian sects". This featured several new Council members, including its chair, Aleksandr Dvorkin, Yevgeny Mukhtarov and Aleksandr Kuzmin, who spoke on "The Neo-Pentecostal Threat to Russia's State Security", the Moscow-based Slavic Centre for Law and Justice reported.

Dvorkin's attacks on religious minorities

Aleksandr Dvorkin - Russia's most prominent "anti-cult" activist - heads the St Irenaeus of Lyons Religious-Studies Research Centre, which is also a missionary faculty department of St Tikhon's Orthodox University in Moscow. The Centre's website lists numerous "sects and cults", of which the most familiar and established in Russia include: charismatic Protestants (termed "neo-Pentecostals" by Dvorkin and his supporters), Hare Krishna devotees, Jehovah's Witnesses, Mormons and the New Apostolic Church. It also lists non-religious formations well-known internationally, such as Amway enterprises and Steiner-Waldorf schools.

Among Dvorkin's many attacks on such groups is his conclusion to a paper on "Neo-Pentecostalism in Russia", delivered at an April 2001 conference on "Totalitarian Sects – Threat of the 21st Century" in Nizhny Novgorod. He describes the faith of charismatic

Protestants as, "a crude magical-occult system with elements of psychological manipulation (..) an anti-Biblical teaching furthering the personal enrichment of its pastors and the dissemination of false teachings originating in pagan cults."

As soon as Moscow's Golovinsky District Court pronounced its verdict banning the Jehovah's Witnesses' Moscow organisation in May 2004, Forum 18 observed Dvorkin warmly congratulate the Public Prosecutor's Office representative who had pressed for the ban. In an interview shortly after his new appointment broadcast on Radonezh, a Moscow-based Orthodox radio station, he accused Adventists of using deception.

Are other Expert Council members impartial?

During the Radonezh interview, Dvorkin and interviewer Aleksandr Shchipkov - also now a Council member - agreed they had little experience in its new activity. As well as doubts about the Council's impartiality, lack of qualification in religious-studies scholarship is among Russian critics' concerns.

Also known as the Russian Association of Centres for the Study of Religion and Sects, Dvorkin's Centre has branches in over a dozen Russian cities, some of which are missionary departments of Orthodox dioceses. The Saratov branch is headed by Aleksandr Kuzmin.

On 26 March 2009 Khabarovsk Central Municipal Court ruled a leaflet authored by Kuzmin extremist material. Young Guard, the youth movement of the pro-government United Russia political party, reported on 28 July 2008 that its local branch distributed the leaflet earlier that month at a festival of Indian culture organised by Hare Krishna devotees in Khabarovsk. This announcement - which included the text of the leaflet - has been removed from Young Guard's website in recent weeks. The leaflet alleged that "Krishnaites are involved in the drugs and arms trade in Russia and abroad. Krishnaites are prepared to murder on religious grounds (..) beatings and rapes of teenagers in closed children's homes are attributed to Krishnaites."

On 5 May Kuzmin's Saratov Centre issued an open letter - still on its website - to Saratov residents condemning "Feel the Force of Change", a campaign promoting Christian social activism organised by local Protestant Churches. The letter attacks one participant in particular, Word of Life Pentecostal Church, as "a horribly destructive sect. In Russia there were cases of beatings and murder of children in this sect in the guise of exorcism."

Another new Council member, Yevgeny Mukhtarov heads the Yaroslavl branch of Dvorkin's Association. In addition to groups identified by Dvorkin, its website lists Adventists, Baha'is, Baptists and the Salvation Army among "non-traditional cults" in Yaroslavl Region.

Other new Council members whose impartiality is particularly in doubt include Orthodox priest Fr Lev Semenov, who teaches at Dvorkin's Centre, and Vladimir Belov, who heads the Centre of Orthodox Culture and Religious Anthropology at Saratov University.

Russian Muslims' concerns

The Council's two vice-chairs, Roman Silantyev and Valiulla Yakupov - who were elected at its first meeting on 3 April - are of concern to many Russian Muslims.

Silantyev's book on Islam in modern Russia treats followers of the moderate Turkish theologian, Said Nursi, as dangerous extremists. Nursi's books have already been banned through the courts as "extremist" and included on the Federal List of Extremist Materials. Anyone who then distributes them is liable to be fined.

At a hearing in Russia's Public Chamber on 3 March which questioned bans on Islamic literature - including Nursi's works - Silantyev countered that the state authorities were working in the right direction. He also remarked, "Let's ban all books published in Saudi Arabia, everyone knows that Russia has bad relations with the USA, so we should ban books from countries that are in the American orbit."

Until recently an imam in the traditionally Muslim republic of Tatarstan, Yakupov told the Russian newspaper Kommersant on 4 March that, despite Muslim protests against such bans, it was "better to destroy such literature now".

A new 'Inquisition'

By Geraldine Fagan

Forum 18 (26.05.2009) / HRWF (27.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - The powers of the Russian Justice Ministry's Expert Council for Conducting State Religious-Studies Analysis were considerably widened in February 2009, allowing it to investigate the activity, doctrines, leadership decisions, literature and worship of any registered religious organisation and recommend action to the Ministry. The subsequent appointment of renowned "anti-cultists" and controversial scholars of Islam to the Council – and the choice of prominent "anti-cultist" Aleksandr Dvorkin as its chair - have led a wide range of religious representatives to liken the Council to a new "inquisition", Forum 18 News Service notes. If the Council is given free rein, it is likely to recommend harsh measures against certain religious organisations. At the Council's first meeting, Dvorkin named the Russian Bible Society as a possible target for investigation, but its executive director told Forum 18 no action has followed. Forum 18 asked the Justice Ministry how many commissions it is likely to give the Council each year, whether the Ministry will automatically accept its conclusions and, if not, who will decide. However, the Ministry has so far failed to respond.

The appointment of renowned "anti-cultists" and controversial scholars of Islam to a Russian government body allocated sweeping powers to investigate religious organisations may prove the heaviest blow to religious freedom in a decade, Forum 18 News Service notes. The newly-reconstituted Expert Council for Conducting State Religious-Studies Analysis attached to the Justice Ministry now has wide-ranging powers to investigate the activity, doctrines, leadership decisions, literature and worship of any registered religious organisation and recommend action to the Ministry. Two months after the Council's initial meeting, however, the full impact of the body is not yet clear.

So far, those seeking to restrict certain religious minorities through the state apparatus have mainly done so by proposing laws. Even if successful – as in part with the 1997 Religion Law – restrictions depend upon the state's willingness to implement laws in the way their lobbyists hoped. Now, for the first time on the federal level since the end of the Soviet period, such people have been directly appointed to a state religious-affairs body.

The Expert Council attached to the Justice Ministry - whose Minister Aleksandr Konovalov signed the instructions responsible for its re-organisation - first met in its newly-reconstituted state on 3 April.

Forum 18 submitted written questions about the way the Council will operate to the Ministry before the start of the working day on 22 May. These included: approximately how many commissions the Ministry intended to give the newly re-established body per year; whether the Ministry will automatically accept its conclusions and, if not, who will

decide. However, the Ministry failed to respond to Forum 18's questions by the middle of the working day in Moscow on 26 May.

If the Council is given free rein, it is likely to recommend harsh measures against certain religious organisations. One appointee is the author of a leaflet linking Hare Krishna devotees with murder and child abuse that was recently declared extremist by a court in the Russian Far East. Another has urged Muslims to burn Islamic books banned as extremist – even as prominent Muslim leaders press for a review of such rulings (see forthcoming F18News article).

If heard, one check on the Council's activity may be the unprecedented outcry the development has provoked from a range of Russia's religious representatives – Seventh-day Adventist, Baptist, Muslim, Old Believer and Pentecostal – and religious-freedom defenders. Some have likened the body to a new "inquisition" (see forthcoming F18News article).

What will the Council do?

Days after the Council's 3 April meeting which unanimously voted him chair, Aleksandr Dvorkin - Russia's most prominent "anti-cult" activist – was interviewed about how it would operate by another new member, religious-affairs journalist Aleksandr Shchipkov, on Radonezh, a Moscow-based Orthodox radio station.

"For a long time we've been saying that very many organisations got the status of religious organisations in the reckless nineties, but in fact are either not religious or are not doing the activity stipulated in their statutes," remarked Dvorkin. Such organisations are engaged in political and commercial activity, making extremist statements and "persistent proselytism", he maintained. Now empowered to examine a registered organisation's compliance with its own statutes, the Expert Council will be passed citizens' complaints about religious organisations at the Justice Ministry's discretion, Dvorkin suggested, and will scrutinise their activity on receipt of sufficient material.

During the Radonezh interview, Dvorkin and Shchipkov agreed that as the Council's work is unpaid, they will continue in their previous employment. Whether the work is paid and whether Council members hold the status of government officials or private specialists were among Forum 18's unanswered questions to the Justice Ministry.

Bible Society investigated

At the Council's 3 April meeting, Dvorkin named the Russian Bible Society as one organisation for possible investigation, its executive director, Anatoli Rudenko, told Forum 18 on 20 May. The Society was subject to a Justice Ministry check-up of its documentation in October 2008, mainly on suspicion that it does not exhibit the characteristics of a religious organisation. After the Society complained, however, the Ministry confirmed in writing that the check-up had uncovered no grounds for corrective action.

Since Konovalov's appointment in May 2008 – days after President Dmitry Medvedev took office - the Justice Ministry has stepped up administrative pressure on non-Orthodox centralised religious organisations. Konovalov, who previously studied theology at St Tikhon's Orthodox University in Moscow, has a strong personal loyalty to the Russian Orthodox Church (Moscow Patriarchate). He has maintained publicly that state officials should remain distant from their personal preferences, however.

The Bible Society has not experienced any problems since the 3 April Council meeting, Rudenko told Forum 18, and stressed that a Council investigation requires a commission from the Ministry, "but there isn't one". Dvorkin has attacked many other religious

groups in the past, but never the Society, its executive director pointed out. This leads Rudenko to suspect that opposition originates elsewhere and is not ideological, but instead seeks to usurp the Society's property in a typical act of Russian "reiderstvo", or commercial raiding.

In a 27 April open letter, Rudenko expresses his gratitude to Justice Minister Konovalov that the Bible Society was reportedly chosen as a target at the first meeting of the "so-called" Expert Council. "I interpret that as the highest possible evaluation of our labours (..) all the more prestigious because it coincides fully with the evaluation of the Russian Bible Society's labours in distributing the Word of God in Russia and the world expressed recently on behalf of Patriarch Kirill." In a 20 February 2009 letter, Bishop Mark of Yegoryevsk informs Rudenko on behalf of the patriarch: "I highly evaluate the labours of the Russian Bible Society in distributing the Word of God in Russia and the world. I am convinced that fruitful co-operation between the Russian Church and the Society will develop further."

Re-established in 1990, the Russian Bible Society is a non-denominational Christian organisation publishing and distributing Bibles in the Russian-language Synodal version, a nineteenth-century translation widely used not only by Protestants but also Russian Orthodox for reading and study outside church services (which are in Church Slavonic). Rudenko reminded Forum 18 that, while the Society was initially founded in 1813 under the patronage of Tsar Alexander I, Tsar Nicholas I forced it to cease operations in 1826 and transferred its property – then worth some two million roubles - to the Holy Synod of the Russian Orthodox Church.

New powers for the Expert Council

The changes to the Expert Council for Conducting State Religious-Studies Analysis are the result of two Justice Ministry orders:

No. 61, signed 3 March 2009, creates the Council's almost entirely new membership (see forthcoming F18News article).

No. 53, signed 18 February 2009, gives the Council apparently limitless scope for investigating a registered religious organisation. The only stipulated aim of its 3 June 1998 predecessor was evaluation of whether a community was indeed religious and functioning in line with its registration application.

In addition to open-ended "other questions which may arise" while conducting expert analysis or monitoring an already-registered religious organisation (Appendix 1, Article 4), the Council may now investigate other aspects of its activity. These are: a religious organisation's founding documents and leadership decisions; information concerning its doctrinal principles and corresponding practice; forms and methods of activity, worship services and other rites; internal documents reflecting its institutional structure; the religious literature, printed, audio and video material a religious organisation produces or distributes (Appendix 1, Article 3).

The Council now has the right to demand and receive documents necessary for such analysis from state bodies and any organisation (Appendix 2, Article 6). The Justice Ministry is to treat the Council's conclusions as recommendations (Appendix 1, Article 15).

The 1998 government decree made clear that such analysis could take place only when religious communities seek state registration. While it must still be commissioned by the Justice Ministry, it is now possible when the Ministry "monitors a religious organisation's conformity with its aims and activity as set out in its registered statutes", i.e. at any time. Analysis may also take place in other specific circumstances: if a religious

organisation makes changes to its registered statutes; to check whether its activity corresponds with its registered statutes; if a member of the organisation is convicted of extremism; if materials it produces or distributes are ruled extremist (Appendix 1, Article 7).

An only recently exercised function, the 1997 Religion Law stipulates that the government organ which registers a religious organisation – now the Justice Ministry – is authorised to monitor compliance of its aims and activity with its registered statutes. (Article 25, Part 2)

Under a July 2008 law introducing minor amendments to numerous laws - including the 1997 Law - power to determine the procedure for conducting state religious-studies expert analysis was switched from the government to "the authorised federal organ of executive power".

Growing campaign against "religious extremism"

The reconstitution of the Expert Council came against a growing official battle with "religious extremism" which has been underway for the past five years. Alongside genuinely extremist works, many Muslim writings which do not appear to advocate violence have also been added to the Federal List of Extremist Materials. Anyone who then distributes them is liable to be fined. Jehovah's Witnesses too have faced investigations after their literature has been examined on allegations of "extremism".

Council threatens to become organ of repression

The council in the Ministry of Justice and its critics

by Daria Sobakina

Politkom.ru (05.05.2009) / HRWF (13.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - The composition of the council within the Ministry of Justice evoked protests because of fears that it will be turned into an organ of repression.

The composition of the Expert Council for Conducting Religious Expert Analysis under the Ministry of Justice evoked active public discussion. The chairman of the expert council elected last month is the president of the Russian Association of Centers for the Study of Religion and Sects, Professor Alexander Dvorkin. His vice-chairmen are the director of the Center for Defense of Rights of the World Russian National Assembly, Roman Silantiev, and vice-chairman of the Ecclesiastical Board of Muslims of the Tatarstan republic, Valiulla Yakupov. These personnel decisions evoked dissatisfaction on the part of Russian protestants, some Muslims, and also specialists in the area of religious studies.

By order of the Ministry of Justice, which went into effect on 31 March 2009, the procedure for conducting religious expert analyses and the by-laws for the expert council were confirmed. In accordance with the document, the tasks of the state religious expert analysis is to ascertain whether an organization has a religious character (on the basis both of its charter documents and doctrine and of its actual activity). In the event of a negative answer the likelihood arises of the cancellation of the registration of this organizations.

All three directors of the council are extremely contradictory figures. Alexander Dvorkin received widespread notoriety as a fighter against totalitarian sects; with this concept he also associates several charismatic protestant movements, including Pentecostals, to

which belongs the most influential leader of Russian protestantism, Bishop Sergei Riakhovsky, who is a member of the Public Chamber. Dvorkin heads the department of sect studies in the St. Tikhon Orthodox Humanities University, from which Minister of Justice Alexander Konovalov was graduated. Dvorkin is closely linked with the leadership of the Russian Orthodox church, which has bestowed on him the orders of saints Daniel and Innokenty. The membership of the council includes several "regional" associates of Dvorkin, including one priest of the Russian Orthodox church.

In the course of several years Roman Silantiev has been executive secretary of the Inter-religious Council of Russia (in this capacity he was a protégé of the current Patriarch Kirill), but he quit this post after a scandal in 2005, when he published a book, "Modern History of the Islamic Community of Russia." This work contained criticism directed to a number of Muslim leaders, followers of the chairman of the Council of Muftis of Russia Ravil Gainutdin, who participated in the activity of this council. Valiulla Yakupov evoked protests from many Muslims because of her positive attitude toward the idea of burning books declared by a court to be extremist (recently courts have found a whole series of works of Muslim authors, including the testament of Ayatollah Khomeini, to be in this category).

It is not surprising that a number of religious leaders, experts, and public figures have spoken out against the composition of the council. "It is a bad joke or a downright mockery of religious feelings and civil rights of Russian believers," declared the co-chairman of the Council of Muftis of Russia, the head of the Ecclesiastical Board of Muslims of the Volga region, Mukaddas Bibarsov. Protestant Bishop Sergei Riakhovsky acknowledged that he expected from this body "very corrupt actions," and he called its creation an "attack on freedom of conscience and religious human rights." He demanded that Alexander Konovalov resign from the post of minister. Director of the Institute of Religion and Law Roman Lunkin suggested that for the sect scholars who are members of the council practically all non-Orthodox believers are "sectarians," and they confuse the protestant churches with new religious movements. Negative assessments of the membership of the council were expressed by several members of the Public Chamber (Alexander Brod, Maksim Shevchenko).

At the same time the leadership of the Russian Orthodox church has supported the membership of the council. The head of the synodal Department of the Moscow Patriarchate for Church-State Relations, Archpriest Vsevolod Chaplin, thinks that "criticism of the council is apparently related to the fact that its membership includes people who are not afraid to confront directly problems associated with the interests of some religious groups, especially those that have strong political and financial support from abroad." As regards Dvorkin, he "at least is competent within that sphere in which he works," the archpriest thinks. The new composition of the council can be considered a sign of the strengthening of the influence of the Russian Orthodox church on social processes, which is one of the goals of Patriarch Kirill, and has received positive assessments from religious leaders.

Minister Konovalov rejected the criticism that has resounded with regard to the recently formed council. He declared that "the council was created by the Ministry of Justice in strict conformity with existing legislation. The limits of the competence of the council are normatively determined and supplied with adequate mechanisms of control, and its competence is not very wide and the decisions of the council bear only the character of a recommendation." He said that criticism expressed against the Ministry of Justice in connection with the creation of the council "bears a basically incompetent and incorrect character."

According to the chairman of the Information Department of RPTs, Vladimir Legoida, the position of head of the council that Dvorkin has now attained is "more responsible" than all those posts that he occupied previously, and Dvorkin himself "understands that."

These words could be seen as a signal that a sect scholar in the role of chairman of the council will be more moderate than in his statements in the capacity of a private individual. However, Dvorkin's first steps in the post of chairman of the council have shown that he, on the contrary, is inclined to take a stern position. Thus he subjected to sharp criticism the activity of the Russian Bible Society, headed by the famous Orthodox priest Alexander Borisov and he has stated unequivocally that he will work for depriving this organization of its religious status.

The composition of the council in the Ministry of Justice has evoked protests because of fear that it will be turned into an organ of repression with respect both to both confessions and religious organizations that are "nontraditional" for Russia and to a part of the Muslim community. Blows may be felt by such religious organizations as Mormons, Krishnas, Jehovah's Witnesses and others which have long been subjected to sharp critique on Dvorkin's part. However, practice has shown that they can find protection in the European Court for Human Rights which, of course, requires a great deal of time.

Baptist leader objects to justice council

Yury Sipko: "People with freedom of conscience are bearers of Russia's sovereignty"

Russian Union of Evangelical Christians-Baptists (04.05.2009) / HRWF (13.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - Recently a new statute regarding the Expert Council for Conduct of State Religious Expert Analysis within the Ministry of Justice of Russia was adopted. This statute as well as the personnel constituting this council have evoked an ambiguous reaction and roiled the religious peace of Russia. Representatives of various religious communities and organizations of rights advocates have stated their position on this matter. The Institute of Religion and Law took the initiative to conduct a protest action. We turned to the president of the Russian Union of Evangelical Christians-Baptists, Yury Kirillovich Sipko, requesting a comment on these latest events.

--Yuri Kirillovich, the creation of the expert council within the Ministry of Justice evoked stormy discontent within the protestant camp. What caused this?

--There are at least two weighty causes for discontent. First, the expert council was vested with functions not provided for by law. To scrutinize the actions of registered religious organizations regarding the conformity of its activity to the charter goals and tasks is within the competence of registration agencies, that is, the Ministry of Justice itself.

Second, the composition of the expert council evokes discontent. An expert is called to give an impartial assessment of one or another matter and to be an unconditional authority in the given area. The council was composed in such a way that only one of its members is a recognized academic religious studies specialist. The others to a greater or lesser extent are people with clearly expressed religious affiliations and hostility to other confessions. They, by definition, cannot be impartial experts in the area of religion.

In this regard, an alarming tendency in lawmaking and executive practice in the area of freedom of conscience has cropped up. The principle of freedom of conscience is established in the area of human rights and freedom. The principle of freedom of conscience established the non-subordination of conscience to any state agencies. This principle was violated by the law of 1997 and by the creation of the expert council. No matter how educated scholars are, nobody has the right to order me how and in whom to believe. Freedom of conscience comes first!

It is people with freedom of conscience who are the bearers of the sovereignty of Russia. The constitution of Russia declares freedom of conscience for all citizens of the country. The constitution confirms freedom and maintains the right of each citizen to confess any religion or not to confess one. The constitution establishes the equality of all religions before the law.

The law on religious organizations adopted in 1997 established a dangerous principle of differentiation of religions into especially important and respected ones, calling them traditional, and the others who are required to prove their right to life. The law is actually anti-constitutional. Recent actions of the Ministry of Justice are the logical continuation of ignoring the constitution. If one speaks plainly, there is an obvious seizure of the religious space by the Orthodox community. The minister of justice has not fulfilled his function of guarantor of the supremacy of rights and the protector of law. As President Medvedev himself said, our society is characterized by legal nihilism. And now a man has been made minister of justice who obviously does not understand the essence of law. Such a state of affairs again forces me to make a suggestion to the president. It is necessary to require all candidates for government service to take exams on knowledge of the constitution of Russia. I consider also that it is necessary for the upper echelon of the state to take an oath of loyalty to the constitution of Russia. Everybody should serve the fatherland and not cater to their boss.

--Are you worried that this council might cause real problems for the life of Evangelical Christian-Baptist churches?

--No. I do not feel such worry. On the contrary, I am sure EKHB churches will receive a blessing from this action of the government. How can any council harm my faith? After all we are people of the kingdom of God. The Lord clearly said "Do not fear the one who can destroy the body and cannot harm the soul."

Evangelical Christians-Baptists have endured persecutions from their Orthodox brothers. The tsarist regime treated them with contempt. Militant atheism of the proletarian state oppressed them. The Stalinist GULAG, it seems, destroyed faith itself along with Bible and clergy and everything else except communism. However Stalin is dead and Baptists live. I noted that the more severe were the repressions, the stronger was faith. This pertains also to the first centuries of the history of Christianity just as the subsequent ones. I am sure that the present campaign for bringing the whole country into the same faith will only increase the thirst in people to be citizens and to be free. Baptists, who affirm the principle of freedom of conscience for all, will be substantially strengthened in such circumstances. Praise God!

The council will cause harm, and already as caused harm to my fatherland.

--Has a common position been worked out by protestants with regard to this commission and what is it?

--It consists of this that we all unanimously consider that it is a violation of the constitution of the country. It is a clear violation of the law of the country. So far our protestant voices have a common character. In order to speak of resulting actions a precedent is needed, which could be tested in court.

--Does the RSEKhB support the action of the Institute of Religion and Law?

--Yes. Unconditionally. This is essentially more a civil position than a religious agreement. One of Putin's first statements after taking office as president was a declaration that he wishes to strengthen only the dictatorship of law in Russia. It didn't happen. The new

president, Medvedev, also changed his wish. Legal nihilism is the problem of problems in Russia. And this issue in the Ministry of Justice is a splendid illustration of this.

We support the action in order to help the president break up legal nihilism.

--What do you expect from this action?

--Two things, obviously. First, a demonstration of public inequality. We should declare our position and not hide our head in the sand, as if nothing has happened. When the Soviet Union calculated the nuclear danger, haggling with Reagan over prolonging the agony of dying, there was an anecdote. There was a union meeting. The chairman of the union committee gave a basic report and turned to the plans and goals. "And so, on Saturday everybody must arrive at 11:00 in holiday clothes. And bring a rope." "Why? It's a day off." "That what the provincial committee decided!" "But why a rope?" "Everybody will hang!" The meeting got quiet. "Are there any questions?" One hand cautiously went up. "Speak." A shy voice: "Do we have to buy the rope ourselves or will the union share the cost?"

The ineradicable spirit of self-destruction which the import of the communist ideology from Europe spread in Russia must now be driven back. We must learn to respect one another and to value one another and to love one another. We are few in Russia.

Second, it is time for the state to understand its function. To serve the people and to control various things. The constitutional principle is that all power belongs to the people. It is time to understand this. That means that it is the people, the individual who is valuable in Russia and all governmental institutions serve the individual. His comfort, his freedom, his rights, these are the supreme values that all governmental institutions and all state employees are obliged to defend. There is a criminal code; there is a civil code. There are agencies seeing to their observance. There are agencies pursuing violators. Faith, conscience, freedom of conscience are sovereign. Governmental authority should not be partial to representatives of one faith and disparage or limit the rights of representatives of another.

--How does one square the principle that "all authority is from God" with participation in such actions that are directed against the actions of the authorities?

--There is a problem here. Its first part is that there is no God in public consciousness. There is no absolute authority; there is no absolute conscience. It is what Dostoevsky said in his time: "If there is no God, then everything is permitted." This bitter deceit has led to the government's taking to itself God's rights. The problem is that society has divinized authority and given up its accountability, transparency, and competence. But sacred scripture maintains that much is required from one who has been given much.

The principle that "there is no authority except from God" affirms that all authority, absolute authority, proceeds from God. Everything that began through him and without him nothing began.

That is the principle that affirms the divine origin of authority. One must understand that the authority of one person over another is nonsense. That is what the "Universal Declaration of Human Right" maintains. "All people are born free and equal in dignity and rights. They are endowed with reason and conscience and must deal with one another in a spirit of brotherhood," the first article of the declaration says.

Sin and subsequent damnation have destroyed the ideal in relationships between humanity and God and among people. That is why the state is required. God, who possesses absolute authority, has delegated some of it to humanity. That is what sacred scripture says: "for the ruler is God's servant for your good." I want to stress this

fundamental proposition: the state is for your good. For me the state, in such a case, protects me and my freedom, my faith, my rights, my welfare. For people holding authority, in such a case, this is their supreme duty in God's name, protecting me as well as all citizens, protecting their interests, their freedoms and their rights. In essence they are the representation of God in human society. And I want to add that they are God's representation not in a religious sense but in the sense of the supreme standards of morality and law.

Is the civic protest directed against the state? By no means. Such a sick reaction is characteristic of underdeveloped communities or people who have seized power illegally. The state cannot consider actions of citizens who are complaining and talking about their pain as actions against the state. It would be like a physician thinking a patient who complains about pain is defying his medical authority. As a physician responding to the complaint of a patient hastens to help him, just so the government, hearing a citizen's complaint, should immediately respond to restore the freedom and rights of the citizen.

Here's a biblical illustration. When hundreds of the Israelites surrounded Moses, expecting judicial decisions from him, it was not an action against Moses' authority. It was a realization of the delegated authority from God. When Moses apportioned his authority, he established a hierarchy of authority whose task it was to serve the people and resolve their problems. Important things that the people brought to Moscow obviously were not properly resolved at the lower strata of authority. And when people came to Moses, he did not think these complaints were a protest against authority. As the possessor of supreme authority he judged the people in accordance with God's law, fairly and impartially. In light of our conversation, I am delighted that in deep antiquity, in the law of God, it was required to judge fairly, both the newcomer and the old-timer and the Israelite, not respecting person or color of skin or nationality or religious affiliation. Has Russian civilization really lagged behind world civilization so many thousands of years? That is really legal nihilism. However God decided: Ninevah was to be destroyed and exist no more. However when the people began to pray and repent God had pity on the city and was merciful to the inhabitants. Only incompetent bureaucrats can consider protests to be action directed against their authority. The voice of citizens is the expression of a higher authority behind which is the voice of God himself. There is a folk wisdom that affirms: Vox populi, vox Dei. "The voice of the people is the voice of God."

Russia put on religion watch list

The Moscow Times (04.05.2009) / HRWF (05.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - A U.S. Congress-backed panel has included Russia on its watch list of countries where people's religious freedoms are at risk.

The U.S. Commission on International Religious Freedom said the main reason it had put Russia on the watch list of 11 countries was the creation in February of the Justice Ministry's Expert Religious Studies Council, "which was given extremely wide powers to investigate religious organizations, including their activities and literature, for a broad array of reasons, including extremism."

"While governments have a duty to combat acts of violent extremism as part of their obligation to protect citizens, there have been expressions of serious concern over the establishment, as well as the composition and expansive mandate, of this new council," it said in a report released Friday.

The 269-page report, which devotes 15 pages to Russia, also expresses concern that the council's head, prominent anti-cult activist Alexander Dvorkin, lacks academic credentials

as a religion specialist, his deputy Roman Silantsev has written articles intolerant of "so-called radical Islam" and the council includes five pro-Russian Orthodox Church members known for attacking Protestant faiths.

The report, posted on the panel's web site, www.uscirf.gov, urges the U.S. government to press Russia to disband the council.

The report also raises concerns about religious liberty in four other former Soviet republics, including Uzbekistan, which has already been designated a "country of particular concern" by the State Department, and Turkmenistan, which the panel recommends being given the designation together with countries like China, North Korea and Saudi Arabia.

With Russia on the watch list are Belarus and Tajikistan.

USCIRF's 2009 Annual Report can be found [here](#).

US state commission: Religious freedom ebbing in Russia

by William C. Mann

AP (01.05.2009) / HRWF (14.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - A congressionally backed panel said Friday 1 May that religious freedoms were deteriorating in Russia, Turkey and four other nations that were added to a watch list of countries where people's rights to worship as they please or not to worship at all are at risk.

The U.S. Commission on International Religious Freedom (USCIRF) also named Nigeria as a "country of particular concern," joining 12 other countries that the commission considers the world's worst violators. . . .

Countries are placed on the watch list or the more serious "countries of particular concern" list because their governments either discriminate against people for religious reasons or are unwilling or unable to stop religious violence by their citizens.

On Russia, the panel found particularly objectionable "a new body in the Ministry of justice with unprecedented powers to control and monitor religious groups." It said the body was established early this year. It also decried "increasing violations of religious freedom by state officials, particularly against allegedly "nontraditional" religious groups and Muslims. . . ."

USCIRF Report on the Russian Federation

For ten years the Commission has reported on the status of freedom of religion or belief in Russia. Although the Commission has never recommended that Russia be named a "country of particular concern," or CPC, for the most severe violations of religious freedom, this year the Commission decided to add Russia to its Watch List.

The decision to place Russia on the Commission's Watch List is based on several negative new policies and trends, particularly the establishment in early 2009 of a new body in the Ministry of Justice with unprecedented powers to control religious groups.

There also are increasing violations of religious freedom by government officials, particularly against allegedly non-traditional religious groups and Muslims, based on the

government's interpretation and application of various Russian laws including the laws on religious organizations, non-governmental organizations, and extremism.

The Russian government also uses laws against incitement of hatred to suppress or punish critical or humorous portrayals of religion in publications or visual art. Russian officials continue to describe certain religious and other groups as alien to Russian culture and society, and there has been a sharp rise in the country in xenophobia and intolerance, including anti-Semitism, which has resulted in numerous violent attacks and other hate crimes. The Russian government has chronically failed to address these serious problems adequately, consistently or effectively.

In recent years, Russia has steadily retreated from democratic reform, endangering post-Soviet human rights gains, including in regard to freedom of religion or belief. Evidence of this retreat includes further limitations on media freedom and on political parties; tighter controls on non-governmental organizations (NGOs) and religious communities; concerted harassment of human rights activists and organizations; legal restrictions on freedom of assembly; and constraints on popular referenda.

Increasingly, Russian journalists, lawyers and others who have defended human rights have been subjected to brazen killings and attacks, and the perpetrators usually act with impunity.¹ Moreover, Moscow has rallied other countries with dubious human rights practices to oppose international efforts to draw attention to these serious problems by terming such inquiries meddling or interference in internal affairs. This sharp deterioration in the human rights climate appears to be a direct consequence of the authoritarian stance of the Russian government, as well as the growing influence of chauvinistic groups in Russian society, which seem to be tolerated by the government.

In February 2009, the Justice Ministry established the Expert Religious Studies Council, which was given extremely wide powers to investigate religious organizations, including their activities and literature, for a broad array of reasons, including extremism. While governments have a duty to combat acts of violent extremism as part of their obligation to protect citizens, there have been expressions of serious concern over the establishment, as well as the composition and expansive mandate, of this new council. The Expert Religious Studies Council's powers enable it to investigate religious organizations during the registration procedure; to assess whether the activity of a registered group accords with its charter; to ascertain if an organization, one of its members, or the literature it produces or distributes is extremist; and to conduct investigations in other cases requiring specialist knowledge which might arise when the Russian Justice Ministry is monitoring the activity of religious organizations.

The Expert Religious Studies Council's new chairman, Aleksandr Dvorkin, is Russia's most prominent "anti-cult" activist and he lacks academic credentials as a religion specialist. Furthermore, Dvorkin's deputy, Roman Silantyev, is noted for intolerant articles on so-called radical Islam.

Observers are concerned that under Dvorkin's leadership, the council may call for the closure of registered as well as unregistered minority religious communities. This concern is based on Dvorkin's previous positions on independent Muslims, Jehovah's Witnesses, Hare Krishnas, "neo-Pentecostals," and other new religious movements.

Concerns have also been expressed that the new council's members include five individuals reported to be close to the Moscow Patriarchate Russian Orthodox Church who are known for "anti-sect activities."

Many of the problems faced by Russia's diverse minority religious communities stem from the notion set forth in the preface to the 1997 religion law that four religions—Russian Orthodoxy, Islam, Judaism, and Buddhism—have "traditional" status in that

country. The de facto favored status of the Moscow Patriarchate Russian Orthodox Church (MPROC) results in restrictions and discrimination against other religious groups. Officials of the MPROC also sometimes use their influence with regional authorities to restrict the activities of other religious groups. There are frequent reports, particularly on the local level, that minority religious communities must secure MPROC permission before officials grant access to houses of worship and that local authorities sometimes deny them registration at the behest of local MPROC officials. According to the State Department, Russian government officials and police often make public negative comments about Protestant churches and other allegedly new religious movements, referring to them as "totalitarian" sects, stressing their alien character and foreign funding, and making implications of espionage.

The MPROC, the world's largest Orthodox church which claims adherents among 60 percent of Russians, has played a special role in Russian history and culture; it receives the bulk of state support for religious groups, including subsidies for church maintenance and construction. The three other so-called "traditional" religious communities, Islam, Buddhism and Judaism, also sometimes benefit from government funding. In addition, the Moscow city government has funded extensive renovations of Old Believer buildings. The MPROC also has agreements with government ministries on guidelines for public education, religious training for military personnel and on law enforcement decisions. The authorities permit MPROC chapels and priests on army bases, but provide some Protestant groups limited access to military facilities. In late 2007, the Russian military appointed its first Jewish chaplain since 1917, according to the State Department.

Authorities largely ban Islamic services in the military and usually fail to give Muslim conscripts time for daily prayers or alternatives to pork-based meals. According to the SOVA Center, a leading Russian NGO monitoring group, some Muslim army recruits reported that their fellow servicemen insulted and abused them on the basis of their religion. Other systemic problems result from Russia's weak judicial system, inconsistent adherence to the rule of law, and local officials' arbitrary interpretations regarding the status of the so-called "traditional" religions. These problems include denials of registration (status of legal person) requests; refusals to allot land or to grant construction permits for places of worship; restrictions on rental space for religious activities; lengthy delays in the return of religious property; and attacks in the state-controlled media that incite intolerance. Official respect for freedom of religion or belief varies widely from region to region. In Chechnya, for example, President Ramzan Kadyrov announced in 2006 that his republic "would be better off" if it were ruled by sharia law, and he has also justified polygamy and honor killings. In many parts of Russia, however, a given religious community's relationship with individual state officials is frequently the key to determining government respect for its rights.

In October 2007, a Russian law came into effect setting out the conditions and procedures for state-owned land appropriation that permits religious organizations to retain their current land plots for unlimited use until January 1, 2010. Prior to this amendment, there had been no legal mechanism for religious organizations to privatize land plots. In early 2009, Russia was considering a draft law on the transfer of property of religious significance to religious organizations and which would define the procedure for allocating such property. The draft law also grants religious organizations ownership of all historical property currently in their use. Currently, religious organizations have the right to use such property indefinitely, but it remains in the possession of the Russian state. If this draft law were to be passed, the MPROC would become one of the largest property holders in Russia.

In 2008, Russian regional and local officials continued to confiscate buildings already in use by religious communities. The mayor of St. Petersburg ordered that a Lutheran church be given to the MPROC, according to the SOVA Center. A Baptist congregation in the city of Lipetsk lost its rented prayer house in 2008 because the local MPROC had filed

suit for the building, the State Department reported. Another case involved properties of the Russian Orthodox Autonomous Church (ROAC), which is not affiliated with the Moscow Patriarchate, in the town of Suzdal. In February 2009, a regional court ordered that the 11 historic churches and 2 bell towers must be returned to the state, although the ROAC has used these properties since the 1990s.

The 1997 religion law requires registration at both federal and local levels, thereby creating difficulties for previously unregistered as well as new religious groups. At the federal level, most religious organizations have been registered by federal officials and the Russian Constitutional Court.

Religious groups that have gone to court to overturn denials of registration have often been successful, but administrative authorities have sometimes been unwilling or slow to implement court decisions. The Salvation Army was finally re-registered in the city of Moscow in April 2009, as required by a 2002 Russian Constitutional Court ruling and a 2006 European Court for Human Rights (ECtHR) ruling.

In cases when the ECtHR has ruled against Russia, the state has later paid full compensation, for example, to the Jehovah's Witnesses in the city of Chelyabinsk and to an evangelical church in Chekhov. The Salvation Army case marks the first known instance involving a religious community in which the Russian state has taken remedial action as required by the ECtHR.

Moreover, Russian authorities have denied registration to certain religious communities based on the allegedly insufficient time they have existed.

Such denials continue, even though the Russian Constitutional Court ruled in 2002 that an active religious organization registered before the 1997 law could not be deprived of legal status for failing to reregister.

Local officials sometimes simply refuse to register groups or create prohibitive obstacles to registration.

The 1997 religion law gives 10 citizens the right to form a religious association, which, in turn, provides them the legal right to a house of worship.

Yet, despite this legal guarantee, building or renting worship space remains difficult for a number of religious communities. Jehovah's Witnesses, the Church of Jesus Christ of Latter-day Saints (Mormons), and Pentecostal congregations face particular problems, as do Orthodox groups that do not recognize the Moscow Patriarchate, Molokans, and Old Believer communities. Protestant, Catholic, Muslim and some Orthodox congregations allege inordinate official interest in fire safety and other details in regard to their worship buildings, which may result in court-ordered fines, temporary closures or official demolition threats, Forum 18 reported in February 2009.

Russian authorities also continue to deny registration to certain religious communities, particularly those deemed by Russian officials to be "non-traditional." A local religious organization was even banned in June 2004, when the Russian Supreme Court upheld a Moscow court decision banning the Jehovah's Witnesses in that city, making them the first national religious organization to have a local branch banned under the 1997 religion law.

According to Forum 18, Jehovah's Witnesses viewed the 500 coordinated and centrally directed investigations by procuracy officials in March 2009 as "trawling" for grounds to shut down their St. Petersburg headquarters and over 400 dependent organizations. In 2008, two Baptist congregations in the city of Lipetsk lost their legal status due to alleged tax violations, the State Department reported.

Under the 1997 religion law, religious organizations encounter confusing definitions over what type of religious activity requires an education license: "educational" activity might require a license, while "teaching" does not. In March 2008, the Smolensk Regional Court dissolved a local Methodist church for running a Sunday school with only four pupils without an education license. In June 2008, Russia's Supreme Court overturned that ruling, holding that a license is needed only if it is "accompanied by confirmation that the student has attained levels of education prescribed by the state." A Pentecostal Bible center in the Volga republic of Chuvashia lost its registration for allegedly conducting unlicensed educational activity in August 2007; in April 2008 the Pentecostal center appealed to the ECtHR, Forum 18 reported.

In September 2008, the Russian Justice Ministry published a list of 22 religious organizations for which it was seeking to liquidate their registration status through the courts for the alleged conduct of unlicensed educational activities. Four of these organizations (the Russian Union of Independent Churches of Evangelical Christian Baptists in Rostov-on-Don, the Theological Seminary of the Siberian Association of Evangelical-Lutheran Missions in Novosibirsk, and two Moscow yeshivas) have successfully challenged immediate liquidation.

Two others, the Presbyterian Christian Theological Academy and the Institute of Contemporary Judaism, liquidated their own registration status, while five of the groups were no longer functioning, according to Forum 18. In March 2009, the Russian media reported that the Ministry of Justice recently had been granted the right to conduct state inspections of theological institutions and that it planned to establish an expert council for that purpose.

In January 2006, then-President Putin signed a restrictive law on non-governmental organizations (NGOs) that also affects the country's 23,000 registered religious communities and granted the Ministry of Justice's Federal Registration Service (FRS) extensive oversight functions. The law enables the FRS to interfere with the activities of NGOs, examine their documents, attend their meetings with advance notice, and initiate court proceedings which may result in denials of the registration of groups that do not meet numerous legal requirements, including minor or trivial ones.

NGOs are required to submit detailed annual reports on their activities, governing bodies, and funding, including from foreign sources. (The FRS was eliminated as a separate unit in the Ministry of Justice in July 2008 and its functions transferred to another office. It is too early to ascertain what impact, if any, this change will have in regard to religious freedom and related human rights in Russia.) The provisions of the NGO law which are applicable to religious organizations went into effect in mid-2007. Several months later, however, after lobbying by many religious groups, including the Russian Orthodox Church, the government reduced their reporting requirements. Russian religious organizations are no longer required to report income from Russian individuals or the Russian state, but they must document foreign donations. Each religious group must still report the full names, addresses, and passport details of its governing body members, although requirements were dropped that they provide details of religious congresses, conferences, or meetings of governing bodies. In addition, accounting procedures for such organizations were simplified, though financial documents must also be supplied to the Russian tax authorities.

In October 2008, the Justice Ministry published a list of 56 centralized religious organizations throughout Russia for which it planned to request the deprivation of legal status for alleged violations of reporting requirements under the NGO law. The list includes Old Believer, Armenian Apostolic, Catholic, Protestant, Nestorian, Muslim and Buddhist organizations. Fifteen groups on that list had not received any prior warning from the Ministry on alleged violations, Forum 18 reported.

The Coordinating Center of North Caucasus Muslims publicly noted that it had neglected to file a minor financial report. Although 309 of Russia's 562 centralized religious organizations belong to the MPROC, no MPROC groups appeared on the Justice Ministry's list. Some groups have alleged that the Justice Ministry provided the MPROC advance notice on how to file reports.

In March 2009, Russian President Medvedev chaired the Presidential Council on Cooperation with Religious Associations, an official advisory body previously headed by a Presidential Administration official. Medvedev also announced that he planned to convene the group more regularly and give it decision-making power. In April 2009, President Medvedev named Ivan Demidov the head of the Presidential Administration's department for humanitarian policy and social relations, which includes responsibility for relations with Russia's religious communities. Reportedly, Demidov has close connections to the MPROC Patriarch and is a proponent of Russian nationalist causes, including in his previous role as coordinator of "Young Guard," the youth branch of the ruling political party "United Russia." A voluntary course on the "Foundations of Russian Orthodox Culture" in the national school curriculum, proposed by the MPROC and adopted in at least nine regions of Russia, reportedly will be dropped as of the 2009 academic year. Instead, students reportedly will be able to choose an ethics course or a course on world religions for which the Russian Ministry of Education is drafting a 300-page text "The Basis of Moral Culture." Religious figures allegedly will be barred from teaching courses on religion in state schools. Informed observers note, however, that these alleged curriculum changes are part of a general educational reform that will likely take many years. In this context, a recent legal case in the Voronezh oblast is relevant. A Protestant pastor brought suit after his son was beaten by schoolmates because the boy refused to participate in MPROC prayers in his local public school. In December 2008, the court refused to rule that MPROC prayers in a public school had violated the religious freedom of the pastor's son or that the pastor had been denied the right to educate his child in accordance with his religious principles, the SOVA Center reported. In a case that caused numerous protests, university instructor Svetlana Shestakova in the Siberian city of Tyumen was charged in August 2008 for criminal incitement of hatred for her public insults of Jews, Muslims, Catholics and Protestants during her training sessions for instructors for the "Foundations" course.

Over the past several years, a serious threat to religious freedom has emerged in the Russian government's amendment and application of the country's anti-extremism laws. The June 2002 Extremism Law defines extremist activity in a religious context, by referring to "propaganda of the exclusivity, superiority or inferiority of citizens according to their attitude towards religion or religious affiliation; incitement of religious hatred; obstruction of the lawful activity of religious associations accompanied by violence or the threat of violence; committing a crime motivated by religious hatred." In 2006, the legal definition of extremism was expanded to encompass —violation of the rights and freedoms of the person and citizen and "harm to the health or property of citizens in connection with their beliefs." In 2007, the definition was further broadened to include "obstruction of the lawful activity (...) of social, religious or other organizations without requiring the threat or application of actual violence." In addition, those alleged to have defended or even expressed sympathy with individuals charged with extremism were also made liable to charges of extremism. Indeed, according to Forum 18, the "gravest" current threat to freedom of religion or belief in Russia comes from the federal government's approach to combating religious extremism. Even a low-level court may rule literature extremist, with the result that the literature is automatically added to the Justice Ministry's Federal List of Extremist Materials and thereby banned throughout Russia. This list, established in July 2007 with 14 titles and updated four times a year, by April 2009 had expanded to 365 items, according to the SOVA Center. While the list of banned texts includes some extreme nationalist and virulently anti-Semitic materials, Islamic materials, such as the works of Said Nursi and "The Personality of a Muslim" (see

below), constitute the majority of theological entries. According to Forum 18, local courts have also banned some Jehovah's Witness and Russian Orthodox literature even though one senior Russian official recently admitted that some titles were blacklisted "by mistake." In November 2008, the chair of Russia's Council of Muftis, Ravil Gainutdin, accused some local courts of "poor understanding" of religious and theological issues in their bans of Islamic texts. He noted that courts had even banned books recommended by his own Council, such as "The Personality of a Muslim" by Muhammad ali Al- Hashimi, a Koran-based life guide which advocates kindness and generosity, including towards non- Muslims. In May 2008, a criminal case for "incitement to religious hatred" was brought against Aslambek Ezhayev, the Moscow publisher of "The Personality of a Muslim." In October 2008, Ezhayev's offices were subjected to a six-hour police search, but no further official action has been taken against him as of this date.

In 2007, a Russian court banned as extremist the Russian translations of the works of Said Nursi, a pacifist Turkish Islamic theologian with six million adherents in Turkey. According to Forum 18, regional public prosecutors' offices and the secret police have searched homes of Nursi readers and confiscated his texts across Russia, and students of Nursi' s work in Tatarstan have been subjected to forced psychiatric examinations. In April 2008, Tatarstan officials issued warnings about extremist activity to its Tatar-Turkish secular secondary schools as part of a criminal investigation into Nursi' s followers. Because of the ban, those who popularize Nursi' s writings may receive a four-year prison sentence under Criminal Code Article 282.

Reportedly, Nursi' s Russian translator and his family were forced to flee Russia in 2008 as a result of police harassment. Russia's Human Rights Ombudsman has denounced the ban on Nursi' s writings, warning that "it is very important that we do not allow interference in the convictions and beliefs of millions of citizens on the poorly grounded, unproven pretext of fighting against extremism." As is the case in many other countries, the Russian government does face major challenges as it addresses extremism and acts of terrorism that claim a religious linkage, while also protecting freedom of religion or belief and other human rights. The rapid post-Soviet revival of Islam, along with the ongoing violence in Chechnya and growing instability throughout the North Caucasus, compound difficulties for the Russian government in dealing with its 20 million Muslims, the country' s second largest religious community. Security threats from domestic terrorism, particularly those related to the conflict in Chechnya, are genuine. The North Caucasus region also faces chronic instability due to various other factors: severe economic dislocation, especially among young men; some radical foreign influences on indigenous Muslims; endemic corruption and local political grievances, particularly in Ingushetia and Kabardino-Balkaria. All these factors have combined to fuel volatile and increasingly widespread expressions of popular dissatisfaction by Muslims with the local and national Russian government.

Yet human rights groups are concerned that the methods used by the Russian government to address security threats could increase instability and exacerbate radicalism among Russia's Muslim community. NGOs and human rights activists have provided evidence of numerous cases of Muslims being prosecuted for extremism or terrorism although these individuals had no apparent relation to such activities. For example, there are dozens of cases of detentions for possession of religious literature, such as the Koran, or on the basis of evidence—including banned literature, drugs, or explosives—allegedly planted by the police. The Commission has been informed of at least 200 cases of Muslims imprisoned on reportedly fabricated criminal charges of possession of weapons and drugs. Moreover, according to human rights groups, a 2003 Russian Supreme Court decision to ban 15 Muslim groups for alleged ties to international terrorism has made it easier for officials arbitrarily to detain and courts to imprison hundreds of individuals on extremism charges for alleged ties to these groups. It was not until July 2006 that the official government newspaper Rossiiskaya gazeta published a list of terrorist-designated organizations drawn up by the Federal Security Service (FSB)—a

necessary step to give the ruling legal force—and this list contained the names of two additional groups, without any supporting explanation for their inclusion.

The Russian human rights group "Memorial" reports that Muslims perceived as "overly devout" are now viewed with suspicion and may be arrested or "be disappeared" on vague official accusations of alleged Islamist extremism or for allegedly displaying Islamist sympathies, particularly in the volatile North Caucasus region. For example, Forum 18 reported in August 2008 that the government of the republic of Kabardino-Balkaria had brutally cracked down on young devout Muslims there. According to a February 2008 report by the Institute for War and Peace Reporting, more than 150 people were abducted in Ingushetia by Russian authorities or were "disappeared" in recent years, including many who have no proven relationship to Islamist militancy. In early 2008, outside Ingushetia's largest city, Nazran, three men were shot without warning as alleged extremists by security forces. In November 2008, "Memorial" reported an operation by security forces against "religious" residents of a village in Dagestan that resulted in three deaths. Persons suspected of involvement in alleged Islamist extremism have also reportedly been subjected to torture and ill-treatment in pre-trial detention, prisons, and labor camps. Indeed, Muslim prisoners in the Murmansk oblast filed suit in 2008 with the ECtHR alleging official mistreatment on the basis of their religion, the SOVA Center reported in 2009.

This hostile atmosphere also affects Muslims' ability to open and maintain mosques.

Although local authorities in Kaliningrad and Kostomushki in 2008 finally granted Muslim communities land for mosque construction, there reportedly has been no official response to longstanding requests from Muslim communities in Sochi and St. Petersburg for permission to build mosques. In August 2006, the Russian Supreme Court upheld a lower court decision ordering that the local Muslim community in the city of Astrakhan pay for the demolition of its new mosque. In May 2007, the Supreme Court agreed to reconsider the case.

Allegedly, the city's Muslim community had not received all the required building permits, although construction of the mosque had been partly funded by the previous local government. In July 2007, the ECtHR prioritized the Astrakhan case application and, as of this writing, it is still under consideration.

Russian officials, especially on the local level, continue to respond inadequately to numerous violent hate crimes directed against members of various religious communities. For example, in April 2008 a group shouting —you must be destroyed! burst into the Pentecostal Living Word Church in Kuznetsk, threatening parishioners with pistols and beating up the church's pastor. Three weeks later, the pastor appealed to local police and two hours later seven men attacked the congregation. In response, the local prosecutor brought an administrative charge of petty hooliganism against the attack's leader.

Moreover, chauvinist groups have stepped up their campaign against individuals and groups who defend the rights of religious and ethnic minorities as well as migrants, including issuing death threats. While Russian police have offered some assistance to these defenders, their efforts remain ineffective and inconsistent. Due to such threats, Aleksandr Verkhovsky and Galina Kozhevnikov, co-directors of the SOVA Center, decided in March 2009 to take up temporary residence outside Russia.

Russian law includes several provisions that address crimes motivated by ethnic or religious hatred. For example, Article 282 of the Russian Criminal Code forbids the incitement of ethnic and religious hatred. Unfortunately, Russia's law enforcement agencies and the judicial system apply these provisions infrequently, inconsistently, and even arbitrarily and inappropriately. In all too many cases involving members of Russia's

ethnic and religious minorities, Russian authorities, particularly on the local level, have not treated hate crimes in a serious and consistent manner. On November 7, 2008, the anniversary of the 1917 Bolshevik revolution, President Dmitri Medvedev instructed police officers to "pay particular attention" to investigation of cases related to extremism and xenophobia and called on law enforcement bodies at federal and regional levels to try to prevent such crimes and to develop "high-quality" legal materials, including the application of relevant criminal code articles.

Human rights groups have expressed concern that hate crimes, often the result of attacks by "skinhead" racist groups, are growing dramatically in Russia, particularly against people from Central Asia, who are predominately Muslim.

The Office of the Russian Procuracy reported in early 192 2009 that 460 extremism-related crimes were registered in the country in 2008, a 30 percent increase from 2007, although the official attributed this increase to amendments in the criminal code and not to increased violence. Russian NGOs assert that in 2008 there were 269 hate crimes in the country, resulting in the deaths of 114 people, more than twice as many as in 2007. The SOVA Center reported that in 2008, 33 guilty verdicts for hate crimes had been handed down in 19 regions of Russia.

In 2008, the SOVA Center documented 78 acts of vandalism of the property of religious and ethnic minorities; of the 36 affected houses of worship and cemeteries, 48 were Russian Orthodox, 13 were synagogues and Jewish cemeteries, 9 were Muslim mosques and cemeteries, 6 were Protestant churches, one was a Jehovah's Witness Kingdom Hall, one was a pagan site and one was an Armenian cemetery. While illegal activities motivated by religious hatred are usually investigated with appropriate charges by law enforcement officials, very few cases result in conviction. As a result, members of religious communities often feel that they lack protection even during religious services, and express concerns about the security of their organizations' property.

Most officials and NGOs agree that many of these attacks are motivated largely by ethnic intolerance, although religious and ethnic identities often overlap. Nevertheless, members of Muslim, Jewish, Protestant, and other religious communities have been subjected to attacks motivated by religious factors. Religious minority leaders are apprehensive that Russian government officials provide tacit or active support for a view held by many ethnic Russians that their country should be reserved for them and that Russian Orthodoxy is the country's so-called "true" religion. Civil society leaders link this view to a perception that Russian identity is currently threatened due to a demographic crisis stemming from a declining birthrate and high mortality among ethnic Russians.

Russian officials also display an inconsistent—and often inadequate—record in responding to media attacks and violence associated with anti-Semitism. Kommersant reported that during a Moscow rally of several hundred nationalists in April 2008, in addition to expressions of hatred of Jews, there were calls for the murder of some Jewish government officials, but police reportedly did not react. Moreover, there are at least 80 Russia-based anti-Semitic Web sites and, in various regions of Russia, approximately 100 small, ultranationalist newspapers that regularly print anti-Semitic, anti-Muslim, and other religiously and ethnically-based intolerant content. The St. Petersburg Ministry of Internal Affairs (MVD) University, which trains future leaders of Russian police agencies, reportedly authored and published anti-Semitic materials twice in 2008. After protests from the Jewish community and human rights groups, the MVD recalled all 1,000 copies of a textbook that promoted Jewish conspiracy theories from the university.

Russian rights advocates say that senior Russian government officials should do more to publicly support the multi-ethnic and multi-confessional nature of the Russian state and society.

In fact, some western and other observers have suggested that Russian authorities have manipulated xenophobia for political purposes. The Kremlin is believed, for example, to have supported the formation of the ultra-nationalist Rodina political party and the nationalist youth movement Nashi.

Others have observed that the Kremlin, by issuing nationalistic statements as well as demonstrating a tendency to blame non-Russians for crime, has encouraged intolerant attitudes toward non-Russians and people who do not identify with the Russian Orthodox Church. In the Commission's view, more can and should be done to ensure that Russian law enforcement agencies do not dismiss hate crimes as —hooliganism, but recognize them for what they are—human rights abuses—and take steps to prevent and punish such crimes, including those involving ethnicity and religion.

Protestant groups in Russia are frequent victims of hostile media attacks. According to the SOVA Center, journalists often seek guidance from the Russian Orthodox Church when researching articles about Protestants, and as a result the media tend to portray Protestants as dangerous "sectarians." Moreover, pro-Kremlin nationalist youth movements have staged so-called "anti-sectarian," i.e., anti-Protestant, public protests. For several months in 2008, Nashi activists worked with the local government in Mordovia to prevent a planned Baptist conference. In Bryansk oblast, also in 2008, a Russian Orthodox branch of Nashi acted with local militia to break up a Baptist procession.

The National Security Concept of the Russian Federation, last updated in 2000, states that "ensuring national security includes countering the negative influence of foreign religious organizations and missionaries." As in previous years, the Russian authorities in 2008 denied a visa request from the Dalai Lama to visit Buddhist-majority regions, such as Kalmykia. Over 50 foreign religious workers, including Catholics, Protestants, Muslims, Buddhists and Jews, have been barred from Russia since 1998 and only a small number of those barred have since been allowed to return. New visa rules introduced in October 2007 for business or humanitarian visas, including religious work, permit visa holders to spend only 90 out of every 180 days in Russia; procedures for visa arrangements to allow more extended stays are lengthy and complex. The new visa regulations have had a harsh impact on many religious organizations, particularly those which for historical reasons depend upon foreigners, such as the Catholic Church. An American rabbi who had been working in the Primorye region for over two years was expelled from Russia after a court ruled in February 2009 that he had violated his visa by serving as a religious leader. Two rabbis in Rostovon-Don were also expelled recently on similar charges. In March 2009, the Justice Ministry told the Russian media that by December 2009 it planned to introduce amendments to the religion law setting out new conditions of activity by foreign religious workers as well as administrative liability for unlawful activity.

Also in March 2009, the Ministry of Justice replaced a 1998 law governing representations of foreign religious organizations operating in Russia.

The new law reportedly established new and complex procedures for registration of such representations, as well as rules for their opening and closing. The law also defined requirements for the proof of registration for foreign religious organizations and set up an official register. It is too early to assess the impact of this new law.

Free speech concerns also arise in connection to several recent law suits brought under Russia's law against "insulting religious feelings." For example, two cases, allegedly instigated by elements within the Moscow Patriarchate of the Russian Orthodox Church, were brought against Yuri Samodurov for art shows he organized in the Sakharov Museum; Samodurov faces a trial in May 2009. A Pentecostal leader also brought suit against the "2x2" television channel for airing a particular episode of the program "South

Park." In addition, Russia's official Muslim community pressured the Russian version of Newsweek magazine to issue a public apology for reprinting one of the Danish cartoons of Muhammed in a special issue on Islam in Europe.

The battle with 'religious extremism' - a return to past methods?

By Geraldine Fagan

Forum 18 (28.04.2009) / HRWF (04.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - A turning point in the Russian authorities' drive against "religious extremism" came in 2007, when two previous unsuccessful attempts to ban Islamic literature were finally successful, as this analysis – the second part of a presentation given at a seminar at the Kennan Institute in Washington DC – notes. Also initiated that year was the Federal List of Extremist Materials, which now contains 367 items. Anyone who distributes these works can be fined. Alongside genuinely extremist material are some works Forum 18 News Service has seen which appear to contain no calls to extremism. "The Personality of a Muslim", a popular work among Russian Muslims, was deemed extremist in August 2007 and several distributors of it have since been fined. Indigenous pagans and Jehovah's Witnesses are facing accusations of extremism on the basis of their literature, even though none of it is on the banned list. The appointment of Aleksandr Dvorkin, a prominent "anti-cult" activist, to head the Justice Ministry's Expert Religious Studies Council has alarmed those who hoped officials would curb the widespread use of extremism accusations.

In 2007, some five years after the Russian state unleashed its drive against "religious extremism", a turning point was reached. That year, two attempts to ban Islamic literature which had previously failed finally succeeded. One was the case against the writings of Turkish Muslim theologian Said Nursi. Previously, in April 2005, a district court in Omsk acquitted Dzhabul Isabayev of extremism for distributing one part of "Risale-i Nur" (Messages of Light), Nursi's 14-part commentary on the Koran. In doing so, the court rejected an expert analysis by a local anthropologist who – as would later become the norm – claimed that the work contains "open propaganda about the inferiority of citizens due to their religious affiliation" simply because it maintains that Islam is superior to other religious systems.

Similarly, whereas the 2002 Yekaterinburg investigation into several Muslim titles failed to reach court, Buguruslan City Court in Orenburg Region ruled "The Personality of a Muslim" and 15 other Islamic titles extremist in August 2007. Finally published almost a year later, the verdict does not cite the work, but maintains it should be banned because it "contains factors facilitating incitement of hatred between peoples due to their attitude towards religion" and "alters the behavioural reactions in society of people who accept the ideas it proposes".

So what is in this allegedly dangerously extremist book? A close reading fails to uncover anything remotely sinister. To give an idea, the following are three sentences selected at random: "One of the qualities of a true Muslim is that he never thinks badly of other people" (p.253); "The reason for the tragic state of humankind is that the just and humane principles of Islam have been pushed aside by defective principles thought up by people themselves" (p.143); "A true Muslim .. is generous and always offers his hand to other members of the society in which he lives" (p.329).

"The Personality of a Muslim" is a popular work among Russian Muslims, and in 2008 there were several successful prosecutions for its distribution. In Saratov, the manager of a bookshop with two copies on sale was fined 2,000 roubles (521 Norwegian Kroner, 59

Euros or 73 US Dollars). A Moscow court fined the Novy Knizhny chain of bookstores 50,000 roubles (10,809 Norwegian Kroner, 1,160 Euros or 1,535 US Dollars) for stocking it. In Kaluga, the book was confiscated from a mosque whose Muslim community was, as it told Forum 18, later fined 3,000 Roubles (648 Norwegian Kroner, 70 Euros or 92 US Dollars).

On these occasions the authorities chose to prosecute under the Administrative Violations Code (Article 20, Part 29), under which production or distribution of extremist materials carries a maximum fine of 100,000 Roubles (19,770 Norwegian Kroner, 2,270 Euros or 3,020 US Dollars). In other cases they might choose to prosecute under the Criminal Code, however, where the maximum punishment for incitement to religious hatred is a two-year prison term (Article 282).

Another key development in 2007 was the publication of the first instalment of the Federal List of Extremist Materials, which as of 6 April 2009 ran to 367 items. Judging by some of their titles – such as "Music for Whites" and "Jewish Fascism, or the Genocide of the Russian People" – many of these are either extreme nationalist or anti-Semitic, but Nursi's "Risale-i Nur" and "The Personality of a Muslim" also feature. While the Justice Ministry compiles the list, it does not have vetting powers over it, so in practice any low-level court can rule a work extremist. It is then automatically added to the list and banned throughout Russia. This is how a legal authority such as Gorodishche District Court in Penza Region can ban a 1980s address by the late Iranian Supreme Leader, Ayatollah Khomeini, as happened in 2008.

At the beginning of 2008, Mufti Mukadas Bibarsov, who heads the Volga Muslim Spiritual Directorate, suggested to Forum 18 that, "If Islamic books are banned today, tomorrow they will be Jewish, the day after tomorrow Catholic, the day after that Orthodox." Something of that has now begun. The Mari people, who are ethnically Finno-Ugric and live mostly in the Volga republic of Mari-El, have an unbroken tradition of paganism involving animal sacrifice and worship in sacred groves. They underwent similar persecution to other confessions in the Soviet period, although they were permitted to hold a massive thanksgiving ceremony for victory in the Second World War.

While Mari paganism now has "traditional confession" status locally, one of its main karts or priests, Vitali Tanakov, is facing religious and other extremism charges for his brochure "A Priest Speaks". The only references in it to other religions claim that, while the Mari faith will be "in demand by the whole world for many millennia," under the influence of the Bible and Koran, harmony between the individual and society has been lost, "morality has gone to seed, there is no pity, charity, mutual aid; everyone and everything are infected by falsehood." In December 2006, Yoshkar-Ola City Court in Mari-El sentenced Tanakov to 120 hours' labour for writing and distributing this brochure, which he completed as an electrician in a local school. The brochure itself was ruled extremist by the same court on 17 March 2009.

The Jehovah's Witnesses are currently fighting five separate religious extremism cases in Rostov-on-Don Region, Sverdlovsk Region, Altai Republic and North Ossetia for distributing their standard tracts such as "Watchtower" and "Awake!" In Rostov-on-Don Region, 24 local Jehovah's Witness communities received virtually identical warnings about extremist activity in late 2007, after an expert analysis by a local philologist found their literature "incites hatred towards the Christian world".

In Sverdlovsk Region, extremism warnings issued in May 2008 against two local communities followed the seizure of literature from a local Kingdom Hall and an expert literary analysis by the FSB security service. Since the start of 2009, 14 Jehovah's Witnesses in Sverdlovsk Region have been detained for several hours at a time for preaching and distributing literature, even though the extremism investigation there has not yet reached court.

As local authorities and low-level courts are instigating cases resulting in nationwide bans, it could be argued that this situation is the product of a technical oversight when the Extremism Law was drafted. Despite growing criticism, however, the federal authorities have not taken a single step to reverse this trend. A number of prominent Muslims sent a 3,000-signature petition to then President Vladimir Putin in March 2007, but a subsequent response from the presidential administration said that only the courts could administer justice.

When the lawyer Sergei Sychev subsequently tried to appeal against Buguruslan City Court's ruling on "The Personality of a Muslim", he was told that only interested parties – the author and the publisher – could mount a challenge. In this case, that is impossible, as the author is dead and the publisher defunct. As is typical, the ruling also became widely known only once the title was entered onto the Federal List of Extremist Materials some months after the court's decision, by which time the deadline for appeals was long past.

In June 2008, a senior official in the presidential administration, Aleksei Grishin, called for a special expert council to fix the criteria for the addition of Islamic books to the Federal List of Extremist Materials. In November he even admitted that "books by very famous authors seem to have got on by mistake, unfortunately." He promised to take corrective measures, but warned that it would prove very difficult to remove titles from the list "as it is extremely complicated to overturn a court decision already in force."

On 11 March 2009, Mufti Ravil Gainutdin, who chairs the Council of Muftis, raised the issue of outlawed Islamic literature at a high-profile meeting of the Council for Co-operation with Religious Organisations, a consultative body for religious communities attached to the presidential administration. President Dmitri Medvedev, who chaired the meeting, replied that "the quality of expertise in these sorts of problems should be the highest possible." He supported Gainutdin's suggestion for a federal expert council to deal with the situation and said he would order one to be created.

In fact revived shortly before this meeting, the Justice Ministry's Expert Religious Studies Council is far from what Gainutdin had in mind. Since 18 February, when its powers and procedures were approved by a Justice Ministry decree, the Council has had powers to investigate a religious organisation or its literature for practically any reason, including extremism. Its new line-up suggests that religious extremism charges will now be directed even more broadly than those outlined above.

The Council's new chair, Aleksandr Dvorkin, is Russia's most prominent "anti-cult" activist. As soon as Moscow's Golovinsky District Court pronounced its verdict banning the Jehovah's Witnesses' Moscow organisation in May 2004, he went up to the Public Prosecutor's Office representative who had pressed for the ban and warmly congratulated her. One of Dvorkin's assistants is Roman Silantsev, whose book on Islam in modern Russia treats Nursi followers as dangerous extremists. At a hearing in Russia's Public Chamber on 3 March which considered the issue of banned Islamic literature, Silantsev suggested that the authorities were working in the right direction. He also remarked, "Let's ban all books published in Saudi Arabia, everyone knows that Russia has bad relations with the USA, so we should ban books from countries that are in the American orbit."

Do these developments mark a return to past methods? Two statements from those on either side of the battle against religious extremism are at least reminiscent of the Soviet drive against all forms of dissent.

The first comes from Lyubov Sliska, First Deputy Speaker of the Russian Duma (the lower house of Parliament) and a member of its United Russia faction. In September

2008 she said: "Preventative measures are the main thing which should be done now to lower the risk of the appearance and spread of sectarian and extremist ideology. The educational aspect of work by our main Russian confessions will put an end to sectarian extremism."

The second comes from Isa Bedtsiyev, a Chechen Muslim who frequents the mosque in Kaluga from which "The Personality of a Muslim" was taken in an FSB security service raid in May 2008. At a press conference in Moscow in March 2009, he explained that he no longer keeps books at home, because, "I know that if someone comes to search my home, they'll find something. In Russia, if they launch a fight against something - a committee to fight against aliens, for example - they'll find them."

- This is an adapted version of the second part of a seminar presentation given at the Kennan Institute, Washington DC, on 14 April 2009. For the first part, 'How the battle with "religious extremism" began', see F18News 27 April 2009 http://www.forum18.org/Archive.php?article_id=1287.

Court rules in Pentecostals' favor

Murmansk court finds refusal of criminal case against Orthodox diocese illegal

Slavic Legal Center (14.04.2009) / HRWF (30.04.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - The Pervomai district court of the city of Murmansk on 8 April of this year found the directive refusing to open a criminal case against the director of the Department of Religious Education and Catechesis of the Murmansk and Monchegora diocese of RPTsMP, Anton Tuchkov, illegal and ordered the Investigation Committee of the procurator's office of RF for Murmansk province to eliminate the violations of the law that have been committed, the press service of the Slavic Legal Center reports.

We recall that Murmansk Pentecostals, who were insulted by the head of the Department of Religious Education and Catechesis of the Murmansk diocese of RPTsMP, A.I. Tuchkov, requested the opening of a criminal case on the basis of article 282 of the Criminal Code of RF concerning incitement of inter-religious strife. Back in the autumn of 2008 the Murmansk diocese of RPTsMP began a "campaign" against non-Orthodox Christians in connection with the construction of a house of worship of the "Na Murmane" church of Christians of Evangelical Faith (KhVE). In particular, the "Orthodoxy in the Northern Land" Internet newspaper published an article insulting the protestant church with the title "Charismatic sect will build a house of worship in center of Murmansk." The author of the article, quoting the director of the Department of Religious Education and Catechesis of Murmansk diocese, Anton Tuchkov, accused the KhVE church in Murman of "proselytizing extremism." Tuchkov noted that "among such totalitarian sects active in Murmansk province, neo-Pentecostals are the most numerous. At the present time there operate in the region more than 100 religious organizations and groups of a charismatic variety. They all hide under inoffensive names like "Church on Golgotha," "Bethany," and the like. Along with the Jehovah's Witnesses, the charismatics constitute a nucleus of anti-Orthodox action in the region."

On the Orthodox youth portal of the Murmansk diocese there was published a declaration of the Evangelism Department in which the KhVE church in Murmansk was also accused of "extremist proselytism."

Besides this, in Murmansk there was begun the distribution of pamphlets directed against the protestant church. In the pamphlets, under the title "Orthodox Rus goes to the Day of National Unity," the Evangelism Department along with the "Streta" scientific research center issued the following call: "Dear citizens of Murmansk, brothers and sisters. In

practically the very center of our city, at 10 Poliarnye Zori street, the construction of a house of worship has begun by the sect calling itself 'Christians of Evangelical Faith.' The history of this sect goes back a bit more than 10 years, but that has not kept their leader from striving to achieve domination of the minds and souls of residents of our city. . . . They have not contributed anything to our city; on the contrary, they have actively collected contributions from their parishioners and they have managed to win over to themselves the city authorities and obtain permission for building in the vicinity of schools and practically in the center of the business district of the city." Further, with some speculation about where the "sect" gets the money for construction, the above-mentioned organizations called "all patriots, sons and daughters of the dear fatherland, not to permit lies and deceit in the spiritual life of our territory and to prevent the loss of personal freedom and spiritual death and to unite in the struggle with those who infringe upon our freedom in the name of the attainment of their mercenary goals."

A collective complaint against the actions of Tuchkov for inciting religious strife and hatred was sent to the provincial prosecutor's office by 1216 members of the "Na Murmane" church of Christians of Evangelical Faith. The complaint emphasized that "ignorance of the Christian principles on which the Russian church of Christians of Evangelical Faith (the centralized organization of which the "Na Murmane" church is a member) is based does not free Tuchkov from responsibility, since he casts a shadow over the parishioners of the church and offends their religious feelings." The complaint says that the investigator apparently is unaware of the provisions of the federal law "On freedom of conscience and religious associations" and the constitution of the Russian federation guaranteeing freedom of conscience and equality of all confessions before the law.

The attempt to peacefully settle this conflict between the employee of the Orthodox diocese and the Pentecostal church has not been successful. Representatives of the KhVE church were not even able to get Tuchkov to apologize privately. The director of the Department of Religious Education and Catechesis behaved belligerently and the press began carrying articles about "religious opposition in the region," while the Pentecostal community did not at all wish for such opposition. The Murmansk diocese of RPTsMP, in the person of Tuchkov, as was stressed by the attorney Anatoly Pchelintsev, who represented the believers' interests in court, has acted within the bounds of the legal field and, in addition, is sure that he has the right to act in such a way. Representatives of the diocese must learn to live within the conditions of ideological and confessional pluralism and not try to drive everybody into the Russian Orthodox church, Pchelintsev noted. In his opinion, despite the obvious essence of a crime, the agencies of the prosecutor's office want to bury this scandal associated with the unseemly behavior of the employee of the local diocese. Further steps for the protection of their rights taken by members of the KhVE church and attorneys representing their interests will depend on the subsequent actions of the Investigation Committee of the prosecutor's office. The matter of the offensive articles directed against the protestant church also was referred to the Public College of the Union of Russian Journalists for Complaints against the Press. The Slavic Legal Center will inform its readers regarding developments in events in Murmansk.

How the battle with 'religious extremism' began

By Geraldine Fagan

Forum 18 (27.04.2009) / HRWF (29.04.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - The formation of Russia's policy towards one particular form of extremism – religious extremism – may have begun hesitantly, Forum 18 News Service notes. But the June 2002 Extremism Law eventually led to a wideranging crackdown on

religious literature the authorities deemed "extremist", as this analysis – the first part of a presentation given at a seminar at the Kennan Institute in Washington DC – notes. In late 2002, literature confiscated from a mosque community in an FSB security service and Prosecutor's Office raid led to the first known warning for religious literature under the Law. Yet convictions – often handed down in secret and based on literary analyses of confiscated books – soon mounted. Mainstream Muslim works – such as Russian translations of the writings of Turkish Muslim theologian Said Nursi – were banned outright, even though they contain no calls to commit crimes. A typical expert analysis suggested that Nursi's work – banned by a Moscow court in 2007 – is extremist because its reference to "the sword of strong faith" might lead to "defensive behaviour".

As with many governments, the catalyst for Russia's decision to get serious about "religious extremism" was the coordinated attacks in the United States on 11 September 2001. Before then occasional attacks within Russia, such as the September 1999 apartment bombings in Moscow, were seen as overspill from the localised conflict in Chechnya and the product of separatism rather than any religious ideology. One illustration of how little attention was paid to defining "religious extremism" came as late as March 2002, at a conference for regional civil servants dealing with religious affairs. When a senior government official announced preparations for a new law against extremism, someone from the floor asked him what the nearest native Russian equivalent term for "ekstremizm" would be. At a loss and rather red-faced, he suggested "violence".

A few months later, in June 2002, a law entitled "On Fighting Extremist Activity" was passed. Usually known as the Extremism Law, it gave a lengthy and basically sound definition of extremism. Four clauses define extremist activity in a specifically religious context: incitement of religious hatred; committing a crime motivated by religious hatred; obstruction of the lawful activity of religious associations accompanied by violence or the threat of violence; propaganda of the exclusivity, superiority or inferiority of citizens according to their attitude towards religion or religious affiliation.

Attempts to prosecute religious extremism did not follow immediately. The first Forum 18 encountered was in Yekaterinburg in summer 2004. Ruslan Nurmametov, a serious young Muslim belonging to a local mosque community called Rakhman, recounted how FSB security service officers and officials from the local Public Prosecutor's Office turned up during a Rakhman prayer meeting in late 2002, checked identification papers and confiscated a number of books in Russian. In 2004 a couple of them – "The Personality of a Muslim" and "The Fortress of a Muslim" – were still openly on sale at a kiosk next to Yekaterinburg railway station.

Following the raid, Rakhman and its parent Muslim spiritual directorate were issued an official warning under the Extremism Law. Under the law, two warnings in the course of a year are sufficient for a court to dissolve an organisation. The Public Prosecutor's Office then commissioned an expert analysis of the books seized from Rakhman. This was conducted by two academics from Maksim Gorky Urals State University – one a former scientific atheism lecturer, Vladimir Viktorov, who features in future cases. In their analysis, these academics took one of the general definitions of extremism in the 2002 Law – "belittling national dignity" – and argued that the books "belittle the national identity of Christians", but the case against Rakhman was later dropped for lack of evidence.

The next development came on 14 February 2003, when a closed session of Russia's Supreme Court banned 15 organisations as terrorist. Most of these are clearly violent – al Qaeda and the Taliban are among them – but the ban also included a borderline group, Hizb-ut-Tahrir.

Hizb-ut-Tahrir is a loose international movement which does not accept existing Muslim nations to be truly Islamic and supports the idea of a single Islamic state, or Caliphate. It claims to be entirely peaceful. Yet in 2002, Hizb-ut-Tahrir issued a strongly anti-Semitic statement apparently calling for Jews anywhere to be killed, which resulted in a ban in Germany and a prosecution in Denmark. This statement is not well-known in Russia, but it would have been enough to ban the group there under the Extremism Law. Instead, the Supreme Court chose a different route. In its verdict, it reasoned that Hizb-ut-Tahrir is terrorist simply because its adherents aim to revive the Caliphate and are "working to create a schism in society".

Following the school siege in Beslan in North Ossetia in September 2004, mass trials of alleged Hizb-ut-Tahrir members began, in part for religious extremism. Among these, Tobolsk City Court's prosecution of five Muslims in October 2005 is particularly notable. These five were given prison sentences ranging up to six years. Their convictions rested not on proven participation in terrorist acts, but solely on literary evidence.

The court's sessions were closed, but Forum 18 managed to obtain a copy of the religious studies section of an expert analysis of literature allegedly confiscated from the five suspects. This was again conducted by Vladimir Viktorov of Maksim Gorky Urals State University, who argued the literature to be extremist because it "propagandises the idea of the superiority of Islam - and therefore Muslims - over other religions and the people who adhere to them". Here he is clearly confusing propaganda of the superiority of citizens holding to a particular religion - which is justifiably defined as extremism by the 2002 Law - with claims of the superiority of the religion itself, which is a fundamental tenet of religious freedom: the right to say that yours is the only true religion. The same confusion is made in every subsequent attempt to ban allegedly religious extremist literature in Russia with which Forum 18 is familiar.

By 2005, similar allegations were being levelled against less marginal Muslims. Charges of extremism against Mansur Shangareyev claimed that, "actively adhering to a radical trend of Islam, differing from traditional Islam by preaching the superiority of the given trend," he moved to Astrakhan Region "in order to realise his criminal intent." Specifically, he "began to make remarks to Muslim girls about their immodest dress without having any right to do so" and "spoke negatively about burial rites, maintaining that Muslims should not perform funerals or commemorate the dead in any way".

With a local imam, Shangareyev was also alleged to have begun "to invite Hindus and immigrants from the Caucasus propagandising radical Islam (..) who wore untrimmed long beards and socks tucked into their trousers, and attempted with their help to instil the ideals of radical Islam into the villagers, particularly young people."

This case also highlights some of the procedural concerns typically raised by those accused of religious extremism. When Shangareyev was finally sentenced to three years' internal exile, it was actually for possession of several militant Islamic leaflets and a video, 20g of marijuana and a hand-grenade, all of which he claimed were planted. His lawyer Vladimir Ryakhovsky reported that the police search of Shangareyev's home lasted for nine hours, but only a few minutes - showing the discovery of the marijuana and grenade in a coat pocket and felt boot - were filmed. This clearly begs the question: How did the police know in the course of those nine hours when to switch on their camcorder?

Over the past two years, the authorities' attention has turned to even less contentious Muslim literature. In May 2007 a district court in Moscow banned the Russian translation of "Risale-i Nur" (Messages of Light), a 14-part commentary on the Koran by Said Nursi. Nursi, who died in 1960, was a Turkish theologian imprisoned under Mustafa Kemal Atatürk due to his vehement criticism of what he saw as the negative social effects of state atheism, but his works are freely available in Turkey today. The Moscow court ruled

that Nursi's work "aims to incite religious hatred, propagandise the exclusivity, superiority and inferiority of citizens according to their attitude towards religion" and is therefore extremist.

The ban relies solely on literary analysis by psychologists and linguists from the Russian Academy of Sciences. As cited in the court's verdict, these experts concluded that "Risale-i Nur" "attempts to influence the psyche of the reader subconsciously, using mechanisms of religious belief, i.e. the formation of conscious values and convictions with an irrational basis". The sessions of this court were also closed, so it is not known upon which parts of Nursi's text the experts were basing their conclusions. However, some idea emerges from an unsuccessful attempt to ban the work in 2006 by Tatarstan Public Prosecutor's Office, which subsequently instigated the Moscow ban.

In the expert analysis for the aborted Tatarstan case, local psychologists and psychiatrists argued that Nursi's reference to a prophecy about Jesus' Second Coming as the fulfilment of sharia law "discredits the religious value of Christianity as a religion". They also interpreted Nursi's reference to "the sword of strong faith" as "a concept of opposition and war which could lead to defensive behaviour".

Unusually, there was strong, high-level criticism of the crackdown on Nursi's writings, but it failed to prevent the ban. Commenting on the 2006 expert analysis, one of Russia's two main Muslim organisations, the Council of Muftis, pointed out that in the Soviet period, "when any religion was declared 'a remnant of the past' (..) atheist psychiatrists described the very same mechanisms of religious influence upon the psyche." Just before the ban, Russia's Ombudsperson for Human Rights, Vladimir Lukin, declared that Nursi's work is in no way extremist and warned, "We must avoid a repeat of the prohibitions and persecutions of those with dissenting views and faiths that are characteristic of undemocratic, totalitarian states."

Sergei Sychev, the lawyer who fought the Moscow ban, suggested after the verdict that the situation for Nursi readers in Tatarstan "already smells like 1937". Alsu Khusayenova, one of some 50 women in Naberezhnyye Chelny in Tatarstan who have a home group which studies Nursi's works, has explained to Forum 18 why. She recounted that on the morning of 12 July 2005, local FSB security service officers and representatives of Tatarstan Public Prosecutor's Office raided four flats belonging to group members in Naberezhnyye Chelny and a further five addresses in Kazan. Alsu was present at one of the raids in Naberezhnyye Chelny; she said the state representatives forced their way in and refused to produce a search warrant or remove their shoes. They seized books, personal notes and photos while the apartment block was surrounded and a police helicopter flew overhead.

A few months later, in December 2005, five of the study group were summoned for questioning by the FSB in Kazan. While they were told this would last 15 minutes, the women were subjected to a five-hour interrogation by psychiatrists and psychologists. One of the women later described how she was asked in detail about her life, to comment on drawings representing concepts such as fear, love and death, and answer questions such as "Who and what made you accept this belief in God?" and "Who are your enemies?" She said the seemingly endless tests and questions adversely affected her health.

Afterwards the FSB kept phoning and visiting the women's homes and workplaces until they signed documents saying they had consented to the tests. Similar incidents continued into 2006; in August of that year another member of the Nursi home study group was escorted from her workplace to a psychiatric hospital, where she had to answer dozens of questions in quick succession, including about her relationship with her husband and how she reprimands her children.

When Forum 18 contacted a spokesperson for Tatarstan FSB about this situation, he denied there had been any abuse. Valeri Kuzmin of Tatarstan Public Prosecutor's Office similarly defended the state's actions. When asked about the searches involving the FSB and a helicopter, he said their aim was to find Nursi literature. Forum 18 pointed out that the searches happened before any expert analysis of the literature had determined it to be extremist, and asked how he could have known in advance that such aggressive search methods might be necessary. His answer was: 'Well, we needed to get hold of the literature in order to conduct the expert analysis, right?'

- This is an adapted version of the first part of a seminar presentation given at the Kennan Institute, Washington DC, on 14 April 2009. The second part is forthcoming.

Kirill's restrictive view on religious freedom backed by Russian Justice Ministry

Paul Goble

Georgian Daily (04.04.2009) / HRWF (08.04.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - Patriarch Kirill's support for what he calls "the traditional religions of Russia" - Russian Orthodoxy, Islam, Judaism, and Buddhism - against all others has been institutionalized at the Russian justice ministry with the selection there of a specialist notorious for his hostility toward Roman Catholics, Protestant Evangelicals, and other groups.

Yesterday, the justice ministry's experts council charged with providing guidance on religious questions to Russian courts and other bodies met for the first time in Moscow and in "a unanimous decision" chose Aleksandr Dvorkin, who describes himself as a specialist on "sectology," as council head (www.minjust.ru/ru/news/events/printable.php?print=1&id4=87).

In reporting this event, Interfax underlined that the newly constituted council includes representatives of Russian Orthodoxy, Islam, Judaism and Buddhism, as well as civil specialists on relations between church and state, new religious movements and "pseudo-religious criminal and extremist structures" (www.interfax-religion.ru/?act=news&div=29600).

The inclusion of representatives from these four faiths but from no others is a victory for Kirill, who has been pushing the concept of "traditional religions" of Russia since the late 1990s, but the installation of Dvorkin is even more disturbing given his attacks on other religions and his extremely restrictive view on just what religious organizations should be permitted in Russia.

The council was mandated by a federal law adopted in July 2008 and formed by a decree of the justice ministry in February. Its tasks include, first, it is to provide "a definition of the religious character of organizations on the basis of their constituent documents and reports about their faith and corresponding practice."

Second, the council is responsible "checking and assessing the reliability of information contained in documents offered by any religious organization." And third, it is charged with evaluating whether what the religious group declares to the government that it believes and is doing in fact corresponds to reality.

That gives this body enormous power, because if its members decide that a group is not in correspondence with its declarations, the Russian government is free to close it down,

with few chances that the group will be able to win in a Russian court although a great likelihood that it will then appeal to the European Court of Human Rights in Strasbourg.

That is a likely outcome given the direction the council is likely to take under Dvorkin, one of the more remarkable and controversial figures in the Russian religious firmament over the last 15 years. Born in Moscow in 1955, he participated in the hippy movement in the Soviet Union. Then, taking advantage of the right of Jews to emigrate, he moved to the United States. There, he received a bachelor's degree at Hunter College in 1980, a masters degree at St. Vladimir's Theological Seminary in 1983 after being baptized in 1980, and, after acquiring American citizenship in 1983 received a PhD from Fordham University with a dissertation on "Ivan the Terrible as a Religious Type" (news.babr.ru/?IDE=31534).

During the 1980s, he worked as a journalist for the Voice of America and as an editor for Radio Liberty. But at the same time, he became involved with groups investigating religious cults in the United States and Western Europe. And when he returned to Russia at the end of 1991, he continued that activity.

In March 1992, he went to work for the department of religious education of the Moscow Patriarchate and in 1993 formed and assumed the leadership of the Information-Consultative Center of the Holy Martyr Iriney of Lion. And in 2006, he formed and still heads the Russian Association of Centers for the Study of Religion and Sects.

During this period, he closely cooperated with the outspoken Orthodox Deacon Andrey Kurayev and became known for his attacks on Catholics, Evangelical Protestants, the Mormons, and other groups that as Kirill would say must not be considered "traditional" for people in the Russian Federation.

His presentations in various cities around the country often sparked protests both by religious rights activists and members of groups he opposed, and his statements sometimes landed him in court when those he had attacked demanded that he provide evidence for his assertions, something that he was in many cases reportedly not able to provide.

In 2004, he was named a professor at the Orthodox Humanitarian St. Tikhon University and heads that institution's "sect studies" chair. Some Russian nationalists consider him "an American spy" because of his time in the US, but many Orthodox activists see him as a defender of the Moscow Patriarchate against all comers.

Now that Dvorkin has been given a government position, he seems likely to continue his campaign against those he denounces as "sects," and even some of Kirill's "traditional" religions may be in trouble. While one of Dvorkin's deputies is himself a mufti, the other is Roman Silantyev, who lost his position at the Russian Inter-Religious Council for his attacks on Islam.

Russian Orthodox Church a growing political force

By Mansur Mirovalev

AP (04.04.2009) / HRWF (05.04.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - The glittering Christ the Savior Cathedral, a pale-white marble structure decorated with bronze statuary and swaths of gold leaf, is more than just Moscow's grandest and most opulent place of worship.

Built in the 1990s as a replica of a church dynamited by Communists in 1931, the cathedral symbolizes the Moscow Patriarchate's rising political influence - which may be greater today than at any time since the 17th century. It also serves as global headquarters of vast and expanding business operations that experts say are worth several billion dollars.

To tens of millions of Russian believers, the Orthodox Church is first of all a sacred institution, a pillar of the country's 1,000-year-old identity and culture.

The death of Patriarch Alexy II in December caused an outpouring of heartfelt grief, with crowds of people lining up to view his remains. On Feb. 1, top clerics enthroned Alexy's successor, Kirill - a towering figure with a gray-flecked beard and sonorous voice - in a cathedral filled with celebrities and political leaders. The first person to receive communion from Patriarch Kirill was President Dmitry Medvedev's wife, Svetlana.

These events would have been unimaginable in the Soviet era, when the officially atheist Communist government treated the devout like moral lepers and criminals, defrocking and imprisoning tens of thousands of clerics of all creeds. Now the church "has become a serious power in society," former Soviet leader Mikhail Gorbachev told The Associated Press in early March.

But critics claim that in the past decade the Moscow Patriarchate has sacrificed some of its spiritual authority in the pursuit of political power and commercial success. Some go as far as to compare the church to its former nemesis, the Communist Party's ruling Politburo. Roman Lunkin of the Keston Institute, which studies religion in the former Soviet Union, says the church has "turned into an authoritarian and totalitarian structure."

A priest who condemned the 2005 conviction and imprisonment of former oil tycoon Mikhail Khodorkovsky, a leading foe of then-President Vladimir Putin, was defrocked and appointed to guard a church store in 2006. Orthodox leaders said the decision was not political, but had to do with the priest's "discipline."

Bishop Diomid of Chukotka, who lambasted Alexy II's alleged subservience to the Kremlin, found himself demoted to the rank of a monk last year. The church accused Diomid's supporters of planning to seize power in the Patriarchate.

A church council excommunicated Gleb Yakunin, a priest and former lawmaker, in 1997 after he headed a government commission that concluded that most top clerics, including Patriarch Alexy and his future successor Kirill, were KGB informers.

The church has long denied these claims as "absolutely unsubstantiated" and said top clerics had to "communicate" with the Soviet Council on Religious Affairs, which forwarded their reports to the KGB. The church also claimed Yakunin worked for U.S. intelligence.

"Unfortunately, Orthodox Christianity is antidemocratic and hails authoritarian rule," said Yakunin, who spent years in the gulag for criticizing Soviet religious policies, during an interview in his Moscow office. Today, the 74-year-old priest leads the Apostolic Orthodox Church, a splinter group that is harassed by authorities in Russia and Belarus.

Despite the Russian constitution's legal separation of church and state, President Boris Yeltsin and his successor Vladimir Putin forged a political alliance with the Orthodox Church - an alliance that has continued under Putin's successor, Medvedev. Kirill is escorted around Moscow by a cavalcade of Kremlin security guards and was listed No. 6 on the government's list of state dignitaries.

Stanislav Belkovsky, a political analyst with close Kremlin ties, says the church has become "the Kremlin's Ministry for the Salvation of Souls."

Church leaders have blessed Kremlin plans to eliminate some social benefits for the elderly, called on Russia's youth to volunteer for military service in Chechnya and consecrated new warships and nuclear missiles, calling the latter "Russia's guardian angels." The church has also supported the Kremlin's official ideology, which asserts that Russia's unique historic role makes it unsuited for Western-style liberal democracy.

"The church is trying to offer a new anti-European Utopia," prominent writer Viktor Yerofeyev complained in a December article in the French newspaper *Le Monde*. "Its main principle: Russian values are different from Western values."

For the church, political loyalty has paid handsomely.

The State Duma, or lower house of parliament, is considering a bill to return to the church up to 7.41 million acres nationalized after the 1917 Bolshevik Revolution.

Both federal and local authorities have granted the church donations, tax breaks and broad immunity from government regulation of its businesses. Moscow officials, in particular, have helped the church raise money for favored causes - such as rebuilding the Christ the Savior Cathedral - by pressuring private business to contribute.

The cathedral itself reflects a dual focus on the spiritual and commercial. The structure has a dry cleaner, ATM machines, meeting halls for rent and convenient underground parking.

According to Nikolai Mitrokhin, director of a research institute that studies religions in the former Soviet Union, the church built its fortune starting in the 1990s through trade in tobacco and alcohol, through exports of oil and sturgeon, by the construction of shopping malls and hotels and by operating jewelry stores - allegedly with counterfeit bling. The church also runs book publishing concerns and organic farms.

A church spokesman, Father Vsevolod Chaplin, confirmed that the Patriarchate controlled many businesses. But Chaplin said neither the tobacco nor the oil business proved profitable, and claimed the church is no longer involved in them. He also dismissed the notion that the church's commercial deals had undermined its spiritual mission.

"I don't see anything detrimental if the church can invest in this kind of work," he told AP.

The Patriarchate does not make its financial reports public, but Mitrokhin estimates the Orthodox Church's annual income at several billion dollars.

This secrecy has led to allegations - denied by the church - that it has engaged in money laundering. "All of their financial streams flow in the dark," said Sergei Filatov, a scholar of religion at Moscow State University.

Today, the church says nearly half of its income comes from the four-star hotel in the Danilovsky Monastery, a short walk from the Kremlin, and a factory outside the capital that produces icons and other religious items.

The church sells religious goods in places like the golden-domed Holy Trinity monasterial complex in Sergiyev Posad, 100 miles northwest of Moscow, where on a recent day pilgrims lined up in the cold to kiss the sarcophagus of St. Sergius, one of Russia's patron saints. Many of the pilgrims stopped by some of the dozen shops peddling icons,

calendars and refrigerator magnets, or pricier goods such as jewelry with images of Jesus or the saints.

Some Sergiyev Posad residents grumbled about the commercial atmosphere. "It's like a supermarket," said Alexander Bekker, 38, a martial arts instructor and a devout believer. "What spirituality are you talking about among these merchants?"

Other believers say that the church's affluence has helped spread the gospel, aid the needy and restore thousands of churches and monasteries destroyed or desecrated during Communist rule.

"We still have to rebuild what Communist iconoclasts destroyed," said Father Vitaly, 51, a priest from the central city of Vladimir. "Funds won't fly down from the sky."

Top church officials may live amid pomp and splendor. But many priests scrape by selling candles and souvenirs, charging modest fees for performing wedding and funeral ceremonies and blessing new houses, offices or cars.

"We trust in God, but rely on ourselves," said Father Alexander, a smiling 37-year-old priest, who consecrated a new office in downtown Moscow for \$140.

Some experts say that the Orthodox-led religious revival has made Russia's post-Soviet political leadership a kinder, gentler group than their Communist Party predecessors.

"In Communist times, authorities completely lacked human, moral principles," said church historian Andrei Zubov, of the Moscow State Institute for International Relations. "Now that many politicians are religious, they relate their lives to moral principles."

Medvedev steers religions toward young people but blocks Jehovah's witnesses

AsiaNews (17.03.2009) / HRWF (23.03.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - In order to instill moral and religious values in young people, President Medvedev will personally lead the Council on Cooperation with Religious Associations.

It will be attended by the president of the Council of Muftis, Ravil' Gajnutdin, chief rabbi Berl Lazar, and the president of the traditional Buddhists, Damba Ajušeev. The Orthodox delegation will have the most extensive representation, and will even include Patriarch Kirill himself, metropolitan archbishops Juvenalij and Kliment, Archbishop Aleksandr, head of the youth department, the rector of the Moscow Theological Academy, Evgenij, and Bishop Feofilakt, head of cooperation with the religious associations of Moscow.

The head of the Kremlin has affirmed that the young generations must rediscover their religious roots after the vacuum of values generated by the Soviet era, and reinforced during the 1990's. For the president, the lack of moral points of reference especially affects the age group between 14 and 30, which represents about a fourth of the overall population. In the Year of Youth, which is being celebrated in 2009, the state wants to develop a more effective youth policy, taking advantage of the collaboration of religious associations on both the federal and regional level, and continuing the cooperation already established in the area of the family.

For various commentators and experts, Medvedev's statements on the importance of religion in the life of the country and his direct involvement with various representatives of the traditional confessions document the intention of the Kremlin to take a step forward in relations between the state and the Orthodox Church, to confirm the Patriarch

of Moscow as a point of reference for all the religions in the Federation, and to attribute a strong political value to his position. Deacon Andrej Kuraev, a famous and very influential theologian, has called the intensification of relations between the state and the Orthodox Church a "resumption of the Byzantine harmony."

But while a new and lasting association seems to have begun between the Patriarchate and the Kremlin, the situation is very different for many of the other religions present in the Federation. In February, the attorney general of the Federation sent the administrative committee of the Jehovah's Witnesses a letter accusing the members of the Russian community of "violations of the law," "abstention from military service," and "social isolation," behaviors that "evoke negative attitudes on the part of the populace and traditional Russian confessions."

The representatives of the Jehovah's Witnesses reject the accusations, and say that this is just the latest act of violence against them on the part of the authorities. Appealing to the Russian Constitution and the European Court on Human Rights, they complain of systematic violation of their religious freedom and civil rights, which has so far led to the opening of more than 45 legal procedures against their communities scattered throughout the country. The Jehovah's Witnesses reject the accusation of sectarianism lodged against them by the Russian authorities, and respond by denouncing illegal arrests, confiscations, searches, and detentions against the faithful and their property.

Nationwide strike at Jehovah's Witnesses

By Geraldine Fagan

Forum 18 (13.03.2009) / HRWF (16.03.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - In the space of just three weeks, Jehovah's Witness communities across Russia have undergone 500 state check-ups. "That's a conservative estimate – we're definitely talking the whole country," Yaroslav Sivulsky remarked to Forum 18 News Service from the Jehovah's Witnesses' St Petersburg headquarters on 10 March. "Our telephones here are red hot from people calling to report incidents and ask why it's happening."

The nationwide sweep, ordered by First Assistant General Public Prosecutor Aleksandr Bastrykin, is linked to an investigation into the Jehovah's Witnesses' St Petersburg headquarters, the Moscow Regional Public Prosecutor's Office explains in its order for check-ups sent to district subdivisions on 13 February.

Having failed to find grounds for prosecution since the St Petersburg investigation began in 2004, the authorities are now "trawling" for information to shut down the Jehovah's Witnesses' Russian headquarters and over 400 dependent organisations, Sivulsky believes: "Nothing else makes sense."

Jehovah's Witnesses' "missionary activity, social isolation, refusal to perform military service, accept blood transfusions and other religiously motivated restrictions required of members of this organisation provoke a negative attitude towards its activity from the population and traditional Russian confessions," the Moscow Regional Public Prosecutor's Office order notes.

Forum 18 has also viewed similar recent instructions for urgent check-ups on Jehovah's Witnesses issued by Sakhalin Regional, Udmurtia's Sarapul Municipal and Khabarovsk's Industrial District Public Prosecutor's Offices.

On 12 March Forum 18 asked the General Public Prosecutor's Office by fax when and why Bastrykin's order was issued, as well as for a copy of the document. A Press Department spokesperson promised a reply on 13 March after 3pm Moscow time. However, no response was received by the end of the working day. As of 13 March, the website of the General Public Prosecutor's Office made no mention of the order either.

"They are checking anything and everything that can be checked," Sivulsky told Forum 18. Moscow and Sakhalin Regional Public Prosecutor's Offices recommend co-ordinated check-ups involving the police, FSB security police and Justice Ministry departments in their orders.

Education departments appear to be following a particular line of investigation. A 9 February Mostovskoi (Krasnodar Region) District Education Department letter to local head teachers requests information by 5 March on "interference by religious - including Jehovah's Witness - organisations in the teaching process at educational institutions, enticement of minors into the activity of religious organisations without the knowledge of parents or guardians, cases of refusing blood transfusions or other treatment to minors, other violations of pupils' rights by members of and participants in religious organisations."

A 17 February letter from Kholmsk (Sakhalin Region) Municipal Education Department asks head teachers to respond to three questions by the following day: Does the Kholmsk Jehovah's Witness organisation conduct activity in educational institutions? Do any teachers belong to this organisation? What work is being done in institutions to prevent employees from being drawn into this organisation?

An 18 February telegram from Stavropol Municipal Education Department asks head teachers for information by the following day on cases of "social isolation of followers of Jehovah's Witness teachings and refusal to study in connection with any bans or restrictions by this religious organisation." Also in Stavropol Region, a 17-year-old Jehovah's Witness pupil in the town of Izobilny reports on 24 February that his teacher was asked to compile a report about him for the local Education Department, including whether he has suicidal tendencies.

None of the check-up orders refer to extremism, Sivulsky of the Jehovah's Witnesses told Forum 18. Parallel attempts to prosecute individual Jehovah's Witness communities for distribution of allegedly extremist literature continue apace, however. Religious literature from other confessions has also been accused of extremism. Translations of the works of Turkish Islamic theologian Said Nursi have been banned in Russia following such claims by the authorities.

On 25 February North Ossetia Public Prosecutor's Office filed suit with the local Supreme Court for the liquidation of the republic's four Jehovah's Witness organisations in Alagir, Beslan, Mozdok and Vladikavkaz. As well as distribution of allegedly extremist religious literature, the suit cites a number of grounds for the organisations' closure, including Jehovah's Witnesses' allegedly anti-constitutional refusal of blood transfusions and religious activity outside the geographical location where they are registered. It also notes that four Vladikavkaz Jehovah's Witnesses have refused to perform alternative military service - in one case resulting in a Soviet District Court sentence of 180 hours' forced labour - and that the husband of a member of the Beslan organisation has filed for divorce because she is a Jehovah's Witness.

A hearing at North Ossetia Supreme Court was slated for 12 March, but the Jehovah's Witnesses requested an alternative date because their lawyers were already due to appear in a similar extremism case in Salsk (Rostov-on-Don Region) on that day.

After participating in the 12 March Salsk hearing, New York-based Jehovah's Witness lawyer James Andrik told Forum 18 that the court is so far relying solely on the expert literary analysis of Jehovah's Witness literature by Rostov Centre for Court Studies as evidence.

In a statement to Salsk Municipal Court, Andrik pointed out that in the Soviet Union "thousands of Jehovah's Witnesses were imprisoned or subject to other hardships and restrictions of their rights as a result of their religious activity, literature, and beliefs." While exonerated as victims of "unfounded repression" in 1996, however, Russian government representatives are now "poised to repeat the victimization of Jehovah's Witnesses," he maintains.

Thousands of kilometres apart, municipal courts in Salsk and Gorno-Altai (Altai Republic) both began determining whether Jehovah's Witness literature is extremist on 19 January. The Gorno-Altai court has commissioned an expert literary analysis by linguists at Kemerovo State University. Court expert analyses of Jehovah's Witness literature in similar cases in Rostov-on-Don and Yekaterinburg are still ongoing, Sivulsky told Forum 18.

Under the 2002 Extremism Law, even a low-level court may rule literature extremist. It is then automatically added to the Federal List of Extremist Materials and banned throughout Russia. The List's 325 titles as of 13 March typically suggest extreme nationalist or anti-Semitic content. Most theological entries – the inclusion of which is also disputed – are Islamic.

While it succeeded in banning the Jehovah's Witnesses' Moscow local religious organisation on other grounds in 2004, the Russian capital's Golovinsky District Court failed to find it guilty of extremism.

Officials in dozens of cities across Russia moved to block Jehovah's Witnesses' regional congresses last summer.

Methodist pastor vs. Orthodox priest

Petition on violation of electors' rights filed with Smolensk prosecutor

Slavic Legal Center (04.03.2009) / HRWF (28.03.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - A petition concerning violation of the rights of electors and of legislation on elections and concerning the participation of the Smolensk diocese of RPTsMP in political activity in the person of Bishop of Viazemsk Ignaty has been submitted to the prosecutor of Smolensk province, the press service of the Slavic Legal Center reported. The petition was sent to Smolensk province prosecutor Yury Verkhovtsev on 26 February 2009 by the pastor of the United Methodist church of the city of Smolensk, Alexander Vtorov, and it was registered in the prosecutor's office.

In the opinion of Pastor Alexander Vtorov, his rights and the rights of other non-Orthodox believers and citizens as a whole were violated not only by the distribution of a phony "Protestant" newspaper, were Baptists were alleged to be acting in support of candidate Maslakov but also by the fact that one of the candidates, Valery Razuvaev, exploited his adherence to the Orthodox faith. In a pamphlet it was affirmed: "We are Orthodox Christians because our faith is the correct or orthodox Christian faith." In addition, placards were posted around Smolensk showing Valery Razuvaev and Bishop Ignaty together under the slogan "Love the city; care for people." The signatures of Valery Razuvaev and Bishop Ignaty appeared under the photos.

Pastor Alexander Vtorov noted in his petition: "On the basis of the above presented facts, I ask that measures of prosecutorial response be taken in accordance with existing Russian legislation and that the incitement of interreligious strife be terminated."

Alexander Vtorov became famous for his active civic position in defense of non-Orthodox believers and of the principle of freedom of conscience beginning in January 2008, when the intentional persecution of the Methodist church on the part of Bishop Ignaty began.

According to the pastor, "On 22 January 2008 Bishop of Viazemsk Ignaty planned and conducted a hounding of the Methodist church by sending simultaneously an appeal to law enforcement agencies, UBOP, Inspection of Affairs of Minors, police departments, the Department of Education, the provincial UVD, and the prosecutor's office, which demanded "taking measures for protecting residents of our city and especially youth from this pseudoreligious organization." Bishop Ignaty maintains in the appeal: "It is completely obvious that the activity of this Methodist college is aimed not at the regeneration of the spiritual and moral foundations of the life of our city, but at its spiritual destruction."

In his turn, on 22 February 2008, the pastor filed suit in court against Bishop Ignaty. Alexander Vtorov accused Bishop of Viazemsk Ignaty of inciting interreligious strife and hounding of a protestant church and he demanded payment of damages. However the Smolensk prosecutor's office rejected Vtorov's suit. On 24 March 2008 the Smolensk United Methodist church was liquidated on the basis of a suit by the Smolensk provincial prosecutor. In Pastor Alexander Vtorov's opinion, the suit for the liquidation of the Methodist church was the prosecutor's response to an appeal from Bishop Ignaty, a vicar of the Smolensk and Kaliningrad diocese of PRTsMP, regarding the necessity of investigating the Methodist church. In June 2008 the Supreme Court of the Russian federation overruled the decision of the Smolensk provincial court for the liquidation of the Methodist church. (tr. by PDS, posted 5 March 2009).

New regulations on foreign religious activity

PFS Russia Religion News (03.03.2009) / HRWF (28.03.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - By order of the Ministry of Justice of Russia No. 62 of 3 March 2009, the procedure for registration, opening, and closing of representations of foreign religious organizations in the Russian federation was established. The document also established the forms of proof of registration of the representation of a foreign religious organization and the register of representations opened in the Russian federation.

ORDER of the Ministry of Justice of the Russian federation

"CONCERNING ESTABLISHMENT OF THE PROCEDURE OF REGISTRATION, OPENING, AND CLOSING OF REPRESENTATION OF FOREIGN RELIGIOUS ORGANIZATIONS IN THE RUSSIAN FEDERATION"

N 62 of 3 March 2009

In execution of article 48 of the federal law of 23 July 2008 "On introducing changes in separate legislative acts of the Russian federation in connection with improvement of exercise of the powers of the government of the Russian federation", points 3 and 4 of article 13 of the federal law of 26 September 1997 "On freedom of conscience and religious associations, I order:

To confirm the attached procedure of registration, opening, and closing of representations of foreign religious organizations in the Russian federation and to execute it from the date of the announcement that the resolution of the government of the Russian federation of 02 February 1998 "On the procedure of registration, opening, and closing of representations of foreign religious organizations in the Russian federation" is no longer in effect.

Minister A.V. Konovalov

Confirmed by order of the Ministry of Justice of the Russian federation of 3 March 2009

I. Procedure for opening a representation

1. In the Procedure for registration, opening, and closing of representations of foreign religious organizations (hereafter, Procedure) a religious organization is called foreign if it has been created outside the boundaries of the Russian federation in accordance with the legislation of a foreign state.

A representation of a foreign religious organization (hereafter, representation) is a specific subdivision of a foreign religious organization that is being opened in the Russian federation and operates in its name and in accordance with its authorization on the basis of powers granted to it. The representation is not a legal entity.

2. Several foreign religious organizations may, on agreement among themselves, open in the Russian federation a single joint representation.

A centralized Russian religious organization (hereafter, Russian religious organization), registered in accordance with procedures established by legislation of the Russian federation, has the right to include within itself the representation of a foreign religious organization.

3. The name of the representation must contain the word "representation" and the full name of the foreign religious organization that opened it.

4. Representations may not engage in worship or any other religious activity, and these do not have the status of a religious association established by legislation of the Russian federation.

5. Questions of acquisition by a representation of office and living premises, transport, other property and domestic services are resolved by the foreign religious organizations that opened them at their own expense and also on the basis of agreements with Russian religious organizations within which the representation was opened.

6. Proof of the registration of a representation of a foreign religious organization (hereafter, proof) is the basis for application, at diplomatic representations or consulate institutions of the Russian federation, by the foreign religious organization that has been opened for visas for entry into the Russian federation of foreign citizens for work within the representation, and also at offices of internal affairs of the Russian federation for issuance of registration in the Russian federation of these citizens and members of their families.

7. Personnel of a representation are designated and employed by a foreign religious organization within the numerical limit of foreign citizens agreed upon with the Ministry of Justice of Russia at the time of registration of the representation, as well as citizens of the Russian federation.

Employment of citizens of the Russian federation for work in the representation is conducted in accordance with legislation of the Russian federation.

8. The activity of representations is independent of the relationship between them and the foreign religious organization (organizations) that opened them and is conducted in accordance with legislation of the Russian federation.

II. Procedure for registration of a representation

9. The representation is considered to be opened from the day of its registration by the Ministry of Justice of Russia.

10. The person authorized by a foreign religious organization to conclude in its name agreements concerning the opening of a representation presents for its registration to the Ministry of Justice of Russia the following documents:

a. application for opening and registering a representation, signed by the authorized person (persons) of the foreign religious organization, which provides brief information about this religious organization;

b. statement concerning the representation which indicates the goal and basic forms of activity of the representation, location (address) and territory of its activity, and the number of foreign employees of the representation;

c. in the case of the opening of a representation within a Russian religious organization, the corresponding decision of the authorized organ and an application from this organization;

d. decision of the authorized organ of the foreign religious organization (organizations) concerning opening of its representation in the Russian federation and appointment of the director of the representation (representative).

e. copy of the organizing documents, proof of registration, or other documents establishing the legal existence of the foreign religious organization.

Documents of foreign religious organizations and institutions of foreign states are submitted in the state (official) language with a translation into Russia, certified by the established procedure.

11. The Ministry of Justice of Russia has the right to request supplemental information and to conduct verification of the information contained in the submitted documents.

12. Registration of the representation is completed within a three-month period from the day of submission by the applicant of all documents indicated in point 8 of the Procedure.

In the event that the applicant is requested to submit supplementary information, the indicated period may be extended to six months.

13. Upon making a decision regarding registration of a representation, the Ministry of Justice of Russia issues to the applicant, for a period of three years, proof of the registration of the representation of a foreign religious organization in the established form (appendix no. 1). The period of the validity of the proof may be extended for the subsequent three-year period when there is a corresponding application from the foreign religious organization and, in the case of the opening of a representation within a Russian religious organization, a corresponding application from that organization.

14. The certificate of proof is signed by a deputy of the Ministry of Justice of the Russian federation who oversees matters of state registration and supervision of the activity of

religious organizations and is certified by a seal with the state coat of arms of the Russian federation.

15. The decision concerning registration (or denial of registration) is enacted by a resolution of the Ministry of Justice of Russia.

16. The decision concerning registration of a representation is the basis for entry of information about it into the register of representations of foreign religious organizations that have been opened in the Russian federation (hereafter, register), which is maintained by the Ministry of Justice of Russia (appendix no. 2)

17. Bases for denial of registration of a representation:

a. the goals and activity of the foreign religious organization applying for opening its representation in the Russian federation violate the constitution of the Russian federation and legislation of the Russian federation;

b. the documents submitted do not conform to the requirements of the legislation of the Russian federation or the Procedure, or they contain unreliable information;

c. a representation previously registered on the territory of the Russian federation had been closed in connection with the performance of activity forbidden by law or with other violations of the legislation of the Russian federation.

18. In the event of denial of registration of a representation, the applicant is informed of this in writing, with a statement of the specific provisions of the constitution of the Russian federation, legislation of the Russian federation, or this Procedure whose violation is the reason for denial of registration of the representation.

Notification of denial of registration must be sent to the application no later than seven days from the date of the adoption of the decision to deny registration.

Denial of registration of a representation may be appealed in court.

19. In the event of the liquidation of a foreign religious organization that opened a representation, or cessation of the activity of the representation before the end of the term, or replacement of its director (representative), or change of the location (address) of the representation, or the number of foreign employees, the foreign religious organization or the director of the representation must, within one month, inform the Ministry of Justice about this and append documents of confirmation.

20. On the basis of the documents submitted by the foreign religious organization or director of the representation, the Ministry of Justice of Russia enters the corresponding changes into the register. If there are changes of information contained in the proof, it is subject to change.

III. Procedure for closing a representation

21. Bases for closing a representation:

a. expiration of the term for which proof of registration of a representation was issued;

b. written decision of a foreign religious organization that opened the representation;

c. withdrawal of the statement of the Russian religious organization concerning the opening of the representation within it;

- d. liquidation of the foreign religious organization that opened the representation;
- e. conduct by the representation of activity forbidden by law, or violation of the constitution of the Russian federation, or any other violations of legislation of the Russian federation, or systematic performance by the representation of activity that is out of conformity with the goals of its creation.

22. The decision for closing a representation is expressed by a resolution of the Ministry of Justice of Russia and is the basis for entry of a note regarding closing the representation into the register.

No later than seven days after the adoption of a decision to close a representation, the respective notification concerning this is sent to the address of the representation and to the foreign religious organization that opened the representation and/or to the Russian religious organization within which the representation was opened.

23. The decision concerning closing a representation may be appealed in court.

(tr. by PDS, posted 27 March 2009)

Russian original posted on site of [Slavic Legal Center, 27 March 2009](#)

Who should historical religious property belong to?

By Geraldine Fagan,

Forum 18 (02.03.2009) / HRWF (06.03.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - Several current cases show how the allocation of historical worship property can prove a minefield for the state, Forum 18 News Service notes. In Moscow Region, an Old Believer parish is being pushed out of a church to which it has no historical claim but has used for over 60 years: even Church representatives have different views on its fate. In Lipetsk, Baptists continue their fight for compensation for their renovation of an Orthodox church given them by the Soviet authorities and now claimed by the local Orthodox diocese. In Suzdal, the authorities have confiscated 11 churches and 2 bell-towers – all cultural monuments – from the Russian Orthodox Autonomous Church, a competitor to the Moscow Patriarchate. Officials "must think of the consequences of hasty or wrong decisions" when transferring such property, Mikhail Odintsov, a state human rights official, told Forum 18. A draft law on the transfer of historical religious property would reignite the whole restitution issue and place the Russian Orthodox Church among Russia's top landowners.

As current cases involving the Russian Orthodox Church (Moscow Patriarchate) and Old Believers, Baptists and Autonomous Orthodox show, allocating historical worship property can prove a minefield for the state authorities, Forum 18 News Service notes.

Officials "must think of the consequences of hasty or wrong decisions" when transferring historical worship property from their possession, Mikhail Odintsov, the top official dealing with religious issues at the office of Russia's Human Rights Ombudsman, remarked to Forum 18 on 26 February. "It should be remembered that people are on the receiving end."

While calls for the return of historic property began in the dying years of the Soviet Union, it is still one of the most troublesome issues for religious communities. A 23 April 1993 presidential decree instructed the government "to carry out the gradual transfer of houses of worship, religious buildings, their associated territory and other items of

religious significance from federal ownership to the ownership of or usage by religious organisations." It did not set a deadline, however, nor extend to municipal, regional or already privatised property.

An ambitious draft law on the transfer of property of religious significance to religious organisations may reignite the process. As well as spelling out the procedure for allocating such property, it would grant religious organisations ownership of all historical property currently in their use, Russian daily newspaper Kommersant reported on 24 February. Religious organisations currently have the right to use such property indefinitely, but it remains the possession of the state.

If adopted and implemented, the draft law would put the Russian Orthodox Church on a par with such top landowners as gas giant Gazprom and Russian Railways, Kommersant notes. The text of the draft has yet to be finalised, however, Russian media report.

Claims to historical religious property are rarely simple. Old Believers in the village of Aleshino (Moscow Region) have been lawfully worshipping at a nineteenth-century Orthodox church – not therefore historically Old Believer – since the Soviet authorities re-opened it in 1946, Samstar.ru Old Believer website reported on 1 December 2008. In late November 2007, however, a local Moscow Patriarchate priest showed them copies of documents attesting that the church had formally been transferred to his community.

Told by Moscow Regional Department of Culture to obtain a contract for the building if they intend to continue using it, the Aleshino Old Believers submitted the necessary documents in August 2008. There followed, however, "the usual procrastination: 'Call back in a week's time', 'Your inspector's away at the moment', and so on," according to Samstar.ru.

During this period, "behind the Old Believers' backs, as it turns out, documents confirming the transfer of this church to a newly formed Moscow Patriarchate community were signed," Fr Yevgeni Chudin, head of administration at the Moscow metropolia of the Russian Orthodox Old Believer Church (Belokrinitsa Concord), told Portal-Credo Russian religious affairs website in a 4 December 2008 interview. "How are these facts to be reconciled with the law's presumption of equidistance from the state of different confessions?"

The Old Believers' official stance has since become more muted, however. Fr Leonti Pimenov, their dean for Moscow Region, pointed out to Forum 18 on 18 February 2009 that the Aleshino church is just 4 km [2 miles] away from the district centre of Yegoryevsk, where a historical Old Believer church was returned ten years ago. Accommodating several thousand people, this building is now renovated and is easily accessible by bus from surrounding villages, he said. While stopping short of saying that the Old Believers do not need the building, "it doesn't harm our spiritual life not to have it," Fr Leonti remarked.

In Lipetsk (approximately 500km [300 miles] south east of Moscow) the battle for a former Orthodox church transferred to Baptists by the Soviet authorities in 1989 continues. The local Orthodox diocese of Lipetsk and Yelets filed suit for the building in 2008, but the case was adjourned when it became clear that the Baptist congregation had lost its legal status.

This has now been restored, however. On 11 December 2008 Lipetsk Regional Arbitration Court declared unlawful the 2007 exclusion of the Baptists' organisation from the Single State Register of Legal Personalities, the church's lawyer, Sergei Chugunov of the Moscow-based Slavic Centre for Law and Justice, told Forum 18 on 18 February.

Under Article 21.1 of the 2001 Law on the State Registration of Legal Personalities and Individual Entrepreneurs, an organisation may be removed from the State Register without court proceedings if it fails to file a tax return or use its bank account in the course of a year.

The Arbitration Court established that the Baptists had in fact submitted the necessary tax return in 2007, even if perhaps incomplete, meaning the authorities could not conclude that their organisation was defunct, the Slavic Centre reported. With its legal status now restored, the congregation has filed suit in Russia's Supreme Court against a 2007 Government decree transferring its church to Lipetsk and Yelets Orthodox diocese, Chugunov told Forum 18.

The Baptists are not in fact opposed to their building's transfer to the Orthodox diocese, but are seeking compensation for extensive renovation work. The local authorities have insisted to Forum 18 that land given to a separate Baptist congregation counts as compensation.

In the view of Odintsov, the Human Rights Ombudsman official, the Lipetsk authorities are in the wrong. "The Baptists didn't seize that church – they are willing to leave if given compensation – but they're essentially being told to clear off with nothing," he remarked to Forum 18.

It remains unclear whether Lipetsk and Yelets Diocese intends to pursue the case. The Baptist Union's Department for External Church Relations reported its delegation and local Bishop Nikon (Vasin) exchanging New Testament verses on Christians not settling their problems with one another in court during a 9 February visit to Lipetsk. Department director Vitali Vlasenko remarked that the bishop had been "very positive and cordial" and promised "to try and do his best to find a good place for the Baptists to worship."

A spokesperson at the press centre of Lipetsk and Yelets Diocese told Forum 18 on 24 February that it was not authorised to give any information without the blessing of Bishop Nikon, who was away, and that it was unclear when he would be available to consider granting such a blessing.

A 2007 report on Lipetsk and Yelets diocesan website asserts that the Baptists should not be compensated for the "unauthorised reconstruction" of the former Orthodox church. A photograph of the building may be viewed at http://www.le-eparchy.ru/content/news.php?news_id=20060329a.

In another long-running case, Vladimir Regional Arbitration Court on 5 February ruled that the Suzdal-based Russian Orthodox Autonomous Church (ROAC) must return to the state 11 historical churches and two bell-towers. The 13 objects are all cultural monuments of national importance in the town of Suzdal and the nearby village of Kideksha (Vladimir Region). The churches are: Emperor Constantine, Holy Cross and St Nicholas, Dormition, SS Cosmas and Damian, Lazarus, St Antipas, Tikhvin Icon of the Mother of God, Theophany, "Joy of All Who Sorrow" Icon of the Mother of God, St Stephen, St John the Forerunner. A key tourist destination, Suzdal (population approximately 12,000) contains some 35 churches and five monasteries dating up to the eighteenth century.

The suits for the return of the churches and bell-towers – transferred to and restored by the ROAC from 1990s – were filed by Vladimir Territorial Property Department in February 2008. The ROAC retains one, unrenovated historical church in Suzdal (SS Boris and Gleb) and six in outlying villages. A new church and chapel built by the ROAC, also in Suzdal, are not subject to the state's claims.

ROAC lawyer Marina Molodinskaya declined to comment to Forum 18 on 20 February, explaining that the Church is currently preparing its appeals.

The ROAC was founded by former Archimandrite Valentin (Rusantsov), who carried out the prestigious duty of greeting foreign tourists to Suzdal from the early 1970s. In 1990, however, he left the Moscow Patriarchate protesting that he had been forced to compile KGB reports on his foreign visitors, and transferred to the Russian Orthodox Church Abroad (ROCA). Consecrated by ROCA hierarchs in 1991, Bishop Valentin then became joint leader of the Russian Orthodox Free Church, the ROCA's newly founded body within Russia. In 1995, however, the ROCA placed a ban on both the Free Church's leaders. Bishop Valentin responded by taking sole control and declaring the independence of the Free Church, which was subsequently renamed the Russian Orthodox Autonomous Church.

Locally, now Metropolitan Valentin is a controversial figure. On 23 August 2002 he was given a suspended sentence of four years and three months for child abuse by Suzdal District Court. The same court quashed the sentence on 3 March 2004, however.

Disfavoured religious communities also regularly complain of bureaucratic harassment over their use of non-historic property. Such problems are usually encountered by Protestants, who are more likely to have unsecured worship premises. In these cases, state officials are similarly said to use measures such as undocumented instructions and unduly stringent state check-ups.

Governor orders church land grab

By Geraldine Fagan

Forum 18 (26.02.2009) / HRWF (27.02.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - In an exceptional insight into the behind-the-scenes mechanisms employed by state officials to restrict disfavoured religious communities, a regional governor has ordered the seizure of a Pentecostal church's land by "any" means, Forum 18 New Service has learnt.

Protestants have repeatedly suggested to Forum 18 that they are targeted with undocumented instructions and unduly stringent state check-ups, but evidence is rare.

Apparently having forgotten that the 9 February meeting of Kaluga Regional Government was being broadcast via the regional administration's website, however, Governor Anatoli Artamonov ordered Vice-Governor Maksim Akimov to do whatever it takes to seize land belonging to Word of Life, a local Pentecostal church.

"That church of ours there, not ours, some kind of Swedish church," Artamonov declares in a video of the meeting captured by a Word of Life parishioner who happened to be watching. "Find ways of confiscating that land – any... you have two weeks to deal with this issue."

Word of Life's parent church is based in Uppsala, Sweden. Ironically, Centrumutveckling, the company whose shopping mall construction plans in Kaluga are inconvenienced by Word of Life's existing church building, is also Swedish.

Artamonov's secretary said the Governor was unavailable for comment on 24 February and directed Forum 18 to Vice-Governor Maksim Akimov's assistant, Aleksandr Kashkin. Kashkin said he was unable to comment as he was hearing about the order to seize the

land for the first time from Forum 18. He added that Vice-Governor Akimov was in a meeting and unavailable for comment.

On 25 February, a second assistant said Akimov was away for a couple of days but promised to call back. Expressing surprise that Aleksandr Kashkin had said he knew nothing about the order, she added that he had in fact dealt with architectural and construction issues, specifically Word of Life's case.

After contacting Governor Artamonov, the same assistant told Forum 18 on 26 February that he had suggested contacting Maksim Shereikin, Kaluga Region's Minister for Economic Development. In the footage of the regional government meeting, Artamonov also suggests that Shereikin be involved in executing his order.

Minister Shereikin's assistant told Forum 18 on 26 February that he was in a meeting, but promised to call Forum 18 with an explanation of the land seizure later that day. There was no response by the end of the working day.

Word of Life has not encountered any fresh challenge to its property rights since the 9 February order, its pastor, Albert Ratkin, told Forum 18 on 18 February. A new wave of check-ups by the local Public Prosecutor's Office, Justice Department and Building Inspectorate began in December 2008, however, he added. Forum 18 has not been able to reach Pastor Ratkin since 18 February.

Then mayor of Kaluga, Maksim Akimov issued a decree confiscating Word of Life's land and building on 23 November 2006, but this was ruled unlawful by Kaluga Regional Arbitration Court in 2007. The church has subsequently faced numerous bureaucratic check-ups and threats to cut off its power supplies. Purchased in 2002, Word of Life's building – a former sports centre – and associated plot of land found itself in the middle of the shopping mall construction site in 2006.

Meanwhile, in a more familiar example of bureaucratic pressure, one of Udmurtia's largest Pentecostal churches is unable to meet as a single congregation. In May 2008 the 1,400-strong Philadelphia Church was forced out of a house of culture in the republic's capital, Izhevsk, Pastor Pavel Zhelnovakov told Forum 18 on 18 February. There – similarly to the approximately ten other houses of culture suitable for rent in Izhevsk – the church was told that it was "no longer possible" to rent the building, he explained: "It's unofficial, there's no document. All Protestant churches here encounter this."

Philadelphia currently worships in two shifts at a factory conference hall. Until December 2008, the church met unobstructed in its own building, started in 1998 and not yet declared fit for use. Pastor Zhelnovakov insists that the building is close to completion and in good enough condition for meetings. A 27 January check-up by the republic's Building Inspectorate, however, found 43 violations, for which the church could face a fine of up to 500,000 Roubles (94,760 Norwegian Kroner, 10,867 Euros or 13,904 US Dollars) if it continues to use the building. Pastor Zhelnovakov refused to accept and sign these charges on 9 February, claiming that only three or four of the violations have foundation. "Check-ups are typical for a building, and it's one thing when they're done right," he remarked to Forum 18. "But these demands are unjust, and we will protest them and defend our rights."

Rais Khalimov, the regional Construction Inspectorate official who conducted the check-up, was unavailable for comment when Forum 18 rang on 24, 25 and 26 February.

Protestants in particular – but sometimes also Orthodox, Catholics and Muslims – point to an apparently inordinate level of state interest in the fire safety and other technical aspects of worship buildings, resulting in fines, temporary closures or demolition threats.

Glorification Pentecostal Church in the southern Siberian city of Abakan (Khakassia Republic) was forced to demolish its prayer hall in 2007.

Protestant churches also report being routinely barred from rented premises without explanation.

In a separate case, Samara Regional Court on 13 January rejected a suit to dissolve Light to the World Pentecostal Church, local news website Dobryye Samaryanye reported on 29 January. Following a check-up on the church's Awakening Bible Institute – which has only a handful of students – Samara city's Kirov District Public Prosecutor's Office concluded that Light to the World was conducting unlicensed educational activity and filed for its liquidation.

Confusion has persisted over what type of religious activity requires an education licence. A Pentecostal Bible centre in the Volga republic of Chuvashia lost its legal personality status for unlicensed educational activity in August 2007 and sent an appeal to the European Court of Human Rights in Strasbourg on 15 April 2008.

In March 2008, Smolensk Regional Court dissolved a local Methodist church for running a Sunday school – which has only four pupils – without an education licence. A landmark 10 June 2008 ruling by Russia's Supreme Court overturned the Smolensk ruling, however. It also established that a licence is required for educational activity only if it is "accompanied by confirmation that the student has attained levels of education prescribed by the state".

Russian Orthodox Church sets out to be 'First Among Equals'

By Jeffrey Donovan

RFE/RL (24.02.2009) / HRWF (26.02.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - Is the Russian Orthodox Church set to launch a "new crusade" -- at home and abroad?

Father Daniel Sysoyev, a prominent Russian missionary, recently urged the opening of an Orthodox "base" in Kyrgyzstan from which to launch a proselytizing "offensive" across mostly Muslim Central Asia. Speaking at a forum in Moscow on February 17, Sysoyev said the church should open theological faculties in Bishkek universities and "use Kyrgyzstan as a base for all of Central Asia, Afghanistan, Tibet, and China."

Central Asia, he said, could prove fertile ground. After all, since 1992, a half-million Central Asians have become Protestant converts. And Catholic missionaries, the priest added, successfully set up a Kyrgyz diocese in just a few years.

Bakyt Murzubraimov, chairman of the theology department at Osh State University in Kyrgyzstan, dismisses Sysoyev's ideas as "nonsense" that would never work in Central Asia. But the priest's remarks, and others by senior Russian clergy, reinforce a sense that Kirill, who took over as patriarch of the Russian Orthodox Church on February 1, intends to intensify his church's politically fraught mission at home and in Russia's "near abroad" -- with the apparent full blessing of the Kremlin.

"The Moscow Patriarchate is devoted to the idea of a Great Russia," Viktor Yelensky, president of the Ukrainian Association of Religious Freedom, told Deutsche Welle on February 16. "Evidently, [Kirill] wants it to be the 'Putin Church.'"

Kirill, as metropolitan of Smolensk, once said the Russian church should hold first place among all other Orthodox churches, including the Church of Constantinople, which is traditionally considered "first among equals" in the galaxy of Orthodox patriarchates. "We are the rightful heirs of Byzantium," Kirill has said.

Reeling In Ukraine

While Central Asia may be a fanciful target for Russian Orthodoxy, Ukraine is shaping up to be the prime battleground where Kirill's bold ambitions will be put to the test.

Historically, the Ukrainian church answers to the Constantinople Patriarchate. And despite efforts by Russia through the centuries to control Kyiv's church, the Orthodox world has always maintained that the church in Ukraine -- and the Baltics, Belarus, and Moldova -- remains outside Moscow's canonical jurisdiction.

Ukrainian Orthodoxy is currently split into three churches, including one that is loyal to Moscow. But the Russian church now looks set to test that chaotic status quo in a bid to bring most of the Ukrainian faithful under Moscow's leadership.

According to Igor Frolov, spokesman for Russia's Union of Orthodox Citizens, Russia's global resurgence hinges not on natural-gas pipelines or foreign policy, but the battle over control of Ukrainian Orthodoxy. "If the Russian church loses Ukraine and thus loses its position as the major Orthodox Church, it will harm the whole civilizational Russian geopolitical project," Frolov told a conference on religion in Moscow on February 17. Frolov added that Kirill "has the qualities" not only to unite all Orthodox churches around him, but to displace the ecumenical patriarch of Constantinople, Bartholomew I, as the Orthodox world's symbolic leader -- its "first among equals."

Frolov also said the Russian church should be as powerful and effective as the Vatican, which oversees the world's 1 billion Roman Catholics. Orthodoxy currently has some 200 million faithful worldwide, but Frolov said that under Moscow's stewardship, "we have every right to say that we need our Orthodox billion."

But does Kirill actually seek to take over the Orthodox world? "Doubtless, there are contrasts between Constantinople and Moscow," says Father Romano Scafì, an Italian Catholic priest and expert on Orthodoxy.

"There are reasons for this. Moscow has the biggest church in Orthodoxy; Constantinople has only a few hundred faithful," Scafì adds. "Still, I don't see Moscow trying to take over from Constantinople, but rather seeking to influence things more -- which is perhaps natural, given its size."

But that might be small comfort for some faithful in Ukraine.

Yelensky, the head of the Ukrainian Association of Religious Freedom, says he fully expects the Moscow church to intensify its missionary activities in Ukraine. More broadly, he says the two countries' political relations will be increasingly projected into the religious sphere, with a resulting rise in tensions between the churches.

Going Too Far?

But if the Moscow Patriarchate follows through with such an aggressive strategy, many believe it will backfire.

"As a person who stands for the interests of ethnic Russians and the Russian state, [Patriarch Kirill] will get little understanding [from other Orthodox churches], particularly

in Moldova, Ukraine, and Belarus," says Nikolai Mitrochin of the Center for Eastern European Studies at the University of Bremen.

In an interview with the newspaper "Moskovsky komsomolets," Sergei Bychkov, a religious historian and analyst, noted: "Kirill is very active and belongs to a breed of reformers. I think we could end up with a schism because many bishops, particularly those from abroad, don't like his reformist tendencies."

Finally, there's the Orthodox battle within Russia itself. Supporters of the church and its efforts to influence Russian social life -- despite a constitutional separation of church and state -- are in the ascendance since Kirill's election, according to some observers.

That impression was bolstered by reports on February 24 that the church will be granted the right to own the land on which churches and its other buildings are located -- making the Moscow Patriarchate, in effect, Russia's biggest landowner.

Lyubov Sliska, deputy speaker of the State Duma, sparked a chorus of fiery reaction recently when she stated that the Russian church must be free to influence the country's social life -- a clear reference to the church's controversial bid to introduce courses on "basic Orthodox culture" in Russia's public schools.

Such efforts to rock the secular boat, in Russia's uneasy mix of ethnicities and faiths, are dangerous, says Rafik Mukhammetshin, rector of the Russian Islam University in Kazan. "We live in a secular state," he says. "Religious values play their role in the state, but this doesn't mean religion should become ideology."

RFE/RL's Russian, Ukrainian, Kyrgyz, and Tatar-Bashkir services contributed to this report

Bishop Irinarch of the Perm Russian Orthodox Church against tolerance

Tolerance-when someone drives you from your home, and you do not resist

Perm Russian Orthodox Church (10.02.2009) / HRWF (14.05.2009) - Website: <http://www.hrwf.org> - Email: info@hrwf.net - In recent years, everyone has more actively imposed upon us a sort of "tolerance", as a type of behavior of the modern man, which allegedly promotes the formation and development of civil society in Russia and the prevention of extremism.

"Tolerance", understandably, came from the Latin word "tolerantia", which in translation means the ability to endure; patience. In general, the word was taken from pharmacology and means "the ability of an organism to endure the affect of a certain medicinal substance or poison without the development of an accompanying therapeutic or toxic effect." All dictionaries of the 20th century show the direct interpretation-translation: tolerance-patience.

In this way, the non-medicinal use of the word tolerance means patience towards another's way of life, behavior, habits, feelings, opinions, ideas, beliefs.

However, today we come in contact with a new, untraditional for the Easter-Christian line of thought, version of understanding this foreign word. It came from England, from the English word "tolerance", meaning "readiness to calmly confess/accept the behavior, convictions and views of other people, which differ from your own. With that, even in the case when these convictions-views have not been examined and accepted by you."

Here is the obvious replacing of one term, "patience," with another understanding - "readiness" - which, and this is perfectly understandable for everyone, marks the complete doom of a people to accept without resistance and without exception, in all spheres of societal life, every phenomenon of this world, in which "evil lies" (1 John 5:19), including every foul deed, which does not accompany that people's moral and cultural notions and traditions.

Lastly, it means gradually imposing a perfectly different, alien to Russian cultural society, cultivation of individualism, the foundation of which lies in Protestant ethics. This comes from the Protestant understanding of the teaching of the Apostle Paul about "divine predestination" (Rom. 8:29-30) and about the salvation of every man who believes in God with a single faith, regardless one's actions and behavior (Rom. 3:28). It is from here that the beginning of the current philosophy of patience (tolerance) towards any expression of man, living in this immoral and sinful world, originates.

The Russian Orthodox confession, which laid the foundations of the Russian government and the foundations of the Fatherland's culture, is the source of the original moral values of our society and assumes the cultivation, among a people founded on freedom of choice, in the concrete personality of man, of a love towards God and a love towards fellow man, of compassion and brotherly assistance, brotherly love and other virtues. However, all of these virtues are only possible for a man who is converted to God, who trusts in Him and who has come to know his own his orthodox culture. Namely, our orthodox, patient and longsuffering people, which warded off many threats from the Western world and which, within its borders, has stomached the invasion of nomads, Napoleon's horde, German fascism, Soviet Communism, and many other historical challenges, having conserved through it all its orthodox culture and the faith of its fathers- that inner core, which firmly upholds the uniqueness of the orthodox civilization of the Russian people.

Today, under the attractive pretext of a fight with extremism and of a supposed assistance to the development of a civil society within Russia, they are attempting to impose tolerance upon us. That is, in the place of love for fellow man as a type and figure of God in the international sphere, and in the place of a cultivation of freedom of conscience in the spiritual sphere, they attempt to impose a tolerance, and, consequently, gradually transform our Fatherland's Orthodox culture according to their own Western measurements and ideas. It is not hard to understand that what is taking place today is a clear expansion against Russian statehood. An attempt is being undertaken to deceive our people into accepting this vice. The true goal here does not consist of a fight against extremism, but of an attempt to profit from lude vices and weaknesses through gaming clubs, games and casinos, through night clubs, the pornography industry, drug dealers and others. It is well known to all that evil and vices are often easily acquired by man, at the same time that developing within oneself virtues and a resistance to sin and temptation requires concerted effort and help from God.

Along with this, in the course of a just few years, artificial obstacles have arisen in the path of educating children about "the foundations of Orthodox culture" or about a discipline of choice in the framework of a spiritual-moral complex. However, along with all of this, lessons on tolerance are already being conducted in our country's schools today, as in the schools of the USA and Europe. In textbooks of USA schoolchildren information about the role of homosexuals in history and modern society are shown on equal grounds with afro-Americans and aborigines. Under the attractive pretext of the fight with AIDS, lessons on "adolescent sexual education" are being conducted by anyone who wishes in the after-school hours. "Centers for tolerance" are being formed in every cultural institution of the Russian Federation, and above all in libraries.

Not coincidentally, in the period of 16 to 20 March, 2009 a Russia-wide scientific-practical conference, "Libraries and tolerance in the informational society", will take place in Perm's A. M. Gorkogo Universal Public Library, by an initiative of the charitable fund, "The Institute of Tolerance." The plan of the activity came to us in English. This seems quite strange, being that in the position of organizers of the conference, among others, were listed the Ministry of Culture of the Russian Federation, Administration of the Governor of the Perms region, the Ministry of Culture and Mass Communication of the Perms region. So our government wants to turn cultural institutions, including libraries, into "Centers of tolerance", taking our culture away from its historical roots?

Along with all of this, the announcement of the Perms Diocese of the Russian Orthodox Church about taking part this year in the Prikamye People's Council in memoriam of the Saints Mefodiy and Kirill, not only absolutely confused the Department of Culture of the City of Perms, but also evoked hostility.

On the 10th of February of this year, in that same public library, a scientific-practical conference will take place, "Tolerance as the foundation for cooperation of religious confessions in deciding social problems." In agreement with Russia's legislation, at the foundation of cooperation between all subjects of the law in our society, including religious confessions, lies not tolerance (patience), but freedom of conscience. And what's more, in solving social problems, religious groups, Christian pastors at least, should talk not about tolerance, but about love of fellow man. Instead of directing the efforts of religious confessions towards working with all men to strive for freedom from sin and to reach for God, some religious groups are calling for tolerance towards immorality, un-spirituality, for undermining the traditional moral foundations of this people and the people's culture.

In this way, together with the imposing foreign principles of tolerance in the consciousness of the Russian culture, they are attempting to incorporate a readiness to unhesitatingly acknowledge and accept convictions and views which appose our Christian principles, which differ from our own and which were never explored nor accepted by us.

Our people do not need to learn patience. It would not be bad for others to learn about the great patience of the multinational Russian people and to reverence it. It is not enough to try the people's patience and exploit it, they also are attempting to undertake several Western mediators and various religious emissaries.

Considering all of this, I turn to all fellow citizens, leaders of institutions of education and culture, and to leaders of gubernatorial and municipal administrations to delve into the essence of the problem of imposing tolerance on our people - the danger of this expansion not only for spiritual and national, but also for state safety. We cannot afford to turn our country into a home of pseudo-spirituality and tolerance!

I call all orthodox citizens not to participate in these conferences about tolerance, and I call the parental public, in accordance with Russian legislation, to require the banning of teaching lessons of tolerance and other similar lessons without the permission of parents.

It is crucial to report the violation of the rights of schoolchildren and other students to regional bishops and temple abbots, or to the Perms Diocese Administration, in order to take subsequent measures to defend orthodox citizens and their children from the forced incorporation into their consciousness of the ideas of pseudo-spirituality and tolerance, which replaces the freedom of conscience (which freedom guarantees the citizens of our country a genuine freedom of religion) secured in Russian legislation.