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Attacks on churches and mosques in Russia on the rise

North Caucasus Weekly Volume 14, Issue 23 (13.12.2013) - Against the backdrop of anti-Islamic hysteria launched by the Russian government's propaganda machine, it is hard not to notice the negative trend in such a delicate matter as interfaith dialogue in the country. Deliberately or not, a negative image of Muslims has been firmly established in Russia. A man with a beard or a woman wearing the hijab are increasingly perceived in society as extremists

It was inevitable that this attitude would result in a backlash by Muslims in Russia; the question only was whether Muslims would aim their opposition at politicians or Christians. Muslims are in fact becoming aggressive toward Christians because they are associated with the authorities. The Russian Orthodox Church also contributes to the trend because it aspires to become a dominant force in the society.

The church bases its aspirations on the fact that ethnic Russians are an absolute majority in the country. However, 11–15 percent of Russians are atheists and a quarter see themselves outside of any church, so at most 40–45 percent of the population can be considered Christians. At the same time, restrictions remain on the activities of Christian Protestant churches. It is possible that the Russian Orthodox Church realizes the actual weakness of its position in society and that is why it wants Russian government help in boosting its influence in society.

Since Muslims cannot challenge the pressure of the Orthodox Church in Moscow, muted protests are unfolding in the provinces that are likely to end badly. Meanwhile, arson attacks on churches have been reported in Muslim-populated areas. For example in Tatarstan, there have been eight arson attacks on churches and one arson attack on a mosque since August 2013. Bearing in mind that the first attack on the Farhad Mosque in Kazan took place on August 13, the following attacks on churches can be regarded as reprisal attacks and a signal that Muslims will not tolerate a situation in which Moscow dictates how and when beards or hijabs can be worn. The authorities did their best to present the attacks as hooliganism. In the past four months, churches have come under attack in these respective areas: In the village of Sloboda Petropavlovskaya in Novosheshminsky district on the night of August 15, in the village of Ivanovka in Leningorsky district on September 13, in the village of Lenino in Novosheshminsky district on November 1, in the village of Sokolka in Bugulminsky district on the night of November 14, in the city of Chistopol on November 17, in the village of Lenino in Novosheshminsky district on November 17, in the village of Albai in Mamadyshsky district on November 28, and, finally, in the village of Kreshchennye Kazyli in Rybnoslobodsky district on November 29. In the end, the police was forced to admit that the arson attacks may have been specifically organized and reclassified these actions as terrorist attacks.

Tatarstan is not the only region where religious buildings are being attacked. Arson attacks also take place in the North Caucasus. On November 9, 2008, an Orthodox church was set on fire in in the city of Karabulak in Ingushetia. Two months later, on January 2, 2009, it was set on fire again. In 2010, two churches and one Christian prayer house were burned down in the village of Ordzhonikidzevskaya in Ingushetia and in the city of Karachaevsk in Karachaevo-Cherkessia. On June 21, 2010, Novaya Zhizn, an Evangelical Baptist church, was burned down. On July 15, 2010, Pentecostal pastor Artur Suleimanov was shot to death near a prayer house. On April 30, 2011, the Shaoninsky church in Karachaevo-Cherkessia was set on fire. This past July, the rabbi of the local Jewish community in the city of Derbent in Dagestan was attacked.

Arson attacks on mosques are frequent in areas where Christians are the majority. On September 27, a Muslim prayer house was burned down in the village of Kapustin Yar in the Akhtubinsk district Astrakhan region. On October 22, a Muslim prayer house came under attack in the city of Volgograd. That attack may have been a reaction to the female suicide bomber attack on October 21, which killed six passengers on a bus and wounded 28.

So many attacks have taken place that they can no longer be seen as isolated cases. And these do not include the dozens and even hundreds of attacks and murders of Christian clergy in robberies, or the dozens of attacks on Muslim clergymen in the North Caucasus in recent years. Tensions are increasing, especially in areas where the government propaganda campaign against jihadists runs strong.

Although the Orthodox Church recognizes that all these attacks are attempts to foment inter-religious hostility in society, it does little to prevent such acts. On the contrary, it is completely unclear why a cathedral is being erected on the main square of the capital city of Ingushetia, Magas, even though no Christian Orthodox believers live in the city. It is unclear why another Orthodox church is being built in Grozny when only a couple of dozen parishioners at most regularly visit the existing church. This unwarranted imposition of Orthodox churches in Muslim regions, against the backdrop of the rise of jihadist sentiment, is unlikely to increase religious tolerance in the region.

Observing what is going on in the Muslim regions of Russia, one invariably arrives at the conclusion that everything the Russian authorities do comes back at them in the end. If no quick measures are taken, inter-religious tensions in Russia may become increasingly irreversible.

Influence of Hizb ut-Tahrir al-Islami Spreads in Russia

North Caucasus Weekly Volume 14, Issue 23 (13.12.2013) - The authorities in Russia sometimes indulge in populist actions that harm their own interests. One example is the recent crackdown in Dagestan on representatives of Hizb ut-Tahrir al-Islami (HuT). In 2003, the Supreme Court of the Russian Federation designated HuT a terrorist organization and outlawed it. The Russian authorities deem that the group has the objective of removing non-Islamic governments and establishing Islamic authority worldwide. The organization purportedly intends to establish a world Islamic caliphate, starting with the regions where Muslims comprise a majority, including Russian and other Commonwealth of Independent States countries. The primary methods of the organization are thought to be militant Islamic propaganda combined with intolerance toward other religions, active recruitment of followers, and activities for sowing dissent in the society, primarily through propaganda with substantial financial backing.

In reality, however, Hizb ut-Tahrir al-Islami has never been found guilty of terrorism. All members of this organization who have been arrested or suspected of wrongdoing were punished for missionary activities. Realizing the ludicrousness of their own instructions, courts have usually fined activists of the group rather than sentenced them to prison. Otherwise, any person attending any religious gathering could be arrested for belonging to a terrorist organization and sent to prison for no reason. Islamic organizations in Russia lack strict organizational structures, and so a person's affiliation with an organization is hard to prove. Also, the authorities have another reason not to sentence to prison terms all those they consider members of outlawed Islamic organizations: the government increasingly sees how imprisoned Islamic activists recruit other inmates, thereby spreading Islamic radicalism in Russia's penitentiary system.

On December 9, the Dagestani authorities cracked down on HuT in a joint special operation of the Ministry of Interior (MVD), Federal Security Service (FSB) and local government forces. Simultaneously, 47 members of the organization were subjected to searches and 52 people were detained. Three of those detained were classified as leaders of HuT, including Kazimzhan Sheraliev—a citizen of Kyrgyzstan, whom the police hastily declared an "emissary" of the organization who went to Dagestan to destabilize the republic. The very fact that someone from abroad had come to Russia to deliver lectures on Islamic theology could not have failed to alarm the FSB.

The government also tried to tie Boston bomber Tamerlan Tsarnaev to this organization. The attempted link was based on several meetings between Tsarnaev and a relative who is Hizb ut-Tahrir's leader. However, this line of investigation seems to be misleading. One or two meetings between Tamerlan Tsarnaev and his relative on his mother's side, Magomed Kartashov, appears unlikely to have changed him significantly, especially given that Kartashov said he had actually tried to soften Tsarnaev's stance on some tenets of Islam.

It would not serve justice to deny the existence of HuT in Dagestan. Members of the organization routinely wave Islamic black and white flags with Shahada (Shahada is the Muslim profession of faith, expressing the two beliefs that make one a Muslim: There is no god but God, and Muhammad is the prophet of God). These flags are shown in public because they are not official symbols of the banned HuT.

Doctors of philosophy and ordinary students alike are members of HuT in Dagestan. It is sometimes difficult to draw a clear-cut line between members of HuT and the Salafis in the republic. Dagestani professor of philosophy Zukhum Zukhumov associates himself

with HuT. At the same time, he was a member of the "Territory of Peace and Development," which was a Salafist minority organization in Dagestan. This relationship with the Salafis works against HuT, since any association with the Salafis antagonizes the government as well as the Sufi majority in the republic.

If the influence of Hizb ut-Tahrir al-Islami had spread to Dagestan only, the Russian authorities would probably have tolerated it. However, the government does not understand and often confuses all these Islamic teachings. The Russian authorities, therefore, are convinced that the organization has infiltrated the entire country. HuT poses a special danger to the Russian authorities because many of its members also belong to the intelligentsia and many businessmen are prepared to support it, which makes the organization more viable than many others. For example, on November 25, the police and FSB in Moscow announced they had neutralized an ethnic criminal group that specialized in illegal banking operations worth an estimated \$50 million a month. The group reportedly financed HuT.

In fact, the Russian authorities may be right about the scope of activities of HuT across the entire country, but the organization certainly lacks the aggressiveness that the authorities attribute to it. At this stage, the group is trying to enter politics and implement its program as part of the government. HuT has no interest in being an underground movement of any kind and thus is prepared to demonstrate its loyalty to the government unless this contradicts Islamic norms. The influence of this organization is spreading across Russia despite all the efforts of the Russian authorities to prevent this.

Russian leaders reject Orthodox exclusivity

Medvedev: Creating preferences for separate religions in constitution impermissible

[Interfax-Religiia](#) (06.12.2013) - Russian Prime Minister Dmitry Medvedev thinks it is impermissible to insert into the constitution changes that assign special status to any religious organization. "The creation of any special preferences is impermissible. In accordance with norms of the constitution, freedom of conscience has been proclaimed in our country. All persons select a church for themselves in accordance with their tastes or they say they are atheists," D. Medvedev declared in an interview with central Russian television channels, commenting on the suggestion that was proclaimed in the State Duma to add to the Fundamental Law of the country an article about Orthodoxy.

"Now I, for example, go to church, but I go there not as the prime minister. I went there before I came to work in Moscow, and I will go there after I finish my government career," D. Medvedev emphasized.

"Whatever the norms regarding freedom of conscience may be, I will continue to go to church, even if the constitution is changed," the premier added.

He recalled that in the "United Russia" party there are representatives of various religions. "Our religious feelings should not be connected with our party ticket. In my opinion, that is absolutely obvious," D. Medvedev said. (tr. by PDS, posted 6 December 2013)

Putin: No religion or nationality should ask special rights for itself

[Interfax-Religiia \(05.12.2013\)](#) - Russians are a state-forming nation, but all citizens of the country, regardless of their religious and ethnic adherence, are equal, including before the law, President Vladimir Putin declared. "In our country over 80% of the population are Russians and they are, certainly, the state forming people both in the cultural sense and from the point of view of simple population. But Russia is strong because she is multi-ethnic and multi-confessional," V. Putin said at a conference of the All-Russian Popular Front "Forum of Action."

He said that this is the only correct approach in order to maintain a country that is specifically such that "all citizens of the Russian federation are equal, regardless of their religious confession and nationality."

"This means that all should observe our laws in identical conditions with an identical approach and all should bear identical responsibility for violation of these laws, also independent of national, ethnic, and religious affiliation," the president declared.

He noted that "nobody should hide behind his exceptionalism and demand for himself any special rights." (tr. by PDS, posted 6 December 2013)

Mizulina disowns idea of Orthodoxy in constitution

[Lenta.ru](#) (06.12.2013) - The head of the State Duma's Committee on Affairs of Family, Women, and Children, Elena Mizulina, stated that the idea to inscribe into the constitution of RF "the special role of Orthodoxy" did not belong to her personally. ITAR-TASS quoted Mizulina's words: "This is not my point of view; this was the initiative of citizens to which as of today more than 300,000 signatures have been attached."

Russian Prime Minister Dmitry Medvedev, answering questions on live television on 6 December, called impermissible "the establishing of any special preferences" for one of the confessions. The head of government expressed the opinion that "the constitution needs to be changed only in an extreme case." He also acknowledged that in regard to Orthodoxy every citizen of RF may have his own point of view, appealing to the fact that freedom of conscience has been proclaimed in Russia.

The suggestion voiced by Mizulina was previously subjected to criticism on the part of the Muslim community, particularly by the government of the Chechen republic where the dominant religion is Islam.

On 22 November 2013 Deputy Mizulina proposed inscribing in the constitution of RF that Orthodoxy is "the basis of the national and cultural identity of Russia." She was supported by participants in the Group of Deputies in the Defense of Christian Values, that includes, among other, deputies from United Russia Sergei Zhelezniak, Sergei Popov, and Mikhail Markelov, as well as the communist Sergei Gavrilov. (tr. by PDS, posted 6 December 2013)

Alternatives to "extremism" charges to punish freedom of religion or belief

Forum 18 (02.12.2013) - "Extremism" accusations are not at present routinely turning into "extremism" prosecutions against members of most religious communities exercising freedom of religion or belief. (Such charges continue to be used against Jehovah's Witnesses and Muslim readers of Said Nursi's works.) But other charges continue. Taganrog's Exodus Pentecostal Church has been forced to stop drug and alcohol

rehabilitation work due to alleged fire and sanitation violations. In 2010 the church it is affiliated with was given a warning for "extremism". But this does not seem to feature in the current case, although Taganrog is a focus of a key "extremism" trial against Jehovah's Witnesses. Baptists continue to be prosecuted and fined for meeting without state permission. Forum 18 News Service has found state hostility to be highly localised, with some officials supportive of Protestants exercising freedom of religion or belief. In contrast, newly emerged documents from the Jewish Autonomous Region suggest co-ordination with Moscow during local officials' preparation of an "extremism" case against Jehovah's Witnesses.

Russian state officials have accused Baptists, Hare Krishna devotees, Jews, Lutherans and Pentecostals of "extremism" in recent years, Forum 18 News Service notes. But such accusations are not at present routinely turning into "extremism" prosecutions of people exercising freedom of religion or belief, unless they are Jehovah's Witnesses or Muslim readers of theologian Said Nursi.

However, Russia has recently added to its Federal List of Extremist Materials a sermon by a Ukrainian Greek Catholic bishop who personally saved Jews from the Holocaust, and continues a criminal investigation for alleged "extremism" against a Pentecostal blogger.

Currently, state moves against Protestants may feature informal accusations of "extremism" and/or the involvement of Counter-"extremism" Police, but prosecution usually continues under charges other than "extremism" (see below).

This situation is highly localised, with some officials supportive of Protestants exercising freedom of religion or belief and others hostile, Forum 18 finds. But newly emerged documents concerning Jehovah's Witnesses also suggest co-ordination with Moscow during local officials' preparation of an "extremism" case (see below).

Pentecostals on trial

In the Black Sea coastal town of Taganrog (Rostov Region), a court case against Exodus Pentecostal Church has forced the congregation to stop its rehabilitation work with drug addicts and alcoholics due to alleged fire and sanitation violations, Forum 18 has learnt. While it is unclear whether accusations of "extremism" are a factor in this case, Taganrog is also the focus of a key "extremism" trial against Jehovah's Witnesses (see below).

The Taganrog Pentecostal congregation is affiliated to Exodus Pentecostal Church in the regional capital, Rostov-on-Don. In 2010 prosecutors inspecting the Rostov-on-Don church found religious literature containing "a sharply negative evaluation" of Judaism and Islam and "direct and hidden" pejorative statements about Freemasons, Rostov Regional Public Prosecutor's Office reported in May 2010. This resulted in an "extremism" warning to Eduard Deremov, leader of the Southern Diocese of the nationwide Pentecostal Union headed by Sergei Ryakhovsky.

The civil case at nearby Neklinovsky District Court was filed by the District's prosecutor on 13 May, the Court's website states, and hearings led by Judge Vitaly Shport began on 3 July. While the website gives no details of the charges against the Church, a cached web page on the sudrf.ru Russian court domain features the timetable for cases at the Court from 7 to 11 October. This confirms the "nature of the case" of Judge Shport's 10 October hearing against Exodus Pentecostal Church as "on prohibiting the carrying out of rehabilitational activity".

Has case really ended?

Proceedings against the Taganrog church and local members Yevgeni Lozin, Mikhail Potapov, and Aleksei Ryabov ended at Neklinovsky District Court on 21 November, Rostov Regional Public Prosecutor's Office announced on 28 November. Prosecutors withdrew their suit after learning that the church had ended its rehabilitational work voluntarily after being charged, the Prosecutor's Office explained.

But as of 30 November, the Court's website gives no indication that the trial has ended. The most recent update to records of the case states only that the last hearing took place on 21 November.

On calling Neklinovsky District Court on 20 November, Forum 18 was directed to a spokesperson for Judge Shport. Asked about the case against Exodus Pentecostal Church, she declined to answer on the grounds that she was not authorised to divulge such information.

Audibly anxious, a spokesperson for Taganrog's Exodus Pentecostal Church declined to comment on the case to Forum 18 on 30 November. Despite the report that the trial has ended, the spokesperson explained, a court ruling is still expected. The spokesperson told Forum 18 on 20 November that until the court rules, "information about that case may not be made public, otherwise I would be violating certain laws prescribed by our state."

Usually unsuccessfully, courts sometimes attempt to close down Protestant churches for "unlawful" activity in social spheres such as education or drug rehabilitation, Forum 18 notes.

Currently facing charges of "unlawful" educational activity in St Petersburg's Red Guard District Court, for example, is that city's Harvest Pentecostal Church. The most recent hearing in the case was adjourned on 14 November, according to the court's website.

Baptist precedent

State officials have sometimes accused Baptists, Hare Krishna devotees, Jews, Lutherans and Pentecostals of "extremism" in recent years.

In September 2009, Baptists detained while preaching in public in the Russian exclave of Kaliningrad told Forum 18 that police informally accused them of being "extremists". They were instead fined for organising/conducting a public event without notifying the authorities, however.

The preachers belonged to the Council of Churches Baptists, a group formed in 1961 in response to tightening Soviet controls on religious communities and who refuse to seek state permission to meet for worship. This is their right under Russia's international human rights commitments, which ban making the exercise of human rights dependent on state permission.

These Baptists and other Protestant have typically been prosecuted under Article 20.2 - punishments for which were toughened substantially in June 2012. On 8 November 2013 Buzuluk District Court (Orenburg Region) fined Aleksandr Bannykh 20,000 Roubles (3,700 Norwegian Kroner, 440 Euros, or 600 US Dollars), Council of Churches Baptists stated on 16 November.

Bannykh – who is seeking to appeal against the fine - was one of a group of local people who preached, distributed New Testaments and held open-air public worship in the town of Buzuluk over several days in April-May. "As I am a sincere Christian (..), the Holy Bible

is the principal guide in my life," he explained in the Baptists' statement. "In it is written, 'Go into all the world and preach the Gospel' [Mark 16:15]."

The fine is the latest indication that the authorities remain reluctant to interpret this law leniently. Supporters of freedom of religion or belief had hoped it would be leniently interpreted following a December 2012 Constitutional Court ruling in response to two complaints from Jehovah's Witnesses.

Instead, draft amendments to the 1997 Religion Law continue to insist upon state permission for "religious gatherings held openly in conditions requiring measures to safeguard public order and the safety of both participants in the religious event and other citizens".

These amendments passed their first reading at Russia's Duma (parliament) on 15 November, according to its website.

Hare Krishna precedents

In May 2010 Counter-"extremism" Police monitoring a park in Smolensk detained "persons conducting an event (..) dedicated to the worship of Hare-Krishna (..) with singing and musical accompaniment to the beat of a tambourine".

In 2012, a Public Prosecutor in Tomsk Region narrowly failed to ban as "extremist" the Russian translation of "The Bhagavad-gita As It Is", a key text for Krishna devotees.

Jewish precedents

In 2005, petitioners including 19 Duma parliamentarians unsuccessfully appealed to Russia's General Prosecutor to ban all Jewish organisations as "extremist" on the basis of allegedly extremist sentiments in the sixteenth-century Shulkhan Arukh Jewish law code. In 2006, a police Counter-"extremism" advisory circulating in Voronezh Region described Hassidic Judaism as a "totalitarian sect", Portal-Credo.ru reported.

So far, however, such incidents have been atypical. Also rare, recent state obstruction experienced by Jews has not referenced "extremism": Aleksandr Feigin, formerly rabbi at Moscow's Memorial Synagogue, was deported to Israel without explanation after landing at Moscow's Sheremetyevo Airport on 17 October, according to his blog the following day.

Israeli citizen Uri Fainshtein – a practising Jew but not a rabbi – was similarly stopped at airports for approximately half an hour without explanation on each of the three most recent occasions he flew to Russia in 2013, he told Forum 18 on 20 November. He was not barred from entering the country, however. Fainshtein believes the border problems arose from "religious and national reasons" and his resemblance to the stereotype of Islamist militants.

The 2005 deportation of Moscow's Chief Rabbi Pinchas Goldschmidt suggested that such cases might be linked to internal disagreements within the Jewish community. Goldschmidt went on to receive Russian citizenship in 2010.

A Pentecostal preacher, Olga Ledyayeva was recently deported to Latvia without explanation after landing at Moscow's Vnukovo Airport, her husband Aleksei Ledyayev – who leads Riga's New Generation Pentecostal Church – blogged on 5 November. Pastor Ledyayev was deported in 2002.

Lutheran precedent

In February 2010, police with automatic weapons and dogs raided the Sunday meeting for worship of a Lutheran congregation in the town of Kaluga in search of "extremist" literature. After this experience the preacher in the service wrote an article on "How to behave during raids".

The Kaluga Lutheran congregation – and other local religious communities – have been excluded from official public recognition. Despite a written request from the Lutheran pastor – seen by Forum 18 – that he, five other Protestants and a Muslim be allowed to participate in a July 2013 round table on freedom of religion or belief at Kaluga's regional parliament, the request was ignored. Only representatives of the Russian Orthodox Church (Moscow Patriarchate) were allowed in, Regnum news agency reported.

A 22-28 July timetable on the website of Kaluga Regional Administration confirms the parliament's hosting of the round table in conjunction with the local [Orthodox] diocese.

Such official hostility can have a practical impact. In Nizhny Novgorod Region, officials refused to allow Jehovah's Witness to meet for worship in June after consultation with the local Russian Orthodox diocese.

Pentecostal precedent

During 2010 in the Far Eastern city of Blagoveshchensk, prosecutors unsuccessfully tried to prosecute New Generation Pentecostal Church for "unlawful" publishing, commercial and educational activity. A fourth suit – also unsuccessful – tried to ban New Generation's distribution of Christian DVDs on the grounds that they could harm people's mental health. Seen by Forum 18, this fourth, 17 August 2010 suit notes that local Counter-"extremism" Police took part in inspections of New Generation Church.

Moscow-based lawyer Vladimir Ryakhovsky of the Slavic Centre for Law and Justice was involved in legally defending New Generation. He told Forum 18 at a Moscow round table in late 2010 that a Blagoveshchensk official – whom he declined to identify - had boasted to him that it would be the first case in Russia where a Pentecostal organisation would be declared "extremist".

Localised hostility

Forum 18 has found state hostility towards Protestants to be highly localised, with some officials supportive of Protestants exercising freedom of religion or belief and others opposed.

In the Siberian republic of Khakassia, Glorification Pentecostal Church and the local Evangelical Lutheran Mission came under pressure from regional religious affairs official Nikolai Volkov from the late 1990s. Glorification Church was forced to demolish its own worship building in June 2007.

Under current Khakassia religious affairs official Boris Kicheyev, however, Lutherans and Pentecostals have encountered no serious obstruction, Pastor Pavel Zayakin of the Lutheran Mission and Pastor Aleksandr Prus of Glorification Church separately confirmed to Forum 18 on 10 September in the republican capital, Abakan.

Protestants are "citizens of our republic, our people," Kicheyev explained to Forum 18 in Abakan on 12 September. "If they believe in their own way, that is their business." In the harsh Siberian climate, he maintained, people identify with shared physical

experience rather than religious affiliation. "It's not whether you are Protestant or Orthodox, but the fact that you live in the same town, breathe the same air."

In neighbouring Krasnoyarsk Region, Forum 18 encountered a similarly positive official attitude towards Protestants exercising freedom of religion or belief. Pastor Vladimir Ashayev of Christian Life Pentecostal Church told Forum 18 in Krasnoyarsk on 18 September that they have never been accused of "extremism". "It may be very difficult in other regions, but here in Krasnoyarsk Region it's basically OK, and there's co-operation on many issues," he commented.

Regional religious affairs official Rashit Rafikov praised many of the social projects offered by Pastor Ashayev as examples of such co-operation. Currently, he told Forum 18 on 20 September in Krasnoyarsk, ongoing Protestant initiatives supported by the regional administration include: rehabilitation of alcoholics and drug addicts; drug prevention in schools; hospital and prison work; material assistance to indigenous peoples in the Arctic North; feeding the homeless.

Criminal investigation against Muslim lawyer

Even within Krasnoyarsk, however, Forum 18 found strikingly different attitudes among officials towards people already routinely targeted as religious "extremists" – Jehovah's Witnesses and readers of Islamic theologian Said Nursi.

Krasnoyarsk Muslim Yelena Gerasimova received notification on 12 November that a criminal "extremism" investigation was opened against her on 5 November in conjunction with that previously opened against another Muslim woman, Gerasimova told Forum 18 on 13 November. Both women are accused of organising study of banned "extremist" works by Muslim theologian Said Nursi in a "cell" of banned "extremist" organisation "Nurdzhular".

Also on 12 November, the Main Investigative Department of Krasnoyarsk Regional Investigative Committee announced on its website that it had opened a criminal investigation against a female lawyer suspected of "organising the activity of an extremist organisation" (Criminal Code Article 282.2, Part 1). Neither the woman nor the organisation are named in the statement, but details given of the "cell" and its activity match the details provided to Forum 18 by Gerasimova, who is a lawyer.

Law enforcement agents raided the apartments of Gerasimova and the second woman – who has not been named – on this year's 8 August end-of-Ramadan festival Eid-ul-Fitr. Gerasimova strongly denies the charges. Law enforcement representatives have refused to discuss the investigation with Forum 18.

Gerasimova's husband Aleksei is one of four Krasnoyarsk Muslims tried for alleged involvement in "Nurdzhular" – which Nursi readers insist does not exist – until prosecutors ran out of time and dropped the case in early 2012.

Muslim and Jehovah's Witness "extremism" cases continue

The most recent hearing at Naberezhnyye Chelny City Court (Tatarstan Republic) against Muslim readers of Nursi's works Inur Khafizov and Fedail Salimzyanov took place on 14 November, according to the court's website. The pair also face charges under Article 282.2, Part 1 as alleged organisers of "Nurdzhular". Officials have confirmed technical details of the case to Forum 18 but refused to discuss it.

On 15 November a Muslim friend of the accused informed Forum 18 that prosecutors requested an 18-month suspended sentence for Khafizov and a one-year suspended

sentence for Salimzyanov at the 14 November hearing. The next hearing is scheduled for 20 December.

In the Black Sea coastal town of Taganrog, the long-running criminal trial continues of 16 Jehovah's Witnesses accused of involvement in a banned "extremist" organisation – the local Jehovah's Witness community. The latest hearings at Taganrog Municipal Court took place on 25, 26 and 27 November, according to the court's website.

On 28 October five more Taganrog Jehovah's Witnesses – including pensioners Vladimir and Svetlana Chesnokov – were charged with "organising the activity of an extremist organisation" (Criminal Code Article 282.2), Jehovah's Witnesses reported. As with the ongoing trial, the investigation is being led by Police Investigator Ivan Bondarenko, who has declined to discuss his actions with Forum 18.

Appeal hearings have yet to begin against the "extremist" ruling banning Elmir Kuliyeu's translation of the Koran into Russian, issued by October District Court in Novorossiisk (Krasnodar Region) on 17 September. The ruling has not yet entered force.

October District Court has accepted three appeal applications from lawyer Ravil Tugushev, translator Kuliyeu, and Mufti Askarbi Kardanov of Krasnodar Region and Adygeya, according to the Court's website. The website does not state when this took place. The first appeal hearing at Krasnodar Regional Court is scheduled for 17 December, according to Tugushev's blog.

Central co-ordination

Newly emerged documents from Birobidzhan, the capital of Russia's Far Eastern Jewish Autonomous Region, seen by Forum 18, suggest co-ordination with Moscow during local officials' preparation of an "extremism" case.

A 30 October 2012 letter from the regional FSB security service asks Birobidzhan City Public Prosecutor Vyacheslav Shaibekov to rule "extremist" the Jehovah's Witness brochure "Good News from God!", found by its officers "in the process of combating religious extremism" at the Witnesses' place of worship.

A 6 May 2013 letter from Birobidzhan City Public Prosecutor's Office asks Regional Public Prosecutor Lidia Dyakanova to approve a corresponding suit.

A 29 May letter to City Prosecutor Shaibekov from Birobidzhan Regional Public Prosecutor's Office declares that the General Public Prosecutor's Office in Moscow has approved the suit, subject to several technical corrections. "The materials are being returned to you to prepare for filing to court," the letter adds.

The suit was filed with Birobidzhan District Court on 21 June, according to the court's website. Judge Olga Kazakova ruled "Good News from God!" "extremist" on 19 August. The brochure had not been added to the Federal List as of 2 December.

Internal government documents have previously revealed that moves against Jehovah's Witnesses and Muslim readers of Nursi's works are co-ordinated at a high state level. Both Jehovah's Witnesses and Nursi readers have been targeted in ways that suggest that their believers and communities are closely watched by the police and FSB security service - both within and outside their communities.

Catholic and Protestant "extremism"?

Forum 18 News Service (25.11.2013) - Russia has ruled as "extremist" a sermon given in 1900 by Metropolitan Andrey Sheptytsky, a candidate for sainthood in the Catholic Church, Forum 18 News Service has learnt. Unlike the 15 other Ukrainian texts (not written by Sheptytsky) simultaneously ruled "extremist" the sermon focuses on the Catholic faith. Officials have refused to reveal to Forum 18 why the sermon was ruled "extremist". The Metropolitan has recently been posthumously honoured for saving Jews from the Holocaust. Blog entries by Pentecostal Petr Tkalic also form the basis of an "extremism" investigation in Asbest. He criticised what he describes as "Soviet Orthodox". Official pursuit of religious "extremism" may continue widening beyond the Jehovah's Witnesses and Muslim readers of Said Nursi's works now routinely facing prosecution. Possession of "extremist" texts renders the possessor liable to criminal prosecution.

Russia has ruled "extremist" a sermon by Metropolitan Andrey Sheptytsky, a candidate for sainthood in the Catholic Church, Forum 18 News Service has learnt. Blog entries by Pentecostal Petr Tkalic may also form the basis of an ongoing "extremism" investigation in the asbestos-mining town of Asbest (Sverdlovsk Region).

State moves against Protestant churches already sometimes involve Counter-"extremism" Police and/or informal accusations of "extremism". Officials usually go on to prosecute Protestants with charges other than "extremism", however.

Forum 18 has found this to be highly localised, with some officials supportive of Protestants exercising freedom of religion or belief and others hostile. In contrast, new documents concerning Jehovah's Witnesses indicate there has been co-ordination with Moscow during local officials' preparation of an "extremism" case.

At present, official pursuit of religious "extremism" is mainly limited to present Jehovah's Witnesses and Muslim readers of theologian Said Nursi.

Catholic "extremism"?

A sermon by Metropolitan Andrey Sheptytsky (1865-1944) - a candidate for sainthood in the Catholic Church - was added to Russia's Federal List of Extremist Materials on 4 October (No. 2087). Its distribution is consequently banned across Russia and possession of it renders the possessor liable to criminal prosecution.

Republished in 1990 in the Polish city of Lublin, the banned edition of Sheptytsky's "The True Faith" ["Pravdiva Vira"] was among 16 Ukrainian-language texts ruled "extremist" by Moscow's Meshchansky District Court on 14 March 2013. The other 15 texts - which were not written by Sheptytsky - appear to be secular Ukrainian nationalist works, with titles such as "The Ukrainian National Idea" and "Ukrainian Liberation Concept".

From 1901 until his death, Sheptytsky headed the Ukrainian Greek Catholic Church, which resembles the Orthodox Church but recognises the Pope. The Metropolitan is particularly revered by Greek Catholics around the world. For example, the Ottawa, Canada-based Metropolitan Andrey Sheptytsky Institute of Eastern Christian Studies was named in his honour. Its website notes his attempts to improve Catholic-Orthodox relations among many other examples of "heroic virtue". Sheptytsky was in October honoured by the Anti-Defamation League for protecting Jews from the Holocaust, by supplying false identification papers and shelter from the Nazis, at a time when such acts were punishable by death.

The now banned edition of "The True Faith", which Forum 18 has seen, is a sermon Sheptytsky gave in 1900 to Greek Catholics in Bukovina Region, now partly in western Ukraine. Unlike the titles of the other 15 Ukrainian texts simultaneously ruled "extremist", however, the sermon's focus is on faith rather than nation. Insisting that "Christ's Church has to be a transnational institution," for example, Sheptytsky warns that anyone who wishes to turn it "into a number of purely national institutions is forgetting about the Church's divine foundation and not understanding it in a Christian way".

For the most part, the Metropolitan urges his audience to uphold the Catholic faith: "We Ukrainians are filled with love for the Catholic Church, we always saw her as our own mother." He argues that the Catholic Church is the true Church due to its papacy, claiming that this is inherited from St Peter: "Christ gave supreme authority to Peter and all his heirs (..) In other words, the Pope of Rome is recognised as the visible head of the Church."

Sheptytsky nowhere criticises other religious communities, however, let alone expresses hatred or advocates violence. He refers to non-Catholic beliefs only when considering if non-Catholics might obtain salvation. Here, he suggests people unfamiliar with the Catholic faith and "who live in another faith, observing all its prescriptions, purely and sincerely convinced that this other faith is true, may also be saved by the love of Jesus Christ." While Sheptytsky adds that an atheist "who knows the true faith but does not hold to it will not be saved," he does not call for any action against atheists.

The freedom to make claims about the relative merits of religious or non-religious views is a central part of freedom of religion or belief. Confusion between claiming the superiority of particular views and claiming the superiority of particular people is made in every attempt to ban religious "extremist" literature in Russia with which Forum 18 is familiar.

Ten-minute hearing

It remains unclear why "The True Faith" was ruled "extremist". Records on the website of Meshchansky District Court show that Judge Maria Kudryavtseva heard 18 civil cases in succession on the afternoon of 14 March 2013, devoting just 10 minutes to each one. She found in the state's favour in all but one case, where the plaintiff did not turn up. All were filed "in the interests of an undetermined group of people" by Meshchansky Interdistrict Public Prosecutor on 9 January. Written rulings were produced between 14 and 22 March, but are not available on the website.

The records do not reveal the nature or content of the cases, and it is unclear why there are 17 rulings when the Federal List has only 16 matching titles.

The 14 March rulings all determine printed materials "extremist", a spokesperson at Meshchansky District Court confirmed to Forum 18 on 20 November. She declined to comment further, however, remarking only that, "The text of those rulings – of that category of case – may not be published."

Reached on 22 November, a spokesperson for Meshchansky Interdistrict Public Prosecutor asked, "And what do you want from us?" when Forum 18 began by noting that the Prosecutor was plaintiff in cases determining printed materials "extremist" at Meshchansky District Court on 14 March. When Forum 18 went on to ask why the Ukrainian text "The True Faith" was ruled "extremist", however, she maintained that she could not hear what was being said and put the phone down. Subsequent calls went unanswered.

Protestant "extremism"?

In the asbestos-mining town of Asbest (Sverdlovsk Region), Pentecostal pensioner Petr Tkalich is under investigation for "incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity" (Criminal Code, Article 282, Part 1), he told Forum 18 on 27 August. Tkalich is a member of Rock of Salvation Pentecostal Church, whose parent congregation came under pressure from the Asbest authorities in the early 2000s.

Tkalich told Forum 18 that the investigation is due to "Boiling Pot", a two-part article criticising the Russian Orthodox Church (Moscow Patriarchate) that he wrote on his blog in 2006. The investigation was opened in late July 2013, Tkalich recalled, after his home was searched and computer equipment seized by law enforcement agents on 21 May. An "expert" analysis of the article as found on this equipment continues, he added, and will possibly not be completed until 2014.

"Expert analyses" commissioned by the prosecution in such cases often contain numerous flaws.

"Boiling Pot" accuses "Soviet Orthodox" of having an "interesting attitude" towards the Bible. It maintains, for example, that now-Patriarch Kirill rarely cites from and does not display the Bible in weekly addresses on state television. While Russia fights "sects", it continues in the text seen by Forum 18, "Soviet Orthodox" are in fact a "sect" because the Bible is evidently not an authority for them. The article concludes that Russia is the Biblical "boiling pot (..) tilting toward us from the north, from where disaster will be poured out" [Jeremiah 1:13-14].

Reached by Forum 18 on 20 November, Yegor Medvedevskikh, Deputy Head of Asbest's Investigative Department, confirmed that his department had opened a case in July under Article 282, Part 1 linked with the 21 May search on Tkalich's home - which he stressed "took place in accordance with a court order". Medvedevskikh also confirmed that a set of "psychological and linguistic legal analyses" is ongoing, and that results are not expected until late 2013.

Medvedevskikh stressed, however, that the investigation is "into the fact of publication, at the present time we haven't determined who is responsible, Petr Tkalich or someone else." He also insisted that the Investigative Department had paid "no attention" to the two "Boiling Pot" texts from 2006 - "Of course not." Yet Medvedevskikh was unable to tell Forum 18 whether the content of the texts currently under examination for "extremism" also deals with religion. "I can't say anything about that due to the secrecy of the investigation," he remarked. "If I say something, the analysis might say something completely different, and my words won't be understood rightly."

"It's difficult to say with certainty whether the 'Boiling Pot' texts are at issue, or something else," Petr Tkalich's lawyer Damir Gaintudinov of Agora human rights association told Forum 18 on 25 November. As a witness rather than a suspect, Tkalich has not had the chance to examine materials pertaining to the investigation, Gaintudinov explained.

During questioning, however, an investigator mentioned that two "expert" analyses have been commissioned of the 'Boiling Pot' texts and literature seized during the search of Tkalich's home, said Gaintudinov, although these details are not specified in corresponding written orders for the analyses.

Non-religious criticism of Russian Orthodox

Another ongoing "extremism" investigation due to criticism of the Russian Orthodox Church concerns blogger Maksim Yefimov. Also under Article 282, Part 1, this was launched in Russia's northwestern Karelia Republic in April 2012, shortly before law enforcement agents searched Yefimov's home and seized computer equipment in the republican capital, Petrozavodsk. Prosecutors initially sought to refer Yefimov to a psychiatric hospital, following which he fled Russia. Karelia's Supreme Court overturned the authorisation for this in June 2012.

Yefimov's 160-word article, published in late 2011 on the website of his organisation Youth Human Rights Group of the Republic of Karelia, is entitled "Karelia is tired of priests". Referring to "the Orthodox breed", it alleges that the "total corruption, oligarchy and the total power of the security services is connected with the rebirth of the Russian Orthodox Church." It also alleges in the text seen by Forum 18 that Orthodox churches are being built with state funds, and that the Church is being given kindergarten buildings when there is a severe shortage of them.

Reached by Forum 18 on 21 November 2013, Yefimov stated that Karelia's Supreme Court rejected his request for the "extremism" investigation to be closed in August. There have so far been eight analyses of "Karelia is tired of priests", he added – four ordered by investigators and four on his behalf – but none has uncovered anything unlawful.

Orthodox "extremism"

A breakaway Orthodox publication has already been banned as "extremist" for criticising Patriarch Kirill. A single issue of "Easter in the Third Rome" was ruled "extremist" by Abakan City Court (Khakassia Republic) on 22 June 2012, Khakassia Republican Public Prosecutor's Office reported. The publication – sponsored by the former Moscow Patriarchate bishop to Chukotka and Anadyr, Diomid (Dzyuban) – is now at No. 1452 on the Federal List.

Seen by Forum 18, the banned issue consists solely of theological criticism of the Catholic Church and what is seen as Patriarch Kirill's ecumenical stance towards it. It does not call for any actions – violent or otherwise – towards people holding such views.

Hundreds of Muslims arrested at house of worship

Cell of Salafists liquidated in St Petersburg market

Interfax-Religiia (18.11.2013) - Personnel of the Federal Security Service (FSB) and the Ministry of Internal Affairs (MVD) conducted a raid on the territory of a market on Salov Street in St. Petersburg with the aim of neutralizing a Salafi cell.

During the check of a local prayer hall, leaders of religious extremists were arrested: Tajik citizens Khotam Mirzoev and Muzafar Latipov. They were taken to the Center for Combating Extremism of the Chief Directorate of MVD and materials were prepared for placing them in special detention with subsequence deportation beyond the borders of Russia, a source in the law enforcement agencies of the city told Interfax.

From the administration of the market were seized equipment and documentation and work was conducted for putting an end to the functioning of the prayer hall.

In all, as the result of the raid, 502 persons were identified and arrested, including 193 foreigners. On the basis of violations of immigration legislation, agents of the Federal

Migration Service prepared materials for deportation beyond the borders of Russia, and denial of entry into the country for a period of five years, for four citizens of Tajikistan. (tr. by PDS, posted 18 November 2013).

Arson in Orthodox churches

2 Orthodox churches torched in Tatarstan

Interfax-Religiia (18.11.2013) - The circumstances of arson in two Orthodox churches in Tatarstan are being investigated, a statement of the Tatarstan metropolia says. "The Tatarstan metropolia calls the public's attention to the fact that in the night of 17 November in Chistopol diocese there occurred two outrageous incidents of vandalism of Orthodox churches," the report says.

As a result of arson, a house of worship in honor of the great martyr Dmitry of Saloniki in the village of Lenino, Novosheshminsk district, was completely burned down.

In the same night, unidentified persons torched a church in honor of the new martyrs and confessors of Russia that was under construction in the city of Chistopol. The church was saved by the efforts of emergency personnel. (tr. by PDS, posted 18 November 2013).

Members of banned Jehovah's Witnesses congregation on trial

Investigative agencies hold five more Jehovah's Witnesses criminally liable only because they refuse to renounce their convictions

Portal-credo (04.11.2013) - The hearing of the criminal case on the indictment of 16 Jehovah's Witnesses for "extremism" continued from 29 October to 1 November in the Taganrog city court. The materials of the criminal case, which has dragged on now more than a year, comprise more than 60 volumes. The prosecutor has now been presenting arguments to the court for three months, after which evidence of innocence will be presented by the defense side, which intends to seek a verdict of acquittal and rehabilitation of all defendants, the Press Service of the Administrative Center of Jehovah's Witnesses in Russia reports.

At the same time, without awaiting the outcome of this case, on 28 October investigating agencies of Rostov-on-Don have presented charges against another five peaceful believers on the basis of article 282.2 of the Criminal Code of RF. The indictment is identical to the one that was presented in the Taganrog "Trial of the 16." According to the investigation, the Jehovah's Witnesses' guilt amounts to the fact that while living in the city of Taganrog, these citizens have not renounced their religious convictions after a decision of the Rostov provincial court of 2009 took effect, liquidating and finding extremist the local religious organizations of Jehovah's Witnesses in Taganrog. The believers continued to meet peacefully and study the Bible together.

The investigation in the new case has been conducted by the same investigator of the Investigative Unit of the Chief Directorate of MVD of Russia for the Southern Federal District, Ivan Bondarenko, who conducted the "Trial of the 16." He forbade all five of the

accused to leave the city limits without his permission. The defendants include retirees, specifically a married couple Vladimir and Svetlana Chesnokov. The punishment that is provided by the article on which they are charged is up to 3 years incarceration. It is known that Vladimir Chesnokov has already suffered persecution for his religious convictions during the years of soviet rule. (tr. by PDS, posted 4 November 2013)

Incoherence persists in counter-"extremism" policy

Forum 18 News Service (25.10.2013) - As the Russian state continues its campaign to brand as "extremist" readers of Islamic theologian Said Nursi and Jehovah's Witnesses, Forum 18 News Service has found strikingly different levels of support for the campaign among law enforcement and other officials - even in the same locality. In Siberia's Krasnoyarsk Region, criminal cases have been brought against Nursi readers and courts have ruled his books "extremist". Yet when Forum 18 suggested that Nursi texts had been banned without foundation, the region's religious affairs official replied: "Something needs to be done about this, we agree." After a local court found four Jehovah's Witness texts "extremist", two of the findings were overturned on appeal. Prosecutors dropped four further cases, even though all eight cases were "as alike as peas in a pod", a local Jehovah's Witness involved in the hearings told Forum 18.

The Russian state's counter-"extremism" campaign against Jehovah's Witnesses and readers of Islamic theologian Said Nursi could not have spread widely without some federal backing, Forum 18 News Service notes. But on the ground, the campaign is not supported uniformly. On recent visits to Krasnoyarsk Region and neighbouring Khakassia Republic in Siberia, Forum 18 found strikingly different views of such "extremists" among non-law enforcement officials and their law enforcement colleagues even in the same locality.

In Krasnoyarsk, law enforcement agents continue to target Muslims suspected of reading Nursi's works. Raids on flats in the city on this year's 8 August Islamic festival of Eid-ul-Fitr resulted in a criminal "extremism" case against a 48-year-old woman. A resident of one of the raided flats, Aleksei Gerasimov, was among four local Muslims tried in connection with reading Nursi's works until prosecutors ran out of time and dropped the case in early 2012.

As of 25 October, 41 Russian translations of Nursi's works and a biography of the theologian have been ruled "extremist" and added to the Federal List of Extremist Materials. Items on the List are banned from distribution nationwide, and those caught distributing them are liable to criminal prosecution.

Law enforcement officials in Krasnoyarsk have declined to discuss their counter-"extremism" activity with Forum 18.

Breaking Kremlin silence

The banning of numerous religious works as "extremist" became a widely-debated topic following a 17 September Novorossiisk court ruling banning as "extremist" a widely-used Russian translation of the Koran by Azerbaijani scholar Elmir Kuliyeu. Several appeals against the finding have been lodged.

President Vladimir Putin broke the Kremlin's long silence on the ruling of much Islamic literature "extremist" by criticising this practice during a 22 October meeting with senior Muslim leaders in Ufa (Bashkortostan Republic). "The state has had to apply restrictive

measures on such literature, which in fact has been far from always successful, often even the reverse," Putin declared in remarks posted on the Kremlin website the same day. "Bans work poorly, or have the opposite effect than intended."

Such sentiments have previously been rare in an official context. Unusually also for the Russian media, a 21 August article in the Krasnoyarsk edition of Moskovsky Komsomolets newspaper questioned whether the campaign against "Nurdzhular" – a banned "extremist" organisation to which law enforcement agents routinely assume Nursi readers belong – is justified.

Muslim readers of Nursi's works deny such an organisation exists, and Forum 18 has found no connection between the few concrete (and unconvincing) reasons offered by Russian courts for banning Nursi literature as "extremist" – such as the theologian's reference to non-Muslims as "empty-talkers" – and the broader state allegations regarding "Nurdzhular".

"Preventative strike"

Published in the Krasnoyarsk edition of Moskovsky Komsomolets on 11 September in response to the 21 August article, an interview with the head of the Investigation Department of Krasnoyarsk Regional FSB security service defended prosecution of "Nurdzhular" members, even in the absence of evidence linking them to violence. "If they had actually committed terrorist attacks, you could write with a clear conscience that the FSB is working poorly," Vladimir Ruban maintained. "We are trying to take a preventative strike to avoid a greater disaster."

Krasnoyarsk Region's official dealing with religious affairs, Rashit Rafikov, avoided criticising the law enforcement agencies directly when he spoke to Forum 18 in the city on 20 September. Once Forum 18 suggested that Nursi texts had been banned without foundation, he replied: "Something needs to be done about this, we agree, but while this issue hasn't been resolved at federal level, we can't influence anything here."

Yet Rafikov accepts the existence of "Nurdzhular", and went on to suggest it had links with Islamic militancy. Again, however, his main concern about Muslims who read Nursi's works when pressed by Forum 18 turned out to be minor: "Why do these people study only Nursi and no other theologians, the question arises – what's going on? ... These people organise their group, they don't go to the communal mosque, don't mix with other Muslims."

Aleksei Gerasimov – accused of involvement in "Nurdzhular" until prosecutors closed the case for lack of time – was indignant at the idea that he might somehow differ from other Muslims. Meeting Forum 18 on 17 September, he insisted that he attends the city's only mosque, and praised the region's mufti, Gayaz Fatkullin, as "a very reasonable person".

Not sufficient reasons to ban

Mufti Gayaz Fatkullin of Krasnoyarsk Region noted that Krasnoyarsk courts had ruled Nursi texts "extremist". "I don't think there are sufficient reasons to ban this literature," he remarked to Forum 18 in Krasnoyarsk on 18 September. "It isn't banned anywhere in the world." He also pointed out that "Turkey has officially said that the organisation 'Nurdzhular' does not exist".

Three district courts in Krasnoyarsk ruled eight Nursi texts "extremist" between September 2010 and January 2013.

Mufti Fatkullin stressed to Forum 18, however, that, "even if a court makes a wrong decision, I abide by it." In his view, such local court rulings occur because "Our people aren't sufficiently educated in the regions, about religion, religious culture, institutions, texts; they invite specialists who are far from religion – linguists, philosophers, but not [specialists] on religious texts."

Mufti Fatkullin's community enjoys generally positive relations with the local authorities. According to the August 2013 issue of its ProIslam newspaper, guests among the 15,000 worshippers at Krasnoyarsk's mosque on Eid-ul-Fitr included Rashit Rafikov, the regional religious affairs official, and the chair of Krasnoyarsk Regional Parliament, Aleksandr Uss. Russian Orthodox Metropolitan Panteleimon (Kutovoi) of Krasnoyarsk and Achinsk and local Roman Catholic dean Fr Antoni Badura also attended.

Aleksei Gerasimov was also at the mosque for the Eid-ul-Fitr festival on 8 August. His wife Yelena Gerasimova was preparing to celebrate with other Muslim women and their young children when law enforcement agents raided their apartment the same day.

"They came looking for extremists and open the door to find kids in party dresses!" Gerasimov quipped.

The behaviour of state officials carrying out such raids indicates to the Gerasimovs that they are simply carrying out orders. Aleksei Gerasimov recalled having to explain to one police interrogator during his case why he refused to place Nursi's works on the floor: "He said, 'It's just paper'. I said, 'Is a letter from your mother just paper?' Once he understood, he let me put them on his gun."

Some ban cases dropped

Krasnoyarsk law enforcement and other officials have even more varied views of Jehovah's Witnesses.

In early 2013 the city's Soviet District Court pursued bans on eight Jehovah's Witness texts in eight separate cases. One text – "What Does the Bible Really Teach?" – was ruled "extremist" on 14 February and is now at No. 2034 on the Federal List of Extremist Materials. Another – "Natural Disasters: Punishment From God?" – was also ruled "extremist" on 22 January but has not yet been added to the Federal List.

Similar 24 and 31 January rulings against two more texts – "Will You Follow Jehovah's Loving Guidance?" and "Life Without Suffering – When?" – were successfully appealed, according to Jehovah's Witnesses.

All eight cases were "as alike as peas in a pod", Sergei Zapletin, a local Jehovah's Witness who participated in the four cases that came to court, told Forum 18 in Krasnoyarsk on 19 September. Despite this, he added, the final four cases were dropped during February-April 2013 as Soviet District Public Prosecutor's Office, which filed them, failed to send any representative to court.

Jehovah's Witnesses mounted an active defence in the initial four cases, noted Zapletin, submitting numerous procedural complaints. In the case of "What Does the Bible Really Teach?" these included a 7 February submission pointing out that the Parliamentary Assembly of the Council of Europe (PACE) had – in a resolution voted for by Russia – called upon the Russian authorities to "refrain from applying the law on extremist activities against all religious communities, especially Jehovah's Witnesses" (PACE Resolution 1896 (2012), paragraph 25.31, adopted 2 October 2012).

In the same case, Jehovah's Witnesses protested on 11 February 2013 that the only evidence for the text being distributed on the territory of Soviet District was the word of an FSB security service official.

Seen by Forum 18, these complaints did not prevent the court from issuing its 14 February ruling against "What Does the Bible Really Teach?" - also seen by Forum 18. "Some state representatives vote for us, others rule against us," local Jehovah's Witness Sergei Tolstonozhenko, also meeting Forum 18 on 19 September, joked as he contrasted the actions of the PACE Russian delegation and Soviet District Court.

Zapletin believes the remaining cases were dropped as they were proving complicated: "Judges are very busy. When they saw we were submitting many procedural complaints, they lost interest," he told Forum 18.

Unable to rent from state

Apart from the "extremism" charges against Jehovah's Witness literature, Tolstonozhenko reports little obstruction in Krasnoyarsk. Since 2008 the congregation has been unable to rent state-owned stadiums for their annual congresses attended by up to 4,000 Jehovah's Witnesses. However, they are able to rent privately owned venues, Tolstonozhenko told Forum 18, including for ordinary worship services.

The only incidents of state obstruction in Krasnoyarsk Region among many hundreds in Russia reported by Jehovah's Witnesses since early 2009 occurred in February-April 2010, when police briefly detained two preachers in the village of Aginskoe and interrogated another in the village of Krasnokamensk. In these cases, police were summoned by a local Russian Orthodox priest. In the city of Krasnoyarsk, police also visited four Jehovah's Witness worship services during the same period.

In one case, a charge of "organising or conducting a public event without notification" (Code of Administrative Offences, Article 20.2) resulted in a fine of 1,000 Roubles (then about 200 Norwegian Kroner, 25 Euros or 35 US Dollars), Tolstonozhenko told Forum 18. Like the Gerasimovs, his impression is that law enforcement agents are "fulfilling orders. They generally behave reasonably."

"All religious organisations are equal before law"

Krasnoyarsk Region's religious affairs official had a far more positive view of Jehovah's Witnesses than his law enforcement colleagues, Forum 18 found. Reminded that Jehovah's Witnesses are treated as "extremists" in many Russian regions due to the bans on their literature, Rashit Rafikov remarked, "We've never had that and never will. The law is the law - let the responsible [state] organ deal with the texts. But if this is somehow transferred onto an individual or organisation - no, they are all officially registered."

According to January 2012 official figures provided by Rafikov, 16 Jehovah's Witness organisations are registered in Krasnoyarsk Region.

While they are not in close co-operation with the state authorities, Jehovah's Witnesses get involved in annual voluntary clean-up sessions in Krasnoyarsk city, Rafikov stressed to Forum 18.

He also noted that the state supports local Krishna devotees to distribute free vegetarian breakfasts and lunches, an initiative that he praised: "We gave them a plot of land where they grow vegetables." This attitude is in stark contrast to the state's treatment of Krishna devotees in Tomsk Region, where a Public Prosecutor narrowly failed to ban as

"extremist" the Russian translation of "The Bhagavad-gita As It Is", a key text for Krishna devotees.

In Khakassia Republic, a region neighbouring Krasnoyarsk Region, Forum 18 found the republic's religious affairs official, Boris Kicheyev, expressing a similarly tolerant attitude towards Jehovah's Witnesses. While perplexed that they refuse to participate in elections or the republic's consultative council for religious organisations, he stressed that they are legally registered: "We don't hinder their activity – all religious organisations are equal before the law."

Jehovah's Witnesses have not reported any incidents of state obstruction in Khakassia since the start of the "extremism" campaign against them in 2009.

Jehovah's Witnesses "dangerous totalitarian sect"

This is while non-law enforcement agencies in numerous other Russian regions regard Jehovah's Witnesses as a threat. In a 5 August 2013 circular to local district and municipal heads seen by Forum 18, for example, Vitaly Shikov, head of the Internal Policy Department for Chelyabinsk Region, warned that Jehovah's Witnesses had recently become more active there.

Also seen by Forum 18, a 30 August 2013 letter to municipal heads from Anatoly Vekshin, assistant governor of Murmansk Region, warned that while registered, Jehovah's Witnesses are "a dangerous totalitarian sect whose teaching (..) is capable of harming the personality and health of the adept and his family, as well as traditional national spirituality and state interests."

For Jehovah's Witnesses, the country is thus now a patchwork of different policies. The movement's website <www.jw.org>, for example, is blocked in Siberia's Buryatia Republic but accessible in Krasnoyarsk.

For Jehovah's Witness spokesperson Grigory Martynov, the most absurd example of this comes when entering Taganrog District (Rostov Region), where the local Jehovah's Witness congregation is banned as "extremist" and 16 of its members are currently on trial for involvement in it.

"Outside that territory, you can be a practising Jehovah's Witness, but on it, you're a criminal 'extremist'," Martynov remarked to Forum 18 in Moscow on 10 October. "But it's still Russia!"

Muslims "fed up" with "not being allowed to read these texts"

Forum 18 (21.10.2013) - After two separate raids on 8 August on the homes of Muslims in Russia's Siberian city of Krasnoyarsk, an "extremism" criminal case has been opened against a 48-year-old Muslim woman who state officials refuse to name. The woman is alleged to be involved in an organisation called "'Nurdzhular" which Russian readers of theologian Said Nursi's works deny exists. The same day, another raid lasting 5 hours took place on the home of Yelena Gerasimova. Gerasimova, a professional lawyer, noted numerous procedural violations in the raid, including an invalid search warrant the authorities unlawfully refused to give her. She also told Forum 18 News Service that, for fear of a similar raid, she did not this year host a party to celebrate the Islamic festival of Eid al-Adha on 15 October. "We're fed up with this whole thing – not being allowed to

read these texts – but we don't read them", Gerasimova told Forum 18. Other trials of alleged readers of Nursi's works continue, as well as of 16 people in Taganrog allegedly involved in the local Jehovah's Witnesses community. This has been banned as allegedly "extremist".

This year, Yelena Gerasimova did not host a large party at her home in Russia's Siberian city of Krasnoyarsk to celebrate the Islamic festival of Eid al-Adha on 15 October. This was because of her fears that this party – a normal activity for devout Muslims – would be raided by the authorities, as happened to Gerasimova's home on 8 August, she told Forum 18 News Service on 16 October.

The same day Gerasimova's home was raided, another raid took place on the home of a 48-year-old Muslim woman, also in Krasnoyarsk. The same day, the Krasnoyarsk Region police website claimed that Krasnoyarsk Regional FSB security service and Counter-"extremism" Police together uncovered an eight-strong women's "cell" of the "international extremist organisation 'Nurdzhular'". An "extremism" case was opened against the 48-year-old Muslim woman, under Criminal Code Article 282.2, Part 1 ("Organisation of an extremist organisation"), the Krasnoyarsk-based Siberian News Agency reported on 16 August.

State officials would not name the 48-year-old Muslim woman, or discuss any restrictions that may have been placed upon her (see below).

"Nurdzhular"?

Gerasimova's husband Aleksei is one of four Krasnoyarsk Muslims tried for involvement in the alleged "extremist" organisation "Nurdzhular", until prosecutors ran out of time and dropped the case in early 2012.

The four were charged because they studied the works of Turkish Muslim theologian Said Nursi (1876-1960). Muslims who read Nursi's works insist that "Nurdzhular" [a russification of the Turkish for "Nursi followers"] does not exist. Yet sharing Nursi's work may also be prosecuted. As of 18 October, 41 Russian translations of texts by the theologian have been banned by Russian courts and placed on the Federal List of Extremist Materials. A biography of Nursi is also on the Federal List and so also banned from distribution nationwide. Those who possess items listed on it are liable to criminal prosecution.

Corresponding court decisions for items on the Federal List offer weak or no explanations for these bans, Forum 18 notes. The few concrete examples of "extremism" given include, for example, Nursi's references to people who do not believe in Islam as "frivolous", "philosophers" and "empty-talkers".

No information

Asked by Forum 18 for information about the "extremism" case against the 48-year-old Krasnoyarsk Muslim woman, the spokesperson at Krasnoyarsk Regional Police read out the title of a report on the case – "Law Enforcement Agents Uncover a Cell of Extremist Organisation 'Nurdzhular'" – on 16 October. Noting that Krasnoyarsk Regional FSB had conducted the operation, however, she directed Forum 18 to that organisation's press secretary, Marina Moiseyeva.

Also reached on 16 October, Moiseyeva was familiar with the case but said she had to seek authorisation before releasing information on it to Forum 18. She told Forum 18 to call back on 18 October if she had not done so earlier. Reached on 18 October, Moiseyeva said that she could not give Forum 18 any information about the case.

Two raids

The raid that resulted in the criminal case against the 48-year-old woman occurred shortly before a separate raid the same day on the Gerasimovs' flat, where Forum 18 spoke to the Gerasimov family on 17 September. Around eight women and 10 children were at the Gerasimovs' on 8 August waiting for others to arrive to celebrate the major end-of-Ramadan festival Eid-ul-Fitr, Yelena Gerasimova recalled.

At approximately 4pm, four law enforcement agents arrived claiming to be local police wanting to check something. "As soon as I opened the door they all pushed in," she told Forum 18. "One showed identification, but I didn't see what was on it - I was in shock."

The women had prepared food for the festival and competitions for the children. "Everyone was hungry and waiting to eat. The children had been looking forward to it all year," continued Gerasimova, "but we didn't get any celebration." The children became hysterical.

A five-hour search of the flat followed, and no one was permitted to leave – not even the children with a few of the adults, or a non-Muslim guest suffering from cancer who began to feel ill.

Procedural violations

As a professional lawyer, Gerasimova noted numerous procedural violations. The law enforcement agents put the women and children in one room; "something could easily have been planted." They did not obtain the permission of the premises' owner, Aleksei Gerasimov's sister, before entering. The search warrant, which they refused to give to Gerasimova, was issued by Central District Court - but the flat is in Soviet District.

The law enforcement agents were clearly looking for banned works by Said Nursi, said Gerasimova. But they took a variety of Islamic literature in Arabic and Turkish - "even though only Russian translations are on the Federal List of Extremist Materials". This included literature earlier confiscated and returned as part of the case against Aleksei Gerasimov, she added.

Russian lawyers have often noted illegalities in the authorities' searches of homes and confiscations of religious literature.

Abiding by court rulings

The Gerasimovs – both converts to Islam from a secular, ethnic Russian background - are trying to abide by Russian court rulings. "There is no group of people who read Nursi's books in Krasnoyarsk now," Aleksei Gerasimov, manager of a thriving tourist business and a keen ice-hockey player, told Forum 18 on 17 September. "We're forbidden to do that as a group – so we don't."

"We're fed up with this whole thing – not being allowed to read these texts – but we don't read them," echoed Yelena Gerasimova. "We live in this state [Russia], after all." She insisted the couple no longer has any of the banned Nursi texts; she and her female Muslim friends now read only the Koran.

Just hours before Forum 18 met the Gerasimovs in Krasnoyarsk on 17 September, a popular Russian translation of the Koran was ruled "extremist" by a court in the Black Sea port of Novorossiisk. Russian Muslims are scrambling to challenge the ruling.

Crackdown

The crackdown on Nursi readers has spread to various parts of Russia since a Moscow court first ruled 14 Russian translations of the theologian's works "extremist" in 2007, resulting in them being placed on the Federal List. Thirteen Muslims are known to have received a criminal sentence for reading Nursi literature, which law enforcement agents routinely equate with membership of "Nurdzhular". The longest period any of those convicted is known to have spent in prison is nearly eight months.

While criminal "extremism" proceedings have yet to result in a prison term in their case, the Jehovah's Witnesses are in a similar position. As of 18 October, 69 Jehovah's Witness texts appear on the Federal List.

The latest of these to be added to the List – "What Does the Bible Really Teach?" – is one of several Jehovah's Witness and Nursi texts to have been banned by district courts in Krasnoyarsk, four time zones east of Moscow. The state's counter-"extremism" campaign against Jehovah's Witnesses and Nursi readers could not have spread so far without backing from some federal officials, Forum 18 notes.

The campaign is not uniformly supported at local level, however. On recent visits to Krasnoyarsk Region and neighbouring Khakassia Republic, Forum 18 found non-law enforcement officials taking a quite different view of "extremists" such as Jehovah's Witnesses and Nursi readers from their law enforcement colleagues.

Tatarstan trial

Ilnur Khafizov and Fedail Salimzyanov in the Volga Federal District have similarly been charged under Criminal Code Article 282.2, Part 1 as alleged organisers of "Nurdzhular". They appeared at Naberezhnyye Chelny City Court (Tatarstan Republic) for the first time on 11 October, Ilnur's mother Raziya Khafizova told Forum 18 on 16 October. Due to the non-appearance of a witness, the hearing was adjourned until 31 October, she said.

The pair were freed from house arrest on 13 August but are not allowed to leave Naberezhnyye Chelny, Khafizova told Forum 18. The case against Nakiya Sharifullina – who faces the same charges and is also under a travel ban – has yet to reach court, she added.

A press spokesperson at Naberezhnyye Chelny City Court confirmed all these details to Forum 18 on 16 October.

Charges against the three were brought after multiple raids on the homes of Nursi readers in Naberezhnyye Chelny on 14 February. Khafizov and Salimzyanov were initially detained for three months.

Rehabilitation?

In the Black Sea coastal town of Taganrog, the trial against 16 Jehovah's Witnesses also charged with involvement in an "extremist" organisation under Article 282.2 resumed on 1 October, Jehovah's Witness lawyer Viktor Zhenkov told Forum 18 on 18 October. Hearings began on 13 May and are still examining evidence submitted by the prosecution. This evidence runs to many thousands of pages, and it is unclear when the trial may finish.

The trial at Taganrog Municipal Court follows a regional court ban on the town's Jehovah's Witness organisation as "extremist" in September 2009.

The case reached the two-year legal deadline for prosecutions on 5 August, but is continuing at the request of the 16 accused. "If the case were closed because time ran out, it would look as if that was the only reason - the accusations would remain, they

would still be watched," Martynov explained to Forum 18 in Moscow on 10 October. "But they want justice."

Internal government documents have revealed that moves against Jehovah's Witnesses and readers of the works of Muslim theologian Nursi are co-ordinated at a high state level. Both Jehovah's Witnesses and Nursi readers have been targeted in ways that suggest that their believers and communities are closely watched by the police and FSB security service - both within and outside their communities.

Blast hits village mosque in Kabardino-Balkaria

Interfax (18.10.2013) - An explosion ripped through a village mosque in the Baksan District of Kabardino-Balkaria in Russia's North Caucasus early on Friday morning, apparently causing fatalities, a regional police spokesman told *Interfax*.

"An unknown explosive device was detonated in the village mosque, located at an intersection of Gagarin and Kokov Streets in the village of Dugulubgei in the suburbs of Baksan, at 3:20 a.m. Moscow time on Friday," he said.

The dead bodies found at the site of an explosion apparently belong to the persons who tried to plant an improvised explosive device in the village's mosque.

"The dead bodies of two men torn apart presumably by the explosion were discovered at the scene. A Kalashnikov assault rifle was found nearby. It has been established that the weapon has been missing since an attack on traffic police officers in the republic's Baksan District," he said.

The preliminary information available suggests that these two men, whose identities are yet to be established, were transporting the bomb, the spokesman said.

He did not rule out that "this terrorist attack had been plotted by militants."

The explosive device contained the equivalent of more than one kilogram of TNT.

An investigation is underway.

What's wrong with "extremist" Koran translation?

Forum 18 (01.10.2013) - The translation of the Koran ruled "extremist" by a low-level Russian court on 17 September is essentially no different from other widely accepted translations into Russian, Forum 18 News Service has found. A specialist on Islam at the Centre for Ethnopolitical Studies within the Russian Academy of Sciences, Akhmet Yarlykapov, is personally acquainted with the text's translator, Elmir Kuliyeu. "He doesn't give the impression of an extremist-minded person," Yarlykapov commented to Forum 18 on 29 September, "and there's nothing extremist in his works or translation, either."

Also ordering the work's destruction, the ruling against Kuliyeu's translation of the Koran was issued by October District Court in the Black Sea port of Novorossiisk. Russian Muslims are rushing to file appeals in the one month available.

Some Muslims and at least one non-Muslim scholar of Islam in Russia have welcomed the "extremism" ruling. Yet their objections to Kuliyeu's text – equally applicable to another translation they accept – suggest to Forum 18 that long-standing rivalries between Russian Muslim organisations may lie beneath state moves against Kuliyeu's work (see below).

According to the ruling – seen by Forum 18 – Kuliyeu's translation contains "statements about the superiority of Muslims over non-Muslims on the basis of attitude towards religion"; "negative evaluation of persons who have nothing to do with the Muslim religion"; "positive evaluation of hostile actions by Muslims against non-Muslims", and statements inciting Muslims to commit hostile and violent acts against non-Muslims. The ruling gives no concrete examples from the text, however.

Initially promising to put Forum 18 through to Judge Gennady Chanov – responsible for the October District Court ruling – on 26 September, his secretary later insisted that the judge "does not give comments".

"Crude violation"

The Council of Muftis - one of Russia's main Muslim organisations - is spearheading opposition to Chanov's ruling. "In banning the principal written source for the second largest number of religious followers in Russia, the District Court firstly crudely violates the Constitution of the Russian Federation and international norms on freedom of conscience," the Council argued in a 20 September public statement. "Secondly, it undermines Muslims' faith in Russian law, the Russian legal system and ultimately the fairness of the Russian authorities."

The same day, a representative of the All-Russian Muftiate – a rival to the Council of Muftis - defended the ruling against Kuliyeu's translation of the Koran to Interfax news agency. From a theological point of view, Farid Salman maintained, Kuliyeu's works "correspond with the views of the 'Salafi' school, not with Islam that is traditional for Muslims of Russia." The term "Salafi" here refers to Islamic purists, more commonly known in Russia as "Wahhabis".

Roman Silantyev, a specialist on Islam in Russia and vice-chair of the Justice Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis, echoed that Kuliyeu's translation of the Koran was "pro-Wahhabi". "Nobody is banning the Koran itself, and this is not an attack on Islam at all," he insisted to Rossiiskaya Gazeta newspaper on 21 September. "Rather, it is the latest blow to the Council of Muftis (..) Other Muslim organisations - the All-Russian Muftiate, for instance - have many questions about translator Kuliyeu."

Long-standing rivalry

Silantyev further noted that the Russian translation of the Koran by Valeriya Porokhova has become widely accepted in Russia. Salman of the All-Russian Muftiate and Mufti Talgat Tadzhuddin of the Central Muslim Spiritual Board – another of Russia's main Muslim organisations - wrote to the Interior Ministry's Counter-"extremism" Department in May 2013 suggesting that some Islamic literature - including Porokhova's translation of the Koran - be protected from "extremism" rulings, Interfax reported. Silantyev also signed their proposal.

While long-standing rivals, Tadzhuddin – a top Soviet-era Muslim leader - and Mufti Ravil Gainutdin – Council of Muftis chair - still represent "establishment" Islam in Russia, Forum 18 notes. At a February 2012 round table in the run-up to Vladimir Putin's return to the presidency, Tadzhuddin told Putin the country had been preserved thanks to the

Almighty and "with your direct involvement". Gainutdin followed by assuring presidential candidate Putin that "Muslims trust you and wish you success".

The All-Russian Muftiate is a newcomer to competition between Russian Muslim organisations, although Farid Salman previously had a long career with Tadzhuddin's Central Muslim Spiritual Board. Soon after the Muftiate's foundation in late 2010, it called for the Council of Muftis' activity to be stopped for causing "considerable damage to the security interests of the country" and seeking "incitement of interethnic and inter-confessional discord and war", Interfax reported.

False claims?

In his 21 September 2013 Rossiiskaya Gazeta comments, Silantsev directed readers to the website Antiwahhabizm.ru where "you can find a whole lecture asserting that Kuliiev's translation is pro-Wahhabi." Viewed by Forum 18, the anonymous "Rebuttal of Elmir Kuliiev" lecture on the website accuses Kuliiev of "monstrous heresy", such as by maintaining that Allah sits on a throne and has a face, whereas "all Muslims know that Allah lies beyond space".

In support of this, the speaker cites numerous points in Kuliiev's translation of the Koran, such as ayat [Koranic verse] 20.5: "Milostivyi voznessia na Tron (ili utverdilsia na Trone)" - literally, "The Gracious One has ascended to the Throne (or is established on the Throne)". Another contested translation is of ayat 28.88: "Net bozhestva, krome Nego! Vsiakaia veshch pogibnet, krome Ego Lika" - literally, "There is no god but He! Everything will perish except His Face."

Here, Forum 18 found Kuliiev's translation to be close to English translations of the Koran, such as the widely accepted 1930s text by Indian Islamic scholar Abdullah Yusuf Ali: "(God) Most Gracious is firmly established on the throne"; "There is no god but He. Everything (that exists) will perish except His own Face." On making three further, similar comparisons, Forum 18 found that Ali's translation also uses terms recalling physical attributes, claimed by Kuliiev's opponents to be "Salafi/Wahhabi" (although Islamic purists would be expected to do the opposite).

Forum 18 also found Porokhova's Russian translation of the Koran – defended by Kuliiev's critics - to use the same or similar terms. The ayats above, for example, are translated as: "The Gracious One is He Who is established on the throne" ["(Sozdatel) Miloserdnyi – Tot, Kto utverdilsia na prestole"] and "Apart from Him there is no other god; everything will perish except His face" ["Krome Nego – inogo boga net; Vse gibnet, krome Ego lika"].

In all cases, the Antiwahhabizm.ru lecture's objections to Kuliiev's translation centred upon the use of descriptive language. It did not suggest – as in most other cases familiar to Forum 18 – that criticism of other religions or non-Muslims equals "extremism".

Ravil Tugushev - a Muslim lawyer based in the town of Marx (Saratov Region) who has lodged an appeal against the Novorossiisk ruling - told Forum 18 that he has also compared Kuliiev's text with Porokhova's and three other popular Russian translations by Gordi Sablukov, Magomed-Nuri Osmanov and Ignaty Krachkovsky. Tugushev found "no special differences between them," he remarked to Forum 18 on 25 September.

Out of context

Tugushev also told Forum 18 that the Novorossiisk ruling might centre on ayats taken out of context that are typically cited in criticism of the Koran: "But of course I can't say

exactly until I am acquainted with the case material." Presuming his appeal is accepted, he reckoned that this would not be heard until after 17 October.

Russia's counter-"extremism" policy has already banned religious texts regarded as classics, but which contain ideas many modern readers would not share. Ruled "extremist" by two low-level courts in 2012, for instance, an-Nawawi's 13th-century collection of 40 hadiths [sayings attributed to the Islamic Prophet Mohammed] defends the idea that a person should be killed "who forsakes his religion and separates from the community". Such sentiments are clearly incompatible with freedom of religion or belief, but Forum 18 notes that they may be found in various historical texts written from many religious and non-religious standpoints.

Whatever way Kuliyeu's translation of the Koran is interpreted, Forum 18 has found its potentially controversial parts to closely resemble other translations, including Porokhova's. For example, she translated ayat 9.5 as "Kogda zh zapretnye chetyre mesiatsa prout, to ubivaite mnogobozhnikov nevernykh vezde, gde b vy ikh ni nashli" - literally, "When the forbidden four months have passed, then kill the polytheists wherever you find them". Kuliyeu's translation is practically identical ["Kogda zhe zavershatsia zapretnye mesiatsy, to ubivaite mnogobozhnikov, gde by vi ikh ni obnaruzhili]. Abdullah Yusuf Ali's translation suggests they are close to the original: "But when the forbidden months are past, then fight and slay the Pagans wherever ye find them."

Even though Kuliyeu's translation so clearly resembles its peers, some Russian state representatives appear susceptible to claims that perceived theological errors in a translation amount to "extremism", however. Shortly after the Novorossiisk ruling was announced, Forum 18 suggested in a 20 September interview with Rashit Rafikov, the official dealing with religious affairs in Siberia's Krasnoyarsk Region, that it was a negative example of Russia's counter-"extremism" policy. "It's hard for me to judge," Rafikov replied. "When some people who are not specialists translate sacred texts, that won't do (..) I don't recommend Muslims acquiring some translations, as they diverge from what is orthodox, correct. There should be certain norms when translating sacred texts."

Objection to ban of Russian Quran

United Ecclesiastical Board of Muslims of Krasnoyarsk adopts official statement on ban of translation of holy Quran

Musulmane Rossii (30.09.2013) - Muslims of Krasnoyarsk territory are upset with the decision of the October district court of the city of Novorossiisk which banned the idiomatic translation of the Holy Quran into the Russian language by Elmir Kuliev. As the press service of the United Ecclesiastical Board of Muslims of Krasnoyarsk Territory [EDUMKK—Edinoe Dukhovnoe Upravlenie Musulman Krasnoyarskogo Kraia] reported, the muftiate has received numerous phone calls and letters from outraged Muslims with the demand to protest the decision of the court. In connection with this, the presidium of EDUMKK adopted an official statement requesting that the case be returned for additional review observing all procedural rules and that the decision of the court of Novorossiisk be rescinded.

"The prohibition of the internationally recognized translation of the Holy Quran by Elmir Kuliev is a monstrous mistake, demonstrating the incompetence of agencies that are making such hasty decisions without appropriate preliminary investigation and without

the participation of interested persons. Such a practice in Russia of prohibitions of authoritative Muslim religious works in recent years unfortunately has acquired a regular character, which in turn may become the cause of inflaming inter-ethnic and inter-confessional strife in Russia," the text of the statement notes.

The authors of the statement express the hope that higher judicial instances will rescind the decision of the Noorossiisk court that violates the constitution of RF.

As the chairman of EDUMKK, Mufti Hazrat Gaiaz Fatkullin, notes "the prohibition of literature of such a level, especially a translation of a sacred text, is the sphere of the constitutional field and is a precedent for the prohibition of sacred texts of any of the world religions."

"In the situation that has arisen one sees the shadow of an epoch that ended in the 1990s. It is the 21st century, but everywhere in Russia religious literature is being prohibited without conducting any serious investigations and without the participation and recommendations of specialists in the areas of Islam and religious studies. Since in absolutely any religion there exists the superiority of its followers over representatives of other confessions, then this principle could prohibit the sacred texts of any of the world religions," the mufti emphasized. (tr by PDS, posted 30 September 2013)

See as well: <http://www.reuters.com/article/2013/09/20/us-russia-koran-idUSBRE98J0YW20130920>

Mormons accused of aiding CIA

Novgorodians ask governor to protect them from Mormons

Interfax-Religiia (30.09.2013) - Residents of a large apartment building in Veliky Novgorod where adherents of the Church of Jesus Christ of Latter-day Saints (Mormons) are based have asked the authorities to intervene in the situation. "We ask you to take action against attempts by the totalitarian destructive sect to base itself in our building, several dozen meters from the administrative building of Novgorod province and municipal school No. 2," says a letter from more than 60 residents to the governor of Novgorod province, Sergei Mitin, a copy of which Interfax-Religiia received on Monday.

As noted in the letter, the organization of Mormons has been designated by experts as "a destructive cult." "It also is known that this organization cooperates with the Central Intelligence Agency of USA. In particular, leaders of the Mormons have been arrested by agents of FSB of Russia on the territory of military installations of the Ministry of Defense of RF" the Novgorodians declared.

In turn, a letter to the head of the Department of Education of the region, Anatoly Osipov, noted that a private entrepreneur had rented to the Mormons space in the residential building at 6/13 Liudogosh St. The Novgorodians fear the enticement of their children into this sect.

They quoted a former deputy minister of education of RF, Elena Chepurny, who designated Mormons as "a foreign sectarian society," that "uses religious cover and educational and cultural initiatives to create a far-reaching administrative structure that helps them gather social, political, economic, military, and other information about what happens in Russia and to inflame separatist moods."

"We ask you to respond to the situation and to protect our children from the destructive influence of the sect," the letter says. (tr by PDS, posted 30 September 2013)

HRWF Footnote: This hate speech against Mormons has been largely publicized for years in Russia by Alexander Dvorkin, vice-president of FECRIS (European Federation of Research and Information Centers on Sectarianism). See the book "Freedom of Religion or Belief: Anti-Sect Movements and State Neutrality/ A Case Study: Fecris) p 282, published by the University of Dresden: "*Mormons are a huge international business corporation that operates under the guise of a religious organization. Moreover, we can recall several instances when American Mormon missionaries were spotted on the territory of secret military facilities. Their interest in Chelyabinsk region is completely understandable as there are many secret and sealed facilities there. Mormons are a danger on both the state and personal level, as their rites affect psyche. We know that Mormons organize secret occult rituals where they grossly abuse the memory of our Orthodox ancestors.*" (26 August 2009, Chelyabinsk City)

Meeting of the Independent Expert Council

Summary of the 25 September 2013 meeting

Independent Council of Religious Experts in Russia (25.09.2013) - In a round table discussion on 25 September 2013, experts from the Independent Council of Religious Experts, formed by the "ReligioPolis" Center for Religious Studies, discussed several cases and current issues connected to the performance of religious and composite judicial expert studies regarding religious associations registered by the RF Ministry of Justice, and reached the following conclusions.

1. Cases for the judicial and administrative prosecution of religious associations that are officially registered on the territory of the Russian Federation and that do not violate RF legislation are arranged under hollow pretexts, based on conclusions written by experts who are unqualified in the scientific field of religious studies and who often find indicia of actions that damage the welfare and stability of society and the fundamentals of the political system. Religious organizations that are recognized by the state and that carry out their activity in accordance with the provisions of their registered charters have the right to count on the government's ensuring their lawful rights and guarantees of religious freedom.
2. Unprofessional expert studies, the texts of which use language and forms that often contravene the Federal Law on Freedom of Conscience and Religious Associations (dated 26 September 1997, No. 125-FZ) and result in violations of the principles of religious freedom, are becoming widespread in the modern Russian legal system. This creates a negative image of the Russian legal system as a whole. This practice is most frequently used regarding the religious literature and activity of religious associations of Jehovah's Witnesses and the Church of Scientology of Moscow. Equally revealing have been cases regarding other organizations, for example, the International Society for Krishna Consciousness (ISKC) (proceedings in Tomsk regarding the book *Bhagavad-Gītā As It Is*, considered to be a holy book by believers, inasmuch as it contains commentary by the founder-acharya of the ISKC, Swami Prabhupada) or Islamic religious organizations for which the holy book is the Koran (decision of the Oktyabrskiy District Court of the City of Novorossiysk dated 17 September 2013 to ban Elmir Kuliev's paraphrased translation of the Koran in the Russian language). As a result of courts using such expert studies, several religious publications of Jehovah's Witnesses, including the periodical *The Watchtower*, which discusses and comments on Biblical texts, have been entered into the Federal List of Extremist Materials under the Ministry of Justice (as of 19 September 2013 the growing list includes 2,058 entries). Individual works of L. Ron Hubbard—the founder

of dianetics and Scientology—are also on this list. These publications are considered sacred by his followers, the Scientologists. A more recent example of this is the conclusion of the Expert Council for Performing State Religious Expert Studies under the Moscow Main Directorate of the Ministry of Justice of the Russian Federation dated 22 July 2013, which challenges the status of the Church of Scientology of Moscow as a religion. The conclusion does not present a single legally valid or scientifically sound argument to support such a position. Furthermore, the content of the expert conclusion creates the impression that the authors are not at all familiar with the particulars of the Church of Scientology or its teachings or ceremonies, have never attended its meetings or associated with its adherents, and, in essence, do not know or understand the subject of their examination. This practice is unacceptable, distorts the truth, and hinders the administration of justice in the Russian Federation, which officially claims to be a law-governed state.

3. Religious texts and publications that are considered sacred by religious organizations registered in Russia are not subject to expert study to determine whether they contain calls to extremism and other unlawful actions.^[1] Religious literature for prayer and the religious and personal use of believers may be studied for compliance with sacred texts, but only with the participation of qualified experts from the scientific community of religious studies. Other religious literature published outside the sphere of activity of religious organizations can be studied to determine whether it contains elements that are improper from the standpoint of the law, but only if a religious expert participates in the expert study.

4. Whether as part of a composite judicial expert study or as a separate study, a religious expert study must be performed only by specialists in the field of religious studies who know and understand the religious particulars of the specific religions being studied, that is, by scientists who specialize in the field of religious studies and who have work experience, the appropriate degrees, and have written publications in that field. Expert studies and conclusions prepared by persons who are not specialists or who represent a religion (denomination or religious organization) may not be used by administrative, law-enforcement, and judicial institutions as grounds for a case.

5. A religious expert study must meet the requirements set out in Attachment 1 to the Decree of the Ministry of Justice of the Russian Federation on State Religious Expert Studies dated 18 February 2009 No. 53. Religious study is a science, meeting all the criteria of a scientific field. Consequently, a religious expert study must not be unscientific, much less antiscientific, and the expert performing it must be guided by the scientific principles of verifiability, falsifiability, objectivity, rationality, methodology, veracity, consistency, variability of parts, intersubjectivity, and axiological neutrality. Only if this condition is met can an expert conclusion be objective in nature and be used by a court as one of the grounds for rendering a judicial decision.

In view of the foregoing, the Independent Council of Religious Experts recommends calling the attention of the Prosecutor General's Office of the Russian Federation, the Ministry of Internal Affairs of the Russian Federation, the FSB, the Ministry of Foreign Affairs of the Russian Federation, the Ministry of Justice of the Russian Federation, and the Presidential Administration of the Russian Federation to the following:

The impermissibility of the current practice of examining sacred books of religious associations recognized in Russia to determine if they are extremist, since such actions offend the religious sensibilities of believers and create an atmosphere of distrust toward the state agencies that made the decision to register these religious associations

The need to stop the current practice of using religious expert studies performed by unqualified individuals as the basis for judicial decisions, since this facilitates the profanation of justice and creates the risk of damage to the welfare of society and the fundamentals of the political system.

Attachment to the Conclusion

^[1] A list of texts considered sacred by religious associations registered in Russia by the RF Ministry of Justice is presented in the Attachment to this document.

Sacred Books of Religious Associations Registered in the Russian Federation

Name of the religious movement	Sacred books
Russian Orthodox Church	Bible
Russian Orthodox Autonomous Church	Bible
Russian Orthodox Church Outside of Russia	Bible
True Orthodox Church	Bible
Free Russian Orthodox Church	Bible
Ukrainian Orthodox Church (Kiev Patriarchate)	Bible
Old Believers, including:	
Russian Orthodox Old-Rite Church	Bible
Old Orthodox Church	Bible
Pomorsky Old Believers	Bible
Fedoseev Persuasion	Bible
Other persuasions	Bible
Roman Catholic Church	Bible
Greco-Catholic Church	Bible
Armenian Apostolic Church	Bible
Islam	Koran
Buddhism	Tripitaka (Three Baskets), Kangyur, and Tengyur (Tibetan Buddhism)
Judaism, including:	
Orthodox	Tanakh
Modern	Tanakh
Evangelical Christians-Baptists	Bible
Christians of Evangelical Faith	Bible
Evangelical Christians	Bible
Evangelical Apostolic Christians	Bible
Christians of Evangelical Faith (Pentecostals)	Bible
Full Gospel Church	Bible
Evangelical Christians (Abstainers)	Bible
Seventh Day Adventists	Bible, writings of E. G. White
Lutherans, including:	Bible
Evangelical Lutheran Church	Bible
United Evangelical Lutheran Church in Russia	Bible
Church of Ingria	Bible
Other Evangelical Lutheran churches	Bible
New Apostolic Church	Bible
Methodist Church	Bible
Reformed Church	Bible
Presbyterian Church	Bible
Anglican Church	Bible
Jehovah's Witnesses	Bible
Mennonites	Bible
Salvation Army	Bible
The Church of Jesus Christ of Latter-Day Saints (Mormons)	Bible, Book of Mormon, <i>Doctrine and Covenants</i> , Pearl of Great Price
Unification Church (Moon's)	Bible, writings of [Sun Myung] Moon, Divine Principle

Church of Mother of God Derzhavnaya	Bible
Molokans	Bible, especially the New Testament
Doukhobors	Bible, The Living Book
Church of the Last Testament	Bible, writings of Vissarion (S. Torop), Last Testament
Christian Judaizers	Bible, especially the Old Testament
Nondenominational Christian churches	Bible
Church of Scientology	Writings of L. Ron Hubbard, except for his artistic works
Hinduism	Vedas, Upanishads, Puranas, Bhagavad Gita, Mahabharata, Ramayana, Dharmasutras, Dharmashastras
Krishna Consciousness (Vaishnavism)	Bhagavata Purana, Bhagavad Gita, Ramayana, Mahabharata, <i>Bhagavad-Gītā As It Is</i> (commentary by the acharya A. C. Bhaktivedanta Swami Prabhupada), Shri Chaitanya Charitamrita, The Nectar of Instruction, The Nectar of Devotion, Chaitanya Bhagavata, Chaitanya Mangala, Shri Vidagdha Madhava, Shri Lalita Madhava
Baha'í Faith	Kitáb-i-Aqdas
Tantrism	Tantra, Agama
Daoism	Tao Te Ching, Zhuangzi
Assyrian Church	Bible, The Prayer of Righteous Ephrem
Sikhs	Adi Granth
Copts	Bible
Shamanism	-
Karaite	Old Testament
Zoroastrianism	Avesta
Spiritual Unity (Tolstoyan)	The Gospels, and other portions of the Bible
Living Ethics (Roerich Movement)	Living Ethics, Agni Yoga
Pagan teachings	Book of Veles
Other religions	-

Misuse of anti-extremism law in August 2013

Sova Center (13.09.2013) - The following is our review of the primary and most representative events in the misuse of Russia's anti-extremist legislation in August 2013.

Criminal prosecution

In August we recorded reports of active persecution of Muslims who study the works of Turkish theologian Said Nursi. We remind readers that we consider the ban on Nursi's works – and on the literally non-existent organization Nurcular, which Russian law enforcement allege is made up of Nursi's followers – to be illegal. The ban on this phantom organization serves as a pretext for the initiation of criminal charges under Article 282.2 of the Criminal Code (the organization of and participation in the activities of an extremist organization) on people against whom there is no evidence of participation in socially dangerous activities.

In mid-August, the Oktyabrsky District Court of Novosibirsk denied local imams Ilkhom Merazhov and Kamil Odilov the right to appeal a May 2013 magistrate court's sentence against them under Part 1 of Article 282.2. They are alleged to have organized activities in association with Nurcular.

In late August a St. Petersburg magistrate's court sentenced Shirazi Bekirov under the same article to six months in a penal colony on charges that he organized religious meetings in order to study Nursi's works.

In early August we became aware of raids on the residences of eight Krasnoyarsk Muslim women, in the course of which banned books by Nursi were seized. One of the women was criminally prosecuted later in the month on charges stemming from the raids on allegations that she was organizing a Nurcular "women's cell" studying texts by Nursi and bringing women to a Tatarstan madrassa.

Criminal charges under the same article were also levied against a resident of the Rostov region named Ismailov after it was alleged that he was organizing a group for Azerbaijanis to study banned texts by Nursi.

Other Muslims face persecution under Part 1 of Article 282.2 in relation to the activities of the banned religious group Tablighi Jamaat, which is known to be non-violent. As such, in early August, a Kansk magistrate's court sentenced one Kabylbek Alyev to a fine of 100,000 rubles (about \$3). Alyev was accused of organizing a local Tablighi Jamaat chapter and holding meetings with the purpose of studying religious literature including texts banned as extremist.

As for the unregistered Islamist political party Hizb ut-Tahrir, some of its Russian propaganda does contain signs of extremism, giving prosecutors basis to charge its supporters under Article 282.2. However, we believe attempts to formally accuse Hizb ut-Tahrir's members of plans to overthrow the sitting Russian government simply on the grounds that they generally support the establishment of a global caliphate are unlawful. In late August, Bashkortostan FSB agents raided the homes of several Ufa residents in connection with a criminal case filed under Article 282.2 of the Criminal Code. Nine individuals faced the confiscation of computers and religious literature in the raids, and later, four who had previously been suspected of involvement in Hizb ut-Tahrir were charged under Article 278 of the Criminal Code: the violent seizure of power. We remind readers that a trial on analogous charges is already underway in Chelyabinsk against Hizb ut-Tahrir members.

Jehovah's Witnesses have so far managed to avoid criminal prosecution on extremism charges. In the beginning of August, the Akhtubinsky city prosecutor's office notified one Elena Grigorieva that criminal charges against her under Part 1 of Article 282 of the Criminal Code (incitement to religious hatred) had been closed, and that she had the right to "rehabilitation." Grigorieva was accused of "*publicly distributing among the residents of the Akhtubinsky area views and beliefs aimed at the humiliation of a group of persons on religious grounds, promoting the uniqueness and superiority of the religion promulgated by the Jehovah's Witnesses over other religions.*" Her house had been searched, after which she was forced to resign from her job. The case was returned to the prosecutor after the court pointed out serious irregularities in the investigation.

We learned in early August that the Investigative Committee of Sverdlovsk opened a criminal investigation on the same charges – Part 1 of Article 282, the incitement to hatred or hostility, and the humiliation of human dignity – into blog posts by Asbest Pentecostal Petr Tklich. Two 2006 texts in particular seem to be the source of the charges: both contain criticism of the Russian Orthodox Patriarchate and generally the attitudes of modern Orthodox believers, though they do not call for any actions that could be considered illegal. We remind readers that, according to the Resolution of the Plenum of the Supreme Court of the Russian Federation No. 11, *On Judicial Practice in Criminal Cases Involving Crimes of an Extremist Nature* (2011), "*the criticism of political organization, ideological and religious associations; political, ideological or religious*

beliefs; or national or religious practices in and of itself should not be regarded as an act aimed at inciting hatred or enmity." Tkalic's residence was raided and some of his property was sent for examination.

Charges under Part 1 of Article 282 were brought in another case, in mid-August, against Aleksandr Serebryannikov, the owner of the Bloger51, a public website devoted to problems in the Murmansk region (to which Serebryannikov also contributes). By virtue of its very purpose, Bloger51 is critical of the regional and municipal authorities. According to the Investigative Committee of Russia, the case against Serebryannikov was opened in connection with *"statements inciting hostility against a group of people united on the basis of religion."* The indictment refers to nationalist content in a paragraph about the murder in Moscow of Adil Nazim-Ogly Makhmudov, the former head of the Murmansk region's representative office in the capital. Serebryannikov claims that the text was placed during a hack of the website and was removed by an editor immediately after it was noticed. It is Sova's position that a criminal investigation is unnecessary in cases of the surgical removal of illegal information from a website. (...)

Administrative prosecution

Early in the month, the Oktyabrsky District Court of Belgorod fined a local resident 1,000 rubles under Article 20.29 of the Administrative Code (the dissemination of extremist materials) after he posted the book *On the Way to the Koran* on social network VKontakte. The book was banned in 2012 by two separate Russian courts – the Kuibyshev Court of Omsk and the Leninsky Court of Orenburg (which included it in a larger ban of 68 materials). We see the ban as unreasonable. The book contains no calls to violence, and anyway, the prohibition of religious texts on the grounds that the authors promote the uniqueness or superiority of their religion over others is illegal and pointless. As such it is our position that the Belgorod resident was fined unlawfully. (...)

Bans on extremist grounds and other government actions

Later in the month it was reported that at the request of a prosecutor in Kazan's Sovetsky district, a collection of manuscripts by Fayzrahman Sattarov, the leader of the banned group calling itself Fayzrahmanists, was banned on extremist grounds. The court considered testimony from linguistic, psychological and theological experts, concluding that the texts in question were aimed at *"creating a negative perception of other religious groups and an aggressive model of behavior towards them."* Experts testified that *"a number of the interpretations of religious norms as well as the form of creation and functionality of the religious group imposed by the texts do not correspond to classical notions of Islam, and are specific"* to the Fayzrahmanists. They also stated that the group's materials *"contain statements intended to incite hatred between people on the basis of their attitude to religion."* We note that the *"formation of a negative perception"* of another's religion and non-conformity to *"classical notions of Islam"* are not included in the definitions of extremist activity given in Russian statutes. On the question of whether the materials contained statements aimed at inciting hatred, we can only respond that in terms of *"aggressive behavior,"* the community has not been known to exhibit any. (...)

Compendium of recent persecution of Jehovah's Witnesses

Persistent problems of exercising freedom of religious confession by Jehovah's Witnesses in Russia

Administrative Center of Jehovah's Witnesses in Russia (12.09.2013) -

Illegal application of law "On combating extremist activity"

Criminal prosecution of believers

Although originally governmental agencies concentrated basic efforts on the religious literature of Jehovah's Witnesses, some Russian law enforcement agencies have begun also prosecuting individual citizens who profess this religion. Believers often are charged with planning or participating in extremist activity (articles 282, 282.1 and 282.2 UKRF). In the event of an unsuccessful appeal, these charges have entailed substantial fines or incarceration for a term of up to 4 years. At the present time, 8 investigative inquiries are underway and there also are six criminal cases being investigated in each of the Moscow, Orenburg, Sakhalin, and Volgograd provinces, as well as the republic of Karelia.

Taganrog (Rostov province): For the first time after the fall of the Soviet Union, Jehovah's Witnesses were charged in a criminal case merely for the fact that they are conducting their religious activity. The charges were issued against 16 believers, and their case is currently under consideration in court.

On 5 August 2011 V.V. Pustynnikov, the deputy chief of the department of the investigative department of the chief directorate of MVD of Russia for the Southern Federal District, issued an order for opening a criminal case with regard to unidentified persons for evidence of the crime provided for by part 1 of article 282.2 UKRF (planning activity of an extremist organization). In the opinion of the investigation, unidentified persons conducted activity of an organizational nature aimed at reviving and continuing activity of an organization that has been liquidated on the basis of accusations of extremist activity. This was the result of a decision issued by the Rostov provincial court on 11 September 2009 regarding the liquidation of the "Taganrog" local religious organization [MRO] of Jehovah's Witnesses.

On 25 August 2011 representatives of law enforcement agencies conducted massive searches in 19 homes of Jehovah's Witnesses in the city of Taganrog, during which Bibles and other nonprohibited religious literature, computers, and other personal items were confiscated. The searches began at 6:00 a.m. and continued for 8 to 11 hours.

On 4 February 2012 a criminal case was opened with regard to several believers in Taganrog on the basis of part 2 of article 282.2 UKRF for participation in an organization that had been liquidated on the basis of accusation of conducting extremist activity.

On 30 May 2012 a third criminal case was begun on the basis of part 4, article 150 of UKRF, allegedly for enticing minors into criminal activity.

Later these three cases were joined into one proceeding, and at the present time 16 believers are defendants. Four Jehovah's Witnesses are charged with organizing a criminal community on the basis of part 1, article 282.2 UKRF merely on the allegation that they are the elders in meetings and they conduct peaceful worship services. The other 12 persons, among whom are two women, are accused of participation in the activity of a criminal community on the basis of part 2, article 282.2 of UKRF simply for attending worship services.

On 12 April 2013 indictments were issued against the defendants and the case was sent to the Taganrog city court, which began its consideration on 30 May 2013. The judicial process is continuing.

Sergiev Posad (Moscow province). A new criminal case on evidence of the crime provided for in point "v", part 2, art. 282 UKRF (inciting hostility by an organized group) was opened in the city of Sergiev Posad.

On 12 April 2013 police officers and personnel of Center E were dispatched to a building where a divine worship meeting was in progress, and to apartments of two members of a

MRO of Sergiev Posad district. Immediately after the completion of the worship service, which 76 persons attended, police officers and personnel of the center for combating extremism (15 persons in all) entered the territory of the building where this worship service was going on. They stated that a criminal case had been opened and that a search would be conducted in the building. The intruders ignored the demand of a lawyer who was representing the owner and who informed them that the building was private property, and he would not permit them to enter.

Law enforcement personnel did not attempt to enter the premises through the main entrance. They entered the building through another entrance which was being used by believers while dispersing to their homes. At the same time the names and addresses of those who stayed in the premises were copied and a search of the building was conducted. Personnel of law enforcement agencies also seized all literature discovered at the scene of the search, including the book "Draw nigh to Jehovah" which had previously been ruled extremist. It was "discovered" under a stand. However at the end of March believers held a work day and there were no extremist publications in the building. In view of this, believers claim that the book had been planted.

In addition, on 12 April 2013, searches were conducted in homes of the chairman of the Jehovah's Witnesses MRO of Sergiev Posad district and a member of the committee of this MRO, Andrei Sivak. During these in the apartment of V. Stepaov there was "discovered" the book "Knowledge that leads to eternal life," which previously had been ruled extremist. Nevertheless, with complete assurance he affirms that this book was not in his home and thus he thinks that it was planted. Officers conducting the search confiscated religious literature, including nine different copies of the Bible, notebooks, computers, and electronic equipment.

On 15 April 2013 the Sergiev Posad city court of Moscow province ruled the search legal that had been conducted on 12 April in Andrei Sivak's home. On 4 July 2013 the investigator issued a ruling to dismiss the attorney defending Viacheslav Stepanov and Andrei Sivak. Believers turned to a different attorney requesting that he represent their interests during the continuing investigation.

Civil cases

On the basis of a decision of the Rostov provincial court of 11 September 2009 and also the decisions of courts in Gorno-Altai, Kemerovo, Salsk, and Krasnodar, 68 Jehovah's Witnesses' publications have been ruled to be extremist. These publications were entered into the federal list of extremist materials, which is published by the Ministry of Justice of RF. Of recent civil judicial cases the following may be distinguished particularly.

Cheliabinsk (Cheliabinsk province). On 27 December 2012 the prosecutor's office of Cheliabinsk province presented to the Traktorozavodsk district court of Cheliabinsk a declaration for finding 95 Jehovah's Witnesses' publications extremist.

First, in April 2010, a criminal case was opened. On 12 May 2010 law enforcement agencies confiscated religious literature during searches conducted in homes and in the workplaces of believers and their worship premises. These searches were conducted as part of an investigation of a criminal case on part "v" of part 2 of art. 282 of UKRF (inciting hatred or hostility along with demeaning of human dignity by an organized group). Despite that on 23 April 2012 the criminal case was closed, the prosecutor's office launched a new civil case.

Among 95 named publications that the prosecutor asked to find extremist were 40 issues of the magazine "Watchtower" and 35 issues of the magazine "Awake," which are published in hundreds of languages and distributed throughout the world. In his declaration the prosecutor relied entirely upon conclusions of a religious studies scholar

and psychologists. However the specialist in the area of religious studies, Sergei Sergeevich Loginovskii, did not indicate within the whole number of the above mentioned publication those statements that, in his view, are "extremist," and he did not even mention them in his conclusion.

On 14 May 2013 the Traktorozavodsk district court of Cheliabinsk began a review of this case. On 30 May 2013 the court learned of a criminal investigation conducted with respect to the religious studies scholar S. Loginovskii on article 280 of UKRF (public calls for conducting extremist activity). This specialist was dismissed from participation in the trial. It is noteworthy that it was personnel of law enforcement agencies of the Traktorozavodsk district of Chelibinsk who participated in disruption of worship services in sign language for deaf Jehovah's Witnesses on 16 April 2000. In the end, an appeal on the basis of that case was sent to the European Court for Human Rights. On 11 January 2007 the European Court issued a ruling on the case "Kuznetsov and others v. Russian federation" ruling that it was a violation of article 9 of the European Convention. Point 57 of this ruling by the European court notes: "It is undeniable that joint study and discussion of liturgical texts by members of the Jehovah's Witnses religious group is a recognized form of profession [by them] of their religion in conducting worship services and instruction."

Krasnoiarsk (Krasnoiarsk territory). In early April 2012 the prosecutor's office sent to the Soviet district court of the city of Krasnoiarsk eight similar declarations for finding eight Jehovah's Witnesses' publications to be extremist materials. The cases were heard in the very same court, but by four different judges on different dates. The defense repeatedly submitted petitions for joining all the cases into one proceeding, but each time the court denied this.

In the end the Soviet district court of Krsnodar left the declarations of the prosecutor without consideration with regard to four publications, and the remaining four publications were ruled extremist in January and February 2013. As a party to the case, the Administrative Center [of Jehovah's Witnesses] appealed these four illegal rulings in the Krasnoiarsk territorial court. On 29 April 2013 the Krasnoiarsk territorial court ordered a complex expert analysis with regard to three publication, and it left the decision of the lower court in place with regard to the fourth.

On 24 July 2013 the Krasnoiarsk territorial court overruled the decision of the Soviet district court with regard to two publications that had been examined by experts, and it left in force its decision regarding the third publication.

Birobidzhan (Jewish autonomous province). On 17 June 2013 the prosecutor of the city of Birobidzhan sent to the Birobidzhan court of the Jewish autonomous province a declaration regarding the actions of the Jehovah's Witnesses MRO of Birobidzhan and the religious organization "Administrative Center of Jehovah's Witnesses in Russia." The prosecutor requested that the court find the brochure "Good news from God" (published by Jehovah's Witnesses in 2012) to be extremist and to order its confiscation. As basis, the prosecutor presented the conclusion of specialists in the areas of psychology and linguistics. This conclusion had been prepared on the basis of an inquiry by the directorate of FSB for the Jewish autonomous province.

In conversation with the judge on 5 July 2013 the prosecutor declared his intent to expand the request and to ask for finding other Jehovah's Witnesses publications to be extremist also.

Matveev Kurgan (Rostov province). On 4 June 2013 the Matveev Kurgan district prosecutor sent to the Matveevo-Kurgan district court a declaration for finding eight brochures of Jehovah's Witnesses to be extremist materials. As the basis, the prosecutor referred to the conclusions of a psychological linguistic analysis conducted in 2012 by

specialists of the Southern District Center of Forensic Expert Analysis of the Ministry of Justice of Russia by order of the investigator of the Investigative Committee for Rostov province. Eight publications had been confiscated in August 2011 during a search of the residence of a Jehovah's Witness. The investigative agencies conducted three examinations which each ended in a failure to open a criminal case with respect to five Jehovah's Witnesses. Despite that all these rulings were annulled, on 18 July 2013 the district court began a review of the case.

Kemerovo (Kemerovo province). On 30 May 2011 the Zavod district court of the city of Kemerovo granted the declaration of the prosecutor for finding two Jehovah's Witnesses' publications extremist. Persons whose interests were touched by this case were not summoned to participate in this judicial proceeding: the author, publisher, distributors, and readers. The judicial decision was sent to the Ministry of Justice, and the religious publications were entered into the federal list of extremist materials. As soon as news of this decision appeared in news media, persons whose rights were affected appealed. On 15 February 2011 the Kemerovo provincial court annulled the decision of the district court on the basis that persons whom it affected (author, publisher, distributor, and readers) were not summoned to participate in the case. The case was returned to the district court for a second consideration.

From that time, the presence of the publications in the federal list of extremist materials was illegal. Therefore a letter with a request to remove the brochures from this list was sent to the Ministry of Justice. However the Ministry of Justice refused to do this, referring to the fact that the court had not issued a decision specifically on this matter and the case was still not concluded. At the present time, review of the case is continuing, and the religious brochures have been on the federal list about a year and a half in the absence of a judicial decision ruling them "extremist."

On 17 December 2012 the district court ordered the conduct of an expert analysis of the indicated publications by the linguist M. Osadchii of the Kemerovo State University. Linguist M. Osadchii had already given a negative expert conclusion on this and other publications of the Jehovah's Witnesses. The defense requested his exclusion.

On 9 July 2013 the Kemerovo provincial court nullified the determination of the district court ordering the expert analysis and again sent the case to the same court of the first instance for resolution of the question of the ordering of an expert analysis.

Tver (Tver province). On 12 December 2011 the prosecutor for Volga district of the city of Tver sent to the Central district court of Tver a declaration for finding the books "Learn from the Great Teacher" and "Reasoning with the aid of scriptures," published by Jehovah's Witnesses, to be extremist.

On 1 February 2012 the court stopped the proceedings on the case with regard to finding the book "Reasoning with the aid of scriptures" extremist. However on 12 April 2012 the Tver provincial court rescinded this determination and sent the case for review in the Central district court of Tver. On 21 June 2012 a judicial investigation was begun again in connection with the appointment of a new judge, since the prior judge retired. The court summoned Valentina Fomushkina to participate in the trial, as the above mentioned books belonged to her.

On 27 August 2012 a judge of the Central district court of Tver left the prosecutor's declaration without review, pointing out that the argument dealing with V. Fomushkina's rights should be considered as a lawsuit proceeding. On 13 November 2012 the Tver provincial court annulled the determination of the Central district court of Tver, pointing out that this case did not deal with V. Fomushkina's rights to religious books and thus it should be continued in accord with the prior procedure, as a special case.

On 20 December 2012 a judge of the Central district court of Tver, on his own initiative, ordered an expert analysis of the indicated books, entrusting its conduct to three specialists of the Tver State University. The parties appealed the order of the expert analysis in Tver provincial court, which on 26 March 2013 left this determination in effect. The expert conclusion was prepared.

On 27 June 2013 the court denied the prosecutor's request, referring among other things to the resolution of the PACE [Parliamentary Assembly of the Council of Europe] regarding the inapplicability of antiextremist legislation to Jehovah's Witnesses. (See the quotation in the conclusion of this document.)

Uspenskoe (Krasnodar territory). On 14 February 2012 the Uspenskoe district court of Krasnodar territory issued a decision ordering a psychological linguistic expert analysis of yet another religious book of Jehovah's Witnesses, "We witness reasonably about the Kingdom of God." On 2 May 2012 an expert institution prepared a positive psychological linguistic expert analysis. However on 6 June 2012 the court granted the petition of the prosecution for ordering a second expert analysis by a different expert institution, the FBU Southern Regional Center for Forensic Expert analysis of the Russian Ministry of Justice, whose expert conclusion served as the basis for a decision of the Rostov provincial court that found 34 Jehovah's Witnesses' publications extremist.

On 14 March 2013 a positive expert conclusion was prepared. On 6 May 2013 the prosecutor changed his request and asked the court to find the publication extremist on a different basis. On 17 June 2013, despite a complaint on the part of the defense, the judge granted the prosecutor's petition for questioning a local Orthodox priest, Alexander Shmigelskii of the Holy Dormition parish of the village of Uspenskoe. This cleric stated that after reading the book "We witness reasonably about the Kingdom of God," he immediately understood that it incites religious strife. At the same time, A. Shmigelskii did not produce any specific example and quotation from this publication.

On the basis of A. Shmigelskii's testimony it was clear that the prosecutor had sent the book to him for expert analysis, although he does not possess special knowledge and is not acquainted with members of the local religious organization of Jehovah's Witnesses or with the activity of Jehovah's Witnesses as a whole.

The Uspenskoe district court also admitted to the case the research conclusion of Marina Shakhbazian, who moonlights as a prorector for science at the Ekaterinodar Ecclesiastical Seminary.

On 19 June 2013, the Uspenskoe district court found the publication in question to be extremist.

Difficulties in construction of houses of worship

Jehovah's Witnesses continue to face difficulties in acquiring parcels of land for construction of their houses of worship. In many cities they often have submitted applications for allocation to them of such parcels, explaining that they intend to carry out the construction at their own expense. Despite this, local bureaucrats have refused to accommodate them. For example, the local Jehovah's Witnesses religious organization in the city of Kazan (republic of Tatarstan) has not succeeded in getting land over the course of ten years, during which believers have continued to appeal unsuccessfully to local authorities in order to receive the possibility of building their own house of worship. There are about 700 Jehovah's Witnesses in Kazan. Jehovah's Witnesses in the city of Ufa (Bashkortostan), Gorodets (Nizhny Novgorod province), and other cities of Russia have experienced similar difficulties.

Obstruction of the conduct of worship services

In the first half of 2013, Jehovah's Witnesses have faced as previously problems in conducting their regular religious meetings and large annual worship services (congresses).

Even after the Constitutional Court of RF issued a ruling of 5 December 2012, six cases were begun regarding several Jehovah's Witnesses concerning administrative violations of law for failing to notify local authorities about the conduct of congresses or the most important event of the year for believers, the dinner commemorating the death of Jesus Christ. In the end, in five of these six instances, judges ordered holding believers administratively responsible in the form of fines.

Disruptions of weekly worship services of Jehovah's Witnesses

Moscow. On 2 July 2013 more than 20 personnel of the Center for Combating Extremism, the police, and the prefecture of the western administrative district of Moscow came to the "Setun" House of Culture, where a Jehovah's Witnesses service was in progress. The intruders interrupted the service and conducted a search of the premises. Along with the personnel of law enforcement agencies, reporters and film crews from several news media came into the hall. They recorded all the proceedings on video.

Personnel of the law enforcement agencies at first refused to state the goal and basis for such interference in believers' rights. But then they produced an order for conducting a search operation over the signature of A.A. Kuzin, deputy chief of UVD for ZAO GU MVD of Russia for the city of Moscow. The order prescribed conducting an inspection of the activity of Jehovah's Witnesses for the purpose of discovering indications of their propaganda of the superiority of their religion over others.

The commander of the group that arrived, Police Major Andrei Mishel, got onto the stage and announced to the approximately 150 believers that the worship service was over. Then he ordered the women and children to leave the room and all men, of whom there were about 40 in the room, to remain. Personnel of law enforcement agencies copied passport information, addresses, and phone numbers of those who remained. After this, five believers were taken for questioning at police department No. 9 of GUVd for Mozhaisk district of the city of Moscow for ZAO of the city of Moscow. At the police station, the attendant reported that an "order from above had arrived" regarding Jehovah's Witnesses.

During the search of the premises, personnel of the law enforcement agencies "discovered" publications that have been entered into the federal list of extremist materials. Believers are sure that these copies had been planted by them. During the incident, Police Major A. Mishel indulged in unfounded and insulting remarks to the believers, which were recorded on the video.

The indecent actions of personnel of the Moscow law enforcement agencies serve only as one more example of the blatant violation of the constitutional and other legislative guarantees of the rights of Jehovah's Witnesses to freedom of religious confession. In its ruling of 10 June 2010 on the case "Religious society of Jehovah's Witnesses in Moscow and others v. Russian federation," the European Court for Human Rights noted that Jehovah's Witnesses are "a well known Christian religion" and Russia must put an end to violations of their rights.

Interruption of annual worship services (congresses) of Jehovah's Witnesses

In 11 Russian cities obstacles were created for the conduct of peaceful, annual congresses of Jehovah's Witnesses. The cause of this was interference by representatives of the Russian Orthodox Church and FSB in the contracts of local religious organizations of

Jehovah's Witnesses with landlords. Information exists about a number of incidents where state agencies acted outside the bounds of the law and in violation of the rights of Jehovah's Witnesses.

Gorodets (Nizhny Novgorod province). On 21 May 2013 Jehovah's Witnesses sent to the head of the administration of Gorodets district, V. Trufanov, a request for renting the "Spartak" stadium for conducting an annual worship service (congress).

On 25 June 2013, V. Trufanov refused to grant the Jehovah's Witnesses' request. He reported that the request of the believers of this religion had been reviewed by the administration along with the archbishop of the Russian Orthodox Church. Judging by Trufanov's official answer, the main reason for the refusal was that "Gorodets is the spiritual capital of the north of Nizhegorod province, where the relics of 170 saints are preserved and to which every day hundreds of Orthodox pilgrims come."

Cheliabinsk (Cheliabinsk province). Jehovah's Witnesses planned to conduct an annual congress in "Congress Hall" in the city of Cheliabinsk on 26-28 July 2013. FSB personnel frequently tried to influence the owner of the premises so that he would refuse to rent to the believers, despite the signed contract. As a result, the service was broken up. Later, Jehovah's Witnesses learned that the city administration had sent an order to a number of governmental institutions of the city of Cheliabinsk ordering that they report any attempts by Jehovah's Witnesses to rent facilities. Believers have reported this incident to the presidential administration of the Russian federation, the plenipotentiary for human rights in RF, and the Russian State Duma.

Kazan (republic of Tatarstan). Jehovah's Witnesses planned to conduct an annual congress in the city of Kazan on 26-28 July 013. It was expected that this event would be attended by 5,000 believers. On 4 June 2013, Jehovah's Witnesses concluded a contract for renting a hall with a local company. However, on 17 July 2013, this organization suddenly notified Jehovah's Witnesses of a unilateral cancellation of the contract. From the notification it followed that there had arisen a need for bringing the premises up to new technical specifications of the Continental Hockey League and to prepare the palace for the hockey season. It was later learned that FSB agents, who were seeking a cancellation of the rental contract, put pressure on the management of the organization. In addition, the chief of staff of the apparatus of the president of the republic of Tatarstan sent orders to heads of municipal district to conduct "explanatory work" with the management of buildings in the socio-cultural and educational spheres "about the undesirability of providing . . . institutions for conducting religious events." Believers sent information about this incident to the Russian presidential administration, the plenipotentiary for human rights in RF, and the Russian State Duma.

Russian authorities have ignored orders of the European Court for Human Rights

"Religious society of Jehovah's Witnesses in Moscow and others v. Russian federation." As in the past, Russian authorities have ignored the ruling of 10 June 2010 issued unanimously by judges of the European Court in favor of the religious society of Jehovah's Witnesses in the city of Moscow. In accordance with this ruling, all conclusions of the Moscow Prosecutor's office regarding this religious society were found to be without foundation. The European court also pointed out that Russian authorities must "put an end to the violations proven by the European court, and remove their consequences in such a way that, to the extent possible, the situation existing before the violation is restored."

Already the Moscow society has tried frequently to undergo reregistration, but its efforts so far have not produced results. All declaration to courts on this matter have remained without satisfaction. On 30 May 2012, the religious organization "Administrative Center of

Jehovah's Witnesses in Russia" sent a letter to the Minister of Justice, Al Konovalov, requesting a resolution of this matter in accordance with the orders of the European court. Nevertheless, the religious society of Jehovah's Witnesses in the city of Moscow continues to be liquidated, and its activity is prohibited on the basis of national judicial act, which the European court considered to be illegal.

Since they have not been able to achieve reregistration of the liquidated society, Jehovah's Witnesses have submitted documents for registration of a new legal entity that represents their interests in Moscow.

Accusations that have been advanced with regard to the religious society of Jehovah's Witnesses in Moscow are identical with those that have been presented to Jehovah's Witnesses in Taganrog.

"Kuznetsov and others v. Russian federation." On 11 January 2007 the European Court for Human Rights issued a ruling on the case "Kuznetsov and others v. Russian federation" in which it condemned the interference of representatives of governmental agencies in the conduct of Jehovah's Witnesses' religious services. Despite the clearly enunciated position of the European court, Russian authorities have continued to violate the right of believers to conduct peaceful assemblies and the right to freedom of religion.

Other appeals by Jehovah's Witnesses against actions of Russian authorities that have still not been considered by the European court

Below are listed 20 appeals that have been submitted by Jehovah's Witnesses against the Russian federation and which at the present time are awaiting their consideration in the European court.

1. "Administrative Center of Jehovah's Witnesses in Russia and the Registered association 'Watchtower society and Jehovah's Witnesses Bible and Tract society' v. Russian federation," 21 November 2012, [Description] Censorship, cancellation of permit for distribution;
2. "Aliev v. Russian federation", 9 February 2011, Illegal disruption of assembly and confiscation of literature;
3. "Boltnev v. Russian federation," 3 January 2011, Illegal arrest and confiscation of personal effects and religious literature;
4. "Burenkov and others v. Russian federation," 8 February 2012, Interference in conduct of worship service, personal search and arrest of members of Jehovah's Witnesses congregation;
5. "Chavychalova v. Russian federation," 7 December 2010, Illegal search of residence and confiscation of religious literature;
6. "Cheprunov and Yheprunova v. Russian federation," 7 December 2010, Illegal search of residence and confiscation of religious literature;
7. "Chukan and others v. Russian federation," 5 January 2012, Ruling religious literature to be extremist;
8. "Fedorin and others v. Russian federation," 11 March 2011, Confiscation of religious literature and imposition of fine for its distribution;
9. "Gareev and others v. Russian federation," 10 January 2012, Illegal confiscation of religious literature;

10. "Golovko and others v. Russian federation," 10 January 2012, Illegal disruption of services and confiscation of literature;
11. "MRO 'Gorno-Altaiisk' and others v. Russian federation, 23 July 2010, Ruling religious literature extremist;
12. "Krupko and others v. Russian federation," 20 June 2007, Interruption by police personnel of meeting and supper of commemoration of death of Jesus Christ, 12 April 2006;
13. "Mardonov v. Russian federation," 3 January 2011, Confiscation of personal effects and religious literature and fine for its distribution;
14. "Martynenko and others v. Russian federation," 21 July 2011, Disruption of worship service by personnel of police, FSB, and OMON, who detained congregation all night. Denial of medical aid;
15. "Nabokikh and others v. Russian federation," 21 March 2011, Fine for organizing worship service;
16. "Novakovskaia v. Russian federation," 7 December 2010, Illegal search of residence and confiscation of religious literature;
17. "Shaikhiev and others v. Russian federation," 26 September 2012, Illegal search of residence and confiscation of religious literature;
18. "Taganrog MRO and others v. Russian federation," 1 June 2010, Ruling religious literature extremist, liquidation of MRO, and conversion of house of worship to state property;
19. "Zharinova v. Russian federation," 14 March 2012, Illegal detention by law enforcement personnel and confiscation of religious literature;
20. "Zinchenko and others v. Russian federation," 18 November 2011, Fine for organizing religious assembly.

Positive Incidents

On 6 June 2013 the European Court for Human Rights issued a ruling in favor of Jehovah's Witnesses V. Zhukova and E. Avilkina: Russian governmental offices violated the rights of these two women when they used their medical documents without having requested their permission. The court ruled that this was a violation of the fundamental right to privacy, which the European court characterized as "an especially important principle," guaranteed by the European convention.

The European court's ruling put an end to the judicial investigation that lasted five years. In 2007 an assistant prosecutor of St. Petersburg demanded that all medical institutions of the city report to the prosecutor's office "every incident of refusal of blood transfusion by Jehovah's Witnesses," without the notification or consent of patients. As a result, on 9 March 2009 Jehovah's Witnesses submitted to the European Court for Human Rights an appeal "Avilkuna and others v. Russian federation." The court ruled that the actions of the Russian authorities with respect to the declarers were unjustifiably harsh and it affirmed that there were no "relevant and sufficient reasons" for disclosure to employees of the prosecutor's office of confidential information about the declarers.

The European court required Russia to pay V. Zhukova and E. Avilkina 5,000 Euros each as compensation for damages.

The report of the plenipotentiary for human rights in the Russian federation for 2012 regarding the flagrant illegal application to Jehovah's Witnesses of the law "On combating extremist activity" says the following: "The practice of checking canonical religious literature for the existence in it of propositions and calls of an extremist type has become a complicated systemic problem. The 'champion' in terms of numbers of such inspections remains the Jehovah's Witnesses religious organization. For protection of their rights, adherents of this and some other confessions have often appealed to the European Court for Human Rights, which in just the last five years has made seven decisions that are, alas, not in Russia's favor."

In addition, the legal situation of Jehovah's Witnesses in Russia was noted by the Parliamentary Assembly of the Council of Europe in a resolution "On fulfillment by the Russian federation of its obligations and requirements," which was adopted on 2 October 2012. In this resolution the Parliamentary Assembly called Russian authorities:

"Henceforth not to apply the law 'On combating extremist activity' to any religious groups, especially Jehovah's Witnesses."

Jehovah's Witnesses in Russia have appealed to Russian authorities requesting immediate adoption of measures for protecting the freedom of religious confession of believers of any religion:

1. To apply the recommendations stated in the resolution of PACE to reject illegal application of the legislation on extremism with regard to the well known religious organization of Jehovah's Witnesses and to cease all cases and criminal proceedings regarding Jehovah's Witnesses, who are accused of conducting extremist activity;
 2. To exclude religious publications of Jehovah's Witnesses from the federal list of extremist materials;
 3. To register the congregation of Jehovah's Witnesses in Moscow and to permit believers to peacefully conduct their worship activity in accordance with guarantees provided by the constitution of RF and the Convention on Protection of Human Rights and Fundamental Liberties;
 4. To guarantee the protection of the rights of Jehovah's Witnesses to confession of their religious convictions individually and jointly with others in accordance with the guarantees provided by the constitution of RF and the Convention on Protection of Human Rights and Fundamental Liberties. This includes the right to own and to use buildings designated for worship activity as well as the right to rent facilities for conducting worship services;
 5. To secure the protection of the right of Jehovah's Witnesses to share their convictions with other people in accordance with guarantees provided by the constitution of RF and the Convention on Protection of Human Rights and Fundamental Liberties; and to hold liable all persons violating the law by attacking Jehovah's Witnesses at the time when they are sharing their convictions with others;
 6. To take measures for preventing incidents of future interference of law enforcement agencies in the exercise of the rights of Jehovah's Witness to peaceful and free confession of their faith and to freedom of assembly; and
 7. To guarantee the security of Kingdom Halls (houses of worship) of Jehovah's Witnesses and to hold liable all violators of the law who are guilty of committing acts of vandalism with regard to these buildings. (tr. by PDS, posted 5 October 2013)
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Court threatens Jehovah's Witnesses internet activity

Access to Jehovah's Witnesses' website banned in Tver

Religiia i pravo (12.09.2013) - A ban has been placed on the Jehovah's Witnesses' website. After an examination of posted materials, the website was placed on the list of extremist Internet sites, by decision of the Central district court of Tver.

The prosecutor of Tver province issued a declaration to the court for protection of the rights, freedoms, and legal interests of an undefined class of persons asking for finding the informational materials of the Jehovah's Witnesses religious organization, posted on their website, to be extremist. The prosecutor asked that the information contained on the website be found to be prohibited on the entire territory of the Russian federation.

As the reason for his requests the prosecutor indicated that on 24 April 2013 an examination of the website was conducted on the basis of authorization from the Center for Combating Extremism. As a result of the examination, it was established that on the specified website, the collection of "publications/books" contained materials, accessible for open viewing in electronic format, of the Jehovah's Witnesses religious organization, the printed versions of which had been ruled extremist and had been entered into the federal list of extremist materials.

These included specifically a book "What does the Bible really teach?", a book "Draw nigh to Jehovah" and a book "Come, follow me." It is an established fact that the dissemination in the electronic network of these materials represents a threat of inciting social, racial, national, and religious strife. In the judicial session the senior assistant prosecutor of Tver oblast supported the declared requests fully. Considering the submitted materials as a whole, the court came to the conclusion that the declaration of the prosecutor of Tver province should be granted in its entirety.

According to law, distribution of extremist materials and their production or possession for purposes of distribution are prohibited. Production, possession, or distribution of extremist materials is a violation of law, and it incurs criminal liability. According to the law, it is prohibited to distribute information that is aimed at promoting war or inflaming national, racial, or religious hatred and enmity, and any information for whose distribution criminal or administrative liability has been established.

As a result of a comparative examination by a specialist, a member of the department of Russian language of Tver State University, it was established that the materials posted on the Internet site are completely identical with materials that have been ruled to be extremist. The specialist's conclusion was not refuted in a manner established by law and no argument that the conclusion is impermissible evidence for this case was put forward.

In addition, according to a report from the directorate of the FSB for Tver province, on the Jehovah's Witnesses' website there also appear other informational materials that have been ruled in court proceedings to be extremist. This list includes the books "How can blood save your life?", "My book of biblical stories," and "What does God require of us?", and the informational materials of the "Watchtower" and "Awake." We note that on the basis of the court decisions in April 2010, the Federal Service for Monitoring Communications, Information Technology, and Mass Communication rescinded permission for the distribution on the territory of the Russian federation of the print publication "Watchtower."

Having listened to the participants and having examined the materials of the case, the court came to the conclusion that the materials have often been found to be extremist by

judicial proceedings, which is evidence of a persistent intention of the particular website to be an informational resource for distribution of information that inflames national, racial, and religious hatred and enmity. There also is a real threat of subsequent distribution of any extremist materials or other informational materials that are banned in the Russian federation.

By decision of the Central district court of Tver of 7 August, the declaration of the prosecutor of Tver province for finding the informational materials to be extremist is granted. The informational material of the Jehovah's Witnesses' religious organization is ruled to be prohibited information on the territory of the Russian federation.

As of the present moment, the decision has not taken legal effect, the press service of the Central district court of the city of Tver reports. Well, if so, there is still open access to materials that are forbidden on the territory of the entire Russian federation. Source: Tverigrad. (tr. by PDS, posted 12 September 2013)

Six-month "extremism" sentence for St Petersburg Nursi reader

Forum 18 (06.09.2013) - A St Petersburg court has sentenced Shirazi Bekirov, a reader of Islamic theologian Said Nursi, to six months in an open-regime prison, Forum 18 News Service has learnt. The 40-year-old Bekirov is the thirteenth Muslim in Russia known to have received a criminal sentence for reading Nursi's works.

The longest period any of those convicted is known to have spent in prison is nearly eight months.

A spokesperson for St Petersburg's Court No. 129, where Magistrate Natalya Romantsova issued the 28 August ruling, confirmed Bekirov's sentence to Forum 18 on 5 September. She was unable to say exactly how Bekirov's activity was "extremist", however, referring Forum 18 instead to the Criminal Code: "Read Article 282.2, Part 1. It's all described there."

Article 282.2, Part 1 punishes organising a banned "extremist" organisation with up to three years in prison. Law enforcement agents now routinely equate readership of Nursi's works with membership of the banned "extremist" organisation "Nurdzhular", which Nursi readers deny exists.

In Bekirov's case too, St Petersburg Public Prosecutor's Office maintained in a 28 August press release that his crime consisted of organising weekly gatherings devoted to the study of Nursi's works, supposedly the "ideological source" of "Nurdzhular".

Yet Forum 18 has found no connection between the few concrete (and unconvincing) reasons offered by Russian courts for banning Nursi literature as "extremist" – such as the theologian's reference to non-Muslims as "empty-talkers" – and the broader state allegations regarding "Nurdzhular".

Bekirov was arrested in St Petersburg on 3 March following a raid on his home by the FSB security service.

Time already served

In effect, Bekirov has already served his sentence, however. The St Petersburg court

spokesperson confirmed to Forum 18 that the 28 August ruling took into account his almost six months' detention since 3 March, meaning he was released on 2 September.

Bekirov looked "physically and morally in good shape" when he appeared in court in St Petersburg on 22 August, Sergei Mikhailov - a Moscow-based lawyer following this and similar cases - told Forum 18 on 31 August. This was after Bekirov consented to two weeks under observation at a psychiatric hospital earlier the same month, Mikhailov added: "He received a positive assessment."

Appeal fails

In its 15 August ruling seen by Forum 18, meanwhile, Novosibirsk's October District Court rejected appeals by Nursi readers Ilhom Merazhov and Komil Odilov against their one-year suspended prison sentences for organising "Nurdzhular" activity.

The pair will now submit a cassational appeal, and take their case to the European Court of Human Rights in Strasbourg if that fails, Mikhailov told Forum 18.

One of the state's allegations against Merazhov and Odilov was that they had sought "Islamisation of the region", Forum 18 notes.

Ironically, a slogan concurring with that view - "Stop Islamisation – stop terrorism!" - was ruled "extremist" by Moscow's Babushkin District Court on 4 June. It is now at No. 2032 on the Federal List of Extremist Materials, and is thus banned from distribution across Russia.

Case closed

In Chelyabinsk Region, the only "extremism" trial of Nursi readers previously known to be ongoing has been terminated because Chelyabinsk's Lenin District Court failed to secure a conviction within the required two-year period, Mikhailov, the lawyer, also told Forum 18. The Court's website confirms that the case was closed on 9 August.

This means that travel bans on the three accused - Farida Ulmaskulova, Gulnaz Valeyeva and Venera Yuldasheva – have been lifted, said Mikhailov. Ulmaskulova complained to Forum 18 in June that the bans were proving burdensome.

The case against the three women – alleging participation in "Nurdzhular" (Criminal Code Article 282.2, Part 2) and "incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity" (Criminal Code Article 282, Part 1) - was opened following police raids on their homes in August 2011.

Travel ban remains

In the western exclave of Kaliningrad, meanwhile, a travel ban remains in force against Nursi reader Amir Abuyev, lawyer Mikhailov – who visited Abuyev in late August – also reports. Unable to leave Kaliningrad Region, Abuyev has not seen his elderly sick mother in Dagestan for two and a half years, Mikhailov told Forum 18. His case has now been returned to investigators for further examination for a fourth time.

Extensive use of law enforcement resources with little apparent enthusiasm to secure convictions – as with long-running criminal investigations and/or "expert" analyses – is now "ubiquitous", Mikhailov – himself a former state investigator - suggested to February 2012.

No change

According to Mikhailov, there are no developments in the situation in Naberezhnyye Chelny (Tatarstan Republic), where two Nursi readers remain under house arrest and a third is under a travel ban. As in the other cases, the three stand accused of organising "Nurdzhular" activity under Article 282.2, Part 1.

Nor does there appear to be any development in Perm Region, where seven unidentified Nursi readers remain in detention since at least late May 2013 while an investigation continues under Article 282.2. A spokesperson for Volga Federal District's Interior Ministry – which opened the case – confirmed to Forum 18 on 5 September that the seven are still in detention, but refused to provide further details.

Nursi readers contacted by Forum 18 in various parts of Russia are unfamiliar with this case.

"Terrorists and extremists list"

Many of the Nursi readers – even those who have not been convicted of any "crime" – appear among the 2,611 names on the Federal Financial Monitoring Service's "list of terrorists and extremists (current)" as published on its website. Bekirov, Abuev, Ulmaskulova, Valeyeva, Yuldasheva, Merazhov and Odilov (both since at least February 2012) are all listed.

Forum 18 notes that the list appears to violate the presumption of innocence by including those not convicted of terrorism or extremism. It also fails to distinguish clearly between those suspected or convicted of terrorism and of extremism.

Jehovah's Witness case closed

The long-running "extremism" trial against Jehovah's Witness Yelena Grigoryeva in Astrakhan Region ended on 1 August, when Akhtubinsk City Public Prosecutor's Office informed her it was closing the case for lack of evidence, Jehovah's Witnesses announced on 8 August.

Court proceedings against Grigoryeva under Article 282, Part 1 ("incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity") began in February 2012, a year after law enforcement agents confiscated "extremist" Jehovah's Witness material from her home.

With the closure of that case, the only ongoing Jehovah's Witness "extremism" trial is that against 16 Jehovah's Witnesses in the Black Sea coastal town of Taganrog.

Literature banned

A 2009 edition of the Jehovah's Witness book "What Does the Bible Really Teach?", published in Germany, was recently added to the Federal List of Extremist Materials at No. 2034 after being ruled "extremist" by Krasnoyarsk's Soviet District Court on 14 February. A 2005 edition of the work published in the USA was among the 34 Jehovah's Witness titles ruled "extremist" – along with the Taganrog Jehovah's Witness organisation – by Rostov-on-Don Regional Court in September 2009.

According to the Rostov-on-Don ruling, seen by Forum 18, the "extremist" elements in "What Does the Bible Really Teach?" are: "Many priests falsely claim that they can help the dead"; "To stand on the path of true religion means to destroy all items you have that are linked with false religion. We need to regard them as Jehovah does, and he regards them as an abomination"; "Many common festivals are linked with false religion.

One of them is Christmas"; "Those who strive to please God do not celebrate Christmas or other festivals that have pagan roots and are linked with false religion."

Jehovah's Witnesses continue to report "extremism"-related obstruction to their activities. On 13 August, for example, counter-"extremism" and other law enforcement agents in the North Caucasus republic of Karachai-Cherkessia searched the home of the Koliyevs, an elderly Jehovah's Witness couple living in the settlement of Kosta Khetagurov, and confiscated all their religious literature.

Negative interpretation

One recent court case against Jehovah's Witnesses suggests government officials will favour a harsh interpretation of the Constitutional Court's landmark December 2012 ruling, Forum 18 notes. The ruling considered whether public religious activity outside designated houses of worship requires advance state approval.

Some lawyers – such as Inna Zagrebina of the Moscow-based Guild of Experts on Religion and Law – had hoped that the Court's ruling would protect religious rites at formally rented premises by excluding them from the strict demands made of other public events, such as political demonstrations.

In a 19 August ruling seen by Forum 18, however, Orel Regional Court upheld a fine of 100,000 Roubles (18,200 Norwegian Kroner, 2,300 Euros or 3,000 US Dollars) against the Jehovah's Witness organisation in the city of Orel for holding a worship service in a rented palace of culture on 27 April without notifying the state authorities in advance.

Also seen by Forum 18, the initial 16 July ruling against the Jehovah's Witnesses by Judge Vitaly Likhachev of Orel's Railway District Court found them guilty of "organising or conducting a public event without notification" (Code of Administrative Offences, Article 20.2, Part 2).

The Court's verdict echoed parts of the December 2012 Constitutional Court ruling in its reasoning. If the state authorities are not notified in advance, it maintained, "the consequences of holding a public religious event accessible to other citizens (even if it takes place indoors) are comparable with the consequences of holding an unsanctioned public event of a social nature, because the open demonstration of religious convictions might irritate or offend those who profess another or no religion."

"Offending religious feelings" is now itself a criminal offence in Russia

Akhtubinsk City Prosecutor's Office dismisses criminal case against Yelena Grigoryeva JW Branch in Russia (03.09.2013) - On 14 June 2013 the Akhtubinsk City Prosecutor's Office ended a two and a half year criminal case against Yelena Grigoryeva, one of Jehovah's Witnesses. The prosecutor's office informed Ms. Grigoryeva that her case was dismissed, stating that she was not guilty of any crime for carrying out her religious activity.

On 6 February 2011 the prosecutor's office started a criminal case against Ms. Grigoryeva under Article 282(1) of the Russian Federation Criminal Code (incitement to hatred). Two days later, the Akhtubinsk City Court authorized an investigator and officials from the Center for Counteracting Extremism and the FSB to search her home and the homes of five other Jehovah's Witnesses in the city of Akhtubinsk. On 11 February 2011 Ms. Grigoryeva was forced to resign from her employment after several officials visited her workplace.

On 17 February 2011 Ms. Grigoryeva was charged with "disseminating. . . views and convictions aimed at debasing the dignity of a group of citizens on the basis of their

attitude toward religion, advocating the exclusivity and superiority of the religion preached by representatives of the religious organization 'Jehovah's Witnesses' over other religions" and for offering people "publications of an extremist nature that have been entered into the Federal List of Extremist Materials."

Following the investigation, Ms. Grigoryeva received an indictment on 2 February 2012 signed by acting Akhtubinsk City Prosecutor Aleksey Tupikov. Her criminal trial began on 17 February 2012 in the Akhtubinsk District Court. The court proceedings established that virtually all of the material evidence in the case had been collected illegally. When questioned, witnesses asserted that Ms. Grigoryeva had nothing to do with inciting religious hatred.

In her court-ordered expert report on the religious literature, Yekaterina Elbakyan noted that ". . . no expressions are found in the texts presented for study that recommend adopting violence or using aggressive, cruel acts. [. . .] This can be explained by the religious teachings of Jehovah's Witnesses, one of the fundamental principles of which is a prohibition on violence and on aggressive, cruel acts aimed at another person—regardless of that person's religion, faith, or lack of faith."

During the 11 December 2012 hearing, the court identified the procedural violations that were committed during the investigation, and in view of these violations, ruled to return the criminal case to the prosecutor. Subsequently, on 1 August 2013 the Akhtubinsk City Prosecutor's Office officially apologized to Ms. Grigoryeva in the name of the Russian Federation and informed her that all charges had been dropped.

Provincial court protects rights of evangelicals

Rostov court overturns liquidation of Baptist rehabilitation center

Baznica.info (02.09.2013) - As reported earlier, in March 2013 the prosecutor's office of the city of Shakhty launched an inspection of a rehabilitation center in the settlement of Duvanovka. On the basis of the result of the inspection, the prosecutor's office filed a lawsuit to terminate the activity of this rehabilitation center. On 4 June the court of the city of Shakhty granted the prosecutor's suit.

The director of the rehabilitation center and the Association of EKHB [Evangelical Christian-Baptist] Churches for Rostov province and the republic of Kalmykia filed an appeal of the decision of the Shakhty city court. Two weeks after the filing of the appeal, on 19 July an inspection was again conducted in the rehabilitation center by a group of six persons, including two police inspectors and two employees of the federal migration service. Except for the inspectors, none identified himself or presented documents.

The federal migration officials began conducting the inspection to check the registration of persons by place of residence and stay and asking in passing compromising questions. An agent of the rehab center immediately contacted a lawyer for the association of churches for Rostov province and proposed that the inspectors talk with the lawyer. After a brief conversation it was clarified that no formal bases for conducting the inspection existed. According to the statement of a migration service employee, the inspection was being conducted on the basis of a report from one inspector and of the prosecutor's office inquiry, but no written orders had been produced, and therefore it was proposed that the inspectors quit the grounds and put questions to the owner. In all likelihood, the prosecutor's office was trying to find new violations on the eve of the consideration of the appeal in the Rostov provincial court.

Nevertheless the appeals division for civil cases of the Rostov provincial court took two minutes in order to put an end to the case prohibiting the activity of the rehabilitation center of the religious group of Evangelical Christians-Baptists in Duvanovka. On 22 August the Rostov provincial court completely overturned the decision of the Shakhty city court and rejected the lawsuit of the prosecutor of Shakhty. The judicial division did not find any violations in the activity of the religious group that helps alcoholics and drug addicts find a new life.

This now is not the first court case in Rostov province in the past few years in which the prosecutor's office has accused believers who do not belong to the Orthodox confession of violations of the law. And only the Rostov provincial court has overruled the decisions of local courts and put an end to proceedings in these cases.

What is this? Ignorance of the law on the part of the prosecutor's office, which is supposed to be protecting citizens' rights? Or is this deliberate discrimination against non-Orthodox believers that uses local courts to make deliberately illegal decisions?

Will the time come when laws will be binding for everybody, especially for those who are supposed to see to their observance? To a great extent this depends on the very citizens whose rights are being systematically violated.

Only the fulfillment by all persons of their responsibilities and decisive defense of their rights will help to create a law-based state in which there will be no place either for discrimination on any bases or for impunity. Source: Vladimir Kalinin, attorney for the Rostov Association of EKhB Churches (tr. by PDS, posted 2 September 2013).

Appeals court supports fine of Jehovah's Witnesses for meeting

Orel Jehovah's Witnesses held administratively liable

Religiia i pravo (30.08.2013) - On 27 April 2013, from 9:40 to 16:00 in the premises of the Railroad Workers' Palace of Culture, located at the address: Orel, 8 Privoksalnaia St., the "Orel" local religious organization of Jehovah's Witnesses organized and conducted a public event (public religious cult action in the form of public divine worship) in which 590 persons participated, without giving notification to the administration of the city of Orel of the conduct of this public event in accordance with established procedure. On 4 June 2013 a report concerning administrative violation of law was drawn up.

By a decision of a judge of the Zheleznodorozh district court of the city of Orel of 16 July 2013, the "Orel" local religious organization of Jehovah's Witnesses was found guilty of committing an administrative violation of law provided for by part 2 article 20.2 of the Code on Administrative Violation of Law [KoAPRF] (Organizing or conducting a public event without give notification regarding conduct of a public event in accordance with established procedure) and given an administrative penalty in the form of an administrative fine of 100,000 rubles.

Disagreeing with this decision, the chairman of the committee of the "Orel" local religious organization of Jehovah's Witnesses submitted an appeal in the Orel provincial court in which he asked that the decision be rescinded and proceedings in the case be stopped because of absence of an administrative violation of law, in accordance with part 2 of article 20.2 of KoAP RF, in the actions of the organizing of the event.

Article 5 of the law of Orel province of 25 December 2012 "On specific legal requirements connected with conducting public events" established a limit on the number of persons participating in public events concerning which it is not required to provide notification of conducting the event and that number is 100 persons.

According to the legal position of the Constitutional Court of the Russian federation introducing a procedure of prior notification of agencies of public authority concerning the conduct of such public events as rallies, demonstrations, parades, and pickets, the federal legislature had the goal of exercising the constitutional right of citizens of the Russian federation to freedom of assembly in conditions that assure the observance of appropriate public order and safety and of achieving a balance of the interests of the organizers and participants of public events, on one hand, and of other persons, on the other hand, and its proceeded from the necessity of guaranteeing governmental protection of the rights and freedoms of all citizens (both participants and nonparticipants of a public event), including by means of establishing adequate measures of warning about and preventing violations of public order and safety and of the rights and freedoms of citizens (both participants in public events and persons who are not participating), as well as establishing public legal responsibility for actions violating them or creating a threat of violating them.

The consequences of conducting without prior notification of an agency of local administration a public religious event, conducted outside houses of worship or facilities and places especially designated for this or residences may be different because demonstration of religious convictions is capable of provoking negative emotions in citizens who profess a different religion or who are not believers, or of creating obstacles to normal operation of transport or governmental and public organizations; that is, the potential danger of violations of public order and the possibility of causing harm to the moral and physical health of citizens are not ruled out.

Thus, in each concrete instance it is necessary to establish the existence of a need to notify agencies of public government about the conduct of a public religious event.

On 19 August, the Orel provincial left unchanged the ruling of the judge of the Zheleznodorozh district court of the city of Orel of 16 July 2013 that was issued in regard to the "Orel" local religious organizations of Jehovah's Witnesses on the appeal of the chairman of the committee of the "Orel" local religious organization of Jehovah's Witnesses. Source: Press Service of Orel provincial court. (tr. by PDS, posted 31 August 2013).

Mormons resisted in St. Petersburg

Mormons intend to construct religious building in St. Petersburg

Interfax-Religiia (29.08.2013) - The religious association of the Church of Jesus Christ of Latter-Day Saints in Russia (Mormons) intends to conduct on Monday in St. Petersburg public hearings on construction of a religious building.

According to a report from the administration of Vyborg district, published on the Smolny website, the organization intends to raise the question of granting permission for construction of a religious institution at 9 Khoshimin Street.

Meanwhile, the chairman of the Committee on Legislation of the St.Petersburg parliament, Vitalii Milonov, told Interfax on Monday that residents of the district have already appealed to him regarding the Mormons' plans to build their own religious center.

"Concerned residents of the district have appealed to me. I think that there is no reason to be upset. Their (i.e. Mormons'—IF) public value is extremely insignificant. It is more a kind of bureau for acquainting Russian girls with American citizens for future marriage," V. Milonov said. "I do not think that the sect will be allotted territory," he added. "The Mormons have premises for conducting rituals in Vyborg. As far as I know, there are splendid premises on Moika not far from the French consulate. I think that this is enough, especially since there is an extremely insignificant number of adepts of this sect in our city."

According to information on the Mormons' website, representations of this organization are operating in Vladivostok, Novosibirsk, Ekaterinburg, Samara, Rostov, and St. Petersburg. In all, there exist in Russia 55 local religious organizations of Mormons, uniting more than 21 thousand believers. (tr. by PDS, posted 29 July 2013)

Parliamentary religion committee back in action

Forum 18 (19.08.2013) - An increase in Russian legislative initiatives affecting freedom of religion or belief since Vladimir Putin's May 2012 return to the Kremlin appears at least partly due to renewed activism by the Committee on Social Associations and Religious Organisations within the Duma (parliament), Forum 18 News Service observes.

While the most notorious initiative backed by the Committee - against "offending religious feelings" - entered force on 1 July 2013, it remains unclear how far it will be used to restrict public expression of religious or other worldviews.

The Duma's Religion Committee has also backed a number of other recent legislative initiatives affecting religious freedom.

Forum 18's citation of drafts and related documents follow those on the Duma's official website.

Background

During most of Putin's first two presidential terms (2000 to 2008), his United Russia party controlled nearly all Duma committees. This included the Religion Committee: from 2003, its chair Sergei Popov and all but two members represented United Russia. No extensive legislative initiative directed against freedom of religion or belief was adopted during this period.

Once parties other than United Russia increased their Duma seats in the December 2011 parliamentary elections, chairship of the Religion Committee passed to the nationalist Liberal Democratic Party. Only four of the Committee's eight members are now United Russia representatives.

Religious issues are not a priority for the Liberal Democrats: on receiving this and other chairships in December 2011, their leader Vladimir Zhirinovskiy commented that his party had been allotted "only rubbish", Interfax news agency reported. Zhirinovskiy's track record, however, is of backing restrictions on "non-traditional" faiths such as Jehovah's Witnesses and Pentecostals, including as co-author of a 1997 book on "Pseudo-Christian Religious Organisations of Russia".

Until late 2003, the Religion Committee was particularly active under Communist Party chair Viktor Zorkaltsev, most notably as the driving force behind the 1997 Religion Law.

Renewed activity

Under new chair Yaroslav Nilov (Liberal Democratic Party), the Religion Committee is once again becoming active.

Nilov announced the creation of a working group to study "the activity of representatives of non-traditional religions" on 17 April, RIA Novosti news agency reported. This is because "the topic of sects is disturbing and worrying," he remarked.

Nilov further explained that the initiative came from and will be headed by Committee first vice-chair Mikhail Markelov (United Russia). On 21 May Markelov announced that corresponding legislative proposals could appear before the Duma in autumn 2013, as "we need to create order in this sphere because the growth of sectarian organisations is a threat to the security of our country," Garant news agency reported.

Telephone numbers for Nilov, Markelov and Committee adviser Stepan Medvedko went unanswered whenever Forum 18 rang on 13, 14 and 15 August.

Political reasons

The Duma is a rubber-stamp parliament endorsing any idea coming from Putin's Presidential Administration, and the Religion Committee is no exception to this, Boris Falikov of the Centre for the Study of Religions at the Russian State University for the Humanities pointed out to Forum 18 on 15 August. "But initiatives in the religious sphere mostly conform to the personal convictions of the Committee's members, who really suppose their actions defend the feelings of believers and help to improve the moral climate in this country," he remarked. Consequently, the Committee's current activity is a mixture of "the hardline and short-sighted policy dictated by the Kremlin" and the good intentions of some lawmakers, Falikov suggested. "But I think it is said of such 'good intentions' that they pave the road to hell."

Alexander Verkhovsky - who monitors nationalism, xenophobia and threats to freedom of religion or belief in Russia at the SOVA Center for Information and Analysis - places more emphasis on the role of the Kremlin. Its current use of religious-moral issues is not so much due to genuine interest in them, he suggested to Forum 18 on 9 August, but in order to mobilise political support. "The idea of pragmatic leadership in the name of the 'entire people' that defined Putin's second, and partly first, presidential terms has been abandoned in favour of a somewhat amorphous, but certainly conservative and anti-Western, populist platform," Verkhovsky maintained. Its purpose is to isolate the political opposition as "moral outcasts", he added.

While containing ideological supporters of the Russian Orthodox Church (Moscow Patriarchate), the Duma's Religion Committee plays a junior role here, Verkhovsky pointed out. "Nevertheless, the 'anti-opposition' campaign begun since Putin's return to the Kremlin involves a kind of 'competition between initiatives', and basic technical control over these initiatives is much weaker than before," he continued. This is clear, Verkhovsky suggested, from such "astoundingly nonsensical laws" as the law against "propaganda of non-traditional sexual relations".

The "propaganda of non-traditional sexual relations" law bans among other things equating same-sex and heterosexual relationships. Like the "offending religious feelings" law it was passed by the Duma on 28 June, signed by President Putin on 29 June, and came into force on 1 July. Critics of both laws fear that the new amendments are so poorly defined that they could be used by anyone to prosecute actions they simply dislike.

Limited support

A recent exchange at the Duma between pro-Patriarchate activists and Religion Committee chair Nilov indeed suggests that the Committee does not fully share their agenda. The activists complained to Nilov that the revised amendments on "offending religious feelings" "equally defend sectarians and Orthodox", Izvestia newspaper reported on 9 April.

("Sectarians" is a term typically used in Russia to refer to disfavoured religious believers such as Baptists, Hare Krishna devotees, Jehovah's Witnesses and Pentecostals.)

Nilov reportedly responded: "Initially we thought the same way, but we were told we were violating the constitutional equality of religious organisations. (..) This is your work: if people go to them ["sectarians"], that means they find something there. Perform advocacy work, stage pickets - make people come to you, and not to them. And if they violate the law, report it."

At this, the activists reportedly expressed disappointment that, for Nilov, "sectarians are also citizens."

Amendments stalled

A related pro-Patriarchate legislative initiative has similarly failed to win the Duma's support.

Aimed against "sects", draft amendments to the Religion Law proposed shortly after Putin's return to the Kremlin by Communist Party deputy Andrei Tychinin initially had strong backing, but they have since stalled (draft law no. 78621-6). According to a 28 May 2012 announcement on the Communist Party's website, the draft would have helped to prevent "many alternative religious communities (most being sects) from being formed on Russian territory".

Tychinin's proposals would have raised the minimum membership of a religious organisation from 10 to 50, and the minimum composition of a centralised religious organisation from three to 30 communities. The draft would also have subjected meetings for religious worship in private homes to regional law, which opponents of religious freedom have found far easier than federal law to amend to their liking.

Deputy Tychinin's initiative received a positive preliminary recommendation from the Duma's Religion Committee on 22 June 2012, and was set to go before parliament that December. However, the draft was finally withdrawn on 15 October. A 4 July government assessment of the proposals - with an appendix by then Deputy Prime Minister Vladislav Surkov - had objected that the Religion Law was already satisfactory. Surkov resigned from his post in May 2013.

Amendments diluted

Some pro-Patriarchate legislative proposals have been adopted in diluted form. A 2 July 2013 amendment to the Religion Law allows worship in religious buildings on the territory of educational organisations, as well as premises belonging to educational organisations that were used for worship historically (Article 16, Part 3).

While this marks a concession to the Patriarchate, the initial draft of this amendment would have allowed educational organisations to permit worship on any of their premises at the request of parents and/or pupils, irrespective of whether they had been used for worship historically (draft law no. 121975-6).

Nilov of the Religion Committee spoke against the initial version of the amendment on 19 November 2012, believing it would lead to "unnecessary speculation" on the issue of freedom of conscience, SOVA reported.

Muslim woman charged with extremism

Criminal case opened on organizer of Krasnoyarsk "Nurcular" extremist organization

SAN Krasnoyarsk (16.08.2013) - The Investigative Department of UFSB for Krasnodar territory has opened a criminal case against the organizer of a Krasnodar women's cell of "Nurcular" on the basis of the article "Planning activity of a public or religious association or other kind of organization, regarding whom a court has issued a legal verdict liquidating or banning the activity of such organization because of conducting extremist activity." The woman is faced with up to 3 years incarceration.

We recall, the activity of the Krasnoyarsk women's cell of the banned international religious association "Nurcular" and its founder, a 48-year-old Russian woman, had been shut down by personnel of UFSB for the territory along with the territorial Center for Combating Extremist of GUMVD. The woman continued from 2010 to 2012 to study the Nurcular ideology in one of the religious educational institutions (madrassahs) in Naberezhnye Chelny of the republic of Tatarstan. In 2012 she formed a subdivision of Nurcular in Krasnoyarsk.

From January 2012 to August 2013, this citizen of Krasnoyarsk herself conducted classes for persons she recruited, in the form of readings of various literature that had been prohibited by court decision at religious meetings, in residences located in the Soviet district. On 8 August there was discovered and confiscated religious literature in Russian, Turkish, and Arab languages, including items that are included on the federal list of extremist materials.

"The woman preached about the superiority and inferiority of citizens on the basis of indicators of their relationship to religion and hostility between Muslims and infidels, and she urged them to distribute extremist literature. She conducted measures for expanding the membership of the group by means of gradual psychological manipulation, creating in people a positive perception of death and encouraging their readiness for self-sacrifice in the name of the interests of the doctrine. She established connections with people who profess the religious teachings of S. Nursi within the city of Naberezhnye Chelny of the republic of Tatarstan and the city of Blagoveshchenck of the Amur province, and she organized trips for women who were members of the group to the theological center for study of the religious ideas of S. Nursi in Tatarstan," the ministry explained (tr. by PDS, posted 17 August 2013)

Jehovah's Witness refuses to let prosecutor drop charges

Pressing for justice

Kavkazskii uzel (15.08.2013) -One of the representatives of the Jehovah's Witnesses religious organization who are accused of extremism has refused the termination of the criminal case regarding him, reports today a representative of the Administrative Center of Jehovah's Witnesses in Russia, Grigory Martynov.

In September 2009 a Rostov provincial court ruled the Jehovah's Witnesses religious congregation in Taganrog extremist, and it ordered that it cease its activity in Rostov-on-Don as well as in the Neklinov and Matveevo-Kurgan districts of Rostov province. That same court ruled 34 publications produced by the Jehovah's Witnesses in Germany and USA extremist. Later courts in the Altai republic and Kemerovo province and Krasnodar territory ruled another 34 publications of the believers extremist. Thus, 68 items, including a number of issues of the magazines "Awake" and "Watchtower," and books and brochures of religious contents, wound up in the list of extremist materials. On 8 December 2009 the Supreme Court of RF confirmed the ban imposed by the Rostov provincial court and on 1 June 2010 these judicial decisions were appealed in the European Court for Human Rights.

As Kavkazskii Uzel has reported, according to the account of the investigation the accused revived the activity of the congregation in Taganrog in spite of the court's ban. A criminal case was opened back in early August 2011. As part of the case, on 25 August 2011 massive searches were conducted in homes of dozens of Jehovah's Witnesses in Rostov province.

In the dock of the accused are Taganrog residents Nikolai Trotsiuk, Alexander Skvortsov, Aleksei Koptev, and Yury Baklushin, charged with planning the activity of an extremist organization (part 1, article 282.2 of Criminal Code of RF) and enticing minors into the commission of a crime (part 4, art. 150, Criminal Code). Also a charge of participating in the activity of an extremist organization (part 2, art. 282, Criminal Code) was presented to Sergei Trotsiuk, Roman Voloshchuk, Andrei Goncharov, Oksana Goncharova, Viacheslav Shchekalev, Karen Minasiana, Kirill Chetverikov, Vladimir Kozhukhov, Vladislav Kruglikov, Tatiana Kravchenko, Vladimir Moiseenko, and Kirill Kravchenko. The defense of the accused thinks that there is no substance of a crime in the case.

Preliminary hearings on the case were held on 13 and 20 May, at which the defense side presented petitions for finding the evidence inadmissible and returning the case to the prosecutor. These petitions were rejected by the court. On 30 May the consideration of the case on the merits began.

During the session on 25 July, a representative of the prosecutor's office asked the court to terminate the criminal prosecution with regard to one of the defendants, Vladislav Kruglikov, who at the time of his attending worship meetings was a minor. The representative of the prosecutor's office thought that the case could be terminated because the period for bringing defendant Kruglikov to justice had expired. The defendant himself, as well as his mother, as his legal representative, and a lawyer declared that they did not agree to the termination of the case on such a basis, Grigory Martynov told Kavkazskii Uzel today. He said that the defense side explained that such a termination of a criminal prosecution could be acceptable to the defendant only in the event that he had really committed a crime. However since, in the opinion of the defendant and his representatives, that was not so, Kruglikov insisted on further consideration of the case, seeking a verdict of acquittal.

After hearing the opinion of the sides, the court decided to continue consideration of the case with regard to all sixteen defendants. At the same session of the trial, 25 July, the defense side asked the court again to require the prosecutor to provide a detailed indictment. The court posed this question to the prosecutor's consideration, who refused to specify or add anything, Martynov explained.

The hearings were continued on 26 and 27 July. Mikhail Odintsov, an employee of the apparatus of the plenipotentiary for human rights in the Russian federation, spoke as a defender of the accused in the case. A representative of the prosecutor's office read the indictment. After this, the defense side delivered a brief oral response to the indictment

in which it requested that there be laid out which concrete actions thought to be criminal were committed by each of the defendants, since it is impossible to establish that from the text of the indictment.

Odintsov also presented a written response. "The indictment is formally constructed on the foundation of a decision by the Rostov provincial court of 11 September 2011 liquidating and banning the activity of a specific legal entity, the 'Taganrog' local religious organizations of Jehovah's Witnesses. But at the same time the accusation makes an obvious substitution of the legal meaning of this decision because it unreasonably extends it also to the religious activity of specific believers. They all have acted strictly within the framework of the constitutional right to freedom of conscience. This right of man and citizen is fully guaranteed on the entire territory of the Russian federation, including in Taganrog as well, which is included within a constituent entity of the Russian federation, the Rostov province," Odintsov notes in his response sent to the Taganrog city court.

During the sessions on 1 and 2 August, the court began examining physical evidence, specifically a DVD disk with recordings of worship meetings of Jehovah's Witnesses. The recordings were made by police personnel with a secret camera. During their examination, the defense side called to the court's attention the substantial violations of law, particularly in the fact that the disks were recorded on 8 December 2012, while all the investigative action had been finished by the investigator on 4 December 2012, Martynov noted. He said the next court session is scheduled for 2 September.

We recall that Jehovah's Witnesses in Russia report that in the period January to March 2013, they have faced a minimum of 49 cases of violation of their rights, four of which occurred in the Southern Federal District of Russia. (tr. by PDS, posted 16 August 2013)

Russian original posted on [ReligioPolis site, 16 August 2013](#)

Muslim leaders lose judicial appeal

Sentences of imams Merzhov and Odilov upheld

SOVA centre (15.08.2013) - On 15 August 2013 the October district court of Novosibirsk denied to Imam Ilkhom Merzhov, of the Ecclesiastical Board of Muslims of the Asiatic part of Russia, and Imam Komil Odilov their appeal against the sentence issued on 27 May 2013 in a case on part 1, article 282.2 of the Criminal Code (planning the activity of an extremist organization).

The court left in force the decision of the court of the first instance, but it did insert into it an insignificant change identifying the place of the imams' employment.

Merzhov and Odilov have not admitted guilt and they intend to appeal the decision of the court of the second instance.

We recall that the imams were found guilty of planning in Novosibirsk the activity of a "Nurcular" religious association, knowing that it had been banned as an extremist organization. The only basis for prosecution of Merzhov and Odilov was the fact that they had studied the books of the Turkish theologian Said Nursi.

We do not consider to be legal either the ban of Said Nursi's books or the ban on the Nurcular association, which has never existed in Russia. There have been only individual

disciples of Nursi's teaching, who are now faced with irrational prosecution. (tr. by PDS, posted 15 August 2013)

Rise in legal proposals affecting religious freedom

Forum 18 (15.08.2013) - The number of Russian legislative initiatives concerning freedom of religion or belief has risen markedly since President Vladimir Putin's return to the Kremlin in May 2012, Forum 18 News Service observes.

More than a month since the most notorious such initiative came into force on 1 July 2013, it remains unclear how far its provisions against "offending religious feelings" will be used to restrict public expression of religious or other worldviews.

The similarity of the new amendments to existing laws on "extremism" suggests they could be implemented against disfavoured religious communities whose literature is already outlawed as "extremist". These include Jehovah's Witnesses and many Muslims.

Less prominently, several other initiatives affecting religious freedom have been adopted in recent months, or are in the process of adoption. The "offending religious feelings" initiative is widely seen as a protectionist measure in favour of the Russian Orthodox Church (Moscow Patriarchate). But not all these initiatives are restrictive, or have proved resistant to revision in the direction of religious freedom, Forum 18 notes.

Forum 18's citation of drafts and related documents follow those on the official website of Russia's Duma (parliament).

The increase in legislative initiatives concerning freedom of religion or belief appears at least partly due to activism by the Duma's Committee on Social Associations and Religious Organisations, after its chairship passed to Vladimir Zhirinovskiy's Liberal Democratic Party in December 2011.

Telephone numbers for the Committee's chair, Yaroslav Nilov, and adviser, Stepan Medvedko, went unanswered whenever Forum 18 rang on 13 and 14 August.

Regulation of religious gatherings

Backed by the Committee, a government legislative initiative regulating religious gatherings has still to be voted on by the Duma.

Russia's 1997 Religion Law currently states that worship services and religious rites must not be obstructed if they take place at designated houses of worship, cemeteries or crematoria (Article 16.2). This category further includes "other places offered to religious organisations" for worship, and residential premises. By contrast, official permission – as for public demonstrations – is required in "other cases" (Article 16.5).

In practice, however, state officials have sometimes blocked worship at rented premises - insisting this requires state approval - and even private homes. Victims in recent years have included Baptists and Jehovah's Witnesses.

A resolution appeared to have been reached on 5 December 2012. On that date Russia's Constitutional Court responded to a complaint arising from the prosecution of two Jehovah's Witnesses, for meeting for worship without state approval at rented premises in Belgorod Region and Tatarstan Republic.

The Court ruled that religious events taking place outside houses of worship, specially designated places or private homes "might be of a scale that obstructs the normal functioning of transport, state or social organisations". In such cases, it noted, implementation of the regulations for public demonstrations is lawful. Conversely, the Court confirmed that state insistence upon advance notification for religious gatherings not requiring measures to safeguard public order and safety violates constitutional principles.

Seen by Forum 18, the ruling also ordered legislators to introduce relevant amendments reflecting its decision.

Uncertainty remains

The government amendments (draft law no. 293364-6), proposed on 7 June 2013 in response to the Constitutional Court's ruling, appears to fall short of religious communities' expectations. Seen by Forum 18, the proposals would alter Article 16 of the 1997 Law to state that worship services and religious rites must not be obstructed if they take place on premises or land belonging to religious organisations or "offered to religious organisations in accordance with property rights other than ownership".

The draft Law also clarifies that "other cases" requiring advance state permission (as for political demonstrations) would include "religious gatherings held openly in conditions requiring measures to safeguard public order and the safety of both participants in the religious event and other citizens".

To some extent, this is a positive development for freedom of religion or belief: meetings for home worship in private could not be subject to such controls. However, a degree of uncertainty remains over public meetings for worship in rented premises.

Lawyer Inna Zagrebina of the Moscow-based Guild of Experts on Religion and Law thinks this could not be obstructed, as it falls into the category of religious rites on premises "offered to religious organisations in accordance with property rights other than ownership". "If premises are offered to a religious organisation for worship on the basis of a rental agreement," she suggested to Forum 18 on 14 August, "the event is not subject to the demands made of public events."

Since public events such as political demonstrations require organisers to notify the authorities in advance, this gives government officials the opportunity to refuse to allow them.

Writing in Novaya Gazeta newspaper on 19 December after the Constitutional Court ruling, Lev Simkin – another Moscow-based lawyer focusing on freedom of religion or belief – was less optimistic, however. He pointed out that, according to the Court's ruling, "a public religious event, if accessible to other citizens (even if it takes place in a building)" could be subject to government approval as "open display of religious convictions may irritate or offend people who profess a different religion or none."

If government officials cite possible "offence" to others' religious convictions as a reason for public order and/or safety measures, they could therefore still block worship at rented premises by claiming the state is unable to provide sufficient measures, Forum 18 notes.

In its most recent update, the Duma's website stated that the draft law was still being prepared for parliamentary consideration by the Duma's Religion Committee as of 31 July.

Restrictions continue

Even after the 2012 Constitutional Court ruling, some local state officials have continued to obstruct meetings for worship in private or rented premises, insisting the meetings require state approval in the same way as political demonstrations. In the southern city of Astrakhan and the Far Eastern settlement of Pogranichny (Primorye Region), two meetings held on 26 March to commemorate the Memorial of Christ's Death - the most important Jehovah's Witness event of the year - were halted by local police and officials on the grounds that they were "illegal", the Jehovah's Witnesses stated.

Separately, an unsigned and undated letter from the Chief of Staff of Tatarstan Republic's Presidential Administration, Yuri Kamaltynov, orders subordinates to block unspecified religious organisations from renting state-owned premises for events involving worship. (Religious organisations making such requests are usually Protestant.) Seen by Forum 18, the letter asks leaders of Tatarstan's administrative districts to inform directors of sports, educational and cultural institutions that requests to rent their premises for religious events should be rejected as "inexpedient".

On calling the telephone number on the letter on 13 August, Forum 18 was directed to the Chancellery of Tatarstan's Presidential Administration. On 14 August a spokesperson there either put the phone down or the line was cut off when Forum 18 asked for confirmation of whether the letter was genuine. Immediate calls back to the same number went unanswered.

Forum 18's similar enquiry sent to an email address on the letter on 13 August went unanswered by the end of the working day in Tatarstan on 14 August.

Restrictions on participation in religious organisations

Also backed by the Duma's Religion Committee, a proposal restricting who may participate in religious organisations was signed into law by President Putin on 2 July (draft law no. 247831-6). It amends the 1997 Religion Law to prohibit persons convicted of "extremism"; foreign citizens or stateless persons lawfully barred from the Russian Federation; religious organisations whose activity has been halted due to "extremism"; and persons convicted of money laundering or financing terrorism from being "founders (participants, members) of a religious organisation" (Article 9, Part 3).

Russia's government proposed this draft to the Duma on 23 March. It passed its first Duma reading on 21 May and second and third readings on 21 June.

Here too, some doubts arise. Lawyer Inna Zagrebina pointed out to Forum 18 that the restriction on persons convicted of "extremism" is "somewhat alarming, due to known attempts at unjust criminal prosecution of Jehovah's Witness leaders for extremism".

Forum 18 also notes that the 1997 Law variously uses the terms "founder [uchreditel]", "participant [uchastnik]" and "member [chlen]". It states, for example, that ten "founders" are required to form a local religious organisation, and that they must be Russian citizens (Article 9). These "founders" must also approve the organisation's statutes, submit its registration application, and include their names in it (Article 11).

But while the 1997 Law further requires a local religious organisation to have at least 10 adult "participants" in one locality (Article 8) and refers to the various rights of its "members" (Articles 4, 11, 14), it nowhere defines participation or membership.

Even if a religious organisation's leaders make every effort to keep out influences they consider undesirable, the organisation may thus still be targeted by law enforcement agents, if they judge an occasional worshipper - in the agencies view justifiably suspected or prosecuted for "extremism" - to be a "participant". Muslims communities -

such as that in the Far Eastern city of Yuzhno-Sakhalinsk (Sakhalin Region) – are particularly susceptible to this.

Restrictions on religious personnel diluted

Despite a general trend towards harsher restrictions, not all recent proposals negatively affecting religious freedom are being adopted, Forum 18 notes. For example, a draft law proposed by a group of Duma deputies led by Ildar Gilmutdinov (United Russia Party) on 21 December 2012 sought various controls over who could work for religious organisations. The initial text of its proposed amendments to the 1997 Law passed its 22 February first Duma reading (draft law no.195229-6).

That text would have allowed Russia's regions to pass laws prescribing demands concerning the "religious education of clerics and religious personnel". It would also have obliged religious organisations to conclude labour agreements with their employees. The draft couched these restrictions as aimed at "preventing extremist activity".

Russia's Public Chamber declined to support the draft, however. Sent to Duma chair Sergei Naryshkin on 13 May, the Chamber's assessment objected that, "educational demands on clerics and religious personnel are the prerogative of religious organisations", while regional laws prescribing such demands would lead to unlawful state interference.

The Chamber further noted that some religious associations' internal statutes allow for cases in which clerics or similar persons are called to perform their activity on an unpaid, voluntary basis.

Adopted by the Duma following second and third readings on 24 May 2013 and signed into law by President Putin on 7 June, the final, altered text broadly takes into account the Public Chamber's concerns. The 1997 Religion Law thus now obliges religious organisations to conclude labour agreements with their employees only "in cases prescribed by their statutes" (Article 24, Part 1). It also stipulates that religious organisations have the right to place demands, including educational, on their clerics and religious personnel - but not other employees (Article 24, Part 5).

The text's amendment to Article 4 of the 1997 Law continues to affirm that religious associations appoint and change their personnel according to their internal statutes (Part 5). It also stops short of endorsing corresponding regional laws prescribing educational demands on religious personnel. However, the vague phrase "in accordance with corresponding conditions and demands" has been added, introducing potential for formal state influence over the appointment of religious personnel.

Further proposals

On 9 August 2013 the Justice Ministry announced it is also preparing amendments to the 1997 Law, including abolition of the 15-year wait before religious groups may register with the state if unaffiliated with an umbrella religious organisation. The amendments would reportedly also abolish the requirement for registered religious organisations (and unregistered groups planning to register on completion of the 15-year probationary period) to inform the authorities annually about the continuation of their activities.

While such changes would be welcomed by religious communities, these provisions have in practice had far less impact upon religious freedom than originally feared.

During Putin's first two terms in the Kremlin (2000 to 2008), most attempts to amend the 1997 Law in the direction of restriction stalled. More recently, these have included Justice Ministry proposals to force religious communities to issue licences to anyone

wishing to promote their beliefs away from their premises (October 2009), and to make state registration compulsory for all religious communities, possibly rendering unregistered religious activity illegal (October 2011).

Russian government increases regulation of religious groups

Where is justice ministry leading religious groups?

By Roman Lunkin

Religiia i zakon (14.08.2013) - As usual in summer, during the time of the general lull, the Ministry of Justice has proposed drafts of amendments to legislation regarding religion. On 9 August 2013 there appeared what would seem to be a good initiative-to eliminate the 15-year period of existence required for a religious group that would like to be registered and receive the rights of a legal entity. In addition, the justice ministry decided to simplify accounting procedures for religious associations.

The Ministry of Justice laid out its goals as follows: "1) eliminate the requirement of the necessity of proving a 15-year period of the existence of a religious group on a given territory for its state registration as a religious organization, which contradicts provisions of the Convention on Protection of Human Rights and Basic Freedoms; 2) improve the legal regulation of the procedure for creation and state registration of religious organizations; 3) eliminate the obligation of religious organizations to present annually, in addition to the account in the established form, the duplicated information about the continuation of their activity."

Certainly, the chief sensation is the elimination of the 15-year period. Formally, the justice ministry justifies its initiative as fulfillment of a decision of the European Court for Human Rights in the case of "Kimlya and others v. Russia."

In reality, the Ministry of Justice decided suddenly to eliminate the provision of the 1997 law on freedom of conscience that has been inactive for a long time. Uninformed people might think that Minister Konovalov decided to make "traditional" religions and new groups equal as to their rights, but really the justice ministry is about ten years late. Believers themselves did all the work for justice, by appealing the discriminatory provisions of the law on freedom of conscience.

The society of Jesuits obtained the determination of the Constitutional Court of RF of 13 April 2000, which says: "The Constitutional Court of the Russian federation has found the provisions contained in the third and fourth paragraphs of point 3 of article 27 of the federal law 'On freedom of conscience and religious associations' not to be in violation of the constitution of the Russian federation, inasmuch as they are in conformity with the provisions of point 1 of its article 9 and point 5 of article 11, pertaining to their effect with regard to religious organizations that had been established prior to the time the given federal law took effect, as well as local religious organizations that are members of the structure of a centralized religious organization, and they signify that such organizations enjoy the rights of legal entity in full, without proving a minimum of fifteen years of existence on the corresponding territory, without annual reregistration, and without the restrictions provided for in the fourth paragraph of point 3 of article 27 of the given federal law."

This means that any religious community that is "nontraditional" for Russia does not have to prove a 15-year period of existence, if it was founded prior to 1997.

A decision of the Constitutional Court of RF of 9 April 2002, on an appeal of the founders of the Scientology church of Izhevsk, says: "Proof of the fifteen-year period of existence of a religious group establishing a local religious organization, in the sense of point 1 of article 9 and points 5 and 7 of article 11 of the federal law 'On freedom of conscience and religious associations,' in correlation with its articles 6, 7, and 8, is necessary only if the creation and registration of the local religious organization happened after the given federal law took effect, and if it has not proven its confessional adherence to any centralized religious organization registered in the Russian federation. At the same time, the law has not established a form and procedure for proving the fact of the fifteen-year period of existence of a religious group."

That is, if a religious group was formed and joined any centralized organization, which in its turn has submitted to it a document confirming its confessional adherence, then it also is not necessary to prove that 15-year period.

All hopes that the 15-year period would deal a blow to new religious movements and unknown "sects" were not justified.

One would hope that the relative simplification of accounting procedures for religious organizations is connected with the recognition of the problem of a substantial number of communities going underground and out of the government's field of vision. New religions, as a rule, do not register, or they operate as public organizations or cultural centers.

The most numerous communities in our country after the Orthodox-Muslim and protestant-are frightened by inspections and burdensome reports. Up to half of congregations, depending upon the region, remain without registration; on the whole throughout the country 25,000 religious associations are registered, and more than a third, 8 to 10 thousand, remain in the form of house groups.

The logic of subsequent actions of the Ministry of Justice may be based on attempts to draw congregations out of the shadows and begin monitoring them for real. Since 2009 the justice ministry has been trying to propose a different kind of draft for regulating evangelistic activity and eliminating the status of "religious group," so that everybody who wishes to preach or go out onto the streets with their faith on their lips would need to be registered. This is the route of the republics of Central Asia, especially Kazakhstan, where in 2011 a corresponding law on obligatory registration of everyone and on increasing the authority of religious studies expert analyses, which would approve or disapprove the activity of congregations (as indicated above), was adopted.

In Russia it turns out that a mass of congregations have escaped inspection; the council of the Russian Ministry of Justice headed by Dvorkin understands this very well. Dvorkin himself is concerned with "sects"--Jehovists, Scientologists, and Pentecostals--and the Islamic scholar Roman Silantiev, with underground Muslim activity. In order to return them to monitoring it is necessary to force everybody to register and to submit to expert analyses for extremist ideas and psychological harm of all nonconformists. One should expect a new struggle for monitoring of the religious sphere under the banner of the struggle for "traditional values" and against extremism. (tr. by PDS, posted 15 August 2013)

"Religious feelings" not offended – or the calm before the storm?

Forum 18 (14.08.2013) - More than a month since a vaguely-worded law criminalising "offence to religious feelings" came into force in Russia on 1 July, no prosecutions have followed, Forum 18 News Service observes. Yet fears over the Law's restrictive potential persist. It is the most notorious legal measure concerning freedom of religion or belief to be adopted since President Vladimir Putin returned to the Kremlin in May 2012.

Alexander Verkhovsky – who monitors nationalism, xenophobia and threats to freedom of religion or belief in Russia – is so far unaware of any formal requests to the law enforcement agencies for a criminal case to be opened due to "offence to religious feelings". "Perhaps they exist, who could possibly know?" he commented to Forum 18 on 9 August. "Many are waiting, I think, and it's summer."

Lawyer Inna Zagrebina of the Moscow-based Guild of Experts on Religion and Law is similarly unaware of formal complaints of "offence to religious feelings", she told Forum 18 on 14 August.

To date, Verkhovsky's Moscow-based SOVA Center for Information and Analysis has reported only one associated incident concerning a representative of the Saami people in Russia's Far North (see below).

Background

Signed into law by Putin on 29 June, the new amendments target actions "expressing obvious disrespect to society and committed with the aim of offending the religious feelings of believers" (Criminal Code, Article 148) and "deliberate public desecration", damage or destruction of religious literature, items of religious veneration or ideological symbols (Code of Administrative Offences, Article 5, Part 26).

The measures were initially seen as a proposed "blasphemy law", although they have never contained the Russian term "blasphemy" (koshchunstvo/bogokhulstvo). While newly controversial, "offending religious feelings" was in fact previously a minor, administrative offence. Forum 18 is unaware of anyone having ever been charged with it.

The maximum punishments under Article 148 of the Criminal Code are now a fine of 300,000 Roubles (about 56,000 Norwegian Kroner, 7,000 Euros, or 9,000 US Dollars) or imprisonment for one year. This rises to 500,000 Roubles (about 93,000 Norwegian Kroner, 12,000 Euros, or 15,000 US Dollars) or three years imprisonment if the offence is committed in a place of worship. The maximum punishments under Article 5, Part 26 of the Code of Administrative Offences are now a fine of 50,000 Roubles (about 9,300 Norwegian Kroner, 1,200 Euros, or 1,500 US Dollars) or 120 hours' compulsory labour.

Legislative initiatives concerning freedom of religion or belief have markedly increased since Putin's return in May 2012. But despite a general trend towards harsher restrictions, not all recent proposals negatively affecting religious freedom are being adopted. The increase in legislative initiatives appears at least partly due to activism by the Duma's Committee on Social Associations and Religious Organisations, after its chairship passed to Vladimir Zhirinovskiy's Liberal Democratic Party in December 2011.

Like the "propaganda of non-traditional sexual relations" law banning among other things equating same-sex and heterosexual relationships, the "offence to religious feelings" law was also passed by the Duma on 28 June, signed by President Putin on 29 June, and came into force on 1 July. Verkhovsky of the SOVA Center has noted the laws' links with "the 'anti-opposition' campaign begun since Putin's return".

Forum 18's citation of drafts and related documents follow those on the official website of Russia's Duma (parliament).

Criticism

Critics fear that the new amendments on "offending religious feelings" (as also those on "propaganda of non-traditional sexual relations") are so poorly defined that they could be used by anyone to prosecute actions they simply dislike.

Verkhovsky thinks the "offending religious feelings" amendments will certainly be interpreted in a way that criminalises actions previously not treated as criminal. Earlier, some "extremism" cases have centred on "offending feelings", he pointed out to Forum 18 (see below), "but now the number of such cases should rise. Currently, many complaints by various religious, anti-religious and other groups against one another are sitting with the Public Prosecutor's Office, police or Investigative Committee, but now some proportion of these complaints will be 'set in motion'." Verkhovsky expects this "to lead to new unjust sentences, and to aggravate the whole situation."

Telephone numbers for Yaroslav Nilov, chair of the Duma's Committee on Social Associations and Religious Organisations, and Committee adviser Stepan Medvedko went unanswered whenever Forum 18 rang on 13 and 14 August. The Committee backed the new amendments on "offending religious feelings".

In a 12 July interview on the Committee's official website, Nilov rejected the idea that the amendments would divide society. "On the contrary – when blasphemous, provocative acts with a religious subtext are being committed, the inaction of the state could divide society (..) if nothing is done, then society will begin to create order on its own, in the streets (..). Law enforcers need an instrument that can preserve the stability of society."

Nilov further insisted that the amendments' terminology would not lead to extensive prosecutions. "The legal meaning [of "offending"] is humiliation of dignity expressed in an indecent way. Someone might think that a believer might be offended by an old woman coming to church without a headscarf, but that's not "offending". And I, for example, don't like it when they slaughter sheep on the streets of Moscow during the time of sacrifice on Kurban-Bairam (Eid al-Adha Islamic festival), but that's not "offending" in the legal sense."

With other critics of the measures against "offending religious feelings", however, Verkhovsky of the SOVA Center suggested to Forum 18 that their interpretation "depends greatly upon the common sense of law enforcement agents".

Lawyer Inna Zagrebina agrees. "The 'religious feelings' category is more philosophical than legal, so it isn't clear how courts will define what is meant by offending religious feelings – but we can definitely say that it will be the subjective understanding of each judge," she explained to Forum 18. Zagrebina also predicted greater demand for linguistic and religious studies analyses in court cases, introducing yet more subjectivity. "We can only guess what the result will be."

Incidents

In the run-up to the amendments' adoption, several incidents suggested they might be interpreted very loosely. In October 2012, Rostov-on-Don Regional Public Prosecutor's Office considered complaints from unspecified religious believers demanding that a performance of the rock opera "Jesus Christ Superstar" at Rostov-on-Don Philharmonia be banned, SOVA reported. However, the Office rejected this demand, noting that the

opera "was composed 40 years ago and is a recognised rock music classic translated into various languages and performed on many stages worldwide."

In St Petersburg, meanwhile, a theatre play of Vladimir Nabokov's novel "Lolita" was cancelled by its director in October 2012 after a group of Cossacks claimed it was "offensive to all decent people", SOVA reported.

While not a formal demand for a criminal case to be opened, the only attempt to use the new amendments so far appears to be a 11 July complaint from a representative of the Saami people in Russia's far northern Murmansk Region concerning a recent performance by a local dance collective, SOVA reported. The representative found various elements of the performance "offensive to the culture and identity" of the Saami people, including its incorporation of shamanic elements from the distant Russian republics of Buryatia and Kalmykia, and girls wearing male Norwegian Saami headgear.

Extension of "extremism"

While controversial, the amendments do not introduce anything essentially new. In particular, Verkhovsky of the SOVA Centre points out that it is unclear how the new provision against "offending religious feelings" differs from the "extremism" offence of "humiliation of human dignity (..) on account of a person's attitude towards religion" (Criminal Code, Article 282).

Russia's 2002 Extremism Law also allows prosecution for the vague "incitement of religious discord [rozn]", Forum 18 notes. Along with another of the 2002 Law's definitions of "extremist activity" - "propaganda of exclusivity, superiority (..) on the basis of attitude to religion" - this has long been used against claims that a particular religion or belief is superior to others, a fundamental part of the internationally recognised right to freedom of religion or belief.

Indeed, it is the 2002 Law that has most recently been used against the incident widely believed to have triggered the drive for tougher legal measures against "offending religious feelings": the February 2012 performance of a short "punk prayer" by feminist art collective Pussy Riot immediately in front of the iconostasis in Moscow's Cathedral of Christ the Saviour.

Footage of the "punk prayer" and other material from Pussy Riot's blog was added to Russia's Federal List of Extremist Materials on 17 July, and is thus banned from distribution nationwide. The material - on several of the blog's pages - was determined "extremist" by Moscow's Zamoskvoretsky District Court on 29 November 2012, a ruling upheld by Moscow City Court on 30 January. The website of the popular Moskovsky Komsomolets newspaper received an "extremism" warning in June for featuring footage of the "punk prayer", ITAR-TASS news agency reported.

The Federal List already includes numerous texts used by Falun Gong practitioners, Jehovah's Witnesses and Muslims, particularly works by the Islamic theologian Said Nursi.

Vague proposals

Submitted to the Duma on 26 September 2012, the original draft of the new Law enjoyed cross-party backing, including from pro-Kremlin United Russia parliamentarians. Sponsors included Deputies Yelena Mizulina (A Just Russia Party), Sergei Gavrilov (Communist Party), current and former Religion Committee chairs Sergei Popov (United Russia) and Yaroslav Nilov (Liberal Democratic Party), and Liberal Democratic Party leader Vladimir Zhirinovskiy.

The initial text of the proposals (draft law no. 142303-6) would have punished offence or desecration only if targeting "religious associations professing religions constituting an integral part of the historical heritage of Russia's peoples" – a phrase from the 1997 Religion Law's preamble. This preamble formally has no legal force but is widely interpreted informally as referring to state-favoured organisations within the four faiths of Orthodoxy, Islam, Judaism and Buddhism.

At a 4 October roundtable hosted by Russia's Public Chamber, several speakers criticised this particular phrase in the draft.

Draft hardly changed

Published on its website on 23 October, the Public Chamber's assessment of the draft's original text declined to support it for reasons including vague terminology and duplication of offences covered under "incitement of hatred [nenavist] or enmity [vrazhda], as well as humiliation of human dignity" (Criminal Code, Article 282). Responding to concerns over the proposals raised at a 12 November meeting of the presidential Human Rights Council, President Putin promised to ask parliamentarians not to rush. As a result of this exchange, consideration of the draft was postponed until March 2013, Vedomosti newspaper reported.

Meanwhile, condemnation of the proposals continued to mount. A 23 January meeting of the presidential Human Rights Council called for the draft to be withdrawn. A 27 January assessment of the draft published on the government's website failed to support it. With other critics, the government noted duplication of the existing Criminal Code and pointed to the lack of definitions for "ideological symbols" and "religions constituting an integral part of the historical heritage of Russia's peoples".

Yaroslav Nilov, the Religion Committee chair, then announced that the draft would be broadened to apply "to all religious organisations, both traditional and non-traditional", Izvestia newspaper reported on 14 February. Yet this proved to be the only concession to the drafts' critics, despite their intense opposition: prominent lawyer Genri Reznik, for example, dismissed the proposals as "a disgrace" whose authors were suffering from "legal insanity".

After the draft received preliminary approval on its 9 April first Duma reading, Nilov maintained that deputies had rejected the original text, "understanding and sharing the concerns of the draft's critics," ITAR-TASS news agency reported on 15 April. Yet the final, amended text approved on 21 May (second) and 11 June (third) readings differs little from the original wording, Forum 18 notes. In particular, its core concept of "offending the religious feelings of believers" closely resembles the initially proposed "public offence to the religious convictions and feelings of citizens", and is supplemented by the similarly vague "obvious disrespect to society".

Putin signed these proposals into law, despite agreeing at the November 2012 Human Rights Council meeting that "feeling" is "not a legal term, of course". The Law came into force on 1 July.

Divided opinion

While understood as a concession to Russia's nominal Orthodox majority, there is in fact considerable disagreement over the criminalisation of "offence to religious feelings" in both the Russian Orthodox Church (Moscow Patriarchate) and Russian society, Forum 18 notes.

One of the few in favour of the proposals at the October 2012 roundtable hosted by the

Public Chamber and broadcast via its website was Patriarchate representative Fr Vsevolod Chaplin. He continued to support the draft into 2013, telling Izvestia in March that "the feelings of believers must be protected, as well as items that they venerate and their worship services. That is the will of the people, and I think the state is listening to it."

Pointing out that no legal consensus exists on the difference between polemic, comedy, satire and "offending religious feelings", however, prominent Orthodox cleric Protodeacon Andrei Kurayev has warned that a legal provision on the last of these would become "a stick in the hands of whoever is in power". Writing on Pravmir.ru website in late September 2012, he explained that his view was shaped by Soviet experience, and commented that "the hands of Church people – activists, publicists, lawyers – will weave a rope that will eventually choke ourselves."

According to a 3 July poll by Russia's independent Levada Centre, 55 per cent of respondents were either in favour or inclined to favour the new amendments, with 37 per cent against or inclined against, and 8 per cent undecided.

Related draft law stalls

Despite their appeal to populist sentiment, not every legal initiative apparently motivated by the notion of "offence to religious feelings" is progressing in Russia, Forum 18 observes. Proposed to the Duma by Liberal Democratic Party deputies Igor Lebedev and Sergei Ivanov on 26 October 2012 – and also backed by the Duma's Religion Committee – draft amendments to the 1997 Religion Law as well as the Code of Administrative Offences would have punished with a fine performance of "religious rituals accompanied by violent action towards a person or animal" if in public but outside buildings or sites designated for worship (draft law no. 161207-6).

Clearly, the reference to violence against a person was unlikely to enter law; the amendments appeared motivated by rising public complaints about the ritual slaughtering of sheep in urban spaces on the annual Islamic festival of Kurban-Bairam (Eid al-Adha).

The draft law has stalled, however. In an undated assessment in response to a December 2012 request, the Duma's Legal Department dismisses its proposals as unconstitutional. An 18 January assessment by the Duma's Committee on Constitutional Law and State Building similarly declined to support the draft, finding in it numerous flaws such as the absence of an explanation for "violent action towards a person or animal"

Problem of insufficient prayer sites for Muslims in Moscow

Proposals to place "Open air mosques" in Moscow parks

Interfax-Religiia (13.08.2013) - A group of Moscow urban specialists has suggested to the leadership of the capital an alternative resolution for the problem of insufficient mosques.

The authors of the idea think it would be appropriate to locate about 100 prayer sites for Muslims in green zones of Moscow, each of which will be able to accommodate about 100-150 believers, the newspaper Izvestiia writes on Tuesday.

It is proposed to make the sites collapsible, so that they would be erected only during times of prayer, and small in area (15 by 20 meters). During times of celebration of major Muslim holidays, like Kurban-Bairam this fall, screens could be erected next to the sites, on which prayers of the imam at the Cathedral mosque on Prospekt Mira would be broadcast.

The idea of preparing the portable prayer sites for Muslims in the parks of the capital was developed during the work of the summer classes of the Advanced School for Urban Specialists. (tr. by PDS, posted 13 August 2013).

Traditional religions in Russia at odds with each other over the profile law

The Ministry of Justice [further in the text - MinJust] has proposed to simplify the formation of religious organizations. The Patriarch of Moscow fears that this would open the door to sects. In contrast the Muslim and Jewish communities welcome the new law.

Rianovosti (12.08.2013) - Representatives of the traditional religions in Russia differ in their opinions about the assessment of the new draft law which will simplify the process of registering new religious associations in Russia: the Patriarch of Moscow considers, that this would be an invitation to non-traditional associations, however the Muslim and Jewish communities approve of this development.

On Friday it was reported that the MinJust is preparing an amendment to the law about religious associations, which should, amongst other things, simplify the procedure for the establishment and operation of religious organizations. It has been proposed, in part, to change the mandatory 15 year term of existence for religious groups, necessary to be registered officially in Russia as a legal entity. This is because the requirement is not in line with the regulations of the European Convention on Human Rights and Fundamental Freedoms. It has also been proposed to abolish the obligation of religious organizations to annually provide, information regarding the continuation of their activities and duplicate reporting on this.

Orthodox Christians fear the growth of destructive sects

The Head of the legal office of the Patriarch of Moscow, Sister Ksenia (Chernega) does not welcome the change to the mandatory 15 year term for the existence of religious groups in Russia as a condition for State registration. It is her conviction, that this would open the way to the development of the activities of Jehovah's Witnesses in Russia and other non-traditional associations. This could, according to Sister Ksenia, pose a threat to the spiritual security of people.

"In my opinion, this draft law needs to be reexamined for two reasons. Firstly, it removes the obligatory 15 year term for existence on the territory of Russia, as a condition, for the registration of a religious association as a legal entity. This would result in many non-traditional religious associations, for example, the communities of "Jehovah's Witnesses" receiving State registration, simply as a matter of course. They would only need to provide the document, issued by the local authorities, confirming their existence within the district of the municipality," said Sister Ksenia.

According to her, the 15-year term, has long served as a kind of filter for the registration of non-traditional communities. For this reason, some of them have, more than once,

tried to challenge the relevant provisions of the Law - in 2009 they achieved success in the decision of the European Court for Human Rights. "However the advisability of the removal of the 15-year term remains under question, as - I have said previously and she stressed - this would open the way for the registration of non-traditional communities."

The Russian Orthodox Church is alarmed, that there is a proposal to exercise control and supervision of the activities of religious organizations in the same manner as is stipulated in the law for non-commercial organizations.

"You cannot apply the same approach to religious associations, that you apply to private foundations, independent non-profit organizations and institutions. Religious communities are specific in nature, and [those that drafted] the new law, unfortunately, do not want to recognize that. They continue to maintain that a law for non profit organizations may be applied to the activities of religious associations," said Chernega.

According to her, the Law on Non Profit Organizations allows the judicial authorities, "to inspect religious associations and require of them documents which they see fit - for example, the details of the proceedings at their local meetings" - and this, in the opinion of Sister Ksenia, "is gross interference into the activities of religious communities," and contradicts the principle of their separation from the State. "We, of course, are not against the control and supervision of the activities of religious communities - this needs to be done. However the procedure for this control and supervision should be specified in our Law on Freedom of Conscience, and not in the Law on Non Profit Organizations," argued the lawyer.

The Head of the Synodal Department for Church and Society, Protopriest Vsevolod Chaplin, told RIA Novosti, that he had not seen the text of the draft law, and so it was difficult for him to judge it. The priest hopes that in the near future he will be able to examine the proposals of the MinJust with the lawyers of the church. All the same, the possible removal of the 15 year term has raised questions in his mind.

"Regarding the 15-year term - it is well known, that it has protected our country from the arrival of many extremist and destructive organizations. Has the time come for the removal of this provision? Does Russia feel safe from the threat of the advent of destructive organizations? These are serious questions. They will no doubt be considered, not only by religious communities, but also by different governmental departments," said Chaplin

Muslims support this development

The President of the World Islamic Mission, representative of the Coordinating Center of Muslims of the North Caucasus (KCM SA) in Moscow, Mufti Shafiq Pshikhachev, told RIA Novosti, that he supports the initiatives of the MinJust.

According to him, the need for religious groups to provide evidence of their 15-year existence in reality might be very difficult, and for them this is "a very stringent requirement." Especially since the activities of religious groups are frequently not documented. "Religious groups - are often not registered. They just report that they say certain prayers," said Pshikhachev.

He added, that the removal of this provision, could have "some importance, for the so called new religions, since for traditional religions, the reason for the existence of these groups, is, for us, not particularly clear."

Concerning the idea of the removal of the requirement for religious organizations to provide information regarding the continuation of their activities, Pshikhachev observed,

that this is quite logical. If the activities of a religious organization are terminated, it is mandatory for the court to provide the MinJust with this information, he noted.

"Therefore what is the point of a religious organization notifying the Ministry of Justice every year that it is continuing with its activities? "....." If a court has not dissolved the organization, that means that it is still operating - that's quite obvious." said the mufti.

The Jews consider the changes, a matter of course after some, "Prophylactic Measures"

The Head of Public Relations of the Federation of Jewish Communities, Borukh Gorin, stated that the attempt to "eliminate the need for the 15-year term of existence for registration - is a perfectly natural process. A logical adjustment of the law connected with fact that this provision has already served its purpose."

According to him, the regulation regarding 15 year existence for religious groups was issued due to "hygiene concerns" in Russia, as a great number of sects and cults were operating and many of them were extremely dangerous." Any person, due to the lack of legislative regulations, "could, declare himself [the leader of] a religious sect, a religious movement and have the corresponding rights and obligations." However after the introduction of the 15-year term these types of sects "ceased to exist."

In Gorin's opinion, a disadvantage of the present legislation is that unofficial branches of traditional religions have been affected by these "Prophylactic Measures." This includes any Orthodox or Jewish organization that is not included in the centralized structure.

"In terms of accountability, both de facto [religions] today and also religions of centralized structures must report to tax organizations and the appropriate departments that monitor activities. This [draft law] is a consolidation of existing regulations. I don't see any problems associated with it." stated Gorin.

Fourth failure to convict Jehovah's Witness for extremist literature

Religiia i zakon, (09.08.2013) - Elena Grigorieva, an adherent of the Jehovah's Witnesses' religion, who over the course of 2.5 years was the object of criminal prosecution for her faith, has been acquitted. According to an erroneous version of the investigation, she distributed "printed publications containing articles of an extremist character." On 1 August 2013 the Akhtubinsk city prosecutor's office informed Grigorieva that the criminal case regarding her had been closed because there was no crime in her actions.

On 8 February 2011 a search was conducted in Grigorieva's home at the same time as searches in another 5 homes of her fellow believers in Akhtubinsk. The case was later turned over to the Akhtubinsk court, which ordered several expert analyses. After the court discovered serious violations in the course of the investigation, the case was returned to the prosecutor's office and closed.

The prosecutor informed Grigorieva that she had the right to rehabilitation, as provided by chapter 18 of the Criminal Procedural Code of RF.

Of five criminal cases that have been opened against Jehovah's Witnesses on article 282 of the Criminal Code of RF and that went to trial, this is now the fourth case in a row to be terminated on the basis of rehabilitation. Previously decisions for acquittal put an end to cases in Gorno-Altai, Yoshkar-Ola, and Chita. (tr. by PDS, posted 9 August 2013)

Statement by the Russian Ombudsman's Office regarding a criminal case against 16 Jehovah's Witnesses

HRWF (08.08.2013) - On 24 July 2013, Mr. Mikhail Odintsov from the Russian Ombudsman's Office to the Taganrog City Court of the Rostov Region issued a statement regarding a criminal case against 16 Jehovah's Witnesses.

Brief overview of the case

On 5 August 2011, V. V. Pustynnikov, the Deputy Chief of the Investigative Section of the Headquarters of the Ministry of Internal Affairs of Russia for the South Federal Circuit, initiated a criminal case against unnamed Jehovah's Witnesses. This was nearly two years after the 11 September 2009, decision of the Rostov Regional Court to dissolve the LRO of Jehovah's Witnesses in Taganrog. (The Kingdom Hall in Taganrog was confiscated on 1 March 2010).

On 25 August 2011, law enforcement officers searched 19 homes of Jehovah's Witnesses and seized personal Bibles and other non-prohibited religious literature, computers, and other personal items. The searches began at 6:00 a.m. and lasted 8 to 11 hours.

On 4 February 2012, a second criminal case was opened against a number of the Witnesses in Taganrog under Article 282.2(2) of the RF Criminal Code (CrC). On 30 May 2012, the third criminal case was opened under Article 150(4) of the RF CrC for allegedly luring minors into committing a crime. The cases were later combined and 16 Witnesses became targets of the criminal prosecution.

On 31 May 2012, the 16 Witnesses, received indictments. Four male Witnesses were accused of organizing a criminal community because they serve as congregation elders and conduct peaceful religious services. The remaining 12, including two women, were accused of participating in the activity of a criminal community for merely attending religious services.

On 12 April 2013, the accused were officially charged and the criminal case went to trial. On 30 May 2013 the Taganrog City Court began the examination of the case. The case is still being heard.

Statement of Russian Ombudsman's Office

Position of the Defense Representative concerning the charges against: N. V. Trotsyuk, A. V. Skvortsov, A. A. Koptev, and Yu. A. Baklushin for the crimes specified in Articles 282.2(1), 150(4), and 150(4) of the RF Criminal Code, and against:

**S. N. Trotsyuk, R. V. Voloshchuk, A. V. Goncharov, O. N. Goncharova,
V. V. Shchekalev, K. Yu. Minasyan, K. I. Chetverikov, V. V. Kozhukhov,
V. V. Kruglikov, T. V. Kravchenko, V. P. Moiseyenko, and K. M. Kravchenko for
the crime specified in
Article 282.2(2) of the RF Criminal Code**

Honorable Court!

As provided for in Article 273(2) of the RF Criminal Procedural Code, I wish to express my position regarding the charges made.

Over the course of several decades the focus of my scientific interests has been history, the relationship between society and the State, and the legal position of various churches and religions in Russia during the nineteenth and twentieth centuries. Among them is the religious organization of Jehovah's Witnesses, and I have devoted several of my scientific articles and compilations to various aspects of its activity. My monograph *Sovet ministrov postanovlyayet: "vyselit navechno"* (Council of Ministers Rules: "Exile Forever"), was published in 2002 and was dedicated to the history of Jehovah's Witnesses during and after the "Great Patriotic War" and based on previously classified documents and materials I discovered in the state archives.

All of this led me to the conclusion that, although the association of Jehovah's Witnesses is a relatively young religion, the organization of Jehovah's Witnesses has grown over the 140 years of its existence from a small group of people with common interests who studied the Bible and Christianity into an international organization. Today there are associations of Jehovah's Witnesses active in 239 lands and territories, uniting nearly eight million members in their ranks. For the vast majority of religious historians and religious scholars it is an undisputed fact that Jehovah's Witnesses are a Christian church, a Protestant denomination that is recognized throughout the world.

In Russia the history of Jehovah's Witnesses goes back more than 100 years to the 1880s, which has been proven by documented evidence and has impacted the lives of hundreds, even thousands, of persons. Sadly, both the Russian government and the state religion engaged in a policy of persecuting dissenting opinions and religions, and not a few subjects of the Russian Empire were subjected to repression on religious grounds. Among them were members of a new religion in Russia, Jehovah's Witnesses.

Little changed even after the October Revolution in 1917. Religious discrimination against citizens continued in Soviet Russia (USSR) just as it had been in tsarist Russia. Many religious organizations, including Jehovah's Witnesses, were arbitrarily, unfoundedly deemed "antigovernment fanatical sects" and were subjected to all kinds of persecution and their members were mercilessly sent to camps, prisons, and exile in hopes that the government could "physically destroy" religions it disapproved. At the very end of the "Great Patriotic War" a number of the leaders and activists of Jehovah's Witnesses were sentenced to 25 years for so-called "anti-Soviet" activity. Thousands of Jehovah's Witnesses were deported from Ukraine, Moldova, and the Baltic countries to Kazakhstan, Siberia, and the Far East. State security agencies began investigating all of Jehovah's Witnesses and the places where they held their religious meetings; the directors and most active members were placed under constant surveillance; the location of depots for religious literature and underground printeries were uncovered; and distribution routes for foreign religious literature were tracked.

This path of pain and sorrow continued for Jehovah's Witnesses down till the early 1990s, when the State finally realized the injustice that had been done to people with dissenting opinions and religions. According to the Law of the Russian Soviet Federative Socialist Republic on Rehabilitation of Victims of Political Repression dated 18 October 1991 No. 1761-1 and the Decree of the President of the Russian Federation on Measures to Rehabilitate Ministers and Believers Who Were Victims of Unfounded Repression dated 14 March 1996 No. 378, adherents of all churches and religions who had been unlawfully subjected to criminal prosecution were rehabilitated as victims of political repression. This completely applied to Jehovah's Witnesses.

In October 1997 the Federal Law on Freedom of Conscience and Religious Associations entered legal force, requiring that all religious associations be reregistered. On 29 April 1999 the Russian Federation Ministry of Justice reregistered the Administrative Center of Jehovah's Witnesses in Russia, which for the first time in our Russian history created all of the necessary legal conditions for communities of Jehovah's Witnesses in various regions of the country to normally carry out their activity. The reregistration was

preceded by a state religious expert study of the beliefs and practices of the religious association of Jehovah's Witnesses performed by the Expert Council for Conducting State Religious Expert Studies under the RF Ministry of Justice. That study confirmed that such expressions of faith as refusal to perform military service on religious grounds, dissemination of one's faith, and many others, were in compliance with the law. The Expert Council reached the conclusion that in cases where a citizen consciously and voluntarily refuses a blood transfusion or other medical procedure, this cannot in any way be considered a violation of the law, and that corresponding requirements of the beliefs of Jehovah's Witnesses fully harmonize with international legal requirements. Finally, the Expert Council established that the practices of Jehovah's Witnesses do not fundamentally differ in content or form from the activity of other "traditional" or "new" religious organizations, since they are exclusively religious in nature, are aimed at providing for a person's right to freedom of religion, and serve to satisfy the spiritual needs of adherents.

Taking all of this into account, the charges against my clients can in no way be construed as justified. The indictment is lengthy, but it cannot be determined from the indictment what specific crime each of the defendants committed for which he must be called to criminal accountability.

The charges are formally based on the ruling of the Rostov Regional Court dated 11 September 2009 to dissolve and ban the activity of a specific legal entity, the Local Religious Organization of Jehovah's Witnesses "Taganrog," which had operated in accordance with Article 8 of the Federal Law on Freedom of Conscience and Religious Associations. However, the indictment obviously twists the legal sense of that ruling, unfoundedly applying it to the religious activity of specific believers, all of whom are acting strictly within the bounds of the constitutional right to freedom of conscience. I call the attention of the honorable court to Article 28 of the Constitution of the Russian Federation, where it says: "Everyone shall be guaranteed the freedom of conscience, the freedom of religion, including the right to profess individually or together with others any religion or to profess no religion at all, to freely choose, possess and disseminate religious and other views and act according to them."

This right of man and citizen is guaranteed to the fullest extent for the entire territory of the Russian Federation; this includes the city of Taganrog, which belongs to a territorial subject of the Russian Federation, the Rostov Region. It is guaranteed to everyone, that is, to any resident of Taganrog who chooses a particular religion, including the religion of Jehovah's Witnesses, or any particular set of convictions. It cannot be arbitrarily restricted or denied by anyone.

Therefore, everyone who chooses the religion of Jehovah's Witnesses has the right to freely hold and disseminate his religious convictions and to act in harmony with them, including by, together with fellow believers, professing one's religion, holding religious services and prayer meetings at which the Bible or other religious books are read, and preaching. All of these things as well as other aspects of internal church affairs (particulars of worship, hierarchy, structure, distribution of responsibilities during prayer meetings, and so on) and religious worship are ways in which a citizen (person) exercises his constitutional rights. Therefore, to raise the possibility of criminally prosecuting a person for this is illegal and absurd.

Equally illegal and absurd are the unsubstantiated and demeaning assertions by the prosecution that during the religious services of that religious group calls are supposedly made to refuse to perform civic duties and to not obey the law. At the same time, members of the group are charged with inciting enmity and hatred toward other religions, with breaking up marriages and families, and with preaching their exclusivity and superiority over other religions. I have to say that such assertions cannot but offend these persons, many of whom have worked in their fields for a long time, have raised

children, participate in the life of their city, and have received commendation and awards. The prosecution did not bother to familiarize itself with the jurisprudence of the European Court of Human Rights, where a legal appraisal has already been made of such types of "charges" when considering the applications of Jehovah's Witnesses in Chelyabinsk and Moscow. The Court rejected all such "arguments," and, to our bitter dismay, Russia was found to be in violation of the European Convention.

In summing up, I would like to emphasize that Jehovah's Witnesses are able to openly and freely carry out their religious activity, as characteristic of their Christian denomination, in every city of Russia where religious organizations and religious groups of Jehovah's Witnesses operate; only in Taganrog are they persecuted for this.

I am convinced that it is impermissible to condemn a citizen for his right to be a believer and a member of a specific religious association, for adopting religious convictions and carrying them out in his personal and family life; no matter what, he is still a believer.

In view of the foregoing, and in harmony with Article 302(2.3) of the RF Criminal Procedural Code, Article 28 of the RF Constitution, and Article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, I believe the court has every basis for conducting an objective trial and acquitting all of the defendants in this criminal case.

Respectfully,
Defense representative
[signature] M. I. Odintsov

Source: Administrative Center of JW in Russia

Jehovah's Witnesses persecuted more than others

ReligioPolis (06.08.2013) - Expert sociologists often name the followers of the Jehovah's Witnesses religious confession as evidence of persecutions for faith in Russia, not without solid bases for that. The fact that it is this religious movement that has turned out for undisclosed reasons to be the most persecuted by authorities and churchmen is commonly known. It is also known that such a conclusion drawn from the observations of local researchers and perplexed believers themselves provokes objections on the part of Orthodox anticultists and individual parachurch groups who often themselves act as the persecutors or instigators of discrimination against the rights of citizens on the basis of faith.

According to a report from the Administrative Center of Jehovah's Witnesses in Russia, in the period from 11 September 2009 to 31 July 2013, there have been recorded in Russia 1,635 incidents of the violation of the rights of citizens who profess this religion.

Personnel of law enforcement agencies made 1,537 arrests of Russian believers that were accompanied by law violations, and 168 illegitimate searches were conducted in residences and houses of worship. In 66 cases, law enforcement officers intruded into religious buildings and demonstratively disrupted the conduct of worship services and deliberately shut down 13 of them.

Because of the hostility toward the Jehovah's Witnesses' religion and its adherents that has been sown by secular and clerical propagandists, in the stated period there were 153 attacks on 289 believers by various types of perpetrators, as well as 106 acts of vandalism on buildings where worship services were conducted. In all cases, representatives of law enforcement agencies or superior governmental bodies directing

their activity did not take any actions proportionate to the standards of legislation for preventing violations of the law or punishing those who were guilty. (tr. by PDS, posted 9 August 2013)

Freedom of worship under threat in Tatarstan

Religiopolis (31.07.2013) - Information that has yet to be confirmed from a public source in Tatarstan indicates the rebirth of a totalitarian tradition: the verbal instruction of government officials. This is a case of illegal and immoral administrative directions being implemented, which when reflected in official documents, could easily be "misunderstood" by the public.

Essentially this is the notorious 'telephone justice' used for administrative purposes in the USSR and even to this day. It allows higher powers to convey their 'wishes' to the local administration, to officials, to representatives of law enforcement and the judicial system, without ever having them officially recorded.

In this case the source from Tatarstan cites an order addressed to the heads of the municipal regions (urban districts), and allegedly signed by Y. Z. Kamaltinov- head of the President of Tatarstans administration. The letter which is neither dated nor numbered indicates the need to prevent religious events from being held outside of religious buildings, a right that is guaranteed by current legislation of the Russian Federation.

According to the letter, the heads of municipal regions should "inform the directors of cultural and educational facilities in your district (city) that it would be inadvisable to provide such buildings for holding religious events". If officials of state institutions responsible for dealing with religious communities receive a request from a religious organization, they are advised to promptly report it to the 'people upstairs'. The letter states: "promptly inform the directors of territorial directorates for relations with religious associations under the Tatarstan Presidential Department for Internal Policy of any requests by religious organizations to hold events in places other than in religious buildings."

Furthermore it should be mentioned that according to the law "On Freedom of Conscience and Religious Associations" public religious meetings and other religious rites and ceremonies held outside of religious buildings, structures and their territories, including other places provided to religious organizations for similar purposes, but not including places of pilgrimage, institutions and enterprises, cemeteries, crematories, and residential premises should be held according to the laws for holding meetings, rallies and demonstrations. (Resolution of the Constitutional Court of Russia (CCRF) December 5th, 2012 par30)

It's curious that the act cited by the CCRF was issued in connection with legal violations that also occurred in the Republic of Tatarstan. The document above all, informs authorities of religious organizations legal right to hold "public religious meetings and other religious rites and ceremonies, including religious and prayer meetings in places other than those specified in paragraphs 1-4 of Article 16 of the Federal Law on "Freedom of Conscience and Religious Associations"". At the same time, permission from the authorities is not required because when these particular events are organized the authorities only need to be notified. This means that by law, the decision to provide a stadium (a cultural center, a hall, an auditorium, etc.) to a religious organization not having their own building for mass worship (meetings, conferences, etc.) which more often than not is a protestant group (Pentecostals, Jehovah's Witnesses, Charismatics, etc.), is made by the owner or manager of the building at his own discretion, without directions from 'up top'.

It's not hard to see that if the source from Tatarstan's information about a government official supposedly organizing a system that violates Russian law is confirmed, then the Prosecutor General's Office will have some serious work to do.

Original text in Russian: <http://www.religiopolis.org/publications/6614-vfnthbfk-31072013-7.html>

ANNEX

CHIEF OF STAFF OF THE PRESIDENT OF THE REPUBLIC OF TATARSTAN

Kremlin, Kazan, 420014

Tel.:(843) 567-89-12. Fax: (843) 292-70-88. E-mail: AP.RT@tatar.ru

To the Heads of Municipal Districts (Urban Districts) of the Republic of Tatarstan

Various religious organizations in the Republic of Tatarstan have requested to hold mass events-conferences, symposia, conventions, and so on-involving public religious services and other religious rites and ceremonies in places other than in religious buildings. Usually requests to hold such events have been made to the directors of sports complexes, educational institutions, and cultural centers.

In this regard, I request that you inform the directors of cultural and educational facilities in your district (city) that it would be inadvisable to provide such buildings for holding religious events.

Furthermore, I request that you give orders to those responsible for interaction with religious associations to promptly inform the directors of territorial directorates for relations with religious associations under the Tatarstan Presidential Department for Internal Policy of any requests by religious organizations to hold events in places other than in religious buildings.

They proceed as "Witnesses"

Reporting from Taganrog, where a trial of Jehovah's Witnesses is proceeding, whom local siloviki consider a dangerous extremist organization

Russkaia Planeta (22.07.2013) - On 11 July on Triumph Square in Moscow an action "Orthodox FAQ" was held, organized by the "Orthodox Corps of Faith," one of the remnants of the "Nashi" movement. During the event, those who wished could play a computer game, "Don't admit Pussy Riot into the temple;" learn the name of their patron saint; "exchange your tee-shirt for an Orthodox one;" and attend a master class in preparation of Lenten food. "Besides this, at the festival there will be drinking fountains with holy water and sites explaining who the enemies of the church are and how one should deal with them," an ideologue of the corps, a brother of the former head of "Russian Youth," Boris Yakemenko, announced.

Among the twelve main "enemies of Orthodoxy" there appeared the Jehovah's Witnesses; they occupied the spot between "Novaia Gazeta" and the chief editor of Moskovskii Komsomolets, Pavel Gusev.

A correspondent of "Russian Planet" spent time in Taganrog where local Jehovah's Witnesses are on trial for participation in an "extremist organization." In the defendants' dock are 16 persons already.

Investigation with regard to another five is still continuing.

In order to get from Moscow to Taganrog it is necessary to fly to Rostov-on-Don and transfer to a train there. At the Rostov airport there is exhausting heat and a chapel of the Commander of God's Hosts Michael. It is here that in 2011 there was performed "the first prayer service before the sash of the Most Holy Mother of God that had reached the land of Don." A chapel in honor of the Mother of God icon of the Way has been erected in the building of a suburban train station. On the train they sell paper icons and calendars of Orthodox holidays. Outside the window fertile fields flash by over which glisten golden cupolas. In Taganrog, at the entrance to the station, there is a chapel consecrated to the Kazan icon of the Mother of God.

Several doors from the train station an annex session of the Taganrog city court is proceeding. It is an annex session because there is no room in the main building that could accommodate all of the trial's participants—members of the local congregation of Jehovah's Witnesses and seven lawyers.

Back in Rostov-on-Don the Russian website of Jehovah's Witnesses was opened without problems. In Taganrog, 67 kilometers from Rostov, it was blocked. "Access is restricted by court decision or for other reasons established by legislation of the Russian federation."

The decision liquidating the "Taganrog" local religious organization of Jehovah's Witnesses was issued by the Rostov provincial court on 11 September 2009. The organization was ruled to be extremist and the activity of the "Taganrog" local religious organization of Jehovah's Witnesses was officially banned in Taganrog and the Neklinov and Matveevo-Kurgan districts of Rostov province.

On the basis of numerous expert analyses and the testimony of witnesses, the court came to the conclusion that this organization "commits in its activity the incitement of religious strife, propaganda of exclusivity, the superiority of a religion at the expense of belittling other religions, and distribution of extremist materials and their possession for purposes of mass distribution."

The property of the organization—a parcel of land and a building at 52 Bakin Street where the Kingdom Hall is located—was declared the property of the Russian federation.

Two years later, in August 2011, police officers conducted searches in the homes of several Taganrog Jehovah's Witnesses. It was explained that agents from the "E" center had been conducting a criminal case for a long time regarding the continuation of the activity of an "extremist organization."

Over the course of two months operational filming of meetings was conducted at the "Eastern" congregation (the community of Witnesses is divided into congregations on the basis of districts; in Taganrog there are the "Seaside," "Western," "Nikolaev," etc. congregations). The phones of the elders of the congregations were tapped.

The investigation went on more than a year and a half. In April 2013 the case was sent to trial, the first session of which was held on 26 June.

"A year after the opening of the criminal case, the investigator summoned all 16 defendants to his office," Viktor Zhenkov, the Witnesses' attorney explained. "The investigator explained to them that the law permits us to release you from criminal liability if you voluntarily cease your participation in the activity of the extremist organization. Write for me a statement about your voluntary renunciation and I will close the case. But the defendants said: we cannot cease activity that we have not even begun.

We have never participated in an extremist organization and we cannot renounce it. The case was taken to trial."

Now twelve persons are accused of continuing the activity of an extremist community that has been prohibited by a court (part 2 of article 282.2 of the Criminal Code of the Russian federation). Four "elders" of congregations are charged on the article for organizing the activity of this community (part 1 of article 282.2) and also on the article for drawing minors into criminal activity (part 4 of article 150). Teenagers who had not reached 18 years of age attended several Witnesses' meetings.

"Next time we will bring her a pamphlet about the harm of smoking," says one of the women who had gathered before the trial, after she saw a woman prosecutor with a cigarette in her hand. Not only the defendants arrived for the session, but also several of their fellow believers. They were all properly dressed and they smiled continually and very politely. The women greeted the men with handshakes. Smiling, they photographed one another with snapshot cameras. One of the defendants, Kirill Kravchenko, handed out candy.

A tall young man approached the court. This was 19-year-old Vladislav Kruglikov, one of those fellows who, in the opinion of investigators, the elders had two years earlier "drawn into criminal activity." He took a necktie out of his pocket and tied it over his white shirt. Despite the stuffiness and heat—34 degrees (C, 94F) in the shade—all defendants came to the session in neckties. "Neckties are, in the first place, simply a respectful attitude toward the court; in the second place, we want to show that this is important for us," Kirill Kravchenko explained to me, somewhat uncertainly, after the break. A minute before that he had returned with a sigh to his car in which he had forgotten his necktie.

"In the early 2000s we assembled to conduct an evening of memories regarding the death of Jesus Christ," Tatiana Kravchenko, one of the two accused women, explained. "But all of the premises that Jehovah's Witnesses had rented were cordoned off by police. Supposedly a phone call had arrived about an emplaced bomb." "Nobody was permitted to enter and people kept coming and coming," she recalled. Tatiana said that the cordons were removed immediately after reporters learned about what was happening.

"Apparently the newspapers called the police and said 'explain what happened,' and they did not want publicity. They figured that everybody would disperse, but we just stayed. Of course, they wanted us to call off the event. Thanks to the newspaper we still held the evening of memories," Tatiana said.

To the questions of where Jehovah's Witnesses now meet and whether they have problems with renting, Tatiana jests and points to the courthouse:

"Now premises are provided for us free of charge and we have all gathered here."

She pities the woman prosecutor: "It's hot and she has so much to read, and I see that she is tired and is so pale and thin. If she is not used to it she will become hoarse and then there may be serious problems with her throat," Tatiana worries.

"However yesterday the prosecutor had already learned how to pronounce Jehovah's name correctly," another woman praised her. "She is quite capable, and, excuse me if I am wrong, she is not used to this. But she is trying, and doing well and respectfully."

The indictment occupies 20 volumes of the criminal case. Reading the materials pertaining to each of the sixteen defendants takes about an hour.

Prosecutor Anna Logvinova, a fragile blond with bracelets on her arms, took three full court sessions (26 June, 27 June, and 10 July) for announcing the whole indictment.

While the prosecutor begins reading in monotone the text of the indictment, almost the whole room dozes off, exhausted from the stuffiness.

Judge Oleg Kubantsev, a huge man with face reddened from the heat, also falls off to sleep.

"Isn't it time to take a break?" he asks the prosecutor compassionately from time to time. Having drunk water, she courageously declines, but her voice becomes more and more faint.

"The criminal case occupies 62 volumes. It is big, but it is very difficult to understand just what each of the sixteen is accused of, and sometimes it is simply impossible," attorney Zhenkov says. "It says that a specific person 'participated in the activity of an extremist organization.' But what kind of participation and how it was expressed is not specified. What did he do—sit in a meeting, sing a song, read the psalms?" "My colleagues and I think the accusation is absurd, frivolous, and vague. Why this case was begun and who needs it, we can only surmise," the lawyer adds.

The text of the indictment is almost identical for all defendants. Time after time, hour after hour, Prosecutor Logvinova enunciates one and the same formulation in which only the surnames of the accused are changed.

According to the text of the conclusion, the essence of the crimes committed by the Witnesses is the following: after 8 December 2009 the accused, "consciously knowing about the decision of the Rostov provincial court of 11 September 2009 finding the 'Taganrog' local religious organization of Jehovah's Witness extremist" and about the ban on its activity, "began to organize a criminal group," created by Nikolai Trotsiuk, Yury Baklushin, Aleksei Koptev, and Alexander Skvortsov. These are the four canonical elders who are accused as the organizers of an extremist community. It is they who allegedly lured the remaining 12 defendants "into being participants in an organized stable extremist criminal group."

After this, the recruited defendants "undertook vigorous activities aimed at achieving the goals of the extremist organization." According to the investigation, this was expressed "in participation in meetings; recruitment of new members, including minors; distribution of extremist literature; collection of money in the form of donations; and conducting evangelistic activity."

The structure of this organization consisted of elders, who "directed the activity of congregations and gave orders and instructions to other participants;" service assistants, who "helped the elders and acted in accordance with their orders;" pioneers, who assumed the duties of "conducting evangelism for a specified number of hours a month;" and broadcasters, "all participants in the congregations whom the elders permitted to witness, that is, to go to various places where people gathered and to try to conduct with them conversations regarding Jehovah's Witnesses' beliefs and give out (distribute) to people literature that had been provided for them."

According to the indictment, "elders of congregations and their assistants through their speeches on stage demonstrated for people who attended the meeting how one should proclaim one's beliefs in order to recruit new members into the organization, how to behave with law enforcement agencies, and how to distribute literature provided by the elders and their assistants." And they "looked for opportunities and ways of organizing the activity of a religious organization that had been prohibited by a court."

The elders also received "illegal income in the form of voluntary donations received from citizens for their subsequent use for the goals of the extremist organization."

All 16 defendants were charged by the investigation "with the use of methods of conspiracy." In the opinion of the investigation, the conspiracy consisted in the fact that "all participants of the 'Eastern' congregation of the Taganrog local religious organization of Jehovah's Witness answered the question whether they were continuing the activity of this congregation by saying that they are not members of the Taganrog local religious organization of Jehovah's Witness but are only 'Jehovah's Witness' in their religious confession."

In April 2010, premises were rented in Taganrog at 4-1 Sedov Street, the auditorium of the local affiliate of Kavelektromontazh. There the Jehovah's Witnesses regularly conducted meetings of the "Eastern" congregation. These meetings were described in the report of the interrogation of witness Pushkareva, who regularly attended them: "The persons responsible for the equipment turned on the music, everybody quieted down and stood and began altogether singing a little song 'Sing to Jehovah.'" "One of the brothers on stage gave a report based on the Bible, that is, he gave a speech on a biblical topic about how to apply biblical principles to life. Then the next brother came out on stage, who began reading some article from a magazine on a biblical topic regarding Jehovah's Witnesses. After this there was a discussion of the article that had been read," Pushkareva continued. She took her 12-year-old son Nikita to the meetings of the "Eastern" congregation.

According to witness Kozhukh, sometimes on stage they enacted "a kind of scene" which was needed for "teaching other members of the 'Eastern' congregation how one should proclaim the beliefs of Jehovah's Witnesses among other citizens of Taganrog."

It was these meetings that the investigation called "the criminal activity of an organized extremist criminal group."

The indictment enumerates the forms of criminal activity of the "Eastern" congregation in the following way: inciting religious strife, propaganda of exclusivity and of the superiority of a religion at the expense of demeaning other religions; recruitment of new participants; destruction of the family, marriage, and family relationships, and distancing from family environment because their relatives do not possess a true worldview from the point of view of their specific doctrine; choosing to work only part time in order to devote more time to witnessing and ministry, making the work of the organization the main thing; distributing literature ruled by a court to be extremist and materials of extremist contents as well as possession of them for purposes of mass distribution and use in worship services, sermons, and speeches; encouraging citizens to refuse to fulfill civic obligations established by law, expressed in military service, as well as refusing to fulfill duties of alternative civilian service; encouraging members of the "Eastern" congregation of the Taganrog local religious organization of Jehovah's Witnesses to refuse on religious grounds to provide medical aid to people who are in a condition harmful to life and health, specifically transfusion of blood and its components in any extreme and life-threatening conditions; enticing minor children into the activity of the "Eastern" congregation of the Taganrog local religious organization of Jehovah's Witnesses, particularly into witnessing activity when underage and minor children were forced to go about the streets and apartments along with parents, regardless of weather conditions and time of year, in order to distribute literature and to spend long periods of time at discussions in congregations.

Surveillance of Jehovah's Witnesses was conducted in April 2011. From 8 April, according to materials of the case, personnel of the local "E" center conducted "an operational search event 'Monitoring of criminal activity by the Taganrog local religious organization of Jehovah's Witnesses.'"

To spy on Witnesses in the premises on Sedov Street, special equipment was set up. Meetings held on 23 and 25 July, and 1, 6, 8, 13, and 15 August 2011 were secretly videotaped. All telephone conversations of elders were bugged and taped.

Among material evidence found during searches in Jehovah's Witnesses' homes were plans of meetings, diaries, outlines of speeches, and numerous empty pages with titles of the sort "Statement on joint pioneer ministry," "Account of congregation," "Account of visits," "Account of witnessing ministry," "Card of meeting for visitor's reports."

Here are several typical descriptions of material evidence attached to the criminal case:

29 pieces of pages measuring 140 x 210 mm. with inscriptions written by hand in pencil and purple and blue ink beginning with the words "Jehovah is a unique god" and ending with the words "Unique God;"

blank measuring 125 x 140 mm. filled in by typewriter "Please visit this person," having a place for writing information;

typed postcard with pictures of flowers measuring 14 x 16 cm with a handwritten text in purple ink with the following contents, beginning "Dear brother Volodia," "It was very pleasant for me to see your zealous service here," and ending "it showed that you love Jehovah."

From the text of the indictment, report of interrogation of defendant Tatiana Kravchenko: "She did not participate in the activity of any extremist organization. Her worship of the only true God, whose name is Jehovah, is not connected with her membership in any organization, but only with her personal religious convictions. The organization may be liquidated by court decision, but her personal religious convictions cannot be liquidated by the decision of any court."

"Since 1993 I have tried to live by biblical principles," says 31-year-old Kirill Kravchenko, a young man with a blue short-sleeve shirt. He graduated from music college in Taganrog as a choir director and he made a concert tour with a municipal chamber choir. Several months before the criminal case was begun he was married and in September 2011 he moved to Rostov-on-Don.

Now Kirill works in a company selling jewelry and he intends to open a private music school with acquaintances from the Rostov conservatory. "You see. Religion is practically invisible," Kirill explains, slinging his arm on the back of the bench. "The Russian Orthodox Church is simply the traditional religion and therefore it has churches everywhere. All the others are practically invisible because they gather in their homes and that is all. But Jehovah's Witnesses witness. That is, they walk along the streets and offer free copies of the Bible and they knock at apartments.

But again, they do not impose. They knock and if they are rejected there, they go away." "And so it seems that they simply annoy everybody.

Complaints go to the police that they are going out and they are annoying.

Because no other religion does this, it doesn't witness," he explains. "And why do we act this way?" Kirill continues. "Because the Bible says 'Go and witness.'"

This is what Jesus Christ says in Matthew: "Go and take the gospel to all peoples." We try to live completely according to the Bible and therefore we go. Although actually this is difficult." He says that if a person does not wish to converse, then he doesn't force him.

"Of course, people are different. There are old women who also witness, and they may persist,"

Kirill immediately clarifies. "This is normal for old women, you agree."

Let's say they persist with young people, and that leaves them the impression that Jehovah's Witness will not back away. But we are all people, all different. You will not be able to stop an old woman if she wants to talk with people about Jehovah or to force her to do otherwise; she cannot do otherwise. However we say, of course, that all people have freedom of choice, and if a person does not wish to talk, then don't persist. But en masse the bad is always remembered. And so it seems that we are such people."

From the text of the indictment, report of interrogation of witness L.S. Balov: "He gave evidence that Jehovah's Witnesses constantly approach on the streets of the city and impose their literature. He had such a case."

Around 11 in the evening he was called to the door at his place of residence and they saw a cross on him and they said that since he wears a cross it means that he believes in a false religion and the religion of Jehovah's Witnesses will help him understand the true religion."

Kirill Kravchenko says that now in Taganrog there are somewhere from 800 to 1000 Jehovah's Witnesses (according to data of the census of 2012, there are 254 thousand residents in all in the city). Meetings are usually held twice a week and they are attended on average by 70 to 80 people each. "But there is no exact number; perhaps 150 persons attend. We admit everyone freely and there are no problems." The great portion of them are ordinary listeners. Pioneers, who are mentioned in the indictment, are people who "want to make a vow before God," Kirill explains.

"Associate pioneers are those broadcasters who simply want to witness no fewer than 50 hours a month. There are also common pioneers who conduct such a ministry in a year," he explains. "That is their personal wish," Kravchenko emphasizes. "You can not witness at all. But then you are not fulfilling Christ's command to teach people and to tell them the good news."

Because this is the most important thing—to tell about God's kingdom which is coming soon."

Ordinary broadcasters do not have any obligations, Kravchenko says. "A person is called a broadcaster who has simply been baptized. His baptism by immersion in water symbolizes that he has been turned from a simple listener into a broadcaster, or simply a Jehovah's Witness."

From the text of the indictment, report of interrogation of defendant Kirill Chetverikon: "An elder is one of the leaders of the organization; he preaches and is responsible for conducting meetings in a manner pleasing to God. An elder is appointed by the council of elders. He appoints his service assistant." Women cannot be service assistants or elders, Kirill Kravchenko explains. "Because in the Bible only men were among Jesus' disciples. Women are not inferior, no; they simply have other duties. But a man must lead."

"An elder does not mean that person is above everybody. On the contrary," Kravchenko says. "Do you think everybody wants to be an elder? No. In the congregation they may call you at any time of the day and ask advice."

Somebody in the congregation may not do something, and again everything comes to the elder. He cares for the congregation so that there will be peace within it."

From the text of the indictment, report of the interrogation of witness N.V. Chalenko (from 1993 to 2005 he belonged to the "Eastern" congregation): "Every month the elder of the congregation sends to the Administrative Center of Jehovah's Witnesses in Solnechnoe, St. Petersburg, an account of the activity of the congregation in the month, in which he indicates the number of hours of witnessing by each of the congregation's members, the quantity of literature distributed, and an account of donations."

"We are very law-abiding citizens, and if, let's say, we are called to the police, then we go. Here there were investigations, we were summoned, and we went. One hundred percent appearance. Investigators have it easy with us. And they check off the report quicker," Kirill says. "For us everything in the country is built on accountability. And besides we witness and, it turns out, we annoy everybody. But how is it possible to forbid a person to believe in God? Or how can one forbid witnessing according to the Bible?"

"You know, it is a paradox," he jokes. "I now live in Rostov. And in Rostov I also engage in witnessing and I attend the congregation, and there it is absolutely legal. Rostov is 60 kilometers away. We live in the same country and even the same province. What kind of nonsense is this?"

"In general the whole indictment consists of water. There is nothing specific at all," Kirill Krahenko maintains, while during a break in the trial we walk around the monument to the founder of Taganrog, Peter I. The Azov Sea glistens behind the trees.

The indictment says "the criminal activity" of defendant Kravchenko was expressed in the fact that "in order to accomplish extremist activity" he "intentionally participated in conducting a meeting of the 'Eastern' congregation of the Taganrog local religious organization of Jehovah's Witnesses." He is charged with participating in meetings on 23 and 25 July and 1, 8, 13, and 14 August 2011.

Kravchenko's actions which led to opening a criminal case against him are described by the prosecutor's office thus: "In the course of the meeting K.M. Kravchenko participated in the conduct of the meeting, on instruction from the organizers of the extremist criminal group, for the purposes of spreading the ideas of the prohibited extremist organization."

However, regarding the meeting of 1 August, for example, it is clarified that on this day Kirill Kravchenko himself "delivered a speech," and another defendant, Sergei Trothiuk, at the same time "delivered extremist statements, expressed in the call for all participants in the meeting to recruit new members into an organization that was banned by a court and ruled to be extremist."

"How is it possible to forbid a person simply to be a believer?"

Kravchenko wonders again and again. "And if there were some specific actions, then point them out and do not pour out this water. Point out just which words I said, and not general phrases and a list of extremist literature."

If one believes the indictment, all statements by "witnesses" at meeting of the "Eastern" congregation were prepared "in accordance with the literature and informational materials declared by the court to be extremist." In the description of each meeting there must be enumerated the list of 64 publications of Jehovah's Witnesses on three pages, which is all the publications of the Witnesses included in the federal list of extremist materials.

According to information of the videotape, each meeting lasted 1.5 to 2 hours. "But this is impossible to go through all of these publications in one speech," Kirill throws up his hands. "We are law-abiding citizens, and once the government considers that some materials may not be used, then we do not use them. If you say that they still are being used, then write in which edition and on which page the text being used is located." A light breeze blows from the sea.

"I can say on account for myself that I read only the Bible. And in some meetings that are shown on this videotape, I only adjusted the microphone.

And they accuse me of a crime," he continues. "It turns out that if I simply attended the meeting, this means that I participated in religious hatred and incited everybody to hate other religions. Although I never said such a thing at all."

As we returned from the park to the session of the trial, Kirill explained that in recent years throughout the country, problems have arisen for Jehovah's Witness in connection with renting premises for conducting annual congresses. "It happens that they upset things on the last day before the start; they return the money and cancel the contract. Why? Because the FSB comes or the police come and say that it is necessary to cancel the contracts, all of them. Someone who fears the government does such a thing.

It is very difficult now. Sometimes it is necessary to conduct congresses in fields."

"You know, the Bible says—and again I am not bragging about this, I am simply saying it as it is—the Bible says that 'you will be persecuted for my name,'" Kirill adds, when we approach the courthouse. "Jesus Christ says this. And then, in the first century, the first Christians were hounded and considered sectarians. It is like that now. It is written: 'you will be persecuted for my name.' Well here you have a fulfillment of prophecy."

One of the main testimonies on the part of the prosecution was evidence from Vladimir Storchak, who was summoned by the investigation as a religious studies specialist. It was to Storchak whom the senior investigator for especially important cases of the investigative department of the directorate of MVD of Russia for the Southern Federal District, Ivan Bondarenko, who also conducted the Jehovah's Witnesses' case, showed the videotape made at meetings of the "Eastern" congregation. After viewing the video, the religion scholar every time explained consistently: "According to the videotape, I can draw the conclusion that the Taganrog local religious organization of Jehovah's Witnesses, despite its liquidation, prohibition, and recognition as an extremist organization, has continued its extremist activity, which is expressed in the organization of meetings and delivery of speeches at these meetings in which indications of extremism are found, such as the propaganda of the exclusivity of one religion (Jehovah's Witnesses) over others and the superiority of the religion of Jehovah's Witnesses at the expense of demeaning other religions."

In the materials of the case there are 24 such inquiries in all. It took Storchak from 23 June to 15 September 2012 to view the videotapes, each of which lasts from 30 minutes to two hours.

The materials of the case say that the 40-year-old Storchak directs the Taganrog Religious Studies Center of Information and Consultation, and also is a member of the expert council for conducting state religious studies expert analyses of the Ministry of Justice of the Russian federation for Rostov province. The center Storchak directs is a member of the Russian Association of Centers for the Study of Religions and Sects, it says on the website of the Holy Martyr Irenaeus of Lyons Center for Religious Studies Research. The latter, as is stressed, was created "with the blessing of His Holiness Patriarch Alexis II, and deals with problems of new religious movements, sects, and cults."

On the same website Vladimir Storchak is mentioned as the press secretary of the Taganrog deanery. On the website of the deanery itself, Storchak is identified as an assistant director of the diocesan evangelism department of Rostov-on-Don diocese of RPTs.

"By their impudence and stubbornness, along with offensive attacks on representatives of religions traditional for Russia, Jehovah's Witnesses have so "gotten to" residents of Taganrog and nearby villages that the offices of the procurator have literally been showered with requests to put an end to the activity of adherents of this sect that is directed to the incitement of inter-religious strife. The prosecutor's office of Rostov province opened a case," Storchak wrote in the spring of 2010, astonished that the Witnesses had not ceased their meetings after the ban by the Rostov provincial court.

In his text Vladimir Storchak argues that in the Soviet Union and Nazi Germany, Jehovah's Witnesses were persecuted not at all because of their faith. "The reason was quite different, namely on account of their purely political views, derived from their religious ideology," the specialist writes. He says that Nazis persecuted Witnesses because they refused to bear arms. In the USSR, "nobody needed an organization directed from the territory of the United States." "The Taganrog Jehovah's Witnesses do not have the least moral right to call themselves martyrs for faith," Storchak concludes, convinced by the fact that "no single government that takes on the tasks of security, stability, independence, etc. can be reconciled with the activity of sects such as Jehovah's Witnesses."

From the decision of the Rostov provincial court for the liquidation of the local religious organization of Jehovah's Witnesses in Taganrog and the ban on 34 of their publication, other regions have begun bans for "extremism" on brochures and books of the Witnesses. Now there are already 64 publications of Jehovah's Witnesses in the federal list of extremist materials. The latest prohibition was issued on 19 June by a court in Krasnoyarsk territory, which found the book "Do we witness about God's kingdom reasonably" to be extremist.

In Cheliabinsk, the prosecutor's office requested that 313 materials of Witnesses be found extremist immediately. Later this list was reduced to 95 publications, among which, in particular, are 40 issues of the magazine "Watchtower" and 35 issues of the magazine "Awake." In April 2013 a trial began on this case. "We have many publications in all and each month at least three new brochures are issued. It is fine that some publications are banned. But each month we have more new ones. Let's say, if specific publications interest me, then I keep them. I could have hundreds of publications in a year," says Grigorii Martynov, press secretary of the Administrative Center of Jehovah's Witnesses in Russia. He says police officers will take all the collected publications from the Witnesses and send them for expert analysis.

As Grigorii Martynov says, the independence of these experts and their qualifications often raise questions: "Can one take the literature of a particular ideological or religious movement and send it to the very experts who already are biased and treat this ideology in a particular way?"

"In one of our brochures there was, for example, a quotation from a publication of Leo Tolstoy. As is known, he criticized the church a lot.

And now the expert takes the quotation from Tolstoy and on its basis draws the conclusion that the brochure is promoting the superiority of one religion over others," Martynov explains.

Often in their conclusions experts do not even support their opinion and do not provide quotations from the publications they study, lawyer Viktor Zhenkov specifies. "When they

are given 95 publications, then they excerpt phrases from some and draw a general conclusion that all 95 publications have an extremist character. Even the prosecutor for Taganrog—did he study 64 volumes in a few days? It is not likely that he read even the 20 volumes of the indictment. But he approved it," Zhenkov says.

Deputy prosecutor general Sergei Vorobiev, for whose approval the indictment in the case of the Taganrog Jehovah's Witness was sent, signed the document on 8 April 2013. The materials of the case themselves say that it was sent to Vorobiev on 2 April. "It is clear that the European court will laugh at this," the lawyer notes.

Prohibition of the materials of Witnesses usually is accompanied by administrative and criminal cases. According to information of the SOVA Center for Information and Analysis, since just the beginning of 2013 Jehovah's Witnesses in Tiumen, Novokuibyshevsk, Segezhs, and Vyks have been fined on the basis of article 20.29 of the Code of Administrative Violation of Law (production and distribution of extremist materials). In Tobolsk a criminal case was opened against Witnesses on the basis of part 1 of article 239 of the Criminal Code of RF (organization of an association that infringes the personality and rights of citizens) and in the winter of 2013, 15 searches were conducted in homes of members of the local congregation. At present, a criminal case on the basis of point "V" of part 2 of article 282 of the criminal code (inciting hatred or hostility along with demeaning of human dignity committed by an organized group) is being investigated against suburban Moscow Jehovah's Witnesses.

Sometime recognition of materials as extremist or opening criminal cases provokes people to illegal actions with regard to Jehovah's Witnesses, attorney Zhenkov says. "They tell them, you are banned but you are going here. And people display aggression. This is really dangerous."

"As a rule, when there is criminal prosecution it is accompanied by a kind of information campaign in the area or even on a federal level," Martynov explains. "In the news media there is a series of television programs or some articles that 'prepare' public opinion. And of course this also incites some not quite balanced people to act more boldly. They begin to think that I am on the common line and I also fight you"

Thus, on 1 January 2013 buildings in Biisk were shelled, where Jehovah's Witnesses were located. On 2 February, during witnessing in Lukhovitsi, Moscow province, members of the Jehovah's Witnesses congregation were beaten by one of the residents. On 3 February fellow villagers attacked a Witness in the village of Olen-Kolodez, Voronezh province. On the same 3 February, the Kingdom Hall in Adygei was damaged by vandals, who broke windows in the building, smashed door locks, and damaged the drain pipes.

In February, the administration of the village of Pestravka, Samara province, received an anonymous complaint whose author threatened to blow up the apartments of Jehovah's Witnesses. On 4 March, in Moscow, a woman pushed a 75-year-old woman Witness so that she fell and struck her head on a tile. On 6 March in Omsk a resident of one apartment beat two women Witnesses; one of them was taken to the hospital with a broken rib and injured right lung. On 24 March one resident threatened two members of a congregation with a pistol and later fired a shot, but missed. On 29 March in Ozeri, Moscow province, a 22-year-old Jehovah's Witness was beaten unconscious in front of his younger brother. On 7 April in Yoshkar-Ola a local woman resident put a gun to the head of one of the Jehovah's Witnesses and her brother struck another in the face. On 19 April unidentified persons shelled a Jehovah's Witnesses building in Kurgan. The day before during a worship service unidentified persons pushed open a door with their feet and threw stones at the building. On 21 April unidentified persons poured motor oil on the door of this building and threw stones at vehicles parked in the area. On 12 May a Jehovah's Witnesses' building was shelled in Altai territory. On 18 May unidentified

persons wrote "an inscription with offensive contents" on a fence of Kingdom Hall in Cheboksari.

Criminal cases opened on the basis of article 282 often do not make it to trial or are terminated with an acquittal. "In Yoshkar Ola there was a criminal case—acquittal. In Gorno-Altai the very same thing. In Chuvashia, two persons were arrested, spent two months in custody, but the case was closed for lack of evidence of a crime. In Akhtubinsk the court decided that it was necessary to issue an acquittal, and the prosecutor asked for the case to be closed. In Chita there originally was an indictment and we appealed and the territorial court closed the case for lack of evidence of a crime," Viktor Zhenkov enumerates.

"And there is another mass of incidents where criminal cases in the regions have been opened and investigators conducted the case for 1.5 to 2 years, and then explained that the person is innocent and closed the case.

These cases already number in the dozens," the lawyer says.

One of the latest decisions of acquittal was issued on 24 April 2013 by the Kemerovo provincial court. It confirmed the decision of a lower court which refused to ban the local organization of Jehovah's Witnesses. So that today Taganrog, as before, is the only place in Russia where Jehovah's Witnesses are officially banned. (tr. by PDS, posted 29 July 2013).

Power of religion: With Putin's help, Russian church grows as political force

Fox News (16.07.2013) - As a religious television network, Spas TV wouldn't have seen the light of day in the old Soviet Union. But it is poised to become a spiritual -- and political -- powerhouse in Russia by beaming into tens of millions of homes with the likely blessing of President Vladimir Putin.

The satellite television channel affiliated with the increasingly powerful Russian Orthodox Church has filed with the government ministry that oversees television frequencies to go national. Boris Kostenko, director of Spas, which means "Savior," told Kommersant the channel will be reformatted "technologically and thematically" to attract a wider audience. While it is expected to remain heavy on religious programming, it could become a formidable force politically by blending those themes with a conservative agenda.

"[The channel will feature] daily shows with discussions aimed at young, thinking, soul-searching people," Kostenko said.

Launched in 2005, Spas TV claims to have an audience of about 10 million households in Russia. Funded with donations from Orthodox businessmen, it features talk shows and educational programs that have criticized evolution and railed against such Western ideas as liberal democracy, feminism and gay marriage.

While it may seem strange that a former KGB agent who spent most of his life in a communist and aggressively non-religious police state would form an alliance with the church, experts say it makes perfect sense, at least politically. Putin backs the church, which in turn calls him a "God-given leader," because he believes it is part of a national

tradition, not to mention some 71 percent of the Russian population consider themselves members.

Since the collapse of the Soviet Union in 1991, the Russian Orthodox Church has been completely revamped after being virtually nonexistent under decades of communist rule. It has gone from an underground vestige of the era of czars to a galvanizing political force.

"The rebuilding of the Russian Orthodox Church has been massive," Paul Valliere, a Butler University professor of religion told FoxNews.com. "It is like a completely different country than it used to be because the church, it is back. The church has a role of visibility in almost every sector of life."

Though only a minority of Russian Orthodox Christians attend church regularly, Valliere said the change over the last 25 years has been, "nothing short of spectacular."

"There is no question the Russian Orthodox Church is here to stay," he said.

According to the Pew Forum on Religion and Public Life, 101.1 million people identified as Orthodox Christians in Russia, making up 71 percent of the population.

As the church has become increasingly prominent, it has developed an alliance with Putin. Dale Herspring, a Kansas State University political science professor and foreign policy expert, believes each side has its reasons for developing such a relationship. He told FoxNews.com the praise from the Orthodox Church comes from its historical secondary presence to government.

"The Orthodox Church has long been subordinate to the state," he said. "This does not mean that the Church is not prepared to raise issues. But when the state has made a decision, the issue is resolved."

Herspring noted that the church can hardly spurn a onetime apparatchik of the secular state, given the Christian belief of redemption. As for Putin, Herspring believes his backing of the church is at least partly political.

"He has long had a soft spot for the Church," Herspring said. "He wore a cross even while he was a KGB officer (given to him by his mother). He has been seen often in church since the end of the USSR.

"I wouldn't call him a religious fanatic, but I think he sees the church as part of Russia," he said. "He believes strongly in the country's "Russianness" so he believes in the Church."

Constitutional Court rules the Constitution guarantees religious freedom in Russia

HRWF (13.07.2013) - On December 5, 2012, the Constitutional Court of the Russian Federation firmly declared the Constitution guarantees freedom of conscience and freedom of religion as a fundamental personal (civil) right in Russia (Article 28). The Court ruled the Constitution holds religious freedom as a personal matter and one of the most important forms of spiritual and moral self-determination. The Constitution guarantees the right to profess any religion or no religion at all and to act accordingly.

The Court held freedom of religion cannot be limited exclusively to personal (private) life. It comprises private and public forms. It is inseparable from other rights and freedoms enshrined in the Constitution. Above all, freedom of religion is connected with the rights to association and to freedom of assembly. The Court noted this is an inherent element of the legal status of an individual in the Russian Federation. The state must provide protection, including legal protection, for the rights and freedoms of an individual citizen (Articles 1, 64, 456(1), and 46 of the RF Constitution).

The Court stressed there is no state religion in Russia. The Constitution declares the Russian Federation is a secular state. Religious associations are separate from the state and equal before the law (Article 14). The right to freedom of religion assumes a very important social significance and obligates the Russian Federation (Article 1(1) and Article 7(1) of the RF Constitution) to ensure the profession of different religions in a neutral and unbiased manner. The aim is to achieve peace and unity among citizens, maintain public order, and religious tolerance.

The legislator and law enforcement agencies in the Russian Federation, including the courts, must provide a reasonable balance between the interests of believers and religious associations and those of other people and state institutions. The state must prevent arbitrary and unwarranted interference in the activity of religious organizations.

The Constitutional Court noted international legal instruments that recognize freedom of conscience and religion are a constituent part of the Russian Federation legal system. These include the European Convention for the Protection of Human Rights and Fundamental Freedoms (Article 9) and the International Covenant on Civil and Political Rights (Article 18).

The Constitutional Court further relied on decisions of the European Court of Human Rights to endorse the state's obligation to protect, including legal protection, the rights and freedoms of its individual citizens. The Constitutional Court cited decisions that show the European Court believes freedom of thought, conscience, and religion together with freedom of assembly comprise the foundation of a democratic society. Believers should be allowed to assemble freely without unjustified state interference.

The Constitutional Court issued its strong decision in favor of religious freedom in response to an application by the Ombudsman for Human Rights in the Russian Federation. The Ombudsman asked the Court whether the state had violated the constitutional rights of two Jehovah's Witnesses when authorities used regulatory procedures for holding rallies to convict them of administrative violations.

The two men tried to organize peaceful religious assemblies of believers. The Court ruled that state authorities and the courts had interfered with their freedom of religion guaranteed by the Constitution. The Court ordered a review of their cases.

The Constitutional Court showed its strong determination to uphold religious freedom and intervene when necessary by ordering amendments be made to prevent using regulations for conducting rallies to raise obstacles to impede holding peaceful religious assemblies. The Court ruled religious assemblies can be held without prior notice to and permission from state authorities. The Court ordered state authorities, including courts, should be guided by the Russian Constitution and the judgment of the Constitutional Court. They must not wait until amendments are made to the current regulation. The decision of the Constitutional Court is final and not subject to appeal.

Renting a stadium for a religious assembly denied to Jehovah's Witnesses

HRWF (13.07.2013) - Local authorities in Gorodets, Nizhegorod Region denied Jehovah's Witnesses the use of a stadium to conduct a large-scale religious service. As the reason for the refusal the authorities stated: "Gorodets is the spiritual capital of the Northern Nizhegorod Region, where the remains of 170 saints are buried; it is visited by hundreds of Orthodox pilgrims every day. Therefore, it would be inappropriate for religious services of Jehovah's Witnesses to be held in the manner indicated in your letter."

On May 21, 2013, Jehovah's Witnesses filed a request with the Administration of the Gorodetskiy District of the Nizhegorod Region to rent the "Spartak" stadium to conduct the "God's Word is Truth!" religious service.

On June 26, 2013, the head of the Administration of the Gorodetskiy District, V. Trufanov, refused this request. He stated that the believers' request was considered by the administration together with the archbishop of the Russian Orthodox Church. Judging by V. Trufanov's official reply, the request was denied because the city contained relics of saints and because Orthodox believers visit the city.

While Russian authorities are doing everything in their power to legally protect freedom of religion, authorities in the Nizhegorod Region have prevented Jehovah's Witnesses from exercising their right to freedom of religion. As a result, more than 2,400 believers cannot meet together to hold a religious service they consider very important.

In its February 9, 2012, letter addressed to Jehovah's Witnesses, the RF State Duma Committee for Public Associations and Religious Organizations wrote: "There are 23,848 registered religious organizations in the Russian Federation comprising over 60 confessions (associations), each of which is equal before the law and does not have special privileges or restrictions." In its Judgment dated December 5, 2012, the RF Constitutional Court added that there does not exist a state religion in Russia.

Supreme Court approves anti-Muslim regulation

Russian Court confirms ban on hijabs in schools of Stavropol

Interfax-Religiia (10.07.2013) - The Supreme Court of RF found the decision of a court confirming the prohibition on wearing hijabs in general education schools of Stavropol territory to be legal. The Supreme Court turned down the appeal of lawyer Murad Musaev, who is representing the interests of Muslims of Stavropol, concerning the decision of the territorial court on a lawsuit against the territorial government in connection with the prohibition of wearing hijabs in schools.

As attorney M. Musaev told journalists after the court session, he intends to appeal today's determination by the court.

According to the conclusions of the appeal, the ban on wearing clothing with religious paraphernalia violates the constitutional rights of the declarers. "The Russian constitution guarantees the right of each person to freedom of choice of religion, and the right to freedom of conscience and religious confession may be restricted only by the federal legislature," the appeal says.

The declarers turned to the court, since they were not permitted to attend school because they were dressed in accordance with their religious convictions. In connection with this, the declarers of the appeal were forced to go to a religious school (madrassa) or to choose correspondence.

However the Stavropol territorial court emphasized that the secular character of education is established in RF. "Restriction on external appearance assures the normal functioning of an educational institution and the equality of the confessions and religious confessions of the pupils. Pupils' appearance should correspond to a work-a-day style and have a secular character," the decision of the court of the first instance says.

According to the decision of the Stavropol territorial court, freedom of religion cannot be tied to the right to wear religious paraphernalia.

The prosecutor and a representative of the government of Stavropol territory asked for rejection of the appeal.

In February 2013, the Stavropol territorial court refused to grant M. Musaev's relevant lawsuit. The decision was appealed by the lawyer and on 22 April his appeal reached the Stavropol territory court, from which it then was sent to the Supreme Court of RF.

M. Musaev sought a recognition as invalid the order of the government of Stavropol territory of 31 October 2012, "On confirming the basic rules for school clothing and external appearance of schoolchildren," in part, which denied the right of women of the Muslim religious confession to dress in accordance with their religious convictions because of a number of inconsistencies with existing rules."

In October 2012 the Stavropol territorial muftiate reported complaints from parents of several schoolchildren that their Muslim daughters had not been permitted for about two weeks to attend school in hijabs. Five schoolgirls in Neftekum district were not permitted to attend classes from 3 to 17 October. According to parents, on 1 September the girls attended school in scarves and they studied over the course of a month without problems.

On 18 October at a meeting with representatives of the All-Russian National Front, Russian President Vladimir Putin spoke of the need to respect religious feelings, but also to act in accordance with the secular character of the Russian state.

The governor of Stavropol subsequently issued an order to begin immediately developing a territorial legal rule that would fix the requirements on pupils' clothing.

Since 9 January 2013, all schoolchildren in Stavropol have been attending classes in uniforms in accordance with the order of the regional government.

The order of the territorial government of 31 October 2012 prescribes, specifically, that clothing must be of a classical style: for girls, no low waist or cleavage. At the same time, schoolchildren are not prohibited from wearing slacks of a classical type and they are permitted to wear jumpers, sweaters, and pullovers during the cold part of the year.

The rule also introduces a direct prohibition on the use of religious clothing, symbols, and paraphernalia. (tr. by PDS, posted 12 July 2013)

Orthodox relics block Jehovah's Witness meeting

By Geraldine Fagan

Forum 18 (10.07.2013) - A written Russian official refusal to allow Jehovah's Witness to meet for worship in Nizhny Novgorod Region, made in consultation with a local Orthodox bishop, provides rare evidence that state opposition to Jehovah's Witnesses is fuelled by support for the Russian Orthodox Church (Moscow Patriarchate), Forum 18 News Service has found. "As the administration, we conduct all our activity in close contact with the [Moscow Patriarchate] Diocese," the official who drafted the refusal, Svetlana Zakharova, confirmed to Forum 18. "There's not a single question affecting the interests of one side or the other that we don't decide collegially." It is highly unusual for Russian officials to make such admissions, especially in writing, Forum 18 notes. Elsewhere, more Jehovah's Witness texts have been banned, and raids on and detentions and fines of Jehovah's Witnesses and Falun Gong practitioners continue. The government is also set to increase punishments for "extremist" activity under the Criminal Code.

A written Russian official refusal to allow Jehovah's Witness to meet for worship in Nizhny Novgorod Region, made in consultation with a local Orthodox bishop, provides rare evidence that state opposition to Jehovah's Witnesses is fuelled by support for the Russian Orthodox Church (Moscow Patriarchate), Forum 18 News Service has found.

"As the administration, we conduct all our activity in close contact with the [Moscow Patriarchate] Diocese," the official who drafted the refusal, Svetlana Zakharova, confirmed to Forum 18 on 10 July. "There's not a single question affecting the interests of one side or the other that we don't decide collegially."

The refusal comes amid more government attempts to outlaw Jehovah's Witness texts in different Russian regions, as well as prosecutions of people distributing Jehovah's Witness works earlier ruled "extremist" (see below).

Local courts have also recently issued more "extremism" rulings against Muslim texts and people distributing them (see forthcoming F18News article).

People following the Chinese spiritual practice of Falun Gong have similarly been targeted in Rostov-on-Don Region (see below).

Russia is also preparing to toughen the criminal "extremism" punishments increasingly used against freedom of religion or belief (see below).

Relics and pilgrims only

On 25 June, Gorodets District Administration refused to allow Jehovah's Witnesses to hold a worship service at a local sports stadium. Signed by District Administration Head Viktor Trufanov and seen by Forum 18, the written refusal explains: "Gorodets is the spiritual capital of the north of Nizhny Novgorod Region, where the relics of over 170 saints are kept and hundreds of Orthodox pilgrims travel every day. We therefore consider it inappropriate for a Jehovah's Witness worship service to be held in the manner described in your letter." Trufanov further admits that the Jehovah's Witnesses' request was "considered together with Orthodox Archbishop Avgustin (Anisimov)."

Avgustin is in fact the Moscow Patriarchate's Bishop, not Archbishop, of Gorodets and Vetluga, Forum 18 notes.

The official who drafted the letter, Svetlana Zakharova, is Gorodets District's Assistant Head dealing with social policy. Reached by Forum 18 on 10 July, she defended the Administration's consideration of the Jehovah's Witnesses' request in conjunction with the local Moscow Patriarchate bishop. The Orthodox Diocese, she maintained, "hasn't just appeared here - we have many religious objects linked with traditional Orthodoxy (...) We work together on all social programmes and projects (..) and so we had a consultation and voiced the opinion that we reached collegially."

Asked why the presence of Orthodox relics and pilgrims excluded the possibility of a meeting for public worship by a second religious organisation, Zakharova laughed. "That's what we decided. We have the right to do that on our own territory!"

It is highly unusual for Russian officials to make such admissions, especially in writing, Forum 18 notes. Jehovah's Witnesses and other disfavoured religious communities often suggest that a bias in favour of the Moscow Patriarchate is the motivation for discrimination against them.

State support for Russian Orthodoxy is also rarely cited as grounds for banning Jehovah's Witness literature. In September 2009, however, Rostov-on-Don Region's landmark ruling outlawing 34 such texts did find their citation of renowned Russian author Leo Tolstoy's criticism of the Orthodox Church to be evidence of "extremism".

More Jehovah's Witness texts banned

On 19 June Uspenskoe District Court (Krasnodar Region) ruled "extremist" another Jehovah's Witness text - "'Bearing Thorough Witness' About God's Kingdom", the Regional Public Prosecutor's Office reported. The Jehovah's Witnesses intend to appeal against this ruling, their spokesperson Grigory Martynov told Forum 18 on 8 July.

Seen by Forum 18, 30 April amendments to Uspenskoe District Public Prosecutor's suit to ban the text claims it could form in readers' minds "a negative image of traditional Christian clerics". The suit also maintains that the book, published in Germany in 2009, contains "indirect incitement of citizens to refuse to perform legally prescribed duties".

While these "duties" are not specified, the European Court of Human Rights in Strasbourg ruled on 10 June 2010 (in paragraph 150 of the judgment) that Jehovah's Witnesses' refusal to perform military service is in full compliance with Russian law.

In the Siberian city of Krasnoyarsk, Soviet District Court continues to seek a ban on multiple Jehovah's Witness texts. Its 14 February "extremism" ruling against "What Does the Bible Really Teach?" - also published in Germany in 2009 - is now in force, Jehovah's Witness spokesperson Martynov told Forum 18. Three texts similarly ruled "extremist" by the Court in early 2013 are undergoing "expert" analysis, however, as part of an appeal pending in Krasnoyarsk Regional Court.

Krasnoyarsk's Soviet District Court planned to review a further four Jehovah's Witness titles. Hearings were twice postponed in June, and the latest hearing took place today (10 July) Martynov told Forum 18.

In the Urals, Chelyabinsk's Tractor Factory District Court is now considering a ban on 12 Jehovah's Witness texts, Martynov told Forum 18. Currently, the case is adjourned to allow an "expert" analysis. The Court began by considering 95 Jehovah's Witness titles in April, but this list was reduced at the prosecution's initiative in June, Martynov stated.

The two texts recently ruled "extremist" in Krasnodar and Krasnoyarsk have yet to be added to Russia's Federal List of Extremist Materials, at which point they will be banned

from distribution nationwide. However, an edition of "What Does the Bible Really Teach?" published in the USA in 2005 is already on the List, being one of the 34 texts ruled "extremist" by Rostov-on-Don Regional Court in 2009.

As of 10 July 2013, there were a total of 68 Jehovah's Witness titles on the List. The most recent addition of Jehovah's Witness texts was in late 2011. Those who possess items on the Federal List are liable to criminal prosecution.

More Jehovah's Witnesses fined

Administrative prosecutions of those distributing Jehovah's Witness texts continue in different parts of Russia.

On 25 April Pavel Rusnak was fined 1,000 Roubles (about 190 Norwegian Kroner, 24 Euros, or 30 US Dollars) by Vyksa City Court (Nizhny Novgorod Region) for "production or distribution of extremist materials" (Code of Administrative Offences, Article 20.29), according to the ruling seen by Forum 18. Rusnak was found to have given a copy of the Jehovah's Witness brochure "The Government That Will Bring Paradise" to a man on Red Dawns Street in Vyksa town on 7 or 8 February. As a Jehovah's Witness, Rusnak admitted distributing literature in his free time, but insisted he had not shared anything on the Federal List. Also seen by Forum 18, a 17 June ruling by Nizhny Novgorod Regional Court rejected his appeal.

"The Government That Will Bring Paradise" was ruled "extremist" by Rostov-on-Don Regional Court in September 2009 due to the phrase "all who love God are called to leave false religion without delay," as well as an uncited "thesis about Jehovah's Witnesses' non-interference in politics".

The Supreme Court subsequently confirmed the Rostov-on-Don ruling, in a judgment seen as encouraging similar suits from prosecutors across Russia.

On 3 April 2013 Jehovah's Witness elder Pavel Mokshin was fined 3,000 Roubles under Article 20.29. According to the ruling by Novokuibyshevsk City Court (Samara Region) – seen by Forum 18 – on 29 January police searching Novokuibyshevsk premises rented for worship by his congregation found five copies each of the brochures "Jehovah's Witnesses. Who Are They? What Do They Believe?" and "You Can Be God's Friend".

Both brochures were also ruled "extremist" by the 2009 Rostov-on-Don ruling.

As cited by the 2009 Rostov-on-Don ruling, seen by Forum 18, the only example of "extremism" in "You Can Be God's Friend" is: "a false religion is a religion which does not teach Biblical truth.. Today many people think they are worshipping God, but actually serve Satan and his demons.. Jehovah wishes people to talk with him and not with statues or a picture, in which there is no life."

The same ruling does not cite at all from "Jehovah's Witnesses. Who Are They? What Do They Believe?".

The courts in both Vyksa and Novokuibyshevsk in April 2013 ordered the confiscated brochures to be destroyed, being material "withdrawn from circulation" due to closure of the relevant cases (Code of Administrative Offences, Article 29.10, Part 3.2).

More Jehovah's Witnesses raided

The Jehovah's Witnesses also report continuing raids by law enforcement agents searching for "extremist" literature. No charges have yet followed these incidents, however, Jehovah's Witness spokesperson Martynov told Forum 18.

Early on 29 May, police and FSB security service officers raided two Jehovah's Witness homes in the town of Pallasovka and nearby village of Novostroika (Volgograd Region). They seized religious literature, a laptop and personal photographs.

On 22 May police raided a Jehovah's Witness home in the town of Okha (Sakhalin Region), seizing religious literature and personal items. Following the raid the Jehovah's Witness was interrogated, fingerprinted and photographed at a local police station.

On 12 April at least 15 law enforcement agents searched premises in the village of Vorokhobino (Moscow Region) where a Jehovah's Witness service was going on. They claimed to find an unspecified banned Jehovah's Witness text, which congregation members insist was planted.

Also on 12 April, police seized religious literature, computer disks with religious content, personal recordings and documents during two raids on Jehovah's Witness homes in nearby Sergiyev Posad.

Raids on and arrests of Muslim readers of the works of Islamic theologian Said Nursi are also continuing.

Falun Gong fine, inspections

A practitioner of the Chinese spiritual practice Falun Gong has also been fined for distributing "extremist" literature, Forum 18 has learned.

The practitioner, Dmitry Smolnikov, was – like Jehovah's Witness Rusnak in Vyksa - fined 1,000 Roubles under Article 20.29 by Matveev-Kurgan District Court (Rostov-on-Don Region) on 6 March. According to the ruling seen by Forum 18, Smolnikov "aimed to advertise and attract the population of Matveev-Kurgan District to the teaching of Falun Gong" by displaying advertisements, as well as distributing five copies each of "Zhuan Falun" and "Falun Gong" to people who expressed an interest in the movement.

Both titles are by Falun Gong's Chinese founder, Li Hongzhi. "Zhuan Falun" - but not "Falun Gong" – is on Russia's Federal List of Extremist Materials.

In Rostov-on-Don itself, law enforcement agents conducted check-ups on two groups of Falun Gong practitioners at rented premises in the city's Lenin and Railway Districts on 19 and 24 March, local Falun Gong co-ordinator Vladimir Sheremetyev told Forum 18 on 9 July. On asking to see what literature the practitioners used, the state representatives were on both occasions offered copies of "Falun Gong". There have been no subsequent legal measures against the movement's practitioners in Rostov-on-Don, Sheremetyev added.

Moves to toughen "extremism" punishments

Russia looks set to increase punishments for "extremist" activity under the Criminal Code. On 22 June a draft Law signed by Prime Minister Dmitri Medvedev was lodged with the Duma (parliament). The government's website announced on 28 May that the Justice Ministry had compiled this draft by order of President Vladimir Putin.

Seen by Forum 18, the explanatory note accompanying the draft Law maintains that the initiative is aimed at "neutralising the threat to national security linked with destructive activity by religious organisations".

Under the international human rights treaties which Russia has solemnly promised to implement, such as the International Covenant of Civil and Political Rights and the European Convention on Human Rights and Fundamental Freedoms, "national security" is not a permissible ground to limit freedom of religion or belief.

Also seen by Forum 18, the text of the draft Law would harshen punishments for several Criminal Code articles increasingly used against freedom of religion or belief. The articles are routinely used to prosecute Muslim readers of the works of Said Nursi and Jehovah's Witnesses.

The draft Law changes:

- Article 282 "incitement of hatred [nenavist] or enmity [vrazhda], as well as humiliation of human dignity".

The lowest fine for the offence (if accompanied by violence or the threat of violence, committed as part of an organised group, or if the offender makes use of their official position) would triple to 300,000 Roubles (about 56,000 Norwegian Kroner, 7,000 Euros, or 9,000 US Dollars). When not characterised by any of these three circumstances, the maximum term of forced labour for the offence would double to four years.

Article 282 has been a usual choice of prosecutors seeking to punish Jehovah's Witnesses exercising their freedom of religion or belief, and punishments under this Article were last increased in December 2011.

- Article 282.1 "organisation of an extremist grouping"

The minimum fine for the offence would rise to the previous maximum, 200,000 Roubles (about 37,000 Norwegian Kroner, 4,700 Euros, or 6,000 US Dollars). The new maximum fine would be 500,000 Roubles (about 93,000 Norwegian Kroner, 12,000 Euros, or 15,000 US Dollars). The maximum period for which an offender could be fined their income would double to three years. The maximum term of forced labour would increase from four to five years. The maximum term of imprisonment would increase from four to six years.

For the lesser offence of participation, the maximum fine would rise from 40,000 to 100,000 Roubles (about 19,000 Norwegian Kroner, 2,400 Euros, or 3,000 US Dollars). The maximum period for which an offender could be fined their income would increase from three months to one year. The maximum term of forced labour would increase from two to three years. The maximum term of imprisonment would increase from two to four years.

Since punishments under Article 282.1 were last increased in December 2011, it has started to be used against Jehovah's Witnesses exercising their freedom of religion or belief (. Article 282.1 was also used against a Muslim Nursi reader, Ramil Latypov, whose trial was halted in December 2012.

- Article 282.2 "organisation of an extremist organisation" [Unlike 282.1, this article refers to an organisation formally banned by a Russian court].

The minimum fine for the offence would rise to the previous maximum, 300,000 Roubles (about 56,000 Norwegian Kroner, 7,000 Euros, or 9,000 US Dollars). The maximum

period for which an offender could be fined their income would rise from two to three years. The maximum term of forced labour would increase from three to five years. The maximum term of imprisonment would double from three to six years.

For the lesser offence of participation, the maximum fine would rise from 200,000 to 300,000 Roubles. The maximum period for which an offender could be fined their income would increase from 18 months to two years. The maximum term of forced labour would increase from two to three years. The maximum term of imprisonment would double from two to four years.

Currently, several types of "extremism" offence are classed as minor. These are "incitement of hatred or enmity" if unaccompanied by violence, not committed as part of an organised group and/or not using the offender's official position; and participation in either an "extremist" grouping or organisation. Consequently, the draft's explanatory note laments, investigation of such offences does not allow the state to monitor private telephone calls.

Article 282.2 has been a usual choice of prosecutors seeking to punish Muslim readers of Nursi's works exercising their freedom of religion or belief, and punishments under this Article were last increased in December 2011.

Supreme Court hearing issue of wearing hijabs in schools

Russian Prosecutor General insists on correctness of decision of Stavropol Court on ban of hijabs in schools

Interfax-Religiia (10.07.2013) - The prosecutor general of the Russian federation supported the decision of the Stavropol territorial court, finding legal the order of the territorial government introducing school uniforms and banning the wearing of hijabs in general educational institutions, a correspondent of Interfax reports. "The court correctly confirmed that the prescribed rule of the law is consistent with the acts of higher juridical forces and in adopting the law, the government of Stavropol territory did not exceed the limits of its authority," the prosecutor said in the Supreme Court, where the appeals against the decision of the Stavropol court is being heard.

The prosecutor declared that the decision of the court of the first instance was legal and reasonable, emphasizing that in Russia the secular character of general education has been established.

A representative of the government of the territory, Vladimir Molchanov, stated in court that the order was adopted in accordance with the law and does not contradict the constitution and federal legislation. "We ask that the decision of the court be left in force and that the appeal be rejected in its entirety," he said.

V. Molchanov recalled that the Ministry of Education and Science recommended to the constituent entities of RF that they ensure the requirements of school uniforms. "The bodies of the constituent entities have already, within the bounds of their authority, adopted appropriate acts, which in the first place should ensure the equality of all pupils regardless of religious confession," he stressed.

V. Molchanov reported that such rules have already been adopted in Adygei, Bashkiria, and Dagestan.

In his turn, a representative of the plaintiffs, attorney Murad Musaev, noted in court that "actually Stavropol territory court has legitimized the violation of the constitution of RF

and federal legislation by the government of the territory. A constituent element of RF cannot intrude into the sphere of religious freedom; this sphere is regulated by federal legislation," he said.

M. Musaev reported that the declarers of the appeal, who were not permitted to attend a general education school in religious clothing, were forced to choose a madrassa and correspondence study, although this was not their free choice. "The right to education for my client, Alina Suleimanova, has been violated," he thinks. (tr. by PDS, posted 10 July 2013)

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Another publication of Jehovah's Witnesses declared extremist with the help of an Orthodox priest

Human Rights Advocate (09.07.2013) - On 19 June 2013 the Uspenskiy District Court declared the religious book of Jehovah's Witnesses "*Bearing Thorough Witness" About God's Kingdom* to be extremist. During the trial the court questioned an Orthodox priest as a witness and attached to the case materials the conclusions of a specialist with Orthodox leanings.

On 2 November 2011 the Uspenskiy District Prosecutor filed a claim in court to declare the above-mentioned book to be extremist material.

On 14 February 2012 the Uspenskiy District Court of the Krasnodar Territory assigned a psycholinguistic expert study in the case. The study was completed on 2 May 2012 and was favorable. Later, on 6 June 2012, the prosecutor, apparently not satisfied with the results of the first expert study, filed a motion to assign a repeat expert study to a different institution, the Southern Regional Center for Judicial Expert Studies. This was the same expert center that prepared the expert conclusion on the basis of which the Rostov Regional Court rendered its 11 September 2009 decision declaring 34 publications of Jehovah's Witnesses to be extremist. The experts' conclusions regarding the book "*Bearing Thorough Witness" About God's Kingdom* were submitted to the court on 14 March 2013; however, the prosecutor changed his demands and requested that the publication be declared extremist on other grounds.

On 17 June 2013, in spite of objections by the defense, the judge granted the prosecutor's motion to question a local Orthodox priest, Aleksandr Shmigelskiy, dean of the Holy Uspenskiy Parish in the village of Uspenskoye. This witness stated that when he read the book "*Bearing Thorough Witness" About God's Kingdom*, he immediately recognized that it incited religious discord. At the same time, A. Shmigelskiy did not cite any specific examples or quotes from that publication.

It also became evident from Shmigelskiy's testimony that the prosecutor's office sent the book to him for an expert study, although he is not a specialist in those fields and is not familiar with the members of the local religious organization of Jehovah's Witnesses or with the activity of Jehovah's Witnesses in general.

When resolving disputes involving violations of Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the European Court explained that evaluative judgments by citizens professing one religion about the convictions of representatives of another religion are inadmissible as evidence. This shameful practice, however, is the norm for some local prosecutors' offices and is often permitted by judges.

The Uspenskiy District Court also attached to the case materials the conclusions of research by Marina Shakhbazyan who, as a second job, is the vice-chancellor of science at the Yekaterinodar Theological Seminary.

This case is yet another vivid example of how local law enforcement does not wish to follow the general approach developed by the legislature in order to protect freedom of worship and speech in Russia.

Eight readers of Islamic theologian arrested

Forum 18 (24.06.2013) - Eight readers of Islamic theologian Said Nursi are being held in prolonged detention after law enforcement raids in St Petersburg and the Urals region of Perm, Forum 18 News Service has learnt. Unconfirmed reports claim an unspecified number of similar detentions in three other Russian locations.

In one, however – the Black Sea port of Anapa – court and police representatives have told Forum 18 they are unaware of such measures (see below).

The newest "extremism" detentions come as a landmark trial of two Nursi readers in the Siberian city of Novosibirsk ended in their one-year suspended prison sentences.

In all the above cases, Nursi readers are accused or suspected of organising or participating in banned "extremist" organisation "Nurdzhular" (a russification of "Nurcular", Turkish for "Nursi followers"). The harshest possible punishment – for organising - is three years in prison (Criminal Code, Article 282.2, Part 1). Nursi readers deny they form part of any organisation.

The Supreme Court's April 2008 decision banning "Nurdzhular" – and so underpinning all these cases - has finally been released as part of the case material in Novosibirsk.

From a Turkish Sufi background, Said Nursi (1876-1960) attempted to integrate Islamic and modern scientific thought. While Nursi spent many years in internal exile and prison under the rigidly secularist regime of Mustafa Kemal Atatürk, his works are now freely read in Turkey.

Forum 18 finds the primary cause of Russia's anti-Nursi campaign to be state opposition to "foreign" spiritual and cultural influence.

In the Black Sea coast town of Taganrog, meanwhile, another key trial for involvement in a banned "extremist" organisation – the local Jehovah's Witness congregation – began in May against 16 Jehovah's Witnesses.

St Petersburg

Arrested in St Petersburg on 3 March, Nursi reader Shirazi Bekirov has now been detained for more than three and a half months, fellow Nursi reader Sergei Mikhailov told Forum 18 on 20 June. Bekirov stands accused of organising the activity of banned "extremist" organisation, "Nurdzhular" (Criminal Code Article 282.2, Part 1).

Seen by Forum 18, a 4 March order signed by Judge Vsevolod Dvorovenko of St Petersburg's Nevsky District Court authorised Bekirov's detention until 25 April. Seen by Forum 18, a 23 April order signed by Judge Mikhail Kharitonov of Nevsky District Court prolonged Bekirov's detention until 28 June. On 19 June Bekirov lost an appeal against this order, Mikhailov told Forum 18. St Petersburg City Court's website confirms that Bekirov's appeal was rejected by its Judge Yevgeny Dorozhinsky on 19 June.

The maximum standard period for pre-trial detention is six months (Criminal-Procedural Code, Article 109, Part 2).

A spokesperson at Detention Centre No.3 in St Petersburg - where Bekirov was assigned according to his case material - refused to confirm Bekirov's detention there on 24 June. "We don't give out such information," he told Forum 18.

Detention followed raid

Bekirov's detention followed a 2 March evening raid on his rented apartment by the FSB security service, Mikhailov told Forum 18. A total of ten men – one Turkmen, four Azerbaijani and five Russian citizens – were detained as members of "Nurdzhular", according to a 4 March report by Rosbalt news agency. Six more homes and a garage were also raided and some 2,000 Nursi titles seized, according to Mikhailov, but measures were not brought against anyone except Bekirov.

The 4 March court order maintains that detention is necessary because Bekirov holds dual Russian-Azerbaijani citizenship, periodically visits "Azerbaijan, Turkey, Saudi Arabia and other countries of the Arab world", and intended to travel to Turkey on 4 March. If not held in detention, the order adds, Bekirov could destroy evidence, exert pressure on witnesses as their "ideological leader" or go into hiding.

The order also notes that Bekirov appealed for milder restrictions, citing his lack of a criminal record. He protested that he intended to visit Turkey for only a week before returning to Russia, and that he had tried to annul his Azerbaijani citizenship but received no response from Azerbaijan's consulate.

Forum 18 has also seen Bekirov's case material, drawn up by the Investigation Service of St Petersburg and Leningrad Region's FSB Department. The Service's 27 February report maintains that Bekirov - under surveillance since August 2011 - distributed Nursi literature at international book fairs in St Petersburg in April 2012 and Kiev (Ukraine) in November 2011.

Having questioned "a specialist with corresponding cultural knowledge", the FSB further established that "Nurdzhular" members are "united by adherence to Said Nursi's ideas", and that their main purpose is "missionary activity" through "discussions on religious topics" in private homes.

The Investigation Service's 28 February order opening the "Nurdzhular" case maintains that Bekirov and unidentified persons organised "conspiratorial gatherings" at which "Risale-i Nur", Nursi's Koranic commentary, was read. The Service's 11 March charges against Bekirov further maintain that he "propagandised ideas and materials that are the ideological source" of "Nurdzhular" - specifically, parts of "Risale-i Nur" - at his home on Wednesday and Sunday evenings.

Law enforcement agents now routinely equate readership of Nursi with membership of "Nurdzhular". Yet Forum 18 has found no connection between the few concrete reasons offered by Russian courts for banning Nursi literature – such as Nursi's reference to non-Muslims as "empty-talkers" - and the broader state allegations regarding "Nurdzhular".

Moscow's Koptevo District Court ruled translations of 14 parts of "Risale-i Nur" ("Messages of Light") "extremist" in May 2007. Subsequently added to the Federal List of Extremist Materials, their distribution is banned throughout Russia.

A further two translations of parts of "Risale-i Nur" ruled "extremist" by district courts in Krasnoyarsk and St Petersburg were added to the Federal List in January 2013.

Even Russia's most pro-Kremlin Muslim leader, Mufti Talgat Tadzhuiddin, pronounced "Risale-i Nur" to be "far from religious extremism and fanaticism" in 2001.

As of 21 June, the Federal List ran to 1,920 titles, including Nursi and other Muslim, Jehovah's Witness and Falun Gong publications.

Familiar rhetoric

Accompanied by video provided by St Petersburg and Leningrad Regional FSB, the Rosbalt report of the 2 March raid on Bekirov's flat suggested there were "grounds to suppose the extremists would resist." It also maintained that members of "Nurdzhular" had supported terrorism in both Chechnya and Turkey. Security agency sources for a similar, 5 March report in Rossiiskaya Gazeta newspaper "hinted confidentially and very unofficially that participants in this sect were carrying out the tasks of Turkish intelligence and the CIA".

While such rhetoric is also commonly heard from Russian government representatives, these claims are nowhere substantiated in the relevant court decisions first banning Nursi literature and later prosecuting alleged "Nurdzhular" members, Forum 18 notes.

Follow-up searches by FSB officers took place in various locations of St Petersburg and the surrounding Leningrad Region on 4 April. "Again extremist literature was taken," the Regional FSB told Interfax news agency the following day. "As part of the [criminal] case, two citizens of Azerbaijan were brought to us for questioning. They were released after interrogation."

FSB officers said the two unnamed Azerbaijanis had just arrived in St Petersburg to find out what had happened to and to support the arrested Bekirov, as well as "to revive the organisation".

Perm Region

In another "Nurdzhular" criminal case opened under Article 282.2 by Volga Federal District's Interior Ministry, local police and FSB officers detained seven people on the territory of Perm Region, the Ministry reported on 21 May. The operation also seized 4,860 "extremist" books and brochures, as well as digital material, computer equipment and telephones.

As part of the same investigation, local police and FSB simultaneously detained an unspecified number of people in Anapa (Krasnodar Region), Rostov-on-Don and St Petersburg, according to the Ministry and similar Russian media reports. Here, the law enforcement agents confiscated 1,200 "extremist" books, digital material, computer equipment and "printed publications and typed texts with religious content in Arabic". Two of those detained were released under a travel ban [podpiska o nevyezde].

A spokesperson for Volga Federal District's Interior Ministry told Forum 18 on 17 June that all seven suspects in Perm Region were still in detention - "Their question is still being decided" - and that they had not yet been formally charged. He further confirmed that the relevant case was opened under both Part 1 (organisation of) and Part 2 (participation in) a banned "extremist" organisation (Criminal Code, Article 282.2). The spokesperson was unable to provide further details.

The seven Perm Region detainees are one Turkish, three Azerbaijani and three Russian citizens, Kommersant newspaper reported on 21 May. The law enforcement agencies refused to disclose their names, according to the Kommersant report, noting only that the Turkish citizen ran timber businesses and the Azerbaijanis sold fur coats at market while also distributing "extremist" literature.

Russian media footage showed law enforcement agents visiting a fur coat shop in Perm, though gave no date for the raid. At a mobile telephone number for the shop, which

Forum 18 has identified, a man told Forum 18 on 20 June that the number earlier belonged to an Azeri named "Elnur" who was currently in detention. He was unable to provide further details.

Nursi readers in various parts of Russia were also unable to provide details on this case when contacted by Forum 18. The original Interior Ministry report is too general to pinpoint detentions in the major cities of Rostov-on-Don and St Petersburg, where the timing and quantity of literature seized appear distinct from the Bekirov case.

In Anapa, however, neither the District Court nor Municipal Court knew anything about local "Nurdzhular" detentions when contacted by Forum 18 on 19 June. The District Court spokesperson confirmed to Forum 18 that one of these two courts would have authorised such detentions. The Municipal Court spokesperson suggested local police would be familiar with the case if it had not yet been referred to a court.

A spokesperson at Anapa Police Department told Forum 18 on 19 June that the Department had no information about local "Nurdzhular" detentions.

USCIRF concerned about Russian 'Blasphemy Bill' and the status of freedoms of religion and expression

USCIRF (28.06.2013) - The Russian State Duma on June 26 passed a controversial bill on "causing offense to the sentiments of religious believers." The bill now awaits only a presidential signature before becoming law, most likely on July 1. The bill would punish alleged offenses against religious sentiments by up to three years in prison.

"With space for free expression shrinking rapidly in Russia, enactment of this bill would further erode human rights protections in Russia," said U.S. Commission on International Religious Freedom (USCIRF) Chair Dr. Katrina Lantos Swett. "Speech limitations violate Russia's international commitments, and this law will lead to abuse and arbitrary rulings against permissible speech that some deem 'offensive.'"

First introduced last fall, the so-called "blasphemy law" has provoked an outcry from many who warn that the law would violate the Russian constitutional separation of religion and state, and predict that officials will use it to target critics of the Moscow Patriarchate. Many also assert that while the Duma's Social and Religious Organizations Committee, the Kremlin human rights council, and the Public Chamber all amended the bill, its major flaws were not addressed.

The bill states that "public acts held near religious sites that show blatant disrespect for society and intended to offend believers' religious sentiments" would be penalized by fines of up to 300,000 rubles (more than \$9,000) or punished by forced labor or prison terms of up to one year. If alleged offenses are committed inside religious sites, the bill sets higher penalties, with fines of up to 500,000 rubles (more than \$15,000) or up to three-years of forced labor and prison plus post-imprisonment restrictions of up to one year. Russian citizens convicted of obstructing religious activities will face increased fines as will those who use their official positions for committing such an offense who also could face "corrective labor" of up to two years or a prison term of up to one year.

"When I was in Moscow in September 2012, I raised concerns about this measure and the general respect for international human rights norms. If enacted, this new law gives credence to the view Russian human rights activists expressed to me that Russia is in full retreat from democracy and the rule of law," concluded Dr. Lantos Swett.

USCIRF's concerns about the deteriorating status of religious freedom is detailed in the 2013 Annual Report chapter on Russia.

Expert thinks religious feelings law bad for Orthodox Church

Hurting believers' feelings as two-edged sword

Religiia i zakon(31.05.2013) - The most interesting thing is that RPTsMP itself urged the adoption of this law, saying that while it increases the penalty for hurting believers' feelings it is necessary to protect the clergy and church buildings. But each such judicial case, which will not be against some bandits or hooligans, but simply against people who say or write something regarding spirituality or corruption in Orthodoxy and are held accountable on this law, will deliver a damaging blow to the image of the church itself.

Portal-credo.ru: The other day the State Duma of RF adopted on second reading the "law on hurting believers' feelings." How much was it changed in the second reading compared with the first reading?

Roman Lunkin: It is difficult to estimate the potential effect of this law as a result of the softening of the wording on second reading. The topic of protecting believers' feelings (and after all most people are against offending religious and other feelings) was discredited by this bill and by the absence of the discussion of its text in the State Duma.

One can say that the pancake turned out lumpy in this case, because, first, it did not take into account comments of rights advocates, and, second, there was some formal softening of the rules which are proposed for inclusion in the Criminal Code. It was decided not to make a separate article about offending feelings—the rules are now included in article 148 of the Criminal Code of RF. But at the same time three years incarceration is also a rather harsh penalty for offending religious feelings. And, third, the category of "offended religious feeling" has been retained, and now it will be implemented as an aggravating circumstance in courts' decisions. And whereas previously a person committing some stupidity or blasphemy could have some admonishment, now he can be jailed far off and for long. Thus in this case after the second reading one must discuss--not the bill itself, since nobody can deal with the essential text--but the practice of legal implementation.

It turns out that most likely after the adoption of this law there will be a whole series of demonstrative judicial procedures involving offending religious feelings, whether it is by just hooligans or artists, writers, and reporters, who criticize somehow the Russian Orthodox Church of the Moscow patriarchate, Orthodox history, or Orthodox spirituality, or by other religions.

Although we occasionally have some attacks on Islam, I do not remember a single case that was brought to an end regarding hurting, say, Muslims' feelings, or protestants'.

But it is quite obvious that according to this law one could call to account, for example, the "sect fighter" Alexander Dvorkin, who thinks the majority of non-Orthodox believers—primarily Evangelical Christians—frauds, maniacs, and potential criminals. Consequently, if in the secular press there appear some articles of warriors against "sects," then they automatically will fall within the purview of this law.

--So then this law is a two-edged sword. It can be fully turned against those who fought for it.

--We have rather many laws that are two-edged swords. However they all are offset by the specific policy of the authorities and prosecutors, who apply these laws as they need to. What's most interesting is that RPTsMP itself urged the adoption of this law, saying that while it is necessary to increase the penalty for hurting believers' feelings, it is necessary to protect clergy and church buildings. But each such court case, which will not be against some bandits or hooligans but simply against people who said or wrote something about the spirituality or corruption of Orthodoxy, who will be held accountable under this law, will severely damage the image of the church itself. Society will not investigate but will conclude that Orthodoxy has become the ideology of a new inquisition.

--After the second reading, can there not be any changes? Has the law acquired its final form?

--According to their statements in the press the deputies generally think of themselves as good guys, since there is no separate article in the Criminal Code that softens the basic penalties. And actually article 148 was supplemented only by an increase in fines, a three-year term, and the category itself of "offense to religious feelings" as a foundation to which now courts should attend and consider whether there was an offense to religious feelings and how to punish it maximally. (tr. by PDS, posted 31 May 2013)

Interview conducted by Vladimir Oivin and posted on Portal-credo.ru, 24 May. Roman Lunkin is the president of the Guild of Experts on Religion and Law

Mixed response to sweeping government checks

Forum 18 News Service (28.05.2013) - Representatives of hundreds of religious organisations inspected by state officials this Spring have voiced mixed impressions of the checks, according to a survey by Forum 18 News Service. So far, very few appear to be facing serious consequences, and most contacted stated they were unconcerned. "In practice these checks were quite formal," Konstantin Andreyev, a Moscow-based lawyer specialising in the rights of religious organisations, remarked to Forum 18 on 16 May. "In some regions some Public Prosecutor employees are quite zealous. But the majority of them did this quite formally, understanding that they just need to submit reports saying they checked."

The religious communities affected were among numerous non-governmental organisations (NGOs) inspected by state officials across Russia from early March. The sweep – ordered by the General Prosecutor's Office – apparently sought to uncover foreign backing for political opposition initiatives. While the results have yet to be fully released, several NGOs working in the public policy sphere – such as election monitoring group Golos – already face massive fines for failing to register as "foreign agents". The NGO sweep has drawn widespread criticism, including from Russia's Presidential Human Rights Council.

Forum 18 notes that controversial new regulations on foreign funding for NGOs – including designation of some as "foreign agents" – do not legally apply to religious organisations.

A press spokesperson at the General Prosecutor's Office insisted to Forum 18 in March that all questions be submitted by fax. Forum 18 has earlier faxed questions to the Office's press service but received no response.

"Foreign agents"?

Representatives of two religious organisations, the Catholic charity Caritas and the Church of Jesus Christ of Latter-day Saints (commonly known as the Mormons), told Forum 18 that inspectors explained orally that they were acting due to the 2012 amendments regulating foreign-funded NGOs, despite religious organisations' exemption from them.

Caritas' St Petersburg office was checked in April by numerous government agencies "against the background of the president saying we have 'foreign agents' in Russia," the office's head Natalya Pevtsova told Forum 18 on 14 May. In February President Vladimir Putin called for the regulations on foreign funding of NGOs to be implemented, declaring "any direct or indirect interference in our internal affairs (..)is unacceptable".

When Pevtsova pointed out to the inspectors that religious organisations are legally exempt from the new regulations on foreign funding and "foreign agents", the Public Prosecutor's representative co-ordinating the check-up explained that "she isn't a free person - she got the order, so she came to check," Pevtsova told Forum 18.

The Caritas inspection in St Petersburg involved various government structures - including the Hygiene and Tax Inspectorates - and lasted three weeks, Pevtsova continued, as officials examined each of the charity's numerous projects with children, the disabled, elderly and homeless. The only results issued so far - from the Fire Inspectorate - are "ridiculous", Pevtsova remarked. "For instance, our fire extinguishers weren't numbered in white paint". Two Caritas branches in Moscow and Volgograd were also checked in the NGO sweep, she told Forum 18.

The Moscow office of the Church of Jesus of Latter-day Saints (Mormons) was checked in early April "to see if we were in keeping with the law, and most specifically if we were involved in any political activities," its president Larry Lawrence told Forum 18 on 13 May. He too found it "interesting" that his Church was chosen for inspection, when religious organisations are legally exempt from the new regulations obliging some NGOs to register as "foreign agents".

Told by the Public Prosecutor representative leading the inspection that the Mormons "were just one of many, many different organisations being visited" and that everything was in order, Lawrence felt confident, however. The inspection was "very business-like but polite", he noted to Forum 18.

Also in early April, the Mormons' branches in St Petersburg and Novorossiisk (Krasnodar Region) were checked in the NGO sweep, Lawrence told Forum 18.

A press spokesperson for St Petersburg Public Prosecutor's Office insisted that questions be submitted in writing on 22 May. Forum 18 emailed questions the same day, including why Caritas, the Mormons and Jehovah's Witnesses (see below) were selected for inspection and whether any legal sanction had followed checks on religious organisations. There was no response by lunchtime in St Petersburg on 28 May.

Pevtsova of Caritas suggested to Forum 18 that her organisation was selected for inspection partly because "we receive funding from abroad". Yet the state's interest in religious organisations' foreign funding may extend beyond those commonly regarded in Russia as "foreign". Typical documentation from one inspection - a 23 April letter from

Lenin District Public Prosecutor's Office in Saransk (Mordovia Republic) to the Moscow Patriarchate's local Orthodox seminary, seen by Forum 18 -asks to check that organisation's "funds and other property received from foreign sources".

Another Moscow Patriarchate Orthodox seminary in the southern city of Stavropol receives foreign funding of approximately 16,000 British Pounds annually from UK-based Catholic charity Aid to the Church in Need, according to that charity's website. While the seminary was not inspected separately as far as he knew, a secretary at the Moscow Patriarchate's Stavropol and Nevinnomyssk diocese told Forum 18 on 15 May that the diocese was checked as a whole in the course of the NGO sweep.

"The inspections were conducted tactfully"

"It was a formal, superficial inspection," the Stavropol Orthodox diocesan secretary reported. Most religious organisations contacted by Forum 18 after the NGO sweep voiced similar impressions.

Protestant leaders in particular sometimes seemed defensive, and stated that they were unconcerned by the checks. "We have excellent relations with the authorities. The inspections were conducted tactfully (..) as far as I know, no one had any problems," Pastor Anatoli Gilmanov of New Generation Pentecostal Church in Tolyatti (Samara Region) told Forum 18 on 8 May.

The Church is affiliated to the Latvia-based New Generation Church headed by Pastor Aleksei Ledyayev, who was deported from Russia in 2002.

"We didn't have any problems, and we didn't receive any indication of impropriety or incorrect actions by the authorities in the regions," Ivan Borichevsky, head of administration at the Russia-wide Pentecostal union led by Bishop Eduard Grabovenko, remarked to Forum 18 on 13 May. The NGO sweep affected the union's central administration and approximately 100 of its 2,000 churches, he told Forum 18. "But we tell our churches they should always be prepared to submit accounts to show all is in order – we must be transparent to the state."

While some 300 of its approximately 3,000 congregations were inspected, the Russia-wide Pentecostal union headed by Bishop Sergei Ryakhovsky does not have serious complaints either, Ryakhovsky's chief assistant Konstantin Bendas told Forum 18 on 14 May. "As soon as the inspections began, we met with representatives of the General Prosecutor, asked questions and voiced our fears," he explained. "We, for example, have nothing to hide or be ashamed of in our activity." Bendas even argued that the sweep was entirely lawful, and described NGO alarm at the sweeps as "hysterical".

Inspectors acted improperly towards affiliate congregations in only four cases, Bendas said, including by requesting lists of members and making an accusation of "extremism" (see forthcoming F18News article). However, these situations had all reached or were close to a positive resolution, he said. "The Public Prosecutor employees who inspected weren't competent – we've received apologies."

Faults found by Public Prosecutor representatives during the checks appear to have been generally minor. For Cornerstone Pentecostal Church in the southern Siberian city of Barnaul (Altai Region), the only issue was that its logo is not officially registered, its Pastor Mikhail Kashevarov told Forum 18 on 7 May. "In principle, every organisation in Russia has some kind of violation," he explained. "It's inconceivable that a check-up ends and they tell you, 'You know, everything is ideal here, we don't have any complaints'."

While not involving foreign funding or registration as "foreign agents", a very few religious organisations reported more serious complaints. Among several Catholic parishes inspected in southern Russia's Saratov-based Diocese of St Clement, the Assumption of the Blessed Virgin Mary Parish in Novocherkassk (Rostov Region) was fined due to fire safety violations uncovered during its 15 March inspection, Newsru website reported on 1 April. The fines totalled 477,000 Roubles (about 90,000 Norwegian Kroner, 12,000 Euros or 15,000 US Dollars).

Telephone numbers for the parish went unanswered on 13 and 14 May. St Clement's Catholic Diocese prefers not to release any information on government inspections of its parishes to the media, its secretary told Forum 18 on 14 May.

Ongoing scrutiny

The Volga Christian Centre in Naberezhnye Chelny (Tatarstan Republic), a church affiliated to Bishop Grabovenko's Russia-wide Pentecostal Union, was similarly fined 150,000 Roubles (about 28,000 Norwegian Kroner, 3,700 Euros or 4,800 US Dollars) on 25 March due to fire safety violations, the Union reported. The 500-strong congregation has paid this fine, but is now struggling to raise a further 400,000 Roubles (about 74,000 Norwegian Kroner, 10,000 Euros or 13,000 US Dollars) for a fire alarm system demanded by inspectors, Larisa Tsygankova, assistant to local Pentecostal Bishop Vasily Yevchik, told Forum 18 on 7 May.

As the church was inspected on 3 February, however – weeks before the NGO sweep was ordered – its situation appears symptomatic of bureaucratic scrutiny long experienced by disfavoured and sometimes even favoured religious communities.

Jehovah's Witness congregations are particular targets of such scrutiny. The 142 Public Prosecutor inspections they have recorded since the beginning of March is a higher than usual figure, it is therefore unclear how many were directly due to the NGO sweep, Jehovah's Witness representative Grigory Martynov told Forum 18 on 17 May.

Of the 142, the Jehovah's Witnesses are particularly concerned by the possible consequences of the inspection of their Russian headquarters near St Petersburg. Lasting eight hours on 1 April, this involved around 60 law enforcement agents, including from the ordinary and OMON special police, FSB security service, Public Prosecutor's Office, police Counter-extremism Department, Immigration Service and Fire Safety Department, Jehovah's Witnesses reported.

A text containing internal Jehovah's Witness guidelines for ordained ministers was confiscated and sent to Kazan (Tatarstan Republic) for expert analysis, Jehovah's Witness spokesperson Martynov told Forum 18. No results have been released, and none are expected soon, he added.

The reason for this confiscation was another of Forum 18's 22 May questions that St Petersburg Public Prosecutor's Office failed to answer.

State Duma passes believers' feelings bill

Weakened version of bill protecting believers' feelings undergoes second reading

[Interfax-Religiia](#) (21.05.2013) - The State Duma adopted on second reading the bill to protect believers' feelings with amendments that reduce the maximum penalty for the corresponding crime from five years incarceration to three.

At the time of the first reading, the draft law proposed to introduce into the Criminal Code of RF a separate article 243.1 (offending religious convictions and feelings of citizens or desecration of objects and items of religious veneration and places designated for performance of religious rituals and ceremonies).

On second reading it was decided not to introduce a separate article into the Criminal Code but to expand the already existing article 148 (obstructing exercise of the right to freedom of conscience and religious confessions).

A provision has been introduced into this article for sanctions for "public actions expressing clear disrespect to society and performed for the purposes of offending believers' religious feelings." It is proposed to punish this with a fine of up to 300 thousand rubles or two years' salary, compulsory labor for a period up to 240 hours, forced labor for a term up to one year, or incarceration for a term up to one year.

Thus the adoption on second reading of the amendment lessens the penalty, since in the original version of the draft law the maximum term of incarceration for offending believers' feelings was equal to not one but three years.

Also on second reading it was provided that if the indicated actions are committed in places especially designated for conducting worship services or other religious rituals and ceremonies, they are punished by a fine of up to 500 thousand rubles or three years' salary, or compulsory labor for a period of up to 480 hours, or forced labor for a term up to three years, or incarceration for the same term with or without probation for up to one year.

Originally the maximum penalty for these actions (but with different phrasing: "desecration of objects of religious veneration [pilgrimage] and places designated for performing worship services or other religious rituals and ceremonies of religious associations") was proposed to be a maximum incarceration for a term of up to not three but five years.

Also adopted was an amendment to the rule of the draft law introducing changes into the Code of Administrative Violation of Law of RF. For "intentional public desecration of religious or liturgical literature, and objects of religious veneration, signs or emblems of worldview symbolism and paraphernalia, or their damage or destruction" it is proposed to punish citizens with a fine from 30 to 50 thousand rubles or compulsory labor for a period up to 120 hours, and officials with a fine from 100 to 200 thousand rubles.

An amendment expands the range of sanctions in this rule. It also includes "desecration of objects of religious veneration," which in the version of the bill at the first reading stage was connected not with administrative violations of law but with criminal activity and the maximum penalty for it was raised to five years incarceration.

In addition, an amendment was adopted increasing criminal liability for illegal obstruction of the activity of religious organizations or conducting religious rituals and ceremonies provided by article 148. In particular, it is suggested to increase the maximum fine provided for these actions from 80 thousand to 300 thousand rubles.

In addition, if these actions are committed using official position or applying force, it is proposed to punish this with a fine of up to 200 thousand rubles or one year's salary of the convict or compulsory labor for a period up to 480 hours or corrective labor for a

term up to two years or forced labor for a term up to one year or incarceration of the same term.

At the same time the State Duma rejected an amendment by a deputy from the Communist Party of the Russian Federation, Oleg Smolin, which proposed to remove from the law the provision regarding religious convictions and feelings. "The concept 'offense of feelings' is not given a juridical definition. Radically minded believers can always consider that they are offended by another faith or disbelief as such," O. Smolin said during discussion of the bill. In addition, in his opinion, "if the law is adopted in the current form, it is unclear what would happen with the works of many writers, poets, and philosophers—Omar Khayyam, Bertrand Russel, Vissarion Belinsky, Alexander Blok, Vladimir Mayakovsky." "What would happen, in the final analysis, with Pushkin's short story 'The priest and his workman Balda'?" the deputy asked. In his opinion, the bill violates the rights "of nonreligious people." "Why are religious feelings protected separately, but nonreligious ones are not protected?" he asked. (tr. by PDS, posted 21 May 2013)

U.S. says Russian policies restrict religious freedom

The Moscow Times (21.05.2013) - Russia is among several countries around the world including Saudi Arabia, North Korea, Cuba, Iran, and China that imposed restrictions on freedom of religion last year, according to an annual report released Monday by the U.S. State Department.

"This report is a clear-eyed, objective look at the state of religious freedom around the world. And when necessary, yes, it does directly call out some of our close friends, as well as some countries with whom we seek stronger ties. And it does so in order to try to make progress, even though we know that it may cause some discomfort," U.S. Secretary of State John Kerry told the press.

"But when countries undermine or attack religious freedom, they not only unjustly threaten those whom they target, they also threaten their country's own stability... Attacks on religious freedom are therefore both a moral and a strategic national security concern for the United States," he added.

According to the International Religious Freedom Report for 2012, the Russian government "targeted members of minority religious groups through the use of extreme measures to ban religious materials and restrict groups' right to assemble."

It said authorities also "restricted religious minorities through detention, raids, denial of official registration with the Justice Ministry and denial of visas to religious workers."

"Religious freedom is essential for a stable, peaceful, and thriving society... As this report makes clear, much work remains to be done," said Suzan Johnson Cook, Ambassador-at-Large for International Religious Freedom, a division of the U.S. State Department which monitors religious persecution and discrimination around the world.

The report found evidence of anti-Muslim sentiment and discrimination in Russia, as well as an increase in anti-Semitism, pointing to vandals in Russia painting a swastikas on the walls of synagogues in St. Petersburg in May 2012 and in Irkutsk in July 2012.

"Members of minority religious groups continued to experience harassment and occasional physical attacks. Violent extremism in the North Caucasus region and an

influx of Central Asian migrant workers led to negative attitudes in many regions toward traditionally Muslim ethnic groups," the report said.

Among the instances that raised concern in Russia:

- Reports of detentions and onerous financial penalties against members of minority religious groups.
- Detaining Jehovah's Witnesses and adherents of the Islamic theologian Said Nursi and charging them with "extremism."
- Searching and seizing the property of members of minority religious groups such as Scientologists and Falun Gong.
- Restrictions on the rights of minority religious groups to meet publicly.
- A two-year prison sentence for members of the punk rock band Pussy Riot for "hooliganism motivated by religious hatred," after they performed a protest song in Moscow's Christ the Savior Cathedral.

"There is no state religion, but the Russian Orthodox Church and other 'traditional' religious communities received preferential consideration," the report found.

The annual report details the status of religious freedom in 195 countries throughout the world. Mandated by, and presented to, the US Congress, under the International Religious Freedom Act of 1998.

Kazan mosque shut down

Interfax-Religiia (15.05.2013) - The Supreme Court of Tatarstan on Wednesday granted the lawsuit of the prosecutor of Tatarstan, Kafil Amirov, for the liquidation of the Kazan "Al-Ikhlās" parish.

In his suit the prosecutor requested a ban on the activity of the parish as extremist and its exclusion in the future from the Unified State Register of Legal Entities.

Judge Denis Gorshunov ruled to recover from the parish into the state treasury the state expense of 4,000 rubles. The decision of the court has still not taken legal effect; an appeal may be brought against it within one month.

Around 50 parishioners (the women were in hijabs) were present in the court, who did not agree with the prosecutor's suit. After the session they told journalists that the decision of the court must be appealed.

Upon the conclusion of the session directly in the court foyer they began collecting signatures on a protest statement which subsequently will be submitted along with the appeal.

As has been reported, a prosecutorial investigation established that the parish "on a systematic basis engages in extremist activity resulting in the incitement of religious strife and the propaganda of the exclusivity and superiority or inferiority of a person on the basis of religious affiliation," and that the parish stored "known extremist materials

for the purpose of mass distribution." Among the materials are books, brochures, and magazines which, according to a religious studies forensic expert analysis are the ideological sources of the "Hizb ut-Tahrir" organization, which has been ruled to be terrorist and banned in the Russian federation.

In his suit the prosecutor also pointed out that one of the leaders and spiritual inspiration of the parish is Rustem Safin, who was given a suspended sentence in 2009 for organizing the activity of "Hizb ut-Tahrir." A new criminal case has been opened on R. Safin since he has continued this activity.

In addition, the leadership of the mosque planned various actions (pickets, auto rallies) in which black and white flags with Muslim symbols were used which, according to information of FSB are identical to those used by "Hizb ut-Tahrir."

The prosecutor's inspection also established that the parish, as a subdivision of the Ecclesiastical Board of Muslims of Tatarstan, did not fulfill a number of the requirements for such situations. For example, it does not contribute funds to the account of the parent organization, money is not deposited into the bank account, inventories of property are not kept, and its uses unregistered symbols.

A preliminary hearing on the suit was conducted on 25 March 2013 in Moscow district court of Kazan, which no fewer than 60 parishioners of the "Al-Ikhlās" mosque attended (which is now under reconstruction) who did not agree with the prosecutor's lawsuit.

By the decision of the judge, the review of the lawsuit was transferred to the Supreme Court of Tatarstan.

The Ecclesiastical Board of Muslims of Tatarstan comprises more than 1,200 Muslim parishes. The majority of them have already undergone reregistration that was conducted after 2011. The leadership of the "Al-Ikhlās" parish does not agree with the policy of the leadership of the board which aims at following the ideas of traditional, tolerant Islam and it did not do this. (tr. by PDS, posted 15 May 2013)

Persecution of Jehovah's Witnesses

HRWF (15.05.2013) – Jehovah's Witnesses in Russia are going through hard times. Police searches are regularly conducted in private homes to find religious literature that is on the black list of so-called extremist material. All the brochures of Jehovah's Witnesses are distributed worldwide without posing any problem, only in Russia.

Woman Jehovah's witness fined for distributing extremist materials

[Interfax-Religiia, 8 May 2013](#)

The Lenin district court of Tiumen sentenced a woman representative of Jehovah's Witnesses to a fine of 1,000 rubles for distributing leaflets to citizens, the press service of the provincial prosecutor's office reported on Wednesday. Among the books were such publications as "Humanity in search of God," "Draw nigh to Jehovah," "Life—How did it arise? By means of evolution or by means of creation?" and also magazines and leaflets.

An administrative case was opened on the "mass distribution of extremist materials" article of the Code of Administrative Law Violations of RF.

A representative of the Jehovah's Witnesses in Tiumen was given a warning about the impermissibility of violations of legislation "On combating extremist activity." (tr. by PDS, posted 8 May 2013)

Representative of Jehovah's Witnesses held administrative liable for mass distribution of extremist materials

[Prosecutor's Office of Tiumen province, 8 May 2013](#)

The prosecutor's office of Lenin district of the city of Tiumen discovered during the course of monitoring activity violations of legislation on combating extremism.

It was established that in the provincial center a representative of the religious organization of Jehovah's Witnesses during personal meetings with residents of the city of Tiumen gave to them religious literature for their information in the period from January to March 2013 at the Stroitel bus terminal.

The literature includes items entered in the federal list of extremist materials, specifically: books: "Humanity in search of God," "Draw nigh to Jehovah," "Life—How did it arise? By means of evolution or by means of Creation?"; magazines: "Awake" "Watch-- In what respect? Why is it especially important just now?"; pamphlets: "Watchtower restores the Kingdom of God," "Is it necessary to believe in the Trinity?", "Is Jesus Christ Almighty God?".

In 2009-2011 this literature was ruled by court decisions to be extremist because it contains statements that demean human dignity on the basis of attitude toward religion and elements of propaganda of the exclusivity of one religion over another.

The prosecutor's office of the district opened an administrative case on article 20.29 of the Code of Administrative Law Violations of RF (mass distribution of extremist materials). On the basis of the results of consideration of the case, the Lenin district court of Tiumen fined the perpetrator. (tr. by PDS, posted 8 May 2013)

Jehovah's Witnesses of Kirov Province complain to prosecutor's office about illegal actions of police officers

SOVA [Center for Information and Analysis, 8 May 2013](#)

On 2 May it was reported that a member of a congregation of Jehovah's Witnesses, S. Nagaitsev, sent to the prosecutor's office and the Investigation Committee a complaint against the actions of a police officer in the village of Kalinin, Kirov province, N. Khisamutdinov, who used physical force during the arrest of S. Nagaitsev.

We recall that members of the congregation of Jehovah's Witnesses S. Nagaitsev and N. Vasiliev, were arrested by a police officer on 20 April 2013 while they were witnessing. At the time of the arrest, police officer N. Khisamutdinov grabbed S. Nagaitsev by the arms and struck him with force. (tr. by PDS, posted 8 May 2013).

Preparation to fire Jehovah's Witness for religious convictions

SOVA Center for Information and Analysis, 8 May 2013

In April 2013 V. Gaidamaka, a Jehovah's Witness of the village of Veidelevka, Belgorod province, was threatened with dismissal from work because she "belongs to a sect."

Jehovah's Witnesses' religious literature was discovered at her work place during an inspection, which was conducted by personnel of "Rospechat" from Belgorod on 3 April. (tr. by PDS, posted 8 May 2013).

Jehovah's Witnesses report about the large-scale inspections of their Administrative Center and their local religious organizations (LROs)

HRWF (23.04.2013) - Approximately 60 officials and representatives from the police, FSB, Center for Counteracting Extremism, the OMON, several district prosecutors, the traffic police, Federal Migration Services, fire safety agencies, Sanitation and Disease Prevention Services, the Federal Service for Supervising Narcotics Trade, and other institutions all arrived before noon on April 1, 2013, at the Administrative Center. During the inspection, which continued on the grounds and the buildings of the Administrative Center until around 8:00 p.m., the following violations were committed:

Entrance onto the grounds of the Administrative Center was gained without the consent of the organization's representatives, under the guise of citizens who had come for a tour;

All entrances, exits, and gates on the Administrative Center's grounds were blocked by special vehicles of law-enforcement agencies. As a result, the believers' freedom of travel was restricted;

Kurortniy District Deputy Prosecutor D. Oreshko asserted that the reason for the comprehensive inspection was a claim, registered by the Police for the Kurortniy District of St. Petersburg, that a citizen was supposedly being held on the grounds of the Administrative Center against their will. However, D. Oreshko refused to provide any details about this person: his or her gender, age, identifying marks, etc. Instead of trying to find this "wanted individual," law-enforcement officers inspected the believers' buildings;

Only representatives from the prosecutor's office presented their identification;

The prosecutor could not name the specialists who had come with him (approximately 30-40 people): not their surname, rank, or where they worked.

In some instances, the specialists that had been invited by the prosecutor moved about the grounds on their own without the prosecutor and without a representative of the Administrative Center;

During the inspection, an individual accompanying the prosecutor videotaped people without their consent, in violation of their right to the inviolability of private life.

During the inspection, a book of Jehovah's Witnesses that contains internal, canonical instructions for ministers was seized. Despite the numerous, highly qualified expert institutions in St. Petersburg, F. Sultanov—police agent from the separate battalion of the police patrol service of the Criminal Investigation Department of the department of the Ministry of Internal Affairs of Russia for the Kurortniy District of St. Petersburg—sent this book for study by specialists at the Kazan Interregional Center for Judicial Expert Studies (Republic of Tatarstan), which is over 1500 kilometers from St. Petersburg. Jehovah's Witnesses deem the choosing of an expert organization in this manner to be unlawful and groundless.

On April 3, 2013, the Administrative Center of Jehovah's Witnesses received a fax from the Prosecutor's Office of the Kurortniy District of St. Petersburg demanding they present a large number of documents and replies to numerous questions about the activity of the Administrative Center by noon on April 4, 2013. The Witnesses fulfilled the demand within the highly unjustified, short period of time; however, requests from the prosecutor's office keep coming.

- ***Inspections of local religious organizations (LROs)***

Beginning March 1, 2013, local prosecutor's offices, acting under orders from the General Prosecutor's Office, were to carry out full-scale inspections of local religious organizations (LROs) of Jehovah's Witnesses. At present, 117 LROs and 19 religious groups of this denomination have received official inquiries and have been subjected to site inspections.

Unlawful raids by Russian Law enforcement authorities on the administrative center of Jehovah's Witnesses and local religious organisations

A report published on the Website of the Presidential Council on April 15, 2013

HRWF (22.04.2013) - On April 1, 2013, approximately 60 officials and law enforcement officers came to the Administrative Center of Jehovah's Witnesses (Center) in Solnechnoye just before noontime to inspect the premises. They included the Police, the FSB, the Department for Counteracting Extremism, the OMON, representatives of several different district prosecutor's offices, the Transport Police, Federal Migration Services, Fire Safety Department, Sanitation and Epidemiology Department, State Narcotics Control and other agencies. The inspection of the property and buildings lasted until nearly 8:00 p.m. In the course of the inspection the following violations were taken place:

- Law enforcement officers carried out the inspection—not based on evidence that there were violations of law—but with the intent of finding such evidence. Religious organizations are normally exempt from inspections carried out on foreign agents.^[i]
- Deputy Kurortniy District Prosecutor Denis Aleksandrovich Oreshko stated that the reason for the comprehensive investigation was that someone was being held against his will at the Center, according to a complaint recorded in the incident notification logbook of the police department for the Kurortniy District of Saint Petersburg. Mr. Oreshko refused to clarify whether this was a man or woman, the person's age, or physical description, etc. Instead of looking for the "victim," the law enforcement officers examined religious publications at the Center.
- Entry onto the territory of the Center was without the consent of representatives of the organization. Officers initially came under the guise of coming for a tour of the Center in order to gain entry.
- All entrances, exits, and gates of the Center were blocked by law enforcement vehicles, thus restricting the movements of the Center's residents.
- Only the officers from the prosecutor's office showed their official identification. The prosecutor could not identify the specialists (approximately 30 to 40 individuals) that came with him; their last names, positions, or place of employment.^[ii] In several instances, the specialists, who were invited by the prosecutor, moved about the Center on their own, without the prosecutor and without a representative of the Center to accompany them.
- During the inspection, an agent accompanying the prosecutor took video recordings without the consent of the subjects involved, which interfered with the latter's right to private life.
- Officials confiscated a book published by Jehovah's Witnesses containing internal canonical guidelines for ordained ministers. Despite the large number of highly qualified expert institutions in St. Petersburg, Mr. F. Sultanov, operative police

officer for the Kurortny District of Saint Petersburg, sent the book to be examined by specialists of the Kazan Interregional Expert Study Center, Republic of Tatarstan, about 1,500 kilometers from Saint Petersburg. Jehovah's Witnesses consider the choice of this expert organization unlawful and groundless.^[iii]

- On April 3, 2013, the Administrative Center received a fax from the Kurortny District Prosecutor's Office demanding a large number of documents and answers to questions on the activity of the Center by 12:00 noon on April 4, 2013. Representatives of the Center submitted the documents by the unreasonable deadline set by the prosecutor's office. However, the prosecutor's office keep on sending inquiries to the Center.

Investigation of Local Religious Organizations (LROs)

Since March 1, 2013, local prosecutor's offices have targeted LROs for comprehensive investigations in compliance with an order of the Prosecutor General's Office. Currently, 120 LROs and 19 religious groups have been subjected to inquiries and raids.

The prosecutors are looking for lists of the members of each LRO and in some cases those of non-members, including their addresses. The LROs are required to provide the information on the publications that Jehovah's Witnesses distribute. In some cases, prosecutors demanded that the Witnesses bring their religious literature to the prosecutor's office, provide details on where their religious meetings are being held and how often they are conducted, and disclose sources of funds and financial records for three proceeding years.

Authorities in Taganrog attempt to force Jehovah's Witnesses to renounce their faith

Administrative Center of JW in Russia (20.04.2013) - In the first case of its kind in modern Russia, on 31 May 2012 seventeen of Jehovah's Witnesses in Taganrog were summoned to the police department to be charged with organizing and participating in criminal activity merely for practicing their faith.

The alleged criminal activity was captured with video recordings—communal prayers and Bible readings of Jehovah's Witnesses are the basis for the criminal case. Secret service officials installed audio and video recording equipment in the rented facilities where Jehovah's Witnesses openly meet for worship. The result of the covert surveillance was a report from the Acting Chief of the FSB Directorate of Russia for the Rostov Region, S. V. Khitushko, to the South Federal Circuit.

Development of the Criminal Case

A ruling to initiate a criminal case against unidentified persons on the basis of Article 282.2(1) of the Criminal Code of the Russian Federation (organizing the activity of an extremist organization) was rendered on 5 August 2011. It was signed by the Deputy Chief of the Investigative Section of the Headquarters of the Ministry of Internal Affairs of Russia for the South Federal Circuit, V. V. Pustynnikov.

This investigation follows the decision of the Rostov Regional Court dated 11 September 2009 to liquidate the Local Taganrog Religious Organization of Jehovah's Witnesses as an extremist organization and to declare as extremist materials 34 of their religious publications. On 1 March 2010, their place of worship in Taganrog was confiscated. On 6 July 2011 the newspaper *Rossiyskaya Gazeta* included the Local Taganrog Religious Organization of Jehovah's Witnesses on the official "List of organizations and entities against which there is information concerning their affiliation with extremist activity and terrorism." The Rostov Regional Court decision of 11 September 2009 is currently part of a pending application before the European Court of Human Rights (ECHR).

On 25 August 2011, mass searches of 19 homes of Jehovah's Witnesses in Taganrog were conducted. Most of those whose homes were searched have no connection to the dissolved legal entity, but simply profess the religion of Jehovah's Witnesses. The authorities seized Bibles, other non-prohibited religious literature, video and audio discs, computers, personal photographs, and notes. The searches commenced at 6:00 a.m. and lasted between 8 to 11 hours. The home of Ivan and Anna Kumshats, aged 81 and 80, was searched. Anna is confined to a wheelchair. After the intrusion by the task force, Anna, traumatized by the events, could not even get out of bed.

A group of five investigators for especially important cases, along with FSB officers interrogated believers in an attempt to compile a list of all residents of Taganrog who are Jehovah's Witnesses. On 31 May 2012, sixteen residents of Taganrog, all Jehovah's Witnesses, received bills of indictment, signed by the Investigator for Especially Important Cases I. N. Bondarenko. The investigation planned on charging one more believer; however, the investigation was postponed because at the time she was living in another state.

On 13 and 15 November and 3 December 2012, sixteen of the above-mentioned believers were given a final bill of indictment and on 4 December 2012, I. N. Bondarenko, deputy chief of the department, initiated a new criminal case based on the above charge.

Indictments for Criminal Activity

Four men were accused of organizing a criminal community because they serve as congregation elders, conducting peaceful religious services. The remaining 12, including 2 women, were accused of participating in the activity of a criminal community—actually, attending religious services. This is the first attempt in several decades to hold someone criminally accountable for exercising their constitutional “right to profess individually or together with others any religion . . . to freely choose, possess, and disseminate religious and other views and act according to them” under Article 28 of the Constitution of the Russian Federation.

The authorities justify this action using the 11 September 2009 decision of the Rostov Regional Court. By means of criminal prosecutions, the authorities of the Rostov Region are attempting to force Jehovah's Witnesses to cease their activities and thereby renounce their faith. However, the Constitution of the Russian Federation declares that no one may be forced to reject his convictions.

According to the ruling of Inspector I. N. Bondarenko, all of the accused denied promoting the activity of the banned legal entity in Taganrog but said they “simply profess the religion of Jehovah's Witnesses.”

The charges against the Taganrog believers are similar to those heard during proceedings against the Moscow Community of Jehovah's Witnesses. The “criminal activity of the organized, extremist, criminal group”—according to the Taganrog ruling—is the same as charges already evaluated by the European Court of Human Rights (ECHR) in the case *Jehovah's Witnesses of Moscow v Russia*, no. 302/02, 10 June 2010. Each charge against the Witnesses was refuted in the ECHR judgment. The judgment clearly stated that Russia was guilty of violating the Witnesses' rights to freedom of religion and freedom of association under Articles 9 and 11 of the European Convention on Human Rights.

At the time of handing out the ruling to indict the 16 believers from Taganrog, Investigator I.N. Bondarenko, with no explanation, *dismissed the attorneys that the believers themselves had chosen* and that were *rendering the believers legal aid during the investigative stage. Instead of those attorneys, public defenders were appointed for 14 of the 16 accused, against the wishes of the accused themselves.* These actions of the investigative group have been appealed and were declared unlawful.

On 17 December 2012 the investigation allowed the defendants to review the materials of the new criminal case. Shortly thereafter, on 4 February 2013 I. N. Bondarenko, deputy chief of the department, filed motions with the Sovetskiy District Court of Rostov-

on-Don to establish (that is, limit) the time period for review of the case materials by the defense. Contrary to the law, the investigation's motions were granted. At present, the corresponding court rulings are being appealed.

Due to this limitation of the believers' rights to defense, most of the defendants and their defense representatives did not have enough time to review all of the case materials. Others were able only to do a superficial review of the materials. The defendants' review period ended on 7 March 2013.

The criminal case against the 16 believers is expected to go to trial in the near future.

Background of Jehovah's Witnesses in Russia

There are nearly 168,000 Jehovah's Witnesses in the Russian Federation, and approximately 2,500 congregations and groups. Jehovah's Witnesses have registered 396 local religious organizations in 72 regions throughout the Russian Federation.

An initiative with broad implications was launched when the Russian Federation (RF) Prosecutor General's Office began misapplying the 2006 revised Law on Counteracting Extremist Activity and using it to repress the religious activities of Jehovah's Witnesses. As a result, a number of "extremism" cases have been initiated against Jehovah's Witnesses in various regions of Russia. The harassment of Jehovah's Witnesses is increasing dramatically since February 2009, as a result of an earlier directive from the RF Prosecutor General's Office ordering all regional prosecutors' offices to carry out investigations on their religious activities. The Ministry of Interior, the Federal Security Service (FSB), the Ministry of Justice, local police, and other governmental agencies were also instructed to assist with these investigations.

Between 11 September 2009 and 28 February 2013 there have been 1,548 incidents where the rights of individual believers have been violated. Law enforcement officials have detained 1,455 believers, carried out 158 searches of homes and houses of worship, and disrupted 46 religious services. Individual citizens opposed to Jehovah's Witnesses have committed 133 acts of violence against at least 251 Jehovah's Witnesses and committed 98 acts of vandalism against their places of worship. The authorities have done little or nothing to prevent or to punish these criminal acts.

Jehovists of Rostov Province threatened with jail time for "hatred of Christian world"

By Ivan Kuznetsov

Novye izvestiia (09.04.2013) - Members of the Jehovah's Witnesses congregation in Taganrog were charged with inciting religious hatred. This was announced yesterday by the prosecutor general of the Russian federation. Jehovah's Witnesses believers may be put behind bars for up to five years. The representatives of the congregation themselves are appealing the illegal (as they believe) persecution in the European Court for Human Rights. Experts also are sure that the activity of Jehovah's Witnesses can in no way be considered extremist.

As reported on the web site, the indictment was confirmed yesterday personally by the deputy head of the office of prosecutor general, Sergei Vorobiev. The defendants are four residents of Taganrog: Nikolai Trotsiuk, Alexander Skvortsov, Aleksei Koptev, and Yuri Baklushin. They are accused of planning the activity of an extremist organization and enticing a minor into committing a crime. If the court finds them guilty, they may face incarceration for a term of up to five years on one article and five to eight years on the other article. Earlier the charges in this case had been entered against another twelve persons.

According to the account of the investigation, the persons involved in this case renewed the activity in Taganrog of the religious organization "Taganrog Jehovah's Witnesses" which had previously been banned for extremist activity. As the Prosecutor General's office reported, the planners and participants of the Jehovah's Witnesses "conducted meetings at which ideas were expressed that demean human dignity on the principle of attitude toward religion and hatred 'toward the Christian world' was incited." At the same time, as the statement on the web site of the office says, they propagandized "the exclusivity of one religion over another and they refused medical help for people who were in life-threatening condition of health" (we recall that members of this community do not accept blood transfusion). In addition, as the statement reports, Jehovahists "entice children and minors into the activity of the organization."

Representatives of the community have commented on the situation on the official web site of Jehovah's Witnesses in Russia. "Such persecution is nothing new and it only aggravates the situation with the unjust and hostile treatment that the Witnesses face," the report says. On their own web site the Jehovahists also have posted the words of the "Taganrog Jehovah's Witnesses" organization's attorney, Viktor Zhenkov: "The liquidation of the legal entity does not eliminate the constitutional right to freedom of religious confession. The teaching and practice of Jehovah's Witnesses is legal on the entire territory of Russia, as previously, including in Taganrog also. Moreover, the decision regarding the liquidation of the legal entity in this city at the present time is being appealed in the European Court." At the end of 2009 the "Taganrog Jehovah's Witnesses" organization was liquidated within the framework of the campaign of combating extremism. In 2011 searches were conducted in the homes of those suspected of renewing the religious activity of Jehovahists, and soon criminal cases were begun against them.

It will be difficult for the Taganrog Jehovahists to get an acquittal, the director of the SOVA analytical center, Alexander Verkhovskii, affirmed in a conversation with NI. Jehovah's Witnesses have been charged in many parts of the country. Since the Taganrog organization had been banned earlier, it will be more difficult to defend them in the Taganrog court, Mr. Verkhovskii told NI. Nevertheless, members of the religious community will be persecuted wrongfully, the director of SOVA center posits. "The only 'extremism' of Jehovah's Witnesses consists in the criticism of other religious views, in persistent witnessing, and in prohibiting blood transfusion. No matter how broadly the concept of extremism is viewed, questions of medical aid are not included within it," Mr. Verkhovskii told NI. There have been occurrences of opening criminal cases against Jehovahists in Russia even earlier, while the cases either "unravel" or they get to court but the sentence is later reversed. Thus, in January 2011 a charge was entered against one of the members of the organization from Yoshkar-Ola, Maksim Kalinin, but in October 2012 the Supreme Court of the Marii El republic finally acquitted the believer, removing all accusations from him. In July 2012 in Chuvashia, four representatives of the community were arrested, two of whom were released almost immediately and the others were released in September, and the criminal case was closed. (tr. by PDS, posted 8 May 2013)

Russian original posted on [Interfax-Religiia site, 9 April 2013](#)

2012 Report of the Ombudsman for the Russian Federation: Right to Freedom of Conscience

Section from the Report of the Ombudsman on freedom of religion or belief

Ombudsman's Office (2013) - The reporting year was marked by a significant growth in citizens' interest in the place and role of religious beliefs in society and by the state's efforts to react to this phenomenon by developing appropriate legislative acts. In this connection, the Ombudsman considers the following noteworthy.

The state's refusal, embodied in Article 28 of the RF Constitution, of the totalitarian practice of imposing the so-called "only true worldview" is an important achievement for the Russian legal system. However, the victory of common sense over dogmatic indoctrination cannot be complete and final without equality before the law for adherents of all religions and for those persons who profess no religion at all, that is, without establishing in our society the principles of a secular state that fundamentally differs from an atheistic state or a clerical state. There were certain problems with this in the reporting period, as evidenced by the Ombudsman's correspondence.

There are no less than 24,000 religious associations registered with the Ministry of Justice of Russia, many of which are experiencing difficulties in disseminating their beliefs. In recent years, the Ombudsman has received complaints from citizens who have been charged with administrative accountability for allegedly "imposing" their religious beliefs on others. In taking these measures, officials relied on the norms contained in the codes (laws) on administrative accountability in the Russian Federation stipulating accountability for "harassing for the purpose of religious campaigning" or "imposing religious beliefs on others." In the opinion of the Ombudsman, these norms contravene the RF Constitution, which guarantees the right to freely "disseminate religious and other views" (Article 28) and which establishes that the rights and freedoms of man may only be limited by federal law (Article 55). The Ombudsman notes with satisfaction that, with the support of agencies of the prosecutor's office, he succeeded in removing these norms from the legislation of ten subjects of the Russian Federation. There are three more subjects of the Russian Federation preparing corresponding draft laws. According to available information, when this report was signed, these essentially anti-constitutional norms continued to be in force in another four subjects of the Russian Federation—Amur, Belgorod, and Omsk Regions, and the Republic of Bashkortostan. Unfortunately, during the reporting period, the Ombudsman continued to receive complaints about interference with the dissemination of the believers' convictions, and not just from regions where such activity incurs administrative accountability.

In the past three years, mainly adherents of minor religious confessions have regularly filed complaints with the Ombudsman against the incorrect and at times unlawful actions of law-enforcement officials. These officials burst into premises where religious services were being conducted and under the guise of a search, document inspection, or personal search of citizens, photographed and even fingerprinted the citizens. In February of the reporting year, because of all the complaints of these violations the Ombudsman sent a letter to the Minister of Internal Affairs of the Russian Federation. The RF Ministry of Internal Affairs immediately responded to this letter and circulated a directive to all territorial subdivisions to train their staff on how to comply with legislation on freedom of conscience. As a result, toward the end of the reporting year there were significantly less complaints from believers against the actions of police officers. However, it should be noted that complaints were received from ten subjects of the Russian Federation. Thus, it is evident that the police need further training.

Generally speaking, experience in working with these complaints during the reporting year suggests that one of the most serious problems related to compliance with legislation on freedom of conscience is that the level of legal and general standards of middle and lower ranking officials is not always sufficient. They commit obvious violations of the law in simple situations that are later easily corrected with the participation of the Ombudsman. After some time the situation is repeated.

In April of the reporting year, the Ombudsman received a complaint from applicant K. of the village Malaya Atnya, Atninskiy District of the Republic of Tatarstan. The applicant stated that police officers, without explanation, took him to the police station where he was subjected to a personal search. According to applicant K., the only reason for the

police officers' unlawful actions was his affiliation with the religious organization of Jehovah's Witnesses.

The Ombudsman requested that the Atninskiy District Prosecutor's Office review applicant K.'s complaint. A detailed response was immediately received. The prosecutor's office evaluated the actions of the police officers as "gross violations of the law." Based on the prosecutor's submission, three guilty officials were reprimanded and their chief was noted as having "weak supervision over his subordinates."

The practice of reviewing canonical religious literature for extremist attitudes and appeals has turned into a complex systemic problem. The religious organization of Jehovah's Witnesses remains the "record holder" for the number of such inspections. Jehovah's Witnesses and adherents of other religions have repeatedly filed applications with the European Court of Human Rights, which within only the past five years has rendered seven judgments—alas, not in Russia's favor.

The essence of the problem is that, according to Article 13 of the Federal Law on Counteracting Extremist Activity dated 25 July 2002 No. 114-FZ, all cases to declare religious literature extremist are considered by courts according to the procedure for special proceedings, that is, based on the submission of agencies of the prosecutor's office in the absence of a second party to the proceedings. In such proceedings, religious organizations are practically denied any possibility to protect in court their sacred objects by disputing the opinion of the experts for the prosecution. In the opinion of the Ombudsman, cases of declaring religious literature extremist material have a legal conflict from the start, a dispute over restrictions to the rights and freedoms of citizens and legal entities (freedom of thought, religion, conscience, and convictions; right to seek and distribute information; right to property; right to association; right to judicial protection). Moreover, by force Article 12 of the RF Civil Procedural Code (CPC), such judicial cases must be considered in general adversarial proceedings, that is, following fundamental judicial principles of the adversarial system and the equality of rights. The Ombudsman's experience shows that as soon as the adversarial element appears in these types of judicial proceedings, the results of the cases cease to be predetermined.

In September 2011 the Ombudsman received a complaint from a representative of the religious organization, the Tomsk Society for Krishna Consciousness, which stated that the Tomsk City Prosecutor filed a claim with the Leninskiy District Court of the City of Tomsk to declare the book *Bhagavad-Gītā As It Is* as extremist material.

In accordance with Article 47 of the RF CPC, the Ombudsman participated in the proceedings by presenting his conclusion, in which he stated in part that any religion is built on the belief that it has "the truth" and others are "false." In December 2011 the court denied the prosecutor's claim.

The Tomsk City Prosecutor, disagreeing with the court's decision, filed an appeal with the district court in January of the reporting year. In his new conclusion on the case, the Ombudsman stated that the decision of the Leninskiy District Court, appealed by the prosecutor, fully corresponds not just to the norms of Russian law but also to the position of the European Court of Human Rights. According to this position, 'The state does not have the right to assess the legitimacy of different teachings and religions and should not demand that religious associations conform their teachings to any other views and opinions, even those widely accepted in society.'

The Ombudsman also indicated that the book *Bhagavad-Gītā As It Is* reflects the religious and moral preferences of people who lived in India three to five thousand years ago and, on this basis alone, does not contain any calls to hostile and violent actions against anyone or anything in this modern age and does not contain any signs of extremism in the context of the modern understanding of this legal term.

In March of the reporting year, the Tomsk Regional Court denied the appeal of the Tomsk City Prosecutor and upheld the decision of the court of first instance to deny the claim to declare the book *Bhagavad-Gītā As It Is* to be extremist. (See section 2.6.1)

In the reporting year, the Ombudsman continued regularly to receive complaints from believers concerning difficulties they face when acquiring land to construct religious buildings and filing the necessary approval documentation. Usually these difficulties were encountered primarily by Catholic, Old Believers, Muslim, and Protestant communities. In this reporting year, the Ombudsman is working on many such complaints from previous years. In regard to these complaints, there was an intense and, as a rule, futile exchange of correspondence with the agencies of state authority and local self-government agencies for the city of Moscow and the Kostroma, Moscow, Pskov, and Samara Regions, the Stavropol Territory and other subjects of the Russian Federation. The list of unresolved conflicts increases from year to year. Some of them are astonishing in the level of the officials' arbitrariness as well as in the demonstrative disregard for the believers' feelings.

In October of the reporting year, the pastor of the religious organization, the Church of Evangelical Christian Baptists "Kovcheg," sent a complaint to the Ombudsman. The applicant stated that the administration of the city circuit of Balashikh of the Moscow Region is refusing to issue the community a permit to start using an existing house of prayer that was constructed at the believers' expense. The construction of the building was legally carried out and the necessary documents confirming that the building met all technical requirements and standards were signed. Only the permit to start using the building was missing. Already in January of the reporting year, the believers had applied to the district arbitration court. The court rendered a decision obligating the administration of the city circuit to issue the religious community the sought after permit. In March of the reporting year, the Tenth Arbitration Appeals Court upheld this decision. However, at the time of writing this report the court decision had not been implemented.

The Ombudsman was obliged to send a request to the governor of the Moscow Region that the bureaucrats of the administration of the city circuit of Balashikh be brought to justice. In January 2013 a response signed by the temporary acting governor of the Moscow Region was received stating that approval documents to permit use of the building of the Church of Evangelical Christian Baptists "Kovcheg" had finally been signed.

During the reporting year, another serious incident occurred in the Eastern Administrative Circuit of the city of Moscow, where in accord with direction given by a prefect, a temporary house of prayer of the religious organization, the Church of the Holy Trinity, located on ul. Nikolaya Starostina, vl. 10, was barbarically torn down. Technically, everything was carried out in accordance with the letter of the law, but in reality it was done with gross violation of its spirit.

As early as January 1999, the religious organization rented the land at the indicated address to construct their temple, quickly erecting on it a temporary structure where believers worshiped. Approximately seven years later, they were informed that the rental contract was terminated. Five years after that, in September 2010, a decision of the Perovskiy District Court of the city of Moscow decreed the land be vacated. Two years later, on the night of 6 September 2012, the believers were forcibly evicted. The authorities assigned this mission to some kind of "voluntary police." The latter, breaking down the door, burst into the church with the cry "sectarians have no place on Russian soil." Church utensils and other valuable property were trampled into the ground and some were stolen.

Three circumstances should be especially noted in this incident. First, for the many years that the potential conflict existed, the municipal authorities in essence did nothing constructive to resolve it. Instead of the land located on ul. Nikolaya Starostina, the believers were offered land that was known to be unfit for construction. One property was located in a nature conservation zone, while the other had a parking garage on it. These offers cannot be viewed as anything but insulting. Second, even under a microscope no traces of respect for the rights and feelings of believers can be seen in the actions of the authorities, while hostility toward them is visible from a mile away. Third,

the motivation for these actions is undoubtedly the way the believers are perceived—members of a small confession are viewed as “sectarians.”

In view of the foregoing, the Ombudsman is not satisfied with the mayor of Moscow’s response to his letter—received in November of the reporting year, signed by the deputy mayor.

In general, this reporting year has seen an increase in the tendency to limit the activity of so-called “non-traditional” religious organizations, to disrupt their religious services, and to insult the feelings of their adherents. The Ombudsman’s mailbox is overflowing with such examples. The problem is not only that the definition of “traditional” religion is unclear and arbitrary. Neither is it that religions traditional in our country, such as Old Believers, fall under the category of “non-traditional” religions under pressure by the authorities. The main problem—the creation of a most-favored status for some confessions and a least favored status for others violates norms of the RF Constitution that guarantees everyone equally the right to profess any religion. At the same time, attempts to negatively categorize several “non-traditional” confessions as “sectarian,” “destructive,” “totalitarian,” and “pseudo-Christian” have been observed. Such denunciative definitions do not have any legal basis, are not prescribed by law, and therefore are inadmissible in public appearances of officials or official publications of state agencies. Unfortunately, the Ombudsman’s mail, as well as the results of his monitoring of official web-sites of state agencies of subjects of the Russian Federation, revealed use of such rhetoric by officials from the Khanty-Mansi Autonomous Area–Yugra, Amur, Arkhangelsk, Rostov, and Chelyabinsk Regions, and the Republic of Bashkortostan.

In the summer of the reporting year, state agencies protected believers of the largest Russian religion—the Russian Orthodox Church—whose religious feelings were offended by the well-known, shocking incident involving the members of the punk-rock group “Pussy Riot.” The Ombudsman has frequently expressed his opinion regarding the escapade, which he categorically condemns, and regarding the punishment of the perpetrators, which he considers excessive. In the context of this report, the Ombudsman would like to emphasize that soon after the court decision in the “Pussy Riot” case was rendered, in September of the reporting year, a draft of a federal law was prepared to introduce to the Criminal Code of the Russian Federation regulations for accountability for “offending the religious convictions and feelings of citizens, desecration of objects of religious reverence, and places of religious rites and ceremonies.” The Ombudsman is inclined to consider this draft of the federal law in its original form to be in contradiction with the letter and the spirit of the Constitution of the Russian Federation. This is because the draft law envisages accountability for insults to the followers of only those religions that comprise “an integral part of the historical legacy of the Russian people,” whereas Article 14 and Article 28 of our Constitution guarantee equal rights for all citizens professing any religion or no religion at all. In this connection, the Ombudsman believes it is his duty to declare that attempts to pit one religion against another, as well as believers against non-believers, result not only in divisions in society, but also in undermining the fundamental principles of the constitutional system of Russia as a secular state.

At the height of the “Pussy Riot” scandal, the head of the department of world culture of a prestigious Russian university stated on a broadcast of the national television channel “Kultura” that atheists are “animals and sick people who need to be treated.” Unfortunately, no one even attempted to imagine how believers of any religion—for example, Orthodox or Muslim—would react if such appalling words were directed at them. Moreover, as much as representatives of any religion, major or minor, atheists also have convictions and the right to enjoy protection of these convictions by the state. This is the essence of freedom of conscience, one of the basic constitutional principles of a democratic Russian state.

Is "negative evaluation of Christianity" a crime?

Forum 18 (27.03.2013) - Russia continues to outlaw Jehovah's Witness literature and prosecute Jehovah's Witnesses for distributing it, Forum 18 News Service has learned. Recent court rulings determining Jehovah's Witness literature "extremist" come as efforts to convict individual Jehovah's Witnesses for "extremist" activity appear to weaken.

The latest Jehovah's Witness titles to be declared "extremist" have yet to be added to the Federal List of Extremist Materials, as there is a typical delay of several months between a corresponding court decision and a text's addition to the List. Once the Justice Ministry adds an item to the List, it is banned throughout Russia. The List runs to 1763 titles as of 27 March, including 68 Jehovah's Witness publications.

The 15 texts by Islamic theologian Said Nursi and a Russian translation of a biography of him by Mary Weld (Sukran Vahide) - ruled "extremist" by a court in the western exclave of Kaliningrad in November 2012 - were added to the List on 19 March. The List now features 39 Nursi works.

Jehovah's Witness and Nursi titles are the main religious texts to have been banned as "extremist" in Russia in violation of freedom of religion or belief. In 2012 a Public Prosecutor in the Siberian city of Tomsk failed to ban as "extremist" the Russian translation of "The Bhagavad-gita As It Is", a key text for Hare Krishna devotees.

Krasnoyarsk rulings

In the Siberian city of Krasnoyarsk, Soviet District Court has ruled four Jehovah's Witness texts "extremist" since the beginning of 2013. While texts are usually considered as a single block, the Krasnoyarsk court is reviewing eight Jehovah's Witness publications in eight separate cases involving multiple judges and "expert" analyses.

On 22 and 24 January respectively, Judge Irina Akimova outlawed "Natural Disasters: Punishment From God?" and "Will You Follow Jehovah's Loving Guidance?". Judge Tatyana Tararaeva outlawed "Life Without Suffering – When?" on 31 January. Judge Olga Kolyvanova outlawed "What Does the Bible Really Teach?" on 14 February.

The nature of these cases is not immediately apparent from the Soviet District Court website, however. While the texts of the 31 January and 14 February rulings are accessible there, the website's court record lists all four as "miscellaneous public-legal relations" cases filed "in the interests of the Russian Federation" by Soviet District Public Prosecutor from April-June 2012.

The remaining four cases have been postponed until April-May 2013, Jehovah's Witness spokesperson Grigory Martynov told Forum 18 on 15 March.

The direct number for Igor Lyannoi, the Soviet District Public Prosecutor representative who argued against the Jehovah's Witness titles in court, went unanswered when Forum **18 rang on 18, 19 and 20 March.**

Seen by Forum 18, the 22 January ruling against "Natural Disasters: Punishment From God?" is based solely on "expert" analysis by philosophy professor Vyacheslav Kudashov. Soviet District Court agreed with his conclusion that the text asserts the superiority of Jehovah's Witnesses over other citizens on religious grounds and propagandises religious discord [rozn] due to its "unambiguous claims that people who are not Christians (in this context, who are not Jehovah's Witnesses) will be swiftly destroyed by supernatural forces due to their religious convictions."

The 2002 Extremism Law defines "propaganda of the superiority of citizens on religious grounds" and incitement of "religious discord" as "extremist" activity (Article 1).

The ruling's only example cited from "Natural Disasters: Punishment From God?" concerns belief in the Apocalypse: "The Bible talks about the coming of 'Lord Jesus with his mighty angels, when he will take revenge against all those who do not know God and do not follow the good news about our Lord Jesus.'" The ruling also points to the publication's "negative evaluation of traditional Christianity and its religious leaders", but gives no examples.

Seen by Forum 18, the 31 January ruling against "Life Without Suffering – When?" is partly based on another religious studies analysis by Kudashov. Conducted in February 2012 and seen by Forum 18, this similarly uncovered "propaganda" of the superiority of citizens on religious grounds and incitement of religious discord. It also pointed to the publication's "negative evaluations of Christianity and its religious leaders", but gave no examples from the text itself.

According to the 31 January ruling, further "expert" analysis by linguist Svetlana Mochalova reached the same conclusions as Kudashov.

Mochalova alone conducted the "expert" analysis relevant to the 14 February court ruling against "What Does the Bible Really Teach?", according to Jehovah's Witness spokesperson Martynov. Seen by Forum 18, this ruling accepts Mochalova's conclusion that the title – published in 2009 - is identical to a 2005 title of the same name ruled "extremist" by Rostov Regional Court in September 2009. That edition features on the Federal List at No. 510.

While redacted, the 14 February ruling gives more precise details of how the case arose. Questioned by the court, an unidentified deputy head of a military unit said that a junior officer told a major – the deputy head's subordinate - that two Jehovah's Witnesses had given him a copy of "What Does the Bible Really Teach?" near the military unit. On reading it at home, the officer "concluded that this book contains statements unacceptable to him," according to the deputy head, and so passed the book to a superior. The superior saw that the title was the same as that already on the Federal List and decided **to commission an analysis of it.**

Earlier analysis

In April 2008 Mochalova conducted "expert" analysis of various Jehovah's Witness texts as part of a criminal "extremism" investigation in Sverdlovsk (Yekaterinburg) Region that never came to court.

Seen by Forum 18, this found incitement of discord in the texts' "negative public statements about the Christian religion, its doctrines and customs", including rejection as "false" and "satanic" teaching on Jesus' divine nature and the Trinity, the crucifix, and celebration of Christmas and Easter.

Successful bans on Jehovah's Witness literature as "extremist" have similarly rested on theological argument, such as rejection of major Christian festivals and citation of the writer Leo Tolstoy's criticism of Orthodoxy.

Falun Gong literature has been banned due to its inclusion of a call by a British baroness to boycott the 2008 Beijing Olympics and its use of the swastika, a traditional Buddhist symbol.

While court decisions rarely quote directly from Muslim theologian Nursi's works, they have been banned because analysts found "extremist" their references to people who do not believe in Islam as "frivolous", "philosophers" and "empty-talkers".

95 more texts to be banned?

From 1 April, a low-level court in Chelyabinsk Region is due to consider whether 95 Jehovah's Witness publications are "extremist". Seen by Forum 18, a 27 December 2012 request from the regional Public Prosecutor's Office asked Tractor Factory District Court in Chelyabinsk city to rule the 95 titles "extremist".

Published in Germany and the USA, these are mostly issues of "The Watchtower" and "Awake!" magazines, but also include several recent Jehovah's Witness yearbooks and the two-volume "Isaiah's Prophecy: Light for All Mankind".

The Public Prosecutor request claims that "expert" analysis has found content "forming a highly negative emotional attitude in the reader characterised by hostility towards people in relation to their adherence to another religious belief" as well as statements calling for "mass repression, deportations and violence against representatives of other religions". No examples from the 95 titles are cited.

Jehovah's Witnesses categorically reject these charges in a 19 March statement received by Forum 18, pointing out that their believers "are widely known by their refusal to take up weapons and efforts to promote peace". Jehovah's Witnesses were themselves victims of Stalin's "Operation North" mass deportation to Siberia in 1951.

Hunt for "extremists"

Focusing on charges of "extremism", a nationwide campaign against Jehovah's Witnesses began in early 2009, when Public Prosecutors conducted over 500 inspection visits of local congregations throughout Russia in one month.

Despite co-ordinating the anti-Jehovah's Witness campaign, federal Public Prosecutor and FSB representatives refuse to account for it. A press spokesperson at the General Prosecutor's Office insisted to Forum 18 on 5 March 2013 that questions be submitted by fax. Forum 18 earlier faxed questions to the Office's press service in July 2009, asking why moves were underway in various parts of Russia against Jehovah's Witnesses. Forum 18 did not receive a response.

Forum 18 has similarly received no response to written questions sent in June 2010 to Sergei Ignatchenko, spokesperson for the FSB security service in Moscow, as to why the campaign was launched, what role the FSB played in it, and what danger to the Russian Federation the FSB sees in Jehovah's Witness activity.

In a variation of Russia's ongoing campaign against Jehovah's Witnesses, some prosecutors are seeking to punish them for reasons such as conscientious objection to military service instead of "extremism".

Kemerovo

Challenging the inclusion of items on the Federal List of Extremist Materials continues to prove difficult. On 15 January 2013 the Justice Ministry told Jehovah's Witnesses in Kemerovo Region that two of their titles would not be removed from Nos. 914 and 915 on the List. This is even though the 30 May 2011 local court ruling responsible for their inclusion has been overturned.

In his letter to Jehovah's Witnesses seen by Forum 18, First Deputy Justice Minister Aleksandr Smirnov maintained that there would be no legal grounds to exclude the titles from the List until the case had been both "fully considered in the court of appeals" and the Justice Ministry had received "the court's decision to reverse the execution" of the original ruling by Kemerovo's Factory District Court.

Smirnov noted that Kemerovo Regional Court's website had reported that the May 2011 ruling was "fully reversed" and the case sent for retrial on 15 February 2012.

As part of the retrial, Factory District Court commissioned a new "expert" analysis of the texts – "Is Religion a Force for Peace?" and "Be Zealous for True Worship" – in December 2012. There have been no developments since, Jehovah's Witness spokesperson Martynov told Forum 18.

Four Falun Gong-related texts were not removed from the List even after Falun Gong practitioners successfully appealed against an August 2008 ruling determining them "extremist". The Justice Ministry similarly maintained in June 2009 that it had to receive "a final court decision that has entered legal force" before they could be removed. A retrial once again resulted in the texts being ruled "extremist" in October 2011.

A leaflet accusing Hare Krishna devotees of arms and drugs trafficking and child abuse was removed from No. 413 on the Federal List by December 2009. The leaflet was originally determined extremist by Khabarovsk Central Municipal Court in January 2009. That ruling was reversed by Khabarovsk Regional Court in September 2009, however, after the leaflet's author, anti-cultist Aleksandr Kuzmin, was appointed to the Justice Ministry's Expert Council for Conducting State Religious-Studies Analysis.

Literature fines

Further illustrating the lack of consistency in Russia's anti-"extremism" campaign, Jehovah's Witnesses in one region have been fined for possessing one of the titles determined "extremist" by the overturned Factory Court District decision, while a court in another region has refused to prosecute possession of the second title.

The Jehovah's Witness community in the North Caucasus settlement of Kurdzhinovo (Karachai-Cherkessia Republic) was fined 50,000 Roubles (9,500 Norwegian Kroner, 1,250 Euros or 1,600 US Dollars) on 20 November 2012 for "production or distribution of extremist materials" (Article 20.29, Code of Administrative Offences). The case was launched after one copy of "Is Religion a Force for Peace?" was found during a police search of their kingdom hall in September 2012, Jehovah's Witnesses told Forum 18.

In the Far Eastern region of Primorye, however, a local magistrate refused to prosecute when FSB security service and Public Prosecutor representatives seized one copy of "Be Zealous for True Worship" from a Jehovah's Witness home in the village of Volno-Nadezhdinskoye in May 2012, Jehovah's Witnesses told Forum 18.

Karelia

On 25 January, local Jehovah's Witness V. Dichkin lost his appeal at Segezha Municipal Court (Karelia Republic), according to the court website. He had been fined 1,000 Roubles (190 Norwegian Kroner, 25 Euros or 30 US Dollars) under Article 20.29 by a lower court.

Segezha District Public Prosecutor discovered that Dichkin had distributed copies of "What Does the Bible Really Teach?" and "Youth Questions. Practical Advice" at the end of a 9 November 2012 meeting between local Jehovah's Witnesses and young people, Karelia Republic Public Prosecutor's Office announced on 30 January.

The only parts of "What Does the Bible Really Teach?" found to be "extremist" as cited by the September 2009 Rostov-on-Don Regional Court ruling, seen by Forum 18, are: "Many priests falsely claim that they can help the dead"; "To stand on the path of true religion means to destroy all items you have that are linked with false religion. We need

to regard them as Jehovah does, and he regards them as an abomination"; "Many common festivals are linked with false religion. One of them is Christmas"; "Those who strive to please God do not celebrate Christmas or other festivals that have pagan roots and are linked with false religion."

The Rostov-on-Don court did not cite at all from "Youth Questions. Practical Advice" in its ruling, but determined the title "extremist" anyway

Alexander Dvorkin, Vice-president of FECRIS, criticised for "controversial" lecture on Islam

HRWF (21.03.2013) – Alexander Dvorkin is already well-known for his aggressive speeches and writings against Jehovah's Witnesses, Mormons, Falun Gong practitioners, Hare Krishna devotees and other religious groups that fall outside of his Orthodox world. However, in February 2013, Dvorkin shocked Russia's leading Islamic authorities, when he gave a lecture at the University of Arkhangelsk on the topic "Origins of Islam - Untold Stories." During his presentation, he made several hostile and unscientific comments about the Koran and Prophet Mohammad.

Dvorkin's remarks provoked numerous reactions from the Russian Muslim community on Islamic websites. Two Muslim leaders openly criticized Mr Dvorkin, who is also the vice-president of FECRIS (European Federation of Research and Information Centres on Sectarianism) and president of the Justice Ministry's Expert Council for Conducting State Religious Studies for the Russian Federation. *The following response was written by Sheikh Nafigulla hajjs Ashirov, Chief Mufti of Dumachr and Co-chair of the Council of Muftis of Russia:*

Alexander Leonidovich, you know undoubtedly that your lecture about Islam is quite controversial and at the time was met by strong reactions in the Muslim community. It was especially evident amongst Islamic youth, who actively visit various Internet resources and participate in discussions on the subject of Islam and interfaith relations.

Your last speech in Arkhangelsk to a student's audience was met by a strong reaction, as illustrated by numerous responses and discussions in blogs.

The special attention to your statements is due to the fact that you – an Orthodox priest¹, awarded numerous times by the Russian Orthodox Church and president of the Expert Council for Conducting Religious Studies at the Ministry of Justice – dare to take such a controversial position concerning Islam.

Considering your statements in "Islamic History from an Orthodox Sect Expert," your position on the history of Islam and life of the Prophet, peace be unto him, is devoid of any objectivity, especially taking into account your public functions and your responsibilities as a minister of religion. Your statements on our religion as an Orthodox figure are not only incorrect; they are offensive to millions of Muslims who have been living together with Orthodox people within the same country for centuries.

¹ In this statement, Sheikh Ashirov erroneously identifies Alexander Dvorkin as a cleric – and by implication, a spokesperson – of the Russian Orthodox Church. In fact, Dvorkin has been the subject of much controversy and has been accused of misrepresentation and scandalous conduct. It is believed that Dvorkin is no longer an active priest of the Russian Orthodox Church - HRWF

In your arguments, you have contradicted the official history of Islam, claiming in your speech that the prophet Mohammed, Allah bless and welcome him, contrary to general understanding, was illiterate and that Mecca – the sacred city for all Muslims – does not correspond to the actual geographical position described in the Koran.

Moreover, you have claimed that many Muslim customs are actually customs of other religions and borrowed by prophet Mohammed, Allah bless and welcome him, for specific goals which you do not specify.

Concerning Muslims in Jerusalem, you quote the Western bishop Arkulf, who is an insult to Muslims, stating pejoratively: *"they put some shed on the Temple mountain, which they name the prayer house and whose appearance is ridiculous because it is half... to the point of collapsing and awfully ugly."* In our opinion, the principal spirit of your lecture was an attempt to expose and criticise Islam.

In your speech, you make statements about the Messenger of Allah that attempt to humiliate this great person. Your inappropriate irony and accompanying tactlessness were also evident in the words you put on the lips of his wife Aisha: "I will admit that this man can make compliments."

You also misinform your listeners, saying cynically that the prophet Mohammed, Allah bless and welcome him, was successful only due to his ability *"to plunder caravans and to violently turn people toward this new belief and all this to earn him a well-deserved booty."*

Concerning the revelations of the Muslim prophet, Allah bless and welcome him, you offend Muslims' understanding of their origins, quoting certain Byzantine Fathers, who held that:

- *either Mohammed had an illness and had painful visions;*
- *either he was demon-possessed;*
- *or he was some kind of story-teller who invented it all;*

You added that *"combinations of all three options are possible and other combinations are possible."*

At the conclusion of your lecture, you point to the source of your "discoveries" – the British horror writer Tom Holland, author of the scandalous documentary film, "Islam: the Untold Story," which similarly received a huge number of negative responses in the Islamic world and was sharply criticised by experts on Islam. In response to the film's release, the Islamic Educational and Research Academy (IERA) even issued a special press-release where historical inaccuracies of Holland's work were related in nine detailed points.

Despite these refutations, you continue to offer students and your listeners this false and dubious interpretation of Islam, giving way to these venomous comments concerning the prophet Mohammed and his actions in history. You, being an official representative of one of the Christian faiths, have allowed incorrect criticism of Islam, forming thereby a negative and prejudiced attitude in your listeners toward our world religion.

On the basis of the above considerations, I request further clarification on your stated positions and retraction of your offensive statements concerning our religion, the description of life and activity of the prophet Mohammed, Allah bless and welcome him, published under the heading, "Islamic History from an Orthodox Sect Expert."

See: <http://goloslama.ru/news.php?id=15910>

<http://www.islamnews.ru/news-138841.html>

<http://echo.msk.ru/blog/stiepanov75/1031470-echo/>

Chelyabinsk: A new attack on religious freedom—the Regional Prosecutor's Office wants 95 publications of Jehovah's Witnesses pronounced extremist

Administrative Center of Jehovah's Witnesses in Russia (20.03.2013) - On 27 December 2012, the Chelyabinsk Prosecutor's Office filed an amended claim with the Traktorozavodskiy District Court of the City of Chelyabinsk demanding that 95 publications of Jehovah's Witnesses be pronounced as extremist. The first discussion of the case with a judge has been scheduled on 25 March 2013 and a preliminary hearing is to be held on 1 April 2013.

The literature was seized during the searches that were conducted on 12 May 2010 within the framework of then ongoing criminal case under Article 282(2)(c) of the Criminal Code of the Russian Federation (incitement of hatred or enmity, as well as abasement of human dignity by an organized group). Disregarding the fact that the criminal case was terminated on 23 April 2012, the prosecutor's office initiated a civil case.

Initially the prosecutor claimed 300 publications to be found extremist. Yet, he ended up with demanding only 95 of them to be banned. Among these are 40 issues of *The Watchtower* and 35 issues of *Awake!*—publications that are distributed all over the world and encourage readers to be productive members of the society. In his claim, the prosecutor has relied entirely on an opinion prepared by a specialist in philology and religious studies. However, with regard to a number of the above mentioned publications the specialist failed to explain what statements he believes to be "extremist". More than that, he did not even mention those publications in his conclusion.

Referring to the above expert study, Mr. V.A. Mozhin, First Deputy Chelyabinsk Regional Prosecutor, stated in his claim to court that the literature of Jehovah's Witnesses has "elements that instill in the reader strong negative emotions featuring hostility toward an individual or group of individuals on the basis of their gender, race, nationality, language, origin or religion." Moreover, the Chelyabinsk Regional Prosecutor's Office found in the publications of Jehovah's Witnesses "statements that give reasons for and advocate the necessity of mass repressions, deportations and violence against representatives of other religions."

The believers consider the prosecutor's allegations to be entirely unfounded because Jehovah's Witnesses are a recognized religious organization and they are widely known by their refusal to take up weapons and efforts to promote peace in relations with other people.

It is noteworthy that these were the police officers of the Traktorozavodskiy District of Chelyabinsk who participated in the disruption of a sing language worship service of deaf Jehovah's Witnesses on 16 April 2000. This harassment was appealed to the European court of human rights that established a violation of Article 9 of the European Convention. The judgment in this case, that is *Kuznetsov and others v. Russia*, was issued on 11 January 2007. (See Attachment) The Court in particular stated the following in paragraph 57 of the judgment: "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.”

Krasnoyarsk: Another publication added to the list of “Extremist” publications of Jehovah’s Witnesses

Administrative Center of Jehovah’s Witnesses in Russia (31.01.2013) - On 31 January 2013 Judge T. Tararayeva of the Sovetskiy District Court of the city of Krasnoyarsk granted the demands of the prosecutor for the Sovetskiy District of the city of Krasnoyarsk and declared the brochure, *Life Without Suffering—When?*(July 2011), extremist.

As with other publications examined by this court, these latest proceedings were initiated due to a communication from the FSB Directorate of Russia for the Krasnoyarsk Territory that literature of the religious organization of Jehovah’s Witnesses has been distributed on the territory of the Sovetskiy District of the city of Krasnoyarsk. During the proceedings, a representative for the Russian Federation FSB Department of Military Unit 75317 was questioned as a witness. He testified that, in his view, the brochure contains technical signs of extremism, since it says that “in the future Satan and his human puppets [will] attack God’s people” and only Jehovah’s Witnesses will be saved. He also surmised that representatives of Islam and the Russian Orthodox Church would not be pleased with these expressions, which are extremist because they advocate the exclusivity, superiority, or inferiority of groups of these citizens on the basis of religion. The Sovetskiy District Court of the city of Krasnoyarsk agreed with this viewpoint, although not a single one of these religions, or any other religions, are mentioned in the brochure—a brochure that expresses a positive attitude toward all people, independent of their religious affiliation. Moreover, the court did not cite a single, specific expression that confirms the presence of such advocacy in the publication reviewed.

It is worth noting that the European Court of Human Rights has repeatedly reiterated that, according to the European Convention, the state is not invested with the right to render a decision on which religious beliefs may be taught and which may not, since 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. (See, for example, *Manoussakis and Others v. Greece*, 26 September 1996, § 47, *Reports of Judgments and Decisions* 1996-IV) As for Jehovah’s Witnesses’ position on the question of salvation, they—like all individuals of faith—hope to attain it. Representatives of this religion are convinced that they have found the true religion; otherwise, they would not profess this faith. (See the attached excerpts from several scholarly sources on the subject of religious truth) However, at the same time Jehovah’s Witnesses do not believe that they have the right to decide who will or will not be saved. In their opinion, the right to judge belongs exclusively to God.

Regarding the proceedings in Krasnoyarsk, it should be noted that the prosecutor’s demands to declare the brochure extremist are based on the study report from V. Kudashov, director of the philosophy department of the Humanitarian Institute of the Siberian Federal University, and S. Mochalova, specialist at the criminal laboratory of the FSB (City of Yekaterinburg).

According to Article 79 of the Russian Federation Civil Procedural Code, if questions that require special knowledge in a certain field arise during the consideration of a case, then the court is obligated to appoint an expert study. When considering this case, the court failed to do so, apparently considering such knowledge to be absolutely unnecessary in this instance.

Additionally, current civil procedural legislation does not permit a court to use written evidence procured outside the framework of the judicial proceedings instead of a conclusion by an expert who possesses special knowledge.

Nonetheless, in the case under consideration the court founded its decision on the study report by V. Kudashov and the conclusion by S. Mochalova, which were procured by one of the interested parties before the start of the judicial consideration of this case. As follows from the decision, the court gave these documents the same weight as an expert conclusion, which is not allowed. In her conclusion, S. Mochalova pointed out three expressions from the brochure under consideration that, in her opinion, reveal the presence in the printed publications of signs of advocating exclusivity or superiority. At the same time, she is not embarrassed in the least by the fact that these expressions are direct quotes from the Bible. It is worth noting that S. Mochalova has already provided several conclusions on the literature of Jehovah's Witnesses; however, this is the first time this specialist's opinion has completely satisfied a judge. Questions have been raised several times about whether this specialist meets the required qualifications.

What's the matter with Said Nursi?

Forum 18 News Service (05.03.2013) - Russia's 2002 Extremism Law spotlighted one group of Muslims previously little known: readers of Islamic theologian Said Nursi. Yet the reasons for the ongoing nationwide campaign against them have remained obscure, Forum 18 News Service notes.

The state has offered weak or no explanations for banning as "extremist" 39 Nursi works and an alleged associate organisation, "Nurdzhular", which Nursi readers deny exists. Forum 18 finds much of the state's argumentation incoherent, with quite different reasons offered for banning Nursi writings and "Nurdzhular" in different contexts. Court materials seen by Forum 18 contain no evidence that either Nursi's writings or Muslims who read them advocate violence, despite claims to the contrary by officials and others who support the bans.

More than eight years since Russia's anti-Nursi campaign became apparent in 2005, however, clear patterns are emerging in the types of "evidence" offered. Considered together, these suggest to Forum 18 that the campaign's primary cause is state opposition to "foreign" spiritual and cultural influence. Officials and others who support the bans have pointed to this in their public statements. But as attempts at such influence are not a criminal offence – peaceful advocacy of a spiritual or other worldview being a fundamental human right – weak allegations of "extremism" are instead offered in a legal context.

Campaign

From a Sufi background in Turkey, Said Nursi (1876-1960) attempted to integrate Islamic and modern scientific thought. Known for 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. While Nursi spent many years in internal exile and prison under the rigidly secularist regime of Mustafa Kemal Atatürk, his works are now freely read in Turkey.

As of 5 March 2013, Russia had banned 39 of Nursi's works as "extremist". In April 2008 the Supreme Court additionally banned "Nurdzhular" (a russification of "Nurcular",

Turkish for "Nursi followers") as an "extremist" organisation at the request of the General Prosecutor's Office. Nursi readers deny they form part of any such organisation.

To date, five Nursi readers have received prison terms of up to 18 months as alleged members of "Nurdzhular"; five more have received suspended prison sentences.

Some Russian regional law enforcement agents are now stepping up their campaign against Nursi readers. Courts in Kaliningrad, Krasnoyarsk and St Petersburg have ruled 18 Nursi works "extremist" in recent months, and two Nursi readers stand accused of organising "extremist" activity following armed raids in the traditionally Muslim republic of Tatarstan on 14 February.

In the Siberian city of Novosibirsk, two imams are on trial as alleged organisers of "Nurdzhular".

Law enforcement agents now routinely equate readership of Nursi with membership of "Nurdzhular". Yet Forum 18 finds no connection between the few reasons offered by courts for banning Nursi literature and broader state allegations regarding "Nurdzhular". In both cases, evidence is weak or unsubstantiated. The current Novosibirsk trial offers typical examples of this.

Russia has similarly banned as "extremist" numerous Jehovah's Witness texts, as well as the local Jehovah's Witness organisation in the Black Sea coast town of Taganrog. A court in the Siberian city of Tomsk tried unsuccessfully to ban as "extremist" a key text for Hare Krishna devotees in 2011. In these cases, however, the root cause is more obvious: theologically based hostility from within the Russian Orthodox Church (Moscow Patriarchate), shared by some government officials.

Obscure reasons

Asked by Forum 18 on 5 March why the General Prosecutor's Office had initiated prosecution of alleged members of "Nurdzhular", a spokesperson at the Office's press service insisted that questions be submitted by fax.

Forum 18 earlier faxed questions to the Office's press service in July 2009, asking why moves were underway in various parts of the Russia against those who study Nursi's works. Forum 18 did not receive a response.

The state's justification for banning Nursi literature partly emerges in corresponding court rulings, however. The May 2007 decision to ban 14 Nursi titles by Moscow's Koptevo District Court, for example, agreed with "expert" testimony that the works' ideas "are based upon the conviction of the superiority of a religious way of life".

The September 2010 decision to ban a further Nursi title by Krasnoyarsk's Railway District Court similarly agreed with separate "expert" testimony that the work instils in the reader "the exclusivity of the Islamic religious faith, which is presented as the true faith".

As with previous contentious judgments on "extremist" religious literature in Russia, both courts thus confused propaganda of exclusivity or superiority of particular people due to their attitude towards religion – justifiably defined as extremist by the Extremism Law – with claiming the superiority of a particular belief. The freedom to make claims about the relative merits of religious or non-religious views is a central part of freedom of religion or belief.

It remains largely unclear what precisely the courts found "extremist", however, as verdicts rarely quote Nursi directly. The Krasnoyarsk court decision gives as one example Nursi's view that people who do not believe in Islam are "frivolous", "philosophers" and "empty-talkers". It also shares the concern of "expert" analysts over "militarist metaphors, which inevitably dispose the reader towards perceiving reality through the prism of a military camp situation". The decision gives no example here, but the relevant December 2008 analysis suggests that a reader might – among other interpretations – understand the following Nursi passage as a call to arms: "The army of the Eternal King, consisting of tribes of angels, genies, people and dumb animals and plants, in battle for the preservation of life, having received a Divine order: 'Make ready weapons and instruments, for defence!'"

Moscow's Koptevo District Court did not quote from Nursi at all in its verdict, and its sessions were closed. It is therefore not known which Nursi passages gave rise to the "expert" conclusions affirming "extremism" that formed the basis of the court's decision. However, some idea emerges from an unsuccessful 2006 attempt to ban the same texts by Tatarstan Public Prosecutor's Office, which subsequently initiated the Koptevo case.

In 2005 Tatarstan officials began harassing a group of 50 women who study Nursi's works. Group members told Forum 18 that flats were raided and searched, often without a warrant, books and notes confiscated and several of the women subjected to forced psychiatric examinations.

As cited in a 2006 critique by the Council of Muftis of Russia, the "expert" analysis for the aborted Tatarstan case 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". The analysis also interpreted Nursi's metaphor "the sword of strong faith" as "a concept of opposition and war which could lead to defensive behaviour".

Forum 18 notes that these few examples of non-specific language are the strongest evidence of "extremism" that Russian courts have managed to find in Nursi's work. Yet some in Russia – such as Vasily Ivanov of the state-backed Russian Institute for Strategic Studies at a January 2013 round table in Tatarstan – continue to claim that Nursi's writings "call for violence towards non-believers".

Strikingly, a state-commissioned June 2012 analysis for the ongoing Novosibirsk case failed to uncover "extremist" elements in the eight Nursi titles it considered. This was even though the same titles – in three cases, identical editions – had previously been ruled "extremist".

Broad opposition

Also pointing to the weakness of the state's claims against Nursi's works are objections from a variety of public figures, including representatives of major Russian Muslim organisations.

In August 2001 Mufti Talgat Tadzhuiddin pronounced Nursi's Koranic commentary "Risale-i Nur" – 14 parts of which were banned by the Koptevo ruling – to be "far from religious extremism and fanaticism". "These works and the people who read them aim to bring to all who wish the eternal truths of Goodness and Faith in One Creator," the mufti remarked, "they absolutely do not contain calls to violence, ethnic or interreligious discord, to undermine the foundations of society or the state."

Leading Mufti Ravil Gainutdin likewise insisted in December 2004 that Nursi's works are "far from incitement of any form of discord or ill-will".

In April 2008 Nizhny Novgorod Muftiate's website published a list of 150 Muslim representatives and scholars - both inside and outside Russia - who have defended Nursi's works. In addition to Tadzhuddin and Gainutdin, they included Mukaddas Bibarsov of Saratov Muftiate; Rafik Mukhametshin, rector of Kazan's Russian Islamic University in Tatarstan; Ali-Vyacheslav Polosin of the Council of Muftis of Russia; and Marat Saifutdinov, editor-in-chief of Islam.ru website.

In May 2007 Russia's Ombudsperson for Human Rights, Vladimir Lukin, declared of "Risale-i Nur": "No form of opposition to citizens due to their choice of worldview (religious or non-religious) is contained in the books and brochures, still less calls for religious hatred and intolerance."

In traditionally Muslim areas where Nursi is well known, some local Muslim and even state representatives have also defended the theologian's work. In Tatarstan's capital Kazan, Renat Valiullin, head of the republic's Council for Religious Affairs, expressed doubt to Forum 18 in a June 2009 interview about the Koptevo Court ban on Nursi literature: "The decision was made without any strong expert analysis (...) on the basis of linguistic or other examinations (...) professionals weren't working on it".

In Dagestan's capital Makhachkala, "we don't find any canonical flaws in the works of Said Nursi," Maksud Sadikov, rector of the city's Institute of Theology and International Relations, told Forum 18 in an April 2010 interview. He also described Nursi as "a great scholar". Sadikov was killed by presumed Islamist militants in June 2011.

In addition to such regional opposition, commonalities in different district court decisions suggest they are not driven by local circumstance. The May 2007 Koptevo ruling cites the "expert" conclusion that Nursi's work 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 September 2010 Krasnoyarsk ruling cites exactly the same phrase, supposedly from its independent, local "expert" analysis. Yet the text of that analysis does not contain the phrase.

Different arguments

Asked by Forum 18 after the Koptevo ruling what was dangerous about Nursi readers' activity, Valeri Kuzmin, the special investigator at Tatarstan Public Prosecutor's Office who initiated the case, maintained it was "only the literature".

Promotion of "extremist" Nursi literature may also be offered as the underlying reason for prosecution of Nursi readers as alleged members of "Nurdzhular". In the ongoing Novosibirsk trial, for example, the charges maintain that "Nurdzhular" was banned due to "extremist activity based on dissemination of the teaching of Said Nursi and religious literature authored by him".

Yet Forum 18 finds the state's objections to "Nurdzhular" itself - as voiced in court materials and public statements by Public Prosecutor representatives - to be unconnected with its objections to Nursi literature.

The April 2008 Supreme Court decision banning "Nurdzhular" exists publicly only as a 7 May 2008 announcement in Rossiiskaya Gazeta, Russia's newspaper of public record. The state's objections to "Nurdzhular" partly emerge in lower courts' case material, however.

The September 2012 charges in the ongoing Novosibirsk trial, for example, accuse alleged "Nurdzhular" organisers Ilhom Merazhov and Komil Odilov of seeking "to change the form of state government and introduce Muslim religious government on the basis of sharia". Yet aspiration for such goals is nowhere found in court bans on Nursi literature.

Despite this, the Novosibirsk charges further claim that Merazhov and Odilov used Nursi's "Risale-i Nur" as "a single complex for propagandising the views and ideas" of "Nurdzhular".

On announcing the one-year corrective labour sentence for "extremism" handed down to alleged "Nurdzhular" organiser Rashid Abdulov by an Ulyanovsk court in September 2011, the General Prosecutor's Office website made similar claims. They claimed that his Nursi books and brochures "called for the total Islamisation of the population and changing the government of the Russian Federation in order to include it in the so-called Worldwide Caliphate".

Such reasons are also routinely offered by Public Prosecutor representatives for Russia's ban on "Nurdzhular". Vyacheslav Sizov - responsible at the General Prosecutor's Office for monitoring implementation of laws on federal security, international relations and "extremism" - highlighted "Nurdzhular" at a May 2009 roundtable on national security, Russkaya Liniya news agency reported. Sizov told representatives of his Office, the FSB security service, Emergencies Ministry and Migration Service that "Nurdzhular" was a "powerful political and financial structure" whose main aim was "to break up Russia and create an Islamic empire centred on Turkey" using Russian regions inhabited by Turkic peoples. He also alleged that "Nurdzhular" collaborates with the CIA, FBI and US State Department, and identified its leader as US-based Turkish educationalist Fetullah Gulen.

These geopolitical claims are nowhere substantiated in the relevant court decisions first banning Nursi literature and later prosecuting alleged "Nurdzhular" members, Forum 18 notes. Yet the fact that they pre-date the discovery of "extremism" in Nursi's work by court-commissioned "expert" analyses further suggests to Forum 18 that they lie at the root of Russia's anti-Nursi campaign.

While such reasoning was not cited in the corresponding May 2007 verdict, for example, Kuzmin of Tatarstan Public Prosecutor's Office told Russian-language Rosbalt Information Agency in April 2007 that grounds for the Koptevo case to ban parts of "Risale-i Nur" included the authorities' concern that the activity of Nursi followers is financed from Turkey.

Still posted on the website of the Russian Embassy in Turkey, a March 2004 Rossiiskaya Gazeta article announced the recent deportation from Russia of several Turkish clothing salesmen suspected of "Nurdzhular" membership. The report added that the men kept "banned literature by the sect's founder, Said Nursi" in their shop - over three years before any ban on Nursi literature had in fact been enacted in Russia. The report also suggested that "Nurdzhular" was a "Turkish religio-nationalist sect" that had conducted "pan-Turkic and pan-Islamic manipulation of Russian youth".

Claims that Nursi readers exert negative geopolitical influence are also routinely voiced by state media and some Russia-based researchers. Shortly after raids on Nursi readers in Dagestan, for example, a lengthy December 2009 article by the local branch of RIA Novosti state news agency warned that "conspiratorial cells" of Nursi readers - equated with "Nurdzhular" - aim to unite all Turkic peoples around Turkey in a "Turkic empire". Due to these aims, the article further maintained, "Nurdzhular" is supported by the intelligence agencies of Turkey and the USA, "whose aims are to weaken and then completely destroy Russia".

At the January 2013 roundtable hosted by the Tatarstan branch of the state-backed Russian Institute for Strategic Studies, its director Rais Suleimanov similarly claimed that "behind Nursism lies the ambition of Ankara and the USA to extend their geopolitical influence across the whole post-Soviet space," according to the Institute's website.

Scholars doubtful

Other specialists disagree, however. Bayram Balci, a French scholar with expertise on Islam in Turkey, the Caucasus and Central Asia, suggested to Forum 18 on 16 February that the Russian authorities "are well aware of the fact that Nursi's ideas are not fundamentalist or radical." Instead, he wonders if the main reason for their prohibition might be political: the Russian authorities "don't like Turkey's transformation into an important political power." Consequently, believes Balci, Russia worries that supporters of Nursi and especially educationalist Gulen, "reinforce the sentiment of common Turkic roots between Turks of Turkey and other Turkic or Muslim populations" - including Tatars, Bashkirs and Karachay in the Russian Federation - in order to prepare "a sort of sphere of influence for Turkey in all the former Soviet Union."

A specialist on Islam at the Centre for Ethnopolitical Studies within the Russian Academy of Sciences, Akhmet Yarlykapov is also sceptical. "The Russian authorities will always consider the books of Nursi, Fetullah Gulen, their readers and members of any corresponding organisations to be 'extremist' due to a completely irrational fear of so-called "pan-Turkism"," he commented to Forum 18 on 4 March. "This bogeyman has been around since the days of the Russian Empire, and is likely the result of the centuries-old rivalry between Russia and Turkey."

Yarlykapov also suggested to Forum 18 that the contradictory reasons given for determining Nursi and his readers "extremist" in court materials and officials' public statements arises "precisely because the officials are expressing the true reason for prosecuting Nursists: fear of imaginary "pan-Turkism". Although Nursi himself was a Kurd!"

The Court closed a Far-Eastern branch of the Council of Muftis

Interfax (22.02.2013) - Primorsky regional court sustained a claim by the regional administration of the Ministry of Justice to close down Kazyat Muslim Department in Primorsky district.

The claim stated that the Council of Muftis includes only two local religious organizations - those from Vladivostok and Ussuriysk, whereas the law provides for the centralized religious organization to consist of at least three local communities, indicates "Kommersant" newspaper on Friday.

The court decision cannot be regarded as believers' rights violation, emphasized Marina Girenko, the head of NGO department of Ministry of Justice Office in Primorsky region. "We have officially recognized Muslim organizations in the region", she explained.

In the meantime, the administration of Council of Muftis is determined to take review against the judgment in the Supreme Court of Russia.

Primorsk Kazyat is a part of Asian Muslim Board headed by Nafigulla Ashirov, co-chair of the Council of Muftis.

The leader of the Kazyat Damir Ishmuhamedov suggested that "some politicians" are negative towards his organization and prefer its rival - Central Muslim Board of Russia. According to Ishmuhamedov, this vigilance can be explained by a statement of support of Afghani talibs made by Ashirov in 2001.

Last summer Ministry of Justice issued a warning to Kazyat Muslim Department in Primorsky district for violating the federal law "On Assembly, Meetings, Demonstrations, Processions and Pickets" and state Constitution. The warning was issued after numerous complaints filed by citizens about religious rites being held outside the mosque.

Three and a half years ago three books published by Primorsky Kazyat were recognized as extremist following the decision of Frunzensky District Court in Vladivostok.

Translated by Marta Krishtofovich for *Human Rights Without Frontiers*

Religious sect of forced hermits banned for extremism in Tatarstan

Rapsi (25.02.2013) - A Tatarstan court has recognized a local Muslim religious community, whose members live in isolation, as extremist and banned its activity, the Russian Prosecutor General's Office said on Monday.

In August 2012, by order of the Tatarstan investigation department of the Investigative Committee, local law enforcement officials together with the prosecutor's office, Russia's sanitary watchdog, and the Emergencies Ministry inspected the sect of "faizrakhmanists", which is named after its founder, Faizrakhman Satarov.

The inspection revealed that the living conditions of some 20 children in the sect did not meet the living standards as specified by the Federal Service for the Oversight of Consumer Protection and Welfare and the Fire Safety Inspection Service.

The inspection also found that minors were involved in the organization's activities, which contradicts Russian law and the Convention on the Rights of the Child.

Also, the office's report said community activities resulted in cases where family relations were broken due to religious differences.

The sect requires its members to live in isolation, and prohibits them from visiting hospitals or sending children to school, according to the prosecutor's office.

Contrary to the law, Satarov organized and provided education to the children in his organization.

The prosecutor's office filed a complaint with the court petitioning the court to ban the sect's activities and to designate the group as extremists.

The court satisfied the prosecutors' demands in full.

Legal restrictions on religion foreseen

By Ekaterina Korostichenko, Pavel Kostylev

Religiia I pravo/ Stetson University (19.02.2013) - On 13 February the government's Commission on Legislative Activity approved a draft law introduced by the Ministry of

Justice, adding to article 9 of the famous federal law "On freedom of conscience and religious associations" a third point prohibiting participation in activity (a more detailed phrasing of the ban will be analyzed below) of religious organizations by four categories of subjects of the law:

1. Foreigners/persons without citizenship for whom a decision has been made regarding the undesirability of their visit (residence) in Russia;
2. Persons, with regard to whom there exists information of their involvement in extremist activity or terrorism;
3. Religious organizations whose activity has been suspended because of their performance of extremist activity;
4. Finally, persons whose actions have been determined by a court to contain signs of extremist activity.

Formally, this addition is related to a modification of the basic law regulating the life of religious associations in our country, in accordance with the federal law "On non-commercial organizations," in which exactly the same point about four categories was prescribed back on 10 January 2006. According to point 4 of article 1 of the law "On non-commercial organizations" the ban did not apply to religious organizations, that is, they were given greater authority in determining the composition of their founders. Now this broad gesture with respect to religious organizations is no longer in effect.

The meaning of this change is easy to grasp: an undesirable foreign missionary or persons involved one way or another in extremist activity now will not be able to become founders of a religious organization. On the other hand, religious organizations are being given a definite signal equating their rights to the rights of all other forms of non-commercial organizations and their uniqueness is now being given somewhat less attention.

From the point of view of a specialist in religious studies, what is really interesting is something else: the phrasing of the prohibition is lifted completely out of the law "On non-commercial organizations," namely, "One cannot be a founder (participant, member) of a religious organization..." Non-commercial organizations may be based on membership, and then according to article 14 of the indicated law they must prescribe the obligations and rights of their members and the procedure for acceptance into and departure from the organization. But article 14 does not apply to religious organizations. In the law "On freedom of conscience and religious associations," one meets three times the concept "member of a [religious] association" or organization (articles 4.6, 11.5, and 11.2), but this concept is not at all defined. All that is necessary for a religious organization is a list of founders (art. 11.5), since religious organizations are not based on membership.

The term "participant" appears only once in the law "On freedom of conscience and religious associations," and it applies not to a religious organization but to a religious group (art. 7.1), that is, to a religious association that is not required to go through registration procedure.

And so, the concept of "participant" really does not apply to a religious organization and applying the concept of "member" to it is quite ridiculous. What does this mean? Actually the use of the phrasing probably is a kind of announcement of an upcoming stiffening of law enforcement practice toward religious organizations. We believe that in order to strengthen control over them on the part of the government in the near term legislative initiatives will be possible in connection with the determination of participation in activity

and accounting for membership in religious organizations. Then and only then will the application of the justice ministry's draft law have practical meaning.

Probably, this is a kind of case—frequent in Russian conditions—where the phrasing of the prohibition is substantively more important than the ban itself, which, as was shown above, bears a purely formal character. (tr. by PDS, posted 19 February 2013)

Deputies still trying to get religious feelings law for offending theism and atheism

Several criminal articles, including anti-extremism, will be fixed directly by a new law protecting believers' feelings

Gazeta.ru/ Stetson University (19.02.2013) - Deputies of the State Duma will still protect believers' feelings by a separate law. The draft law submitted in September will still be adopted on first reading, but for the second reading a number of amendments will be proposed directly for several articles of the Criminal Code, including anti-extremist ones. The authors promise to protect from attack not only believers, but atheists also, and they reject the concept of traditional confessions. The presidential Council for Human Rights is dismayed: the draft bill remains superfluous.

In the near future the State Duma can make improvements directly in several articles of the Criminal Code which deal with hurting believers' feelings. The work is being done within the framework of preparing a draft law on protection of religious feelings, Gazeta.ru was told by the chairman of the Committee on Affairs of Public Associations and Religions Organization, Deputy Yaroslav Nilov (LDPR).

Among the articles in which amendments may appear, Nilov enumerated articles 148 (hindering the exercise of the right to freedom of conscience and religious confession), 149 (hindering the conduct of meetings, rallies, demonstrations, parades, or pickets or participation in them), 243 (destruction of or damage to monuments of history and culture), and the "anti-extremist" 281 (inciting national, racial, or religious hatred).

These changes are in addition to the already existing draft law on combating offense to religious feelings of citizen, which was introduced to the State Duma back at the end of September. According to the document, public offense to believers' feelings will face a fine of up to 300 thousand rubles or incarceration for a term of up to three years, and desecration of objects and items of religious veneration, a fine of up to 500 thousand rubles or incarceration for a term of up to five years. Deputies also have provided for changes in administrative articles regarding hindering the right to freedom of religious confession (fine up to 30 thousand rubles) and public desecration of religious symbols (fine up to 50 thousand rubles).

This draft law still has not been passed in parliament on first reading, although it provoked criticism from the Council on Human Rights and the Supreme Court, who drew attention to the fact that the draft law duplicates already existing regulations.

The changes that are proposed for the document should remove this problem. There is still no documentary expression from the authors of amendments and their final version will appear—in accordance with the regulations of the State Duma—only after the draft law is passed on first reading, Gazeta.ru was told by the staff of the Committee on Affairs of Public Associations.

Nilov also emphasized that so far variants of amendments to the law have merely been discussed.

Among other things, the deputy allows, gradations for punishments may appear in the existing regulations.

"I do not rule out that sanctions will be stiffened if there were an intent based on religious motives. If there were a religious motive for hindering, it is possible it will be harsher. I do not rule out that there would be a different sanction for officials or for groups of persons. Articles 148 and 149 should be harmonized," the deputy said. The first of these articles protects the right to freedom of conscience and religious confession, while the second protects freedom of assembly.

In addition, Nilov explained how the authors of the law took into account comments from the government, the Supreme Court, the Council for Human Rights, and the Public Chamber. In their response that asked for removal from the document of the notes that the law applies to religions that constitute an integral part of the historical heritage. "We suggested the phrasing: 'offending religious feelings on the basis of attitude toward religion.' Here there will be both believers and nonbelievers, and all those confessions that are officially registered—pagans, Old Believers, Krishnas, Jews, Muslims, Orthodox, Catholics, protestants—all of them," Nilov said.

In the event that representatives of one confession will demean the dignity of representatives of another confession (if, for example, they consider it to be sectarian doctrine), this will fall under the law on hurting believers' feelings, Nilov explained.

"It will be passed on first reading in the form that it had. But now there are many amendments with which it is possible to agree," a co-author of the draft law, communist Sergei Obukhov, confirms. The deputy explained that the proposed amendments "clarify the disposition," but in principle they do not change the concept of the bill—"evil must be punished." "The whole question is how. Through a separate article of the Administrative or Criminal Code or by additions. All of this, shall we say, are questions of the second reading," Obukhov said. The deputy calls amendments to already existing laws legal technicalities.

According to one of the co-authors of the initiative, State Duma Vice-Speaker Sergei Zhelezniak, work on the amendments to the draft law will be carried out by an expanded group; not only deputies will participate in preparation of the document for second reading. "I consider much more important not amendments on the part of deputies but on the part of the expert community and institutions of civil society, in order to take account of all reasonable suggestions as much as possible," Zhelezniak said, explaining that a working group will act under the Committee for Affairs of Public Associations.

Attorney Genry Reznik, a member of an expert group under the Council for Human Rights (which has submitted an opinion on the draft law), doubted in an interview with Gazeta.ru that the document that was submitted to the State Duma can be fixed in any way. "Criminalization of offending religious feelings is impossible, because this does not fit in well with basic provisions of law in general. It is completely unclear what kind of actions will be criminalized, what it is, by which actions it is expressed—offending religious feelings," Reznik says.

He recalls that so far no single action falls under the purview of the administrative article on hurting believers' feelings. A criminal standard also exists; this is article 282 of the Criminal Code. "There are various forms of hatred: national, racial, as well as religious hatred. Such a rule already exists. There is also demeaning of honor and dignity on the basis of signs of attitude, including toward religion also. But offense is nothing other than

demeaning of honor and dignity, expressed in an inappropriate way. This rule (the new draft law) will actually duplicate it," Reznik thinks. (tr. by PDS, posted 20 February 2013)

Officials arrest more Nursi followers

Underground madrasses discovered in Tatarstan where extremist ideas are promoted: two organizers and 30 participants arrested

Stetson University (15.02.2013) - In Naberezhnye Chelny two organizers of a local cell of the extremist organization Nurcular, who were preaching in underground madrassas, were arrested, and about 30 participants in the organization were detained, the press service of MVD for the republic reported Friday.

The investigative unit of the Directorate of the Ministry of Internal Affairs [UMVD] initiated two criminal cases on part 1 of article 282.2 of the Criminal Code of RF (organizing activity of a prohibited organization) with regard to the arrested organizers of male and female cells. At the request of the investigation, the court selected as preventive measures the detention of the male and house arrest of the female.

On 14 February agents of MVD and FSB conducted searches at 23 addresses, including the safe houses used by the male and female cells as underground madrassas. In the end more than 30 participants in the extremist association were arrested and taken in for conducting investigative actions. The participation of the leader of the female wing for organizing the activity of similar cells in other regions was established.

During the searches more than a million rubles and extremist materials (books, leaflets newspaper clippings, brochures, including more than 3,000 books by the ideologue of the organization Said Nursi in Turkish, Tatar, and Russian) were seized. Also seized were five computer systems, six notebooks, hard drives, disk drives, and educational audio and video materials, confirming the functioning of the female madrassas whose coordinator was a 54-year-old resident of Naberezhnye Chelny.

During the searches minor adepts were also discovered at the addresses. In the apartment of the alleged organizer of the network of female madrassas materials of correspondence with Russian and Tatar law enforcement agencies and Muslim organizations were found. Instructions for conducting and recommending a conspiratorial organization of illegal madrassas were seized.

The investigation is continuing. (tr. by PDS, posted 15 February 2013)

Muslims still trying to get rid of clothing regulations

Stavropol court refuses further consideration of suit against ban on hijabs in schools

Stetson University (15.02.2013) - A Stavropol territorial court left without action the lawsuit of attorney Murad Musaev against the government of the region with regard to the order introducing school uniforms and banning the wearing of hijabs because of a number of violations in the procedure of its creation, the court's website reports.

According to information of the agency, the lawsuit, acting on behalf of a number of

citizens, does not conform to a number of established rules. The declaration filed by M. Musaev was not accompanied by a copy of the contested regulatory legal act, or a document confirming payment of the state fee, and it is not indicated how the given order was published or made public in mass media.

The court dismissed the attorney's application for invalidating and not applying the order of the government of Stavropol territory of 31 October 2012 "On approval of basic requirements in school clothes and appearance of pupils" in the part denying the right of women of Muslim confession to dress in accordance with their religious convictions.

In the event that the application removes all shortcomings, the lawsuit may be considered again.

It was previously reported that in October 2012 the Stavropol territorial mufti jurisdiction reported complaints of parents of several schoolgirls that the Muslim daughters had not been permitted to attend school in hijabs for about two weeks. Five pupils in Noftekum district were not permitted in school from 3 to 17 October; at the same time, according to parents, on 1 September the girls came to school in headscarves and went to school for a month without problems.

The subject of wearing hijabs was discussed on 18 October at the very highest level. Russian President Vladimir Putin spoke of the need to respect religious feelings, but also to act on the basis of the secular character of the Russian state.

As of 9 January 2013, all pupils of Stavropol territory began attending classes in uniforms in accordance with the order of the regional government.

The order of the territorial government of 31 October 2012 prescribes, in particular, that clothing must be of classical style: for girls, without low waist, without cleavage and exposed navels. Schoolgirls are not forbidden to wear pants of classical style and they are permitted to wear jumpers, sweaters, and pullovers during the cold part of the year. Use of large accessories, body piercing and other elements characteristic of informal youth fads are strictly regulated.

The regulation also introduces a direct ban on the use of religious clothing, symbols, and paraphernalia. (tr. by PDS, posted 15 February 2013)

First day of questioning in imams' case

Novgorod imams accused of participating in forbidden "Nurcular" movement state in court it does not exist

Stetson University (14.02.2013) -The magistrate's court of the October district of Novosibirsk began questioning the imams of the Ecclesiastical Board of Muslims of the Asiatic Part of Russia: a docent of one of the universities of Novosibirsk, Ilkhom Merzhov, and an employee of the ecclesiastical board, Komil Odilov, an Interfax correspondent reports.

On Thursday the court began questioning K. Odilov, who, as at the first session, declared that he is not an extremist and the books of the Turkish theologian Said Nursi that he and I. Merzhov are accused of reading are mistakenly considered in Russia to be extremist.

"That Said Nursi is personally the organizer or founder of the Nurcular organization has

been proved by nobody in the world nor has anybody reached such a conclusion because this organization indicated in the indictment and elsewhere simply does not exist," K. Odilov stated. He also noted that as a teacher of Islam he conducted conversations on religion with his guests although his residence is not a "house madrassa." In confirmation of his words he cited verse 36 of the "Nur" sura of the Quran, which says: "In homes that Allah has permitted to be built, his name is remembered. He is praised in them, mornings and before sunset."

- I. Merazhov, on his part, said in conversation with journalists that the collection of Nursi's works "Risale-I Nur" is recognized by the entire Islamic community of theological scholars as a commentary on the Quran, although he does not know why the Supreme Court of RF considered them extremist.
- II. I. Merazhov noted that he tried earlier to appeal the decision of the Supreme Court, but his suit was dismissed on the basis that he is not a party in the case. "It turns out that, on one hand, I am being tried for this, but, on the other hand, I cannot appeal it," I. Merazhov said.

He, like K. Odilov, stated that the Nurcular organization does not exist.

From the indictment read at the first session it follows that the defendants were drawn into the activity of Nurcular "at an unspecified time by unidentified persons."

State Prosecutor Sergei Ageev stated that "the activity of the organization was aimed at the islamization of the region and the establishment of Muslim rule on the basis of Sharia."

As reported, based on the material of the operational search activity regarding I. Merazhov and K. Odilov, a criminal case was initiated on part 1 of article 282.2 of the Criminal Code of RF (organization of the activity of a religious association regarding which a court has put into legal effect a decision on liquidation and prohibition in connection with the conduct of extremist activity). (tr. by PDS, posted 14 February 2013)

Muslims arrested while at prayer

Chechen ombudsman criticizes security forces for arrest of Muslims in St Petersburg

Stetson University (14.02.2013) – The Chechen plenipotentiary for human rights, Nurdi Nukhazhiev, issued a criticism of the special operation in the "Apraksin Dvor" market in St. Petersburg on 8 February that included the arrest of natives of Chechnya who were attending the fifth prayer.

"This was not a special operation, but essentially an act of intimidation of argumentative traders in the market. One should not behave like a bull in a china shop in conducting planned operations," N. Nukhazhiev declared, whose words were posted on the official website of the ombudsman.

In his opinion, if security services had information that someone is engaged in illegal activity on the Internet, to say nothing of the presence of bands of extremists in the city, "whose members had been subject to operational surveillance supposedly for several months, then probably there was no need to catch them at the time of the fifth prayer with such a gathering of people, but to conduct targeted arrests."

"Intelligence agencies have once again stirred up the islamophobia that was already latent in Russian society. What kind of feelings of patriotism can one speak of in conditions where citizens of their own country are methodically and deliberately forced into the status of outcasts in their own country by means of the news media and pressure from security forces," N. Nukhazhiev declared.

As he noted, the mass detention of Russian citizens at the time of performing a religious ritual "does no honor to city authorities and more so to the security agencies, who for some reason are predisposed to see a terrorist and extremist in every praying Muslim.

"Based on the situation surrounding 'Apraksin Dvor,' one raises the question of an event ordered from above," N. Nukhazhiev said.

As was reported, on 8 February within the framework of investigation of criminal cases of extremism, siloviki planned an operation in "Apraksin Dvor." The operation was conducted on the territory of prayer houses. During searches, literature with extremist contents was seized. In addition, around 270 persons were taken to the Center for Combating Extremism and to the Investigative Committee. Seven of them were living on the territory of the district illegally and were deported to their homeland. (tr. by PDS, posted 14 February 2013)

New searches in the homes of Jehovah's Witnesses in Tobolsk, Tumen Region

JW of Russia (12.02.2013) - On 7 and 8 February 2013 further nine searches were conducted in residences of Jehovah's Witnesses in the city of Tobolsk, Tumen Region, within the framework of the criminal prosecution.

The Tumen Regional Investigation Department of the Investigation Committee of the Russian Federation (RF) opened the criminal case on 16 November 2012 under Article 239(1)* of the RF Criminal Code "Creation of a Non-profit Organization that Infringes upon the Personality and Rights of Individuals". The article provides for a possibility to impose up to four years of imprisonment.

On 21 November 2012, as part of this case, searches were conducted in the four homes of believers, the facilities used to conduct their worship services and an office of the business that the local Jehovah's Witnesses have been working for. The law enforcement officers seized all religious literature, audio recordings, documents and computers. From November 2012 through February 2013 the investigator called the believers in for questioning.

Religion in Russia

A question of faith: A new look at religion in post-1991 Russia

□Point 1 of Article 239 of the RF Criminal Code reads as following: "Creation of a religious or public association whose activity is fraught with violence against individuals or with other infliction of injury to their health, and likewise operation of such an association, shall be punishable by a fine in the amount of up to 300,000 rubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to two years, or by custodial restraint for a term of up to four years or by mandatory work for a period of up to four years or by the imprisonment for the same term".

Book review in The Economist (02.02.2013) - <http://www.economist.com/news/books-and-arts/21571111-new-look-religion-post-1991-russia-question-faith>

The dark Soviet shadow still lies over religion in modern Russia. The official atheism of Communist days, when believers were hounded, jailed and killed, is long gone. On paper, religious freedom is now protected. But in practice, intolerance remains. Russia's rulers see faith not as a personal matter but as a public phenomenon, vital to national identity and security. Citizens, they believe, need protecting from the vagaries of individual choice.

Few outsiders are better qualified to write about this than Geraldine Fagan, who has spent many years in Moscow for Forum 18, a religious-freedom monitoring group headquartered in Norway. Her illuminating book describes the state's clear favouritism of the Russian Orthodox Church, plus its increasing harassment of minority believers, which echo the anti-religious policies of "Beria and Brezhnev".

Russia's "traditional" religions, such as Judaism, Islam and Buddhism, enjoy official protection, albeit in carefully controlled forms. Others, such as Protestantism, count as alien and therefore threatening. Though the constitution guarantees religious freedom, laws on "extremism" and a raft of vague, draconian rules governing book-keeping, publications and premises pull in the other direction. In 2010 the octogenarian Alexei Fedorin became the first Jehovah's Witness since Soviet times to be convicted for his faith: he had distributed "extremist" material. Eight similar cases were pending as Ms Fagan's book went to press. Protestant churches find it hard or impossible to get visas for visiting pastors. Unofficial religious education can attract criminal prosecution.

The Russian Orthodox Church, Ms Fagan writes, "asserts itself as the definitive expression of Russian nationhood". But the idea of Russia as a monolithic Orthodox country beset by newfangled foreign religions is a myth. Ms Fagan depicts other minority religions with diligent sympathy. The orthodox "Old Believers" split over liturgical reforms in 1666. They are still struggling to get back churches the communists confiscated. Readers may be surprised to learn that Islam predates Christianity on the territory of what is now the Russian Federation. Europe's oldest Buddhist temple is in St Petersburg, and Protestants have worshipped in Russia since the 16th century. Pagans thrive in Mari-El, a republic in Russia's Volga region.

Panic would be premature. Local officials are often harsh, but minority religions, thanks to a network of activists and some good lawyers, have won important victories at higher levels—including in the European Court of Human Rights, which in 2006 overturned a ban on the Salvation Army's registration. The problem, for now, is incoherence, not systematic persecution.

Russia's difficulty in dealing with religious freedom reflects partly a dilemma about whether the country is a secular or a confessional state. But Ms Fagan sees a connection to deeper questions about its identity. What does it really mean to be a Russian? And who decides? Once people start making their own choices, the results can be uncomfortable for rulers.

Believing in Russia- Religious Policy after Communism. By Geraldine Fagan. *Routledge*; 320 pages; \$155 and £90. Buy from Amazon.com, Amazon.co.uk

Jehovah's Witnesses denied registration in the Republic of Chuvashia

An Orthodox anti-sect organization is pulling the strings behind the scenes

Office of General Counsel for JW (04.02.2013) - Jehovah's Witnesses have repeatedly tried to register its local religious organization in Chuvashia. The last time they submitted documentation for registration was in 2004. As per the representative of the RF Ministry of Justice in the Republic of Chuvashia, the reason for denial of the believers' request is based on the decision of the Golovinskiy District Court to liquidate the Religious Community of Jehovah's Witnesses in the city of Moscow. However, in view of the judgment of the European Court of Human Rights dated 10 June 2010 about the indicated ruling being baseless, the above mentioned official suggested that local Jehovah's Witnesses once again apply for registration of their legal entity, but only after the registration of the Moscow community is reinstated and the criminal case about the believers in Chuvashia is over.

The European Court in its Ruling dated 10 June 2010 stated that all the arguments of the Moscow prosecutor's office about the Religious Community of Jehovah's Witnesses in the city of Moscow did not conform to reality. The European Court also stated that the Russian authorities must "put an end to the violation found by the Court and to redress so far as possible the effects."

It should also be noted that the criminal proceedings against Jehovah's Witnesses in Chuvashia, as was the case in Moscow, were initiated by a nongovernmental organization that is working with the Russian Orthodox Church—Chuvashia Help Center for Victims of Sect Activity.

Information about Jehovah's Witnesses in Russia, including the Republic of Chuvashia

There are 165,000 Jehovah's Witnesses in the Russian Federation, united in approximately 2,500 congregations and groups. There are 408 registered local Religious Organizations of Jehovah's Witnesses within the 72 subjects of the Russian Federation.

Jehovah's Witnesses first appeared in Chuvashia at the end of the 1980's. Currently, there are 1,041 believers united in 17 congregations in this subject of the Russian Federation. The annual celebration of the Lord's Evening Meal in 2012 was attended by 1,575 people.

There were 1,419 incidents in Russia over a period of time from 11 September 2009 to 9 August 2012 where the rights of citizens, who are Jehovah's Witnesses, were violated. Law enforcement officers illegally detained 1,326 believers, conducted 142 searches in private homes and premises used for religious worship, and disrupted and violated 18 religious services. Citizens who are inclined against Jehovah's Witnesses committed 118 acts of assault against 223 believers and 92 acts of vandalism against the buildings used for religious services. Representatives of government agencies did not take adequate measures to prevent such violations of rights or to punish the perpetrators.

Krasnoyarsk: Two more publications of Jehovah's Witnesses are declared extremist

Office of General Counsel for JW (04.02.2013) - On 22 and 24 January 2013 Judge I. Akimova of the Sovetskiy District Court of the city of Krasnoyarsk granted the demands of the Prosecutor for the Sovetskiy District of the city of Krasnoyarsk and declared the brochures, *Natural Disasters—Punishment From God?* (December 2011) and *Will You Follow Jehovah's Loving Guidance?* (July 2011), extremist.

It is worth noting that in the second brochure (*Will You Follow Jehovah's Loving Guidance?*), there is an article regarding the judgment of the European Court of Human Rights in favor of the Moscow Community of Jehovah's Witnesses. The Court noted that even the Golovinskiy District Court in its consideration of the case "found the applicant community not liable for extremist activity in the form of inciting religious discord with calls for violent acts" (§ 55).

Both applications to declare these brochures extremist were filed on 27 June 2012. As the prosecutor indicated, "information from the FSB Directorate for the Krasnoyarsk territory regarding the [distribution] of the brochures of the religious organization of 'Jehovah's Witnesses'...in the Sovetskiy District of the city of Krasnoyarsk" served as grounds for filing these applications in court. During the proceedings, the representative of the department of the FSB of Russia of military unit No. 75317 was questioned as a witness.

The demands of the prosecutor were completely based on the conclusion by religious expert V. Kudashov, doctor of philosophical sciences and director of the office of philosophy of the Humanitarian Institute of the Siberian Federal University. The conclusion of V. Kudashov, that the examined materials "contain many expressions aimed at advocating the exclusivity and superiority of citizens on the basis of their religious affiliation," was not supported by the necessary examples.

The defense, in turn, presented the conclusion prepared by a competent linguistic specialist, a candidate of philological sciences. According to this specialist, the submitted texts of Jehovah's Witnesses do not contain degrading expressions of inferiority or obvious deficiencies of a person based on attitude toward religion. On the contrary, they encourage a respectful attitude toward people, including members of other confessions.

Point 23 of the Ruling by the RF Supreme Court Plenum on Case Law Regarding Criminal Cases of an Extremist Nature points out that in order to determine the main intent of informational materials, a linguistic expert study may be appointed. However, contrary to this explanation by the RF Supreme Court, Judge I. Akimova considered that only one conclusion from a religious expert was necessary.

Moreover, currently there are more than six similar civil cases under consideration to declare the literature of Jehovah's Witnesses extremist (they are being considered by Judges I. Akimova (one case), R. Pustokhodova (one case), O. Kolyvanova (one case), and Deputy Chairman of the Court T. Tararayeva (three cases)).

These court proceedings are scheduled for the following dates: 29 and 30 January 2013, as well as 4, 5, and 7 February 2013. Most likely, the style of the consideration of the cases will be the same and more publications will be declared extremist.

Snowball effect of the wrong blacklisting of two publications of Jehovah's Witnesses

The Russian Ministry of Justice included two publications of Jehovah's Witnesses in the Federal List of Extremist Materials despite the lack of an effective court decision pronouncing them as such. Legal repercussions experienced by the believers.

Office of General Counsel for JW (28.01.2013) - On 30 May 2011 the Zavodskiy District Court of the City of Kemerovo, based on the prosecutor's claim, declared the following printed publications of Jehovah's Witnesses to be extremist material: ***Is Religion a Force for Peace? and Be Zealous for True.***

The judicial process proceeded with no notice being given to the interested parties: not to the author, the publisher, the distributor, or the readers. The court decision was sent to the Ministry of Justice and the religious publications were added to the Federal List of Extremist Materials (numbers 914 and 915 on the List).

As soon as the media reported this, the interested parties appealed the court's decision.

On 15 February 2012 the Kemerovo Regional Court **reversed** the decision of the District Court because the interested parties whom this affected (the author, the publisher, the distributor, and the readers) had not been called to participate in the case. The case was remanded to the district court for a retrial.

From that moment there were no longer legal grounds for the publications to remain on the Federal List. In this connection, a letter was sent to the Ministry of Justice requesting the removal of the brochures from the List. However, the Ministry refused, explaining their actions by saying that the court had not separately rendered such a decision and that the case had not yet concluded (response attached, Russian original and its English translation).

Currently the case is still being considered. These religious brochures have been on the List **for 1.5 years already, although there is no court decision** declaring them "extremist."

On 17 December 2012 the District Court commissioned Linguist M. Osadchiy from the Kemerovo State University to conduct an expert study of these publications. Earlier, M. Osadchiy had presented his negative opinions on the publications published by Jehovah's Witnesses. The defense demanded a recusal of the expert pointing to the fact that his lack of needed qualifications in this area of knowledge prevents him from participating in the study. It needs to be noted, that the pseudo-scientific opinion prepared by M. Osadchiy in another case was employed as grounds to pronounce 18 publications of Jehovah's Witnesses as extremist.

That the publications (*Is Religion a Force for Peace?* and *Be Zealous for True Worship*) are on the Federal List of Extremist Materials, despite the fact that the court decision has been reversed, has already caused legal consequences in the Caucasus and the Far East.

LEGAL CONSEQUENCES

Caucuses

On 13 September 2012, on the basis of a court order, officials from the FSB Directorate for the Republic of Karachay-Cherkessia conducted a search of the religious building—Kingdom Hall of Jehovah's Witnesses in Kurdzhinovo (Urupskiy District of the Republic of Karachay-Cherkessia). The building belongs to the local religious organization of Jehovah's Witnesses (approximately 60 adherents). As a result of the search, religious literature, including the brochure *Is Religion a Force for Peace?* was seized.

The chief of the FSB Directorate sent the inspection materials to the prosecutor of the Republic.

On 1 November 2012 the district prosecutor initiated an administrative case under Article 20.29 of the RF Code of Administrative Violations against the LRO for storing "extremist materials."

On 20 November 2012 the justice of the peace imposed a 50,000 ruble fine on the LRO of Jehovah's Witnesses Kurdzhinovo for storing one *Is Religion a Force for Peace?* brochure, which at present is not "extremist" and must be removed from the List.

Far East

In May 2012 the Nadezhdinskiy District (Primorskiy Territory) Prosecutor, together with FSB officials, on the basis of a citizen's complaint searched a home in the village of Volno-Nadezhdinskoye (Primorskiy Territory). Two of Jehovah's Witnesses hold weekly meetings in the home. As a result of the search, one *Be Zealous for True Worship* brochure was seized.

An administrative case under Article 20.29 of the Code of Administrative Violations was initiated against S. V. Sitnikov, chairman of the religious organization, for storing this publication at the hall. However, the justice of the peace believed that storing one brochure does not constitute "mass storage" and terminated the case.

Law-enforcement officials and judicial agencies will continue their relentless prosecutions of believers until publications that are not extremist are removed from the Federal List of Extremist Materials.

Vow of silence

Novye Izvestia (22.01.2013) - NI has learned that Patriarch Kirill forbade a teacher at the St. Petersburg Ecclesiastical Academy who urged the church to call for the release of "Pussy Riot" members, Archpriest Georgy Mitrofanov, to speak with the press. The priest himself declined to comment and the press service of the patriarchate maintains that there is no official ban and that the clergy recognize that church circles disagree with many of Georgy Mitrofanov's statements.

Patriarch Kirill's ban on communicating with the press with respect to professor of the St. Petersburg Ecclesiastical Academy and the rector of the church of the apostles Peter and Paul, Archpriest Georgy Mitrofanov, has been in effect since November. In conversation with NI, Archpriest Mitrofanov acknowledged the existence of the ban, although he refused to make further comment. The press service of Patriarch Kirill told NI that there is no official ban on Archpriest Mitrofanov, and it suggested that "such a recommendation came from the patriarch in a private conversation." The existence of the ban was confirmed for NI by professor of the Moscow Ecclesiastical Academy Archdeacon Andrei Kuraev, who declined to make further comment, saying it was "unethical."

At diocesan meetings the patriarch several times said that some clergy are not able to speak properly with reporters, NI was told by the rector of the church of St. Basil the Great in the village of Zaitsevo, Moscow province, Archpriest Vladimir Vigilianskii. He said, "if you cannot properly protect the interests of the church, it is better to decline the interview," since "otherwise you will be misunderstood and you will confuse the readers or viewers in giving such comments out of naiveté, thoughtlessness, or ignorance, which may be a stumbling block to believing people."

Archpriest Vigilianskii insists that "there are no general bans on interviews in the church;

there are only individual cases." He said that cases have been known where clergy conducted blogs in which "they talked about internal church matters too frankly and incorrectly," after which "it was recommended they shut down their blogs," and they "obeyed and ceased making their statements." Mr. Vigilianskii also stated that he "did not always agree" with Georgy Mitrofanov's statements and that "he really sometimes discussed these events occurring in the church too frankly" while "there are some internal problems which should not be taken to the court of the general public." (tr. by PDS, posted 23 January 2013)

Vandalism against religious symbols continues

Interfax (18.01.2013) - In the village of Bogdanovskoe, Kiziliskoe district, Cheliabinsk province, arson of a wooden veneration cross was committed, a source in law enforcement agencies told Interfax.

The incident occurred on Thursday [17 January] around 18:00. The blaze was put out by local residents in five minutes. The paint surface of the cross was damaged by the flame.

The veneration cross was installed in April 2011 at the site of future construction of a church by clergy and parishioners of churches of the city of Magnitogorsk and the village of Kiziliskoe.

A wave of destruction of crosses flowed through Russia in 2012, beginning after the sentencing of members of the "Pussy Riot" punk group and a protest in their support by the FEMEN movement in Kiev. (tr. by PDS, posted 22 January 2013)

USCIRF releases report on "Unruly State of Law" in Russia

Findings from a visit of the U.S. Commission on International Religious Freedom

USCIRF (08.01.2013) - The U.S. Commission on International Religious Freedom (USCIRF) today released a policy brief, "Russia: Unruly State of Law." This policy brief, which analyzes the state of religious freedom and related rights in Russia, reflects USCIRF's long-standing focus on that country and the findings from the Commission's latest visit in late September 2012.

From the policy brief:

Russia is now a police state. Russian civil society activist told USCIRF Chair, Dr. Katrina Lantos Swett...The Kremlin has not just passed a set of bad new laws in 2012, it has changed the Russian political system.

Overall, religious freedom conditions in Russia continue to deteriorate. Chronic serious problems highlighted in previous USCIRF reports remain, including the application of the religion law and the use of the anti-extremism law against peaceful religious groups and individuals. USCIRF is concerned by the arsenal of new laws against civil society passed by the Putin administration in 2012.

The draft blasphemy bill before the Duma, if passed in the spring of 2013, would further curtail the freedoms of religion, belief and expression.

Russia's most severe human rights abuses occur in the North Caucasus, where violators operate with almost total impunity. Chechnya's Kremlin-appointed president, Ramzan Kadyrov, condones or oversees mass violations of human rights, including religious freedom.

Russia's leading human rights NGOs have said that they will not register as "foreign agents."

To read the full policy brief, please go to: <http://www.uscirf.gov/reports-and-briefs/policy-focus.html>. To view USCIRF's "Did You know" that focuses this week on Russia go to: <http://www.uscirf.gov/reports-and-briefs/did-you-know.html>.

To interview a USCIRF Commissioner, please contact Samantha Schnitzer at sschnitzer@uscirf.gov or (202) 786-0613.

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Excerpt: Discrimination and Violent Crimes

Russian officials and police often refer negatively to certain religious groups, particularly Protestants, Hare Krishnas, and Jehovah's Witnesses, thereby contributing to a climate of discrimination, vandalism, and sometimes violence against members of these groups. For example, in the autumn of 2012 President Putin called for action against what he termed "totalitarian sects." The "Young Guard" – the youth wing of Putin's political party -- has staged protests outside Church of the Latter Day Saints' buildings.

Russian chauvinist groups also have stepped up their campaign, including death threats, against individuals, groups, and officials who defend the rights of religious and ethnic minorities and migrants.

Russian police, particularly in Moscow, have increased efforts to combat violent hate crimes and, according to the SOVA Center, there has been a three-fold decrease in violence since 2008. Local authorities, however, often fail to investigate crimes against members of ethnic and religious minorities, leading to impunity for "skinhead" attacks, mainly against Muslim Central Asians and migrants. Leaders of the Jewish community told USCIRF that although anti-Semitism still exists in Russia, the Russian government no longer supports it. Indeed, President Putin donated one month's salary towards building Moscow's state-of-the-art Jewish Museum of History and Tolerance Center, which opened in November 2012.

[i] According to Article 1.4 of the Federal Law on Noncommercial Organizations dated 12 January 1996 No. 7-FZ (as amended by Federal Law No. 121-FZ dated 20 July 2012), the concept of “noncommercial organizations that perform the function of a foreign agent” *does not apply to religious organizations* that have been registered following duly established procedure.

Other laws also contain this provision. Federal Law No. 121-FZ dated 20 July 2012 amended five laws:

- Federal Law on Public Associations dated 19 May 1995 No. 82-FZ
- Federal Law on Noncommercial Organizations dated 12 January 1996 No. 7-FZ
- Criminal Code of the Russian Federation (amended Article 239 “Creation of a noncommercial organization that trespasses on the person and rights of a citizen”)
- Federal Law on Counteracting Legalization of Illegal Earnings (Money Laundering) and the Financing of Terrorism dated 7 August 2001 No. 115-FZ
- Criminal Procedural Code of the Russian Federation (jurisdiction changed for investigating crimes under Article 239 of the RF Criminal Code—still includes investigators from the RF Investigative Committee, now also includes “investigators from the agency that discovered the crime,” for example the police or the FSB).

[ii] According to Article 5.4 of the Federal Law on the Police dated 7 February 2011 No. 3-FZ, when addressing a citizen, a police officer must state his position, rank, and surname, show his official identification if requested by the citizen, and thereafter announce the reason and purpose of the address. This requirement is a universal rule for professional behavior. In accordance with Decree No. 885 of the RF President dated 12 August 2002 (as amended on 16 July 2009 No. 814), state employees are required to obey norms of official and professional etiquette and rules for professional conduct, to be respectful and attentive in addressing citizens and officials. Principles established by that Decree are recommended for persons appointed to state office in the Russian Federation, to state office in federal subjects of the Russian Federation, and to elected municipal offices.

[iii] **1. Authorities sent the religious publication to a study center too far away, which is in violation of territorial borders.**

According to Article 11 of the Federal Law on State Judicial Expert Study Activity in the Russian Federation dated 31 May 2001 and point 5 of the Resolution of the RF Supreme Court Plenum on Judicial Expert Study in Criminal Cases dated 21 December 2010 No. 28: “In situations when the state judicial expert institution serving a particular territory is unable to provide a judicial expert study due to there not being an expert in that specific specialty or the lack of proper facilities and equipment or special conditions for carrying out the research, and if the circumstances stated in Article 70 of the RF Criminal Procedural Code are met, that is, if none of the competent state judicial expert institutions in a given territory can fill this role, then an expert study can be assigned to state judicial expert institutions serving other territories.”

There are numerous qualified state judicial expert institutions and expert organizations in the territory of Saint Petersburg:

1. The Autonomous Noncommercial Organization, “The Center for Linguistic Expert Studies” (ul. Profesora Popova, d. 47, St. Petersburg, 197022)
2. The St. Petersburg State University Scientific Research Expert Center for Studying the Problems of Extremism and Corruption (Universitetskaya nab., d. 7/9, St. Petersburg, 199034)
3. The Federal Budgetary Institution, the Russian Federation Ministry of Justice North-West Regional Center for Judicial Expert Studies Russian MinJust FBI North-West RCJES (ul. Nekrasova, d. 8, St. Petersburg, 191104)
4. The Russian Academy of Sciences Institute for Linguistic Studies (Tuchkov per., 9, St. Petersburg, 199053)
5. Laboratory for Linguistic Expert Study

<http://www.lingua.spbstu.ru/lingexplab.html>

Thus, the reasons for sending the religious publication to a noncommercial organization in the Republic of Tatarstan are unclear, and there are no legal grounds for doing so.

2. Because of the distance, it would be impossible to question the specialist from the Republic of Tatarstan about the expert conclusion, thus restricting the right to fair judicial process.

If doubts arise as to the *objectivity or comprehensiveness of the conclusion* prepared by specialist from the Autonomous Noncommercial Organization, “The Kazan Interregional Center for Expert Studies,” it will be impossible to summon him for questioning because of the distance involved. Therefore, the impossibility of questioning the specialist(s) constitutes a substantial restriction of the right to fair judicial process and could result in a violation of Article 6 of the Convention on Human Rights and Fundamental Freedoms (Judgment of the European Court of Human Rights in the case of *Balsyte-Lideikiene v. Lithuania*).

3. Representatives of the Center are restricted in examining the qualifications of the specialist(s) from the Kazan Interregional Center for Expert Studies.

Officers from the Department of the Russian Ministry of Internal Affairs for the Kurortny District of St. Petersburg refused the defense the opportunity to provide information about the *qualifications of the specialists* who will study the text of the religious book. At the same time, though, according to the clarifying directives contained in the RF Supreme Court Plenum’s Ruling dated 21 December 2010 No. 28 on Judicial Expert Studies in Criminal Cases and taking into account the uniformity of legal principles for the expert study and study processes, if a person who is not a state judicial expert is assigned to a study, inquiry should be made beforehand (in this case, regarding the specialist—including his surname, patronymic, education, specialty, and other data attesting to his competence and appropriate qualifications) and, as needed, certified copies of the documents corroborating the information indicated should be attached to the case materials.