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The Altai Republic Supreme Court upheld the verdict made against the former imam of Kosh-Agach

Sova-Center (30.12.2014) - On December 9, 2014 the Altai Republic Supreme Court Presidium upheld the verdict of the Ongudaisky region Magistrate Court regarding the former imam, Sergian Svatov, of the Kosh-Agach village. He received a 100 thousand

rubles (about 1.300 euros) fine for "organizing activities of a banned extremist religious group".

Svatov, as well Ali Bugusynov, an imam of the Tashanta Haidar village, were both accused of being followers of the "Tablighi Jamaat" movement and of teaching its ideology among their local followers. Bugusynov's case was dropped and Svatov denies any involvement with "Tablighi Jamaat".

In Kazan the court condemned Muslims who took part in the rally with "Hizb ut-Tahrir" flags

Sova-Center (18.12.2014) - The Vahitovskij district Court of Kazan condemned three members of a rally against discrimination towards Muslims who held "Hizb ut-Tahrir" flags.

Azat Hasanov (36 years old) was found guilty of incitement to hatred and organization of extreme activities. Sentenced to 6.5 years of imprisonment in a penal colony.

Ildar Shaikhutdinov (38 years old). Incitement to hatred and participation in an extremist organization. Sentenced to 5.5 years of imprisonment in a penal colony.

Ilmir Imaev (62 years). Incitement to hatred and participation in an extremist organization. Sentenced to 3.5 years of imprisonment in a penal colony.

The fourth member of the same case was Lenar Galimov, now on the wanted list. On the court's website, it is said that he too was sentenced today.

Source: <http://www.sova-center.ru/religion/news/extremism/counter-extremism/2014/12/d30885/>

Muslims of Cheboksary ask Putin to protect Muslims of Mordovia

Sova-Center (30.12.2014) - Cheboksary representatives of the Muslim community "Hope" appealed to Putin with a request to take personal control of the situation regarding the ban of Muslim scarves in schools in some regions of Mordovia.

Since the Mordovian government had decided to forbid any religious clothing in schools, many Muslims started complaining about conflicts between pupils and college students with their teachers and professors.

Cheboksary representatives of the Muslim community believe that this decision violates several provisions of the Constitution, in particular "Freedom of conscience and religious associations".

"Up until now, there have been no legal federal laws prohibiting the scarfs. For some it's a religious symbol, for others it's a tradition. However, because of the ignorance of some officials, such incidents happen all over the country. One gets the impression that some officials deliberately conduct full-scale, continual attacks to discredit Islam in Russia ", said the head of "Hope", Galeev Rashid.

Cheboksary Muslims thus ask the president to take the issue under his personal control, "to protect the violated rights and freedom of Russian Muslims" and to provide a legal assessment of the situation.

Source: <http://www.sova-center.ru/religion/news/community-media/right-protection/2014/12/d30976>

Kaliningrad and Moscow struggles for places of worship

Forum 18 (16.12.2014) - Disputes over religious property remain unresolved in many parts of the Russian Federation, Forum 18 News Service notes, often leaving religious communities with no dedicated place of worship and having to rent unsuitable or expensive premises if they can find any.

In the capital Moscow the Society of Krishna Consciousness, for example, has lost two arbitration court cases over a unilaterally terminated land lease and the denial of building permission for a temple. The community is now appealing further and is prepared if necessary to take its case to the European Court of Human Rights (ECtHR) in Strasbourg.

In Russia's Baltic Sea exclave of Kaliningrad, the Muslim community has exhausted all domestic legal avenues in its efforts to complete their nearly-built mosque, and have already appealed to the ECtHR. Kaliningrad's Jewish community, ordered in June to halt the reconstruction of their synagogue destroyed in 1938 by the Nazis, is challenging the city administration's denial of a building permit in the Regional Arbitration Court. In contrast, the Moscow Patriarchate of the Russian Orthodox Church has had its work on a Kaliningrad church legalised after the work was complete.

The acquisition and retention of places of worship has long been difficult for many religious communities. For example, a Moscow Patriarchate parish was forced out of a pre-1917 hospital church in the Far Eastern city of Khabarovsk (see F18News 23 October 2007 http://www.forum18.org/archive.php?article_id=1038). A recent trend is localised public opposition to the state-financed construction of new Moscow Patriarchate churches (see Forum 18's general Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1722).

If communities, including Orthodox churches of different jurisdictions, seek to reclaim historical religious property, the process is rarely simple and has long been controversial (see eg. F18News 2 March 2009 http://www.forum18.org/archive.php?article_id=1263). The 2010 Law on the Transfer of Religious Property to Religious Organisations has proved to be no guarantee that the restitution process will be easy or unchallenged, or indeed that religious property confiscated during the Soviet period will be returned at all (see F18News 31 May 2014 http://www.forum18.org/archive.php?article_id=1961).

Kaliningrad mosque

The Muslims of Kaliningrad have appealed to the ECtHR against the court decision which ruled their unfinished mosque illegal and deprived them of ownership rights, according to their lawyer Dagir Khasavov. "In Russia no hope remains of correcting this illegal judicial act", he told Forum 18 from Moscow on 21 November.

The Muslim community has made repeated efforts since 1993 to acquire land to build a mosque. The mosque lies within a recreational area and a heritage preservation zone and construction began in 2009. The mosque was declared illegal after suits brought by a nearby museum (the Friedland Gate) and by district prosecutors "on behalf of an unspecified group of people". Building restrictions on the land were not enacted until 2013, and did not apply when the city gave the land to the community. The authorities made no attempt to halt construction until the mosque, which has been visited by Forum

18, was about 80 per cent completed (see F18News 5 June 2014 http://www.forum18.org/archive.php?article_id=1965).

Kaliningrad's Muslims continue to worship in rented premises across the city, and to gather in large numbers in the park and the streets surrounding the unfinished mosque on major festivals.

The community attempted to lodge a cassational appeal at Kaliningrad Regional Court, but Judge Sergey Kostikov deemed this inadmissible on 29 August, "without any reasoned explanation", according to Khasavov. Russia's Supreme Court similarly refused on 28 November to consider the case.

"Thus, the Muslims have lost in the conditions of Russia any possibility for the effective protection of their rights, but more precisely they had no such opportunity from the start of the illegally instigated process against them," Khasavov concluded.

The ruling which declared the mosque illegal and removed it from the community's ownership came into force on 4 June, but nothing has yet happened to the building, Khasavov told Forum 18. "The Muslims have expressed their readiness to protect the house of the Most High," he added, "even by physical force, if the authorities try to tear down the building."

In Moscow city officials have with no warning demolished a completed place of worship, Holy Trinity Pentecostal Church, which was destroyed with mechanical diggers soon after midnight on 6 September 2012. Officials were helped by police and men in plain clothes, who called themselves druzhinniki (civil volunteers) (see F18News 6 September 2012 http://www.forum18.org/archive.php?article_id=1738). Insecurity over property has also left many other Russian religious communities – including Pentecostals and Muslims – vulnerable to arbitrary actions by state officials (see F18News 30 October 2007 http://www.forum18.org/Archive.php?article_id=1040).

The telephone at the City Property Administration's Land Department went unanswered each time Forum 18 called between 10 and 15 December.

The application to the ECtHR was lodged on 29 November and has been registered as application number 75301/14, a court spokesperson confirmed to Forum 18 from Strasbourg on 12 December. It is not yet known when the court will decide on the admissibility of the case.

Kaliningrad synagogue

Kaliningrad's Jewish Community has taken both the city administration and its Architecture and Building Committee to Kaliningrad Regional Arbitration Court over the suspension of construction of the city's first post-war synagogue. This is intended as the "rebirth", according to Sergey Sterlin, editor of the local Jewish newspaper Simha, of a synagogue destroyed by the Nazis in 1938 in the so-called Kristallnacht. At that time the city was known as Koenigsberg and was part of the German province of East Prussia.

Echoing earlier comments of Jewish community members, Sterlin told Forum 18 on 15 December that the project represented "historical justice..with respect to the victims of the Holocaust and the anti-fascist movement".

Sterlin described Kaliningrad's Jewish organisations as being "scattered across various addresses" in the city. The premises on Cherepichnaya Street, just east of the centre, which houses a prayer hall and the Simha offices, are "insufficient", with no space for a kindergarten or a school.

A Central District court order halted construction in March 2014 on the grounds that it

was illegal as no permission had yet been granted. Kaliningrad Regional Court upheld this ruling in June. Forum 18 notes that an Orthodox church in the city and an Orthodox building outside the city have both apparently been legalised after being constructed without city permission (see F18News 5 June 2014 http://www.forum18.org/archive.php?article_id=1965).

After an information request by the New Kaliningrad news agency in July, the city administration at last revealed that the permit had not been granted because of a minor discrepancy between two sets of plans regarding the number of storeys. The number initially agreed upon was 4-5, while the contractor's project documentation showed 5-6 storeys, it claimed. Forum 18 has been unable to establish whether this would affect the height of the building or whether its impact on the surrounding urban environment was a concern to the city administration.

Forum 18 notes that the synagogue site is very close to the city's large 32 meter (105 feet) high former Lutheran cathedral, now used as a concert hall and museum of the philosopher Immanuel Kant. The former cathedral now has both Russian Orthodox and Lutheran chapels.

The city administration also claimed that the building lay partly within the preservation zone of the old Jewish orphanage (1904-1905), which now contains flats but is an object of cultural heritage of regional significance. Larisa Koptseva, head of the Regional Monument Preservation Service, nevertheless told journalists that the former orphanage's preservation zone did not overlap the construction site.

The arbitration court combined the two separate suits into one case in early December 2014 and the next hearing is planned for 22 December. The community is, firstly, challenging the Architecture and Building Committee's refusal to issue a building permit, and secondly, attempting to gain legal ownership of the unfinished structure on the site.

The city administration had leased the site to the Jewish Community (an orthodox organisation affiliated to the largely Hasidic Federation of Jewish Communities of Russia, headed by Russia's Chief Rabbi, Berel Lazar) for five years from March 2011, so that the nineteenth-century Koenigsberg New Synagogue could be rebuilt. The administration failed, however, to provide a building permit or to offer any explanation as to why one was not forthcoming.

The community hired a contractor and began building anyway in January 2013. One storey was completed before the Architecture and Building Committee inspected the site on 13 February 2014 and initiated court proceedings to stop construction.

An official of the Architecture and Building Committee directed Forum 18 on 12 December to the city administration's Information and Analytical Department. A spokeswoman there maintained that the synagogue would indeed be built, but insisted that all further questions be submitted in writing. Forum 18 sent a written request for information that day. No reply had been received by the end of Kaliningrad's working day on 16 December.

Moscow Hare Krishna temple

The Society of Krishna Consciousness has lost two cases at Moscow's 9th Arbitration Court over the city authorities' refusal to allow its temple to be built (see F18News 5 June 2014 http://www.forum18.org/archive.php?article_id=1965). The Society is continuing to appeal. "We will pursue both cases through every level of the courts, to be able to appeal to the European Court of Human Rights", the Society's lawyer Mikhail Frolov told Forum 18 on 11 December.

Hare Krishna devotees are still worshipping in the cramped premises it has rented since March, the rent for which is 1 million Roubles (about 110,940 Norwegian Kroner, 11,920 Euros or 14,840 US Dollars) per month. "Believers barely fit inside on Sundays and holidays", Frolov told Forum 18 on 15 December. "The altar room itself is in a basement..[with] one narrow entrance".

Frolov lamented the loss of the Society's previous place of worship near the Dinamo metro station in northern Moscow, which it had to vacate early in 2014 and which has since been demolished: "We had a large pandal [structure in which to venerate a god] which accommodated 1,000-1,500 people – so many came to big celebrations and Sunday programmes". Hare Krishna devotees had to leave those premises after a court ordered eviction instigated by the authorities (see F18News 11 September 2013 http://www.forum18.org/archive.php?article_id=1874).

Annulment of contract "motivated by nothing at all"

Moscow City Property Department annulled a contract granting the Krishna devotees free use of a plot of land for building in the summer of 2013. It did not explain its reasons for doing so in court, but admitted that the objections of local residents had been "taken into account". Sergei Andreyev, Director of the temple building project, pointed out to Forum 18 in June 2014 that there were no houses near the temple site. The written complaint did not come from Molzhaninovo residents but from a group in the neighbouring district of Khimki, who described the community as "a dangerous totalitarian sect" (see F18News 5 June 2014 http://www.forum18.org/archive.php?article_id=1965).

"Even when it became clear that the views of residents could not have been the reason for the termination of the contract, the Moscow government took the position that the city authorities had the right to end the contract without explanation," Frolov insisted to Forum 18 on 8 December. He maintained that the termination "was motivated by nothing at all".

Tatyana Kolesnik of the Moscow City Property Department told Forum 18 on 9 December that the "Moscow Architectural Committee has been instructed to investigate the location of the [temple] on an alternative plot of land", but would give no further information.

Long struggle

The latest site in Molzhaninovo District beyond the capital's ring-road, was allocated to the community in April 2007 after a long struggle with the city authorities. Protestants, Molokans and Muslims face similar obstacles (see F18News 3 September 2007 http://www.forum18.org/archive.php?article_id=1056).

Among the obstacles faced by the Hare Krishna community was permission for a new temple being withdrawn in October 2005 after strong criticism from the Russian Orthodox Church. International public opinion, particularly in India, appears to have assisted the Krishna devotees' case. However, Rinchenling, a 200-strong community following the Dzogchen tradition within Tibetan Buddhism, was unsuccessful in overcoming similar obstacles (see F18News 20 March 2006 http://www.forum18.org/Archive.php?article_id=746).

After various planning requirements had been fulfilled, a consecration ceremony for the Hare Krishna temple was held in June 2012. But when the contract was annulled, the Moscow Committee for State Oversight in Construction (Mosgosstroinadzor) refused to grant a building permit (see F18News 5 June 2014

http://www.forum18.org/archive.php?article_id=1965).

Other disfavoured communities

Long-standing official obstructions continue to this day for disfavoured communities in the capital, such as Muslims, Pentecostals and Hare Krishna devotees (see eg. F18News 11 September 2013 http://www.forum18.org/archive.php?article_id=1874).

Muslim communities in Moscow have a growing need to open mosques, as the Islamic population is growing fast. There are only four official mosques in the Russian capital, yet in August 2012 police estimated there were 170,000 Muslim worshippers for the end-of-Ramadan festival Eid-ul-Fitr – about the same number as attended Russian Orthodox churches at Easter. But in stark contrast to the Russian Orthodox, the Muslim community has faced persistent official obstruction to its attempts to open more mosques (see eg. F18News 26 September 2012 http://www.forum18.org/archive.php?article_id=1747).

Protestants and Muslims in other parts of Russia – such as in the 2014 Winter Olympic city Sochi – also face official obstructions, while the Moscow Patriarchate enjoys state funding for its church building projects (see F18News 4 March 2014 http://www.forum18.org/archive.php?article_id=1934).

Protests

Alleged objections from local residents – some clearly genuine, others seemingly questionable – often appear among official reasons to deny building permission or suspend or halt construction of a place of worship. People living near a proposed site can and do demonstrate or sign petitions against construction, citing a variety of reasons from objection to the religious community in question to a legitimate desire to protect green space from development (frequently invoked in Moscow). How the authorities respond to such protest varies, however, both between religious groups and across regions.

In Moscow, which is home to a large Muslim population but has only four mosques, no new mosque sites have been allocated since 2012, when the city authorities withdrew two plots they had previously assigned in the north-west and south-east of the capital, citing objections from residents (see F18News 26 September 2012 http://www.forum18.org/archive.php?article_id=1747).

At a Public Chamber meeting entitled "The construction of new temples in Moscow: challenges, myths, problems", on 16 July 2014, Mufti Rushan Abbyasov (deputy chair of the Council of Muftis) described the organisation of protest rallies against proposed mosques as "unfair", saying that construction was only planned in areas well away from houses, such as industrial zones, and suggesting that "more than 90 percent" of the protesters had no links to the areas anyway.

In contrast, the projects of the Moscow Patriarchate's "Moscow 200" church-building programme have also provoked protests from citizens, but none of these has to Forum 18's knowledge resulted in a site being withdrawn (see Forum 18's general Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1722). Indeed, Moscow's City Administration enthusiastically supports all forms of construction by the Moscow Patriarchate (see F18News 11 September 2013 http://www.forum18.org/archive.php?article_id=1874).

In Yekaterinburg in the Urals, however, the city authorities appear to have genuinely tried to balance the competing interests in a dispute over plans to build a Lutheran church in a city centre park. Over 1,000 people signed a petition submitted to the city administration in July 2014, and another online petition has gained nearly 900

signatories since August. Protesters have also held public demonstrations. On 13 October, however, the administration nevertheless formally allocated the land to the Lutheran Church.

The Yekaterinburg Lutheran community had claimed the site, which had previously been a Lutheran cemetery, under the Law on the Transfer of Religious Property to Religious Organisations. Such claims for restitution have often been challenged, and are not sure of success. Yekaterinburg's Old Believer community, despite a verbal promise from the regional governor, fear that they may never get restitution of their church confiscated in the Soviet period (see F18News 31 May 2014 http://www.forum18.org/archive.php?article_id=1961).

Jehovah's Witnesses win appeal in Rostov

Rostov Provincial Court sets aside sentence in trial of Jehovah's Witnesses

Kavkazskii uzel (12.12.2014) - The sentence in the trial of 16 members of the Taganrog congregation of Jehovah's Witnesses was completely quashed today by decision of the Rostov provincial court. The case was remanded for a new review.

Kavkazskii uzel reported that Jehovah's Witnesses were accused of extremism, since they continued to participate in activity of the congregation after its ban. On 30 July nine of the accused were acquitted, four were given suspended sentences and fined, and fines were issued for another three defendants. The court released all of the convicted from payment of the fines because of the expiration of the statute of limitations. The sides in the trial appealed the sentence: the Jehovah's Witnesses demanded complete acquittal and the prosecutor demanded a new consideration of the case.

On 11 December, at the first session on the appeals, the side of the defendants spoke. Today the court heard the prosecutor, after which it made the decision to cancel the verdict both in its indictment portion and in the acquittal, one of the Jehovah's Witnesses' lawyers, Alena Borodina, told a Kavkazskii uzel correspondent.

"The judge overturned both the guilty and the acquittal verdict. Today we heard only the conclusion of the resolution. The rationale part will be published later. After this the resolution of the appellate court will be sent to the Taganrog court," the defense attorney explained.

Information about the court's decision was also confirmed by the press service of the Administrative Center of Jehovah's Witnesses in Russia.

Kavkazskii uzel still does not have commentaries from the sides with assessments of the decision of the provincial court. (tr. by PDS, posted 13 December 2014)

Supreme Court declares Jehovah's Witnesses website extremist

HRWF (04.12.2014) - Russia's Supreme Court has ruled that a Jehovah's Witnesses website and three of the religious movement's books are "extremist".

At mid-November, Russia's Supreme court sustained the ruling of Samara's regional court on declaring the Jehovah's Witnesses from Samara an extremist organization. On 29th May 2014, the regional court of Russia's Samara had ruled in favor of the prosecutor in the case against the Jehovah's Witnesses after the authorities had found literature included in the Federal list of extremist materials in the premises of the community.

Jehovah's Witnesses have long encountered difficulties with Russian authorities and have repeatedly been barred from circulating their literature which is circulated worldwide without any problem.

In 2004, a Moscow court banned a local Jehovah's Witnesses group, officially accusing it of recruiting children, prompting believers to abandon their families, inciting suicide and preventing believers from accepting medical treatment. The ruling was eventually overturned in 2010 by the European Court of Human Rights, which ordered Russia to pay the defendants 70,000 euros (\$86,000).

Bans on more literature, website and video

Forum 18 (03.12.2014) - Courts in Russia have banned more Muslim literature and a video on the ownership of relics of two Russian Orthodox saints as "extremist", Forum 18 News Service notes. District courts in Sverdlovsk Region in the Urals and in the Tatarstan Republic have banned 14 Islamic texts, including a US-based Russian language website with the text of a collection of hadiths held by Sunnis to be the most important book in Islam after the Koran. Prosecutors on the Far Eastern island of Sakhalin are attempting to ban a book on the concept of du'a (supplication to God) based on and containing verses from the Koran.

Shortly before the cases became public, Ravil Gainutdin, Chair of the Russian Council of Muftis, spoke about "unlawful prohibitions" on Islamic literature at the Sixth Congress of the Spiritual Administration of Muslims of European Russia on 21 September. He criticised the employment of what he described as "Islamophobes, who do not even know the Arabic script" to decide on what is harmful. Gainutdin also called for improvements to the system of court proceedings and "radical revision" of the Federal List of Extremist Materials.

Wide consequences

Some banned material on the Federal List argues for peace and respect for human rights, including Muslim theologian Muhammad ali Al-Hashimi's "The Personality of a Muslim" and the Chinese spiritual movement Falun Gong's leaflet "Global Human Rights Torch Relay". Other banned material on the List promotes racism, xenophobia or violence. Any lower court can decide that material is "extremist" and so should be added to the List, banning the material throughout Russia. Anyone in Russia who possesses material on the List is liable to face prosecution (see Forum 18's "extremism" Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1724).

Islamic and Jehovah's Witness literature continues to be ruled "extremist" by courts, opening the way for yet more prosecutions for their possession or distribution under Article 20.29 ("Production or distribution of extremist materials") of the Code of Administrative Offences. This can lead to the banning of entire communities and any religious activity by their former members, as the Jehovah's Witness have found in both Samara and Taganrog (see eg. F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017).

The Muslim organisation of Borovsky village in Tyumen Region of Siberia was ruled

"extremist" and liquidated by Tyumen Regional Court on 6 May. An "anti-extremism" inspection found books from the Federal List on its premises, after prosecutors had warned the community about "the inadmissibility of "extremist" activity". This warning was partly based on an earlier discovery of banned texts at the mosque and also on the mosque's educational and outreach activities.

Administrative Code Article 20.29 punishes "Production or distribution of extremist materials" recorded on the Federal List of Extremist Materials with a fine or imprisonment of up to 15 days and confiscation of the banned literature. Under this Article, the "mass distribution" of items on the Federal List, as well as their "production or possession for the purposes of mass distribution" is banned. Despite the term "mass distribution", prosecutors have often brought charges even if only one copy of a text is discovered. Court decisions usually order "extremist" materials to be confiscated and often destroyed (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1724).

Sayings of Mohammed and US-based website "extremist"

In Tatarstan, Judge Elvira Nigmatzyanova on 9 October ruled "extremist" the 52nd Book of the Sahih-al Bukhari. This is a 9th century collection of hadiths (sayings) of the Islamic prophet Mohammad, which Sunni Muslims regard as the most authentic compilation and second only to the Koran itself in terms of importance and authenticity.

According to the verdict, seen by Forum 18, the Apastovo District prosecutor initiated the case "in the interests of the Russian Federation" after finding the text online on an Atlanta-based website (in Russian) during monitoring of internet resources for "extremist" material.

The Judge ruled both that the site should be added to the Unified Register of prohibited internet resources, and that the text itself should be added to the Federal List. The court decision quotes the material the prosecutor and judge found objectionable – for example, hadith 177 speaking of violence against Jews and hadith 53 dealing with martyrdom in Allah's Cause.

"The content of the material promotes the exclusivity of militant Islam, encourages its followers to 'holy war', [and] incites ethnic and religious hatred", the Court concluded. It claimed that its distribution would "undermine social stability and create a threat to the life and health, personal dignity, and personal integrity of unspecified persons, and undermine the foundations of the constitutional system of the state."

Russian Muslim lawyer Ravil Tugushev, who is challenging the ban, has raised concerns that bans on hadith texts may not end with one website. "Many native Muslims of the Russian Federation do not know Arabic and read Russian translations of the holy texts, including those on the internet", he wrote on his blog on 31 October. This decision "sets a precedent and in fact raises the question of future prohibitions on other translations of the Sunnah [way of life] of the Prophet," Tugushev added. "Without [the hadith] there cannot be a religion of Islam; therefore the decision violates the rights of Muslims as enshrined in Article 28 of the Russian Constitution, as it creates obstacles to the practice of religion."

No reference to historical context, interpretations, or legally-provable effects

The Apastovo verdict makes no reference to the texts' historical context, interpretations of the texts by Muslims, or any legally-provable effects the texts have had on people's behaviour.

The verses and the way they have been used as evidence by prosecutors highlights the

problems which can be posed by religious texts from particular times and places, including books of the Bible which have not been targeted for such blanket bans. Ancient texts can contain statements opposed to present-day understandings of the rights of others, gender equality, freedom of religion or belief and other human rights. A refusal to acknowledge the context in which ancient texts were written, their subsequent interpretation and the impact they have had on people can lead to arbitrary criminalisation of texts. Such bans can undermine the very values the ban is supposed to uphold.

This issue has already been explicitly raised in some courts. The banning as "extremist" of a widely used Russian-language translation of version of the Koran, by Elmir Kuliyeu, was overturned in December 2013 by Krasnodar Regional Court (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920).

"The Holy Koran is an integral part of the historical and religious heritage of the peoples of the world," the Court pointed out, "a cultural monument that reflects events important to humanity, which took place on the Arabian Peninsula in the sixth and seventh centuries. The verses of the Koran, which were the reason for the recognition of the above translation as extremist, have a specific origin story, relate to specific historical events of the sixth century BC, and cannot be assessed without taking into account the historical context".

The Court's reasoning is pertinent to the Tatarstan al-Bukhari case, that of the 13 Islamic texts ruled "extremist" in Artyomovo (see below), other Islamic texts and indeed Jehovah's Witness texts. The Krasnodar Regional Court appeal verdict has not yet, however, had a wider impact, including in the appeals against a similar March 2012 ruling by Lenin District Court in Orenburg banning 68 Islamic texts as "extremist" (see F18News 8 September 2014 http://www.forum18.org/archive.php?article_id=1994).

Nurzहित Dolubayev, the lawyer for one of the publishers trying to overturn the Orenburg ban, told Forum 18 on 26 November 2014 that there have been no further developments to that date.

The Kuliyeu Koran translation appeal ruling has not been challenged. Tugushev, who was as a lawyer involved in the appeal, told Forum 18 on 21 August that the case is "too resonant" for prosecutors to pursue it further.

Appeals

Tugushev is challenging the al-Bukhari ban. In this appeal he emphasises historical context, arguing that the prosecutor's selection of passages allegedly "calling for the overthrow of constitutional order in the Russian Federation" are "absurd, because they relate exclusively to the period of confrontation between Meccans and Medinans in the 7th century. These hadith describe the events preceding the Battle of the Trench in 627, and in no way can be projected onto the present day".

He notes that despite the potential impact of the ruling on the rights of Muslims, not a single representative of a Muslim organisation was invited to or even informed of the court hearing. No expert psycho-linguistic or religious analysis of the book was carried out, and no comparison made of the website text (which he thinks is a poor computer translation) with the original Arabic or with other translations.

"Expert analyses" are often used to justify bans on books and prosecutions (see eg. F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017), even though they can contain numerous errors (see eg. F18News 28 February 2013 http://www.forum18.org/archive.php?article_id=1808).

Tugushev pointed out to Forum 18 on 2 December that, while "a large part" of the Federal List does consist of genuinely "extremist" material, other items are there "as a result of a miscarriage of justice", arguing that every case needed analyses by "theologians of the faith to which the book belongs".

A second appeal has also been submitted by Rashid Galejev, chair of the Nadezhda (Hope) Muslim community in Cheboksary (Chuvash Republic), ansar.ru reported on 6 November. "To apply the same yardstick to the analysis of one of Islam's most important ancient texts as to modern leaflets," Galejev argues, "is at least erroneous (thus, for example, the Torah or the Bible may be recognised as 'extremist'), because every believer believes their religion to be exclusive and true".

13 texts in one ruling in Sverdlovsk Region

On 30 June at Artyomovo Municipal Court, Judge Olga Nigmatzyanova upheld the Artyomovo Municipal Prosecutor's request to ban as "extremist" 13 Islamic texts, including some from the Middle Ages. The list includes texts which promote consideration for other people as well as others which may be interpreted as promoting violence, discord and discrimination. Among the list are texts which were in the Orenburg ruling, including the third edition of Said bin Ali bin Waqf al-Qahtani's "Fortress of a Muslim: an appeal to Allah through prayers" and Abu Zakaria bin Saharaf an-Nawawi's "Gardens of the Righteous".

According to the written verdict, seen by Forum 18, the books were seized from an unnamed person by prosecutor's officials, police and FSB security service officers as part of "the preventative operation 'Illegal Migrant'" in 2013. Their owner has not been charged under the "anti-extremism" articles of the Criminal Code, as investigators could not prove that a crime had been committed.

The 2012 Orenburg ruling banning 68 Islamic texts as "extremist" lasted 20 minutes on 21 March and came into force on 27 April, but only became publicly known in mid-June (see F18News 19 June 2012 http://www.forum18.org/Archive.php?article_id=1713). It drew widespread condemnation by Islamic bodies, publishers and human rights groups (see F18News 30 July 2012 http://www.forum18.org/archive.php?article_id=1726).

Analysis by the FSB security service's Sverdlovsk Region criminological laboratory claimed that all the 13 Artyomovo texts contained statements "aimed at promoting the superiority and exclusivity of Islam over other religions, and inciting religious hatred and hostility towards non-Muslims and towards Muslims who depart from the principles of strict monotheism".

Mukaddas Bibarsov, the Mufti of Saratov, wrote on his Facebook page on 11 October that if the hadith collection is banned, "you should ban books of all religions, without exception, because each of us believes his religion exceptional and the truth".

Claims of "superiority" of beliefs and similar terms are used in Russia's legal definition of "extremism", even though the right to make such claims – and assert the merits and demerits of beliefs – is a fundamental part of the internationally recognised human right to freedom of religion or belief (see Forum 18's "extremism" Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1724).

The Artyomovo court verdict names the texts which are objected to, but does not quote the parts found objectionable. Instead, it uses the non-specific language common in "extremism" rulings, e.g. "In this regard, the mass distribution of said materials among unspecified persons may lead to the incitement and spread of social hatred or discord, and also directly violates the ban on 'extremist' activity established by the current legislation of the Russian Federation".

Artyomovo Prosecutor's Office's spokesperson stated on 2 December that he could not discuss the case, referring Forum 18 to the Regional Prosecutor's Office. Prosecutor Rishat Shakirov on 1 December claimed he could not hear Forum 18 in two separate telephone calls. Forum 18 notes that the Prosecutor's hearing problems on both occasions began only after Forum 18 had introduced itself and explained which case it wanted to discuss.

Nobody appealed against the ruling within the one month allowed, so the Judge's decision entered legal force on 5 August, according to the court website. The titles have not yet appeared on the Federal List. Several, however, have already been banned in other editions.

Video banned

On 21 November, Judge Maksim Ignatovich of October District Court in Vladimir, east of the capital Moscow, granted the City Prosecutor's request to declare "extremist" a video showing an attempted October 2012 seizure by bailiffs of saints' relics from a parish of the Russian Orthodox Autonomous Church (ROAC), which is independent of the Moscow Patriarchate. The video is critical of the Moscow Patriarchate and the far-right Liberal Democratic Party (LDPR) of Vladimir Zhirinovskiy, and was described by prosecutors as having a "hostile, aggressive character". The Moscow Helsinki Group has submitted an appeal to Vladimir Regional Court, which will be heard on 18 December, according to the court websites.

On 3 December, Vladimir City Prosecutor's Office put the phone down as soon as Forum 18 introduced itself.

The video, entitled "Bailiffs' Piety" (Pristavnoye blagochestiye) was made by Mikhail Baranov and Anna Dombrovskaya and posted on portal-credo.ru in January 2013 by the website's editor Aleksandr Soldatov – all three were named as "interested parties" in the case. The 30-minute film was also posted on YouTube. It claims that "The Patriarchate is destroying the Orthodox", and shows bailiffs entering the Church of the Iversk Icon of the Mother of God in Suzdal, east of Moscow, during a service in October 2012 and trying to confiscate the relics of Saints Euphymios and Euphrosynia.

Claims to historical religious property, including ROAC churches in Suzdal, are rarely simple and have long been controversial (see F18News 2 March 2009 http://www.forum18.org/archive.php?article_id=1263). A long legal battle over the relics of the two saints culminated in a July 2014 Constitutional Court appeal ruling that the relics should be handed to Rosimushchestvo (the Federal Agency for State Property Management).

This video's narrative is intercut with footage of LDPR activists demonstrating against the ROAC with banners saying "Return the holy relics" and "Western money doesn't absolve sins". This is set in a context of images from 2011 and 2012 protests in Moscow's Bolotnaya Square against election rigging and a clip of the 2012 Pussy Riot "punk prayer" in Moscow's Cathedral of Christ the Saviour. There is also footage of an interview with Moscow Patriarchate Patriarch Kirill, intercut with images of Nazi Germany's Propaganda Minister Joseph Goebbels, and images from inside a shop at the Trinity-St. Sergius Lavra in Sergiev Posad. These appear to criticise the commercialisation of the Patriarchate with shots of high prices for icons and other goods.

According to a Moscow Helsinki Group report of 24 October, Soldatov denies that the video contains any incitement to violence or infringement of anyone's religious, social or political rights. He thinks that the case against the video may be linked to portal-credo.ru's activities.

Soldatov's lawyer Damir Gainutdinov commented to the Moscow Helsinki Group before the case began on 24 October that an extremism ruling "could lead to restriction of freedom of expression and the blocking of the information resource on which the video was posted [portal-credo.ru]". He also pointed out that, "in theory", administrative or criminal proceedings against Soldatov or the makers of the film could follow.

Jehovah's Witness main website again banned

Jehovah's Witnesses' main international website - www.jw.org - has once again been banned as "extremist" in Russia. The site was first banned by a Tver court in August 2013, but Jehovah's Witnesses successfully appealed against the ban at Tver Regional Court in January 2014 (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920).

On 2 December, Russia's Supreme Court upheld the prosecutors' appeal against the January judgment, the Supreme Court website notes. Jehovah's Witnesses complained to Forum 18 that they had been given no notification of the Supreme Court hearing. The Supreme Court website lists no respondent in the civil suit. The [jw.org](http://www.jw.org) website has not yet been added to the Unified Register of banned websites.

"Complete insanity" on Sakhalin

Statements of monotheism were apparently enough for prosecutors on the island of Sakhalin to seek an "extremism" ban on "Supplication (du'a) to God: its significance and place in Islam". A copy of this was seized from the premises of the Sakhalin Muslim Community in April during an inspection to check compliance with "anti-extremism" legislation. The case has not yet come to court.

The Mufti of Asiatic Russia, Nafigulla Ashirov, on 26 October described the potential Sakhalin case to islam.ru as "complete insanity" for being based on verses of the Koran. "In that case, you should prohibit Academician Ignaty Krachkovsky's translation [used in the book], the best known Russian translation of Muslims' holy scriptures from Soviet times".

The text seized from the Sakhalin Muslim Community consists of selected verses from the Koran with accompanying commentary. Yelena Korolyova, a linguistic analyst at the Sakhalin police force's Expert Criminology Centre, claimed that the book contains statements promoting the superiority of a particular group of people on the basis of religion. In her 14 April report, seen by Forum 18, she emphasises parts of some verses of the Koran such as "glory belongs to the one God", "It is You we worship and You we ask for help" (from Surah Al-Fatihah, 1:5), "There is no god but He!" and "He only passes judgement" (from Surah Al-Qasas, 28:88).

Muslim lawyer Tugushev, who is following the case, expressed concern that an "extremism" ruling may lead to another attempt to outlaw a full Koran translation. "If they ban the first [separate verses], then it is not impossible that they will consequently ban the second [the full translation]," he commented to ansar.ru on 28 October.

Prosecutors did not specify who exactly may be harmed by this text, Forum 18 notes. In the suit submitted to Yuzhno-Sakhalinsk City Court on 18 April, also seen by Forum 18, City Prosecutor Aleksandr Yerzikov claims that "The dissemination of this book, which contains the promotion of the superiority and advantages of a person or group of persons over other people, based on their religious affiliation (Islam) is detrimental to the rights, freedoms and legitimate interests of other (non-Muslim) communities. This group of people cannot be determined".

Between 1 and 3 December Yuzhno-Sakhalinsk City Prosecutor's Office did not answer

their telephones when Forum 18 rang. Yuzhno-Sakhalinsk City Court officials similarly did not answer their telephones.

The Court has ordered further psycho-linguistic analysis of the book, only after which a hearing will be scheduled, Ilhom Merzhov, an imam of the Spiritual Administration of Muslims of Asiatic Russia, told Forum 18 on 26 November. He described the attempts to ban religious texts as "completely absurd".

Appeal to Rostov Regional Court—Will the Court exonerate or imprison Jehovah’s Witnesses?

JW.ORG (28.11.2014) - <http://www.jw.org/en/news/legal/by-region/russia/rostov-extremism-witnesses-appeal/> - On December 11, 2014, the Rostov Regional Court will hear the appeal on the criminal case against 16 of Jehovah’s Witnesses in Taganrog, Russia. They were prosecuted for attending and organizing peaceful religious meetings.

The ordeal for the Witnesses began in 2011, when local authorities conducted aggressive searches of their homes and secretly recorded their religious meetings. This eventually led to criminal charges. After a 15-month-long trial, the Taganrog City Court convicted seven Jehovah’s Witnesses on July 30, 2014. The judge heavily fined all seven and sentenced four of them to lengthy prison terms, but he immediately waived the fines and suspended the prison sentences. The judge acquitted the other nine Witnesses on technical grounds, but he upheld that they had engaged in extremist activity. All 16 Witnesses have appealed, asking that they be fully acquitted of the criminal charges.

The prosecutor has also appealed. He is demanding that the Rostov Regional Court imprison the four Witnesses, who are religious ministers, and take them into custody at the conclusion of the hearing. He also demands that the court overturn the acquittals of the other nine Witnesses and pronounce them guilty of engaging in “extremism.”

Vasiliy Kalin, a representative of the Administrative Center of Jehovah’s Witnesses in Russia, stated: “I hope that the Rostov Regional Court will see the travesty of justice that these 16 victims of religious oppression have already endured and will exonerate them from their criminal convictions.”

Chronology of events:

In 2009, the Rostov Regional Court ruled to liquidate and ban the activity of the legal entity used Jehovah’s Witnesses in Taganrog for alleged “extremist” activity. The decision was upheld by the Russian Federation Supreme Court, with the following consequences:

- In 2010 the place of worship that members of the Taganrog congregations had built with their own hands was confiscated, and they were subjected to ostracism and other restrictions of their rights;
- In 2011 a criminal investigation was initiated and all identified Jehovah’s Witnesses in Taganrog became the subjects of surveillance operations;
- In 2012, 16 Witnesses who had been recorded merely reading the Bible and praying at meetings for worship were charged with continuing to carry out extremist activity;
- In 2013 exhausting court proceedings began, known as the Case of the Sixteen, which lasted for 15 months;
- The Case of the Sixteen ended on July 29, 2014, when the Taganrog City Court handed down suspended prison sentences of between 5 and 5½ years to **four Jehovah’s**

Witness elders, and fined another 3 Witnesses between 50,000 and 100,000 rubles. The fines were waived.

Sova Center: Documented cases of abuse of the law against extremism in October

Sova Center (25.11.2014) - <http://www.sova-center.ru/en/misuse/news-releases/2014/11/d30722/> - The following is the Sova Center review of the primary and most representative events in the misuse of Russia's anti-extremist legislation against religious groups or individuals in October 2014:

Criminal Prosecution

In early October, criminal case under Part 2 of the Criminal Code Article 205.5 (participation in the activities of a terrorist organization) was opened in Yuzhnouralsk against four Muslims - members of Hizb ut-Tahrir. According to the investigation, three of the detainees distributed leaflets in Chelyabinsk mosques on September 27, 2013. Another criminal case had been opened against them earlier under Part 1 of Article 282 (inciting hatred or enmity and humiliation of human dignity). As previously mentioned, we believe that the ban on Hizb ut-Tahrir specifically as a terrorist organization was inappropriate, and, accordingly, so is the prosecution of its supporters for participating in a terrorist organization.

In mid-October eight people were detained in Tatarstan on suspicion of their involvement in Hizb ut-Tahrir. Criminal cases against them were initiated under Article 205.5 of the Criminal Code.

In mid-October, there were reports on the beginning of the trial against six Said Nursi followers in the case under Article 282.2 (organization of and participation in the activities of extremist organizations) in the Perm Region. In addition to the residents of the Perm Region, the defendants also include Nursi followers from Rostov-on-Don and Saint Petersburg (their exact number is unknown). Initially, the case involved seven suspects, but it was reported that one of the defendants received a suspended one-year prison sentence in June 2014. No further details were disclosed. As previously mentioned, we do not consider appropriate to ban either the works by Said Nursi (which do not contain any extreme statements) or the Nurcular organization which have never existed in Russia. We oppose the persecution of individual believers for studying Nursi's books.

Administrative Prosecution

Six people, including a bookseller and a head of the religious organization from Khanty-Mansiysk, an imam from the Kemerovo Region and a Mufti from a Yekaterinburg mosque, were fined in October under the Administrative Code Article 20.29 (mass distribution of extremist materials, or possession with intent to distribute). All of them were found to be in possession of inappropriately banned religious literature.

Banning Materials for Extremism, Blocking Websites and Other State Actions

A trial in the case pertaining to the ban on *Pristavnoe Blagochestie* video (video about the confiscation of relics of Venerable St. Euphymios and St. Euphrosynia of Suzdal from the Russian Orthodox Autonomous Church) has started in Vladimir; we view the prosecutorial claims against the video as unfounded.

In October, prosecutors issued a series of inappropriate warnings to citizens about the impermissibility of violating the law on combating extremist activity. Three citizens of

Kyshtym in the Chelyabinsk Region, who have been found to possess inappropriately banned collection of prayers *The Muslim's Fortress*, received warnings; the imam of the Sababash Village Mosque in the Sabinsky District of Tatarstan and six local residents received warnings for their support of Tablighi Jamaat religious movement.

"Extremism" charges for possessing Muslim books, Jehovah's Witness community ban confirmed

Forum 18 (20.11.2014) - The criminal trial of six men accused of "extremism" for alleged involvement in "Nurdzhular", an organisation which Muslims in Russia deny exists, began in the Urals city of Perm on 16 October, Forum 18 News Service has learnt. Two women facing the same charges in the Siberian city of Krasnoyarsk will go on trial on 27 November, and another man in the southern Russian city of Rostov-on-Don is likely to be tried soon after. Four more people are soon to be brought to court on similar charges.

Another Muslim from Perm, who reads the works of the late Turkish Muslim theologian Said Nursi, was given a suspended prison sentence in June.

The two defendants in Krasnoyarsk (who are accused of running a "women's cell"), three of the six defendants on trial in Perm, one defendant in Rostov, and the alleged leader of a "cell" in the Volga city of Ulyanovsk have all been charged under Criminal Code Article 282.2, Part 1 ("Organisation of an extremist organisation"). This is punishable with a fine of at least 300,000 Roubles (about 43,000 Norwegian Kroner, 5,100 Euros or 6,400 US Dollars) or imprisonment of up to six years.

The other defendants have been charged under Criminal Code Article 282.2, Part 2, with the lesser offence of participation in an "extremist organisation". This carries a maximum fine of 300,000 Roubles or up to four years' imprisonment. Increased punishments for both Parts 1 and 2 were signed into law by President Vladimir Putin in February (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

Also, the Jehovah's Witness community in Samara in southeastern Russia – forcibly liquidated on charges of "extremism" – was not on 12 November able to overturn the liquidation ruling in Russia's Supreme Court. In Taganrog in southern European Russia a similar 2009 liquidation, also upheld by the Supreme Court, has been used to justify banning all Jehovah's Witness activity. Subsequently, seven Taganrog Jehovah's Witnesses were found guilty of "extremism" for continuing to meet together for prayer and Bible study. All are appealing against the convictions (see below).

Criminal charges in Perm for possessing works of Said Nursi

The criminal trials of seven Muslims in Perm who read Nursi's works finally began in 2014. All were arrested in May 2013, as part of a wide-ranging law enforcement operation also involving raids in St Petersburg, Anapa and Rostov-on-Don. In Perm, police seized 4,860 allegedly "extremist" books, plus computer equipment, discs, and mobile phones (see F18News 24 June 2013 http://www.forum18.org/archive.php?article_id=1850).

Repeated calls by Forum 18 to the city Prosecutor's Office on 19 November were not answered.

If a person has "extremist" material, such as Russian translations of Nursi's works on the Federal List of Extremist Materials, they are liable to face criminal prosecution (see Forum 18's Russia "Extremism" religious freedom survey

http://www.forum18.org/Archive.php?article_id=1724).

On 24 June 2014, the final day of his trial, Magistrate Oksana Artemova of Perm's Sverdlovsk District Magistrates' Court No. 36 found Vyacheslav Solovyov guilty under Criminal Code Article 282.2. She sentenced him to one year's suspended prison sentence, Anastasiya Reikhardt, court secretary, told Forum 18 from Perm on 17 November. She said the cases of the other six accused were handed to Magistrates' Court No. 37, but refused to say why.

An official at Magistrates' Court No. 37 told Forum 18 that the six on trial under Magistrate Aleksandr Gulin are: Elnur Kerimov, Aleksei Tashchevnikov and Ertugrul Ergin (Article 282.2, Part 1); and Ramil Kerimov, Rasul Magomedov and Azad Tadzhiev (Article 282.2, Part 2). The official declined to give any other information on the case. "That's enough by telephone," he told Forum 18 on 17 November.

Ergin is a Turkish citizen, while three of the others are Azerbaijani citizens and the other two Russians.

Three hearings have already taken place – on 16, 23 and 30 October – but proceedings have now been postponed until 25 November, a court official told Forum 18.

Krasnoyarsk

The case against Yelena Gerasimova and Tatyana Guzenko under Criminal Code Article 282.2, Part 1, is at last beginning at Krasnoyarsk's Soviet District Court, having been passed around the Krasnoyarsk court system for the last six months. A delayed preliminary hearing is due to take place on 27 November, according to the court website.

Police "anti-extremism" officers and the FSB security service raided Gerasimova's and Guzenko's flats on 8 August 2013, during the major end-of-Ramadan festival Eid-ul-Fitr. At Gerasimova's home, police conducted a five-hour search, during which the family's Eid guests were not permitted to leave and Gerasimova (who is a lawyer) noted a number of procedural violations (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

According to the regional prosecutor's press release, religious literature seized from their homes was taken as evidence against the two women. Police and security officials consistently equate readership of Nursi's works with membership of "Nurdzhular".

Krasnoyarsk Regional Prosecutor's Office alleged in a press release on 29 May 2014 that the accused ran a "cell" of more than ten women, and fostered contacts with "Nurdzhular" members in Naberezhnyye Chelny (something Nursi readers in that city have denied to Forum 18).

The Supreme Court banned "Nurdzhular" in 2009, but readers of Nursi's works deny that the organisation exists and therefore that they are part of it. Much of the state's argumentation is incoherent, with quite different reasons offered for banning Nursi's writings and "Nurdzhular" in different contexts. It would appear that the primary cause of Russia's anti-Nursi campaign is state opposition to "foreign" spiritual and cultural influence (see F18News 5 March 2013 http://www.forum18.org/archive.php?article_id=1811).

Krasnoyarsk Regional Prosecutor's Office originally brought the case to Soviet District Court in May 2014, but it was then passed to Magistrates' Court No. 79. In June, however, it was transferred to Krasnoyarsk Regional Court as the question of where it should be heard remained unresolved, the secretary at Magistrates' Court No. 79 told Forum 18 on 19 August (see F18News 19 August 2014

http://www.forum18.org/archive.php?article_id=1986).

At a delayed hearing on 16 September, the Regional Court ruled that Gerasimova and Guzenko should be tried at the original district court.

It is common for "extremism" cases against religious believers to spend a long time being transferred between different parts of the court system. While this goes on defendants are left waiting and uncertain of what will happen next, often with restrictions on their movements and activities.

Krasnoyarsk Regional Prosecutor's Office claimed in August that they were no longer handling the case and directed Forum 18 to the General Prosecutor's Office of the Russian Federation. Forum 18 submitted written requests for information on 18 August and 12 November, asking what sentences prosecutors are seeking and why the women are considered dangerous. These have both gone unanswered.

Rostov-on-Don

The criminal case against another Muslim who reads Nursi's works was handed to Rostov's Oktyabr District Court on 10 November, the court website notes. Gadzhibek Ismailov faces trial under Criminal Code Article 282.2, Part 1. The case will be heard by Judge Stanislav Vinokur, though no date has yet been set.

The case, prepared by Rostov Regional Prosecutor's Office, alleges that Ismailov organised the study of banned religious literature in his home between November 2012 and May 2013, the Prosecutor's Office noted on its website on 17 November 2014. The works had been banned by Moscow's Koptevo District Court, it added. Fourteen of Nursi's works were banned by this court in 2007 (see F18News 27 June 2007 http://www.forum18.org/archive.php?article_id=981).

Asked why Ismailov was considered dangerous, a spokeswoman for Rostov Regional Prosecutor's Office told Forum 18 on 19 November that: "He organised the study of literature ruled extremist by court decision, and drew in a certain number of people. At his home these people studied the ideas of the spiritual leader of Nurdzhular, an extremist movement".

Ulyanovsk

On 10 November, police in Ulyanovsk charged 31-year-old Bagir Kazikhanov with the organisation of "extremist" activities under Criminal Code Article 282.2, Part 1. Kazikhanov was remanded in custody from his arrest in Moscow on 9 April until 26 October, when a judge ruled that he should be released under house arrest, Nursi readers elsewhere in Russia told Forum 18 on 12 November. The case has not yet come to court.

Also, Farkhad Allakhverdiyev, Stepan Kudryashov and Aleksandr Melentyev have been charged with participation in "extremist" activities under Article 282.2, Part 2, a fellow Nursi reader told Forum 18 on 14 November. They have not, however, been kept in custody.

The case is being led by Captain Aleksei Lukyanov of the Ulyanovsk Regional police Investigation Department. When Forum 18 called his direct number on 19 November, the woman who answered refused to respond to any questions about the case and put the phone down.

A spokesperson at the police Press Office told Forum 18 on the same day that all requests for information should be submitted in writing.

Kazikhanov (originally from Dagestan), is accused of having come to the city deliberately to found and lead a "Nurdzhular" cell dedicated to the study of Nursi's works and the dissemination of his ideas. The police document outlining the charges against him, seen by Forum 18, claims that his actions amounted to "the agitation of inter-confessional and inter-ethnic hatred and enmity, with the aim of the Islamification of the state and the region by the direction of the governing centre of Nurdzhular, located in Turkey".

Ulyanovsk Police sent a large quantity of books, pamphlets, compact discs and electronic equipment seized from all four men to Nizhny Novgorod State University's Centre for Historical and Cultural Anthropology for "expert analysis". Such "expert analyses" have often been used to justify bans on books and prosecutions (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946). There can be numerous flaws in such "expert analyses" (see eg. F18News 28 February 2013 http://www.forum18.org/archive.php?article_id=1808).

The three Nizhny Novgorod "experts" – Fyodor Dorofeyev (history of religion), Yevgeny Volkov (sociology), and Yekaterina Koltunova (linguistics) – submitted their report, which Forum 18 has seen, on 23 October 2014. They concluded from their examination of the seized materials and records of conversations between the men that all four were members of "Nurdzhular". The reading of Nursi's works is "the principal identifier [emphasised in the original] for the practices of the Nurdzhular association", Dorofeyev asserted. The group was "structured" and "hierarchical", and the "experts" deemed Kazikhanov to be the "informal (and maybe formal) leader".

It appears that Muslims meeting for study and discussion of Nursi's works, even using editions which have not been prohibited and placed on the Federal List, is sufficient reason for them to be accused of a banned organisation. Jehovah's Witnesses also face the same kind of risk of prosecution (see eg. F18News 28 February 2013 http://www.forum18.org/archive.php?article_id=1808). In the case of the Ulyanovsk Muslims, this happened despite Dorofeyev's conclusion that there had been no conspiracy aimed at sowing religious or societal discord. Knowledge of Nursi's Turkish associates and Islamic life in Turkey or even speaking the Turkish language are also grounds for suspicion.

Forum 18 asked Dorofeyev of Nizhny Novgorod State University on 19 November to explain why the four men were considered dangerous. He insisted that the "expert analysis" was not aimed at answering this question, but only whether the suspects were members of Nurdzhular. When asked whether he thought they ought to be prosecuted, as he had concluded there was no conspiracy, Dorofeyev replied that "according to Russian law they should be brought to court".

The case is expected to be submitted to prosecutors in December, and is likely to come to court in January 2015, Muslim readers of Nursi's works told Forum 18 on 14 November.

Jehovah's Witness Supreme Court appeal fails

Meanwhile, Jehovah's Witnesses have failed in their attempt to overturn the enforced liquidation of their community in the city of Samara. Russia's Supreme Court in Moscow finally rejected their appeal on 12 November, the Court website noted.

Samara Regional Court ordered the dissolution of the community after it allegedly breached the terms of an official warning over the distribution of allegedly "extremist" literature, issued in summer 2013. In spring 2014 single copies of prohibited texts were discovered at the Jehovah's Witnesses' rented premises. Samara's Soviet District Court imposed a fine of 50,000 Roubles (then about 8,350 Norwegian Kroner, 1,000 Euros, or

1,400 US Dollars) for this "offence", even though the community's Chair Andrei Bobkov stated that the books did not belong to his congregation (see F18News 1 May 2014 http://www.forum18.org/archive.php?article_id=1953).

The Regional Prosecutor later successfully used this conviction to argue that the community itself should be ruled "extremist" and liquidated. The Justice Ministry has already added the Samara Jehovah's Witness community to the "list of social and religious associations whose activity is halted in connection with the carrying out by them of extremist activity". It was already on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorist and extremist" organisations (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

When a registered religious organisation is liquidated, it loses its status as a legal entity and the rights that flow from it, such as the ability to own or rent property, employ staff and hold a bank account. An unregistered community should legally be able to continue to operate as a religious group, which does not require registration, and meet privately for worship and study (see F18News 14 April 2005 http://www.forum18.org/archive.php?article_id=543). Despite this, people who belonged to forcibly liquidated Jehovah's Witness communities in Samara and Taganrog have found that they are not allowed to meet to exercise freedom of religion or belief.

In Taganrog in southern European Russia the liquidation of that community has been used to justify banning all Jehovah's Witness activity – whether registered or unregistered. On 8 December 2009 the Supreme Court upheld a Rostov-on-Don Regional Court ruling finding 34 Jehovah's Witness publications "extremist" and the liquidation of the Taganrog Jehovah's Witness congregation as "extremist" (see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385).

Taganrog City Court subsequently found seven Jehovah's Witnesses guilty of "extremism" offences in August 2014. Four of the seven were given suspended prison terms of at least five years. All seven were fined, although these fines were later waived. Despite the suspension or waiving of the punishments, all seven convicted Jehovah's Witnesses still have criminal records and may not change their places of work, study or residence without notifying the authorities. They must also show that they have "corrected" their behaviour.

The seven - all members of the community declared "extremist" in 2009 – were punished for continuing to meet for prayer and Bible study. Jehovah's Witnesses told Forum 18 in August 2014 that they fear that "their determination to continue religious activity means that they might be subject to more severe punishments as recidivists" (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

All 16 Jehovah's Witnesses charged in the original trial have appealed against the verdict at Rostov Regional Court, including those who were acquitted. According to the court website, the first appeal hearing is scheduled for 11 December. The Caucasian Knot news website reported on 8 August that the prosecution had also submitted an appeal, but Rostov Regional Prosecutor's Office has repeatedly refused to discuss this with Forum 18.

When Forum 18 asked on 19 November whether Taganrog Jehovah's Witnesses were still able to meet privately for worship, a spokeswoman for the Prosecutor's Office said that she was not prepared to answer that question.

Calls by Forum 18 to Samara Regional Prosecutor's Office on 19 November were not answered.

November's Supreme Court decision means that one of the four registered Jehovah's Witnesses in Samara Region is now banned and cannot function. Communities in

Chapaevsk, Syzran and Tolyatti are unaffected by the liquidation of the Samara community, which gained state registration in 2002.

Persecution of Jehovah's Witnesses in Russia mostly unofficial

Document: Manifestations of religious intolerance towards Jehovah's Witnesses in Russia 1st to 31st October 2014

Administrative Center of JW in Russia (03.11.2014) –

We have identified the following:

3 arrests by police during witnessing ministry: Moscow, Surazh (Briansk province), Voskresensk (Moscow province);

1 incident of hindering religious activity committed by officials: Ugor (Vladimir province);

4 incidents of hindering religious active committed by aggressively minded people: St.Petersburg, Ussuriisk (Primore territory)—three cases;

9 incidents of attack causing harm to health or threat to life, committed by aggressively minded people: Moscow (2 incidents), Saianogorsk (Khakasia), Orenburg, St. Petersburg, Novodereviankovskaia (Krasnodar territory), Cheliabinsk, Izhevsk, Petrozavodsk;

3 incidents of vandalism: Kovrov (Vladimir province) (building), Novodereviankovskaia (Krasnodar territory) (stand), Cheliabinsk (stand);

13 articles in news media and one video, impugning the honor and dignity of Jehovah's Witnesses: "Sectarians recruit residents of Arkhangelsk" (IA REGNUM, 3 October 2014, 4 responses to article), "Measures for combating the destructive sect of Jehovah's Witnesses in Riazan province discussed today in House of Public Organizations" (Riazanskie Vedomosti, 2 October 2014, 7 responses both Internet and local news media), "Sects continue to recruit new adherents" (GTRK Oka, 21 October 2014).

Description of several incidents:

1. 1 October 2014, St. Petersburg. An elderly woman (68 years) Jehovah's Witness was standing beside an information stand. A man approached her and tried to seize all the literature. Judging from the man's conduct, the believer understood that he intended to destroy the stand and thus she grasped the stand firmly with two hands. Trying to tear the stand out of the woman's hands, the man pushed her with such force that the believer fell to the pavement, hurting her elbow and scraping her hands. The woman had to go to an emergency room for treatment

2. 4 October 2014, Novodereviankovskaia (Krasnodar territory). A male Jehovah's Witness was standing beside an information stand on the street. A man of about 55 to 60 years approached and asked which religion the believer represented. After receiving an answer, the man tipped the stand over and tried to strike the Witness. The believer decided to leave, taking the stand with him, although the man followed him, threatening violence. To protect himself the believer decided to go into the nearby open city market. Seeing this, the attacker began calling people to seize the believer so that he could

administer vigilante justice. The man also picked up a brick and threw it at the believer, after which he again threw the stand to the ground and began to trample it. When the believer tried to raise the stand, the man pounced on him and grabbed his clothing. People, observing what was happening, acted for the believer, who called police after being released. The man also made a phone call and after a time an auto approached him, from which two cossacks in uniform, with whips in their hands, emerged. They went at the believer with the intention of "investigating." First they asked him to make the sign of the cross and then they said that "they will flog the believer so that he will not show up here," and the attacker declared that "all Jehovahists must be destroyed." After some time an investigation group arrived and the precinct captain approached. It was determined that the assailant was Sergei Korban and he is associated with cossacks. He was himself a hetman previously and his wife is the sister of a local priest. The police who arrived composed two reports, one on the incident of causing physical damage (the broken stand), and the second on the threat of murder. After talking with the assailant, the police told the believer that "he intends to persecute you in the future, and if that happens, call 02."

22 October 2014, Petrozavodsk. An elderly woman (73 years) Jehovah's Witness arrived to share her religious convictions in a store located not far from her home. The administration of the store consented to this and the saleswomen also were not opposed. One customer, a very large man of middle age, saw that the believer was conversing with another elderly woman and had given her a biblical leaflet. The man began shouting: "Throw out the sectarians. There is no place for her here." At the same time he began beating the believer with a stick which he had in his hand, grabbed her by the collar, and dragged her to the exit. Along the way he threw her to the floor and continued beating her while prostrate. As a result of the beating the believer had a broken finger. The woman submitted a statement to the police.

Supplement to information for September 2014:

4 September 2014, Kovrov (Vladimir province). An attack on the local Kingdom Hall was made during the night. A man, who had previously attended Jehovah's Witnesses' religious meetings, threw a rock through a window of the building, breaking a double glass. After the event, an alarm sounded, and the man was arrested on the grounds attached to the building. Believers submitted a statement to the police but they refused to open a criminal case.

13 September 2014, Moscow. A police officer, Captain Alexander Zinenko, approached two women Jehovah's Witnesses who were standing on the street with an information stand. He began calling the women "sectarians," and saying that they do not have the right to stand here since it is "forbidden." At the same time, he was unable to explain by whom and where it was forbidden. Then the police officer threw the stand to the sidewalk and scattered the literature. A bit later he picked it up but he did not permit the believer to collect the literature, claiming that the believers were committing an administrative violation of law and this literature was subject to confiscation. After this the policeman tried to take away the woman's passport. He accompanied all these actions with threats, insults, and shouts against the women. Since what was happening attracted the attention of passersby, a large group of people gathered around the believers. The policeman asked one elderly woman to act as a witness to the arrest of the believers, to which she consented. When a police squad he had summoned arrived, the believers were shoved into a police car without having been given any reason for their arrest. At the police department, one of the believers (64 years old) became ill, although no medical care was given to him. The commander of the department conducted himself respectfully with regard to the believers. After he investigated the situation, he apologized for the actions of Captain Zinenko and returned the stand and let the believers go home.

15 September 2014, Saianogorsk (Khakasiia). Two Jehovah's Witnesses were sharing their religious views with residents of an apartment building. One of the residents, who climbed the staircase, approached the believers and, determining that he was dealing with Jehovah's Witnesses, said that they must immediately leave the lobby. The believers had not managed to leave when a man, entering his apartment, came out with a pistol. He approached the believers and said that "he hates Witnesses." The believers managed to leave the building, but the man chased them, and put the pistol to the head of one of them and threatened violence. After this he tried to strike a believer on the head with the pistol, but he dodged it. The Witnesses called the police, after which the man hid the gun and left. A criminal case was opened on the event on the basis of article 2,119 of the Criminal Code of the Russian Federation, "Threatening murder."

21 September 2014, Surazh (Briansk province). Two women Jehovah's Witnesses were sharing their religious convictions with residents of a private home. After the conclusion of the conversation, a police vehicle approached them and the believers were asked to go to the police station on the basis of the claim that all Jehovah's Witnesses witnessing in the city of Surazh were held to account. At the police station, documents and religious literature were taken from the believers. The police also wanted to take fingerprints, claiming that it was possible that the believers "are members of Al-Qaeda," but the women refused this, citing their rights. The believers were released after having spent two and a half hours in the police station. They were refused copies of the protocols.

23 September 2014, Voskresensk (Moscow province). Police officers, who arrived by police car, arrested three women Jehovah's Witnesses (two had been standing with an information stand and a third arrived in order to replace one of them). The women were given no explanation of the reason for the arrest, although in a rude manner, with threats of handcuffing, they were forced to get into the vehicle and to go to the police department. At the police department the women were accused of imposing their beliefs and also they wanted to take fingerprints, but the women flatly refused. No protocols about the arrest were composed.

26 September 2014, Moscow. Two women Jehovah's Witnesses were sharing their religious views with residents of an apartment building. A man (50-60 years old) came out of one apartment. Learning that he was facing Jehovah's Witnesses, he began shouting at them and demanding that they leave the building. The man said that he had previously worked as a judge and that thanks to his connections with the police he would be able "to hang any case on the believers." After this the man began punching and kicking the women. He hit one of the believers with his fist on the face, drawing blood from her lips. The women had to leave the building immediately.

27 September 2014, Ugor (Vladimir province). Two women Jehovah's Witnesses arrived in the village in order to share their religious views with its residents. On the street they approached a man in civilian clothing who turned out to be a local officer. He demanded from them documents and, he said, that they immediately leave the village and not appear in it any more. After taking the women's documents, the officer called the criminal investigation unit and dictated their information. The believers said that he was violating their constitutional rights by such prohibitions, but he advised them "to consult the prosecutor's office on this matter." The believers were forced to leave the village. (tr. by PDS, posted 4 November 2014)

Church of Scientology of St Petersburg and Others v. Russia

(No 47191/06)

Registrar of the European Court (02.10.2014) - The applicants in this case are the Church of Scientology of St Petersburg, an unincorporated group of Russian citizens formed for the collective study of Scientology, and six members of this group: Galina Shurinova, Nadezhda Shchemeleva, Anastasiya Terentyeva, Ivan Matsitskiy, Yulia Bryntseva and Galina Frolova, Russian nationals, born in 1954, 1955, 1979, 1975, 1977 and 1955 respectively. The case concerned their complaint about the authorities refusing to register their Scientology group as a legal entity.

Between March 1995 and August 2003, the applicants' Scientology group, led by Ms Shurinova since the late 1980s, submitted six applications for registration. The registration authorities rejected all their applications, each time citing new grounds for their refusal. The most recent refusal referred in particular to the alleged unreliability of a document confirming that the group had been in existence for 15 years, a legal requirement under Russian law for any new religious group to be registered. In October 2003, the applicants challenged the refusals in court and, in December 2005, the St Petersburg District Court held that the refusal to register their group as a legal entity had been lawful, citing defects in the document confirming the existence of the religious group for 15 years. This judgment was upheld on appeal in May 2006.

Relying in particular on Article 9 (freedom of thought, conscience and religion) interpreted in the light of Article 11 (freedom of assembly and association) of the Convention, the Scientology group complained that the decisions refusing to register them as a legal entity had been arbitrary.

Violation of Article 9 interpreted in the light of Article 11

Just satisfaction: EUR 7,500 to the applicants jointly of non-pecuniary damage

See the full judgment at

<http://www.strasbourgconsortium.org/common/document.view.php?docId=6898>

Witnesses appeal to the Russian Federation Supreme Court over liquidation of their legal entity in Samara

JW (01.10.2014) <http://www.jw.org/en/news/legal/by-region/russia/supreme-court-appeal-samara-legal-entity/> - On October 8, 2014, the Russian Federation Supreme Court will hear the appeal of Jehovah's Witnesses in Samara regarding the liquidation of their Local Religious Organization (LRO). Earlier, a lower-court decision declared the Samara LRO to be extremist. If the Supreme Court does not reverse the ruling, the more than 1,500 Witnesses living in Samara may face serious consequences.

Samara Regional Prosecutor's Office Employs Aggressive Tactics

Legal proceedings against the LRO began in April 2014, when the Samara Regional Prosecutor's Office filed an application in the Samara Regional Court to liquidate it for "extremist activity." Even before the regional court heard the case, the prosecutor's office suspended the LRO and temporarily seized its property. Following this decision, and

before the court trial had even begun, the Russian Federation Ministry of Justice entered the Samara LRO on a list of religious associations whose activity has been suspended for extremist activity. Then on May 29, 2014, Judge Shabayeva decided in favor of the prosecutor and ordered that the LRO be liquidated and its property confiscated.

This is not the first time that the Samara Regional Prosecutor's Office has filed charges in an attempt to liquidate the Samara LRO. In 2009 the prosecutor's office filed a claim that went to trial but later withdrew the charges. In the current case, the Samara law-enforcement authorities took a different approach to achieve their goal.

Russian Courts Liquidate LRO on Dubious Grounds

In January 2013 and January 2014, local police searched facilities that the Witnesses rent for worship and "found" religious publications that were posted on the Federal List of Extremist Materials. The Samara City Prosecutor's Office issued a warning to the LRO concerning the 2013 search, and after the police discovered religious publications again in January 2014, the prosecutor's office initiated an administrative case. On March 7, 2014, the Sovetskiy District Court of Samara found the LRO liable and fined it 50,000 rubles (\$1,383, U.S.). The Witnesses in Samara are certain that in both searches, the police planted the publications. Furthermore, Jehovah's Witnesses contest Russian court rulings that have declared their publications extremist, and they have filed applications with the European Court of Human Rights.

After the Samara Regional Prosecutor's Office secured the conviction in the Sovetskiy District Court, it filed its April 2014 application in the Samara Regional Court on the charge of extremism. This was done with the intent to liquidate the LRO. Attorneys for the Witnesses argued before Judge Shabayeva that liquidating the LRO was unwarranted and that there is nothing extremist in the activity or beliefs of Jehovah's Witnesses or the LRO. They also argued that the "banned" publications had been planted by the police during the searches. Nevertheless, Judge Shabayeva decided to liquidate the Samara LRO.

Will Russian Authorities Continue to Suppress Freedom of Worship?

The case in Samara is following a similar pattern to the actions orchestrated by Russian law-enforcement authorities against Jehovah's Witnesses in Taganrog, where authorities first misapplied the Federal Law on Counteracting Extremist Activity to their worship. The authorities succeeded in liquidating the Taganrog LRO in 2009, and later they opened a criminal case against individual Witnesses. The criminal case eventually led to the prosecution and conviction of seven local Witnesses for merely attending religious meetings. The potential for a similar outcome concerns Jehovah's Witnesses in Samara.

How far will Russian authorities carry this attack on the worship of Jehovah's Witnesses? Since June 2014, fabricated charges have been brought against Witnesses in various parts of Russia for distributing so-called extremist religious literature. Jehovah's Witnesses in Samara hope that the Russian Federation Supreme Court will restore justice in their case.

Russian parliament gets closer to changes in religion law

Duma Committee approves draft law to abolish "15-year rule" for registration of new religious groups

Interfax-Religiia (25.09.2014) -<http://www.interfax-religion.ru/?act=news&div=56563> - The State Duma Committee on Affairs of Public Associations and Religious Organizations recommended that the lower chamber adopt on first reading on 7 October the government's draft law which will permit new religious groups, existing in Russia less than 15 years, to receive the status of legal person.

At the present time, the "15-year rule" is in effect according to which a religious group may receive state registration only after submitting a document proving its existence for a period of no fewer than 15 years.

The draft of the law proposes to require new religious groups only to notify in writing a territorial agency of executive authority about its creation in order to obtain state registration.

The draft law abolishes the "15-year rule," but it introduces for ten years several restrictions for new religious groups that are not members of the structure of a centralized religious organization of the same religious confession. In particular, these are prohibitions on conducting evangelism in places of incarceration, on containing a representation of a foreign religious organization, and on founding news media.

The draft law also proposes eliminating the requirement on religious organizations to submit annually duplicated notice of the continuation of its activity besides a report in established form.

"The draft law will be carefully improved for second reading," the chairman of the committee, Yaroslav Nilov (LDPR), said at the session.

The Duma committee also recommended that the lower chamber on 7 October adopt on second reading the government's draft law defining the places where it is permissible to conduct religious events without special notification.

The draft law provides that worship services and other religious rituals and ceremonies are conducted without restriction specifically: in worship and other buildings and structures owned by religious organizations, in places of pilgrimage, on territory of the organizations created by religious organizations, in cemeteries and crematoria, and in residences. In other cases, public worship services and other religious rituals and ceremonies, including prayer and religious meetings, held in public places in conditions that require the use of measures aimed at ensuring public order and safety both for the participants in the public religious ritual and ceremony themselves and for other citizens, are conducted in accordance with the procedure established for conducting rallies, processions, and demonstrations, the draft law says. (tr. by PDS, posted 25 September 2014)

Debate over dress restrictions in Russian universities

Universities throughout Russia ban hijabs and introduce dress code for students

By Diana Evdokimova

Novye Izvestiia (15.09.2014)

<http://www2.stetson.edu/~psteeves/relnews/1409c.html#28> - The other day, wearing religious or ethnic clothing was forbidden by order of the rector of the Pirogov Russian National Medical Research University (RNIMU). The prosecutor of the republic of

Mordovia, in his turn, recognized as legal an order of the regional government banning the wearing of hijabs in schools and institutions of higher education of the region. Experts do not rule out the introduction into Russian universities of uniforms for students analogous to the school uniform, where pupils are required to attend classes in clothing of a regular style and certain colors.

The order over the signature of the rector of the Pirogov RNIMU, Andrei Kamkin, forbids students to wear clothing signifying their affiliation with a particular nationality or religion, mini-skirts, shorts, short pants, see-through blouses, as well as "clothing with large and bright patterns, and pictures and slogans whose content that may offend the political and religious feelings of other people." Gaudy makeup and strong smelling perfume even are forbidden.

The document was issued on 10 September "in order to improve university ethics." The school recommends that youths wear pants, a shirt, a sweater, necktie, and jacket and that girls wear pants or "dresses and skirts no shorter than 10 cm. below the knees."

Recently dress codes have been introduced in many Russian institutions of higher education. Thus, at the end of last year in the Volgograd State University it was forbidden to wear hijabs and to enter the academic buildings in beach wear. A business style also was recommended for students of the institution of higher education. Hijabs also are banned in universities of Mordovia. There were incidents in the Ogarev Mordovian State University when students in hijabs were sent away from classes.

The mufti of the Central Ecclesiastical Board of Muslims of Mordovia, Fagim Shafiev, asked the prosecutor of the republic to give a legal assessment of what happened. The other day the prosecutor conducted an investigation and decided that "grounds for taking prosecutorial action have not been established."

The prohibition on attending educational institutions in religious clothing was confirmed earlier by the Supreme Court of RF, rejecting an appeal by students and parents of schoolchildren from Stavropol territory. A similar ban was introduced into the Rostov province this year. (...)

Further fines for religious literature

Russia's Muslims and Jehovah's Witnesses continue to be targeted by law enforcement operations aimed at combating "extremism", Forum 18 News Service notes. Seizures of religious literature, mostly during raids or detentions, frequently result in prosecutions under Article 20.29 of the Code of Administrative Offences ("Production or distribution of extremist materials"). These are based on the possession of literature which has been ruled "extremist" by courts and thereby prohibited from distribution in the Russian Federation.

Forum 18 has identified 18 such cases in 15 different regions of Russia in the four months between late April and the end of August 2014 where individuals or organisations were punished for possessing religious literature which appears not to incite violence or hatred.

Chechnya, the Sakha Republic (Yakutia), and Primorsky Region of the Far East have each seen two cases, with one each in Samara, Chelyabinsk, Krasnoyarsk, Krasnodar, Ulyanovsk, Tyumen, and Smolensk regions, the Jewish Autonomous Region, and the Republic of Mordovia. All but one have led to convictions and fines, with only one other verdict overturned on appeal.

Religious literature may be confiscated by police, prosecutor's office officials, or the FSB security service during inspections of residential or business premises belonging to religious believers, Forum 18 notes.

According to court documents seen by Forum 18, searches of Jehovah's Witnesses' homes, vehicles and workplaces tend to be prompted by complaints from members of the public. Inspections of mosques and Muslim shops are more often carried out to monitor "compliance with the law on extremist activity", according to prosecutors.

Fines or imprisonment

Seizures of religious literature from both Muslims and Jehovah's Witnesses, mostly during raids or detentions, frequently result in prosecutions under Administrative Code Article 20.29. This punishes "Production or distribution of extremist materials" recorded on the Federal List of Extremist Materials with a fine or imprisonment of up to 15 days and confiscation of the banned literature. Under this Article, the "mass distribution" of items on the Federal List, as well as their "production or possession for the purposes of mass distribution" is banned. Despite the term "mass distribution", prosecutors have often brought charges even if only one copy of a text is discovered. Court decisions usually order "extremist" materials to be confiscated and often destroyed (see Forum 18's "Extremism" http://www.forum18.org/archive.php?article_id=1724).
Russia religious freedom survey

Russian translations of texts not prohibited in other countries and which do not advocate the violation of any human right, such as the Risale-i Nur (Messages of Light) collection of the late Turkish theologian Said Nursi, are listed as "extremist" alongside items promoting racism, violence and xenophobia.

If convicted, individuals receive a fine of 1,000 to 3,000 Roubles or detention for up to 15 days. (1,000 Roubles is 170 Norwegian Kroner, 20 Euros or 25 US Dollars.) Fines for officials range from 2,000 to 5,000 Roubles.

Organisations (commercial concerns, religious associations) may be fined 50,000 to 100,000 Roubles (between nine and 18 times the monthly minimum wage as of 1 January 2014). They may also be prohibited from operating for a period of up to 90 days. Court decisions usually order "extremist" materials to be confiscated and often destroyed.

Forum 18 sent an official request for information about items on the Federal List to the Justice Ministry in Moscow before the start of the working day in Moscow on 2 September. In it, Forum 18 asked whether it is right that people should be punished for possession of texts which do not incite hatred and which are not banned in other countries, and whether the prosecution of such cases is a sensible use of police and prosecutors' time. No reply has been received as of the end of the working day in Moscow on 8 September.

"False accusation" in Krasnoyarsk

On 11 September, the second appeal of Jehovah's Witness Aleksandr Yevdoshenko against his conviction for mass distribution of "extremist" literature will be heard, a spokeswoman for Krasnoyarsk Regional Court told Forum 18 on 8 September. He was charged after a man who allegedly attended a worship service on 18 May reported to the police that Yevdoshenko had passed him a copy of "What does the Bible really teach?" (banned in two different editions by Rostov Regional Court on 11 September 2009 and Krasnoyarsk's Soviet District Court on 14 February 2013).

The man was Ivan Nagovitsyn, chair of the Krasnoyarsk Rodina party's "Committee for Rehabilitating Victims of Sects". Rodina is a nationalist political party previously banned from elections for inciting racial hatred. On the party's website, Nagovitsyn claims that his committee "is not only engaged with the collection and analysis of information on sects in our region, but is also entering into a fight with them".

Although Jehovah's Witnesses insist that no "available evidence" confirms that Nagovitsyn was at the 18 May service, Judge Andrei Valkov found Yevdoshenko guilty at Krasnoyarsk's Soviet District Court on 27 June and fined him 2,000 Roubles. Yevdoshenko's first appeal at the Regional Court on 1 August was unsuccessful.

In his 16 July posting on the Rodina website about the 27 June court hearing, Nagovitsyn describes how he "decided to put an end to the disgrace" of Jehovah's Witnesses distributing their literature, and "simply went to the police station and wrote a statement", which the police received "with enthusiasm".

The Jehovah's Witness Administrative Centre called the case "evidence of the local administration's persistent endeavours to limit the religious freedom of Jehovah's Witnesses as guaranteed by the current legislation of the Russian Federation".

Individuals or organisations?

There appears to be little consistency in whether business owners and religious leaders found in possession of material on the Federal List are prosecuted as private individuals or as legal entities. A law enforcement raid on a Muslim prayer house in Yakutia in February in fact resulted in both types of suit simultaneously.

The search by local police and anti-"extremism" officers uncovered books from Said Nursi's Risale-i Nur collection at the prayer house in Khandyga village. Prosecutors brought two separate cases to court, one against the Spiritual Centre (the Muslim religious organisation based at Yakutsk Cathedral Mosque), the other against its leader, Mufti Musa Sagov.

At Yakutsk's Magistrate's Court No. 47 on 28 May, Judge Andrei Bozhedonov fined Mufti Sagov the maximum amount for an individual (3,000 Roubles). The Spiritual Centre received a fine of 50,000 Roubles at Yakutsk City Court under Judge Lyudmila Udalova on 16 June. The latter ruling was overturned, however, as an appeal court judge found that transferring the case against the Spiritual Centre from the Magistrate's Court to the City Court meant that prosecutors had exceeded the three-month deadline for initiating proceedings.

At the Spiritual Centre's appeal hearing at the Supreme Court of the Sakha Republic on 16 July, Sagov argued that the Khandyga prayer house was not affiliated to his organisation and he was not responsible for its activities.

According to the website of the Spiritual Administration of Muslims of European Russia (DUMER) and the islamio.ru web portal's directory of Muslim religious associations, the prayer house operates autonomously as an unregistered religious group, and is not affiliated with any of the three centralised Muslim organisations present in Yakutia.

Despite this, Judge Zoya Dyankonova upheld the earlier court ruling that the confiscated books should be destroyed. They were "Foundations of Brotherhood" (banned by Koptevo District Court, Moscow, 21 May 2007) and "Tract on Nature" (banned by Central District Court, Kaliningrad, 27 September 2012).

Mufti Sagov is head of the Yakutsk Administration of Muslims, part of the Spiritual

Administration of Muslims of Asian Russia (DUM AChR). He is also a member of the commission on social issues and demography of the Public Chamber of the Sakha Republic.

The telephone at Magistrate's Court No. 47 went unanswered whenever Forum 18 called on 8 September.

Shopkeepers fined for prayer book sales

Shopkeepers or stallholders were the subject of a third of the known prosecutions involving Islamic literature. They were all charged as individuals rather than as legal entities (both options are permitted), in Samara, Grozny, Kunashak village of Chelyabinsk Region, and Dimitrovgrad in Ulyanovsk Region.

All four of these cases were based on the alleged sale of Said Wahf Al-Qahtani's "Fortress of a Muslim", which does not call for the violation of any human rights. This book of prayers appears on the Federal List in three different editions, all ruled "extremist" by Lenin District Court in Orenburg on 21 March 2012.

In Samara, for example, a police "anti-extremism" operation found D. Gafurov selling "Fortress of a Muslim" for 400 Roubles in the Khalal shop at the Dalnevostochnaya street vegetable market. At Samara's Kirov District Court on 18 August, Judge Aleksandr Mokeyev concluded that "the possession and mass distribution of extremist material" had not been carried out with the intention of inciting hatred, "but for profit". Nevertheless,

Gafurov was fined 2,000 Roubles.

When Forum 18 called on 5 September, a spokeswoman for Kirov District Court refused to answer any questions on the case by telephone. Forum 18 sent a written request for information that day, but had received no response by the end of the working day in Samara on 8 September.

The owner of the same Samara shop, Ruslan Kanyukayev, was fined 3,000 Roubles under Article 20.29 by the same court in April 2013. He was punished for selling copies of an-Nawawi's 13th-century collection of 40 hadiths [sayings attributed to the Islamic Prophet Mohammed] and "Gardens of the Righteous" (see F18News 15 July 2013 http://www.forum18.org/archive.php?article_id=1858).

Orenburg texts still subject of prosecutions

A total of seven of the court decisions seen by Forum 18 involved texts ruled "extremist" in Orenburg in March 2012. This ruling covered the largest quantity of religious literature banned in a single court case, prohibiting 68 texts in total and drawing condemnation from Islamic bodies, publishers and human rights groups (see F18News 30 July 2012 http://www.forum18.org/archive.php?article_id=1726).

Several appeals against the decision are still pending. After a delay caused by the destruction of 26 of the prohibited items, the repeat "expert analysis" of the remaining material, ordered in April 2013, was expected to take until late August 2013 to finish. There have been no further developments to date (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920).

Nurzigit Dolubayev, the Orenburg-based lawyer for one of the publishers trying to overturn the ban, confirmed to Forum 18 on 3 September 2014 that there is still no news on when the appeal will return to court.

No acquittals, unsuccessful appeals

Twelve of the 18 cases identified by Forum 18 concern Islamic texts or videos, while the remaining six concern Jehovah's Witness literature. So far, defendants in six cases are known to have appealed.

Only one fine – imposed on the Muslim Spiritual Centre in Yakutia (see above) – has been overturned, because prosecutors took too long to bring the original suit to court. They had exceeded the maximum three-month period between detecting the "offence" and initiating legal proceedings. Another case against an individual Muslim in Vladivostok was dismissed in the first instance for the same reason.

Forum 18 found 15 convictions under Article 20.29 which took place in the first four months of 2014, of which six were appealed (only two successfully) (see F18News 1 May 2014 http://www.forum18.org/archive.php?article_id=1953). Defendants challenged rulings further in three of these appeal cases after 1 May, all without success.

In Samara, the city's Jehovah's Witnesses have suffered the enforced dissolution of their community as an "extremist" organisation, a decision driven by their conviction for "mass distribution" of extremist literature in March.

After a police raid on their rented premises uncovered "extremist" books in a locked box, they were fined 50,000 Roubles at Samara's Soviet District Court. After an unsuccessful attempt on 17 April to have the verdict overturned, they appealed again on 14 July, but this did not stave off the attempt by prosecutors to have the community declared "extremist" and liquidated in the meantime. The July appeal was similarly unsuccessful. Samara's Jehovah's Witnesses will challenge the liquidation ruling at Russia's Supreme Court on 8 October (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

The Samara Jehovah's Witnesses case illustrates the danger that prosecutions under Article 20.29 can pose to religious communities, not only bringing heavy financial penalties but also providing ammunition for future cases against them which may result in their enforced dissolution.

"We still cry when we remember the burned books"

Forum 18 (28.08.2014) - Seventeen further books by Turkish Islamic theologian Said Nursi have escaped prohibition as "extremist" literature – but only after police in Naberezhnyye Chelny in Tatarstan "mistakenly" burned the evidence. Local Muslims told Forum 18 News Service of their distress on being told of the burning. Four Nursi titles, however, appear in the 15 August update to the Russian Justice Ministry's Federal List of Extremist Materials as the result of a separate ruling by Naberezhnyye Chelny City Court. The texts in both cases were confiscated as part of a long-running criminal investigation and trial in the city, which resulted in "extremism" convictions and fines for four Muslims who read Nursi's works. One of the defendants, Nakiya Sharifullina, is now challenging her conviction in the European Court of Human Rights (ECtHR) in Strasbourg.

A growing number of websites or pages hosting religious texts controversially banned as "extremist" – such as "Way to the Koran" by Azerbaijani Muslim scholar Elmira Kuliyeva – have themselves been banned (see below).

Islamic and Jehovah's Witness literature continues to be ruled "extremist" by courts across Russia, opening the way for yet more prosecutions for their possession or distribution under Article 20.29 of the Code of Administrative Offences (see F18News 8 September 2014 http://www.forum18.org/archive.php?article_id=1994).

Administrative Code Article 20.29 punishes "Production or distribution of extremist materials" recorded on the Federal List of Extremist Materials with a fine or imprisonment of up to 15 days and confiscation of the banned literature. Under this Article, the "mass distribution" of items on the Federal List, as well as their "production or possession for the purposes of mass distribution" is banned. Despite the term "mass distribution", prosecutors have often brought charges even if only one copy of a text is discovered. Court decisions usually order "extremist" materials to be confiscated and often destroyed (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1724).

The discovery of banned materials by law enforcement agents may also be taken as evidence of wider "extremist" activity. In addition to individual criminal charges, as in Naberezhnyye Chelny, it can also lead to the enforced dissolution of a religious organisation, as will happen to the Jehovah's Witness community in Samara if a June court ban is upheld by the Supreme Court in Moscow at an appeal hearing due on 8 October (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

In addition to outlawing the physical distribution of religious materials, many of which do not advocate the violation of any human right, law enforcement authorities are also prohibiting online access by blocking websites and placing them on a list of banned internet resources alongside pornographic and drug-related materials (see below).

Naberezhnyye Chelny

On 14 August at Naberezhnyye Chelny City Court, Judge Farid Fazilov rejected the city prosecutor's request to have 18 Islamic texts banned as "extremist". The suit began in March in the aftermath of the criminal trials of Nursi readers (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

According to the court verdict, seen by Forum 18, the case was derailed after it was found that key evidence – copies of the books in question – had been burned by the police, despite a court order that they should be returned to their owner.

The 17 texts by Nursi, plus a Russian translation of "Islam in Modern Turkey: an Intellectual Biography of Bediuzzaman Said Nursi" by Mary Weld (Sukran Vahide), belonged to Sharifullina, who was convicted under Criminal Code Article 282.2, Part 1 in March. Despite the fact that they were not prohibited materials, they were ordered destroyed in the same magistrate's court verdict which fined her 100,000 Roubles (16,500 Norwegian Kroner, 2,000 Euros or 2,800 US Dollars).

At Sharifullina's (unsuccessful) appeal hearing at the City Court on 23 April, however, Judge Rustam Khakimov ruled that the question of her confiscated property should be returned to Magistrate's Court No. 24 (see F18News 19 June 2014 http://www.forum18.org/archive.php?article_id=1971).

Book burning

Magistrate's Court No. 24 decided on 28 May that the non-prohibited books should be returned to Sharifullina.

According to a 16 June letter to Sharifullina from Police Major Lenar Badrtdinov, seen by Forum 18, this was not, however, communicated to the police. Officers proceeded to destroy the non-prohibited books along with banned Nursi titles on 5 June.

One local Muslim who reads Nursi's works was outraged at news of the book burning. "We wept, we prayed for a long time and asked God that these people repent for their actions, since in these books were verses of the Holy Koran," the Muslim told Forum 18

on 27 August. "We still cry when we remember the burned books. But the wisdom of our Creator is in everything – it turns out they cut the branch on which they sat."

The Muslim complained to Forum 18 that officials wanted to ban a "whole list of books" from among those they seized during searches. "But there were no books – they had burned them themselves."

The police telephone number given on the letter went unanswered whenever Forum 18 called on 26 and 27 August. A spokeswoman for the City Court said on 26 August that she could give no information by telephone.

Naberezhnyye Chelny police had returned non-prohibited books belonging to two other local Muslims, Ilnur Khafizov and Fedail Salimzyanov, a Nursi reader told Forum 18 from the town on 12 August. The two men were convicted in February of "extremist" activity under Criminal Code Article 282.2, Parts 1 and 2 respectively (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

In the course of the investigation, however, religious books were seized from the homes **of more than 30 people who were not later brought to trial, and who have not yet regained their property.**

Four more Nursi editions banned

Although the 18 titles by or about Nursi under threat of prohibition in Naberezhnyye Chelny have evaded an "extremism" designation, seven have already been banned in other editions by courts in Moscow and Kaliningrad in 2007 and 2012 respectively (see F18News 27 March 2013 http://www.forum18.org/archive.php?article_id=1818).

Another – "The Flashes", though possibly in a different edition – is among four texts from Nursi's Risale-i Nur (Messages of Light) collection added to the Federal List on 15 August. The other three are "Guide for Youth" (already banned in two further editions in Kaliningrad), "Message for the Sick", and "The Pleasures of Faith and the Progress of Man". Judge Neilya Dementyeva of Naberezhnyye Chelny City Court upheld the city prosecutor's request to have them ruled extremist on 22 April, according to the court website.

According to the 19 February verdict of Naberezhnyye Chelny Magistrate's Court No. 15, these were among books seized from Khafizov during the initial law enforcement raids on local Nursi readers' homes in February 2013.

European Court appeal

Following the failure of her appeal against her March conviction on charges of organising "extremist" activity under Criminal Code Article 282.2 Part 1, Sharifullina lodged a case to the European Court of Human Rights (ECtHR) in Strasbourg on 29 May. The Court response to Sharifullina of 29 July, seen by Forum 18, notes the case's Application Number 45334/14.

The ECtHR is also currently considering an appeal by Imams Ilhom Merazhov and Komil Odilov, convicted in Novosibirsk in May 2013 also under Article 282.2, Part 1 of organising "extremist" activity (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

More prohibitions on Jehovah's Witness literature

Four Jehovah's Witness brochures – "How to Achieve Happiness in Life", "What Can People Hope For?", "How to Develop a Close Relationship With God" and "What You Need

to Know About God and His Meaning" – have been ruled "extremist" by two courts within a week of each other.

On 31 July, the Prosecutor's Office of Barnaul in Altai Region reported that the city's Central District Court had upheld its request to ban the texts, which law enforcement agents had found being distributed by Jehovah's Witnesses in the city.

City prosecutor Vladimir Yelizarov claimed in the press release that the literature contained "information and statements [which] offend religious feelings, degrade human dignity on the basis of religion, and promote the exclusivity of one religion over another, which indicates the presence of signs of incitement to religious hatred, religious discrimination, and the violation of human rights".

The brochures' content is identical to that of "What does the Bible really teach?", which has already been banned in two different editions: first, by Rostov Regional Court in September 2009, a ban upheld by the Supreme Court in December 2009 (see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385); and second, by Soviet District Court in Krasnoyarsk in February 2013. The Rostov ruling also dissolved the Taganrog Jehovah's Witness congregation (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

On 5 August 2014, Kurgan Regional Court also decided the texts were "extremist", upholding a City Court ruling of 23 December 2013 (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920).

In the court verdict, seen by Forum 18, the four brochures are described as containing "information aimed at promoting the superiority of the beliefs of Jehovah's Witnesses and the falsity of other faiths and churches, as well as incitement to hatred and hostility towards religious leaders and people who are not Jehovah's Witnesses". However, the verdict gives no quotes from the texts to illustrate its contentions.

Jehovah's Witnesses themselves pointed out that they had not been invited to defend the texts in the initial City Court proceedings, and that the decision violated their freedom of religion and expression. They also argued that the court's conclusion was based on a non-expert and non-independent evaluation of the material, and that it was aimed at "limiting the rights of believers to distribute and use for preaching religious sources based on the Bible". The appeal judges, however, noted that the brochures are reprints of an already-banned book, and concluded that the charges were therefore foreseeable.

Website bans

Russia's anti-"extremism" legislation is also used against religious material online. Access to religious material on the internet is blocked when a court rules that a website or webpage is extremist and it is added to the Unified Register of Banned Sites, maintained by the Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor).

Recent cases noted by Forum 18 principally include the blocking of sites which contain material already ruled "extremist" and prohibited from distribution in hard copy. A separate court decision is necessary to ban the online version of material already prohibited from offline distribution. A previous "extremism" ruling is not, however, essential for a website to be blocked.

On 30 July at Saratov District Court, Judge Tatyana Midoshina decided to restrict access to individual pages of www.mirknig.com hosting already-banned works. According to the written verdict, seen by Forum 18, the Region's Voskresenskoe District Prosecutor initiated the case after monitoring by prosecutors and police found the site gave free access to, among other books, Kuliyeve's "Way to the Koran".

Kuliyev's book has twice been banned in different editions: first, by Orenburg's Lenin District Court on 21 March 2012; and second, by Omsk's Kuibyshev District Court on 12 July 2012.

On 14 May 2014, Astrakhan's Kirov District Court found that "Fortress of a Muslim", another text banned in the Orenburg decision, was available for download and purchase from a site which "did not require pre-registration or a password" and where "every user could become familiar with the contents", according to the verdict, seen by Forum 18. (The name of the site was redacted in the published text of the verdict.) In her ruling, Judge Yuliya Goncharova obliged the internet provider Rostelekom to block access to the site.

The presence of Muhammad al-Tamimi's "Book of Monotheism" (banned by Savelovsky District Court in Moscow on 2 April 2004) was the reason for the blocking of www.way-to-allah.com/ru/library, a collection of Islamic books, on 11 August after a court decision of 9 June. It was similarly the reason for the blocking of three other websites by Duldurga District Court in Transbaikal Region on 26 May. Court chairwoman Olga Zamiyenova told Forum 18 that al-Tamimi's text was found on www.nurr.ru/connekt, refdb.ru/look/1231783.html, and bibliotekaislama.wordpress.com/2012/04/24 during monitoring of telecommunications services at three schools in the District.

The principal Russian-language resource for the study of Nursi's works, www.nurru.com, **was added to the Register on 11 July as the result of a 9 April court decision.**

Narcotics, suicide - and religious literature

According to the Register website, sites may be banned which contain information on the production and provision of narcotics and psychotropic substances, information on how to commit suicide, child pornography, and information banned in the Russian Federation (which can include religious material).

Once a ruling has come into force, the court communicates its decision to Roskomnadzor, which then informs the hosting provider. Within 24 hours, the hosting provider gives notice that the site owner must remove the webpage within a further 24 hours or access to the site will be restricted. If this action is not taken, the IP address (as well as the domain name and website address) will be included in the registry. Site owners, hosting providers, network operators and telecoms providers may appeal against court decisions within three months. If action is taken to remove the banned information, the site/page is removed from the registry within three days.

On 22 January, Tver Regional Court overturned a ban on the Jehovah's Witnesses official website after an appeal by the Watchtower Bible and Tract Society of New York. The site had been blocked by Tver's Central District Court in August 2013 after investigators found it to contain seven items from the Federal List (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920).

Misuse of the anti-extremist law against religious groups in July 2014

Sova Center (18.08.2014) <http://www.sova-center.ru/en/misuse/news-releases/2014/08/d30073/> -

Criminal prosecution

In late July, the Moscow City Court came to a guilty verdict on the case of the four followers of "Hizb ut-Tahrir." Azizbek Inamov was sentenced to 11 years' imprisonment

in a maximum-security penal colony under Part 1 of Article 282.2, Part 1 of Article 30, and Article 278 of the Criminal Code (preparation for the violent seizure of power and the violent change of the constitutional system of the Russian Federation). He was also found guilty under Part 1 of Article 205.1 of the Criminal Code (other involvement of persons in committing actions aimed at the violent seizure and the violent change of the constitutional system of the Russian Federation). Shamil Ismailov and Saypula Kurbanov were sentenced to 8 years' imprisonment in a maximum-security penal colony under Part 1 of Article 282.2, Part 1 of Article 30, and Article 278 of the Criminal Code. Zikrullokhon Rakhmonkhodzhaev was sentenced to 7 years of imprisonment in a maximum-security penal colony under Part 2 of Article 282.2, Part 1 of Article 30, Article 278, and Part 1 of Article 222 of the Criminal Code (illegal acquisition and possession of ammunition and explosives). In addition, all four were sentenced to fines ranging from 200 to 50 thousand rubles. In relation to the charges under Part 1 of Article 30, Article 278, and Part 1 of Article 205.1 of the Criminal Code, we believe it is necessary to recall that supporters of "Hizb ut-Tahrir" in Russia have never been convicted of real conspiratorial activities until now. We consider unlawful any practice of persecution on charges of preparing a government overthrow, when these allegations are made only on the basis of party activity (for example, leading discussions or distributing literature).

Three men convicted under anti-extremist articles were successful in defending their economic rights. In July, the Oktyabrsky District Court of Arkhangelsk upheld the claim of the head of the Association of Pomors of the Arkhangelsk Region, Ivan Moseev, having declared illegal the actions of the Arkhangelsk branch of Sberbank Russia to stop the operations of the plaintiff's bank account. The court also ordered the removal of restrictions on the disposal of money, and additionally required one thousand rubles in moral damages in the applicant's favor. Let's recall that, during the proceedings of the Moseev case under Part 1 of Article 282 of the Criminal Code, Sberbank blocked Moseev's card, referring to a technical failure; after the sentencing-an unlawful sentencing, from our point of view-Sberbank blocked it completely. They explained this measure such that Moseev is included in the "Rosfinmonitoring list," which is a list of organizations and individuals involved in terrorist or extremist activity. However, at that moment, a law requiring the blocking of accounts of individuals and organizations included on the list had not yet been adopted, so the bank had to monitor the status of Moseev's accounts, but had no right to arbitrarily block them.

Imams Ilkhom Merazhov and Kamil Odilov, who were wrongfully convicted of organizing the activities of the banned organization "Nurdzhular", were also excluded from the Rosfinmonitoring list in late June. Remember, we consider a severe restriction on financial transactions for those on the Rosfinmonitoring list to be an indiscriminate extrajudicial punishment.

Ban on materials for extremism and other state action

The Central District Court of Barnaul found four brochures of Jehovah's Witnesses to be extremist: "What can People Expect?", "How to Develop a Close Relationship with God?", "What you Need to Know About God and His Purpose?", and "How to Achieve Happiness in Life?" which are identical to the founding text of the Jehovah's Witnesses, "What Does the Bible Really Teach?", included on the federal list of extremist materials (p. 510) on the basis of the decision of the Rostov Regional Court from September 11, 2009. The Court agreed with the prosecution that these materials *"insult religious feelings, humiliate human dignity on the basis of religion, and promote the exclusivity of one religion over another."*

In July, a major website, Nurru.com, was brought into the Unified Register of Banned Sites; the site was dedicated to the heritage of a Turkish theologian, Said Nursi. The decision to block the site was issued by one of the Russian courts on April 9, 2014. Let's recall that we believe the ban on the works of Said Nursi, the ban on the nonexistent organization of his followers, "Nurdzhular", as extremist, and the prosecution of believers for the study of Nursi's works to be unlawful.

Suspended prison terms and fines and criminal records for meeting for worship

Forum 18 (19.08.2014) – <http://www.forum18.org> - Seven Jehovah's Witnesses in Taganrog in southern European Russia will have criminal records unless their appeals against their 30 July convictions for "extremism" are upheld. They may not change their places of work, study or residence without notifying the authorities and must also show that they have "corrected" their behaviour, Forum 18 News Service notes. Four of the seven were given suspended prison terms of at least five years, while all seven were fined (though these were waived). The defendants - all members of the community declared "extremist" in 2009 – were punished for continuing to meet for prayer and Bible study. Jehovah's Witnesses told Forum 18 they fear that "their determination to continue religious activity means that they might be subject to more severe punishments as recidivists". Samara's Jehovah's Witness community has similarly been ruled "extremist" and dissolved. The criminal trial of two Muslims, Yelena Gerasimova and Tatyana Guzenko, in the Siberian city of Krasnoyarsk on "extremism"-related charges is expected to begin soon.

The long-running criminal trial of Jehovah's Witnesses in Taganrog in southern European Russia has ended in seven convictions for "extremism", raising fears of further prosecutions "simply for coming together for worship and sharing their faith with others", Jehovah's Witness spokesman Grigory Martynov told Forum 18 News Service. Another Jehovah's Witness community, this time in Samara on the Volga River, has been ruled "extremist" and dissolved.

Both the Taganrog and the Samara Jehovah's Witness communities are included on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorist and extremist" organisations, Forum 18 notes. The Samara community has not yet been added to the list of banned "extremist" organisations on the Justice Ministry website.

The Taganrog community is also included in a 9 December 2010 list of "organisations recognised as terrorist or extremist in the member states of the Collective Security Treaty Organization". In addition to Russia, the CSTO includes five other former Soviet republics (Armenia, Belarus, Kazakhstan, Kyrgyzstan and Tajikistan).

The criminal trial of two Muslim women in the Siberian city of Krasnoyarsk on "extremism"-related charges is expected to begin soon. The women are accused of involvement in the banned "extremist" organisation "Nurdzhular" (which readers of the works of Turkish theologian Said Nursi deny exists). The case is still being passed around the court system as the issue of where it should be heard is decided (see below).

Meanwhile, law enforcement agents in Naberezhnyye Chelny, the second largest city in Tatarstan, have defied a court order by failing to return confiscated books to Muslims convicted of "extremism" for reading Nursi's works (see forthcoming F18News article).

Seven found guilty, nine acquitted

After 15 months and nearly 70 court hearings, Taganrog City Court at last passed sentence on 30 July on 16 Jehovah's Witnesses charged with "extremism" offences for holding prayer meetings and studying the Bible together.

Judge Oleg Kubantsev handed down four suspended custodial sentences of five to five and half years alongside fines of 100,000 Roubles, and a further three fines of 50,000 to

60,000 Roubles. All fines have been waived as the statute of limitations had expired. Nine defendants were acquitted for lack of evidence. Both the defence and the prosecution have submitted appeals against the verdict at Rostov-on-Don Regional Court.

During the trial, the 16 reiterated their commitment to the practice of their faith. Jehovah's Witnesses fear that "their determination to continue religious activity means that they might be subject to more severe punishments as recidivists", spokesperson Martynov noted immediately after the verdict was announced.

Criminal records

Despite the waiving or suspension of sentences, the seven convicted will still have criminal records if the verdict comes into force. According to Articles 73 and 74 of the Criminal Code, those who received custodial sentences will be on probation for several years, during which time they may not change their places of work, study or residence without notifying the authorities. They must also show that they have "corrected" their behaviour.

If they refuse to abide by any part of the court decision or are subsequently charged with another offence, the probation period may be extended, or the court may decide to implement the original custodial sentence.

The defendants were all members of the now-dissolved community declared "extremist" by Rostov-on-Don Regional Court in September 2009. They were accused of continuing the banned organisation's activities after the ruling came into force.

"In Taganrog Jehovah's Witnesses are forbidden"

When a registered religious organisation is liquidated, it loses its status as a legal entity and the rights that flow from it, such as the ability to own or rent property, employ staff and hold a bank account. Such a community could continue to operate as a religious group, which does not require registration, and meet privately for worship and study.

What the Taganrog verdict suggests, however, is that such activities conducted by members of a community liquidated as "extremist", even in a private home, can now be considered criminal offences.

Jehovah's Witnesses have noted that although the 2009 Taganrog court decision was directed only against the legal entity, "the judge considered that it banned all religious activities of Jehovah's Witnesses in Taganrog and surrounding areas".

After the 2009 liquidation decision, "I simply remained a Jehovah's Witness", defendant Koptev told the Taganrog court in his statement, seen by Forum 18. He claimed that an investigator had told him that "If you were a Jehovah's Witness in another city, there would be no complaints against you, but in Taganrog Jehovah's Witnesses are forbidden".

The case reached the two-year deadline for prosecutions on 5 August 2013, but continued at the request of the defendants. "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," Jehovah's Witness spokesman Martynov explained to Forum 18 in October 2013.

"An evil omen"

Martynov describes the guilty verdicts as creating "a threatening precedent, restricting the religious freedom of Jehovah's Witnesses throughout Russia".

Three Jehovah's Witness communities in Russia have so far been dissolved – in Taganrog, in Moscow (now in the process of re-registration after a European Court of Human Rights ruling), and in Samara (see below).

Prosecutors have made some unsuccessful attempts to dissolve others – for example, in Tolyatti and Kaliningrad. The Taganrog trial is the only instance to date of the prosecution of former members of a liquidated organisation, and believers fear that it will influence police and prosecutors elsewhere in dealing with Jehovah's Witnesses.

"I am afraid that the sentence is an evil omen for all Jehovah's Witnesses in Russia," said Viktor Zhenkov, the lawyer for some of the defendants. "Law enforcement agencies in Taganrog and throughout Russia can use this decision in a propaganda campaign to continue to oppress the Jehovah's Witnesses, threatening them with real criminal punishment for practicing their faith."

The sentences

Four of the 16 were convicted under Criminal Code Article 282.2, Part 1 (organisation of the activities of an extremist organisation) and Article 150, Part 4 (involving a minor in the commission of a crime). The four were punished with fines of 100,000 Roubles each for the former and prison terms for the latter (suspended, with five years' probation each): Yury Baklushin – 5 years 6 months' imprisonment; Aleksandr Skvortsov – 5 years 6 months' imprisonment; Aleksei Koptev – 5 years' imprisonment; Nikolai Trotsyuk – 5 years' imprisonment.

Three of the 16 were convicted under Criminal Code Article 282.2, Part 2 (participation in an extremist organisation). They were fined: Sergei Trotsyuk – 60,000 Roubles; Andrei Goncharov – 50,000 Roubles; and Karen Minasyan – 50,000 Roubles. However, the fines were waived.

The other nine defendants were all acquitted: Oksana Goncharova (on grounds that the crime had been committed too long ago), Tatyana Kravchenko, Kirill Kravchenko, Vladislav Kruglikov, Roman Voloshchuk, Vladimir Moiseyenko, Vyacheslav Shchekalev, Kirill Chetverikov and Vladimir Kozhukhov.

For Nikolai Trotsyuk this was the second criminal conviction for exercising his right to freedom of religion or belief. As a young man, he received a three-year prison term in 1973 for refusing compulsory military service on grounds of religious conscience. He served a year in labour camp before being transferred for good conduct to a work project.

Defence and prosecution challenge verdict

All 16 defendants are appealing against the court's decision, including those who were acquitted, Jehovah's Witnesses said. The nine who escaped conviction still see the ruling as religious persecution, as the court concluded that they had engaged in criminal activity but had not known it was prohibited.

"The essence of the judgment," lawyer Zhenkov told the Caucasian Knot news website on 30 July, "is that to be a Jehovah's Witness in Taganrog is to have no rights. [...] If a person has committed theft and for some reason escaped punishment, he could rejoice and say that he would not steal any more. But people cannot say that they will no longer believe in God or read the Bible with their fellow believers."

The prosecution also submitted an appeal on 8 August, asking for the case to be returned to court, according to Caucasian Knot.

A spokeswoman for Taganrog City Prosecutor's Office refused to answer any questions when Forum 18 called on 13 August. When Forum 18 rang the Rostov Regional Prosecutor's Office on 14 August and asked to discuss the case, the phone was immediately put down. Forum 18 sent written requests for details of the appeal to both Prosecutors' Offices in the early afternoon of 14 August. No response had arrived by the end of Rostov Region's working day on 19 August.

Dissolution of Samara Jehovah's Witnesses

While their fellow believers in Taganrog were still on trial, the Jehovah's Witnesses of Samara faced liquidation as the result of a 26 June ruling by Samara Regional Court. The community is "seriously concerned" by the decision, Jehovah's Witness spokesperson Martynov told Forum 18. It has submitted an appeal to Russia's Supreme Court in Moscow.

The community received an official warning over the distribution of allegedly "extremist" literature in summer 2013. In spring 2014, the presence of single copies of prohibited texts at the Jehovah's Witnesses' rented premises was sufficient evidence for prosecutors to bring "mass distribution" charges under Administrative Code Article 20.29 (Production or distribution of extremist materials).

On 6 March, Samara's Soviet District Court fined the community 50,000 Roubles and ordered the two "extremist" books destroyed. An appeal at Samara Regional Court on 17 April, in which the community's chair Andrei Bobkov argued that the books did not belong to his congregation, was unsuccessful.

Samara Regional Prosecutor's Office decided that this conviction was evidence of a breach of the terms of the warning and successfully sought to have the religious organisation liquidated.

The Regional Court also dismissed a further appeal against the Article 20.29 ruling on 14 July. The prohibited materials found on the Jehovah's Witness premises were among 34 texts ruled extremist by Rostov Regional Court in September 2009, at the hearing which also dissolved the Taganrog community. This decision was later upheld by Russia's Supreme Court.

Samara to follow Taganrog?

The Taganrog case began with a similar liquidation of a registered religious organisation, partly for "extremist" activities. While Samara's Jehovah's Witnesses could now operate as an unregistered religious group, the "extremism" convictions in Taganrog point to the danger that continuing to meet for worship could incur similar penalties.

Telephones at Samara Regional Prosecutor's Office went unanswered whenever Forum 18 rang on 13 and 14 August. By email, the prosecutor's press office told Forum 18 to submit an official request for information in writing. Forum 18 sent this before the start of the working day of 15 August, and has received no response as of the end of Samara's working day on 19 August.

Krasnoyarsk Muslims still awaiting trial

The case against Yelena Gerasimova and Tatyana Guzenko has reached its third court with no hearings yet being held. The women were indicted for organisation of extremist activity under Article 282.2 part 1 of the Criminal Code, having allegedly set up a women's cell of "Nurdzhular" in Krasnoyarsk.

Russia's Supreme Court banned "the international religious organisation Nurdzhular" as "extremist" in April 2008. Nursi readers deny they form part of any organisation.

The regional prosecutor originally brought the case to Krasnoyarsk's Soviet District Court in May, but it was then handed to Magistrates' Court No. 79. However, in June the case was transferred to Krasnoyarsk Regional Court as the question continued as to where the case should be heard, the secretary at Magistrates' Court No. 79 told Forum 18 on 19 August. "Under Russian law, the issue of where cases should be heard is very complicated," she added.

Krasnoyarsk Region's Deputy Prosecutor Oleg Narkovsky challenged the 25 May Soviet District Court decision to hand the case to a magistrate's court. The suit was due to be heard at Krasnoyarsk Regional Court on the afternoon of 19 August, according to the court website.

When Forum 18 called the Krasnoyarsk Regional Prosecutor's Office on 15 August, a spokeswoman said that they were no longer handling Gerasimova and Guzenko's case, and directed Forum 18 to Russia's General Prosecutor's Office in Moscow. Forum 18 sent a written request for information before the beginning of the working day in Moscow on 18 August, and has received no response by the end of the working day on 19 August.

It is common for "extremism" cases against religious believers to spend a long time being transferred between different parts of the court system. In the meantime, defendants are left in limbo, often with restrictions on their movements and activities.

The criminal case against Ramil Latypov, an Orenburg-based Muslim who reads Nursi's works, was repeatedly transferred from court to court before the trial eventually began. It was halted in December 2012 because no conviction had been obtained within the two-year period.

European Court repeats calls for Religion Law change

Forum 18 (05.08.2014) – <http://www.forum18.org> - The European Court of Human Rights (ECtHR) has ruled against Russia in two freedom of religion or belief cases, Forum 18 News Service notes. Jehovah's Witnesses detained during a police raid on a meeting for worship in Moscow, and a Pentecostal centre in Chuvashia liquidated for alleged violations of educational, fire and sanitary regulations both won their cases. Liquidation as a registered religious organisation is not a complete ban, but makes it difficult to do much more than privately meet for worship and to study texts. The ECtHR also ruled that Russia must bring the Religion Law into line with both the country's international obligations and with the case-law of the Russian Supreme and Constitutional Courts. One ECtHR judge stated that "any additional delay would be unforgivable". Current changes to the Religion Law now in the Duma appear to have stalled. The proposed changes removed the 15-year registration waiting period, but human rights defenders have expressed concern about an apparent attempt to make registration of all religious groups compulsory.

The European Court of Human Rights (ECtHR) in Strasbourg has ruled against Russia in two more cases affecting freedom of religion or belief, Forum 18 News Service notes. Jehovah's Witnesses detained during a police raid on their meeting for worship in Moscow, and a Pentecostal centre in Chuvashia which was liquidated for alleged violations of educational, fire and sanitary regulations both won their cases.

The ECtHR also ruled that Russia must bring the Religion Law into line with both the

country's international obligations and with the case-law of the Russian Supreme and Constitutional Courts.

These rulings come as changes to the Religion Law are being considered by the Duma, the lower chamber of Russia's Parliament, Forum 18 notes. The government brought the changes in the Law to the Duma in March, following another ECtHR ruling. There has been no progress on them in the Duma since mid-April.

Sources in the Duma have unofficially told Inna Zagrebina of the Guild of Experts on Religion and Law that the proposed amendments will not go through, she told Forum 18 on 4 August. She and Valeriya Akhmet'yeva of the SOVA Center for Information and Analysis were also concerned by the draft's apparent attempt to make the registration of all religious groups compulsory (see below). Russian Jehovah's Witnesses hope that the most recent ECtHR ruling will encourage the government to comprehensively reform the Religion Law.

Liquidated for alleged violation of education, fire and sanitary regulations

ECtHR judges ruled on 12 June that the liquidation of the Biblical Centre of the Chuvash Republic for alleged violation of education, fire and sanitary regulations violated the Pentecostals' right to freedom of thought, conscience, and religion under Article 9, and was "a harsh measure entailing significant consequences for the believers".

Liquidation and consequence loss of legal status as a registered religious organisation is not a complete ban on activity, but makes it difficult for a religious body to continue operating if it wants to do anything more than privately meet for worship and to study texts.

The Chuvashia Biblical Centre ceased to exist as a legal entity, losing the ability to as itself own or rent property, hire staff, hold bank accounts. In losing its status as a registered religious organisation, it was also deprived of a number of other rights, including the right to distribute religious literature, to establish educational institutions, and to hold services in publicly accessible places.

The Centre was forced to cease operations in August 2007 after the Novocheboksarsk city prosecutor took it to court over alleged infringements of sanitary and fire regulations on its premises, and providing education without a licence. Assistant Pastor Fyodor Matlash of its associated Pentecostal church told Forum 18 in November 2007 that Bible study courses took place, and that "state representatives saw this and said it was unlicensed – and so illegal – educational activity. We told them that it wasn't that, just discussion about the Holy Scriptures and communal prayer."

The court case followed visits by officials of Novocheboksarsk Public Prosecutor's Office, local police and the FSB security service. Matlash stated that "their first question was whether we were publishing extremist literature! We explained that we don't publish literature of any kind; we don't have the equipment". However, the Supreme Court upheld the liquidation in October 2007.

A number of religious organisations have faced liquidation on such grounds in recent years. But there is little consistency in the approach of courts and law enforcement bodies.

In a March 2008 ruling, involving two of the same judges as the Biblical Centre decision, the Supreme Court declared "unlawful and without foundation" Smolensk Regional Court's decision to dissolve a Methodist church for running an unlicensed Sunday school.

However currently, the Harvest Pentecostal church in St Petersburg is threatened with liquidation despite denying even conducting educational activities.

In the Biblical Centre case at the ECtHR, the Russian government argued that the Centre had committed "gross and repeated violations" of the Religion Law and the Education Law by failing to obtain a licence and by teaching "on premises that fell short of sanitary requirements, which created a danger to the life and health of its students". The Centre countered that it did not offer education under the terms of the Education Law and so could not be bound by the sanitary standards of a formal educational institution, nor did it need to seek a licence for the bible study it provided.

The ECtHR pointed out that other religious organisations in Chuvashia were freely operating Sunday schools at the time without a licence, and that the Centre should have been given the chance to remedy its alleged transgressions, none of which were "irremediable or constituted a clear and imminent danger to the life and limb of the students".

The ECtHR also found that Article 14 of the Religion Law does not allow for any penalty against religious organisations which contravene it, apart from dissolution, which in this case "put an end to the existence of a long-standing religious organisation and constituted a most severe form of interference, which cannot be regarded as proportionate to whatever legitimate aims were pursued".

The June 2014 ECtHR judgment legally obliges Russia to "put an end to the violation [...] and to redress, in so far as possible, its effects". The ECtHR considered a review of the original liquidation order to be the most appropriate means.

Riot police raid and detentions

On 26 June, the ECtHR ruled that the disruption of a Jehovah's Witness meeting by riot police and the detention of a number of worshippers violated both Article 5 ("Right to liberty and security") and Article 9 ("Freedom of thought, conscience and religion") of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

Law enforcement agents, including an armed unit, interrupted the April 2006 meeting for worship in a college auditorium in Moscow. They seized religious literature and detained 14 men, taking them to a local police station and holding them without charge and without access to a lawyer for more than three hours. Four of the men later unsuccessfully took the authorities to court.

The 26 June 2014 ruling in *Krupko and Others v. Russia* orders Russia to pay the applicants a total of 30,000 Euros (1,432,650 Russian Roubles, 252,580 Norwegian Kroner or 40,150 US Dollars) in compensation and 6,000 Euros (286,530 Russian Roubles, 50,515 Norwegian Kroner or 8,030 US Dollars) legal expenses within three months of the decision becoming final.

ECtHR judgments become final three months after being handed down, unless either side challenges them.

Russia maintained to the ECtHR that law enforcement agents had acted in response to a complaint about noise. It also claimed that Jehovah's Witnesses had been using the college auditorium illegally both because it was an educational establishment (where religious associations are not permitted to operate) and because they had not given prior written notification – a requirement, according to the government, under the Religion Law in conjunction with the Demonstrations Law.

The ECtHR, however, found that no evidence existed of a noise complaint and pointed out that the Education Law did not prohibit renting out premises to a third party for use outside normal working hours. As the meeting was "not a tumultuous outdoors event but a solemn religious ceremony in an assembly hall which was not shown to create any disturbance or danger to the public order", the ECtHR concluded that it should have been classed as an "assembly" under the 2004 Demonstrations Law, which does not require advance notice.

The ECtHR also pointed to a 2012 judgment of the Russian Constitutional Court in a case brought by Russia's Human Rights Ombudsperson on behalf of Jehovah's Witnesses, which ruled that regulations obliging organisers to seek advance state approval for religious events should be loosened.

The Constitutional Court ruled that the Religion Law does not distinguish between events which "may require the public authorities to take measures for the protection of public order and security" and those which do not, and so is incompatible with several articles of the Constitution.

Earlier ECtHR case

In its 26 June verdict, the ECtHR cited the similar case of Kuznetsov and Others v. Russia (Application No. 184/02). This followed the disruption by police and other officials of a meeting in Chelyabinsk attended by over 100 mainly deaf worshippers. That ECtHR ruling rejected the idea that religious meetings are prohibited in educational establishments and that written notification of religious assemblies is always required in advance.

"Additional delay would be unforgivable"

In his Concurring Opinion annexed to the 26 June verdict, one of the ECtHR Judges hearing the case, Paulo Pinto de Albuquerque, explicitly criticised the Religion Law and called for its reform: "It is high time for the respondent State to assume its legislative responsibility and to comply with both the Kuznetsov and Others judgment of 2007 and the Russian Constitutional Court judgment of 2012, thus providing a legal basis for less constrained exercise of freedom of religion, fairer treatment of religious minorities and, ultimately, genuine inter-faith dialogue in Russia."

The Judge stated that: "While the failure to implement Kuznetsov and Others for such a long period can hardly be justified, any additional delay would be unforgivable in the light of the present judgment, and would leave the door open for the award of punitive damages in the event of new similar violations."

Religion Law change?

The Religion Law is currently under review in the Duma. The Justice Ministry formulated the amendments in August 2013 to implement an April 2007 ECtHR ruling that Russia's 15-year waiting period required before the registration of a religious organisation can happen violated the ECHR.

The amendments were submitted to the Duma in late March 2014 and remain under consideration by its Committee on Social Associations and Religious Organisations.

The amendments focus on the registration procedure and the rights and responsibilities of religious organisations. The points made by the ECtHR in its June verdicts are not addressed. Also not addressed are June 2013 recommendations by the European Commission against Racism and Intolerance (ECRI) the Religion Law should be changed:

to permit less severe punishments for organisations found to have broken the Law than liquidation; and to allow for re-registration of "non-traditional religions".

Concern

There has been no progress in the Duma on the amendments since mid-April, and they may not become law. "Sources in the Duma told us unofficially that the draft law won't go through," Zagrebina of the Moscow-based Guild of Experts on Religion and Law told Forum 18. "Besides this, judging by the delays it appears to have been buried. However, anything is possible here."

The draft's major change is that, unlike the current Religion Law, the proposed amendments would require a religious group that does not want to seek registration to provide detailed information to the authorities about "the date of its creation, its religious affiliation, the places at which it carries out worship and other rites and ceremonies, and the leaders and citizens who have formed the religious group, with their full names, patronymics, and places of residence". No such notification or information is required under the current Law.

Zagrebina also noted that this provision making it illegal for religious groups to function without notifying the authorities of their existence would violate commitments to freedom of religion or belief in the Constitution. "If adopted, they would have to catch every such group and punish them for unapproved meetings," she told Forum 18. "That would be too much."

Her concerns are shared by Akhmet'yeva of Moscow's SOVA Center for Information and Analysis, who also told Forum 18 on 1 August that "nobody can say when it [consideration of the amendments] will resume or how quickly it will go". She noted that the proposed changes would "violate the rights of unregistered religious groups. Their activities may be repressed because of a failure to fulfil the provisions of the law on giving notice of the establishment of a religious group and the commencement of its activities".

Previous attempts to make the Religion Law more restrictive have also stalled. These have included attempts to make registration compulsory for all religious groups.

Other proposed changes

The current draft's explanatory notes state that its basic goals are:

- "1) the elimination of the requirement of proof of a 15-year period of existence of a religious group on this territory for state registration in the capacity of a religious organisation, which violates the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms;
- 2) the improvement of legal regulation of the procedure for creating and state registration of religious organisations;
- 3) the elimination of the requirement that religious organisations give annual notification of the continuation of their activity".

It is also proposed that registered religious organisations may be set up by any 10 Russian adults who are members of a religious group, and will be considered active from the moment of notifying the Justice Ministry of its existence. However, if a newly-established local religious organisation is not part of a centralised religious organisation,

it would not be allowed for 10 years to open educational institutions, publish newspapers, or operate in hospitals and prisons.

Under the current Religion Law, despite its claim to uphold the Constitution's guarantee of equality before the law for religious associations (obyedineniya), such associations are divided into organisations (organizatsii) and groups (gruppy). A religious group has significantly fewer legal rights than a religious organisation.

Trial of Jehovah's Witnesses winds down

Kavkazskii Uzel (16.07.2014) - Delivering their final word in the trial of the "Trial of the 16," Jehovah's Witnesses accused of extremist activity did not admit their guilt. The announcement of the sentences is scheduled for 28 July.

Kavkazskii Uzel wrote that in September 2009 the Rostov provincial court found the Taganrog congregation of Jehovah's Witnesses to be extremist and banned its activity. According to the investigation, 16 Jehovah's Witnesses continued to participate in the activity of the congregation after its prohibition and now are accused of extremism. Hearings in their case went on in the Taganrog city court from 30 May 2013.

On 10 July [2014], the state prosecution suggested sentencing four of the Jehovah's Witnesses being tried in the "Trial of the 16" to six years in a penal colony of ordinary regime. The prosecution considered the other defendants deserving of fines, but it requested the cancellation of their punishment because of the length of the proceedings. On 11 July two lawyers for the defendants in the case asked the court to completely acquit their clients. On 14 July another three lawyers asked for acquittal of their clients.

"The announcement is scheduled for 28 July at 10.00 Moscow time. Today all of the defendants delivered their final word. They thanked the court for its patience, since the trial has lasted more than a year, and there was a respectful attitude toward the defendants, in principle, on the part of the court. Each one presented bibliographic [sic-biographical?] data about himself. They also called attention briefly once again to the baselessness of the accusation and they asked for a sentence of acquittal to be issued," Attorney Anton Bogdanov told a Kavkazskii Uzel correspondent.

The speeches of all defendants were extremely emotional, another attorney, Viktor Zhenkov, told the Kavkazskii Uzel correspondent.

"I would like to talk about the speech of the second oldest, sixty-year-old Nikolai Trotsiuk. He delivered a moving speech about his family and about how he himself has been a Jehovah's Witness since childhood; he was imprisoned for his faith during soviet years; he raised his children to be honest people and he already has grandchildren. And suddenly almost all of his family are in the dock, and again it is for faith. He asked the court to acquit his daughter, Oksana Goncharova, his son, Sergei Trotsiuk, his son-in-law, Andrei Goncharov, himself, and all of the defendants," Zhenkov explained.

"I have exclusively peaceful goals. When I began studying the Bible, then I understood that the Bible is the word of the heavenly Father Jehovah God, in which is written what God desires, that we not only attend worship services but also tell other people about the happy future. I sincerely desire that not only my family but also other people learn this and therefore I have begun to witness about this. Can this really be somehow illegal?" declared the defendant Vladimir Kozhukhov in his final word.

Kozhukhov said that he never intended to violate the law. "Therefore I could not even imagine that I would be judged for my faith. All I have done is profess the religion of Jehovah's Witnesses. While I do this in a precisely legal manner just as my Jehovah's Witnesses fellow believers do too, who live in other Russian cities. Everywhere in Russia, my actions are recognized to be legal, but in Taganrog for some reason I am being judged for the very same actions. I am sure that this is simply the result of a mistaken conclusion of the investigator, and therefore I ask that this mistake be fixed and that a sentence of acquittal be issued," the defendant declared.

The defendant Vladimir Moiseenko also was not able to agree with the indictment. "I do not acknowledge myself to be guilty. I have not committed any crime. In more than a year of the conduct of the judicial investigation, I have not heard which family I broke up, who I am guilty of causing not to serve in the army, or who was harmed because of hatred I incited. I have not seen any of the summoned witnesses say: 'Moiseenko humiliated me or encouraged me to refuse medical treatment for a life-threatening condition,' and so on regarding all counts of the indictment," he declared in his final speech. He noted that he did not understand just which specific action that could be called a crime he committed.

"I did not see and did not hear that the prosecution proved or introduced an incident of criminal behavior. My rights have not been respected. So far I do not understand what I am specifically charged with. More than a year has passed and this has not been done. Although it was explained to me that I have the right to know what I am accused of. Whatever may be the sentence, guilty or innocent, I will remain a Jehovah's Witness, and I will be that always," Moiseenko declared.

"What will now happen to me? Somebody does not like that I am a Jehovah's Witness and wants to condemn me for this," seventy-year-old defendant Aleksei Koptev declared in his final word. He emphasized that this is a manifestation of religious intolerance toward him and his fellow believers. "Do my grandchildren really need to study history textbooks in which will be correctly describing how in Taganrog believing people were prosecuted not only during World War II but also in 2014 during peacetime?" Koptev said.

The defendant Kirill Kravchenko declared that he had done nothing illegal. "I am an ordinary believing person who wants to exercise his constitution right to profess the religion that I consider to be true and also to attend worship services along with my fellow believers. I want to note that I now live in Rostov-on-Don where I attend services just like those in Taganrog. And for this, nobody in Rostov-on-Don is being condemned nor held criminally liable. I ask that I be acquitted and also that all 16 defendants be acquitted, since they are law-abiding, respectable people," Kravchenko said.

The prosecution's charges came down to the fact that Jehovah's Witnesses in Taganrog are forbidden to believe in God in the way they think proper, including assembling together in peaceful worship services, the press secretary of the Administrative Center of Jehovah's Witnesses in Russia, Grigory Martynov, told a Kavkazskii Uzel correspondent. "Anybody who does this, from the prosecution's point of view, is allegedly violating the law. The paradox is that in any other place in our country, Jehovah's Witnesses hold mass worship services and usually without any difficulties. For example, last month in St. Petersburg about 10,000 believers attended several regional congresses. Apparently there are different laws and constitution in Taganrog," Martynov stated. He said that although the trial in Taganrog is a unique case of a trial at present, it is a part of a unified system of combating Jehovah's Witnesses.

"Thus, in 2006 the European Court issued an order in the case of 'Kuznetsov and others v. the Russian federation,' in which the disruption of a peaceful worship service of blind Witnesses in Cheliabinsk was condemned. In 2010 the European Court issued an order in

the case 'Religious community of Jehovah's Witnesses in Moscow and others v. the Russian federation,' in which the ban on the congregation in Moscow was ruled baseless. And quite recently, in June 2014, the European Court ruled that Russia violated the rights of believers when in 2006 armed police personnel broke up a worship service in Moscow. Representatives of law enforcement rudely stopped a religious meeting, confiscated liturgical literature, and also transported 14 believers to a police station, where they were detained for several hours," Martynov reported.

Representatives of the prosecution preferred not to comment on the course of the case of Jehovah's Witnesses in Taganrog before the conclusion of the trial. (tr. by PDS, posted 23 July 2014)

Jehovah's Witnesses on trial in Taganrog

A video features some of the accused and their attorney in their legal struggle

<http://www.jw.org/en/news/legal/by-region/russia/taganrog-trial-interviews-video>

JW.ORG (04.07.2014) - The criminal trial of 16 of Jehovah's Witnesses in Taganrog, Russia-now in its 14th month-continues into July 2014. During the proceedings, the court examined over 60 volumes of "evidence" that mostly consisted of recordings of religious services, prayers, and Bible readings-the same religious services that Jehovah's Witnesses hold worldwide.

The right to freedom of worship for the accused and for the 800 other Witnesses in Taganrog is at stake. All 16 Witnesses have testified that they will not renounce their faith and will continue their worship as Jehovah's Witnesses regardless of the outcome of the decision.

Prosecution of Jehovah's Witnesses continues in Taganrog

JW.ORG (02.07.2014) /

<http://www.jw.org/en/news/legal/by-region/russia/taganrog-religious-freedom> - The criminal trial of 16 of Jehovah's Witnesses has continued through May 2014 in the Taganrog City Court. It is the only trial in Russia in which Russian citizens are being pressured to renounce their faith under threat of criminal prosecution. One of the accused commented: "They want me to be like everyone else, they don't want me to be different. They don't want me to go out and talk about the Bible. What will happen next, I don't know."

Russian authorities are misapplying the Law on Counteracting Extremist Activity to the religious worship of Jehovah's Witnesses, with increased intensity since 2009. Victor Zhenkov, an attorney for the Witnesses, noted: "I have analyzed the events of recent years concerning the prosecution of Jehovah's Witnesses and reached the conclusion that law-enforcement agencies have engaged in a constant, targeted fight against Jehovah's Witnesses." Local authorities in Taganrog have taken an even more aggressive stance and have treated the Witnesses as though their religious practice is banned in the region, even though Jehovah's Witnesses have been registered in the Russian Federation since 1992. The intention of the Taganrog authorities is clear. Another accused Witness recounted his experience: "The investigator plainly stated in his office: 'Sign the paper that you renounce being one of Jehovah's Witnesses and we will close the whole case against you and release you-go where you want.'"

Depending on the court's decision, the 16 Witnesses may be fined, ordered to perform compulsory labor, or sentenced to prison. If they are convicted, religious freedom throughout Russia is threatened. All Jehovah's Witnesses in Russia will be on notice that they risk similar criminal prosecution for merely practicing their peaceful religious activities. Alyona Borodina, another attorney for the accused, observed: "The Witnesses face constant interference by state authorities. Their literature is added to the list of extremist materials. If court decisions declare a book to be extremist material, it is destroyed on the basis of the court ruling. One writer said: 'Wherever they burn books, they will also, in the end, burn human beings.' There is a serious threat to religious freedom."

The judge is expected to render a final judgment sometime in June 2014. Jehovah's Witnesses worldwide and many others interested in religious freedom are concerned about the outcome.

Russian citizens face criminal prosecution for their faith

[JW.ORG](http://www.jw.org) (22.04.2014) /

<http://www.jw.org/en/news/legal/by-region/russia/taganrog-criminal-case/> - In the first case of its kind in modern Russia, 16 Jehovah's Witnesses in Taganrog are being criminally prosecuted merely because they meet for peaceful worship and practice their faith. If found guilty, they could face fines of up to 300,000 rubles (10,000 USD) or imprisonment for up to eight years in some cases. The 16 Witnesses have been ordered not to leave Taganrog until the court reaches a decision.

The repression of Jehovah's Witnesses in Taganrog began in June 2008 when the Rostov Regional Prosecutor filed a claim to liquidate and ban the Taganrog Local Religious Organization of Jehovah's Witnesses. He also alleged that religious literature published by Jehovah's Witnesses contains extremist language. The trial court granted the prosecutor's request, and the Russian Federation Supreme Court upheld the ruling on December 8, 2009.

After the Supreme Court ruling, the local authorities confiscated the Kingdom Hall (house of worship) of Jehovah's Witnesses in Taganrog, forcing the Witnesses to meet for worship in private homes. The court also ordered the authorities to add 34 publications of Jehovah's Witnesses to the Federal List of Extremist Materials. Jehovah's Witnesses contest these rulings and are seeking justice from the European Court of Human Rights.

The Taganrog authorities have used these developments as a license to harass and terrorize the Witnesses. In 2011, law enforcement officers entered 19 homes of the Witnesses as early as 6:00 a.m., waking families, including the elderly and children, to conduct 8-to-11-hour searches for alleged extremist literature. The officers indiscriminately confiscated all religious publications and took personal items. Local authorities secretly videotaped religious services and individuals in attendance in an attempt to incriminate them. The events in Taganrog began a state-sponsored campaign of harassment and mistreatment of Jehovah's Witnesses throughout Russia.

Jehovah's Witnesses are an internationally recognized religion. The Russian Constitution and the European Convention on Human Rights guarantee freedom of religion. High courts around the world have confirmed this right for Jehovah's Witnesses. Yet, government officials in Taganrog behave as if the Witnesses do not deserve this right.

The criminal trial is continuing, with a decision expected in May after the court hears closing arguments. If the court decides to convict the 16 Witnesses, this would threaten the freedom of the over 800 Jehovah's Witnesses in Taganrog. It could also serve as a precedent for pending criminal cases against Witnesses in other regions of Russia.

Grigory Martynov, a spokesman for Jehovah's Witnesses in Russia, stated: "This interference with religious freedom is unwarranted. Jehovah's Witnesses pose no threat to the integrity and security of the Russian Federation. This harassment and prejudicial treatment is occurring simply because they are Jehovah's Witnesses."

The European Court of Human Rights again condemns Russia for its failure to respect freedom of religion

JW.ORG (26.06.2014) /

<http://www.jw.org/en/news/legal/by-region/russia/echr-judgment-freedom-of-religion/> -

On June 26, 2014, the European Court of Human Rights (ECHR) ruled in favor of Jehovah's Witnesses and their right to worship without unlawful interference from the Russian authorities. In its unanimous judgment, the Court found that Russia violated Articles 5 (right to liberty and security) and 9 (freedom of thought, conscience, and religion) of the European Convention on Human Rights (Convention) when police overwhelmed a religious service with an illegal raid on the night of April 12, 2006.

On that night, Jehovah's Witnesses around the world were gathered together for their annual religious observance commemorating the death of Jesus Christ. Two congregations in Moscow had rented a school auditorium for the special meeting and anticipated an attendance of over 400 worshippers. While the meeting was in progress, riot police arrived at the scene in ten police vehicles and two minibuses, with an armed unit of the Special Police Force (OMON) and dozens of uniformed police officers. They quickly cordoned off the building, and without warrant for their actions, disrupted the religious service. They ordered all in attendance to leave the building, then searched the auditorium, confiscated religious literature, and forcibly took 14 male attendees to the local police station and detained them. An attorney who had been contacted to represent the detained Witnesses arrived at the police station to assist them. The police searched him, threw him to the ground, put a knife to his throat, and threatened that if he filed a complaint, there would be unpleasant consequences for his family. After nearly four hours, the detainees were released and allowed to return home.

See full judgment at

<http://www.strasbourgconsortium.org/common/document.view.php?docId=6271>

Krupko and Others v. Russia (no. 26587/07)

Registrar of the European Court (26.06.2014) - [http://hudoc.echr.coe.int/sites/eng-press/pages/search.aspx?i=003-4804665-5854978#{"itemid":\["003-4804665-5854978"\]}](http://hudoc.echr.coe.int/sites/eng-press/pages/search.aspx?i=003-4804665-5854978#{)

The case concerned the disruption of a Jehovah's Witness religious meeting by armed riot police and the detention of its participants.

The applicants, Nikolay Krupko, Dmitriy Burenkov, Pavel Anorov, and Nikolay Solovyov, are Russian nationals who are Jehovah's Witnesses belonging to various congregations in Moscow.

On 12 April 2006 four hundred people, including the four applicants, were about to celebrate the annual Memorial of the Lord's Evening Meal, the most solemn and significant religious meeting for Jehovah's Witnesses, when the police arrived in substantial numbers and cordoned off the university building rented for the occasion. 14 men, including the four applicants, from the congregation were segregated from the rest

of the group and, taken to minibuses under police escort, were driven to the local police station where they remained for about three hours, until after midnight.

The four applicants brought proceedings before the national courts to complain in particular about the disruption to their service and their detention in the police station. The courts held, in a final judgment of March 2007, that the police had lawfully stopped the service as it had been held on unsuitable premises under domestic law and that the three hours spent by the applicants at the police station could not be considered as detention.

Relying on Article 5 (right to liberty and security), the applicants complained about the unlawfulness of their arrest and detention on 12 April into the early hours of the following morning, claiming that they had not been invited to the police station, as alleged, and had had no choice but to follow the police otherwise they would have been accused of resisting the police.

Further relying on Article 9 (freedom of thought, conscience, and religion), the applicants complained about the disruption to their religious meeting by the police, pointing out in particular that their service, a solemn religious rite, could not have caused any major noise or disturbance and that the massive display of police force and vehicles had suggested that the police intervention had been a well-planned raid aimed at harassing Jehovah's Witnesses in Moscow.

Just satisfaction: EUR 30,000 to the four applicants jointly (non-pecuniary damage) and EUR 6,000 jointly (costs and expenses)

Jehovah's Witnesses and Muslims face up to six years' imprisonment

Forum 18 (19.06.2014) - The long-running criminal trial continues in Taganrog in southern European Russia of 16 members of the local Jehovah's Witness community which was declared "extremist". The trial has reached its 61st hearing in 14 months. A new criminal case has reached court in the Siberian city of Krasnoyarsk against two Muslim women allegedly involved in the prohibited "extremist" organisation "Nurdzhular", Forum 18 News Service has learned. Four of the Taganrog defendants and both the Krasnoyarsk defendants face up to six years' imprisonment each if convicted.

Meanwhile, four Muslims in Naberezhnyye Chelny express their determination to appeal to the highest level against their "extremism" convictions for studying the works of the late Turkish Muslim theologian Said Nursi, despite persistent harassment by law enforcement agents and the imposition of further warnings.

More than 40 Russian translations of Nursi's works and a biography of him, as well as numerous Jehovah's Witness publications, have been ruled "extremist" by various courts and added to the Justice Ministry's Federal List of Extremist Materials. Russia's Supreme Court outlawed "Nurdzhular", a purported "extremist" organisation of Nursi followers, in April 2008. Muslims who study Nursi's writings insist that the group does not exist (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

New trial in Krasnoyarsk

Two Muslim women from Krasnoyarsk, Yelena Gerasimova and Tatyana Guzenko, are

facing imminent criminal trial for alleged organisation of "extremist" activity under Article 282.2, Part 1 of the Criminal Code.

Article 282.2, Part 1 punishes "Organisation of an extremist organisation" with a fine of at least 300,000 Roubles (55,000 Norwegian Kroner, 6,400 Euros or 8,750 US Dollars) or imprisonment of up to six years. These are the increased punishments signed into law by President Vladimir Putin in February (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

On 29 May, in a hearing at Krasnoyarsk's Soviet District Court, Judge Larisa Dmitriyeva ruled that the criminal case against the two should be transferred to the magistrates' court system, court officials told Forum 18.

A consultant at Soviet District Court told Forum 18 on 18 June that the case is currently with the Senior Magistrate of the district. Forum 18 emailed the Senior Magistrate on 18 June, asking about the progress of the trial, as no record of it is visible on the magistrates' court system online database. Forum 18 had received no reply by the end of the working day in Krasnoyarsk on 19 June.

Defendants accused of running women's "cell"

Krasnoyarsk Regional Prosecutor's Office claimed in a 29 May statement, which does not name the women, that they joined "Nurdzhular" in 2008, "having been trained at [its] coordinating centre in Naberezhnyye Chelny". They then allegedly organised a "cell" in Krasnoyarsk, in which more than ten women were involved. In February 2012, an assistant arrived from Naberezhnyye Chelny bringing "necessary expertise".

The FSB security service and the Police Centre for Combating Extremism searched the women's homes in August 2013 and seized religious literature, "a large part of which has been ruled extremist in Russia".

A Muslim in Naberezhnyye Chelny who reads Nursi's works told Forum 18 on 10 June that they had no knowledge of such a connection with Krasnoyarsk.

Gerasimova's and Guzenko's flats in Krasnoyarsk were raided on 8 August 2013, during the major end-of-Ramadan festival Eid-ul-Fitr. At Gerasimova's home, police conducted a five-hour search, during which the family's Eid guests were not permitted to leave and Gerasimova noted a number of procedural violations (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

A spokeswoman for the Prosecutor's Office told Forum 18 on 16 June that all enquiries should be submitted in writing. Forum 18 sent an email asking for details of the case before the end of Krasnoyarsk's working day on 16 June. No reply has been received as of the end of the working day on 19 June.

Gerasimova's husband Aleksei is one of four Krasnoyarsk Muslims tried for alleged involvement in "Nurdzhular" before prosecutors ran out of time and the Magistrate's Court dropped the case in early 2012 (see F18News 5 March 2012 http://www.forum18.org/archive.php?article_id=1675).

Other investigation continues

The Siberian Federal District Investigative Committee and the FSB security service are continuing their investigation of one of Aleksei Gerasimov's former fellow defendants, Andrei Dedkov, and other Muslims suspected of involvement in "Nurdzhular" (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

The homes of "the most distant relatives" and acquaintances of the accused are still being raided by law enforcement agents, a fellow Muslim told Forum 18 from Krasnoyarsk on 13 June.

Taganrog Jehovah's Witness trial continues

The 61st hearing in the criminal trial of 16 Jehovah's Witnesses at Taganrog City Court took place on 17 June. Proceedings were again adjourned, and the next hearing is due to be held on 24 June, according to the court website.

The defendants were all members of the now-dissolved community declared "extremist" by Rostov-on-Don Regional Court in September 2009. The decision was upheld by Russia's Supreme Court in December 2009 (see F18News 8 December 2009 http://www.forum18.org/Archive.php?article_id=1385).

The 16 stand accused of continuing the banned organisation's activities after the ruling came into force. The proceedings have been characterised by lengthy indictments (running to 900 pages) and long periods of questioning of the defendants (12 hours over two days in the case of Yuri Baklushin, the first of them to take the stand, according to the Caucasian Knot news website).

The sixteen defendants are: Yuri Baklushin, Aleksei Koptev, Aleksandr Skvortsov, and Nikolai Trotsyuk (all elders who are charged with organisation of extremist activity under Article 282.2, Part 1, and involvement of minors in a criminal group or crimes motivated by political, ideological, racial, ethnic or religious hatred or enmity under Article 150, Part 4); Kirill Chetverikov, Andrei Goncharov, his wife Oksana Goncharova, Vladimir Kozhukhov, Tatyana Kravchenko, her son Kirill Kravchenko, Vladislav Kruglikov, Karen Minasyan, Vladimir Moyseenko, Vyacheslav Shchekalev, Nikolai's son Sergei Trotsyuk and Roman Voloshchuk (all charged with involvement in extremist activity under Article 282.2, Part 2).

Nikolai Trotsyuk received a three-year prison term in 1973 for refusing compulsory military service on grounds of religious conscience. He served a year in labour camp before being transferred for good conduct to a work project.

The case reached the two-year deadline for prosecutions on 5 August 2013 and was due to be halted. However, it is continuing at the request of the defendants, since "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," as Jehovah's Witness spokesman Grigory Martynov explained to Forum 18 in October 2013 (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

After being suspended in December 2013 and January 2014 because of a defendant's illness, the trial resumed on 10 February with questioning of the accused. In court, the Jehovah's Witnesses have maintained their innocence, asserting that they had simply been engaging in bible study. One of their lawyers, Viktor Zhenkov, told the Caucasian Knot website that the prosecution "is trying to see an organisation in the actions of individual believers". "The [regional] court determined that a legal entity, a local religious organisation, should be banned, but to be a believer is not prohibited".

"In Taganrog Jehovah's Witnesses are forbidden"

In his statement to the court, seen by Forum 18, the oldest defendant, seventy-year-old Aleksei Koptev, said: "I did not resume the activities of the prohibited local religious organisation of Jehovah's Witnesses of Taganrog. I simply remained a Jehovah's Witness in the city of Taganrog after Rostov Regional Court liquidated [the organisation] in 2009."

He claimed that an investigator had told him that "If you were a Jehovah's Witness in another city, there would be no complaints against you, but in Taganrog Jehovah's Witnesses are forbidden". This, Koptev pointed out, left him with a choice: "either leave Taganrog, or change my religion – otherwise, I would be prosecuted".

Koptev believes that "the investigation did not establish which actions could be considered a continuation of the religious organisation's existence and which are the rights of a citizen, guaranteed by the Russian Constitution".

Forum 18 called Taganrog City Court on 17 June to enquire about that morning's hearing, and was directed to the judge, Oleg Kubantsev. The member of staff who answered at his number immediately put the phone down upon hearing Forum 18's request for information. The same happened when Forum 18 immediately called back.

A spokeswoman for Taganrog City Prosecutor's Office told Forum 18 on 19 June that she could answer no questions about the case because the trial was continuing and no decision had yet been reached. She added that Forum 18 could submit an official request for information in writing – this was sent by email on 19 June, asking when a verdict is expected, what sentences the prosecutor is seeking, and why the Jehovah's Witnesses are considered extremists. City Prosecutor Konstantin Frolov answered the same day with a refusal to provide this information as the case is still underway.

Naberezhnyye Chelny appeals fail

In Naberezhnyye Chelny, prosecutors have issued more warnings to Muslims who study Nursi's works, local Muslims told Forum 18. Harassment by the security services continues, and the City Court has rejected appeals by four defendants convicted of extremist activity. All four intend to lodge further appeals with Tatarstan's Supreme Court and, if necessary, the European Court of Human Rights in Strasbourg, a Nursi reader told Forum 18 on 11 April.

Ilnur Khafizov and Fedail Salimzyanov were convicted following a series of raids on Nursi readers' homes in Naberezhnyye Chelny in February 2013, during which they were detained. After several hearings in the City Court, their case was transferred to the magistrates' court system in December 2013. They were fined 100,000 and 50,000 Roubles in February 2014 under Criminal Code Articles 282.2, Parts 1 and 2 respectively (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

Magistrates' court No. 15 had also ordered that religious literature seized from their homes be destroyed. The final hearing in their appeal against this ruling took place on 11 April.

"Despite the inconsistency of the charges and the illegality of the magistrates' court verdict, which was based on inadmissible evidence", Judge Sergei Nekrasov upheld the sentence without alteration, a fellow Muslim lamented to Forum 18 from Naberezhnyye Chelny. The only part the Judge amended was the ruling on the destruction of material evidence. The men's personal effects, Nursi's books in Turkish, and other literature are to be returned. All Russian translations of Nursi (including those not on the Federal List) are still to be destroyed.

Nakiya Sharifullina and Laura Khapinova's appeals against their convictions were similarly unsuccessful, according to Naberezhnyye Chelny City Court website. On 23 April, Judge Rustam Khakimov upheld the fines of 100,000 and 50,000 Roubles respectively, which were imposed by Magistrates' Court No. 24 in March (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

However, Judge Khakimov amended the decision ordering the destruction of the

materials seized from the women's homes, and ruled that this issue should be sent back to the magistrate for further consideration.

Prosecutor's Office issues more warnings

Several further Muslim women in Naberezhnyye Chelny have been issued warnings for allegedly attending an "underground madrassah", a fellow Muslim in the city told Forum 18. They refused to accept these warnings, which they have been summoned to sign at the Prosecutor's Office. "To sign this absurd document would mean accepting that I am an extremist", one woman wrote in a letter of protest to the Prosecutor, seen by Forum 18.

The warnings are dated 23 April and signed by Deputy Prosecutor Pavel Shamov. The document sent to Raziya Khafizova (mother of Ilnur), seen by Forum 18, accuses her of studying at the underground madrassah. It also states that law enforcement agents consider that she will continue "disseminating the views of the radical religious association Nurdzhular" and "could organise conspiratorial madrassahs with the aim of involving citizens in [its] activities ... which could lead to the stimulation of social, racial, national or religious discord, extremist crimes, and terrorist acts".

The official warnings follow the one issued to Sharifullina in January for organising an "underground madrassah". She appealed unsuccessfully against her warning at Naberezhnyye Chelny City Court and Tatarstan's Supreme Court (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

Security service harassment intensifies

Law enforcement agents "are harassing us on the quiet", a Nursi reader complained to Forum 18 from Naberezhnyye Chelny on 10 June. "We are not left alone."

A 28 May article on the golosislama.ru news website similarly describes how FSB security service officers persistently telephone and visit the women's homes, knocking on the door and shouting if there is no answer.

One local woman says she was targeted after she failed to attend the Prosecutor's Office on 25 April to sign the warning sent to her on 23 April. As she was unwell, she telephoned to say she could not come. An FSB security service operative known as Rustam (who had been tailing the women) began to call her and said he would come to her home. She wrote a letter to the Prosecutor, seen by Forum 18, requesting "the restoration of my rights as a law-abiding citizen of the Russian Federation" and the cancellation of the warning, and stating that she would not sign it.

She argued that "The entire document is built on speculation. [...] Such a document could be compiled on any passer-by. So, a warning should be addressed to all citizens of Russia, that speculation can be made about anybody. [...] Why not caution readers of Crime and Punishment? This work describes in detail how best to commit murder!"

FSB security service operative Rustam repeatedly telephoned, saying he would wait for her at her door and threatening her daughter when told to leave her alone. When he began persistently ringing on the Nursi reader's intercom and doorbell, she called the police. However, police turned up with a Prosecutor's Office representative, who attempted to persuade her to sign the warning. She still refused, and eventually collapsed from the strain. Her children tried to get the law enforcement officers to leave but they remained for some time despite the Nursi reader's illness.

The women no longer meet to study Nursi's works but are still followed in the street and have their telephones tapped. Anyone entering or leaving the address of the so-called

"underground madrassah" is photographed. "Apparently, this 'fight' against extremism consists of listening to telephones and following every step of grandmothers with disabilities".

The telephone at the FSB security service's Naberezhnyye Chelny office went unanswered whenever Forum 18 called on 17 and 18 June.

Obstructions to building places of worship

By Victoria Arnold, Forum 18 News Service

Forum 18 (05.06.2014) - The Regional Court in the Russian Baltic exclave of Kaliningrad has upheld a lower court ruling which deemed a nearly completed mosque illegal, despite the fact that the federal law on heritage preservation it allegedly violates did not apply to the site at the time construction began. The community's lawyer Dagir Khasavov described the court to Forum 18 News Service as being "in the worst traditions of the Soviet period of stagnation". He said the community has organised "round-the-clock protection" of the mosque in case of attempts to destroy the building now that the court decision has come into force. The same court also upheld a decision suspending the construction of a synagogue to replace one destroyed by the Nazis. Moscow's Hare Krishna community lost its court case challenging the city Property Department's unilateral termination of its lease on a plot of land on which it had planned to build a temple. The Property Department claimed to Forum 18 it was working on a new possible site.

The fate of two would-be places of worship – a mosque in the Russian Baltic exclave of Kaliningrad and a Hare Krishna temple in the capital Moscow, both of them halted through the courts – illustrate the problems some communities face in such construction, Forum 18 News Service notes. Religious communities which attempt to build new places of worship can find that even the possession of fully approved written decrees of land allocation and building permission are no guarantee that a place of worship will be completed unchallenged.

At the same time, some religious communities whose places of worship or other properties were seized during the Soviet period have found it difficult or impossible to regain them, despite a 2010 Law allowing for such restitution (see F18News 23 May 2014 http://www.forum18.org/archive.php?article_id=1961).

Mosque in Kaliningrad

Kaliningrad Regional Court has upheld a lower court ruling which deemed a nearly completed mosque illegal, despite the fact that the federal law on heritage preservation it allegedly violates did not apply to the building site at the time construction began.

On 1 April 2014, after a case brought by Kaliningrad's Moscow District prosecutor and the Friedland Gates Museum against the city administration and Kaliningrad's Religious Organisation of Muslims, the municipal decrees which enabled the mosque to be built were ruled invalid and the Muslims deprived of their rights of ownership. On 4 June, Kaliningrad Regional Court rejected the Muslim community's appeal.

The community's lawyer Dagir Khasavov – who had travelled from Moscow to Kaliningrad for the hearing - described the court to Forum 18 on 5 June as being "in the worst traditions of the Soviet period of stagnation", and said that it "did not consider any of the

District Court's numerous violations of substantive and procedural rights which we pointed out in our appeal".

At the appeal hearing, the city administration (a respondent in the case) changed its position "by 180 degrees" and said that it did not agree with the Muslims' appeal, a move Khasavov describes as "a betrayal".

The mosque community is preparing to challenge the 4 June decision in a further cassational appeal to the Regional Court Presidium, Khasavov told Forum 18. It will simultaneously be lodging a case at the European Court of Human Rights (ECtHR) in Strasbourg. "But I still believe in the possibility of cancellation of the decision within the existing Russian courts."

Khasavov said the Muslim community has organised "round-the-clock protection" of the mosque and "mobile response teams" in case of attempts to destroy the building now that the court decision has come into force.

A long wait

Muslims in Kaliningrad have been seeking to build a mosque for more than two decades. Between 1993 and 2005, the city administration allocated a total of eight different sites, only to withdraw them after receiving objections from local residents who allegedly feared large crowds on Fridays and Islamic holidays.

In 2009, the wait appeared to be over when the community was given two plots of land at the edge of Kaliningrad's South Park (one for the mosque itself, the other for an access road). In December 2013, however, when the mosque was 80 per cent complete, Central District court ordered a halt to construction on the grounds that it violated the preservation zone around an object of cultural heritage (the nineteenth century Friedland Gates, now a museum).

According to the 1 April 2014 Moscow District court verdict, seen by Forum 18, the city administration issued the preliminary act selecting the land in July 2007. The mayor's preliminary decree to this effect followed in January 2008. The land was formally allocated to the Muslim community by a further decree in August 2009. A building permit was issued in October 2010 and building work began the following month.

The presence of the mosque was first challenged by local residents in the winter of 2011-12, but Central District Court ruled its construction legal in February 2012.

Construction halted

The December 2013 court decision to suspend construction came at the request of the Friedland Gates Museum. Representatives of the Muslim community were not invited to the hearing, and discovered the outcome only when they were denied a lease extension which they had requested in order to continue work on the site.

In June 2013, Kaliningrad's regional government passed a law confirming the boundaries of monuments and the preservation zones surrounding them. Such zones, and restrictions on the activities permitted within them, had existed in Kaliningrad prior to this date under a 2002 Federal Law on Objects of Cultural Heritage and a regional decree of 2008, which established a plan for the formal development of preservation zones in the region. Only the 2013 regional law, however, explicitly delineated the zones. It became clear that the unfinished mosque lay within that of the Friedland Gates.

One case upheld, one refused

Moscow District court combined the Museum's and prosecutor's separately initiated suits into one and considered both in a single set of hearings. Although the objections to the mosque and the arguments presented were almost identical, Judge Irina Vartach-Vartetskaya ruled against the Museum as it did not have the right to go to court on its own behalf – only the Culture Ministry and its regional organs can initiate cases relating to violations of heritage preservation laws.

The court upheld, however, the Moscow district prosecutor's case on behalf of "a group of unspecified persons" whose constitutional rights to "a pleasant environment" and "freedom of movement" had been infringed by "unlawful" construction.

The court accepted the prosecutor's arguments that the disputed land was part of a recreational zone (South Park) in which no construction or other activities unrelated to its purpose (rest, tourism, physical culture, sports) may take place. Amid changes to the city's general plan, the city council had excluded the plot from the park in December 2007 (that is, after the decision to give the land to the Muslim community but before the decree which actually transferred it). It was added instead to the category of public and commercial land.

However, in June 2011 Central District Court ruled this decision invalid from its date of adoption. The court pointed to alleged requests from local residents who objected to changes to the general plan. Representatives of the Muslim community were not invited to the hearing.

Despite the fact, then, that when the plots of land were drawn up and handed over to the Muslim community and building permission given (in 2009 and 2010), they were not part of the park, Judge Vartach-Vartetskaya deemed regulations on recreational zones applicable to the city administration's decisions surrounding the mosque.

While the court acknowledged that the June 2013 regional law delineating the preservation zone around the Friedland Gates had not been in force when the mosque site had been transferred and the building permit granted, it noted that the zone itself was in existence prior to this date under federal law (2002) and regional law (2008). It thus ruled that the city administration and the Muslim community should have checked what is permitted in preservation zones. In her verdict, the judge took into account the fact that, after June 2013, construction was then still going on in a restricted area (as the building had not yet been completed).

Who initiated lawsuit?

Asked by Forum 18 on 28 May whom the prosecutor had been representing, a spokeswoman for Moscow District prosecutor's office would only repeat that the prosecutor acted on behalf of "unspecified persons". She refused to answer further questions by telephone.

The lawyer Khasavov told Forum 18 that he believes the "unspecified persons" the prosecutor was representing was in fact the Kaliningrad branch of the Justice Ministry and that no other complainants existed. A letter from the Justice Ministry to the Moscow District prosecutor's office, dated 10 February 2014 and seen by Forum 18, mentions that the Ministry "earlier carried out an inspection of this religious organisation" and that the materials relating to unspecified "violations" had been sent to the prosecutor for use in the mosque case.

Khasavov explained that the prosecutor would have no right to act for an organ of the state in this way, as the category of "unspecified persons" is meant to cover people who cannot go to court themselves (minors, the mentally incapacitated).

Khasavov also told Forum 18 that there had been no conflict between the Friedland Gates Museum and the Muslim community, and that the latter had offered the Museum free use of space beneath the prayer hall of the mosque.

Irshat Khisamov, head of the community, told the local media (confirmed to Forum 18 by Khasavov) that Museum director Marina Yadova told him in a "confidential conversation" that the mayor's office had threatened her with dismissal if she did not agree to the lawsuit. Forum 18 was unable to reach Yadova at the Museum on 5 June.

Forum 18 notes that while the city administration was a respondent in the various court cases, the claim that it would have dismissed Yadova had she not agreed to the lawsuit and the fact that it owned the Museum which brought one of the suits to rule the mosque construction illegal suggest that it was a driving force behind the moves to halt the mosque while hiding its involvement in the case.

When Forum 18 called the city administration's property department on 28 May, a spokeswoman for the land division said she was not authorised to discuss the mosque and put the phone down.

Synagogue – no, Russian Orthodox - yes

On 4 June, Kaliningrad Regional Court also upheld a decision suspending the construction of a synagogue, the court website noted. The city centre site was leased to the Jewish community for the period 2011-6 to enable the reconstruction of the nineteenth century New Synagogue. This was destroyed under the Nazis in the aftermath of Kristallnacht in 1938, when the city – then known as Königsberg – was part of the German region of East Prussia.

Although city authorities had not yet granted permission to build, construction work began in January 2013. On 14 March 2014, Central District court ruled that this work should be halted until a permit had been issued.

Local news outlet New Kaliningrad noted on 4 June that the city administration could not comment on why the Jewish community had not yet received a building permit.

Visiting the site in September 2013, Forum 18 observed that it is marked by a large stone inscribed "First stone of the restored Königsberg Synagogue, 16 October 2011", flanked by banners depicting the building before 1938 and an architect's drawing of the reconstruction.

By contrast, in May 2013 Kaliningrad Regional Arbitration Court upheld the request of the Russian Orthodox Aleksandr Nevsky parish to legalise their church, which had been built without a permit on land leased to the parish in the north of the city.

In 2012, the Russian Orthodox also built a house alongside a fourteenth century former Lutheran church in the village of Rodniki, just outside Kaliningrad. Both the Diocese and the regional government refused to confirm to journalists whether building permission had been granted.

Dmitry Zonin, head of the Department for Oversight over Fulfilment of Federal Law at Kaliningrad regional prosecutor's office, was quoted by New Kaliningrad news agency on 19 April 2013 as declaring that according to federal law, prosecutors "do not have the right to interfere with the activities of the Russian Orthodox Church".

Hare Krishna in Moscow

On 26 May, the Society for Krishna Consciousness in Moscow lost its court case challenging the city Property Department's unilateral termination of its lease on a plot of land on which the community had planned to build a temple. They now have one month to appeal.

The site in question, in the Molzhaninovo District beyond the capital's ring-road, was allocated to the community in late 2006 and, after various planning requirements had been fulfilled, a consecration ceremony was held in June 2012. In the summer of 2013, however, the Property Department told the Krishna devotees that their contract would be terminated.

The Moscow Committee for State Oversight in Construction (Mosgosstroinadzor) meanwhile refused to grant a building permit – the community has since been fighting a second, separate court case over this, but on 2 April requested a suspension of proceedings until a final decision has been reached in the dispute with the Property Department.

Simultaneously, the Krishna devotees have been living under threat of eviction from their rented offices near the Dinamo metro station in northern Moscow (see F18News 11 September 2013 http://www.forum18.org/archive.php?article_id=1874).

In January, the community received another warning to vacate the premises from the Prefecture of the Northern Administrative District, and moved in early March to another rented building nearby. Their lawyer, Mikhail Frolov, told Forum 18 on 30 May that this building is expensive to rent and the funds for doing so will not last long.

Sergei Andreyev, director of the temple building project, added on 3 June that the new space is also insufficient: "How can the entire 15,000-strong community, Muscovites and Indians, who regularly visited the temple before and wish to visit it in the future, fit into a basement area of only 500 square metres? Especially when they all come to spiritual holidays? Especially when you consider that this space is now generally considered the only temple in Moscow?"

Property Department

The Krishna devotees took the Moscow Property Department to the Moscow Arbitration Court in December 2013 over the latter's annulment of the contract granting the religious community free use of the land during the period of construction of the temple.

Under Article 30.3 of the 2001 Land Code such a plot is given for use free of charge during construction (bezvozmezdnoye srochnoye polzovaniye). Once the building has been declared fit for use (prinyato v ekspluatatsiyu), the land beneath it becomes the religious organisation's private property (Article 36) (see F18News, 26 September 2012 http://www.forum18.org/archive.php?article_id=1747).

Lawyer Frolov told Forum 18 that "the position of the Moscow Government is simple and cynical" – that they had the right to terminate the contract "unilaterally and unconditionally", whenever they wanted.

Moscow government representatives confirmed in court that they themselves had no complaints about the Krishna adherents' activities and that the religious organisation had fulfilled the terms of the contract "conscientiously and lawfully", according to Frolov. Despite this, and the community's expenditure on the project, the contract was

terminated "a month before we got the building permit". Frolov complained to Forum 18 that, in court, the Property Department did not explain their reasons for doing this.

Frolov estimated that the community had spent 70 million Roubles (12 million Norwegian Kroner, 1.5 million Euros or 2 million US Dollars) collected by community members.

The Moscow Property Department refused to answer Forum 18's questions by telephone on 3 June. Forum 18 asked in writing why the contract had been terminated and why previously dismissed residents' complaints had been taken into account. "Based on the fact that up to 23 June 2013 the plot had not been taken over and temple construction had not begun, on 4 April 2013 the Moscow City Construction and Land Commission, also taking into account the views of residents of the area, decided to terminate the contract," the Department's press office replied on 4 June.

Residents' complaints?

At earlier hearings in the case, the Krishna adherents asked the court to request from the Moscow government a copy of local residents' objections to the temple and the written response to it.

The letter from the Public Association of Khimki Urban District to Moscow's mayor Sergei Sobyenin (received on 25 June 2012), seen by Forum 18, stated that the Society of Krishna Consciousness was "a dangerous totalitarian sect", and that "their teaching is alien and harmful to inhabitants of Russia", and asks the Mayor to rescind building permission in Molzhaninovo.

Fazil Izmaylov, then First Deputy Prefect of Northern Administrative District, replied on 13 August 2012 that "the teachings of Hinduism are founded on peacefulness, respect for other religions, non-violence, and charity", that all religions are equal before the law in "multiconfessional" Russia, and that there was no reason that the temple would have a negative influence on Moscow's residents.

According to Frolov, at the hearing, the Property Department's representatives stated that the opinions of residents were not the reason for terminating the lease, but "were taken into account".

Andreyev, director of the temple building project, pointed out to Forum 18 that there were no houses near the temple site, and that the written complaint, oddly, came not from residents of Molzhaninovo, but from the neighbouring district of Khimki.

"For the Government of Moscow simply to terminate the contract with no reason would have been quite ugly," Lawyer Frolov remarked to Forum 18, "so they came up with 'the views of residents'."

Andreyev commented that "we all know that any religious object, including Orthodox churches in Moscow, causes protests from local residents. However, despite the protests and discontent, these objects are still being built."

Mosgosstroinadzor

The Krishna community applied for a building permit on 18 June 2013. Mosgosstroinadzor refused on 26 June 2013 on the grounds of absence of a land lease agreement with extension of the construction period. The contract supplied by the religious community in its application stipulated that construction was to be completed by 31 December 2012.

The Krishna devotees took Mosgosstroinadzor to Moscow Arbitration Court in December

2013 court. They argued that they had provided all necessary documents and that after a contract expires (ie. contract of free use/rental of site), it is considered renewed unless the landowner objects.

Judge Igor Korogodov upheld Mosgosstroinadzor's refusal of the building permit, ruling that the December 2012 date of completion remained valid regardless of any automatic renewal of the contract, and that since the Moscow Property Department had notified the community on 20 May 2013 that it had terminated the contract on the land, the Krishna devotees had no title to the site at the time of their application. The Moscow Property Department maintained that the contract came to an end on 23 June 2013.

Lawyer Frolov told Forum 18, however, that the community did not receive notice of the termination of the contract (which they believed to have been renewed automatically) until mid-June 2013. Since, by law, the contract remained valid for one month after such notification was received, Frolov maintains that it did not expire until mid-July 2013. Thus, the community applied for a building permit on 18 June 2013 when the contract was still in force.

The appeal against the December 2013 court decision will continue after the Krishna devotees' appeal against the 26 May ruling in the case against the Property Department.

Prospects

Frolov thinks the chance of being able to build at Molchaninovo remains only "minimal", as the land has been taken away, with little prospect of its return. "Only high political will could change the situation."

He added that the city is supposed to be "working on" the allocation of a new plot in the southern part of "New Moscow" (districts recently attached to the city from the surrounding Region).

The Moscow Property Department confirmed to Forum 18 on 4 June that the city's Committee for Architecture and Town Planning had been instructed to "study the question of siting the [temple] on alternative land in the Troitsky and New Moscow Administrative Districts".

Frolov pointed out that "realistically, this would happen in a few years, after the General Development Plan has been approved. And again, there is no guarantee that the third site would not be taken away just like that."

Biblical Centre of the Chuvash Republic v. Russia (no. 33203/08)

Registrar of the European Court (04.06.2014) - The case concerns the dissolution of a Protestant church on the ground that it administered religious education without a State license and that it ran a Sunday school for children, which was not appropriately equipped.

The applicant is a Russian religious organisation, the Biblical Centre of the Evangelical (Pentecostal) Christians of the Chuvash Republic. Belonging to the Pentecostal movement of the Christian faith, it was registered as a religious organisation in November 1991, founding a Biblical college and Sunday school in 1996. However, following inspections of the Biblical Centre in April and May 2007, the domestic courts ruled against the applicant

organisation in two sets of administrative proceedings for allowing the Centre to conduct educational activities without authorisation and for violating sanitary rules and hygienic requirements. On that basis, the Supreme Court upheld the prosecuting authorities' claim to dissolve the applicant organisation in August 2007 and, following the dismissal of the organisation's appeal in October 2007, it was dissolved with immediate effect.

Relying in particular on Article 9 (freedom of thought, conscience, and religion), interpreted in the light of Article 11 (freedom of assembly and association), the applicant organisation complain about the decision on its dissolution and the ensuing restriction on its right to teach its followers.

See documents of the European Court at

<http://www.strasbourgconsortium.org/common/document.view.php?docId=5100>

Freedom of conscience in Russia: Restrictions and challenges in 2013

By Olga Sibireva and edited by Alexander Verkhovsky

Sova Center (02.06.2014) /

<http://www.sova-center.ru/en/religion/publications/2014/06/d29645/> - SOVA Center for Information and Analysis presents its latest annual report on freedom of conscience in the Russian Federation.^[1]

This report is based on information collated during monitoring carried out by the Center. This material is available on the Center's website, in the section 'Religion in Secular Society' (www.sova-center.ru/religion), including links to media and internet sources. In this report, references are given only for those sources which are not available via the website.

This report contains only relevant updates on events which have been analyzed in the previous year's report.^[2] Generally events mentioned here serve to illustrate trends that we have observed; our aim is not to exhaustively describe all developments in the sphere of public religion.

Problems and cases connected with the misuse of anti-extremism legislation are discussed in a separate report specifically focused on this topic.

Summary

On the whole, many of the tendencies recorded in previous reports continued and developed in 2013.

In terms of relations between the state and religious confessions, one of the most notable events was the passing of a law which toughened administrative measures against, and introduced criminal responsibility for, offending believers' feelings. This legislation evoked stormy public debate. However, although there were numerous complaints about insult to believers' feelings, this law wasn't actually applied during 2013. 'Orthodox missionaries' made up for this by continuing to vigorously defend the aforementioned feelings, occasionally by force.

There is continued anticlericalism in society. As in 2012, anticlerical slogans were used not only in 'specialized' anticlerical actions, which perhaps slightly decreased in number,

but also in opposition protests. Levels of anti-Orthodox vandalism, which remain high, also testify to continuing anticlericalism.

A further particularity of 2013 is that Protestants ceased to be the main religious group to experience difficulties using places of worship. The majority of such cases now relate to Muslims.

The number of conflicts over the construction of places of worship for various confessions has not declined. Moscow remains the locus of particularly heated struggle, as local residents actively oppose the program to build Orthodox churches 'within walking distance'.

In contrast to the previous year, we recorded several instances of the liquidation of religious organizations, including for the failure to report on current activities. On the whole, however, the level of bureaucratic pressure on religious organizations appears unchanged.

In terms of positive developments, religious organizations – primarily Protestants and new religious movements – are increasingly literate in legal matters, and more actively defending their rights when discriminated against (including taking such cases to court). This relates to cases of bureaucratic harassment as to cases of defamation.

Legislation relating to religious organizations

Several laws regulating the activities of religious organizations were passed in 2013.

Federal legislation

The law 'On the introduction of amendments to the Criminal Code of the Russian Federation and separate laws of the Russian Federation aimed at counteracting offense against citizens' religious convictions and feelings, the desecration of facilities and items of religious veneration (of pilgrimage), places of religious ritual and ceremony' (generally referred to as 'On the defense of religious feelings') passed by the State Duma on 11 June 2013 and signed into law by the president on 30 June, evoked the greatest public response. It was opposed by the Supreme Court and by the Presidential Council on Human Rights, and even in January 2014 the government issued a negative evaluation of this law, noting that it duplicates already existing legislative norms. Nevertheless, after some changes introduced by its drafters, the law was passed.

This law introduced a new version of article 148 of the Criminal Code ('Obstruction of the right to freedom of conscience and religion'. Sanctions in the original article – for illegally obstructing the activities of religious organizations or the enactment of religious rituals and ceremonies – were increased, and this is entirely legitimate and advisable.

A fine of up to 300 thousand rubles, compulsory community work of up to 240 hours or imprisonment of up to one year was introduced as a punishment for insulting religious feelings. If the offense happens in a religiously significant place, or during a religious ceremony, a fine of up to 500 thousand rubles, community service of up to 480 hours, or up to three years' imprisonment – with the possibility of restricting freedom for up to one further year – may be imposed

Amendments to the Code of Administrative Offenses also make provision for the strengthening of sanctions relating to the already existing article 5.26 ('Violation of legislation on the freedom of conscience, freedom of religious confession and on religious associations') and the broadening of its contents. Fines for private individuals were increased ten-fold (up to 10-30,000 rubles), and for those holding public office fines went up to 50-100 thousand rubles. Article 5.26 was expanded to include a fine – of 30-50 thousand rubles for private individuals, and for officials, 100-200 thousand rubles – for the premeditated public desecration, damage or destruction of religious or liturgical literature, religiously venerated objects, signs and emblems symbolic of worldviews.

The law has been formulated in an extremely slipshod manner, especially in terms of the offence it introduces in the criminal section: it is not even clear what is new about the crime compared with those which already exist, like hooliganism motivated by religious hatred and the degrading of human dignity in connection with an individual's attitude to religion. It is also very difficult to comprehend what should be understood by the term 'desecration', and which 'worldviews' are meant here.^[3] There is no doubt, however, that the new legal norms on 'insulting religious feelings' allow greater scope for free interpretation and misuse.

It is notable that at the time of writing, the law – which has provoked such argument – has not once been applied in practice.^[4]

On 19 June 2013 the State Duma accepted a bill of amendments to a number of laws proposed by the government in connection with the passing of the federal law 'On education'. The president signed this bill on 2 July. The new legislation proposes holding religious rituals on the grounds of educational establishments, and these amendments evoked some public concern about the principle of a secular education system. The final version only mentions accommodation '*historically utilized*' for this purpose, which in practice applies only to private churches within educational institutions. The originally proposed point about '*accommodation, specially set aside by the administration at the request of adult students or parents*' (in other words, about the creation of 'prayer rooms'), was excluded from the amendments.

The law 'On the freedom of conscience and religious associations' changed twice during the course of the year.

On 24 May 2013 the State Duma passed amendments to articles 4 and 24 of this law, and on 29 May these were signed by the president. This change accorded religious organizations the right to impose requirements on their clergy and employees. Anti-extremist amendments proposed in 2012 by the State Council of Tatarstan, which legitimized state control over religious education, were excluded from the final version of the law. The accepted amendments left requirements regarding the educational level of clergy and employees working for religious organizations under the jurisdiction of the said organizations.

On 21 June 2013 legislation introducing amendments to article 9 of the same law passed second and third readings by the State Duma straight away, and was signed by the president on 3 July. In accordance with the new amendments, foreign citizens or stateless individuals whose activities are deemed extremist by the courts or fall under the law on combatting money laundering and the financing of terrorism, or whose presence on Russian Federation territory is deemed undesirable, are forbidden to become founders, members or participants of religious organizations. It should be pointed out that the application of this law will prove difficult, since current legislation does not define membership of a religious organization.

Regional initiatives

We are aware of only one piece of legislation passed by federal subjects which affects the interests of religious organizations – a law initiated by Vitalii Milonov and passed by St Petersburg's legislative assembly. This law allows the city government to order expertise on publications and media content by recourse to the legislative assembly or the human rights commissioner. According to Milonov, this law is primarily intended to further the struggle with representatives of 'non-traditional religions', specifically the Scientologists and Jehovah's Witnesses disseminating their materials in the city. This material can now be more easily deemed extremist.

Initiatives not successfully progressed in 2013

Considerably more legislative initiatives (relating to the activities of religious organizations in one way or another) failed to be progressed in 2013.

In September St Petersburg's legislative assembly brought proposed amendments to the federal laws 'On the freedom of conscience and religious associations' and 'On assemblies, meetings, demonstrations, marches and pickets' before the State Duma. These amendments recommended that in considering applications to hold public actions in close proximity to the property or premises of religious organizations, civil servants take the opinions of those religious organizations into consideration. The government did not support the proposed bill, noting that it limited the right of citizens to free assembly.

The State Duma of the Russian Federation considered a draft bill of amendments to article 16 of the law 'On the freedom of conscience and religious associations', proposed by the government of the Russian Federation, at a first reading in November. The proposed legislation outlined places where public liturgies and other religious events could be held without notifying the authorities. Pilgrimage sites, cemeteries, residential accommodation and *'the territory of organizations founded by religious organizations'* were amongst the suggested places, in addition to places of worship and land belonging to religious organizations.

Several of the legislative initiatives which weren't taken further related to the participation of religious organizations in charitable and social activities.

In April LDPR (*Liberal'no-demokraticheskaja partiia Rossii*, Liberal Democratic Party of Russia) deputy Valerii Seleznev introduced amendments to article 10 of the law 'On advertising'. The deputy proposed supplementing this article – which regulates the dissemination of social advertising – with permission to mention the Russian Orthodox Church or another 'traditional' religious organization specific to the relevant region in such advertisements, if the contents of the advertisement were connected with religious activity (in accordance with the current antimonopoly legislation, the advertising of religious organizations may be forbidden). According to the proposer, *'the dissemination of information on religion and the Russian Orthodox Church can without doubt be regarded as a socially useful type of activity'*, and therefore should not be subject to restrictions. In January 2014, however, Seleznev nevertheless withdrew his bill.

Legislators attempted to regulate the activities of fortune-tellers, sorcerers and psychics (*ekstrasensy*), as they have more than once in previous years, and yet again these efforts have not been crowned with success.

In November State Duma deputy Ilya Ponomarev introduced a bill 'On the introduction of amendments to separate laws of the Russian Federation pertaining to regulation of the provision of independent health services and protection of the population from unscrupulous advertising'. The document proposes to allow the provision of *'occult-mystic services in healthcare'* only with the permission of regional authorities and under the supervision of qualified medical personnel. Thus far the bill has not made it even to first reading.

In March deputy Vitalii Milonov brought similar draft legislation before St Petersburg's legislative assembly for consideration, proposing that healers and fortune-tellers should register as sole traders in order to receive permission to practice. This bill wasn't passed either, however.

In February, Moscow's regional duma introduced a draft bill of amendments to the federal law 'On the organization of state and municipal services provision' for consideration by the State Duma. The bill proposed a supplementary point to article 22 of this law, making it possible for a citizen to refuse to accept and use a universal electronic card (*UEK, universal'naia elektronnaia karta*). It is not unusual for this right to be demanded by the most conservative Orthodox Christians, who see signs of the 'number of the Beast' in the card. The proposed legislation was voted down in November.

In May deputies of St Petersburg's legislative assembly proposed a bill of amendments to the current law 'On the fundamentals of public health protection in the Russian Federation' for consideration by the State Duma. These amendments would restrict the

right of parents to refuse medical intervention on behalf of their children, and to support their argument for doing so the proposers cited cases of parents rejecting blood transfusions for their children on religious grounds. The State Duma voted down this draft legislation in November.

In June State Duma deputies Yaroslav Nilov and Ruslan Kaliuzhnyi, from the LDPR fraction, proposed amendments to the Code of Administrative Offenses which would have increased the time within which those violating the law 'On the freedom of conscience and religious associations' could be charged to one year from the point at which the offence occurred. This proposed legislation was voted down in January 2014.

Deputy Elena Mizulina's initiative on behalf of a multi-party group of deputies should also be noted: she proposed to protect Christian values by including a preamble in the Constitution of the Russian Federation which mentioned Orthodox Christianity as the basis of '*Russia's national and cultural distinctiveness*'. The idea was widely discussed; however there were more negative responses than positive. Those speaking against the proposal included not only the human rights commissioner, Vladimir Lukin, but also Yaroslav Nilov, head of the State Duma Committee on Civil Society Associations and Religious Organizations, and – most importantly – Prime Minister Dmitrii Medvedev.

Problems relating to places of worship

In 2013 religious organizations continued to experience difficulties both constructing places of worship and using existing facilities.

Problems with the construction of religious buildings

Muslims continued to encounter frequent difficulties with the construction of mosques. However, the construction of Orthodox churches proved just as problematic, if not more so.

The program to construct modular Orthodox churches in Moscow continues to be realized very slowly. In December 2013 Patriarch Kirill announced that only 17 of the 192 planned churches had been completed, and construction had begun on a further 24.

Local inhabitants opposed construction in a number of Moscow districts, particularly in Gagarinskii, Golovinskii, Ostankinskii, Ryzanskii, Khoroshevskii districts, and in Gol'ianov, Kosino-Ukhtomsk, Kuz'minki, Kurkino, Lefortov and Severnoe Izmailovo. Sometimes these protests were supported by various civil society organizations – Yabloko and the Communist Party of the Russian Federation (*Kommunisticheskaia partiia Rossisskoi Federatsii*, KPRF) were active in Ostankino, for example.

Supporters and opponents of the building program organized demonstrations throughout the year. One such action – a prayer gathering in support of construction in Gagarinskii district – was disbursed by OMON because it had not been approved.

The main driver of public opposition to such construction is the resultant loss of green space, especially since the Moscow mayor's 2012 decision to permit the erection of places of worship on nature reserves. In 2013 a plot of land in the Setun river valley nature reserve was assigned to an Orthodox parish by order of Sergei Sobyenin.

Apart from ecological considerations, protests were often evoked by decisions about construction being made without taking the opinions of local residents into consideration. Either no public hearings were held, or the local population was not given enough warning about them, or there were procedural violations during the hearings.

In some cases the authorities attempted to accommodate the protesters' demands. In Golovinskii district, for example, municipal deputies rejected the first proposed location of a church, in a park on Kronshtadtskii boulevard. The construction site was likewise relocated in Khoroshevskii district.

Conflicts over the construction of Orthodox churches were also recorded in other Russian regions.

One of the most notable was the struggle over the Church of the Myrrh-bearing Women (*tserkov' Zhen Mironosits*) in St Petersburg's Malinovka park. During the course of the year opponents of the building program collected signatures (23 thousand people had signed the petition by the beginning of 2014), held protest actions, and appealed to both the public prosecutor and the president. They also brought a lawsuit to court, arguing that construction on green zone territory is illegal. The city court banned the construction, but in November the Supreme Court of the Russian Federation overturned this decision.

Petersburg citizens also protested against the construction of churches on 6th Sovetskaia, Lakhtinskaia and Dolgoozernaia streets. In this last case, opponents of the construction also went to court, and in January 2014 the court recognized the building of the church as illegal.

In Tiumen local residents opposed the building of an Orthodox church in Komsomolskii park with the support of the Russian Communist Workers' Party (*Rossiiskaia kommunisticheskaia rabochaia partiia, RKRK-PSS*). At the beginning of April 2014 the town authorities announced that the church would not be built on park territory, but opposition over this has not ended.

Two conflicts broke out at once in Togliatti, over the construction of churches on 40 Let Pobedy street and on Avtostroitelei street (a former recreation ground). In the former case protesters demanded the '*creation of a basic playpark and the reinstatement of felled greenery*', and in the latter they demanded the restoration of the recreation ground.

Besides these cases, conflicts over the construction of Orthodox churches were recorded in Kaluga, Kemerovo, Zheleznogorsk (Kursk region), Zhukovka (Moscow region), Viatskii Posad (Orlovsk region), Samara, and Balashov (Saratov region).

2013 saw the resolution of a conflict which had dragged on since 2012 over the erection of a church on a square in Chaplygin street, Novosibirsk. The eparchy bowed to public pressure and agreed not to build on the recreation ground, so long as the authorities granted them another plot. The town administration allotted them a new plot on Krasnogorskaia street in Zael'tsovskii district.

The construction of mosques also remains seriously problematic, and the majority of conflicts have dragged on for over a year. Regional authorities, as before, are very reluctant to grant building plots or permission to build. Even if permission is granted, local residents are generally very opposed to the creation of mosques.

The shortage of mosques is still acutely felt in Moscow, however the city's mayor has announced that no new mosques are planned, and that it is more logical to build them in Moscow region, rather than in the city.

Meanwhile, building mosques in Moscow region is also proving difficult. The Council of Muftis of Russia, as in previous years, complained about conflicts over the building of mosques in Podol'sk, Kolomna, Balashikha, Pushkino, Zheleznodorozhnyi and Liubertsy.

In Orlov, where the authorities have refused to allot a building plot for reasons relating '*solely to town construction policies*', problems over the construction of a mosque have remained unresolved for several years.

Muslims have also been unable to secure permission to build a mosque in Stavropol.

A Muslim community in Iuzno-Sakhalinsk was not only unable to secure a building plot for a mosque, but was also unable to worship in the hangar which the local authorities had promised to transfer to the community back in 2012.

The authorities in the village of Berezovo, Khanty-Mansi autonomous region, agreed to provide the Muslim community with a building plot for the construction of a mosque, but local residents voted against this in public hearings. Shouts of '*Accept Christianity and go to church!*' and '*You want to build a mosque and grab our gas and oil!*' were heard during voting.

In Belovo town, Kemerovo region, local residents opposed the construction of a residential building, mistaking it for a mosque, and appealed to the authorities to halt construction.

In December Kaliningrad's tsentralnyi district court halted the construction of a mosque in Iuznyi park. Conflict over this project had dragged on for several years, and the reason given for the decision was a court case brought by the Finland Gates Museum (*Finlandskie vorota*) which demanded that the decision to award two plots of land for this construction be deemed illegal. Local Muslims are convinced that the statement of claim was signed under duress.

In several regions, right-wing radical organizations supported protests against the construction of mosques. In Novokuznetsk, for example, nationalists have protested alongside local residents for more than a year. News that the mayor had granted permission for the construction circulated in February, but by April the mayor had denied this story.

A Muslim community in Novosibirsk was granted permission to build a mosque, but local residents – supported by a number of civil society organizations – demanded that the decision of the mayor's office be revoked. Slogans opposing the construction of the Novosibirsk mosque were also heard in November at the 'Russian March'.

Representatives of Cheliabinsk right-wing radical organizations initiated an investigation by the prosecutor's office into the legitimacy of the decision to award a building plot for the construction of a fourth mosque in the town. The public prosecutor recognized the allocation as legal.

During the year we recorded several conflicts over the building of places of worship by other religious organizations.

The authorities in Perm refused to allot a building plot for a synagogue and education center to the Chabad Lubavitch Jewish community. Construction plans were opposed by the director of a local center for the preservation of architectural monuments, as well as by local residents.

Having been awarded a building plot several years ago, Moscow followers of Krishna yet again experienced problems with their temple. In April the Moscow town planning and land commission decided to stop letting the plot allocated for the construction of a Center of Vedic culture in Molzhaninovo. In July bailiffs required the Krishna community to leave their existing temple on Leningradskii prospect – despite the original suggestion that the community use it until a new one had been built – by order of the Savelovskii district court. As far as we know, however, the Krishna community has not been physically evicted from their temple.

After protests by local residents, the St Petersburg authorities refused to allocate a building plot on Khoshimina street to the Church of Jesus Christ of the Latter-day Saints (Mormons) for a proposed new building.

In Taganrog, Cossacks initiated protests against the building of a Mormon meetinghouse. The protesters were troubled by the fact that no public hearings about the proposed construction had been held, and by the proximity of the 'foreign organization' to a Communications research institute ('a sensitive site', *rezhimnyi ob'ekt*).

Positive resolutions

Following a 2012 court order which instructed the Kostroma administration to permit the Muslim community to continue building their mosque, local officials granted this permission in April 2013 and the community has entered into an agreement with contractors.

The Khabarovsk authorities agreed to allocate a building plot for the construction of a mosque after Muslims announced their intention to picket the local administration building.

In October a mosque was opened in Naro-Fominsk, Moscow region. Local residents had opposed the planned mosque, and in previous years the Council of Muftis had complained about the difficulties faced during this construction.

At public hearings, residents of Krasnoiarsk supported the construction of a Buddhist temple on Poliarnaia street.

Problems with existing religious buildings

In 2013 we recorded slightly fewer operational difficulties with buildings already used by religious organizations. Almost all the cases we know of relate to Muslim communities.

Muslims in Noiabr'sk went to court to secure the return of a mosque shut in 2012 and the transfer of ownership of this building, but were unsuccessful.

Gubinsk town court (Yamalo-Nenetsk autonomous region) satisfied the public prosecutor's demand to forbid the running of a mosque which had been used by the liquidated Muslim organization Iman (see below).

Kislovodsk town court ordered the demolition of partially-built mosques in Belorechensk and Industriia, two Stavropol region villages. This decision was upheld by Stavropol regional court in July.

The town court of Pyatigorsk partially satisfied a case brought by the town administration. The court required the owner of an unfinished mosque – already in use – to demolish two floors, and banned the building from being used for religious purposes. The construction of this mosque, on 50-letiiia Oktiabria street, was deemed illegal in 2012. The town authorities promised to allocate a different building plot for the construction of a mosque.

The Tambov authorities announced the closure and demolition of an active Muslim prayer house, on Ryleeva street, on grounds that it failed to meet public hygiene standards and safety regulations. The house had been built on a plot allocated for the construction of a mosque in 2003. Since then the community has failed to erect a mosque, and in 2013 local residents began to protest against construction on that spot. Nevertheless, the official refusal was motivated by improper documentation. The authorities proposed a different plot – between Kikvidze and Bastionnaia streets – but this was rejected by the Muslim community because of the limited space and lack of communications.

Apart from Muslims, representatives of Orthodox organizations not under the jurisdiction of the Moscow Patriarchate also faced problems using existing churches. In Penza the question of demolishing buildings belonging to the Mikhailovskii Cloister of the True Orthodox Church (*Istinno-pravoslavnaia tserkov'*, IPTs), in the village of Pobeda, was discussed by representatives from the local authorities and Penza eparchy (Moscow Patriarchate). Since the 2008 court ruling which deemed the church and prayer house on cloister grounds to be illegal constructions and ordered their demolition, local officials have periodically returned to this issue. Each time, however, believers threaten to burn themselves alive. The buildings were not demolished in 2013 either.

The Moscow Metropolitanate Old Believer Council announced their readiness to transfer the territory of Rogozhskaia Sloboda to the city authorities because of high maintenance costs. The Moscow budget has funded restoration of the Rogozhskaia Sloboda complex over a number of years, and now the community wishes the upkeep of part of the

complex to pass to the city budget too, 'on condition that the territory be used in accordance with its status as a spiritual center of the RPSTs [Russian Orthodox Old Believer Church]'. We noted the community's inability to maintain property transferred to them in the previous year's report, and predict an increase in the number of such cases, as the number of property transfers to religious organizations increases.

As in previous years, such situations were rarely resolved in favor of religious organizations. Pervorechenskii district court in Vladivostok ordered the town administration to transfer ownership of the first floor of a prayer house to the Seventh Day Adventists free of charge. The community has been using the building for several years, and the city mayor's office made several attempts to deprive the religious organization of this accommodation in 2012.

Preferential treatment accorded certain religious organizations by the authorities

As in previous years, federal and regional budget funds were allocated to restore religious facilities in 2013. In the majority of cases this related to buildings of architectural significance, in accordance with the law.

According to Deputy Prime Minister Olga Golodets, over five billion rubles were spent restoring 230 Orthodox monuments in 2013. In Moscow, for example, 150 million rubles were spent restoring 14 religious facilities, and a further 200 million went on Rogozhskaia Sloboda. In Petersburg funds were spent on restoring the Sobornaia Mosque and the Great Choral Synagogue. Budget funds were also allocated to restore religious facilities in Ivanovsk, Leningrad, and Tula regions, amongst others.

As well as the direct allocation of funds, the authorities found ways of materially supporting religious organizations using a variety of privileges. In May 2013 the town дума of Togliatti reduced the rent ratio for religious organizations from 3.5 to 1.2. On 18 December deputies decided to recalculate rental costs for ten religious organizations renting accommodation from the town, for the entire year. As a result, the town budget lost 650 thousand rubles.

In a series of cases government officials or state corporations selectively provided material help to religious organizations. It was revealed, for example, that the regional authorities provided Orthodox churches and monasteries in Kemerovo region with twelve thousand tons of coal for free between 2010 and 2013.

State corporations also provided support. Gazprom, for example, announced that it was allocating 50 million rubles to build an icon painting school in the Mirozhskii Transfiguration of the Savior Monastery (*Spaso-Preobrazhenskii Mirozhskii monastyr'*) in Pskov.

Some bureaucrats even resorted to extorting money from the local population in their desire to support religious organizations. In Elektrostal, Moscow region, an additional line was added to the bill for communal services – a 50 ruble monthly donation to the church. This practice appears to have been in existence for more than a year.

The transfer of property remains another widespread method of supporting religious organizations, although such transfers are not as common as might be expected in the third year since the law on the return of property of religious purpose was implemented.

The Federal Agency for State Property Management (Rosimushchestvo) published data on the transfer of real estate to religious organizations over the course of the year: according to Sergei Anoprienko, head of the Rosimushchestvodepartment for the accommodation of federal agencies, only 19 facilities were transferred. Moreover, by the end of December religious organizations had submitted 216 applications, of which 175 were allocated to Rosimushchestvo, about 30 to the Ministry of Defense, and the rest passed to the Department of Presidential Estate and Property Management for consideration. 21 applications were rejected, mainly on grounds of inadequate

documentation. The majority of applications – 161 of them – were submitted by the Russian Orthodox Church; five were submitted by Muslim organizations and two each by the Federation of Jewish Communities in Russia, and the Roman Catholic, Old Believer and Evangelical Lutheran churches. One application was submitted by a Buddhist organization.^[5]

Buildings were transferred primarily, but not solely, to the Russian Orthodox Church. In Moscow more than 500 square meters of non-residential accommodation was transferred to the Augsburg Evangelical Lutheran Church and the Moscow Buddhist Center of Lama Tsonkapa for use free of charge. In Novgorod and Tambov regions several facilities were transferred to the Russian Orthodox Old Believer Church (RPSTs). Buildings were also transferred to Muslim organizations.

In a number of cases court decisions resulted in the transfer of real estate. In Tula region, for example, the town court of Kimovsk recognized the right of the Pokrov parish in the village of Pokrov, Kimovskii region, to own the eighteenth century church it has been using since 1998.

In Sochi a community of evangelical Christians also took matters to court. Back in March 2011 this religious organization had asked the mayor to transfer ownership of the House of the Gospel building used by the community since 1992, but had received no reply. The congregation filed a lawsuit after the Sochi authorities put the building up for sale as a municipal facility in March 2013. In October the court of arbitration ordered the town administration to consider the evangelical Christians' request to have ownership of the building transferred to them.

In contrast, two courts in Kirov region – the court of arbitration and Second arbitration appeal court – refused to transfer ownership of the former Vyatka Town Guardianship of the Poor to the eparchy. This building currently belongs to the Kirov State Medical Academy.

The Muslim community of Kasimovo, Ryazan region, also experienced problems. Since 2007 they have been attempting to secure ownership of the building they use as a mosque and madrasah, and in October bureaucrats again turned the religious organization down. At the same time the Khanskaia mosque – which has a fifteenth century minaret and had been occupied by a local history museum – was transferred to community ownership. It is proposed that, despite this transfer, the museum also be allowed to use the building in the future.

The transfer of real estate took place without any conflict in the majority of cases, and those institutions evicted for the sake of religious organizations are being rehoused by the authorities. In Nizhnii Novgorod, for example, new accommodation was allocated to the Blokhin epidemiology scientific research center, which had until recently occupied a building transferred to the Russian Orthodox Church.

Conflicts arose from time to time, however, and as before cultural institutions remain the most problematic.

The Rosimushchestvo's territorial administration of Vladimir region recommended that the head of the Vladimir-Suzdal Museum Reserve transfer the building of the Cathedral of St George (*Georgievskii sobor*) in Gus-Khrustalny to Vladimir eparchy for use free of charge. This building has housed a museum of crystal since 1974, and it was proposed that the building be used by both the museum and the Church to begin with. Museum workers rejected this proposal, since it does not allow for the accommodation of the museum repository and the museum does not have another building. Moreover, the building will require expensive restoration before religious services can be conducted there.

In Yaroslavl region the authorities were also prepared to sacrifice the interests of two museums for the sake of the Church. The eparchy demanded the transfer of five churches of the Transfiguration of the Savior Monastery (*Spaso-Preobrazhenskii monastyr'*): the churches of the Epiphany, Elijah the Prophet, St John the Forerunner, the

Nativity of Christ and St Nicholas Nadein, jointly used by the Yaroslavl State Historical and Architectural Museum Reserve. The regional authorities announced that the museum would be moved only when a new building had been built for it – in other words, in several years' time. Local officials also agreed to move the Pereslavl-Zalessky State Historical, Architectural and Art Museum Reserve out of the former Dormition Goritskii Monastery (*Uspenskii Goritskii monastyr'*) by 2018, but are unable to guarantee that a new building will be ready for the museum by that date.

In observing this general tendency to transfer property to religious organizations, the bureaucratic bias against the Russian Orthodox Autonomous Church (*Rossiskaia pravoslavnaia avtonomnoi tserkov'*, RPATs) – from whom property is, by contrast, removed – should also be noted. Several churches belonging to this organization were taken from it between 2010 and 2011, and in 2013 the RPATs lost a religiously venerated item: in August the Suzdal district court confiscated the relics of saints Evfimii and Efrosiniia of Suzdal. This decision was upheld by Vladimir regional court in October, and Suzdal district court ruled that they should be removed and transferred to the territorial department of Rosimushestvo. The RPATs did not manage to contest this decision, but although bailiffs attempted to remove the relics, thus far they remain with the Church. This is the first case of ecclesiastical relic removal by the state since Soviet times.

Besides financial help and the transfer of property, other types of state patronage of religious organizations were noted during the course of the year. The Russian Federation government once again enlarged the list of individuals who have the right to use VIP halls in Moscow, Moscow region, St Petersburg and Sochi airports, to include – amongst others – new religious figures: those accompanying the Patriarch, members of the Higher Church Council, heads of metropolitanates, directors and deputies of Moscow Patriarchate synodal institutions.

The practice of designating religious festivals as public holidays continued. Sagaalga (New Year 's Day according to the Lunar calendar) was declared a day off in Buryatia. In Bashkortostan and Tatarstan it was Uraza Bairam (Eid al-Fitr). 25 September was declared a holiday in Kursk, as this is day the Kursk Korennaia icon of the Mother of God of the Sign (*Znamenie*) is ceremonially processed into the town. In some regions, notably Krasnodar, Bryansk, Kemerovo, Saratov, Orenburg and Adygea, Radonitsa [when Orthodox Christians commemorate their dead] was declared a public holiday.

Defending believers' feelings

Despite the fact that the above-mentioned law on protecting religious feelings was not once applied in 2013, complaints were regularly made about offence to such feelings. For the most part, such complaints came from Orthodox Christians. It is worth noting that bureaucrats and the organizers of various events deemed dubious by some believers were a little more inclined to cancel or amend them in accordance with believers' wishes than in previous years.

At the request of the Orthodox metropolitan the mayoralty of Omsk cancelled an agreed Farewell to Winter festival, organized by a community of local neo-pagans (*rodnovery*), because it was scheduled during Lent.

In Krasnodar region Pavlovsk district administration cancelled 1 May celebrations because they fell within Holy Week [the week leading up to Easter]. It was not only the folk festival and demonstrations that were cancelled – the market fair was also banned.

In Voronezh region, the Rossoshanskii district authorities cancelled Ivan Kupala day [the nativity of St John the Baptist, conflated with midsummer] celebrations at the request of parishioners from two Orthodox churches, and also forbade *'pagan rituals as part of Youth Day celebrations'*.

Concerts in Kaluga and Tver by a Tver group, the Christ the Savior and Moist Mother Earth Ensemble, were cancelled at the initiative of the Union of Orthodox Brotherhoods

(*Soiuz pravoslavnykh bratstv*). Orthodox activists convinced the regional authorities that the group is 'anti-Church' and has a blasphemous name.

The Rizzordi Art Foundation, organizing an exhibition of Marat Gel'man's 'Icons' in St Petersburg, changed the time and place of the exhibition after protests by Orthodox believers. It should be recalled that the exhibition was cancelled in St Petersburg the year before, after similar protests.

A display of Islamic children's fashion was cancelled as a result of pressure from Cossacks. The Cossacks were particularly distressed by the news that non-Muslim girls would be modelling Islamic clothes.

Journalists at Islam.ru deemed an illustration in Kornei Chukovskii's book *Moidodyr*, published in Rostov on Don by Kniga, to be offensive. The journalists considered that the artist had placed pages from the Qur'an in the paws of a crocodile. The publishing company decided not to use the 'inappropriate' illustration in the new edition, despite the fact that neither the editors, nor the local mufti, supported this perspective.

As in previous years, many regional officials – as well as Orthodox activists – led a crusade against Halloween, viewing this festival as a threat to 'spiritual security'. The education ministries of Omsk and Sverdlovsk regions sent a letter to the directors of educational institutions requesting that they suppress this festival '*for the purposes of preventing and not tolerating extremist moods in children and young people*'.

Vitalii Milonov, a deputy in St Petersburg's legislative assembly, together with a group of activists, personally interrupted a Halloween festival in the Frunzenskii district Internationalists' park. The deputy considered it unacceptable to hold a '[witches'] sabbath' next to an Orthodox church.

There were also some refusals to take the 'feelings of believers' into account, but these were rarer than in previous years. One of these cases was the refusal by the organizers of an Elton John concert in Kazan to cancel the event, despite protests by an imam from one of the city mosques.

As before, the authorities rarely intervened when there was talk of insult to believers' feelings, and – as a rule – any interventions they did make did not have serious consequences for the 'blasphemers'. Chira Koval'ski, a model photographed naked against the backdrop of a sacred grove, faced no sanctions after the Altai republic's Ministry of Culture appealed to the public prosecutor to evaluate her actions. The model apologized to believers, explaining that she had not known the place was venerated as holy by the local Altai people.

Mikhail Markelov, deputy chair of the State Duma's Committee on Civil Society Associations and Religious Organizations, asked the Investigative Committee of the Russian Federation to examine Nikita Dzhigurda's video 'New Year Dzhigurdance' or 'Santa Dzhigurda' for insult to believers' feelings: an image of the crucified Christ is used in the video. The Investigative Committee found no grounds to initiate proceedings, however.

The sole case which evoked punishment for offending religious feelings as such is that of the Novosibirsk artist and civil society activist Artem Loskutov. In February Zheleznodorozhnii district magistrate court in Novosibirsk fined him a thousand rubles under the old version of article 5.26 of the Code of Administrative Offenses, for the dissemination of an image of Pussy Riot members in the style of an icon. In September the image itself was found insulting to religious sensibilities and banned as extremist by the city's Tsentralnii district court.

In November Tiumen regional court sentenced Andrei Korablev, a representative of the Union of Militant Atheists (*Soiuz voinstvuiushchikh bezbozhnikov*) to two years' imprisonment, suspended, for the publication of a pornographic video clip depicting women dressed as nuns. The court found Korablev guilty under point b, part 3, article

242 of the Criminal Code of the Russian Federation ('Illegal production and distribution of pornographic materials or items using mass media or the internet').

The champions of 'religious sensibilities' have notably increased their campaigning activity since 2012. In 2013 'Orthodox activists' carried out several attacks on cultural establishments and participants in street actions in Moscow. These activists are basically a fairly small group of one and the same people; representatives of the God's Will (*Bozh'ia volia*) movement, headed by the 'missionary' Dmitrii (Enteo) Tsonionov.

In February a group of Orthodox Christians attempted to get into the G-Spot Museum of Erotic Art in Moscow. A man with an icon and a group of elderly women with bags and a holy water sprinkler attempted to enter, but were stopped by security guards. During the resulting scuffle the icon was damaged.

Several attacks happened at once in March. Orthodox activists headed by Tsonionov attempted to disrupt two street actions: they threw eggs at participants in a meeting for women's rights organized by the Yabloko party, but instead of attacking those conducting single person pickets in defense of Pussy Riot, they read them extracts from the Bible.

Moreover, God's Will representatives attacked the Yabloko party office and the State Darwin Museum. They took literature from Yabloko's office and ceremonially burned it as '*pulp literature of a party of Satanists and perverts*' near metro Novokuznetskaia. They hung a banner reading 'God created the world' up at the Darwin Museum, conducted a prayer service and scattered leaflets in the central hall: '*We are protecting our children from lies! The universe was created by God 7522 years ago. The "theory of evolution" is a pseudo-scientific myth, an untenable thesis unproven by anyone at any time. Trotsky and Hitler and the "Russian Breivik", Vinogradov, used this frightening occultist myth to justify the murder of millions of people*'.

Then even members of the Federal Migration Service interrupted a performance of 'The Moscow Trials' at the Sakharov Center, accompanied by Cossacks, Orthodox activists headed by Enteo and Kirill Frolov, and an NTV film crew. The play offered its own interpretation of the court cases against the 'Danger, Religion!' and 'Forbidden Art' exhibitions, and the trial of Pussy Riot. After representatives of the Federal Migration Service had left, declaring that they had no problem with the Center, the Orthodox activists and Cossacks – wishing to 'prevent lawlessness' in relation to Orthodoxy – disrupted the performance yet again.

In July, the Orthodox Faith Corps, part of the youth organization Nashi, organized an Orthodox F.A.Q. festival at Triumfalnyi Square in Moscow, during which they hung up a banner listing twelve enemies of Orthodoxy: Stanislav Belkovskii, Marat Gel'man, Sergei Bychkov, the newspaper *Novaia gazeta*, the Jehovah's Witnesses, Pavel Gusev, *The New Times*, FEMEN, the Sakharov Center, Alexander Soldatov, Alexander Nikonov, and Pussy Riot.

In November a group of Orthodox activists headed by Tsonionov attempted to wreck a performance of 'An Ideal Husband' at the Moscow Art Theatre. They rushed onto the stage crying '*How can you tolerate this mockery of our faith? Why do you so hate Christ, when he was crucified for us?*' In December God's Will began gathering signatures for a petition demanding that the plays 'An Ideal Husband' and 'The Karamazovs' be cancelled, and the theatre's artistic director Oleg Tabakov – together with all those responsible for these performances – be dismissed.

Liquidation of religious organizations and denial of registration

In contrast to 2012, we recorded some instances of religious organizations being liquidated.

Two Muslim organizations were liquidated for failing to provide reports on their activities, for having charter documents which did not accord with legislation, or for providing inaccurate information.

In February, at the request of the Ministry of Justice, Primorye regional court liquidated the Qadi Directorate of Muslims of Primorye (*Kyzyiatskoe upravlenie musul'man Primor'ia*). The Ministry had already asked the Directorate to eliminate a number of legislative infringements on several occasions, but the organization had not done so. These violations included being composed of only two local religious organizations, instead of the required three, and failing to report on activities.

In June Yamalo-Nenetsk autonomous region court liquidated the Iman Muslim religious organization (under the Spiritual Directorate of Muslims of Asian Russia) of Gubkinskoe, at the request of the regional prosecutor's office. The organization had provided inaccurate information in the documents they submitted for registration, and failed to provide reports for 2010-2012. In October the Supreme Court upheld this decision.

Sanctions were also applied to two Orthodox organizations for failing to submit reports on their activities or tax declarations by the deadline, but matters didn't proceed as far as liquidation.

In Tula region a magistrate's court fined the parish priest of the Church of the Holy Epiphany (*Sviato-Bogoiavlenskii khram*) in Kimovskii district 300 rubles for this sort of violation.

The Moscow Federal Tax Service Office excluded the Russian Orthodox Church from the Unified State Register of Legal Entities for failure to submit the necessary documentation on time, but within a few days the matter was sorted out and the Church once again accorded the status of a legal entity. Naturally there was no question of liquidating the Russian Orthodox Church; rather this was simply a conflict over its failure to provide the required documentation.

Efforts to ban the Horde (*Orda*) organization were also noted over the course of the year, with criminal proceedings being initiated against this religious association in Cheliabinsk and Kurgan regions, and in Bashkortostan. In February, the Horde organization in the village of Izmailovskii, Cheliabinsk region, was banned as extremist by order of the Kizil'skii district court. First the public prosecutor, and then the court, identified this organization with the religious association Ata Zholy (The Way of Ancestors), banned in Kazakhstan. However, the provision of non-traditional healing methods, cases of diagnoses being made by people without medical training, and instances of refusing traditional medicine were the main complaints against the local Horde.

Thereafter the Horde was included in the Federal List of Extremist Organizations. In April Cheliabinsk prosecutor's office requested that the court ban Horde activities in the regional center. The Horde organization was banned in the village of Lesnikovo, Kurgan region, in October, and in December the woman who ran the Ufa Horde was found guilty by a Bashkortostan court under part 1, article 239 of the Russian Federation Criminal Code ('Organization of an association which encroaches upon the person and the rights of citizens'). She was fined 100 thousand rubles. In all these instances the law enforcement agencies' complaints amounted to using '*psycho-technologies, including alteration of consciousness*', the application of prayer and *kamchevanie* (blows of the lash) and interaction with the spirits of the dead. We do not propose to evaluate the harm inflicted by such practices, but we do consider the banning of the Horde for extremist activity to be unlawful, since the violations the organization is accused of are not covered by anti-extremist legislation.

Besides these, several organizations conducting educational activities without a license were liquidated.

The prosecutor's office shut the Bible College of the Far East (*Dal'nevostochnyi bibleiskii kolledzh*) in Khabarovsk, because '*the organization is a professional religious education institution*' but was not registered as religious.

St Petersburg city court liquidated local religious organization the Harvest (*Zhata*) Church of Christians of the Evangelical Faith (Pentecostals), for not having a license to conduct

educational activities. Moreover the church's charter documents did not mention the provision of educational services, and the court considered that the church had provided them. The Supreme Court upheld this ruling in 2014. According to the defense, the decision to liquidate the church was unlawful because the church had not conducted educational activities, but simply provided accommodation for children's classes.

In contrast, the Petersburg Orthodox Enlightenment Center was liquidated for conducting religious activities instead of the educational activities specified in its charter documents. The fact that Russian Orthodox Autonomous Church parishes were accommodated in the Center's premises was also considered an infringement of this charter, despite the fact that – according to Center director, archpriest Alexei Lebedev – the Center has no legal relationship with this church, but simply provides accommodation to various religious organizations.

The Nizhegorodskii district court of Nizhnii Novgorod supported the legal action brought by the regional department of the Ministry of Justice to liquidate the Nizhnii Novgorod Faizkhanov Islamic Institute (*Nizhegorodskii islamskii institut im. Kh. Faizkhanova*). The lack of a license to conduct educational activities, use of symbols not registered in accordance with established procedures on their forms and stamps, and misrepresenting the legal-organizational type of the institution in charter documents served as reasons to close the organization down. Incidentally, when Damir Mukhetdinov received an order to rectify the violations back in 2012, he himself suggested dissolving the organization since by then another organization with the same name had been registered, but this time as a private educational institution. It is precisely this second organization which has continued its activities.

As in previous years, several religious organizations experienced difficulties securing state registration.

The Primorye regional department of the Ministry of Justice refused to register two local Muslim organizations called Islam, in Partizansk and Arsen'ev, because it deemed the information provided about the founders of these organizations to be unreliable.

The Moscow Church of Scientology once again failed to appeal against the refusal by the Ministry of Justice to re-register them. As before, the Ministry of Justice did not implement the 2007 ruling by the European Court of Human Rights, which found the refusal to re-register the organization unlawful. Moscow city court refused to uphold the Scientologists' complaint against the Ministry's actions. The Ministry, and the Moscow city court thereafter, considers that the charter documents of this religious organization contain violations which contravene legislation, in particular, that the name of the organization does not indicate its legal-organizational and confessional nature. The Church of Scientology considers these complaints groundless, since the charter has previously been registered by the Ministry of Justice.

Religious organizations encountering difficulties with government agencies often managed to defend their rights in court. It was most often Protestant organizations and representatives of new religious movements (henceforth, NRMs) which succeeded in proving the sanctions taken against them to be unlawful.

In April Kemerovo regional court failed to uphold a complaint by Iurga prosecutor's office, Kemerovo region. The public prosecutor had hoped to overturn the decision not to ban the activities of a local group of Jehovah's Witnesses, taken in 27 December 2012 by the Iurga town court.

In Rostov region a Protestant organization managed to contest the decision to liquidate it. An unregistered group of Evangelical Christians-Baptists, who ran a rehabilitation center for those dependent on drugs and alcohol, was liquidated in June as a result of an action brought by the Shakhta town prosecutor's office. Lack of state registration and a failure to comply with the law 'On civil society organizations' were cited as grounds for the ban, although this law does not apply to religious groups and they are not required to

register. Not perceiving any violations in the group's activities, the Rostov regional court overturned this decision in August.

In March the St Petersburg prosecutor's office filed a lawsuit requesting the liquidation of the Islamic Cultural Center for violations it had identified, including of public hygiene and fire safety regulations at the property rented by the center. Moreover, two copies of a book deemed to be extremist, *Gardens of the Righteous (Sady pravednykh)* by the famous medieval imam al-Nawawi, were found at the center. In December the Thirteenth arbitration appeal court decided the actions of the public prosecutor were unlawful.

Discrimination against religious organizations and citizens on the basis of their attitude to religion

As in previous years, Protestant organizations and representatives of NRMs were most often subject to discrimination, as government officials and members of the security services perceive them to be followers of 'non-traditional' religious teaching, and to represent a danger to Russia. Bureaucrats made 'anti-sectarian' announcements and attempted to restrict the rights of representatives of such religious organizations, one way or another, at both regional and federal level.

A special structure was even created in parliament to further the struggle with these religious organizations. A working group, supervised by Mikhail Markelov, was set up under the State Duma Committee on Civil Society Associations and Religious Organizations to study the activities of 'representatives of non-traditional religions', 'civil society associations of religious persuasion', and 'foreign religio-civil society organizations', and to ensure that the law on protection of religious feelings would not apply to them. The group did not report on its findings during the course of the year, however.

Government officials united with various civil society forces – in first place, the Russian Orthodox Church – in the fight against 'sectarians'. In Kaluga region, for example, only ROC representatives were invited to attend a round table on 'Freedom of conscience and religious confession'. At the behest of local officials, representatives from Protestant and Muslim organizations were refused entry to the event by security guards.

The governor of Stavropol region, Valerii Zerenkov, proposed to '*protect the region from dangerous teachings*' with the help of the Cossacks. We are unaware of how, or whether, this idea has actually been applied in practice.

Religious organizations of all confessions, in various regions, were affected by the wave of checks on non-commercial organizations initiated in connection with the law on 'foreign agents', despite the fact that they are not even covered by this law. According to the Pentecostals, for example, checks were conducted on 1,500 of their communities. In the majority of cases the religious organizations did not face any serious consequences as a result of these checks: occasionally they were asked by investigators to make some changes to documentation. Many of those organizations against which sanctions were applied managed to contest them.

In Rostov region Catholic parishes in Rostov-on-Don, Novocherkassk, Volgodonsk and Azov were subjected to such checks. A check on the Assumption of the Most Holy Virgin Mary parish (*priklad Uspeniia Presviatoi Devy Marii*) in Novocherkassk revealed violations of fire safety regulations, and both the religious organization and the parish priest were fined. The fine, moreover, amounted to more than the parish's annual income. A court later repealed the decision about the fine.

In 2012 we noted the abatement of a long-running campaign of harassment against Jehovah's Witnesses. We can verify that in 2013 representatives of this organization experienced discrimination as before, but the pressure on them from bureaucrats and the security services has not increased.

In August the vice governor of Murmansk region, Anatolii Vekshin, sent a letter out to the heads of municipalities which talked about the 'threat' of Jehovah's Witnesses and ordered them to inform the law enforcement agencies about any events organized by this organization. In December the Administrative Center of Jehovah's Witnesses in Russia appealed to Murmansk's Oktiabr'skii district court to recognize this letter as unlawful and recall it. The vice mayor agreed to recall the letter in January 2014, and the case was closed.

Detaining Jehovah's Witnesses who are engaged in door-to-door preaching continues to be the main way of discriminating against them. Police officers detained believers in Moscow, Bashkortostan, the Komi republic and Tatarstan, in the Khanty-Mansi and Yamalo-Nenetsk autonomous regions, and in Altai, Belgorod, Cheliabinsk, Irkutsk, Kirov, Kostroma, Krasnodar, Orenburg, Orlov, Primorye, Ryazan, Samara, Saratov, Sakhalin, Tambov, Tver, Tiumen, Volgograd, and Vologda regions. As a rule those detained were taken to the police station, where 'conversations on religious themes' were conducted. Sometimes they were searched, literature was seized and they were forcibly photographed and fingerprinted.

Bureaucrats and members of the law enforcement agencies also obstructed the worship of Jehovah's Witnesses. Police officers attempted to disrupt services in Novyi Urengoi and Novokuibyshevsk, for example. A Jehovah's Witness community in Orlov region was fined for conducting a service without the permission of the authorities. The director of a House of Culture in Nakhodka, Primorye region, received a warning from the prosecutor's office and was fined under article 19.1 of the Code of Administrative Offenses ('Arbitrariness') for providing accommodation to a Jehovah's Witnesses' assembly.

There were also cases of discrimination against representatives of 'traditional' religions.

As in previous years, instances of discrimination against foreign preachers were recorded. Despite a request from the parliament of Kalmykia, the Ministry of Foreign Affairs once again refused to issue an entry visa for the Dalai Lama.

Several cases of police arbitrariness with regard to Muslims were recorded. While checking the documents of customers in a café next to a mosque, Surgut police demanded that Muslims cut off their beards, threatening to set fire to their beards if they didn't. The victims attempted to initiate a criminal case against the police officers under article 286 of the Criminal Code of the Russian Federation ('abuse of office'), but the Investigative Committee for Khanty-Mansi region refused to initiate proceedings, perceiving no indications of violence in these police actions.

Muslim café customers were subjected to police attack in Moscow, too. Forcing the Muslims to lie on the floor, police officers beat them with gun-butts, stood on their hands and insulted them. According to the official line, this operation was implemented to apprehend a band of robbers.

Several citizens were sacked as a result of conflicts in which religion was the underlying cause. A Perm resident, for example, was sacked for expressing his displeasure at the Orthodox ritual blessing of an office.

Artist Lusine Dzhanian, who had worked at the Krasnodar University of Culture and Arts for a decade or so, was sacked by university management after demonstrating support for Pussy Riot. The management demanded that she stop supporting the punk group and delete photographs of placards from LiveJournal. The artist was called 'an enemy of Orthodoxy' during the academic board meeting at which the decision was taken to sack her.

We recorded the first instance in several years of a religiously-motivated refusal to treat a medical patient. A doctor at one of Petrozavodsk's clinics for women refused to accept a patient in a Muslim headscarf, declaring that she herself was a Jew and '*because of my religious feelings, I will not accept a Muslim woman [patient], or any other such [women] in headscarves*'. After the administration intervened, the patient was admitted, but '*with*

a hostile attitude'. The doctor was formally disciplined, and the victim received apologies for the incident from the republic's Ministry of Health and Social Development and the head doctor.

Attending educational institutions – especially state schools – in Muslim dress remains seriously problematic. Even Vladimir Putin has commented on this issue: on the program 'A direct line to Vladimir Putin' in April, asked about the possibility of girls attending lessons in Muslim headscarves, he declared that *'there has never been any such tradition in our country, including in the Muslim regions'*.

Nevertheless, many Muslims consider the school dress code, which excludes scarves for girls, to be an infringement of their rights. When school uniform was introduced in Stavropol region in 2012, around ten Muslim students transferred to alternative types of study. The necessary consultations with teachers were arranged for all these children.

Muslims in Ulyanovsk region appealed to the governor to reconsider the regional legislative assembly's ruling on school uniform requirements, which included a ban on wearing headgear. According to the petitioners, this requirement *'is unacceptable for Muslims who practice their religion'*.

Wearing the 'hijab' occasionally became an issue in higher educational institutions too. A student of Krasnodar's medical university was expelled for wearing a Muslim headscarf, but managed to get herself reinstated and to collect five thousand rubles compensation from the educational institution for the moral injury suffered.

Protection from discrimination

Many of those who experienced discrimination – above all, Jehovah's Witnesses and representatives of Protestant organizations – successfully defended their rights in court. Legal proceedings against the Jehovah's Witnesses of Bryansk and Belgorod for administrative offences were halted by higher legal authorities, for example.

The Tsentralnyi region court of Cheliabinsk upheld the complaint of a Jehovah's Witnesses community which demanded that the 2012 ban on their holding a convention be recognized as illegal.

Jehovah's Witnesses in Gorodets, Nizhnii Novgorod region, appealed against the district administration's refusal to grant them permission for a convention. The head of the district administration, moreover, had cited the opinion of the local Orthodox bishop. Gorodets town court found this refusal to be unlawful.

The European Court of Human Rights ruled that Russia should pay five thousand euros compensation each to Jehovah's Witnesses Ekaterina Avilkina (from Nal'chik) and Valentina Zhukova (St Petersburg) for moral damages. The women's medical records had been disclosed to the public prosecutor without their consent, after they refused blood transfusions on religious grounds in 2007. The ECHR considered this a violation of article eight of the European Convention (the right to respect for private and family life).

The public prosecutor applied to the courts to shut down a rehabilitation center for drug addicts and alcoholics run by the Exodus (*Iskhod*) Church of Christians of the Evangelical Faith in Rostov region. After running checks on the activities of the Exodus Church, the prosecutor's office decided that the religious organization's social work was unlawful. Moreover, a number of violations were identified in the work of the rehabilitation center itself, which included – for example – *'the unsmiling faces of drug addicts during examination'* and the presence of *'crawling lice'*. The court found the prosecutor's arguments unsound, all the witnesses called by the prosecution gave evidence in defense of the rehabilitation center, and the case was terminated.

Sykytykar town court found the town administration's failure to agree somewhere for the God's Glory (*Bozh'ia Slava*) Church to hold services to be unlawful, and recognized the organization's right to conduct services near the Avrora shopping center and a household

services center. This is not the first time that church representatives have successfully appealed against the actions of the town's bureaucrats.

Insufficient protection against defamation and attacks

We did not record any murders clearly motivated by religious hatred in 2013, but there were around 30 attacks in which the underlying causes were religious. Although in the majority of cases the victims were not seriously injured, this represents a significant increase on the previous years' figures.

Jehovah's Witnesses engaged in their door-to-door missionary work were – as before – most often subject to attack. Over the course of the year Witnesses were attacked in Moscow, Mari El, and in Voronezh, Ivanov, Moscow, Omsk and Rostov regions, amongst others. No fewer than 12 witnesses were assaulted, but – with one exception – the victims suffered no serious harm to health. The exception was an elderly woman assaulted by an Omsk resident in March: she received a broken rib and damage to her right lung. Witnesses conducting missionary work in Moscow, Moscow region and Kirov were threatened with pistols.

We also recorded one attack apiece on representatives of Islam, Protestantism, Judaism and Orthodox Christianity.

A worker from the God's Glory Pentecostal church in Syktyvkar was beaten up. He had been participating in a picket in support of Pastor Viktor Dudin, on hunger strike to protest what he perceives to be a forcible takeover of property belonging to one of the Protestant charitable foundations.

A man attacked an imam's aide after Namaz/Salah [prayers] in Nefteyugansk, bursting into his office with the words: 'you pray incorrectly'.

In Moscow region, a group of young people wearing kippot [Jewish skullcaps] were beaten up by two passengers on a suburban train on the eve of Yom Kippur. The attackers shouted nationalist slogans.

In Volgograd hieromonk Gerontii (Potapov), out walking in a cassock, was beaten up by unknown assailants. The victim suggested that his attackers might be nationalists or Satanists, but it is possible that the attack was connected with the upcoming ataman elections and a pre-election struggle amongst Cossack organizations.

72 cases of vandalism against religious targets were recorded in 2013, slightly more than those recorded in 2012 (69 cases).

The majority of targets, as in 2012, were Orthodox (32), but this represents a drop of about a quarter in comparison to the previous year (42 cases). In Vladimir three Orthodox churches were all desecrated on Christmas night. Although the campaign of cutting down crosses in public places has continued, it is winding down – there were four cases of vandalism against crosses recorded in 2013.

In second place came NRM targets (11 cases), barely changing since last year, when ten instances were recorded. All of these cases, moreover, were directed against Jehovah's Witnesses' property.

The number of attacks against Muslim targets almost doubled – from five to nine cases – possibly in reaction to the terrorist attacks in Volgograd.

Six cases of vandalism against Jewish property were recorded, and one case each of attacks on Protestant, pagan and Yezidi targets.

The number of dangerous acts of vandalism remains high. A synagogue in Ekaterinburg was shot at, as were Jehovah's Witnesses buildings in Altai region and Kurgan. There were arson attacks against a Jewish community center in Perm, a Baptist prayer house in Belgorod (possibly the result of an explosion), Muslim prayer houses in Astrakhan and

Volgograd, and a mosque in Kazan. Seven Orthodox churches were set on fire in Tatarstan, and a further seven cases of arson against Orthodox targets were recorded in other regions. Happily no one was injured in any of these incidents.

As in previous years, xenophobic material about religious organizations was published in both federal and regional mass media. Most often this sort of reporting was 'anti-sect' and anti-Islamic. As a rule the organizations mentioned in this material sought an official retraction, and some of them received it.

One of the most sensational cases was the 'Followers of Aum Shinrikyo want to build a "City of Happiness" in Nizhnii Novorod region' report by the Rossiia-1 television channel, which focused on the Divya Loka Center of Vedic Culture in Nizhnii Novgorod region. Settlement residents were accused of '*damaging the spiritual health of another person, driving a person to commit murder, similarity with the terrorist sect Aum Shinrikyo, group sex and orgies*'. Representatives of Divya Loka took the television channel to Moscow's Savelovskii court over the defamatory information disseminated, and in January 2014 the court ordered the television channel to publish a retraction.

Novosibirsk eparchy's missionary department published an article entitled 'Hare Krishna followers go on the offensive in Novosibirsk', which called for the mayor '*not to allow Krishna devotees' religious marches, which represent a threat to the spiritual health of our citizens and the country as a whole, onto the streets of our town*'. The Novosibirsk public prosecutor's office issued a warning to archpriest Alexander Novopashin, the director of the eparchy's Information and Consultation Center on Sectarianism, reminding him not to infringe the rights of citizens to freedom of conscience and religious confession. The article was withdrawn.

In addition to the above mentioned anti-Krishna devotee reporting, the Rossiia-1 television channel also broadcast anti-Islamic material. The story 'Aggressive Islam: Stavropol splits into our own and aliens' attracted the attention of the Chechen ombudsman, Nurda Nukhazhiev, who requested that it be examined for evidence of inciting enmity.

Members of the Assalam women's Islamic community in Stavropol were disturbed by the contents of a news story, 'An ordinary house, hostel, or sect?' on the same television channel. The story focused on the search of a madrasah on 1 November 2013, and journalists represented members of the religious group as extremist.

Representatives of 'alternative' Orthodox Christianity were also subject to defamation. Newspapers *Vladimir Gazette (Vladimirskie vedomosti)* and *The Virgin Soil of Suzdal (Suzdal'skaia nov')* published an article about the Russian Orthodox Autonomous Church entitled 'State department in a cassock?' Representatives of RPATs demanded a retraction and declared that the article offended their feelings, containing as it did '*50 slanderous assertions, insults and misinformation, much of which contains open incitement to inter-confessional enmity and confrontation, together with extremist slogans*'.

The 'anti-Church campaign' – material critical of the Russian Orthodox Church which appeared in the media in 2012 in connection with the Pussy Riot case – evidently disturbed the authorities, since in 2013 a federal channel was moved to expose it. At the beginning of the year NTV aired a film by Boris Korchevnikov, 'I don't believe!', presented as a journalistic investigation into the 'information war' against the Church. The film was a selection of incomprehensible 'pictures' and interviewees' remarks taken out of context, intended to convince the viewer that the 'anti-Church campaign' was the work of art gallery owner Marat Gel'man and blogger Rustem Agadamov in particular, supported by Ukraine and the West.

One of the participants in this 'campaign' – Mikhail Anshakov, head of the Society for the Protection of Consumers (*Obshchestvo zashchity prav potrebitel'ei*) – was found guilty under part 2, article 128.1 of the Russian Federation Criminal Code ('Slander, contained

in a public speech, publically displayed work or the mass media'). Anshakov was fined 100 thousand rubles for a 2012 interview in which he talked about the business center, the car washing, servicing and tyre fitting, the 305 parking spaces, the laundry, canteen, and retail outlets active on the territory of the Christ the Savior Church (*khram Khristos Spasitelia*).

As in previous years, private individuals and representatives of civil society organizations periodically attempted to oppose religious organizations by a variety of means, from defamation to threats.

Activists from the organization Emergency Services for Youth (*Skoraia molodezhnaia pomosh'*) held a few single person pickets against Jehovah's Witnesses in Belgorod. Picketers handed out brochures entitled 'Beware – a sect' to passers-by.

In Syktyvkar Aleksei Kolegov, leader of the national-patriotic organization Frontier of the North (*Rubezh Severa*) disrupted the single person picket in support of the aforementioned pastor of God's Grace Church, Viktor Dudin.

In 2013 we recorded a type of defamation that we had previously not encountered. On the eve of Eid al-Adha in October, hackers attacked three Muslim websites. The hackers posted images of a pig's head and an insulting inscription on sites belonging to the Council of Muftis of Russia, the chair of the Council of Muftis, and the Moscow Sobornaia Mosque.

[1] This project has been financially supported by government funds, awarded by the President of the Russian Federation on 18 September 2013 decree no. 348-rp, and via a competition run by the Civil Dignity Movement.

[2] O. Sibireva, 'Freedom of conscience in Russia: Restrictions and challenges in 2012' // SOVA Center. 2013. 15 May (<http://www.sova-center.ru/en/religion/publications/2013/05/d27087/>).

[3] For a detailed commentary see: A. Verkhovsky, 'Zakon, vyrazhaiushchii neuvazhenie k zdravomu smyslu' // *Ezhednevnyi zhurnal*. 2013. 20 May (<http://ej.ru/?a=note&id=12957>).

[4] In March 2014 a case of insulting religious feelings (article 148 of the Criminal Code) was initiated in relation to a Khanty-Mansi autonomous region resident who swore obscenely in a church.

[5] On 29 January 2014, speaking at the Christmas Readings, Anoprienko cited different figures: 203 applications were received during 2013 from religious organizations, 187 of them from the Russian Orthodox Church. 32 transfers were finalized, a further 92 received a positive response but have not yet been implemented, and 53 are currently being worked on.

Auction to end Old Believer church restitution hopes?

By Victoria Arnold

Forum 18 (23.05.2014) - Despite a verbal promise from the regional governor, Old Believers in Yekaterinburg in the Urals fear that they may never get restitution of their church, seized during the Soviet period. Sverdlovsk Regional Property Fund is due to

auction the historical church on 11 June. "Logic, common sense, the Governor's promise, and historical justice compel us to believe that the church building will be handed over to its rightful owners," Maksim Gusev of the Church's Urals Diocese told Forum 18 News Service. "But officials are doing everything to obscure the situation and delay the outcome." Lutherans in Vyborg in north-western Russia have been refused the restitution of their former parish house, which they hope to use as the pastor's accommodation and a Sunday school. A 21 May court decision claims this is not a "religious purpose" as required under the 2010 restitution law. Catholics in Barnaul have been promised the return of their Soviet-confiscated church "no later than 3 February 2018".

Three and a half years since it came into force, Russia's 2010 Law on the Transfer of Religious Property to Religious Organisations has proved to be no guarantee that the restitution process will be easy or unchallenged, or indeed that religious property seized during the Soviet period will be returned at all, Forum 18 News Service has found. Some religious communities fear they may never get back their historical property.

Soviet-confiscated religious buildings may yet be sold to developers, as in the case of an Old Believer church in the Urals city of Yekaterinburg. Or they can have their religious significance disputed, as in repeated court cases brought by Lutherans in the north-western city of Vyborg trying to regain a parish house. In areas of intensive urban development, commercial concerns may prevail over the principles of the Law.

Religious communities have made hundreds of applications for the return of former places of worship under the 2010 Law. These include 734 requests for federally owned properties alone, according to the Federal Agency for State Property Administration (Rosimushchestvo).

The 2010 Law allows religious communities to attain full ownership of property and other items of religious purpose to which they can demonstrate their rights. In contrast to earlier laws, it introduced defined time periods for dealing with cases. However, the same government body that currently owns the property also oversees the arbitration process for those dissatisfied with its decisions (see below).

In 2010, a Catholic church in Russia's Baltic exclave of Kaliningrad, which the local parish had been trying to get back in vain since the early 1990s, was among a number of religious properties suddenly handed to the Russian Orthodox Church. Other properties handed over, which likewise never belonged to the Orthodox, included former Lutheran churches and castles originally built by the Teutonic knights (see F18News 14 December 2010 http://www.forum18.org/archive.php?article_id=1521).

Some religious organisations also encounter problems building new places of worship, including repeated denials of land, withdrawal of permission to build (as in the case of Moscow's Hare Krishna community), and court orders to demolish nearly-completed structures (e.g. mosques in Kaliningrad and Pyatigorsk) (see F18News 5 June 2014 http://www.forum18.org/archive.php?article_id=1965).

Old Believers in Yekaterinburg

The former Old Believer Holy Trinity Church, on Rosa Luxemburg Street in central Yekaterinburg, is due to be auctioned on 11 June, despite regional Governor Yevgeny Kuyvashev's assurances to Old Believers that it would be returned to them. The church functioned from the 1880s until its confiscation in the 1930s, and latterly housed a tuberculosis clinic.

The group seeking the return of the building belongs to the Belokrinitsa Concord of Old Believers. The Old Believers (the term also refers to priestless denominations outside the

"priestist" hierarchies) separated from the official Russian Orthodox Church in the 17th century in protest against liturgical reforms, and they carry on liturgical practices in use before this time.

The Church's head, Metropolitan Kornily, approached then-Governor Eduard Rossel seeking the church's return in 2007, but no progress was made. In July 2013, Kornily met Rossel's successor, Kuyvashev, who "responded positively to the Metropolitan's request, noting that at the end of 2013 or a little later, the doctors and patients would move into a new clinic .. and then the building should be handed over to the Old Believer community", the Church's website noted.

As required by the Governor's office, immediately after the meeting, the Church sent an official request for the transfer. But the administration never registered receipt of this letter, Maksim Gusev, press secretary of the Church's Urals Diocese, told Forum 18 on 15 May. The Old Believers, however, trusted the Governor's word.

The Old Believers contacted the Governor's administration at the end of 2013, when they thought the building would be vacated, but were told that their letter had been "misaid". "Waiting for an invitation to take the building, we could simply be left out of the situation," Gusev told Forum 18.

The community sent another letter on 29 January 2014. The 17 February response from Yakov Silin, deputy chair of the regional government, seen by Forum 18, claimed that a "series of working meetings and consultations to reconcile the positions of interested parties" was ongoing and that "the search for a compromise is continuing". He expressed hope for a "positive solution to the problem, in the interests of [the Church]".

Auction

In early April, however, Sverdlovsk Regional Property Fund announced the auction of the building and associated land with a starting price of 355.64 million Roubles (62 million Norwegian Kroner, 7.6 million Euros or 10.4 million US Dollars), according to sale documents seen by Forum 18. The sale was to be held on 29 April, but was postponed first to 20 May, then to 11 June, according to the Property Fund's website.

A spokeswoman for the Property Fund told Forum 18 on 20 May that the auction had been postponed "by decision of the owner" (i.e. Sverdlovsk Region). She denied any knowledge of a promised return of the building to the Old Believers.

Rosa Luxemburg Street lies in a zone of intensive housing development. Two construction companies have expressed interest in the auction, one of which has already built a large residential block in an adjoining street and is seeking to expand it. The Old Believers fear that if the former church is sold to a developer, it will be impossible to regain it, as it will likely be demolished.

Yekaterinburg has two Old Believer parishes. One is based at the Church's sole surviving pre-1917 building in the city, Nativity Church, while the other, Holy Trinity parish, has no church of its own and had therefore been hoping for the building on Rosa Luxemburg Street. According to the samstar.ucoz.ru Old Believer website, the number of Old Believers in Yekaterinburg is growing, and the existing church building cannot accommodate the congregation at major services.

The disputed building was listed as an object of cultural heritage of regional significance, a status which protected it from demolition. This status was removed, however, by a regional law of November 2013.

Urals Diocese press secretary Gusev still hopes the Old Believers may yet regain their

church. "Logic, common sense, the Governor's promise, and historical justice compel us to believe that the church building will be handed over to its rightful owners," he told Forum 18. "But officials are doing everything to obscure the situation and delay the outcome. So now it is difficult to make predictions."

Gusev stressed that the Old Believers "do not despair", though. "Every Sunday at five o'clock they come to the front of the building to pray again and again and ask God for the return of the property which was originally theirs."

Lutherans in Vyborg

After four years, multiple applications, and several court cases, the Vyborg parish of the Evangelical-Lutheran Church of Ingria is still struggling to regain ownership of a historical property. A January decision in the parish's favour at St Petersburg's Arbitration Court was overturned in May, and the community is preparing for another attempt, parish rector Vladimir Dorodny told Forum 18 on 20 May.

The parish house was built in 1928, when Vyborg (now in the Leningrad/St Petersburg Region) was part of Finland. After the Red Army took the area in 1944, it became a military recreational facility, a purpose it retained until 2011. The Defence Ministry then passed it to the Vyborg city administration, which later transferred it to the control of Vyborg District.

The Lutherans - who regained the use of Vyborg's St. Peter and St. Paul Church in 1991 - wish to return the nearby house to its previous roles as Sunday school and pastor's apartments, as well as to open a nursing home. They made three official applications to have the building returned, directed to the Defence Ministry (in 2010, before the adoption of that year's Law) and the city and district administrations (in 2012 and 2013 respectively).

The Defence Ministry denied the first application on the grounds that the building had already passed into the ownership of the city of Vyborg, according to court documents seen by Forum 18, despite the Lutherans having made their initial request before this transfer took place. Attempts to challenge the Ministry's lack of action in court were unsuccessful. The judge ruled that the change of state ownership had been appropriately communicated to the Lutherans.

Subsequent applications to the city and district administrations in April 2012 and March 2013 were denied as the building was deemed to be neither of religious significance nor serving religious property. This is in spite of the fact that property once used for religious education (e.g. a Sunday school) is covered by the 2010 Law.

The parish challenged the city's refusal unsuccessfully in St Petersburg Arbitration Court. According to the verdict, seen by Forum 18, the judge ruled that no evidence had been produced that proved religious significance.

Vyborg District's refusal was overturned by St Petersburg Arbitration Court on 21 January 2014. The court recognised the religious significance of the property and stated that the purpose of the 2010 Law is "the restoration of historical justice".

This decision was itself overturned at the Thirteenth Arbitration Appeal Court in St Petersburg on 8 May, according to the written decision issued on 21 May and seen by Forum 18. The court concluded that the original works contract and pre-WWII directory of Vyborg the Lutherans presented as evidence did not prove that the disputed building had been intended for the fulfilment of religious purposes, only that it had been constructed at the parish's expense and used as offices. The Lutherans have two months to submit any appeal at the Federal Arbitration Court of the North-West.

In July 2013, the administration rejected claims of historical ownership: "By this logic, we should give the Finns the whole of Vyborg," unnamed "specialists" told local website 47news.ru on 20 July 2013.

Pastor Aleksandr Kudryavtsev, the Church of Ingria's property manager, told 47news.ru at the same time that the restitution process varies within Leningrad Region – the regional authorities are generally "neutral" and sometimes helpful, but the municipalities can be obstructive.

Parish house sale?

As Vyborg parish rector Dorodny explained to Forum 18 on 20 May, the district authorities say they are using the building, although they rent out only part of it (according to the administration website, to Vyborg's Youth House). In an echo of the Yekaterinburg Old Believers' case, Pastor Dorodny added that "there are also suggestions that they may sell the house, but this is not confirmed".

An 8 May statement on the district administration's website declares that it "managed to convince the court" that the building was not used "for the performance of services, religious rites or ceremonies" and that if the house "was never intended to serve property of religious significance either in the Soviet Union or in Russia, and does not constitute a cult complex with religious property, it cannot be freely given to a religious organisation".

This is an interpretation of Article 5, Part 3 of the 2010 Law, which governs the transfer of property which "does not have religious significance, and is intended to serve religious property and/or forms with it a monastic, church, or other religious complex". The administration ignored the possibility that properties integral to a religious organisation's activities might not be adjacent.

"It remains for us only to continue the fight and pray for the parish house," Pastor Dorodny told Forum 18, "which by federal law should be returned to the parish, but for some reason has not yet been given to us."

Catholics in Barnaul

The Roman Catholic community of Barnaul, in the Altai region, has been trying to regain the use of its pre-1917 Church for more than twenty years (see F18News 3 August 2005 http://www.forum18.org/archive.php?article_id=624).

The Immaculate Heart of the Virgin Mary Church, which was completed in 1913 and forcibly closed in 1932, houses Pharmacy No. 4. It also houses three Duma deputies' offices, the Siberian Institute of Human Reproduction and Genetics, and the Altai Region's Municipal Education Council.

The Catholic community, about 100 strong, currently worships at the recently-built Church of Christ the King, about five kilometres away. At the old church's 100th anniversary in June 2013, Diocesan Bishop Jozef Werth told parishioners that its return would right a "great injustice".

The adoption of the 2010 Law gave new impetus to the congregation's campaign, and they submitted a formal application in February 2011. Although federal, regional, and municipal authorities are obliged by the Law to respond within one month, Barnaul's Catholics received no reply until 2012, when the regional administration told them it had only just received their application documents.

On 4 June 2013, Governor Aleksandr Karlin signed a decree, seen by Forum 18, ordering

the Altai Region's property administration body (Glavaltaiimushchestvo) to prepare a plan for the transfer of religious property to religious organisations. The plan determines the provision of equivalent premises to state unitary enterprises, state institutions, or residential occupiers currently housed in religious buildings. It is to be overseen by Deputy Governor Boris Larin.

In practice, this document refers only to the former Catholic church, the only religious building currently under regional government ownership, according to Glavaltaiimushchestvo's website.

Priest of the Catholic parish, Father Bogdan Kalecki, confirmed to Forum 18 on 21 May that there is a written agreement that the building will be returned in November 2017. He had no explanation for the administration's delay in replying to the 2011 application.

Forum 18 asked Lyudmila Moiseeva of Glavaltaiimushchestvo on 15 May for confirmation that the church will be returned to the Catholics by November 2017 and why the administration's response had been delayed. She asked for questions to be sent in writing.

In its 23 May response, Glavaltaiimushchestvo told Forum 18 that a regional administration order of 15 July 2013 included the church in the plan for property transfer and that a copy of this had been sent to the Catholic parish. The building will be handed over "no later than 3 February 2018", as "the full packet of documents" required was received on 3 February 2012 (the six-year period mandated by law – see below). "The process cannot be accomplished sooner because of the lack of free space to accommodate regional structures" currently occupying the building, the agency told Forum 18.

When Forum 18 called Deputy Governor Larin's office on 21 May and asked about the return of the Catholic church, a spokeswoman said that all questions should be submitted in writing.

Applications under 2010 Law

In 2013, Rosimushchestvo received 203 applications from religious organisations for federal properties to be returned. Of these, 32 were approved and the transfers have been completed. A further 92 properties are being prepared for transfer. 53 applications are still under consideration. 21 have been refused.

The majority of applications (187, or 92 per cent) came from the Russian Orthodox Church, with six from Muslim organisations, three from the Catholic Church, two each from the Lutheran Church, Jewish organisations and Old Believer jurisdictions, and one from the Buddhists. Rosimushchestvo does not provide figures for the success rate of different religious groups.

Forum 18 emailed the Legal Department of the Moscow Patriarchate (the source of the largest proportion of applications to Rosimushchestvo), asking for total numbers and success rates of applications for federal, regional and municipal property in each year the 2010 Law has been in force. Forum 18 also requested information on reasons given for refusals and the number of refusals the Church has challenged. The request was sent before the start of Moscow's working day on 19 May. No reply had been received as of the afternoon of the working day on 23 May.

2010 Law

- Types of property

The 2010 Law governs the transfer of buildings, land, and other religiously significant property from the ownership of federal, regional, and municipal organs (known as executive authorities) to the ownership or free use of religious organisations. Buildings intended for worship, other religious ceremonies and gatherings, religious education, monastic life, and pilgrimage (including pilgrims' accommodation) are all covered. Other property may include interior furnishings and utensils used in worship.

Property may be transferred to the free use (rather than ownership) of a religious organisation if: a) it cannot be divided from another state or municipal property; b) if this is requested by the religious organisation itself; or c) if it is located inside a property which does not have religious significance (for example, a Russian Orthodox house chapel frequently found inside hospitals and educational institutions before 1917).

- Requirements for transfer

To effect a transfer, the religious organisation must apply with the permission of its central governing authority (e.g. the Moscow Patriarchate in the case of a Russian Orthodox parish). This must state the property's name, its significance, its location, the history of its creation and use, and the religious organisation's intentions for it.

The application must also contain "documents which prove the right of the religious organisation to the property", as stipulated in Governmental Decree No. 325 (26 April 2011). These include archival information on the construction and confessional affiliation of the property, statements from monument protection bodies on the property's heritage status, and a draft statement of conservation measures. If the necessary documents are not supplied, the executive authority (federal, regional, or municipal) can reject the request.

- Time periods

The executive organ must respond to the religious organisation's application within one month of receiving it. If the request is granted, the property must be transferred within a period of six years from the date of the decision (this was originally two years, but was extended by decree in 2011).

- Reasons for refusal

If an application is turned down, the executive authority must give reasons in its response. A request may be denied if: the property is not judged to have religious significance; the religious organisation's intended use for the property contravenes its charter or federal law; the applicant is a foreign religious organisation (or its representatives); a court ruling has disposed of the property to another party; or the property is already being freely used by another religious organisation.

Transfer of ownership may also be denied if the property cannot be divided from other state or municipal property, or if it is located inside a building which is not of religious significance.

- Arbitration

Commissions comprising central religious representatives (ie. not members of the local organisation making the request), local government, public organisations, and legal, religious, and cultural specialists should be convened to settle disputes arising during the consideration of applications. The commission's decisions will inform the ruling made by the executive authority. Anyone who believes their rights or legal interests may be

infringed by acceptance or refusal of the application may make a statement to the commission or directly to the executive authority.

Individuals and organisations (including the religious organisation which requested the property) may also challenge the decision in court after it is made.

Drawbacks

Former religious property seized during the Soviet period is currently owned by state organs of all kinds and at all levels, from government ministries to small municipalities, and may be passed between them, as in the case of the Lutheran parish house in Vyborg. This opens up the possibility of a drawn-out process of repeated applications if an initial attempt is misdirected.

Different levels of government and different parts of the country may adopt inconsistent approaches, Forum 18 notes. This means that the likelihood of a smooth transfer process may vary depending on where and under whose jurisdiction a property lies.

The composition of commissions set up to oversee disputes is also determined by the executive authority which will make the decision on the transfer (the federal, regional, or municipal government). This echoes the general lack of independent oversight of the Law's implementation.

Russia: "They'll punish you .. whether or not you committed a crime"

By Victoria Arnold

Forum 18 (01.05.2104) - Russian law enforcement agencies continue to conduct inspections of premises and vehicles owned by Muslims and Jehovah's Witness, often targeting religious literature banned as "extremist", Forum 18 News Service notes. Prosecution often follows on charges of "mass distribution" of "extremist" material – even if only one copy of a text is found. In the 15 known prosecutions so far in 2014 all have led to convictions. In one example, the Mufti of a Mosque in Saransk was tried for possession of one copy of Turkish theologian Said Nursi's "Guidebook for Women". Mosque staff think the book was planted, and Mufti Zyaki Aizatullin stated that the first time he had seen it was during an inspection by the Prosecutor. On appeal on 5 March, the defence pointed out among other things that there were discrepancies in who the prosecution stated had found the book. But the appeal was dismissed. The Mosque spokeswoman commented to Forum 18 that "it turns out the law exists only on paper, and in practice they'll punish you regardless of whether or not you committed a crime. It's enough just to be a Muslim."

Russian law enforcement agencies' inspections of individuals' homes, businesses and places of worship often target religious literature banned as "extremist", Forum 18 News Service notes. Administrative prosecution often follows on charges of mass distribution of "extremist" material.

Forum 18 has identified 15 such prosecutions in 12 different regions of Russia in the first four months of 2014 alone. Two cases each were in Samara Region, the Mari-El Republic, and the Republic of Mordovia, with one case each in the Yekaterinburg, Tyumen, Volgograd, Kemerovo, Penza, Orenburg, Omsk and Perm regions, and the Republic of

Tatarstan. All 15 cases led to convictions, 14 leading to fines. However, two of these fines have so far been overturned on appeal.

Individuals and organisations are often punished under Article 20.29 of the Code of Administrative Offences ("Production or distribution of extremist materials"). Such cases often follow inspections, carried out variously by the police, the FSB security service, and Prosecutor's Office officials, aiming "to check compliance with the law on countering extremist activity" according to court documents Forum 18 has seen.

Inspections involve searches of premises and vehicles owned by religious organisations and their members. They mainly appear to target Muslims and Jehovah's Witnesses. If law enforcement agents uncover literature suspected of being "extremist", this will be confiscated. They also question those present and in some cases summon them for further questioning at a later date. These searches are apparently sometimes provoked by direct complaints from members of the public. In other instances, prosecutors claim to be checking compliance with the Religion Law and the Law on Combating Extremism and Terrorism.

Banned material

Some banned material on the Federal List argues for peace and respect for human rights, including Muslim theologian Muhammad ali Al-Hashimi's "The Personality of a Muslim" and the Chinese spiritual movement Falun Gong's leaflet "Global Human Rights Torch Relay". Other banned material on the List promotes racism, xenophobia or violence. Any lower court can decide that material is "extremist" and so should be added to the List, banning the material throughout Russia. Anyone in Russia who possesses material on the List is liable to face either criminal or administrative prosecution (see Forum 18's "extremism" Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1724).

The Federal List contains 2,304 entries as of today (1 May), though some entries are blank while others contain more than one item. The List includes many Jehovah's Witness publications and works by the late Turkish Islamic theologian Said Nursi. A sermon on the Catholic faith given in 1900 by the late Ukrainian Greek Catholic Metropolitan Andrey Sheptytsky was added in October 2013 (see F18News 25 November 2013 http://www.forum18.org/archive.php?article_id=1899). In recent years new material has been added at an increasing rate (see eg. F18News 15 July 2013 http://www.forum18.org/archive.php?article_id=1858).

In Russian law, prosecutions can only be brought relating to "extremist" texts if they are the exact edition of the work specified on the Federal List. But this has not stopped prosecutions being brought relating to editions that are not on the Federal List (see F18News 28 February 2013 http://www.forum18.org/archive.php?article_id=1808).

Administrative Code Article 20.29 punishes the "mass distribution" of items on the Federal List, as well as their "production or possession for the purposes of mass distribution". Despite the term "mass distribution", prosecutors have often brought charges even if only one copy of a text is discovered (see eg. F18News 1 August 2012 http://www.forum18.org/archive.php?article_id=1728).

Punishments

If convicted, individuals may receive a fine of 1,000 to 3,000 Roubles (about 165 to 500 Norwegian Kroner, 20 to 60 Euros, or 28 to 85 US Dollars) or detention for up to 15 days. Fines for officials range from 2,000 to 5,000 Roubles. Legal entities (including businesses and religious associations) may be fined 50,000 to 100,000 Roubles (between

nine and 18 times the minimum monthly wage as of 1 January 2014). Such organisations may also be prohibited from operating for a period of up to 90 days.

Court decisions seen by Forum 18 usually order "extremist" materials to be confiscated and often destroyed (see eg. F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

All 15 of the known cases in 2014 so far resulted in convictions. Defendants have appealed in six cases so far. Only two appeals have succeeded in having verdicts overturned, in both instances because prosecutors took too long to bring the original case to court. Thirteen of the 15 cases concerned Islamic texts or videos, the other two concerning Jehovah's Witness literature.

Orenburg texts still banned, no progress on appeals

Six of the court decisions seen by Forum 18 involved Muslim texts ruled "extremist" by Lenin District Court in Orenburg in March 2012. This ruling covered the largest quantity of religious literature banned in a single court case, prohibiting 68 texts in a hearing lasting only 30 minutes. The bans only became known in mid-June (see F18News 19 June 2012 http://www.forum18.org/archive.php?article_id=1713). When the Court's decision became known, it drew condemnation from Islamic bodies, publishers, and human rights defenders (see F18News 30 July 2012 http://www.forum18.org/archive.php?article_id=1726).

Several appeals against the Orenburg decision are still pending. After a delay caused by the state's destruction of 26 of the prohibited items, the repeat "expert analysis" of the remaining material - ordered in April 2013 - was expected to take until late August 2013 to finish (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920).

Nurzहित Dolubayev, the Orenburg-based lawyer for one of the publishers trying to overturn the ban, confirmed to Forum 18 on 30 April 2014 that there is still no news on when the appeal will return to court.

Individuals, bookshop and mosques prosecuted

In five of the 15 known 2014 administrative prosecutions, the defendant was an organisation - either religious or commercial. In the city of Tyumen in south-western Siberia, an FSB security service inspection of the Melli Kibet Muslim shop at the city's bus station in January seized three copies of Wahf al-Qahtani's "Fortress of a Muslim" and five of "40 Hadiths of Imam an-Nawawi". Both these titles were ruled "extremist" in the Orenburg March 2012 court decision (Nos. 1346-1348 and 1312 on the Federal List) (see F18News 19 June 2012 http://www.forum18.org/archive.php?article_id=1713).

Melli Kibet's owner, Daniya Soldatikova, admitted obtaining these books to sell to the public, but did not know they were deemed "extremist". On 7 April 2014, Tyumen's Lenin District Court tried Soldatikova as a legal entity and sentenced her to five days' suspension of the shop's operation, and the confiscation and destruction of the books.

Soldatikova's shop is now operating normally, and she has experienced no other problems with the police or the FSB security service, she told Forum 18 from Tyumen on 1 May. The "extremist" books confiscated from her stock are now with the FSB. She said she does not know if they have yet been destroyed. Other books taken in the inspection, not deemed "extremist", including eight copies of a Tatar version of "40 Hadiths", have been returned to her.

There appears to be little consistency in whether shopkeepers and religious leaders found

in possession of material on the Federal List are prosecuted as private individuals or as a legal entity.

In the city of Yekaterinburg in the Urals on 29 April, Ordzhonikidze District Court found the Rakhmat Mosque community guilty of possessing a copy of the "Life of the Prophet" by the Indian theologian Safi-ur-Rahman al-Mubarakpuri. This was among the 68 works ruled "extremist" in Orenburg in March 2012 and was added to the Federal List at No. 1291

(see F18News 19 June 2012 http://www.forum18.org/archive.php?article_id=1713).

The Mosque was fined 50,000 Roubles (nine times the minimum monthly wage – about 8,350 Norwegian Kroner, 1,000 Euros, or 1,400 US Dollars). The Mosque's Director was also give a warning about "extremist" activity.

This is not the first time the Rakhmat Mosque community has been accused of possessing prohibited literature. In May 2013, Interior Ministry (MVD) "anti-extremism" investigators raided the Mosque accompanied by OMON riot police. They seized single copies of "Fortress of a Muslim" and Elmir Kuliyeu's "Way to the Koran", as well as three copies of an-Nawawi's "Gardens of the Righteous", according to a warning letter from the Prosecutor's Office of 28 June 2013, seen by Forum 18. It warned the Mosque authorities "to take concrete measures to eliminate" these legal infringements. All three texts were ruled "extremist" in Orenburg in March 2012.

In contrast, the Mufti of the Cathedral Mosque of Saransk (Mordovia) was tried in January 2014 for possession of a copy of Nursi's "Guidebook for Women" as an individual.

Muslim leader fined in Saransk – but was book planted?

A single copy of a text - in this case a Russian-language edition of Nursi's "Guidebook for Women" - was again enough for administrative proceedings against the Mufti of Mordovia, Zyaki Aizatullin. Of all the 15 Article 20.29 cases identified by Forum 18 in 2014, this was the only one to involve a work by Nursi, whose writings are frequently the subject of "extremism" trials

(see Forum 18's "extremism" Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1724).

An inspection by the Proletarian District Prosecutor, carried out to check compliance with the Religion Law and the Law on Combating Extremism and Terrorism, found a copy of the "Guidebook for Women" in a locked cabinet in Aizatullin's office at the "Uskudar" Cathedral Mosque in Saransk on 29 October 2013.

The mufti's spokeswoman told Forum 18 on 1 May that the inspection team did not present a search warrant. She also described how one of them, police officer Mansur Gurin, entered the mufti's office without permission and behaved aggressively towards the mosque staff, raising his voice to them and accusing them of lying.

"Guidebook for Women" is from Nursi's Risale-i Nur (Messages of Light) collection and was in Russian translation declared "extremist" by Moscow's Koptevo District Court in 2007 (No. 49 on the Federal List)

(see F18News 27 June 2007 http://www.forum18.org/archive.php?article_id=981).

Forum 18 has been unable to ask the Prosecutor how many other Saransk religious communities have been inspected to to check compliance with the Religion Law and the Law on Combating Extremism and Terrorism.

Confiscations of Russian translations of Nursi's books are more likely to result in criminal

charges of "extremist" activity under Articles 282.1 and 282.2, as in the recent criminal prosecutions of Nursi readers in Naberezhnyye Chelny (see eg. F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

On 9 January, Judge Georgy Morozov of Saransk's Proletarian District Court found Mufti Aizatullin guilty under Article 20.29. The head of the Regional Spiritual Administration of Muslims of the Republic of Mordovia was fined 1,000 Roubles. The judge also ordered the book destroyed. Aizatullin appealed against the verdict to Mordovia's Supreme Court, but on 5 March Judge Aleksandr Bazhanov ruled that there should be no change to the decision.

A spokeswoman for the Mufti told Forum 18 from Saransk on 11 April that they would continue to fight the ruling, at an international level if need be.

Was the banned book really in the cabinet?

According to Saransk's Proletarian District Court verdict, seen by Forum 18, Mufti Aizatullin denied that his congregation members had access to the locked cabinet, which contained gifts. He told the court he could not recall how the book had got there, stating that the first time he had seen it was during the October 2013 inspection by the Prosecutor. Witnesses stated that they had never seen books taken from the locked cabinet, and that nobody could take any books from the mosque library without the mufti's permission.

The defence pointed out that the Mosque's library was inventoried at the end of 2012 by staff member Alsu Myakusheva. She continued to check the collection throughout 2013 to ensure that it did not contain any items from the Federal List of Extremist Materials. She testified in court that the "Guidebook for Women" was not in the library during any of her checks.

The Proletarian District Court nevertheless concluded that Aizatullin was guilty of possession of an "extremist" book for purposes of mass distribution, by permitting free access to the Mosque library.

Appeal dismissed as "groundless"

On appeal on 5 March, the defence argued that Aizatullin did not know the book was there and that the presence of one copy "cannot be regarded as possession for the purpose of mass distribution of extremist literature". According to the appeal verdict, also seen by Forum 18, the Supreme Court of Mordovia "dismissed [this] as groundless".

The appeal also argued that Aizatullin's statement to the Prosecutor's Office could not be allowed as evidence of guilt, as his words were recorded incorrectly.

The District Court also did not take into account discrepancies between the Prosecutor's statements in court and the record of the inspection, the defence argued. According to the Mosque spokeswoman, these two documents claimed different sets of law enforcement agents discovering the book. The former listed Prosecutor's Assistant Svetlana Novakovskaya, Marina Semushenkova (Head of the Department for NGO Affairs at the Mordovian branch of the Justice Ministry), and an unnamed official of the police "Anti-Extremism Centre". The latter document listed only Semushenkova and Deputy prosecutor A.A. Frolov. However, the judge rejected these points.

The Supreme Court maintained that access to the Mosque and the literature kept there was unrestricted, "thus, the presence of a single copy does not preclude it being repeatedly obtained by an indefinite number of readers".

"In practice they'll punish you regardless of whether or not you committed a crime"

The Mosque spokeswoman insisted to Forum 18 that there had been no witnesses to the inspectors' discovery of the book, and that neither the mufti nor his assistant was called in to verify its presence in the office. Mosque staff think the book was planted.

She explained that they also take issue with the conduct of the trial. She complained that the judge refused to call three witnesses for the defence, "even though their testimony was important for fully establishing the circumstances of the case". She added: "So it turns out the law exists only on paper, and in practice they'll punish you regardless of whether or not you committed a crime. It's enough just to be a Muslim."

Telephones at Proletarian District Prosecutor's Office went unanswered each time Forum 18 called on 9, 10, and 25 April.

"Extremist" books in locked box leads to large fine

In the city of Samara on the Volga, the presence of single copies of prohibited texts was sufficient evidence for prosecutors to bring "mass distribution" charges against the city's Jehovah's Witnesses. The community was fined 50,000 Roubles (nine times the minimum monthly wage – about 8,350 Norwegian Kroner, 1,000 Euros, or 1,400 US Dollars) by Judge Natalya Valeryeva at Soviet District Court on 6 March. The two "extremist" books were ordered to be destroyed. An appeal before Judge Anna Tolmosova at Samara Regional Court on 17 April, in which the community's Chair Andrei Bobkov argued that the books did not belong to his congregation, was unsuccessful.

According to the District Court verdict, seen by Forum 18, a police "anti-extremism" raid on the Jehovah's Witnesses' rented premises discovered the books among others in a locked box in the cloakroom. The search took place just before a meeting for worship on 22 January, and the police refused to provide copies of the search protocol, Russia's Administrative Centre of Jehovah's Witnesses told Forum 18.

Refusal to provide copies of the search protocol documenting confiscations is illegal, however this illegality has frequently happened. The lack of a subsequent investigation or court case to rule on whether or not an individual's ownership of the literature is also illegal

(see F18News 5 March 2010 http://www.forum18.org/archive.php?article_id=1417).

The Samara Regional Court decision describes how the search was sparked by alleged complaints from members of the public to the police "Anti-Extremism Centre" and the FSB security service, about Jehovah's Witnesses handing out literature in the streets around the Moscow highway in Samara.

The prohibited materials found on the Jehovah's Witness premises were among 34 texts ruled "extremist" by Rostov Regional Court in September 2009, a decision later upheld by Russia's Supreme Court

(see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385).

Telephones at the Samara City Prosecutor's press office went unanswered each time Forum 18 rang on 29 and 30 April.

Mormons in Russia deny violations of the law by American Mormons in Rubtsovsk

Statement of the Centralized Religious Organization The Religious Association of The Church of Jesus Christ of Latter-day Saints in Russia

Church of the Latter-day Saints in Russia (21.04.2014) - In April of this year several media outlets repeatedly disseminated reports on violation of the Russian migration law in the city of Rubtsovsk (Altai Krai) by seventeen U.S. nationals who were identified as "Mormon preachers" (in the number of publications they are referred to as "representatives of the religious sect of Mormons"). This information is incorrect to the extent that it relates to the Church of Jesus Christ of Latter-day Saints (members of which are often called Mormons).

The Religious Association of The Church of Jesus Christ of Latter-day Saints in Russia has already drawn attention to the inaccuracy of the disseminated information. As a result relevant publication on the federal website (<http://itar-tass.com/proisshestiya/1098309>) no longer contains a reference of the Mormons. Some regional media, however, continue to broadcast the specified information in spite of its false and defamatory nature with respect to our denomination. As it came to our knowledge on April 15-th "Katun 24" TV network three times aired the news story once again reporting about violations of the law by the "American Mormons."

In connection with the foregoing we find it necessary to reiterate that the said U.S. citizens and others individuals shown in the program are in no way related to the Church of Jesus Christ of Latter-day Saints. Furthermore, we feel that it would be appropriate to emphasize that the use of derogatory labels in relation to the religious organizations registered, i.e. recognized by the state is unacceptable. These include such concept as a "sect" absent in Russian law, which by virtue of the perceived public opinion has a negative semantic meaning and can offend the feelings of believers.

The Religious Association of the Church of Jesus Christ of Latter-day Saints in Russia is a centralized religious organization registered by the Ministry of Justice of the Russian Federation and operating in Russia since 1991. The structure of the Religious Association takes in more than one hundred communities including the religious organizations and groups in more than 50 subjects of the Russian Federation, including Altai Krai. The missionaries invited by the Religious Association carry out in the Russian Federation the activities with respect to preaching the Gospel of Jesus Christ, and participate in programs providing humanitarian assistance to socially disadvantaged Russian citizens. The work of the Religious Association related to the stay of foreign nationals in the Russian Federation is organized in strict compliance with the Federal Laws "On the Procedure for Exiting and Entering the Russian Federation", "On the Legal Status of Foreign Citizens in the Russian Federation", "On Migration Registration."

We ask the media to refrain from dissemination of false information.

Russia: European Court request enough to protect Uzbek asylum seeker?

By Felix Corley, Forum 18 News Service

Forum 18 (15.04.2014) - The European Court of Human Rights in Strasbourg has told the Russian government that Uzbek asylum seeker Bobirjon Tukhtamurodov "should not be expelled or otherwise involuntarily removed from Russia to Uzbekistan or another country" while his case there is considered, according to court documents seen by Forum 18 News Service. The Uzbek government has been seeking his return since 2010 to face criminal charges for participating in an unregistered Muslim community. Although he succeeded in having an extradition order overturned in 2011, his status as a temporary refugee in Russia was not extended in 2013. His challenge failed in a Moscow court in March 2014. "The European Court measures should be enough to protect Bobirjon Tukhtamurodov, as Russia usually abides by such measures," his lawyer Eleonora Davidyan told Forum 18. However, she points to cases when security service officers have abducted asylum seekers in Russia. Irina Blazheyeva of Novosibirsk Region Federal Migration Service dismisses such concerns. "This is in the realm of fantasy," she told Forum 18.

Human rights defenders and friends of Uzbek Muslim Bobirjon Tukhtamurodov have welcomed an urgent 19 March letter from the European Court of Human Rights (ECtHR) asking the Russian government "that the applicant should not be expelled or otherwise involuntarily removed from Russia to Uzbekistan or another country for the duration of the proceedings before the Court". Tukhtamurodov appealed to the Strasbourg court when Russia rejected the extension of his temporary asylum there, Forum 18 News Service notes.

"This is definitely a freedom of religion or belief case," Eleonora Davidyan, a Moscow-based lawyer who is representing Tukhtamurodov at the Strasbourg court, told Forum 18 on 14 April. "The Uzbeks want him back because of his alleged involvement in a religious group. The extradition request has not been revoked."

If returned, Tukhtamurodov fears he would be punished for exercising the right to freedom of religion or belief and would face torture. Uzbekistan has been seeking his return to face criminal charges for participating in an unregistered religious community since 2010 (see below).

"The European Court measures should be enough to protect Bobirjon Tukhtamurodov, as Russia usually abides by such measures," Davidyan told Forum 18. "I hope the Russian government does indeed protect him and that nothing unexpected will happen. It depends how much the Uzbek authorities want him back – their extradition request has not been revoked."

Kidnap risk?

Davidyan warns that some Uzbek asylum seekers have been abducted in Russia and forcibly returned to Uzbekistan. "Russia has not acknowledged any involvement, but it is hard to believe they did not allow such abductions to take place." She said she knew of two such cases among those her legal colleagues have dealt with.

Tukhtamurodov's lawyer in Novosibirsk, where he was held in detention for seven

months in 2010-1, echoes these concerns. "I'm not aware of such abductions of Uzbek asylum seekers in our region, but many cases have happened elsewhere," Yuliya Zhemchugova told Forum 18 from Novosibirsk on 15 April. "I have warned him not to be too visible."

However, Irina Blazheyeva, head of the Refugee, Forced Migrants and Compatriots Department of Novosibirsk Region Federal Migration Service, rejected any suggestion that Uzbek agents might kidnap Tukhtamurodov back, as they have done with other asylum seekers. "I've never heard of such cases," she told Forum 18 from Novosibirsk on 15 April. "This is in the realm of fantasy."

Blazheyeva insisted though that physically protecting Tukhtamurodov is not within the competence of the Federal Migration Service. "This is up to the law-enforcement agencies."

In March 2011, after Novosibirsk Regional Court overturned the extradition ruling, Tukhtamurodov narrowly avoided summary deportation by FSB security service and Migration Service officials waiting outside the courtroom after the hearing.

Moscow court challenge fails

On 21 May 2013, Novosibirsk Region Federal Migration Service rejected Tukhtamurodov's request for an extension to his temporary asylum in Russia. The decision, seen by Forum 18, was signed by one of its then deputy heads Lyubov Sedneva and counter-signed by another, Lyudmila Baturina.

Tukhtamurodov challenged the rejection, but in a 10 December 2013 decision seen by Forum 18, the Citizenship Department of the Federal Migration Service in Moscow – which considers such appeals against local decisions – upheld the Novosibirsk decision.

Baturina told Forum 18 from Novosibirsk on 15 April that she could not recall the case and that Sedneva has now retired. The telephone of the Citizenship Department of the Federal Migration Service in Moscow went unanswered each time Forum 18 called the same day.

Following the December 2013 rejection, Tukhtamurodov then filed a suit against the Federal Migration Service to Moscow's Basmany District Court. However, on 18 March 2014, Judge Galina Demidovich rejected his suit, according to the court website. As of 14 April, the decision had still not been issued in writing, Davidyan told Forum 18.

Tukhtamurodov's Moscow lawyer, Natalya Golovanchuk, lodged an interim appeal to Moscow City Court as they wait for the written 18 March decision.

Strasbourg application

Meanwhile, Davidyan lodged an appeal for "interim measures" to the ECtHR on 17 March (Application No. 21762/14), "requesting to stop the applicant's expulsion to Uzbekistan", according to the court response seen by Forum 18. She lodged a full application on the essence of the case in early April.

On 19 March, the court response noted, the Court wrote to the Russian authorities asking that Tukhtamurodov not be removed or expelled from Russia as the case was considered in Strasbourg; that the Russian authorities "put in place an appropriate mechanism tasked with both preventative and protective functions, in order to ensure that the applicant benefits from immediate and effective protection against unlawful or irregular removal from the territory of Russia and the jurisdiction of the Russian courts"; and that

the Russian authorities inform the Court "if any administrative steps are taken in respect of the applicant's detention or removal from Russia".

Blazheyeva of Novosibirsk Region Federal Migration Service said it is aware of Tukhtamurodov's ECtHR application and no expulsion will take place while the Court considers the case. "No one is expelling him," she insisted to Forum 18. "He's also been told he won't be deported, or be brought to administrative responsibility for remaining in Russia, during this period."

Uzbek criminal charges

Uzbekistan launched a crackdown in 2009 on Muslims who read the works of the late Turkish theologian Said Nursi. Dozens were sentenced, many of them to terms of imprisonment of up to 12 years. Three groups of about nine men each were sentenced in the city of Bukhara alone in 2009 and 2010, with the longest sentence being nine years' imprisonment. Seven of these were freed under amnesty in spring 2014 (see F18News 24 March 2014 http://www.forum18.org/archive.php?article_id=1941).

Bukhara Region National Security Service (NSS) secret police launched a criminal case against Tukhtamurodov on 20 April 2010. At a closed hearing at Bukhara City Court two days later, Judge J. Murodov ordered that Tukhtamurov be held in pre-trial detention at the request of prosecutors to face charges under Uzbek Criminal Code Article 244-1, Part 3a and Article 244-2, Part 1.

Article 244-1, Paragraph 3 punishes: "Dissemination of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord, dissemination of calumnious and destabilising fabrications, and committing other acts aimed against the established rules of conduct in society and public order". Point a specifies "with previous planning or by a group of individuals".

Article 244-2, Part 1 punishes: "Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations".

Both Articles were cited in an ultimately unsuccessful Uzbek attempt to extradite an Uzbek former imam, Khabibullo Sulaimanov, from Kyrgyzstan. Both Articles have repeatedly been used in Uzbekistan to punish those exercising the right to freedom of religion or belief (see F18News 28 January 2013 http://www.forum18.org/archive.php?article_id=1795).

Tukhtamurodov conducted "agitation and propaganda"?

The April 2010 Uzbek court decision, seen by Forum 18, notes that Investigator A. Kiliichev of Bukhara Region NSS secret police had declared Tukhtamurodov a wanted man.

The decision accuses him of joining a "prior criminal conspiracy with a group of people using the cover of religion to conduct activity directed at subverting public security". It identifies the group as members of the Nur "religious extremist organisation" which, it said, was banned in Uzbekistan. (Nursi readers deny that the group exists.)

The decision names 26 other individuals, many of whom were sentenced to long prison terms in 2009-10. Among them was Tukhtamurodov's brother Botir, who received a six year prison term (see F18News 4 June 2009 http://www.forum18.org/archive.php?article_id=1306). He remains in prison.

The decision claims that Tukhtamurodov conducted "agitation and propaganda" of the group's ideas by "direct study" of Nursi's works, including his 14-volume collection of writings Risale-i Nur (Messages of Light). Tukhtamurodov also held "unofficial religious gatherings" in his Bukhara home.

In January 2009, police had detained Tukhtamurodov for ten days, accusing him of belonging to a "banned organisation", praying at work and encouraging his wife to be religious, according to his testimony to the Russian Federal Migration Service in 2010. Police beat him, including on the head and stomach. They tried to force him to give testimony against his brother and friends.

Russia tries to extradite Tukhtamurodov

In February 2010, following the 2009 arrests and trials of many of his friends, Tukhtamurodov fled to Russia. However, he was arrested in Novosibirsk in August 2010 after the Russian authorities received an extradition request from Uzbekistan. Strangely, the extradition request from the Uzbek General Prosecutor's Office to Russia's Deputy General Prosecutor Aleksandr Zvyagintsev – seen by Forum 18 – is dated 9 September 2010, but appears to have been faxed to Moscow on 23 September 2010 and is stamped as having been received in Moscow that day, more than a month after Tukhtamurodov's detention in Novosibirsk.

The General Prosecutor's Office in Moscow ruled in November 2010 that he should be extradited to Uzbekistan. Such rulings do not usually give any reasons for their decision. His lawyer challenged the ruling through the courts, succeeding in having the extradition order overturned by Novosibirsk Regional Court in March 2011. He was only freed after the court overturned the order and narrowly avoided being seized and summarily deported.

Finally on 26 May 2011, the Supreme Court upheld the lower court's decision to cancel the order to extradite him back to Uzbekistan (see F18News 14 October 2011 http://www.forum18.org/archive.php?article_id=1625). The court website lists the extradition case as being under Russian Criminal Code Article 280, Part 1, which punishes "calling for extremist activity" with a maximum punishment of four years' imprisonment. This is recognition that Russian prosecutors regarded the Uzbek criminal charges as equivalent to this Article of the Russian Criminal Code.

In September 2010, while Tukhtamurodov was in detention in a Novosibirsk prison, he applied to the Federal Migration Service for asylum, which refused to consider his request for some months. It only began considering it in December 2010, Yelena Ryabinina, Head of the Right to Asylum Programme of the Moscow-based Human Rights Institute, complained to Forum 18 that same month (see F18News 4 February 2011 http://www.forum18.org/archive.php?article_id=1536).

Why the asylum rejection?

On 9 March 2011, Novosibirsk Region Federal Migration Service rejected Tukhtamurodov's asylum application "as he did not meet the criteria of a refugee". However, on 2 June 2011 it granted him temporary refugee status, which is given for one year at a time, "on humanitarian grounds". On 31 May 2012 this status was extended for a further year, before a further extension application was rejected in May 2013.

The May 2013 rejection notes that "information is in hand that he is a member of the religious extremist organisation Nurdzhular which, according to a Russian Supreme Court decision of 10 April 2008, was recognised as extremist and its activity banned on the

territory of Russia". The rejection decision here cites information from Novosibirsk Region FSB security service of 28 February 2011.

The rejection decision also points out that as a result of this Supreme Court ruling, the Collective Security Treaty Organisation (CSTO) – which joins Russia and five other former Soviet republics – recognised Nurdzhular as "terrorist and extremist" in its updated 9 December 2010 list.

Russian readers of Nursi's works deny that Nurdzhular exists (see Forum 18's Russia "Extremism" religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

(Also among the 47 organisations on the 2010 CSTO list is the Jehovah's Witness community in Taganrog, which was declared "extremist" in 2009 – see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385.)

FSB surveillance?

Information from the FSB appears to have played a role in the Federal Migration Service decision to reject Tukhtamurodov's 2013 attempt to renew temporary asylum. The Novosibirsk Region Federal Migration Service rejection also cites a 21 May 2013 Novosibirsk Region FSB security service report that claims that it "has information obstructing the remaining of Uzbek citizen B. B. Tukhtamurodov, born 9 July 1975, on Russian territory". The FSB report was dated the same day as the Migration service rejection of the application.

The December 2013 Federal Migration Service rejection of Tukhtamurodov's appeal also cites this Novosibirsk Region FSB report, as well as a 12 November 2013 Russian Federation FSB report, without revealing the content of either.

The duty officer at the Novosibirsk Region FSB security service – who would not give his name – declined to put Forum 18 through on 15 April to any officer who could discuss what it had said about Tukhtamurodov. The duty officer also said the documents they had written would not be made available to Forum 18. "We don't give out such materials."

Davidyan in Moscow and Tukhtamurodov's Novosibirsk lawyer Zhemchugova complain that these FSB security service documents have not been made available to him or those representing him. "No one has seen them," she told Forum 18. "The information in them is unverified." She said that this formed part of the complaint to Moscow's Basmany District Court.

The FSB security service and other state agencies have for some years been conducting hidden surveillance of Muslim readers of Nursi's works, as well as of Jehovah's Witnesses (see eg. F18News 27 July 2010 http://www.forum18.org/Archive.php?article_id=1470).

Internal government documents have revealed that both Nursi readers and Jehovah's Witnesses have been targeted in ways that suggest that their believers and communities are closely watched by the police and FSB security service – from both within and outside their communities

(see F18News 12 August 2010 http://www.forum18.org/Archive.php?article_id=1478).

Division over Hizb ut-Tahrir

By Geraldine Fagan

Forum 18 News Service (10.04.2014) / <http://www.forum18.org> - In Russia, there is much disagreement over how to respond to Hizb ut-Tahrir, Forum 18 News Service has found. Hizb ut-Tahrir is banned as anti-Semitic in Germany, and its Danish spokesman was given a suspended jail sentence for distributing racist propaganda. Rejecting democracy and core human rights such as religious freedom and purporting to reject violence, it has made violently anti-Semitic statements but not publicly called for specific terrorist acts. In Russia, 29 alleged Hizb ut-Tahrir members have been given jail terms, following a Supreme Court decision banning the organisation as terrorist. Some, such as Aleksandr Verkhovsky of the Sova Centre, think that monitoring and targeted prosecution of concrete cases of incitement to violence or hatred would be a more effective response. Mukaddas Bibarsov, co-chairman of Russia's Council of Muftis, told Forum 18 that he had only met three sympathisers, suggesting that, instead of prison terms, the Muslim community should challenge such people, but lamented that "there is no [Muslim] intellectual force to explain that (..) everyone must live by the Constitution here."

Human rights activists, Islamic studies specialists, Muslim leaders and the courts disagree sharply in their evaluation of Hizb ut-Tahrir's activity in Russia and how the state should respond to it, Forum 18 News Service has found.

The Russian Supreme Court banned Hizb ut-Tahrir as a terrorist organisation in February 2003, and those publicly questioning this ruling were recently given an official warning by the state authorities.

A self-styled international Islamic political party that claims to reject violence, Hizb ut-Tahrir has had many of its members imprisoned in Central Asia. Those charged with membership of the organisation in Russia have claimed that they are being persecuted for their religious beliefs.

A major point of contention has been whether the organisation may be regarded as terrorist or extremist. While doubting – on the basis of media reports – that Hizb ut-Tahrir is preparing or engaged in terrorist acts, the editor of the Sova Centre's Moscow-based religious affairs website examines, in an extensive 6 February 2006 article, whether the organisation calls for violence in Russia and is thus liable to prosecution under the 2002 Extremism Law.

Aleksandr Verkhovsky notes that Hizb ut-Tahrir's literature – the only publicly available source of information about the organisation – is likely to be understood literally by its target audience. He finds that Hizb ut-Tahrir does not accept existing self-proclaimed Muslim nations as truly Islamic, and aims to restore the Islamic Caliphate (abolished by the Turkish republic in 1924) by establishing an Islamic state in a historically Muslim country.

Forum 18 notes that, while Russian Hizb ut-Tahrir members insist, in a 10 March 2005 statement, that they regard not Russia but Arab countries and those with a predominantly Muslim population as the basis of this future Caliphate, it remains unclear whether they consider traditionally Muslim republics - such as Chechnya - as an integral part of Russia.

Both the 10 March 2005 statement and Hizb ut-Tahrir's English-language website present the organisation's purported rejection of violent acts in terms of the Prophet

Mohammed's sole reliance upon dawah (preaching) until he and his followers had established an Islamic society in Medina. By continuing this analogy, Forum 18 notes that the use of violence would prove a likely option should Hizb ut-Tahrir succeed in – albeit possibly peacefully – creating even a small Caliphate area. As Verkhovsky points out, the organisation also categorically rejects both the democratic system as a method of extending power and such key human rights as religious freedom.

Nevertheless, Verkhovsky finds that it would be difficult to prosecute Hizb ut-Tahrir under Russia's 1998 Terrorism Law on the basis of these texts and even the organisation's 1988 resolution legitimising hijack of aeroplanes belonging to a country "in a state of war with Muslims." (According to Verkhovsky, the 1988 resolution was removed from Hizb ut-Tahrir's English-language website some years ago but has never been repudiated.) This, he explains, is because "encouragement" to commit terrorist attacks under Russia's 1998 Terrorism Law means a direct instruction to commit a certain action, rather than general appeals.

Verkhovsky does believe, however, that Hizb ut-Tahrir's defence of hijacking and its anti-Semitic March 2002 statement describing Jews as "a defective people" and calling upon Muslims to remove them from Palestine (still on the organisation's Russian-language website until recently and likewise not repudiated) would be sufficient to prohibit Hizb ut-Tahrir as an extremist organisation under Russia's 2002 Extremism Law.

Entitled "Kill them wherever you find them, and cast them out from wherever they cast you out" – a quotation from the Koran – the March 2002 document begins by describing Jews as "renowned for their treachery and broken promises (..) they kill prophets and innocent people." While stopping short of calling for specific terrorist acts, it describes how "in Palestine today the mujahidin display examples of piety – young men compete in acts of self-sacrifice (..) and mothers encourage their sons to become shahids [a term for suicide bombers] and bow to Allah in gratitude if they hear news that their children have fallen as shahids." It concludes by calling upon Muslims to mobilise armies for battle "in order to cast the Jews into misfortune for their deeds and wipe their vile persons from the land of Isra and Mi'raj" (a reference to a journey said to have been undertaken by the Prophet Muhammed from Mecca to Jerusalem and then heaven in one night).

Under Russia's 2002 Extremism Law, extremist activity is defined as "the planning, organisation, preparation for or execution of actions aimed at the forcible change of the constitutional order or violation of the territorial integrity of the Russian Federation; the undermining of the security or the assumption of the governing powers of the Russian Federation; the creation of illegal armed formations; terrorist activity; the incitement of racial, ethnic or religious discord or social discord in connection with violence or calls for violence; humiliation of national dignity; the organisation of mass unrest, hooliganism or acts of vandalism motivated by ideological, political, racial, ethnic or religious hatred or hatred towards a particular social group; the propaganda of exclusivity, superiority or inferiority of citizens on account of their attitude towards religion, social status, race, nationality, religion, or language."

Forum 18 notes that Hizb ut-Tahrir is banned as anti-Semitic in Germany, while the organisation's Danish spokesman, Fadi Abdelatif, was given a sixty-day suspended jail sentence for distributing racist propaganda in October 2002, after he circulated the March 2002 anti-Semitic statement on the streets of Copenhagen.

To date, 29 alleged Hizb ut-Tahrir members have been sentenced to lengthy prison terms in Russia, as a result of the Supreme Court's February 2003 decision banning the group as a terrorist organisation

(see F18News 18 April 2006 http://www.forum18.org/Archive.php?article_id=761).

Verkhovsky suggests that continual monitoring and targeted prosecution of concrete cases of incitement to violence or hatred by individual members would be a more

effective response. "If such calls became widespread, closure of Hizb ut-Tahrir as an extremist group should be based on sound reasons, acceptable and convincing for the public."

Forum 18 notes, however, that under Russia's new Terrorism Law – signed by President Vladimir Putin on 6 March 2006 – an extremist organisation is now automatically terrorist; it recognises an organisation as such if, in its name or interests, "the organisation, preparation and commission takes place of acts punishable under Articles 282-1 and 282-2 of the Criminal Code [extremism]."

Some commentators are not convinced by the seriousness of even the extremist threat posed by Hizb ut-Tahrir, however. Interviewed by Forum 18 on 23 January, Vitali Ponomarev – who as Central Asian programme director at Memorial Human Rights Centre has closely followed many prosecutions of the organisation's members – described Hizb ut-Tahrir's pursuit of a universal Caliphate as "utopian, purely theoretical" ideas which its members view as a natural element of Islam. If they are to be regarded as an attempt to undermine the state, he remarked, "You could just as well say that the Last Judgement in Christianity is advocating the replacement of the constitutional legal system." Ponomarev maintained that Hizb ut-Tahrir is opposed to the military tactics of the Islamic Movement of Uzbekistan and has no members in the conflict-ridden northern Caucasus. He also stated that its anti-Semitic sentiments are "practically never met" in Russia.

In an interview with Forum 18 in Saratov in June 2005 Mukaddas Bibarsov, who heads the Volga Region Spiritual Directorate of Muslims and is co-chairman of Russia's Council of Muftis, said that he personally had never heard calls to violence from Hizb ut-Tahrir: "In all my time I've come across only three of their sympathisers, naive young Bashkir girls." Instead of dealing with them by handing down prison sentences, he suggested, the Muslim community should work with such people, "but no one wants to. There is no intellectual force to explain that Muslims are the native population of this country, that we have no other homeland and everyone must live by the Constitution here. The Islamic state that they want is in reality impossible – we need to explain to them that first we need to have Muslim economists, Muslim doctors and so on."

In an interview with Forum 18 on 24 January Georgi Engelhardt, a researcher into militant Islam at the Russian Academy of Sciences, maintained by contrast that Hizb ut-Tahrir was "openly extremist, present and serious," while acknowledging that it remained unclear whether the organisation's extremism was limited to propaganda rather than actions. "But no one is going to say openly that they are a terrorist – if you caught bin Laden now he'd say he enjoys mountaineering or is hiding in a cave out of self-defence." In particular, he expressed doubt as to whether the grounds set out in the Supreme Court's February 2003 decision – which has still to be officially published – were the whole set of motives for banning the organisation, "perhaps there is also a classified part."

Asked whether Hizb ut-Tahrir could be regarded as extremist in the same way as the Russian Orthodox monarchist movement, in that both seek to do away with the constitutional secular state, Engelhardt pointed out the main difference as being that "in the monarchists' case, there is no place in Russia or abroad where a holy war is being waged by those radicals – [Leonid] Simonovich and his [Union of Orthodox] Banner-bearers are the most radical that there is." He thus suggested that even apparently moderate Islamists pose a danger to society: "Their adherents one way or another form a mindset more inclined to political violence – they lay the groundwork for future radicalism, and if someone is looking for soldiers, he finds a prepared audience."

At a round table on "Islamic Radicalisation and Islamic Democracy" at a religious affairs conference in the Russian capital on 7 February, Valentin Gefer of the Moscow-based Institute for Human Rights asked leading Islamic studies academic Aleksei Malashenko

what human rights activists should do with regard to Hizb ut-Tahrir. "There is a mistake in your question," Malashenko replied, "you want to put them in a normal European framework." Adding that the organisation was largely Uzbek in Russia, he suggested that, in Uzbekistan, the 60 per cent of its members whom he estimated to be moderate would "deal with the remaining extremist wing if [Uzbek president Islam] Karimov gave them some sort of status." Then asked by Gefter whether Hizb ut-Tahrir was terrorist, Malashenko claimed to have seen members' diaries containing diagrams of how to blow up bridges and lay landmines, "just like in Soviet military textbooks." He then left the conference, and Forum 18 has since not received a response to requests to interview him.

Russia: "Tired of the unjust treatment of the books, ourselves, and our loved ones"

By Victoria Arnold, Forum 18 Service

Forum 18 (10.04.2014) - Amid a crackdown on readers of the late Turkish Islamic theologian Said Nursi in Naberezhnyye Chelny in Tatarstan, two more were fined for involvement in an "extremist" organisation, Forum 18 News Service has learned. Nakiya Sharifullina and Laura Khapinova are now appealing against their criminal convictions. Naberezhnyye Chelny Court is also hearing a Prosecutor's Office suit to have 17 more of Nursi's books – plus a biography of him – seized during police raids banned as "extremist". The Prosecutor's Office refused to discuss the suit with Forum 18. On 21 March, the Russian government defended its 2010 ban on another Nursi publication in a case brought to the European Court of Human Rights by Krasnoyarsk Spiritual Administration of Muslims. The government response – seen by Forum 18 - insists that the ruling was "necessary". However, Jehovah's Witnesses have finally succeeded in having two of their brochures removed from the Federal List of Extremist Materials.

As Nursi readers' appeal cases continue in Naberezhnyye Chelny in Tatarstan, another defendant is now also under caution for allegedly running an "underground madrassah" connected with "Nurdzhular", a banned extremist organisation which Nursi readers deny exists. Prosecutors in the city are seeking to have another seventeen texts by the late Turkish Islamic theologian Said Nursi declared extremist and added to Russia's Federal List of Extremist Materials.

"We are tired of the unjust treatment of the books, ourselves, and our loved ones," a Nursi reader remarked to Forum 18 from Naberezhnyye Chelny on 2 April. "We do not understand what they want from us."

Two Jehovah's Witness texts have, however, recently been removed from the list after a protracted court case (see below).

Naberezhnyye Chelny fines and warning

Nakiya Sharifullina and Laura Khapinova were found guilty at Naberezhnyye Chelny Magistrates' Court No. 24 on 19 March of involvement in an "extremist" organisation under Criminal Code Article 282.2, Part 1 and Part 2 respectively, the court website notes. Judge Yekaterina Pypina fined them 100,000 Roubles (16,500 Norwegian Kroner, 2,000 Euros or 2,800 US Dollars) and 50,000 Roubles respectively.

The two women appealed against their convictions, but no date has yet been set for them to be heard, a fellow Nursi reader told Forum 18 from Naberezhnyye Chelny on 9

April.

Sharifullina was also warned on 10 January for allegedly organising an "underground madrassah" for women to study Nursi's works. The warning, issued by the Naberezhnyye Chelny Prosecutor's Office, states that unless she ceases her "illegal" activity, she may be prosecuted, a Nursi reader in the city told Forum 18 on 9 April.

Sharifullina appealed against the warning unsuccessfully at Naberezhnyye Chelny City Court on 4 February, according to the decision seen by Forum 18. On 3 April Tatarstan's Supreme Court in Kazan upheld the lower court's decision, the Court website notes.

A fellow Nursi reader told Forum 18 on 2 April that they believe Sharifullina's appeal hearing at Tatarstan's Supreme Court was deliberately scheduled to clash with that of the Naberezhnyye Chelny Prosecutor's attempt to have more Nursi books deemed "extremist" material, also on 3 April. This left Sharifullina without a lawyer in Kazan.

The 4 February City Court verdict turning down the appeal describes the "inadmissibility of extremist activity involving citizens in the extremist organisation Nurdzhular", which "threatens public security and could lead to hatred and enmity among the population on ethnic grounds and unforeseen consequences".

Naberezhnyye Chelny appeals

Two fellow Nursi readers in Naberezhnyye Chelny, Inur Khafizov and Fedail Salimzyanov, have appealed against their convictions and fines. Three hearings have already been held at Naberezhnyye Chelny City Court, the latest on 4 April, the court website notes. The judge had been expected to issue the verdict on 4 April, but this was postponed until 11 April, a Nursi reader told Forum 18.

Khafizov and Salimzyanov were convicted and fined 100,000 and 50,000 Roubles on 19 February under Criminal Code Articles 282.2, Parts 1 and 2 respectively. The convictions followed a series of raids on Nursi readers' homes in Naberezhnyye Chelny in February 2013 during which they were detained. After several hearings in the City Court, their case was transferred to the magistrates' court system in December 2013.

The women's homes were searched for Nursi's works at the same time. Sharifullina was then placed under house arrest, later reduced to a travel ban. Khapinova was charged with the same offence (under Article 282.2, Part 1) in August 2013 (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

Although Forum 18 can find nothing objectionable in Nursi's writings and they are not banned in any other country, sharing his works even in private homes can be enough to be charged with "extremist" activity in Russia (see Forum 18's "extremism" Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1724).

Russia's Supreme Court outlawed "Nurdzhular", a purported extremist organisation of Nursi followers, in April 2008. Muslims who study Nursi say that the group does not exist.

More texts to be banned?

During the raids in 2013, law enforcement agents seized books from the defendants' homes. Now, Naberezhnyye City Prosecutor's Office is attempting to have 18 of these - taken from Sharifullina's flat - declared "extremist" at the City Court. The first hearing in this case took place under Judge Neilya Dementyeva on 3 April, the court website notes. On 11 April the Court is expected to appoint "experts" to re-analyse the texts, a Nursi reader told Forum 18.

The texts in question include 17 by Nursi himself, plus a Russian translation of "Islam in Modern Turkey: an Intellectual Biography of Bediuzzaman Said Nursi", by Mary Weld (Sukhran Vahide). Most were produced by the Istanbul publishing house "Sözler", which already has six entries on the Federal List.

Seven of the 18, including Weld's biography, have already been banned in other editions by courts in Moscow and Kaliningrad in 2007 and 2012 respectively (see F18News 27 March 2013 http://www.forum18.org/archive.php?article_id=1818).

If the Naberezhnyye Chelny Prosecutor is successful in this case, it would result in 11 new Nursi works being added to the Federal List, thereby prohibiting their distribution in the Russian Federation.

The 18 books have already undergone "psycho-linguistic examination" in May-July 2013 as part of the initial extremism investigation. Anastasia Gopkalo (psychologist), Yekaterina Palekh (linguist), and Rafis Zakirov (religious studies expert), all of Kazan Federal University, concluded that the texts comprised "a set of tools for ideological, propaganda purposes, aimed at the gradual transformation of the reader's personality, the changing of their world view, their life values, their convictions, and their behaviour patterns in accordance with the ideology conveyed by these sources", according to a 7 March letter from Naberezhnyye Chelny's Acting Prosecutor Pavel Shamov, seen by Forum 18.

The Nursi readers' lawyer presented the court with a copy of experts' analysis which was opposed to that presented by the Prosecutor, and successfully requested a repeat expert analysis of the books, a Nursi reader told Forum 18 on 3 April. The judge will rule on who should carry out this re-examination on 11 April.

A spokesperson for Naberezhnyye Chelny Prosecutor's Office said on 8 April that she knew nothing about the suit to ban the 18 books and directed Forum 18 to the senior assistant to the Prosecutor. When Forum 18 reached him on 10 April and asked to discuss the suit, he immediately put the phone down.

Earlier court decisions which have added Nursi's works to the Federal List of Extremist Materials contain little or no reasoning, Forum 18 notes. Among the few specific instances of "extremism" cited, for example, are Nursi's descriptions of non-Muslims as "frivolous", "philosophers" and "empty-talkers"

(see F18News 5 March 2013 http://www.forum18.org/Archive.php?article_id=1811).

The freedom to criticise religious or non-religious beliefs is, however, a key tenet of freedom of religion and belief.

Removal of Jehovah's Witness texts from the Federal List

Two Jehovah's Witness brochures have at last been withdrawn from the Federal List of Extremist Materials, to which they were added in July 2011, Jehovah's Witnesses told Forum 18. After a drawn-out process of repeated expert analysis, Factory District Court in the city of Kemerovo decided on 25 November 2013 that "Is Religion a Force for Peace?" and "Be Zealous for True Worship" were not "extremist". However, they were not immediately removed from Nos. 914 and 915 on the List.

On 15 February 2012, Jehovah's Witnesses appealed against the 30 May 2011 Factory District Court decision declaring the material "extremist". Kemerovo Regional Court overturned this decision and sent the case back for re-examination on the grounds that "stakeholders" (ie. Jehovah's Witness representatives) had not been present at the initial hearing.

Jehovah's Witnesses wrote to the Justice Ministry in September 2012 to request the texts' withdrawal from the Federal List, but the Ministry replied in January 2013 that they would not be removed until a court decision had been received and the case considered in a court of appeal (see F18News 27 March 2013 http://www.forum18.org/archive.php?article_id=1818).

At a Factory District Court hearing on 17 December 2012, Judge Irina Bykova appointed Mikhail Osadchy of Kemerovo State University as an "expert analyst". Osadchy has previously found Jehovah's Witness literature extremist (see F18News 2 December 2011 http://www.forum18.org/archive.php?article_id=1642). He also contributed to an analysis used to try to ban a key Hare Krishna text in Tomsk (see F18News 10 October 2011 http://www.forum18.org/archive.php?article_id=1623).

Osadchy's appointment was overturned by Kemerovo Regional Court on 9 June 2013 on the grounds that he was deemed not to have the necessary qualifications and had also already pronounced an opinion on these texts.

On 3 July 2013, the texts were sent for analysis at St Petersburg's Centre for Extremism Studies. Experts there did not find them extremist, but found them characterised by "a refusal to participate in political conflict and war, and the unacceptability of ethnic and religious hatred".

Factory District Court also deemed six other Jehovah's Witness texts "extremist" in a single ruling in October 2010, all of which remain on the Federal List (Nos. 752-757 incl.).

Despite Kemerovo Regional Court's overturning of the initial extremism ruling in February 2012, the Jehovah's Witness community in the village of Kurdzhinovo (Karachay-Cherkessia) was fined 50,000 Roubles in November 2012 under Article 20.29 of the Administrative Code after an FSB security service raid on its premises uncovered a copy of "Is Religion a Force for Peace?", among other prohibited materials (see F18News 27 March 2013 http://www.forum18.org/archive.php?article_id=1818).

Nursi readers appeal to European Court

Imams Ilhom Merazhov and Komil Odilov, convicted in Novosibirsk in May 2013 under Criminal Code Article 282.2, Part 1 of organising "Nurdzhular" activity, have taken their case to the Russian Supreme Court and the European Court of Human Rights (ECtHR) in Strasbourg.

Merazhov and Odilov both received one-year suspended sentences at Novosibirsk's October District Magistrates' Court No. 7, a verdict Merazhov described at the time as "nonsense" (see F18News 18 June 2013 http://www.forum18.org/archive.php?article_id=1848). An initial appeal against the ruling was rejected on 15 August 2013 at Novosibirsk's October District Court.

On 12 March 2014, the two men submitted an appeal to the Supreme Court in Moscow. The court, however, saw no grounds to consider it, and on 19 March issued a refusal to hear the case, according to the court website.

Merazhov and Odilov also submitted appeals to the ECtHR on 12 January, in which they assert that the court proceedings in Novosibirsk violated their rights under several articles of the European Convention on Human Rights, including Article 9 on freedom of thought, conscience, and religion. Merazhov's case (Application No. 6731/14) and Odilov's case (Application No. 6738/14) were registered by the court on 10 February.

According to Merazhov's appeal documents, seen by Forum 18, the prosecution, conviction, and appeal court decision all "limited [their] freedom of thought, conscience, and religion". They also complained that the ruling that their books - which included quotations from the Koran - should be destroyed "insulted their religious feelings".

Russia defends Nursi text ban to European court

Meanwhile, the representative of the Russian Federation at the European Court of Human Rights, Georgy Matyushkin, has submitted his government's response to an appeal by a regional Muslim body challenging the 2010 prohibition as "extremist" of Nursi's "The Tenth Word on the Resurrection of the Dead". The 21 March government response – seen by Forum 18 - insists that the ruling was "necessary in a democratic society in the interests of national and public security, for the protection of public order .. health and morality, [and] for the defence of the rights and freedoms of others".

The Russian government does not accept the claim by the United Spiritual Administration of Muslims of Krasnoyarsk Region that the extremism ruling violated its rights under Article 9 (freedom of religion and belief) and Article 10 (freedom of expression) of the European Convention on Human Rights, Matyushkin declared. He asks that the ECtHR reject the appeal as unfounded.

Expert analysis by Astafyev Krasnoyarsk State University found that "The Tenth Word" was intended to "stimulate religious discord, to promote ideas of the exclusivity, superiority, and inferiority of citizens on the basis of religion, and in particular, to promote discord between Muslims and non-believers", Matyushkin noted. The local court was within its rights under Russian procedural law, the government response maintains, to reject the alternative analysis of the text provided by Moscow State University, which found "no unambiguous indications" of extremism.

Following the banning of "The Tenth Word" by local courts (see F18News 29 October 2010 http://www.forum18.org/Archive.php?article_id=1504), the United Spiritual Administration of Muslims of Krasnoyarsk Region submitted the case to the ECtHR in April 2011 (Application No. 28621/11).

In November 2013 the Russian government was requested to respond. A spokesperson for the ECtHR told Forum 18 from Strasbourg on 9 April that a copy of the response has been sent to the applicant organisation, which now has until June 2014 to submit further observations.

This is the third case relating to the banning of Islamic texts in Russia to reach the ECtHR in recent years. The other two – "Ibragimov and Cultural Educational Fund 'Nuru-Badi' v. Russia" and "Valiullin and The Association of Mosques of Russia v. Russia" – also refer to violations of Articles 9 and 10 (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920).

Freedom of conscience arranged in favor of world religions

Government is changing rules of registration of religious organizations

By Viktor Khamraev, Pavel Korobov

Kommersant (31.03.2014) - Any group of Russians will be able to found a religious organization without waiting 15 years for this right. Such is the draft law introduced yesterday in the State Duma by the government. But if this "religious organization" is not a part of a large confession, then in the first ten years it will not be able to have educational institutions and to publish a newspaper, nor conduct its rituals in hospitals and prisons.

The probation period of 15 years was placed into the law "On freedom of conscience and religious associations" from the moment of its adoption in 1997. And it pertained exclusively to those "religious groups" and "religious organizations" that did not have a direct relationship to one of the world religions. But in 2010 the European Court for Human Rights (ECHR), on an appeal from Russian representatives of the Church of Scientology, ruled that such a long period, during which the religious groups had a right to exist informally, violates the international Convention on Protection of Human Rights and Basic Freedoms. In fulfillment of the ECHR's decision, the government of RF produced an amendment to the law "On freedom of conscience. . .," removing from the text the words "fifteen years." Now, according to the government's version, a "religious organization" will be able to be founded, as before, by no fewer than ten Russians who are members of a "religious group." It will be officially recognized from the moment of notifying the Ministry of Justice of its existence. But at the same time the groups will be required to report again "notice of its religious confession, places of performing divine worship and other rituals and ceremonies, and the leadership and citizens who constitute the religious group, with indication of their family name, personal name, patronymic, and places of residence."

At present, such detailed information is not required from a "group." Moreover, the current law provides for "religious organizations" rather broad humanitarian and social rights: from creating news media and educational institutions, performing rituals in hospitals and prisons and "the exclusive right to invite foreign citizens for purposes of preaching activity." According to the new version, such rights will not exist "in the course of ten years" for "local religious organizations that are not members of the structure of a centralized religious organization of the same religious confession."

Experts consider that such innovations may lead to a situation where the right to full-fledged activity remains only for confessions that represent world religions, which in Russia are called traditional. "This draft law is an attempt to control religious life in the country," Roman Lunkin, president of the Guild of Experts on Religion and Law, told Kommersant. He says that now "religious groups may gather in apartments, and this does not suit the authorities, including the FSB." He predicts that "they will monitor primarily the activity of protestants and Muslims, of which a large number of groups are not registered."

"There are now in Russia 3,500 registered Islamic organizations, and twice that number unregistered," Anatoly Pchelintsev, a professor of the Center for the Study of Religions of the Russian State Humanities University, told Kommersant. "The government has decided to intensify in this way the struggle with Wahhabism. But all organizations will suffer. Now, if two or three persons on a day off want to drink tea and read the Bible, they must notify the offices of justice about this."

For Yaroslav Nilov, the head of the State Duma Committee on Affairs of Public Associations and Religious Organizations (LDPT fraction), "definite doubts" are evoked by the notification principle of registration of religious groups. "And if a group did not notify offices of justice about itself, then it turns out that it has violated the law," Mr. Nilov says. In addition, he says, restriction on rights for ten years signifies that the government perceives "religious groups" with a degree of distrust. The deputy notes that the basis for this is that in the country there are 25 thousand registered religious organizations, representing 50 different confessions, and a multitude of religious groups

"who are not included in the statistic." He says that in this multitude problems arise "with religious extremism that has penetrated nontraditional Islam." But in Russia the "presumption of innocence" operates, Mr Nilov emphasizes, and that means that the law cannot be based on suspicion of the illegal intentions "of people who simply have created a religious group." He suggests that all these "contradictions" will be removed during work on the draft in the State Duma. (tr. by PDS, posted 3 April 2014)

Russia makes pointed concession to Europe

New religious organizations offered a break

By Ivan Rodin, Alexandra Smarina

Nezavisimaia gazeta (27.03.2014) - The government sent to the State Duma suggestions for liberalizing the law on freedom of conscience and religious associations. It is removing the rule according to which a new religious organization must prove its existence on Russian territory for a period of no less than 15 years. In 2010 the European Court for Human Rights ruled that it violates international obligations. In the period of acute crisis in relations with the West, the topic has acquired special urgency. The draft law seems to be a kind of concession to Europe.

The legislative initiative of the government for a serious liberalization of current law on freedom of conscience and religious associations has been sent to the State Duma. It is proposed to remove a basic hindrance for the official existence in our country of new religious organizations and groups. It has in view the requirement of proving fifteen years of their existence before registration. If they could not do this, then they did not receive from the authorities a coveted piece of paper. This meant that they could operate, but with substantial restrictions in media, educational, and evangelistic activity. Now some of these restrictions will be eliminated and the period of action of the remaining ones should be lowered from 15 to 10 years.

We recall that for many years the law on freedom of conscience that was adopted in 1997 served as a barrier on the road of newly formed religious structures in Russia. This is the way new confessions were always regarded by the Russian Orthodox Church which actually was in its time the chief lobbyist for the harsh legislative regulation in the confessional sphere. In that time, it had to endure on this matter a battle with those around Boris Yeltsin. The State Duma, where almost a majority was of communist and other leftist tendencies, was able to adopt the text of a law that the executive branch and the Kremlin did not approve. And the domestic Russian conflicts at the time were intensified by unprecedented foreign pressure. American President Bill Clinton publicly urged Yeltsin to veto the law, which violated the American understanding of human rights. The Russian president wavered for a long time, but in the end he did not take the foreign recommendations.

So now the Russian government has written to the State Duma that, it turns out, back in 2010 the European Court for Human Rights ruled, as a result of consideration of one of its cases, that the "15-year rule" "does not meet the criterion of necessity, which in a democratic society is one of the conditions for legal restriction of human rights and liberties." Russia was recommended to bring its legislation in conformity with the Convention on the Protection of Human Rights and Basic Liberties, which it had signed. The Russian government points out in an explanatory note on the draft law that the Constitutional Court also decided to consider the decisions of ECHR that follow from the postulates of the convention obligatory for our country. However the cabinet of ministers does not explain why nobody in the country had recalled for a long time the decisions of

the ECHR that are obligatory for us. Only in August of last year did the government produce the document that was introduced into the Duma yesterday, in the heat of worsening of relations between Russia and the West.

In such a context it sounds like a concession to the West, but not a very substantial one. As indicated in the explanatory note, new religious organizations present documents for a religious studies expert analysis. However, it is known that in our country such a governmental expert analysis, when necessary, identifies signs of extremism and where they do not exist it perceives incitement of various forms of strife in statements of politicians and news media.

Meanwhile, other breaks are offered to new religions. It seems they will not have to inform the Ministry of Justice every year that they exist nor to undergo a kind of reregistration.

There also are concessions of a more substantial nature, but that are less clear on first sight. After all, the current version of the law on freedom of conscience does not prevent small religious groups from arising; it simply does not give them governmental permission to speak loudly about themselves. For this, there is in the law a list of restrictions on those who do not satisfy the "15-year rule." Now a liberalization is proposed here. For example, "new religions" will be permitted to be registered, but for a period of ten years they, as before, will not be able to create schools for children. But now they will be able to teach adults without the restrictions prescribed in the current version of the law. They also will receive the right to send their members to alternative service in place of military service. In the existing version of the law, this is not allowed for new members. Our government, as before, will not permit them the freedom of direct service in hospitals, prisons, and children's institutions, but it is ready to give them the right to engage in the production of leaflets, videos, and other propaganda. Now this is strictly forbidden. However, new religious organizations will not be permitted to create their own news media or to invite foreign preachers to Russia in their own name.

In its time it was the "15-year rule" that the ECHR considered to be inconsistent with universal requirements in human rights, recalled Mikhail Remizov, the president of the Institute on National Strategy. Therefore, on one hand, the current process may be considered inertial and bureaucratic—Russia is recognizing the jurisdiction of Strasbourg. "The decision of the court, in whose jurisdiction we are, to one degree or another should be implemented," Remizov says. "But this rule will be abrogated during the religious studies expert analysis, which has been retained." This expert thinks this is a necessary part of the law, considering the possible "destructive effects" of the adoption of the document.

On the other hand, NG's interlocutor explains that what is happening may be perceived as Moscow's refusal to slam the door: "Russia's membership in the Council of Europe has often been placed in doubt. And this is both by the Council of Europe itself, according to whose line now there is rather severe pressure on the most diverse ideological questions. And by the Russian administration, which often has declared that the Council of Europe is a meaningless organization, membership in which is worthless. Which also actually requires Russia to implement a whole series of ECHR decisions that include some that are unpleasant for it." In the post-Crimea situation, Remizov stresses, advancing the law may be viewed as Moscow's signal that it does not intend to slam the door in relations with Europe and the western world.

Aleksei Mukhin, the general director of the Center for Political Information, is sure that the Russian Orthodox Church and Islamic associations will sharply oppose the government's initiative. "As a result of liberalization of legislation in this area, sects will flood into Russia, including destructive ones, and it will be extremely difficult to stop this process. I think that this initiative will not find support with Vladimir Putin." The expert

thinks that it is no coincidence that the document was created within the government and not in the presidential administration. NG's interlocutor suspects that "lobbyists of various cults have gained access in the government." He doubts that the Federation Council will accept this item. In Mukhin's view, a real signal to the West on Russia's part could come from other measures: relaxation of the visa system and improvement of the investment climate. "A signal would be removal of obstacles for companies, in particular, rejection of sanctions on foreign companies on Russian territory. I am afraid that here, in the guise of struggling for relaxing relations with the European Union, they are trying to push a harmful draft law." (tr. by PDS, posted 3 April 2014)

Russian original posted on Interfax-Religiia (<http://www.interfax-religion.ru/?act=print&div=17361>)

St Petersburg church liquidated, Rostov and Chelyabinsk drug and alcohol rehabilitation targeted

By Victoria Arnold, Forum 18 News Service

Forum 18 (26.03.2014) - A St Petersburg Pentecostal church has been liquidated this month for alleged illegal educational activity. Protestant-run drug and alcohol rehabilitation centres in Rostov and Chelyabinsk regions of Russia are also being targeted for closure by the authorities, Forum 18 News Service has found. Harvest Church lawyer Sergei Chugunov of the Slavic Centre for Law and Justice stated that the St Petersburg Prosecutor "could simply have demanded an end to the activities they deemed illegal, and taken action in the event of disobedience". But, he told Forum 18, "it was decided to resort immediately to the most extreme measure – liquidation. We pointed out this disparity in court, but the court decided otherwise." The Church continues to meet for worship and intends to appeal to the European Court of Human Rights. The three Rostov cases and single Chelyabinsk case have so far followed the same pattern – claims of illegal detention of addicts, an inspection by law enforcement agents, and the removal of residents.

Religious organisations in some parts of Russia engaged in social, charitable and educational work continue to face irregular attempts to close them down over alleged legal infringements, Forum 18 News Service has found. Three Protestant-run drug and alcohol rehabilitation centres (one of which has now closed) in Rostov-on-Don Region have been investigated in 2013 and 2014, as has in 2014 a centre in Chelyabinsk Region. And a Pentecostal church in St Petersburg has been liquidated over educational activities it denies even carrying out.

Attempts – normally unsuccessful – to close churches for allegedly "unlawful" social activity in areas such as education or drug rehabilitation have taken place in some but not all parts of Russia for some years (see F18News 2 December 2013 http://www.forum18.org/archive.php?article_id=1902).

Pentecostal church liquidated

On 5 March, Russia's Supreme Court rejected an appeal by St Petersburg's Harvest Pentecostal Church against its liquidation, the court website notes. St Petersburg City Court had ruled on 14 November 2013 that the religious organisation's operations should be ceased for engaging in general educational work for which it had no licence and for which no provision was made in its statutes. The liquidation decision came into legal force on 5 March, but the Church is still meeting.

The case was brought to the City Court by the St Petersburg Prosecutor's Office, which had carried out an unannounced inspection of the Church premises in May 2013, with the ostensible purpose of checking for "extremist" activity. According to the Russian Church of Evangelical Christians' report of the incident, however, a prosecutor's assistant told Pastor Igor Sokolov that this was a pretext, as "nobody really believed the Church was engaged in extremism".

Shortly afterwards, Harvest Church was notified of minor violations of fire and sanitary regulations, for which it paid fines and carried out the necessary renovations. It also provided the Prosecutor's Office with all its documentation. Pastor Sokolov was later summoned to attend the liquidation hearing at St Petersburg City Court, which was eventually held after some delays on 14 November 2013 (see F18News 2 December 2013 http://www.forum18.org/archive.php?article_id=1902).

Misinterpretation of Education Law?

At this hearing, the city Prosecutor sought to liquidate the Church's legal entity status for providing general (as opposed to solely religious) education without a licence. This argument was based, according to the Russian Church of Evangelical Christians, on the presence of children and educational materials on the Church's premises at the time of the inspection.

In recent years other religious organisations have also faced prosecutions for allegedly illegal education activity. On 10 June 2008 the Supreme Court ruled that Sunday schools fall outside both the 1992 Education Law and state education regulations, and so do not require state licences. But confusion persists over what type of religious educational activity requires a state licence (see F18News 30 June 2008 http://www.forum18.org/archive.php?article_id=1151).

On 17 June 2011 a court in the Siberian city of Krasnoyarsk heavily fined a Muslim organisation for teaching Islam without an educational licence (see F18News 30 June 2011 http://www.forum18.org/archive.php?article_id=1588).

St Petersburg Prosecutor's Office stated on its website on 11 March 2014 that the initial inspection had found that Harvest Church's premises were "equipped as classrooms with school desks and chairs [and] shelves with educational literature".

The St Petersburg City Court verdict, seen by Forum 18, stated that the Church was providing general (non-religious) education to pupils of School No. 17 in the city's Vasilyeostrovsky District in the form of an eksternat (external education/home schooling programme), run by two staff members (the children's pastor, Yekaterina Lipovskaya, and her assistant). As a religious organisation, the Church would not be licensed to do this.

In the Church's defence, lawyers Sergei Chugunov and Anatoli Pchelintsev of the Moscow-based Slavic Centre for Law and Justice argued that the eksternat was simply held in rooms the Church had given free of charge for the purpose, and that the Church had nothing to do with the teaching. Children's pastor Lipovskaya and her assistant maintained that their work in the eksternat was in their spare time and unrelated to their employment at the Church.

On 14 November 2013, Judge Tatyana Gunko granted the prosecutor's request for the Church to be liquidated as a legal entity.

The defence argued in the Church's appeal to the Supreme Court that the prosecution had been unable to prove that the Church was engaging in anything unlawful, and had

gone by an understanding of "educational activity" which ignored the definitions given in federal law.

The defence also pointed out that the court had disregarded as "unregistered" the written agreements between the Church and Pastor Lipovskaya which showed that she organised educational activities in an individual capacity in consultation with parents, and not as an employee of the Church. Russian civil law does not require such an agreement to be registered.

This appeal, on 5 March, was unsuccessful.

Disproportionate punishment?

Chugunov of the Slavic Centre for Law and Justice insists that the prosecutor need not have sought such a punishment for this offence: "[They] could simply have demanded an end to the activities they deemed illegal, and taken action in the event of disobedience," he told Forum 18 on 18 March. "But apparently it was decided to resort immediately to the most extreme measure – liquidation. We pointed out this disparity in court, but the court decided otherwise."

When Forum 18 called the St Petersburg Prosecutor's Office on 18 March and asked to discuss the case, the duty Prosecutor (who did not give his name) immediately put the phone down.

What next for Harvest Church?

"Liquidation means the complete cessation of the Church's legal capacity as a juridical entity," Chugunov of the Slavic Centre for Law and Justice explained to Forum 18. "The Church as a religious organisation will cease to exist." The stripping of legal status from Harvest Church means, for example, that it has lost the capacity to own or rent property in its own right.

The Church could in future continue its activities as a religious group, Chugunov said, or it may try to re-register as a religious organisation.

Despite the 1997 Religion Law's claim to uphold the Constitution's guarantee of equality before the law for religious associations (obyedineniya), the Law divides religious associations into organisations (organizatsii) and groups (gruppy). A religious group has significantly fewer legal rights than a religious organisation (see F18News 14 April 2005 http://www.forum18.org/archive.php?article_id=543).

Harvest Church – which continues to meet for worship – intends to appeal to the European Court of Human Rights (ECtHR) in Strasbourg. This will not, however, prevent its liquidation in the meantime.

Rehabilitation centre cases

Harvest Church is not alone in facing prosecution for allegedly illegal activity. Protestant-run drug and alcohol rehabilitation centres, and the churches behind them, in both Rostov-on-Don and Chelyabinsk regions are facing state investigations and attempts to close them.

First Rostov Region case leads to closure

Rostov-on-Don Region of southern European Russia has seen several recent instances of prosecutors and police seeking action against drug and alcohol rehabilitation centres run by Protestant churches.

Neklinovsky District Prosecutor took Exodus Pentecostal Church in Taganrog to court in 2013 over alleged violations of fire and sanitation regulations in a rehabilitation centre the Church ran. The Prosecutor sought a complete cessation of its rehabilitational work. On 21 November Prosecutors withdrew their suit after learning that the Church had ended its rehabilitation work voluntarily after being charged (see F18News 2 December 2013 http://www.forum18.org/archive.php?article_id=1902).

Second Rostov Region case

On 17 January 2014, police, the Migration Service, and sanitation officials inspected a Baptist-run rehabilitation centre in the village of Krasny Luch in Shakhty District on suspicion of illegal detention, forced manual labour, drug possession and illegal business activities. Against the law, officials showed no search warrant. Officials also prevented employees of the centre from recording the inspection with a video camera, Vladimir Kalinin, lawyer for the Association of Evangelical Baptist Churches of Rostov and Kalmykia, told Forum 18 from Rostov on 19 March.

The inspection team found nothing illegal, but the centre's patients were taken to the police station and questioned for five to six hours before being allowed to leave. Kalinin said that no charges had been brought and that the centre was continuing to operate normally.

Regional court rules in Church's favour – but difficulties not over

Also in Shakhty District of Rostov-on-Don Region, the Prosecutor's Office attempted to close down another Baptist-run rehabilitation centre in the village of Duvanovka. According to the court verdict, seen by Forum 18, the prosecution alleged that during an inspection on 26 and 27 March 2013, carried out to check compliance with federal law on public and charitable organisations, the centre was found to be unregistered, in breach of sanitary regulations, and lacking a licence or qualified staff to carry out medical and pharmaceutical work.

Shakhty District Court upheld the prosecutor's complaint on 4 June 2013 and ruled that the rehabilitation centre should be closed. Both centre director Aleksandr Shapovalov and the Association of Evangelical Baptist Churches of Rostov and Kalmykia appealed against this decision.

On 22 August 2013, Rostov Regional Court overturned the original ruling on the grounds that the law on state registration does not apply to religious groups (as opposed to religious organisations) and that there was no evidence to suggest medical or pharmaceutical services were being provided at the centre.

Trying to find new violations?

In summer 2013, police and Migration Service personnel had inspected the rehabilitation centre again on the instructions of the Prosecutor's Office, checking residents' registration, Baptist lawyer Kalinin complained. "Apparently, on the eve of the appeal hearing in Rostov Regional Court, the Prosecutor's Office was trying to find new violations," Kalinin noted on the Association of Evangelical Baptist Churches of Rostov and Kalmykia website on 29 August 2013.

Olga Sergiyenko, an assistant to the prosecutor at Shakhty Prosecutor's Office, refused to comment on the Duvanovka and Krasny Luch cases to Forum 18 on 17 March 2014. She stated that staff are not allowed to give out information over the telephone.

On 22 March, law enforcement officers again raided the Duvanovka centre and took

everyone present away to be questioned, apparently with no court order authorising this. The Russian Union of Evangelical Baptists in the Southern and North Caucasus Federal Districts, who were holding a congress in Rostov at the time, have lodged a complaint with the Regional Prosecutor's Office.

Those removed from the centre were released once the police had established their identities, but the Baptists have received no official response to the complaint, lawyer Kalinin told Forum 18 on 25 March.

Officials at Rostov Prosecutor's Office refused to discuss the incident with Forum 18 on 25 March.

Chelyabinsk rehabilitation centre under investigation

In addition to the Rostov Region incidents, officials are investigating another Protestant-run drug and alcohol rehabilitation centre in Chelyabinsk Region in the Urals, Forum 18 has learnt. The case has so far followed a similar trajectory to those in Rostov Region – claims of illegal detention of addicts, an inspection by law enforcement agents and the removal of residents. Religious literature was also seized. Criminal charges might be brought.

On 28 February, officials inspected the centre, which is in the village of Smolino on the southern edge of Chelyabinsk and is run by Exodus Church in Chelyabinsk. According to a 6 March report on the website of the Interior Ministry for the Urals, the police and local FSB security service are "continuing a set of measures aimed at collecting evidence and documenting the illegal activity of participants of the Exodus Church".

Exodus Church in Chelyabinsk is part of the New Generation Charismatic movement headquartered in the Latvian capital Riga. (It is not affiliated to the Russian Union of Evangelical Christians, to which Exodus Church in Taganrog belongs.)

"Persuaded to write a statement"

The inspection of the Smolino drug and alcohol rehabilitation centre took place after a resident's girlfriend lodged a complaint with the authorities, a church member told Forum 18 from Chelyabinsk on 26 March. During the inspection, this resident was taken away and "persuaded to write a statement". The Church maintains that the accusation of holding addicts against their will is untrue and a "misunderstanding on the part of the authorities", which can be "confirmed by numerous witnesses".

The church member added that both the Church and the rehabilitation centre continue to operate normally after the inspection, and they do not expect to be taken to court. "We work according to conscience and in accordance with Russian law," the church member insisted to Forum 18. The Church plans to complain to the Prosecutor's Office.

A spokesperson for the Urals Federal Region Police, who would not give her name, confirmed to Forum 18 from Yekaterinburg on 24 March that computer equipment, religious literature and personal documents had been confiscated during the search, and that the investigation is still underway. The decision as to whether to bring the case to court would be taken by the Investigative Committee. The spokesperson could not say when this decision would be made public.

It remains unclear why the FSB security service is involved in the investigation.

European Court looks into Russia's treatment of Jehovah's Witnesses

RAPSI (25.03.2014) - The European Court of Human Rights (ECHR) communicated a vast collection of complaints this month to Russia in connection with the treatment of Jehovah's Witnesses throughout the country.

Russia and the applicants were asked earlier this month to consider a plethora of questions related to treatment of Jehovah's Witnesses and their congregations in light of the European Convention on Human Rights' (Convention) guarantees of religious freedom and free expression, as well as its prohibition of discrimination.

According to court documents, in 2007, a Russian Deputy Prosecutor General notified the country's prosecutors' offices that the Jehovah's Witnesses and other foreign religious and charitable organizations may have constituted a public threat.

The letter stated: "There are various branches of foreign religious and charitable organizations within the territory of Russia whose activities do not formally violate the provisions of Russian legislation but quite often promote the growth of tension in society."

The letter grouped Jehovah's Witnesses with the Unification Church, the Church of Scientology, "various eastern faiths," and Satanism, referring to them collectively as "branches that frequently carry out activities that damage the moral, mental, and physical health of their members."

Prosecutors throughout the country were instructed to look into the threat that extremist material was being produced or disseminated in violation of Russia's mass communications law.

According to the complaint, the present collection of cases revolves around ten claims, many centering on Jehovah's Witness literature:

1. The liquidation of a local Jehovah's Witness organization in Taganrog, Russia, along with the confiscation of its property and a ban on 34 of its publications;
2. Seven other instances of the banning of religious publications in various Russian regions;
3. The revocation of a permit to distribute religious magazines;
4. A series of administrative proceedings launched against nine individuals in eight regions over the distribution of extremist literature;
5. Five cases where administrative proceedings were launched over the distribution of unregistered mass media;
6. Thirteen cases where administrative proceedings were launched for conducting religious events;
7. Three searches carried out in private residences, and the seizure of religious literature;

8. Five cases where searches were conducted in places of worship, with the disruption of religious services;
9. The seizure of a shipment of religious literature;
10. And the detainment of a Jehovah's Witness for preaching.

The complaint asserts that the Taganrog local religious organization (LRO) was liquidated after a court held that it was an extremist organization, due in part to the fact that one of its founding members succumbed to wounds she received in a motor vehicle accident, after refusing to accept blood transfusions.

According to the website of the international Jehovah's Witnesses religious organization, adherents do not categorically reject all forms of medical treatment. The organization does, however, reject certain specific treatments, including blood transfusions. As explained by the website: "Some treatments conflict with Bible principles... and we reject these. For example, we don't accept blood transfusions because the Bible forbids taking in blood to sustain the body. (Acts 15:20) Likewise, the Bible prohibits health treatments or procedures that include occult practices.—Galatians 5:19-21."

The claims present a number of issues under Russian domestic law, including its laws against extremism, the Criminal Code's provisions against the incitement of hatred or enmity and against associations that infringe upon the rights of citizens.

Parties to the case have been instructed to answer a series of questions pertaining to the treatment of Russia's Jehovah's Witnesses under international law.

The ECHR has considered three applications filed against Russia by Jehovah's Witnesses in the past, finding in each case that there had been violations of the Convention.

Jehovah's Witnesses relying on European court

Defense begins in Taganrog trial of Jehovah's Witnesses

Portal-credo.ru (25.03.2014) - Presentation of evidence of the prosecution in the trial of the "Case of the 16" in the criminal prosecution of Taganrog Jehovah's Witnesses concluded on 24 March. As the press service of the Administrative Center of JW in Russia reports, now the initiative in the trial has transferred into the hands of attorneys who are planning to prove the complete innocence of believers and to get a verdict of acquittal.

The interests of the defendants are being represented by seven attorneys. The presentation of evidence of the defense began with an examination of the ruling of the European Court for Human Rights in the case of the Moscow congregation of JW against Russia (2010). The attorneys called the court's attention to the fact that actions being imputed to Taganrog believers as crimes are considered by the European court as the exercise of rights guaranteed by articles 8, 9, and 11 of the European convention.

Meanwhile, on 24 March it was reported that the ECHR had sent to Russian authorities questions in the appeal from Taganrog JWs, among others, regarding the closure and liquidation of local religious organizations and ruling that a number of their publications are "extremist."

On 25 and 26 March, in the Taganrog trial it is planned to question Professor Ekaterina Elbakian, a specialist from Moscow and renowned Russian religious studies scholar. (tr. by PDS, posted 26 March)

Criminal charges against Jehovah's Witnesses

By Sergey Tarasov for *Human Rights Without Frontiers*

HRWF (24.03.2014) - Taganrog, Rostov Region: For the first time since the fall of the Soviet Union, Jehovah's Witnesses have been criminally charged for merely carrying out their religious activity. Sixteen Witnesses are indicted and their trial is underway.

On September 11, 2009, the Rostov Regional Court dissolved the Local Religious Organization (LRO) of Jehovah's Witnesses in Taganrog as an extremist organization.

On August 5, 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 under Article 282.2(1) (extremist activity) of the Russian Federation (RF) Criminal Code (CrC) against unnamed Jehovah's Witnesses for managing a liquidated organization.

On February 4, 2012, a second criminal case was opened against a number of the Witnesses in Taganrog under Article 282.2(2) of the RF CrC for participating in the activity of an organization that has been liquidated for extremist activity.

On May 30, 2012, a 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. Four male Witnesses were charged under Article 282.2(1) of the RF CrC because they serve as congregation elders and conduct peaceful religious services. They were also charged under Article 150(4) of the RF CrC which can lead to 5-8 years in prison. The remaining 12 Witnesses, including two women, were charged under Article 282.2(2) of the RF CrC because they attend religious services.

On April 12, 2013, the accused were officially charged. On May 30, 2013, the Taganrog City Court began the examination of the criminal case. At present, the case files include 62 volumes. The case is still in progress.

Without waiting for the outcome of the above criminal case, the Rostov-on-Don Prosecutor's Office charged five other Jehovah's Witnesses under Article 282.2 of the RF CrC which might lead to up to three years in prison. The charges are similar to those that have been brought against the other 16 Witnesses. According to the prosecutor, the five are guilty of keeping attending the religious meetings and studying the Bible with their fellow believers after the dissolution of the LRO of Jehovah's Witnesses in Taganrog. The investigation on the case is carried out by the same Investigator Ivan Bondarenko. Among the five are the couple Vladimir and Svetlana Chesnokov who are pensioners. Under Soviet regime, Vladimir Chesnokov was persecuted for his religious beliefs. The defendants familiarize themselves with the case files.

Two fines, two more sentences imminent, court-ordered book destructions

By Victoria Arnold

Forum 18 (12.03.2014) - Two readers of Islamic theologian Said Nursi - Inur Khafizov and Fidail Salimzyanov - have appealed against fines handed down in Tatarstan in February for exercising their right to freedom of religion or belief. The verdict - seen by Forum 18 News Service - also orders religious books confiscated from them to be destroyed. Sentences in the criminal trial of two female Nursi readers are expected on 19 March. Although a criminal trial in Kaliningrad ended without a verdict after the two-year deadline, the court ordered Nursi reader Amir Abuev's books destroyed, a decision he described to Forum 18 as "a gross violation".

Two readers of Islamic theologian Said Nursi have been fined in Tatarstan for exercising their right to freedom of religion or belief, with sentences on a further two expected on 19 March, Forum 18 News Service has learnt. Although a similar criminal case in the Russian exclave of Kaliningrad has been abandoned, a criminal investigation of readers in the Siberian city of Krasnoyarsk is becoming ever wider.

Both the Tatarstan verdict and the Kaliningrad decision ending the criminal prosecution (which did not therefore result in a conviction) order that confiscated religious literature - primarily books by Nursi - be destroyed.

More than 40 Russian translations of Nursi's works and a biography of the theologian (as well as numerous Jehovah's Witness publications) have been ruled "extremist" and added to the Federal List of Extremist Materials. The most recent Nursi work was added on 11 July 2013 after being declared "extremist" by a Krasnoyarsk court in January 2013.

Although Forum 18 can find nothing objectionable in his writings and they are not banned in any other country, sharing Nursi's works even in private homes can be enough to be charged with "extremist" activity in Russia (see Forum 18's "extremism" Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1724).

Russia's Supreme Court outlawed "Nurdzhular", a purported "extremist" organisation of Nursi followers, in April 2008. Muslims who study Nursi's writings say that the group does not exist.

Little or no reasoning is given in the court decisions which have added Nursi's works to the Federal List, Forum 18 notes. Among the few specific instances of "extremism" cited, for example, are Nursi's descriptions of non-Muslims as "frivolous", "philosophers" and "empty-talkers"

(see F18News 5 March 2013 http://www.forum18.org/Archive.php?article_id=1811). The freedom to criticise religious or non-religious beliefs is, however, a key tenet of freedom of religion and belief.

Convictions in Naberezhnyye Chelny

On 19 February, Judge Guzeliya Yakhina at Magistrates' Court No. 15 in Naberezhnyye Chelny (Tatarstan) found Inur Khafizov, who is now 28, and Fidail Salimzyanov, who is 32, guilty under Criminal Code Article 282.2, Parts 1 and 2 respectively. Khafizov was fined 100,000 Roubles (16,000 Norwegian Kroner, 2,000 Euros or 2,750 US Dollars) and Salimzyanov 50,000 Roubles.

Article 282.2, Part 1 punishes "Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision

legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity". Amendments to the Criminal Code signed into law on 3 February increased the maximum penalty to six years' imprisonment.

Article 282.2, Part 2 punishes participation in such organisations. The 3 February amendments increased the maximum penalty to four years' imprisonment (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

In the court verdict, seen by Forum 18, Khafizov is deemed to have organised "a madrassah, with the goal of mass instruction of citizens of the Russian Federation in the collected works 'Risale-i Nur' by Badiuzzaman Said Nursi [...] thus creating a cell of the banned religious organisation ["Nurdzhular"] in Naberezhnyye Chelny". Salimzyanov, the verdict claims, "took part in the mass instruction", fully aware of "the public danger and criminal character" of his actions. The men allegedly carried out "anti-Russian [antirossiiskaya] and anti-constitutional activities in the form of propaganda" among local residents.

Taking into account the defendants' previous good character and Khafizov's poor health, the court ruled that fines rather than custodial sentences should be imposed.

The verdict also notes that books confiscated during a February 2013 search are among case items to be destroyed. The confiscated books all appear to have been by Nursi "including items entered on the Federal List of Extremist Materials". However, Forum 18 notes that it appears that even books which have not been banned are to be destroyed.

Salimzyanov's appeal against his conviction reached Naberezhnyye Chelny City Court on 6 March, according to the court website. No date has yet been set for the appeal hearing. Khafizov similarly filed an appeal, a fellow Muslim in the town told Forum 18 on 9 March.

Khafizov and Salimzyanov were detained in a series of raids on Nursi readers' homes in Naberezhnyye Chelny in February 2013. They were initially detained for three months. Their trial began in Naberezhnyye Chelny City Court in October 2013. But after several hearings in the City Court, their case was transferred to the magistrates' court system in December 2013. Their new trial began on 29 January 2014 (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

Imminent verdicts in second trial?

In a second criminal trial of Nursi readers in Naberezhnyye Chelny, Nakiya Sharifullina and Laura Khapinova are due to be sentenced at Magistrates' Court No. 24 on 19 March. They too were charged with involvement in "Nurdzhular" under Criminal Code Article 282.2, Part 1.

The prosecutor has asked that fines of 150,000 and 100,000 Roubles respectively should be imposed, a fellow Nursi reader told Forum 18 on 9 March.

The trial of Sharifullina (detained at the same time as the two men) and Khapinova began at Magistrates' Court No. 24 under judge Yekaterina Pypina on 22 January 2014 (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

Investigation extended in Krasnoyarsk

The latest investigation of Nursi readers in Krasnoyarsk, which began on 24 January, is being extended to encompass even distant relatives and friends of the accused, Forum 18 has learnt. "According to my information, there are new searches almost every week," a fellow Muslim told Forum 18 on 8 March.

Andrei Dedkov is being investigated under Article 282.2, Parts 1 and 2 (organisation of and participation in an extremist organisation). An investigation under Article 282.2, Part 2 has also been initiated against Azerbaijani-born Magomed Suleyman-ogly, accused of being the leader of a "youth wing of Nurdzhular" (see F18News 11 February 2014http://www.forum18.org/archive.php?article_id=1927).

The case against the two men is being investigated by the Siberian Federal District Investigative Committee, based in Novosibirsk, although any trial is likely to be held in Krasnoyarsk, as "the place where the offence was committed", according to local Muslims. It is not yet known if and when the case will come to court.

Spokespersons for both the Investigative Committee and the Krasnoyarsk FSB both refused to give out information by telephone when Forum 18 called on 12 March.

The FSB security service detained Dedkov, Ismat Agdzhayev, and "a few others" at Krasnoyarsk's Cathedral Mosque after Friday prayers on 24 January. Law enforcement officers caught up with other worshippers in the car park of a nearby hypermarket, and at a nearby flat, where a search went on until late at night. Officers confiscated Said Nursi's Risale-i Nur collection of writings, along with memory sticks, tablet and laptop computers, and mobile phones, a Krasnoyarsk resident whose home was raided told Forum 18 on 11 February.

Similar searches were also carried out at the flats of Dedkov, Agdzhayev and the other men detained, and books and electronic devices seized. Agdzhayev is also accused of involvement with banned extremist organisation "Nurdzhular", the existence of which Nursi readers deny.

While the FSB officers showed "no brutality" during these searches, the Krasnoyarsk Muslim who spoke to Forum 18 alleges that they have "put pressure" on one witness, who created a group on social network Vkontakte which quoted Said Nursi, to testify that Dedkov directed him to do so.

Dedkov, alongside three other Krasnoyarsk Muslims, was charged with involvement in "Nurdzhular" on a previous occasion – this case was dropped when the two-year deadline expired in March 2012 (see F18News 5 March 2012http://www.forum18.org/archive.php?article_id=1675).

Dedkov and Agdzhayev appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorists and extremists" whose assets banks are obliged to freeze. The names of Dedkov's three fellow defendants from his previous case do not.

Case dropped in Kaliningrad

The long-running criminal trial of Kaliningrad Muslim Amir Abuev (who calls himself Amin) has at last reached its conclusion, with the 4th Magistrates' Court in the city's Central District unable to pass sentence before the statutory two-year deadline. With the lifting of his travel ban, Abuev has now left Kaliningrad, but told Forum 18 on 10 March that he feels a re-opening of the investigation is still possible.

Abuev's case was opened in February 2012 under Criminal Code Article 282.2, Part 1. His flat was raided by the FSB security service just before namaz (prayers). Books, phones and a computer were seized, and Abuev and seven friends subjected to a full night of questioning.

Although the FSB security service was refused a court order to keep him in pre-trial

detention, Abuev was repeatedly summoned for psychiatric evaluation (which he refused) and was placed under a travel ban (see F18News 16 May 2012http://www.forum18.org/archive.php?article_id=1701).

Court-ordered book destruction "a gross violation"

After Abuev's case was returned to investigators four times, the latest round of hearings began on 3 February 2014. Witnesses were cross-examined, but sentence could not be passed before Abuev requested that the trial should be ended on the grounds that the required two-year period was up. His request was granted and the case was closed on 12 February.

At the hearing on 12 February, the court ruled that the books confiscated from Abuev's flat should be destroyed. According to Abuev, this order only applies to the Russian-language materials and his Turkish and English-language books should be given back, but "they don't want to return the Turkish books for some reason". He describes the order to destroy his books as "a gross violation".

Reached by Forum 18 on 12 March, a spokeswoman for the court refused to comment on the case by telephone.

Despite the FSB's failure to secure a conviction, Abuev remains on Rosfinmonitoring's list. He told Forum 18 that he does not know if or when his name will be removed.

Asked by Forum 18 if fresh proceedings against him might be initiated in the future, Abuev replied that it is a possibility. "They are still asking my friends what my plans are and whether I'll stay in Kaliningrad," he pointed out.

Pentecostal church banned for classroom furniture

Court liquidates Pentecostal organization in ST. Petersburg

Interfax-Religiia (12.03.2014) - The Supreme Court of the Russian federation left unchanged a decision of a St. Petersburg city court regarding liquidation of the local congregation of Pentecostals, "Zhatva" [Harvest].

The premises of Zhatva were equipped for classrooms with school desks and chairs, shelves with textbooks, pedagogical resources, and wall boards, the prosecutor's office of the "northern capital" reports.

For monitoring student achievement, representatives of the religious organization used academic journals and conducted a schedule of classes, in order to assure for students an organized purchase of textbooks.

On the basis of results of an inspection, the city prosecutor's office prepared a lawsuit petition for liquidation of Zhatva. On 14 November 2013 a St. Petersburg city court granted the prosecutor's petition. However representatives of the defense did not agree with such a decision and appealed it to the Supreme Court. (tr. by PDS, posted 12 March 2014)

Russian Pentecostal church shut down

Attorneys of Slavic Legal Center think Russian Supreme Court incorrect

By Viktoriia Belova

Religiia i Pravo (11.03.2014) - The decision of the Supreme Court of the Russian federation of 5 March 2014 concerning the liquidation of the local religious organization of the "Harvest" Church of Christians of Evangelical Faith (Pentecostals) because of a lack of a license for educational activity will be appealed to the European Court for Human Rights.

On 14 November 2013 a St. Petersburg city court issued a decision for the liquidation of the local religious organization of the "Harvest" Church of Christians of Evangelical Faith (Pentecostals), that has approximately 200 parishioners. The court's decision was appealed to the Judicial College for Civil Cases of the Supreme Court of the Russian federation.

However on 5 March 2014 the Supreme Court rejected the appeal and the decision for the liquidation of the church was left without change. The interests of the church in the trial were represented by attorneys of the Slavic Legal Center Anatoly Pchelintsev and Sergei Chugunov.

The St. Petersburg city court and the Supreme Court of RF came to the conclusion that the church engages in educational activity without having a license to do so and it engages in activity of providing general educational services which is not provided for in the church's charter.

The leadership of the congregation and rights advocates do not agree with this decision and they maintain that the church does not conduct educational activity but merely provides premises for classes with children who are studying in the form of an "externate," or non-residential studies.

In the opinion of the lawyers, the fact that the church engages in educational activity without a license and activity that is not provided for by the church's charter was not established during the judicial sessions. The courts interpreted incorrectly the standards of the substantive law and gave their own interpretation of the concept of educational activity that does not correspond to the definition of the concept of education given in the law on education.

"I am deeply disappointed with this decision of the Supreme Court," stated the honorable Russian attorney, senior partner of the Slavic Legal Center Advocates' Bureau Anatoly Pchelintsev. "In my view, it is incorrect. The decision of the St. Petersburg court and subsequently of the Supreme Court is disproportionate to the action committed. There is a whole arsenal of measures of prosecutorial response that could have been used in this situation. For example, the prosecutor could have issued a warning or caution, or have opened an administrative proceeding, or have required the religious organization to restore the violated rights of victims if there were such. But for some unknown reasons, the prosecutor did not apply these measures but immediately requested the liquidation of the congregation that had not committed any serious violations of law.

"I am very sorry, but we will again have to appeal to the European Court for Human Rights. I am sure that the decision of that court will be in the church's favor, but at the same time we will be perceived in Europe as a primitive society that is incapable of

getting simple questions straight. In any case, we will stand up for the church." (tr. by PDS, posted 11 March 2014)

Jehovah's Witnesses' tracts taken off extremist list

ReligioPolis (05.03.2014) - The titles of two religious publications of Jehovah's Witnesses have been removed from the list of extremist materials of the Russian Ministry of Justice, three years after they were included in it.

This is the first time adherents of this religion have succeeded in achieving the exclusion of two religious publications from the Federal List of Extremist Materials. At the same time, cases for the exclusion of all the rest are continuing, at various stages of review in judicial instances, both Russian and international.

In this case the subjects are two brochures of the Jehovah's Witnesses that occupied slots 914 and 915 in this list: "Religion: the Bulwark of Peace?" and "Display Zeal for True Worship," which the Russian federation has ceased to consider "extremist."

Information provided by the religious organization [see below] permits one to be acquainted with several details connected with the trend of finding publications "containing elements of extremism" in Russia.

Nevertheless, the religious organization of Jehovah's Witnesses in Russia reports that previously some believers have already been subjected to administrative prosecution because of the inclusion of religious texts in the category of "extremist."

For example, after one copy of the brochure "Religion: the Bulwark of Peace?" was found in the house of worship of Jehovah's Witnesses in the village of Kurdzhinovo (Karachaev-Cherkessia), a fine of 50,000 rubles was imposed on the local religious organization consisting of 60 persons, which was unbearable for the people.

"We are thankful to the honest judges and experts, thanks to whom, however tardily, justice has prevailed," a representative of the Administrative Center of Jehovah's Witnesses, Grigory Martynov, said. "There is nothing extremist in our publications, and therefore I hope that sooner or later all our publications will be removed from the list." (tr. by PDS, posted 6 March 2014)

History of inclusion of Jehovah's Witnesses brochures in federal list of extremist material and their subsequent exclusion

ReligioPolis/ Russia Religion News (05.03.2014) - Human Rights Without Frontiers is reproducing below the translation by Russia Religion News (Stetson University) an article published on the website of ReligioPolis/

-30 May 2011, Zavod district court of city of Kemerovo on application of prosecutor, in the course of a 30-minute session, without notification of interested parties (author, publisher, distributor, and readers), found brochures "extremist."

-18 July 2011, Ministry of Justice of Russia included them in List. As soon as this became known, interested persons appealed decision of court.

-15 February 2012, Kemerovo district court annulled decision of district court because interested parties had not been invited to case. Case returned to district court for a second consideration, with participation of interested parties. As of this moment, the presence of the publications in the List was without foundation!

-11 September 2012, Jehovah's Witnesses sent to Ministry of Justice a letter requesting exclusion of brochures from List. However the ministry gave a written refusal, explaining that the court had not made such a decision separately and the case was still not closed.

-17 December 2012, on second consideration of the case including interested parties, Judge I. Bykova, on petition of prosecutor, ordered a linguistic and psychological expert analysis of the brochures, entrusting it to M. Osadchii, known for the fact that he previously participated in an expert analysis on the basis of which other courts had found 58 Jehovah's Witnesses' publications extremist.

-9 June 2013, Kemerovo provincial court quashed order for assigning expert analysis to M. Osadchii since specialist Osadchii is not a state expert, and does not have the necessary qualifications, while besides he had already given his own conclusion regarding these brochures.

-3 July 2013, Judge I. Bykova ordered a linguistic and psychological expert analysis of the brochures at the St. Petersburg Center for Study of the Problems of Extremism. Experts did not see signs of extremism in the brochures. Moreover, the experts came to the following conclusion: "The materials presented show that the distinctives of the religious teaching include rejection of participation in political conflicts and wars and the impermissibility of ethnic and religious enmity."

-25 November 2013, the court rejected prosecutor's petition for ruling the brochures of Jehovah's Witnesses to be extremist. Moreover, the court issued the decision overturning the judicial act, that is, it pointed out the necessity of excluding the brochures from the List.

Illegal inclusion of publications in Federal List of Extremist Materials was basis for judicial consequences in Caucasus, Far East, and Karelia:

-27 February 2013, prosecutor of Pudozhsk district (Karelia) opened administrative case regarding believer M. Khalturin on article 20.29 of Code on Administrative Violations of Law, for possession of religious literature including these two brochures. As a result, the believer was fined by a municipal judge 3,000 rubles, although subsequently he managed to get the ruling cancelled.

-20 May 2012, prosecutor of Nadezhdinsk district (Primore terr.) along with an officer of FSB conducted search in a home in the village of Volno-Nadezhdinskoe, where Jehovah's Witnesses conduct weekly Christian meetings. As a result, one copy of "Display Zeal ..." was confiscated. An administrative case was opened regarding the chairman of the local religious organization, S. Sitnikov, on article 20,29 of KoAP for possession of this publication. However the municipal judge considered that one brochure cannot be considered "mass possession" and thus the case was closed.

-13 September 2012, with sanction of the court, officers of FSB for Karachaev-Cherkessia conducted a search of the Kingdom Hall of Jehovah's Witnesses in the village of Kurdzhinovo. As reported above, a fine of 50,000 rubles was imposed on the local religious organization. (tr. by PDS, posted 6 March 2014)

Still no mosque for Sochi, Protestants struggle to keep church

By Victoria Arnold

Forum 18 (04.03.2014) - Acquiring and retaining places of worship in Russia's Black Sea resort of Sochi is difficult for some local residents, Forum 18 News Service notes. Sochi's Muslims are still without a mosque, despite repeated attempts to obtain land and permission to build since 1996. Despite repeated official promises of action, no concrete steps have yet been taken to enable a mosque to be built. In contrast, Krasnodar Region allocated more than 525 million Roubles for the construction of the vast Russian Orthodox Church of the Holy Image of Christ at the Olympic Park, which was consecrated on 2 February 2014. Meanwhile, House of the Gospel Church is struggling to retain its Church building against city attempts to sell it off. In 2011 the Church asked for full ownership of the building it has used since 1993 (having had lesser ownership since 2007), as Russian law allows, but Sochi administration repeatedly failed to respond or give reasons for its lack of response. Two court hearings have failed to secure the Church's rights to the property, and it is now preparing a third appeal. The hearing date will be set on 25 March.

Acquiring and retaining places of worship in Russia's Black Sea resort of Sochi is difficult for some local residents, Forum 18 News Service notes. During the 2014 Winter Olympics and Paralympics, athletes have been able to use dedicated worship space at the inter-confessional centre, with separate prayer rooms for the Orthodox, other Christian, Islamic, Jewish, Buddhist and Hindu faiths, as well as chaplains of these beliefs.

Sochi's Muslims, however, are still without a mosque, and a long-established Protestant community is embroiled in a legal battle to retain their Church.

Still no mosque in Sochi

Sochi's 20,000 strong Muslim population continues to worship in basement prayer rooms while awaiting the provision of a mosque. The town's Yasin Musim community – which now has over 130 worshippers – has since 1996 asked repeatedly for land and permission to build, and has been repeatedly denied or ignored. "Whenever I find somewhere, the [city] Architectural Department says that it's already sold, obstructed by pipes, or something else", then Chair Ravza Ramazanova told Forum 18 in May 2006 (see F18News 18 May 2006 http://www.forum18.org/archive.php?article_id=782).

Not only in Sochi, but also in the capital Moscow and in parts of Russia considered ethnically Russian such as St Petersburg, Muslims face persistent difficulties building mosques. In 2009, then President Dmitri Medvedev publicly backed the idea of building a mosque for Sochi

(see F18News 3 October 2012 http://www.forum18.org/archive.php?article_id=1750).

But as yet the authorities have taken no concrete action to enable a mosque to be built.

Yasin community Chair Valery Ilyasov was keen to stress to Forum 18 on 25 February that his community encounters no day to day problems, and that dedicated prayer rooms had been provided in the Olympic villages. But these facilities are located in zones reserved solely for athletes, the Olympic press office in Sochi told Forum 18 on 4 March. Ilyasov stated though that a promised Islamic Cultural Centre, agreed by the Yasin community and Sochi mayor Anatoly Pakhomov in February 2012, has not yet been built.

Local Muslims' only access to a mosque is in the village of Tkhtagapsh, more than two hours' drive away.

Despite plans for a mosque being discussed several times in the years of preparation for the Winter Olympics (ranging from a permanent structure in an Olympic village to construction as part of a complex of religious buildings on an artificial island shaped like the outline of Russia), no site has been allocated and no financial assistance forthcoming from the city or regional authorities. A spokesperson for Sochi's Department of Information and Analytical Work refused to comment on the possibility of mosque construction after the Olympics, when reached by Forum 18 on 3 March 2014.

Financial support

Immediately after the Winter Olympics "measures will be taken to construct the mosque", Mufti Askarbii Kardanov of the Spiritual Administration of Muslims of Adygea and the Krasnodar Region told the Kavkazskaya Politika website on 22 January. Contacted by Forum 18 on 4 March Mufti Kardanov said that "there will be no problem building a mosque in Sochi if we had money .. that is, if we find sponsors", and remarked that similar problems of funding exist "not only in Sochi .. but in other places, in Tuapse, in Adler, in Novorossiisk, in Anapa".

Asked if the authorities would provide funds, Mufti Kardanov pointed out that religion is separate from the state in Russia. Forum 18 notes, however, that Krasnodar Region allotted more than 525 million Roubles (about 87,123,000 Norwegian Kroner, 10,552,000 Euros, or 14,520,000 US Dollars) from its budget for the construction of the vast Russian Orthodox Church of the Holy Image of Christ at the Olympic Park in Sochi's Adler district. The Church was consecrated on 2 February.

The House of the Gospel

In January 2013 Sochi administration decided to sell off much of its municipal property. This meant that the congregation of the House of the Gospel Protestant Church is faced with losing the site it has occupied rent-free since 1993. Two court hearings so far have failed to secure the Church's rights to the property, and the community is now preparing to appeal a third time.

The Church complex houses two prayer halls, a Sunday school, a publishing outlet, offices, and departments for missionary work and philanthropy, and includes the original building granted by the city administration to the congregation "for charitable and liturgical purposes" in 1993, as well as new structures erected at the community's own expense.

In 2007 the House of the Gospel and Sochi's property department signed a contract transferring the title of the property to the Church, and allowing it free use of the building.

Property boom sparked fears

In February 2011, the Church applied to Sochi administration to have the property transferred to its full ownership under the 2010 Federal Law 'On the transfer of state or municipal owned property of religious purpose to religious organizations', but this request was ignored by the authorities.

(Transfer of the ownership of places of worship under the Federal Law continues to be problematic for all religious confessions – see Forum 18's general Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1722.)

In March 2013, Sochi administration told the House of the Gospel Church that its land and buildings were to be auctioned off under the city's privatisation programme, and that the 2010 property law did not apply.

Sochi is now the third most expensive city in Russia after Moscow and St Petersburg, with average property prices for February 2014 reaching 77,000 Roubles (about 12,790 Norwegian Kroner, 1,550 Euros, or 2,130 US Dollars) per square metre. A spokesperson for the House of the Gospel told Forum 18 on 20 February that he thought the Church's prime location on a major central street, close to the local offices of the FSB security service, was the principal reason behind the proposed sale. The Church community's 2011 attempt to gain full ownership was motivated by fears that the site would prove attractive to investors drawn by Sochi's Olympic boom.

Legal dispute

The House of the Gospel submitted a complaint to the Krasnodar Regional Arbitration Court on 7 May 2013, arguing that the Sochi administration's two years of inaction over their lawful request for ownership were "unlawful and in breach of their rights", according to court documents seen by Forum 18. The Church also asked that the administration should be obliged to respond to their application and hand over the property as originally requested. Sochi administration in its turn argued that the 2010 religious property transfer law did not apply, and there was no reason for them to give the land and buildings to the Church.

At a hearing on 9 October 2013, Krasnodar Regional Arbitration Court partially upheld the Church's complaint. It ruled that Sochi administration's long delay had indeed been unlawful, and that it must consider the House of the Gospel's request for full ownership of the property and provide a "reasoned response" to it. The Court also ruled, however, that the property could not be transferred to the ownership of the Church because its boundaries had not been established in accordance with Russian land law, and it could therefore not be subject to legal transactions (such as under the 2010 religious property transfer law).

Appeal

Sochi administration contested the first part of this ruling in the 15th Arbitration Appeals Court in Rostov on 17 January 2014, in which the Krasnodar court's decision in favour of the Church was overturned on a legal technicality. Under Russia's Arbitration Code, the plaintiff must register their complaint with an arbitration court within three months of the perceived infringement of their legal rights. According to the 15th Court, in documents seen by Forum 18, the House of the Gospel should have applied to the Krasnodar Regional Arbitration Court by 18 July 2011, i.e. three months after the 30 day period within which the Sochi Administration was legally obliged to respond to their request for transfer of ownership.

Because the Church did not approach the court until May 2013 – which delay was due to Sochi administrations' failure to respond to the Church – the Church's case was overturned by the Appeal Court, and Sochi administration relieved of the obligation to respond to the transfer request.

The House of the Gospel is now preparing both to challenge this ruling and to demonstrate their rights to the property at the Federal Arbitration Court of the North Caucasus. The date of the hearing will be set on 25 March.

Sochi's Department for Property Relations would not discuss the case when Forum 18 telephoned on 3 March.

Other sold property, Church building not yet sold

While the case is pending, the Church's land and buildings have not been put up for auction and its activities continue, including the operation of a hospitality centre for visitors during the Olympics and Paralympics.

Many of the other properties on the list prepared by Sochi administration, seen by Forum 18, have already been sold at auctions held throughout 2013. They have all been commercial or mixed commercial/residential properties, or municipal facilities. The House of the Gospel is the only self-contained entity and the only non-governmental, non-commercial organisation likely to be affected by the sale. The spokesperson for the Church could not say whether any alternative accommodation would be provided, if Sochi administration succeeds in auctioning off the Church building.

Summary of persecution of Jehovah's Witnesses in February

Administrative Center of Jehovah's Witnesses in Russia (04.03.2014) - We have identified:

-Nine police detentions during witnessing ministry: in Elatma (Riazan province), Dzerzhinsk (Nizhny Novgorod province), Stepnoe (Saratov province), Krasnoobsk (Novosibirsk province), city of Orel, Maloiaz (Bashkortosta), city of Riazan, Galich (Kostroma province), Nikolskoe (Leningrad province);

-One arrival of police at a worship service: Zavetnoe (Stavropol territory);

-One incident of attack posing harm to health or threat to life, conducted by hostile persons: Chertkovo (Rostov province);

-Two incidents of vandalism: Vychevodskii (Arkhangelsk province), Dinskaia (Krasnodar territory);

-One incident of obstructing religious activity carried out by officials: Rodionovo-Nesvetaiskaia (Rostov province);

-One incident of obstructing religious activity carried out by hostile persons: Belebei (Bashkortostan);

-One search of a private automobile and confiscation of religious literature: Maloiaz (Bashkortostan).

Description of several incidents

1. On 3 February 2014, Elatma (Riazan province). When Jehovah's Witnesses E.V. and S.A. were sharing with residents of the village their religious convictions, a local patrolman approached them and demanded that they stop witnessing, and threatened them with a day's detention if they did not obey. Then he drove off, but five minutes later he returned and forced the believers to go with him. The Jehovah's Witnesses were transported to the village administration building. There the patrolman made copies of the believers' documents and also conducted a search of the contents of their bags.

Having discovered religious literature the officer made copies of the covers of the publications. Then the detainees were transported to the police department "for a conversation." The officer demanded of the believer that they not witness any more and threatened them with troubles if he sees them again in the village.

2. On 6 February 2014, Chertkovo (Rostov province). Jehovah's Witnesses R. Protasov and A. Dmitriev were sharing their religious convictions with residents of the village. In one of the residences a man opened a door and, having understood that they were Jehovah's Witnesses, he began to behave aggressively. The man grabbed Protasov by the jacket and began beating him with his hand, and he also tried to rip the bag from the believer. At the same time he began yelling and cursing the believers and he threatened violence. The victims filed a statement with the police.

3. On 9 February 2014, Krasnoobsk (Novosibirsk province). Jehovah's Witnesses O. Kucheriavykh and D. Chernyshev were arrested by police officers S. Svinarev and M. Golovin, while they were sharing their religious convictions with residents of an apartment building. Golovin told the believers that, in accordance with a decision of the administration, witnessing on the territory of the village was forbidden, and thus he intended to transport the believers to the police department for questioning. Despite their objections, the Jehovah's Witnesses were taken to police department No. 4, where they were questioned, their passport information was copied, and then they were released.

4. On 12 February 2014, Dinskaia (Krasnodar territory). At around 4:00 p.m. an alarm went off in a building where Jehovah's Witnesses conduct their worship services. A Jehovah's Witnesses couple who live nearby went up to the building and caught sight of two unidentified young people, who left the territory by jumping over a fence. After seeing a broken door knob and alarm cover, and also traces of deliberate defacement of the wall of the building, the couple, along with fellow believers who had come to the rescue, detained the vandals and called the police. Police officers drew up a report of an inspection of the site and identified the property damage. One of the detainees acted hostilely, speaking insults against the Jehovah's Witnesses.

5. On 12 February, Vychegodskii (Arkhangelsk province). Fire broke out in a private home that was used for Jehovah's Witnesses' worship services, as a result of which the building was practically destroyed. It turned out that before the fire the building was burglarized. Local investigative bodies investigated the incident.

6. On 13 February 2014, Rodionovo-Nesvetaiskaia (Rostov province). Jehovah's Witnesses A. and G. Kazachkov set up a small, portable stand with publications in order to acquaint passers-by with religious literature. Soon a representative of the cossacks, S. Surkov, approached them and began to demand loudly of the believers a permit for use of the portable stand. Surkov accused the believers of violating the law on rallies and summoned a police squad. The police officers who arrived on the scene checked the believers' documents and took written statements from them. The senior police lieutenant drew up a report of the inspection of the scene and confiscated religious literature for conducting an expert analysis of the contents for signs of extremism.

7. On 13 February 2014, city of Riazan. When Jehovah's Witnesses V.An. and M.K. were sharing their religious convictions with residents of an apartment building, they were arrested by police officers V. Skoropistsev and M. Yurkov. After checking their documents and not explaining the reason for the arrest, they took the believers to the police station No. 2. At the precinct house Yurkov copied their passport information and then the believers were taken to UMVD for the city of Riazan. At the directorate the detainees were placed in separate offices and interrogated. The questions posed pertained to personal life and also to the religious activity of Jehovah's Witnesses. When V.Ah. refused

to present personal items for inspection, the police captain, raising his voice, summoned into the office a man in civilian clothing who began holding the believer while the captain began searching his pockets, removing personal items. Also the policeman kicked V.Zh. in the stomach and injured his face. After this, using physical force against him, the police photographed the believers and took fingerprints. During the detention V.Zh. was insulted and cursed and threatened with violence and detention for an extended period. Also they tried to force the believer to sign a statement composed by the police captain. After another unsuccessful attempt to force him to sign the document, V.Zh. was given back all the things that were taken and he was released.

8. On 17 February 2014, Belebei (Bashkortostan). Jehovah's Witnesses T. Buyanova and V. Fedotova set up on the street a small portable stand with publications in order to acquaint passers-by with religious literature. Soon a man approached them and began to yell loudly and insult the believers, demanding that they leave the street. The believers asked the man to identify himself, and in response he showed them documents with the name Kirsanov, a priest of RPTs. Then Kirsanov began threatening violence and collecting around himself passers-by, provoking them to attack the Jehovah's Witnesses. Kirsanov also threw religious literature onto the ground and knocked over the stand. Only after one passer-by intervened in the situation and defended the believers did the priest go away. The Jehovah's Witnesses filed a statement regarding the incident of Kirsanov's illegal actions with the law enforcement bodies.

9. On 19 February 2014, Maloiaz (Bashkortostan). Police officer A. Khusainov approached Jehovah's Witness I. Shaburova, who was in a private car along with fellow believer S. Sipkin, and he demanded that the believers go with him to the internal affairs department of Salavat district for a conversation, while threatening to use force. At the department the believers were questioned by Captain R. Asmandiyarov. He reported that the Jehovah's Witnesses had been detained in order to check the believers for possession of extremist literature. During the interrogation, Shaburova was forbidden to use a recorder and to make a video tape. Then the police personnel made a copy of Shaburova's documents, after which police lieutenant A. Yakupov searched Shaburova's car. During the search, religious literature was confiscated. On the same day, other Jehovah's Witness women, A.I. and E.S., were arrested while witnessing and they were detained in the same department for more than six hours. (tr. by PDS, posted 4 March 2014)

Parliament threatens complication of legal environment for religion

State Duma seeks legal definition of sects

Izvestiia-Religiia (04.03.2014) - A working committee has been created in the Russian State Duma that will study the question of a legal formulation of the concept of "sect."

"A working group has been created in the State Duma for a resolution of this problem. We will prepare a joint statement of deputies and representatives of the Ministry of Justice, the Prosecutor General's office, and other agencies so that the Supreme Court can give a definition of sect," State Duma Deputy Mihail Markelov reported in an interview, which was published in the Orthodox newspaper Krestovskii Most.

He explained that he was talking about destructive religious organizations that actively operate in various regions and "exert psychological influence on people, conduct illegal

sessions of 'healing,' often damage health, and alienate property of gullible adepts for their own benefit."

"There is a great deal of information about this. As a rule, organizers have a single goal—profit. They attract more or less affluent people who surrender to their influence. Cynical business," the deputy declared.

Imams from Novosibirsk turn to ECHR

Ilkhom Merzhov and Kamil Odilov have appealed to the European Court of Human Rights

SOVA Center (17.02.2014) - On January 14th, two imams from Novosibirsk, Ilkhom Merzhov

and Kamil Odilov, turned to the European Court of Human Rights to appeal their sentence received in 2013.

In their appeal Merzhov and Odilov indicated that their rights, guaranteed by the European Convention For the Protection of Human Rights and Fundamental Freedoms ,had been violated during the court proceedings brought against them under part 1 of article 282.2 of the Russian Criminal Code (organizing activities for an extremist organization) on the accusation that they had continued activities for the banned religious association "Nurdzhular". Specifically, the following rights had been violated:

- Article 6 – Right to a fair trial;
 - Article 7 – No punishment without law: the imams were convicted for their participation in the activities of a non-existent religious association, and also because of an abundance of non-legal terminology in the sentence;
 - Article 8 – Right to respect for private and family life, and also article 1 of protocol 1 (on protection of property): the accused had been subject to searches in which their personal effects had been seized, were not returned to them, and some were destroyed;
 - Article 9 – Freedom of thought, conscience and religion: the prosecution, sentence, and appellate court decision regarding Merzhov and Odilov restrict these freedoms, and the court decision destroying their books and commentaries on the Koran, which contain quotes from texts holy to Muslims, offends their religious sensibilities;
 - Article 10 – Freedom of expression: Merzhov and Odilov were condemned for reading and discussing the books of Said Nursi, interpreted by the court as organizing activities for "Nurdzhular";
 - Article 11 – Freedom of assembly and association: the court sentence restricts the rights of the imams in regard to freedom of peaceful assembly in a private dwelling;
 - Article 13 – Right to an effective remedy: Merzhov's application for a judicial review of Nurdzhular's actual existence was denied by the Russian Supreme Court;
 - Article 14 – Prohibition of discrimination: the imams maintain that they were subject to prosecution under article 282.2 precisely because they are Islamic clerics.
- The imams had been convicted of organizing activities of the religious association "Nurdzhular" while knowing that it is banned as an extremist organization.

The only reason for prosecuting Merzhov and Odilov is the fact that they studied books written by the Turkish theologian Said Nursi. We consider neither the banning of the books nor the banning of "Nurdzhular" to be legitimate, an organization which in any case does not exist in Russia: separate individuals encounter groundless prosecution for studying Nursi's books.

"We do not believe in the justice of our court"

Forum 18 (11.02.2015) - Arrests and prosecutions for "extremist" activity continue against Russian Muslim readers of the works of Islamic theologian Said Nursi. The criminal trial of Ilnur Khafizov and Fidail Salimzyanov began again in a magistrates' court in Naberezhnyye Chelny, in Tatarstan, on 29 January. Proceedings are due to re-start on 19 February, local Muslims told Forum 18 News Service. The criminal trial of two Muslim women, Nakiya Sharifullina and Laura Khapinova, began in a different magistrates' court in the town on 22 January. The trial is due to resume on 12 February.

In Krasnoyarsk, Andrei Dedkov has been accused of organising a cell of the banned "extremist" group "Nurdzhular", having been detained on 24 January when police searched the city's Cathedral Mosque after morning prayers. In the same city, Magomed Suleyman-ogly has been accused of being the leader of a "youth wing of Nurdzhular". Readers of Nursi's works deny that Nurdzhular exists (see Forum 18's Russia "Extremism" religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Also, changes to "extremism"-related Articles of the Criminal Code were signed into law by President Vladimir Putin on 3 February. The changes impose higher fines and longer prison sentences for "extremism"-related offences. This makes it easier for the state to obtain legal permission for surveillance techniques such as phone tapping (see below).

Trial begins – again

The trial of Khafizov and Salimzyanov in Naberezhnyye Chelny began afresh at the town's Magistrates' Court No. 15 on 29 January under judge Guzeliya Yakhina. A Nursi reader in Naberezhnyye Chelny told Forum 18 after the hearing that prosecutors had raised the sentences requested to two years and one year respectively. The case has been adjourned until 19 February, local Muslims told Forum 18 on 29 January.

The two men are facing charges under Criminal Code Article 282.2, Part 1 ("Organisation of an extremist organisation") with being organisers of "Nurdzhular" (see F18News 2 December 2013 http://www.forum18.org/archive.php?article_id=1902).

The trial of Khafizov and Salimzyanov had begun in Naberezhnyye Chelny City Court, where they appeared for the first time on 11 October 2013. However, the case was then transferred to Magistrates' Court No. 15, to the surprise of Muslim readers of Nursi's works in the city.

The third and final City Court hearing took place on 20 December 2013. A local Muslim, who asked to remain anonymous for fear of state reprisals, told Forum 18 on 29 January of an investigator's remark at the last City Court session: "We've learned a lot at these hearings..we'll improve". The Muslim fears that the initial proceedings against Khafizov and Salimzyanov were "a rehearsal", allowing prosecutors to become familiar with the defence before the trial began again in front of the magistrate.

City Court judge Dan Shakurov, in a ruling of 20 December seen by Forum 18, stated that as the prosecution was seeking sentences of less than three years, the defendants should be tried in the magistrates' court system.

A spokesperson for Naberezhnyye Chelny City Court refused to tell Forum 18 on 30

January why Khafizov and Salimzyanov's case had not been dealt with by a magistrate from the outset.

Prosecutors had requested an 18-month suspended sentence for Khafizov and a one-year suspended sentence for Salimzyanov on 14 November 2013 (see F18News 2 December 2013 http://www.forum18.org/archive.php?article_id=1902).

Another magistrates' court trial begins

Also in Naberezhnyye Chelny, Nakiya Sharifullina and Laura Khapinova face the same charges as Khafizov and Salimzyanov. All four were arrested after multiple raids in February 2013 by armed police (see F18News 19 February 2013 http://www.forum18.org/archive.php?article_id=1803). Khafizov and Salimzyanov were initially detained for three months (see F18News 20 June 2013 http://www.forum18.org/archive.php?article_id=1849).

After a prolonged delay, the trials of Sharifullina and Khapinova finally began on 22 January 2014 at Magistrates' Court No. 24 under judge Yekaterina Pypina. It has gone through four hearings so far, with further hearings due on 12, 13 and 14 February.

A local Muslim, who asked to remain anonymous for fear of state reprisals, who has been attending the Magistrates' Court described told Forum 18 on 28 January that most of the witnesses are Tatar-speaking pensioners. They do not have a fluent command of Russian, especially legal language.

The witnesses have not asked for a court-appointed interpreter for fear of being misrepresented: "After nine years of persecution, we are convinced that they cannot be trusted", they told Forum 18 on 11 February. Forum 18 asked Magistrates' Court No. 24 on 11 February whether witnesses' knowledge of Russian was a difficulty in the courtroom and what allowances had been made for them. A spokeswoman would not answer questions on the telephone, asking for questions to be submitted by email.

A Muslim in Naberezhnyye Chelny, who asked to remain anonymous for fear of state reprisals, told Forum 18 on 29 January that: "We do not believe in the justice of our court – we cannot believe in it, after so many years of abuse".

Punishment even if not guilty or convicted

In August 2013, the Federal Financial Monitoring Service (Rosfinmonitoring) added the names of Khafizov, Salimzyanov, and Sharifullina to its list of "terrorists and extremists".

Under the Federal Laws "On countering the laundering of the proceeds of crime and terrorist funding" (August 2001) and "On amendments to certain legislative acts of the Russian Federation counteracting illegal financial transactions" (June 2013), Russian banks are obliged to block the accounts of individuals and organisations on this list. From 30 January 2014 the law has been relaxed to allow small transactions not exceeding 10,000 Roubles (about 1,700 Norwegian Kroner, 210 Euros, or 290 US Dollars) per month.

The List includes people suspected of terrorist or "extremist" activity as well as those who have been charged or convicted, Rosfinmonitoring confirmed to Forum 18 by email on 7 February. Forum 18 asked Rosfinmonitoring on the same day why people were punished by being placed on the List if they have not been convicted of any crime. As of 11 February no answer has been received.

At least seven other Nursi readers also appear on the List. One of them, Ilhom Merazhov, was convicted of "extremist" activity on 27 May 2013 (see F18News 18 June 2013 http://www.forum18.org/archive.php?article_id=1848). He told Forum 18 on 6 February

that he has been unable to receive his university salary since being added to the List. Nursi readers in Naberezhnyye Chelny told Forum 18 on 30 January that the assets of Sharifullina, Khafizov, and Salimzyanov are frozen.

Ill-effects of state harassment

Nursi readers in Naberezhnyye Chelny claim that long-term state harassment is having serious health consequences for the women investigated for alleged "extremism", many of whom are elderly and/or ill. Speaking to Forum 18 on 30 January, local Muslims described the fear of law enforcement raids and difficulty sleeping experienced by those implicated in "Nurdzhular" cases.

Mosque raided and worshippers detained

Krasnoyarsk Muslim Andrei Dedkov has been accused of organising a cell of "Nurdzhular", Forum 18 has learned. He was detained on 24 January when police searched the city's Cathedral Mosque after Friday morning prayers, and charged a few days later.

In all, nine alleged members of "Nurdzhular" have been detained, two of whom have been placed under house arrest. Criminal proceedings under Article 282.2 Part 2 have also been initiated against Magomed Suleyman-ogly, accused of being the leader of a "youth wing of Nurdzhular", a Muslim who wished to remain anonymous for fear of state reprisals told Forum 18 on 11 February.

Dedkov has been accused and tried before. After two years of investigation and trial hearings, prosecutors in February 2012 ran out of time in their attempt to convict Dedkov and three other Muslims on "extremism"-related charges. Dedkov and Yevgeny Petry told Forum 18 at that time that a new case could be launched at any time. Petry told Forum 18 the same day that he and his friends are still under surveillance and have their phone calls monitored. Dedkov noted that many of "our books" (Russian translations of Nursi's works) were still banned (see F18News 5 March 2012 http://www.forum18.org/archive.php?article_id=1675).

Dedkov now stands accused of starting to organise "Nurdzhular" activities in September 2012. Investigators have questioned Dedkov twice and have taken sample recordings of his voice, a fellow Muslim in Krasnoyarsk, who asked to remain anonymous for fear of state reprisals, told Forum 18 on 31 January.

Dedkov's home and those of other suspected "Nurdzhular" participants have also been searched on 24 January. The Siberian Federal District Investigative Committee stated on their website on 25 January that nearly 500 examples of prohibited literature have been seized.

The Investigation Committee Press Office, when rung by Forum 18 on 11 February, stated that a wrong number had been called. Later calls that day went unanswered.

Changes to "extremism" parts of Criminal Code

Changes to the Criminal Code, signed into law by President Putin on 3 February, have increased terms of imprisonment, forced labour and fines for "extremism"-related offences. The amendments' explanatory note states that they are "intended to neutralise the threats to national security posed by the destructive activities of religious organisations on Russian territory" - even though "national security" is not under international human rights law a permissible reason to restrict freedom of religion or belief. The government-initiated draft was lodged with the Duma on 22 June 2013 (see F18News 10 July 2013 http://www.forum18.org/archive.php?article_id=1856).

Changes "make investigators' lives easier"

Several types of "extremism" offence were legally classed as minor, the draft's explanatory note states. So the government was not, for example, formally allowed to monitor private telephone calls during investigations under these Articles.

The Criminal Code changes "make investigators' lives easier", Alexander Verkhovsky of the SOVA Center for Information and Analysis commented to Forum 18 on 4 February. Offences under these Articles have now been reclassified from minor to serious crimes. So law enforcement bodies can now more easily keep suspects in custody during investigations, and make it easier to obtain formal permission for surveillance techniques such as phone tapping.

State agencies, including the FSB security service, have for some years been conducting hidden surveillance of both Jehovah's Witnesses and Muslim readers of Nursi's works (see eg. F18News 27 July 2010 http://www.forum18.org/Archive.php?article_id=1470).

Internal government documents have revealed that 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 – from both within and outside their communities (see F18News 12 August 2010 http://www.forum18.org/Archive.php?article_id=1478).

The changes to the Criminal Code affect:

- Article 280 "calling for extremist activity"

A minimum fine of 100,000 Roubles (about 19,000 Norwegian Kroner, 2,300 Euros, or 3,000 US Dollars) has been introduced where none was specified before, while the maximum period of imprisonment rises from three years to four. This Article does not so far appear to have been used to restrict freedom of religion or belief.

- 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 (see F18News 10 January 2012 http://www.forum18.org/archive.php?article_id=1653).

- 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 (see eg. F18News 20 March 2013 http://www.forum18.org/archive.php?article_id=1815). Article 282.1 was also used against a Muslim Nursi reader, Ramil Latypov, whose trial was halted in December 2012 (see F18News 2 January 2013 http://www.forum18.org/Archive.php?article_id=1786).

- 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.

The increase in terms of imprisonment means that cases under Article 282.2, such as those in Naberezhnyye Chelny, cannot in future take place before a magistrates' court.

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 (see F18News 12 January 2012 http://www.forum18.org/archive.php?article_id=1654).

Investigations, prosecutions and literature bans under the "extremism" and related laws and have targeted Muslim readers of Said Nursi and Jehovah's Witnesses in particular, as well as groups such as Hare Krishna devotees and Protestants (see Forum 18's Russia "Extremism" religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Russian Orthodox Church looking for Christians among Muslim migrants

Uz News (11.02.2014) - The Russian Orthodox Church is planning to publish the gospels in the Central Asian languages, including Uzbek and Tajik.

According to the Dimitry (Pershin), a priest on the missionary commission of the Moscow diocesan council, this publication will be well-researched, academic in nature, and of high quality.

"This will be our answer to the societal needs of labor migrants to culturally adapt and integrate. Our response is not an aggressive one. Instead it bears a certain linguistic and logical standard, which we can offer to those who come to our country," said Dimitry.

According to the cleric, many people who arrive in the Russian capital in search of work come from very difficult walks of life.

In order to feed their families and send money home they often work for twelve hours a day at construction sites, as street cleaners, or in the service sector. They live in poor conditions and cannot afford to pay for continuing education courses.

As a result they end up living in a sort of cultural bubble and continue to judge their new homeland and its people by stereotypes that they had acquired at home, continues the priest Dimitry.

Many people from Central Asian, says the cleric, believe that the Russian Orthodox church to be pagan since it believes in the Holy Trinity and reveres icons.

In his opinion, migrant workers should know about the Russian Orthodoxy and not fear or mistrust it but rather, as guests should, respect the hosts and the country receiving them.

This is missionary

On the other hand, Gejdar Jemal, the chair of the Islamic Committee of Russia, co-chair of All-Russian People's movement Russian Islamic Heritage, and permanent member of Islamic-Arabic People's Conference, does not believe this idea to be an entirely altruistic one from the Russian Orthodox Church.

"This is nothing but a missionary attempt," told Uznews.net Jemal, "They simply want to use the often desperate situations of labor workers living in Russia in order to achieve their own gains."

The Islamic Committee chair then adds that Christian holy texts have been translated in the past and more than once into various languages including Arabic.

They were translated into Uzbek and Tajik in the early 1980s.

Jemal is not sure whether the stated reason of educating the migrants is the real one; most likely the Russian Orthodox Church is trying to attract fresh converts into its faith.

The Moscow diocesan council points out that together with the Russian University for the Friendship of the Peoples it has organized a number of courses on the Russian language, legal basics, and Russian culture for Tajik migrants.

Furthermore they have held a number of networking meetings with members of the Central Asian communities and prepared flyers with useful information for migrants in Russian, Uzbek, Kyrgyz, and Tajik languages.

In Krasnoyarsk, new prosecutions for studying Nursi literature

In Krasnoyarsk on January 24th, 2014, Andrei Dedkov was detained on suspicion of organizing activities for the banned religious association "Nurdzhular".

Sova Center (04.02.2014) - As confirmed by a criminal investigation under parts 1 and 2 of article 282.2 of Russia's Criminal Code, in September 2012 Dedkov organized an "activity for the structural association 'Nurdzhular', recruiting citizens to participate in an extremist association and distributing banned literature, containing information meant to incite religious strife". Over 400 copies of the banned literature were seized during searches "of the home of the religious association's organizer and his active participants".

At the start of 2010, the Krasnoyarsk administration of the Federal Security Bureau (FSB) began a prosecuting Andrei Dedkov, Aleksey Gerasimov, Fizuli Askarov and Evgenii Petrii under the same article. It was the first criminal case that we are aware of concerning the study of religious books written by the Turkish theologian Said Nursi. In March 2012, Krasnoyarsk's magistrate court dismissed the case due to the expiration of the statute of limitations.

From our point of view, "Nurdzhular" is a phantom organization and no such association has ever existed in Russia. In Russia, Muslims who study the wrongfully banned books of Said Nursi are confronted with unjustified persecution from law enforcement agencies. It is worth noting as well that Krasnoyarsk's Muslims actively and consistently contest the bans on the Turkish theologian's books.

Translated by Matthew McDonald

Suspects of church arson in Tatarstan indicted

Sova Center (04.02.2014) - On January 9th, 2014 one of the suspects believed to be involved in the arson of a church, Rafael Zarilov, was indicted on five counts.

He was indicted under article 205 (terrorist act), 222 (unlawful purchase, transfer, sale, storage, transportation or carrying of weapons, their main parts, ammunition, explosives, and explosive devices), and 223 (unlawful manufacture of weapons) of the Russian Criminal Code. The charge was brought against him in December 2013.

Radik Galimov, the defendant's attorney, shared this information. He said that he did not have any information about what charges were brought against the other suspects.

On January 27th, 2014, the head of Tatarstan's Investigative Committee Pavel Nikolaev said that 15 people in total were involved in the case, and that all had been charged under article 205 of the Criminal Code (terrorist act).

Procurator admits that torture used on church arson suspects in Tatarstan

On December 23, 2013, Tatarstan's procurator admitted that torture had been used, after reviewing a complaint about Nizhnekamsk's police activities from the wife of one the prisoners held on charge of setting fire to a church.

"Signs of crime are discernible in police activities, under point "a", part 3, article 286 of the Russian Criminal Code—exceeding official powers with use of violence", stated the procurator's senior aide Elvira Zaripova.

Materials related to the inspection have been transferred to the investigative department at Nizhnekamsk for a criminal prosecution

On January 27th, 2014, Tatarstan's Investigative Committee dismissed the case against police forces. According to the Investigative Committee, the use of torture on the suspects was not confirmed: the suspects' wounds were allegedly self-inflicted, and lawyers were not allowed to speak with them due to the lack of power of attorney.

Translated by Matthew McDonald

Religion rules in Russia: Why does freedom of religion and belief continue to cause conflict in post-Soviet Russia?

Sova Center (24.01.2014) - Two issues preoccupying post-Soviet society are a wish to oppose outside influences (mainly from the West), and to resist aggressive behaviour in matters of religion. It is not difficult to point out inconsistencies and contradictions in these approaches, but more germane is the fact that both have survived, if in modified form, to the present day. When the possibility of further restrictions on freedom of conscience are being discussed, a key topic is invariably the need to protect society from the "expansionism" of new religious movements and radical Islam.

The arrests of members of the Pussy Riot punk band after their performance outside Moscow's Cathedral of Christ the Saviour proved a powerful catalyst for both these concerns. The protest was seen as a frontal attack on "tradition" by "pro-Western forces" (the actual point Pussy Riot wanted to make was neither here nor there), and as an attack on the religious sensibilities of the "Orthodox majority". The reaction was accordingly heavy-handed, including not only imprisonment of two members of the group, but also the passing of a law criminalising the "offending of believers' religious sensibilities", often referred to as the "blasphemy" law.

The legislative proposal was introduced in September 2012 and became law in August 2013 but has not yet been enforced anywhere. There may be at least two reasons for this. First, many laws that are aimed at NGOs, protesters or what is seen as the "opposition" have either been applied much less rigorously than expected or not at all. The authorities have chosen not to resort to wholesale repression, preferring intimidation. Second, the Russian state and its political elite are still very secular and feel uncomfortable about what is widely regarded as a law against blasphemy.

Strictly speaking, this is not a law against blasphemy, unlike, for example, similar legislation in Italy. The offence is not against religious doctrine, the deity, or things considered holy. Desecration of sacred objects is an offence not under the Russian Criminal Code, but under the code of administrative offences, which means it is seen as less serious. Offending religious sensibilities or beliefs is a crime in the penal codes of several European countries, but the European Court of Human Rights (and, following it, the Parliamentary Assembly of the Council of Europe) has consistently confirmed that a distinction needs to be made between offending sensibilities and inciting hatred.

In Russia today there are still attempts to bring charges of incitement to hatred under Article 282 of the criminal code in incidents that the law enforcement agencies, victims or others might reasonably have been expected to regard as mere offences against religious sensibilities. In a few cases, charges have been brought and, in fewer still, these charges

have led to convictions. From interviews with law enforcement officers and representatives of various religious organisations, it is evident that numerous individuals and organisations that feel they have been offended on religious grounds appeal to the police and prosecutor's office to institute criminal proceedings under Article 282. These requests are almost invariably turned down, and this is not a matter of officials taking sides: they are simply reluctant to institute proceedings on a shaky legal basis, except when that is in their own self-interest. They will do so if there is pressure on them from above, or if they face a pressing need to meet some target.

The addition of this new article to the criminal code, if it is not repealed, will lead sooner or later to its being enforced, and the main source of litigation will be complaints from numerous indignant parties. Demands for charges to be brought rained down upon the prosecutor's office and police even before the amendments became law. It is important to recognise that the problem is not only repressive intentions on the part of the authorities, but also the repressive instincts of Russian citizens. Representatives of a wide range of community interest groups (though, thankfully, by no means all), including a number of minorities, constantly demand that criminal prosecution be the main way to influence those who cause them offence.

If the system does start enforcing this law, freedom of conscience will come under immense new pressure because of the likelihood of the sheer volume of litigation. Enforcement is likely to be highly selective, because a law of this kind can only be applied selectively. It will be manifestly discriminatory, in accordance with some individuals' personal preferences and depending on the government's latest priorities. Finally, it will be completely chaotic, because complaints will come in from all directions and there is nobody remotely qualified to assess their merits.

We can hope, of course, that the new article may yet be removed from the criminal code, but the chances of that are slim. The fact that it is there in the first place results from a consistent trend towards restricting freedom of expression in matters of religion, justified on the basis of the need to maintain "religious peace". There are two main aspects to this laudable aim, and they enjoy widespread support. The first is safeguarding national security against the preaching of terrorism motivated by religion. The second is to safeguard national security against internal, particularly ethnic, conflicts, which are seen as often being fuelled by religion.

These two security aspects were major reasons for the introduction, in 2002-2007, of the current legislation to counteract "extremism". This legislation is used extensively against violent racist groups, but also against sundry ideological minorities, which by no means espouse violence or pose a serious, or indeed any, threat to national security.

Abuse of this legislation is made possible by its imprecise wording, which we also find in respect to the new law to protect religious sensibilities. This inevitably leads to arbitrary application and, specifically, to exploitation for political purposes. There have been numerous instances of this, but let us focus on just three. Among the first major "anti-extremist" trials associated with religion were those targeting contemporary art exhibitions at the Andrey Sakharov Museum, which presaged the Pussy Riot case. Also, in 2011, a journalist was convicted for making rude remarks about believers in general, and the clergy in particular, even though his was not by any means a high profile protest and could not be represented as involving incitement to hatred against any group. Lastly, over several years there has been a serious campaign of criminal prosecution against people who read or distribute the works of a Sufi teacher, the late Said Nursi, even though neither he nor his Russian followers have links to terrorism, or engage in conduct which might constitute a threat to society.

In the case of the Sakharov museum exhibitions, the general public could at least understand more clearly what was going on. Some might consider the exhibition a profound artistic meditation on relations between the church and society; others might see the exhibits as an amusing send-up of the church and/or orthodoxy; some might

consider it a send-up in bad taste or even an attack on the church, but within acceptable limits of freedom of expression; others, however, were determined to prove that the exhibition was a criminal incitement to hatred of orthodoxy and Orthodox Christians.

In the case of the persecution of followers of Said Nursi, the general public know nothing about the subject and must either just believe or disbelieve what they are told by the security services, believe or disbelieve what is said by Muslim leaders defending those being persecuted, or simply turn and look the other way. Most people choose the last option, including a majority of journalists, which means a majority of citizens, even those who take an interest in social matters, know nothing about these prosecutions.

Our citizens' understanding of the issues around freedom of conscience is fragmentary. Most are far more concerned about conflicts over the balance between the slow-but-sure process of de-secularisation and the constitutionally guaranteed secular nature of the state. There are controversies over the presence of religion in schools, about the erection of Orthodox churches and mosques (although in the case of mosques the main cause of dissension is racism), and about various symbols of the cosy relationship between church and state. The real-life problems facing religious groups and, more generally, people expressing an opinion about religion, get forgotten.

These problems are legion. The most acute in recent years have arisen from improper application of anti-extremism legislation, but there are also the more "ordinary" problems, like refusals to release building land for places of worship and systematic campaigns of defamation. In a number of cases, like that of the Jehovah's Witnesses, all these problems come together.

The Federal List of Extremist Materials has, however, excited the public's interest by its scale and, even by Russian standards, sheer absurdity. The list can be found on the website of the Ministry of Justice and itemises materials banned from mass circulation. The ban is imposed by courts at the insistence of local prosecutors, who must satisfy the court that the material contains elements that can be construed as constituting "extremist activity". This is usually incitement to hatred of some sort, impugning the dignity of a group, asserting the superiority or inferiority of a particular religion, and so forth. The whole process is quite remarkably ineffective and does not stand up to scrutiny. Most of the materials the list is seeking to ban cannot be identified from the titles given and, no less problematically, banning them does not in strictly legal terms mean they cannot be re-published, because a new court case would be needed to re-establish the identity of the materials.

A great many of the banned books, websites, videos and material involves religion in one way or another. Many are jihadist texts openly calling for terrorism or other forms of violence, but many have nothing prejudicial in them: perhaps at most a claim of the superiority of one set of beliefs over others, to which texts of Jehovah's Witnesses are prone. There are works by Muslim authors well known for their contribution to jihadist ideology, but on topics that are of no concern to national security (most commonly, on aspects of Sharia law). Finally, a number of texts have found their way on to the list purely by chance, having been confiscated from some "wrong-thinking" individual. This explains the presence of medieval treatises by the likes of the Persian mystic al Ghazali. In 2013 there was even a ban imposed on one of the most popular translations of the Quran.

The absurdity of such methods of "fighting extremism" has obliged even President Putin, at a recent meeting with muftis in Ufa in Bashkortostan, to acknowledge that there are problems with the current approach to banning religious materials. Alas, there is no sign of willingness to review the methods of fighting extremism more generally, or those aspects of them that most blatantly violate freedom of conscience.

Translated by Arch Tait

() This article was made by Alexander Verkhovsky for [Index](#).*

Two "extremism" bans overturned - but bans, fines continue

Forum 18 (27.01.2014) - A Krasnodar court has overturned a ban on a popular Russian translation of the Koran (though the court has still not issued the written ruling), while a Tver court has overturned a ban in Russia on the main Jehovah's Witness international website. Yet bans on religious literature amid controversial "extremism" accusations continue, Forum 18 News Service notes. Four more Jehovah's Witness texts were ruled "extremist" in December 2013. And no moves have taken place to lift a less publicised "extremism" ban on 68 Islamic texts, Nirzhigit Dolubayev, a lawyer representing one of the publishers in the case, told Forum 18. Fines continue on mosques and individuals for possessing any of the 68 books - which include collections of hadiths [sayings of the Islamic Prophet Mohammed].

Despite the overturning on appeal of a controversial ban on a popular Russian translation of the Koran, and the overturning of a separate court-ordered ban on the main Jehovah's Witness website, no moves have taken place to lift a less publicised "extremism" ban on 68 Islamic texts. These texts include collections of hadiths [sayings of the Islamic Prophet Mohammed]. In addition, four more Jehovah's Witness texts were ruled "extremist" on 23 December 2013, Forum 18 News Service notes.

Widespread publicity and strong Muslim protest appear to have been instrumental in the 17 December 2013 Krasnodar court overturning of the lower court ban on the translation of the Koran by Azerbaijani scholar Elmir Kuliyeu. A court on 22 January 2014 overturned the ban on the official international website of the Jehovah's Witnesses (see below).

The Krasnodar case has brought no legal change stopping further cases being brought against Koranic texts, however. Forum 18 also notes that, in the light of ongoing efforts to ban other Islamic material, it seems unlikely there will be much effect on the application of the 2002 Extremism Law to Islamic literature in general.

No move in Orenburg appeal

Suggesting that the Krasnodar ruling does not herald a new lenient trend, the state has not rushed to overturn a similar, March 2012 ruling against 68 Islamic texts by Lenin District Court in Orenburg. The texts - all on the Federal List of Extremist Materials - include another work by Kuliyeu, collections of hadiths and Said Wahf Al-Qahtani's "Fortress of the Muslim", found by Forum 18 to be entirely benign.

The case similarly sparked outrage among Russian Muslims, including from the Council of Muslims, one of Russia's leading Islamic bodies (see F18News 19 June 2012 http://www.forum18.org/archive.php?article_id=1713).

After a delay caused by the destruction of 26 of the prohibited items, the repeat "expert analysis" of the remaining material, ordered in April 2013, was expected to take until late August 2013 to finish. There have still been no further developments, however, Nirzhigit Dolubayev, a lawyer representing one of the publishers in the case, told Forum 18 on 10 January 2014.

Prosecutions

Prosecutions in relation to the 68 texts continue. Nadym Town Court fined Azat Safa Mosque the huge sum of 50,000 Rubles (9,000 Norwegian Kroner, 1,000 Euros or 1,500 US Dollars) on 15 December 2013 after law enforcement agents found a copy of an-

Nawawi's "40 Hadiths" on its premises, Yamalo-Nenets Autonomous District Public Prosecutor's Office reported. The community's imam, Izmagil Gazizov, received a lesser fine of 2,000 Rubles. Both fines were for "production and distribution of extremist materials" (Administrative Code Article 20.29). A spokesperson at Nadym Town Court refused to confirm to Forum 18 on 23 January whether these fines had been paid.

The mosque does not appear to be out of favour with the state authorities. Gazizov is listed – along with a Russian Orthodox Church (Moscow Patriarchate) cleric – on the website of Nadym District's Interior Ministry Department as being a member of its Public Committee. Responsible for the mosque's construction and chair of its community, Azat Safin is a local representative of the pro-Putin United Russia political party, according to Islamnews.ru.

Safin's business secretary told Forum 18 on 20 January that he was in a meeting and to call back the next day. Reached again on 22 January, the secretary said he was away for several days. Repeated calls to Safin's mobile phone went unanswered before returning a recorded message saying the number was temporarily blocked.

Also in Yamalo-Nenets Autonomous District, imam Ilfir Mansurov of Muravlenko's main mosque was fined 2,000 Rubles under Article 20.29 at Muravlenko Town Court on 24 December 2013, the court website noted. Imam Mansurov was prosecuted for keeping unspecified books among the 68 Orenburg titles in the classroom of his mosque, Yamalo-Nenets Autonomous District Public Prosecutor's Office reported on 31 December 2013.

During an FSB raid on a mosque in Tuzlukushevo (Orenburg Region) on 17 September 2013, officers seized a copy of an-Nawawi's "40 Hadiths" from the literature cupboard of the mosque's prayer hall. The imam, Ilfat Sharipov, was also charged under Article 20.29, according to the court decision seen by Forum 18. On 28 November 2013 he was fined 2,000 Rubles, the website of Ilek magistrates' court notes. The book was confiscated. Unusually for cases of this kind, the Tuzlukushevo mosque is affiliated with the Central Muslim Spiritual Board, which is headed by pro-Kremlin Mufti Talgat Tadzhuddin.

A copy of Al-Qahtani's "Fortress of the Muslim" – also among the 68 Orenburg texts – was confiscated from a Ukrainian citizen entering Russia through the Port Kavkaz seaport in Krasnodar Region, Vera Androshchuk of Krasnodar Transport Prosecutor's Office told livekuban.ru on 9 December 2013. Officials at the Prosecutor's Office refused to tell Forum 18 on 27 January 2014 whether the threatened administrative prosecution of the Ukrainian had taken place.

Another copy of "Fortress of the Muslim" had been seized from a Russian citizen returning from Jordan through Mineralnye Vody Airport (Stavropol Region), according to a corresponding 11 March 2013 confiscation order issued by Mineralnye Vody Town Court and seen by Forum 18.

Also at Port Kavkaz seaport, customs officers from the Department Against Especially Dangerous Types of Contraband confiscated ten "extremist" Jehovah's Witness titles from a traveller entering from Ukraine in February 2011, according to a corresponding 21 September 2011 ruling by Temryuk District Court seen by Forum 18.

More Jehovah's Witness material ruled "extremist"

Courts continue to take action against Jehovah's Witness literature. Another text -"Will You Follow Jehovah's Loving Guidance?" – was added to the Federal List on 17 December 2013 (No. 2170). It is the 70th Jehovah's Witness title to feature on the List. "Will You Follow Jehovah's Loving Guidance?" was ruled "extremist" by Krasnoyarsk's Soviet District Court on 24 January 2013

(see F18News 25 October 2013 http://www.forum18.org/archive.php?article_id=1890).

Four more Jehovah's Witness texts – "How to Achieve Happiness in Life", "What Can People Hope For?", "How to Develop a Close Relationship With God" and "What You Need to Know About God and His Meaning" – were ruled "extremist" by Kurgan City Court on 23 December 2013, according to the Court's website. They have yet to be added to the List.

These four "extremist" texts alleged "the superiority of the Jehovah's Witness doctrine" and the "falsity of other creeds and churches", the General Prosecutor's Office reported on 13 January 2014. The same confusion between claiming the superiority of particular people and claiming the superiority of particular views – a central part of freedom of religion or belief – is made in every attempt to ban allegedly religious extremist literature in Russia with which Forum 18 is familiar.

"Obvious absurdity"

The ban on the Koran translation was overturned due to Muslims' "mounting protests", including active legal protests, as well as "the obvious absurdity of the ruling," Akhmet Yarlykapov, a Moscow-based specialist on Islam at the Centre for Ethnopolitical Studies within the Russian Academy of Sciences, told Forum 18 on 20 January.

With the Sochi Winter Olympics due to begin on 7 February, the Kremlin "does not need unnecessary scandals" in Krasnodar Region, where the ban on the Koran translation was issued, he suggested.

The original, 17 September 2013 banning of the Koran translation – by Azerbaijani scholar Kuliyeu – led to widespread condemnation from Muslims, with protests in Moscow, Tyumen, Chelyabinsk and Ingushetia, local news agencies reported in September and October 2013.

The successful appeal against the ban is indicative of Russian Muslims' increased legal awareness and confidence, Ravil Tugushev, one of the appeal lawyers in the case, argued in a 22 December blog post. The "historic" 17 December 2013 verdict marks an end to attempts to prohibit the Koran in Russia, he suggested.

After the ban on Kuliyeu's translation, President Vladimir Putin for the first time criticised the practice of banning religious literature on the grounds of "extremism". "This is not always successful, and indeed, often has the opposite effect," he remarked to Muslim leaders at a 22 October 2013 meeting in Ufa (Bashkortostan Republic) (see F18News 25 October 2013 http://www.forum18.org/archive.php?article_id=1890).

The banning of a popular translation of Islam's central religious text would have had wide legal implications for mosque congregations and individuals in possession of copies. Some Muslims feared that the ruling, if upheld, would open the way for more prohibitions of other versions of the Koran.

No legal change

The Krasnodar case has brought no legal change stopping further cases being brought against Koranic texts, however. The controversial ban was overturned by Krasnodar Regional Court. "The court has adopted a new ruling – to refuse the prosecutor this blasphemy," Murad Musayev, a lawyer representing Kuliyeu, remarked from the courtroom via Facebook immediately after the Court ruled on 17 December 2013.

The decision countermanded the 17 September 2013 verdict by October District Court in Novorossiisk (Krasnodar Region). This decreed that the text was to be added to the

Federal List, prohibiting its distribution in the Russian Federation, and that the copy brought to the attention of the court should be destroyed. Musayev, Tugushev and other lawyers mounted four appeals on behalf of various Muslim bodies. Kuliyeu did not attend the hearing.

A spokesperson at Krasnodar Regional Court confirmed to Forum 18 on 20 January that the ban on Kuliyeu's translation had been overturned on 17 December 2013, but added that the full decision has not yet been published. She expected this would happen, but was unable to tell Forum 18 when, or indeed why the ban had been overruled. Kuliyeu lamented to Forum 18 from the Azerbaijani capital Baku on 25 January that a copy of the verdict had not yet been sent to him, despite repeated requests.

Lawyer Tugushev made details of the 17 December hearing public on his blog: lawyer Musayev pointed out flaws in the investigative report of the Koran translation used in the initial case in Novorossiisk, including that the report's author had no knowledge of Arabic. Tugushev (representing the Volga Muslim Spiritual Directorate), Sultan Zafesov (representing Mufti Askarbi Kardanov of Krasnodar Region and Adygeya) and Ruslan Bartcho (also of Adygeya Republic) then spoke on procedural violations, such as that no Islamic organisations were informed of the first court case. They also argued that the 10 minutes proceedings took were insufficient for all necessary court formalities to be observed.

Tugushev pointed out to Forum 18 on 14 January that Novorossiisk Transport Prosecutor's Office may seek to challenge the appeal ruling, although "their chances are almost zero".

Calls to Oksana Zotova at Novorossiisk Transport Prosecutor's Office went unanswered each time Forum 18 rang between 20 and 22 January.

Koran translations seized

Although the Novorossiisk court's ban did not come into force while appeals were pending, this did not stop the verdict from being acted upon. Police seized 15 copies of Kuliyeu's Koran translation on 2 October 2013 from two shops at a market in the town of Cherkessk (Karachai-Cherkessia Republic), the Interior Ministry website noted the following day. Two stallholders were charged for "production and distribution of extremist material" (Article 20.29 of the Administrative Code). However, the case was soon dropped and the books returned on 7 October, Kavkazsky Uzel website reported.

It remains unclear why the Novorossiisk case was brought. Kuliyeu's translation of the Koran has been widely used in Russia for more than a decade and does not differ significantly from other Russian versions of the Koran. This was not the first time, however, that this translation has encountered opposition from some in Russia's Muslim establishment. In September 2008 it was included in a list of texts with "canonical mistakes", "not approved" by the Muslim Spiritual Directorate of Dagestan, which keeps tight control over Islamic literature in that North Caucasian republic (see F18News 26 May 2010 http://www.forum18.org/archive.php?article_id=1450).

Widespread publicity previously helped to prevent a key text for Krishna devotees from being ruled "extremist" in Russia. Following protests from local human rights activists as well as a public outcry in India, a Public Prosecutor in the Siberian city of Tomsk failed to ban the Russian translation of "The Bhagavad-gita As It is" in 2012 (see F18News 21 March 2012 http://www.forum18.org/Archive.php?article_id=1682).

Website ban overturned

On 22 January 2014, Tver Regional Court granted an appeal by Watchtower Bible and

Tract Society of New York, Inc. against a ban on the Jehovah's Witnesses' official website, www.jw.org. "The [original] judicial panel did not establish legal grounds for deeming the site extremist material", a court official told Rossiiskaya Gazeta on 23 January.

The decision to prohibit the site on grounds of "extremism" was taken by Tver's Central District Court in August 2013, after FSB and police investigators found the site to contain seven texts on the Federal List. Although a Russia-wide ban did not come into force while the appeal was pending, local court prohibitions on the website meant that it was already blocked in some regions, such as Buryatia Republic (see F18News 27 September 2013 http://www.forum18.org/archive.php?article_id=1879).

Appeal lawyer Aleksandr Filin welcomed the reversal of the ban as an indication of "the intention of the Russian Federation to fulfill its international obligations to ensure the freedom of the Internet and, more importantly, the freedom of religion".

Baptist fine overturned

No translation of the Bible has yet been ruled "extremist". However, Baptist Aleksandr Bannykh was sentenced to a fine of 20,000 Rubles by Buzuluk District Court (Orenburg Region) on 8 November 2013. He was prosecuted after he and other Baptists distributed copies of the New Testament and other Christian literature and held open-air evening services in Buzuluk (Orenburg Region), Council of Churches Baptists reported.

Bannykh was fined for "violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket" (Administrative Code Article 20.2, Part 2). However, he was acquitted on appeal on 20 December 2013, Baptists told Forum 18.

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

European Court communication

On 27 November 2013, the European Court of Human Rights (ECtHR) requested a response from the Russian government to an appeal against the banning of a text by the late Turkish Islamic theologian Said Nursi, Forum 18 has learnt. The United Spiritual Administration of Muslims of Krasnoyarsk Region submitted the case to the ECtHR in April 2011, challenging the rulings of local courts that "The Tenth Word" - from Nursi's "Risale-i Nur" collection of Koranic commentary - constituted "extremist" material (see F18News 29 October 2010 http://www.forum18.org/Archive.php?article_id=1504).

These local rulings contravene Muslims' rights to freedom of thought, conscience, and religion and to freedom of expression under Articles 9 and 10 of the European Convention on Human Rights, the applicant organisation contends. The Russian government must now respond to the question of whether these rights have been infringed, and must also submit the conflicting expert reports on the text from the original case to the ECtHR.

A spokesperson for the ECtHR in Strasbourg told Forum 18 on 14 January that the Russian government must respond by 21 March 2014. The Court will then invite the United Spiritual Administration of Muslims of Krasnoyarsk Region to comment on the response.

This is the third case relating to the banning of Islamic texts in Russia to reach the ECtHR in recent years. The other two – "Ibragimov and Cultural Educational Fund 'Nuru-Badi' v. Russia" and "Valiullin and The Association of Mosques of Russia v. Russia" – also refer to violations of Articles 9 and 10. The former involves multiple texts also from the "Risale-i Nur" collection (published by "Nuru-Badi", of which Ibragim Ibragimov is director), which were ruled "extremist" by Moscow's Koptevo District Court in 2007 (see F18News 27 June 2007 http://www.forum18.org/Archive.php?article_id=981).

The second case involves 16 books and brochures (including Koranic commentaries, studies of Islamic law and doctrine, and a life of the Islamic Prophet Mohammed) deemed "extremist" in 2007 by Buguruslan City Court (Orenburg Region), a ruling challenged by the Association of Mosques (see F18News 17 July 2008 http://www.forum18.org/archive.php?article_id=1160).

These two cases were submitted to the ECtHR in December 2007 and February 2008 respectively and communicated to the Russian government on 4 April 2011. No judgment has yet been rendered.

Ban on Jehovah's Witnesses website overturned by appellate court

HRWF (23.01.2014) - On 22nd January Jehovah's Witnesses successfully appealed the decision of the 7th August 2013 Tver Regional Court banning the Bible-education website jw.org throughout the Russian Federation. The Regional Court of Tver conducted a new trial, which concluded that the decision of the Tsentralniy District Court on August 7, 2013 was unjustified, since there was no legal reason to ban the site.

Although jw.org is consulted by hundreds of thousands around the world and is highly regarded by researchers, the Tver Regional Court sided with officials seeking to ban the popular website. The court rendered its decision without notifying or taking any testimony from the publishers of the site, the Watchtower Bible and Tract Society of New York.

Religion, schools and the right to choose

Forum 18 (20.01.2014) - Absent since the Bolsheviks seized power in 1917, tuition on religion is once again being offered in Russia's state schools, Forum 18 News Service notes. Its introduction follows many years' lobbying by the Russian Orthodox Church (Moscow Patriarchate) for school pupils to study Orthodoxy.

But what does the subject introduced in September 2012 mean for freedom of religion or belief? The main textbooks - examined by Forum 18 - are mostly even-handed. Unlike the initial version of the subject proposed by the Moscow Patriarchate, pupils may choose one module from six on Secular Ethics, Foundations of World Religious Cultures, Foundations of Orthodox, Islamic, Jewish or Buddhist Culture.

Visiting three neighbouring Siberian regions in recent months, however, Forum 18 found sharply different interpretations of the subject. In Khakassia Republic, one Lutheran parent complained his daughter was offered only the Orthodox Culture module after the school's headteacher proclaimed, "We live in an Orthodox country". Yet in Buryatia

Republic, a teacher of the subject is trying to convey to her pupils that, "We may believe in different religions but we should respect one another."

Forum 18 concludes from this inconsistency on the ground that the subject could result in violations of freedom of religion or belief anywhere in Russia.

In this analysis of the situation at the end of 2013, Forum 18 has seen all relevant laws, schoolbooks and official documents unless another source is given.

What the law says

A raft of legal changes in 2012-13 formalised tuition of religious studies in all Russia's state schools, Forum 18 notes.

Previous post-Soviet laws on the issue continued strict separation of religious organisations and state education. The 1992 Education Law upheld the secular nature of state education and prohibited the creation or activity of religious organisations within state educational institutions (Article 2, Part 4; Article 1, Part 5). The 1997 Religion Law permitted religious instruction on state school premises – including by religious organisations – but only outside the framework of the educational curriculum and with pupils' and parents' consent (Article 5, Part 4).

The December 2012 Education Law and an associated July 2013 Law amending the 1997 Religion Law (among others) supersede these earlier provisions. While continuing to affirm the secular nature of state education, the 2012 Law does not specifically bar religious organisations' involvement in it. The same law prohibits teachers from "using educational activity (..) to force students to accept or renounce (..) religious or other convictions" - but this falls short of prohibiting promotion of a particular religious or other worldview (Article 48, Part 3).

The associated July 2013 Law amends the 1997 Law to permit religious worship on "premises belonging to educational organisations that were used for religious worship historically" (Article 50, Part 4 amending Article 16, Part 3). As most Russian school buildings date from the anti-religious Soviet period and do not have such premises, this is a much narrower category than originally sought. The August 2012 draft version of the law had tried to amend this provision to allow religious worship at any state educational institution simply at the request of pupils' parents (Article 48, Part 4).

The key change concerning religion brought by the 2012 Education Law, however, is a legal framework for the school subject Foundations of Religious Cultures and Secular Ethics, introduced nationwide in September 2012.

Announcing the introduction of the subject in February 2012, then Prime Minister Vladimir Putin suggested that "well-trained theologians, priests" should teach it, according to a transcript on his presidential campaign website. The 2012 Education Law makes no reference to tuition by clerics, however. A Booklet for Parents produced in conjunction with the six main textbooks for the subject insists that history, civics and other humanities teachers will teach the subject, not clerics.

The 2012 Law does permit tuition on "the spiritual-moral culture of the peoples of the Russian Federation; moral principles; the historical and cultural traditions of world religions or alternative subjects" (Article 87, Part 1). It also stipulates that relevant course material is subject to analysis by a corresponding centralised religious organisation "to ascertain whether its content conforms with the teachings, historical and cultural traditions of the organisation" (Article 87, Part 3). Such organisations are also to be involved in preparation of teaching materials (Article 87, Part 6).

Forum 18 notes this wording allows the state to choose organisations with which it has

closer relations - such as the Moscow Patriarchate and particular Muslim, Jewish and Buddhist bodies - to give their preferred explanations of Christianity, Islam, Judaism and Buddhism, potentially at the expense of alternative trends such as Old Belief, Protestantism or Reform Judaism.

On 18 October 2013 Russia's Supreme Court rejected a challenge to the introduction into state schools of Foundations of Religious Cultures and Secular Ethics, according to a decision by Judge Valentina Yemysheva on the Court's website. Dmitri Bondar - who did not appear in court and asked for the case to be heard in his absence - argued that the subject's introduction violated the 1993 constitutional guarantee to freedom of religion or belief. Judge Yemysheva countered that pupils may choose from six options spanning different religious cultures and Secular Ethics.

In practice, however, not all schools are able - or willing - to offer all six options, Forum 18 has found (see below).

Most choose Secular Ethics

Despite continued criticism by the Moscow Patriarchate, the course is a much-diluted form of the type of state religious instruction the Patriarchate has lobbied for from the start of discussions. The Patriarchate long tried to introduce instruction in its branch of Russian Orthodoxy - also under the title Foundations of Orthodox Culture - into state schools at local level. However, this came to an abrupt halt in September 2007, when President Putin chose his visit to Belgorod Region - the region that had gone furthest by introducing compulsory Orthodox Culture classes for all pupils - to stress Russia's constitutional separation of Church and state (see F18News 14 September 2007 http://www.forum18.org/archive.php?article_id=1021).

In December 2007 Putin went on to abolish the right of local authorities to determine a portion of the school curriculum, a practice that had allowed the Patriarchate to introduce Orthodox tuition piecemeal at regional level.

It is now clear that most parents and pupils do not favour instruction in the Russian Orthodoxy of the Moscow Patriarchate in state schools. Even when introduced by the state as an elective, culturological subject, Foundations of Orthodox Culture was chosen by only 28 percent of parents and pupils across most of Russia. Forty-one percent preferred Secular Ethics and 20 percent Foundations of World Religious Cultures in the 77 (of 83) Russian regions that had completed the selection process when results were reported by Itar-Tass news agency in March 2012. Five percent chose Foundations of Islamic Culture, one percent Buddhist Culture and only 0.1 percent Jewish Culture.

The subject was previously piloted over two years in 19 Russian regions in line with an October 2009 government decree. Then President Dmitri Medvedev announced its introduction at a high-profile meeting with Orthodox, Muslim, Jewish and Buddhist leaders in July 2009. Again, parents and pupils preferred Secular Ethics in the majority of pilot regions. This option proved first choice in Kaliningrad, Kamchatka, Krasnoyarsk, Kurgan, Novosibirsk, Penza, Sverdlovsk (Yekaterinburg) and Tomsk Regions, as well as Udmurtia Republic, according to results published by Gazeta.ru in March 2010.

Foundations of Orthodox Culture proved first choice in Chuvashia Republic, Jewish Autonomous Region, Kostroma, Stavropol, Tambov, Tver and Vologda Regions. Foundations of Islamic Culture came first in Chechnya and Karachay-Cherkessia Republics, as did Foundations of Buddhist Culture in Kalmykia Republic - the three remaining pilot regions where these non-Orthodox "traditional" religions are dominant. Outside these three, tuition on Islamic, Jewish or Buddhist Culture was reportedly chosen by a maximum of only two percent.

What's in the course?

At least on paper, Foundations of Religious Cultures and Secular Ethics is a great improvement over some of the forced religious instruction reported in some Russian regions before 2009, Forum 18 notes (see below).

First published in Rossiiskaya Gazeta newspaper in March 2012, a December 2011 Education Ministry decree approved 10 titles as textbooks for the subject. Six of these – one for each module of the subject – are those produced under Ministry supervision for the 2010-11 pilot scheme. Since the three on Secular Ethics, Foundations of World Religious Cultures and Foundations of Orthodox Culture are by far the most commonly used, Forum 18 focuses on their content here.

In his introduction to the Booklet for Parents accompanying the six textbooks, Education Minister Andrei Fursenko maintains that the aims of the subject are "the moral education of Russian pupils on the basis of traditional ideals and common human values (..) the formation of a respectful attitude towards the different views and convictions of the citizens of our large country (..) consequently, a healthier moral atmosphere in society".

Embodying this goal of social cohesion, pupils following separate modules are to take part in joint activities at the end of the course to mark Russia's National Unity Day on 4 November. This, the Booklet suggests, "can become a school and family holiday and take place under the slogan, 'We're different, but we're together'."

Similarly, all six textbooks open with two chapters by pedagogue Aleksandr Danilyuk emphasising "love and respect for the Fatherland" as an umbrella ideology of unity. Orthodoxy is not given precedence here: the presence of Judaism and Islam on Russia's modern-day territory from the seventh and eighth centuries respectively is noted, and only then the Orthodox conversion of the early medieval state of Rus in 988.

Described by the Booklet for Parents as "an introduction to the system of humanist values", the anonymous textbook on Secular Ethics makes no reference to religion, even where context might suggest it. In a lesson on "the golden rule of morality", for example, well-known sources for the maxim "Do as you would be done by" are given as the Chinese philosopher Confucius, the Greek mathematician Thales and the Roman philosopher Seneca, but not the New Testament commandment "Do to others what you would have them do to you" [Matt. 7:12].

In general, the textbook sees Secular Ethics as rooted in philosophy, as when suggesting that Aristotle founded ethics, "a science that considers actions and human relations from the point of view of ideas about good and evil".

Despite the patriotic tone of Danilyuk's opening and closing chapters, the Secular Ethics textbook is not politicised, instead introducing concepts such as conscience, friendship and etiquette. A chapter on patriotism makes no reference to Russia's present regime, noting only that, "without the patriotism of all [its] peoples Russia could not have been victorious in the Great Patriotic War of 1941-5." While concerned exclusively with behaviour, the textbook is also not particularly didactic. It suggests, for example, that if a person prefers to live exclusively in accordance with their own desires, "that person must then be prepared to be shunned by those around him, who will not wish to befriend or love him".

Another feature of the Secular Ethics textbook unintentionally preventing it being forced moral instruction is its complexity. While some passages are easy to understand, they quickly become complex for 10- and 11-year-old pupils, as when quoting Hegel: "In order for an action to have moral value, it should be linked to one's personal conviction. It is amoral to do something due to fear of punishment or in order to win the approval of others."

Different Orthodoxies

The author of the textbook in the same series on Foundations of Orthodox Culture is Protodeacon Andrei Kurayev, who remains influential in the Moscow Patriarchate despite his controversial dismissal from a teaching position at Moscow Spiritual Academy in December 2013.

Throughout his textbook, Kurayev alternates between a neutral, culturological attitude – as when beginning statements with "Christians believe that" – and religious instruction: "If a person is communicating online and then his computer breaks down, does the person's disappearance from the internet mean he's dead? In the same way, the breakdown of the body doesn't destroy the soul." Unlike the other textbooks, its many illustrations of Orthodox art and architecture bear little relation to the text – for Kurayev focuses on the moral content of Orthodoxy.

While Kurayev's textbook does not mention non-Orthodox Christian or other religious beliefs, several features – such as a photograph identifying Kirill as patriarch and the identification of Metropolitan Filaret (Drozdov) of Moscow (d. 1867) as a saint – are unacceptable to Old Believers. Aleksei Muravyev, director of studies at the Moscow seminary of the Russian Orthodox Old Believer Church (Belokrinitsa Concord), pointed out to Forum 18 in September 2010 that Old Believers remember Filaret as encouraging state persecution of their faithful.

Consequently, December 2009 and May 2010 Councils of the priestless Pomorye Old Believer Church and the Russian Old Orthodox Church (Novozybkov Concord) recommended that Old Believer parents choose Secular Ethics or Foundations of World Religious Cultures instead of Foundations of Orthodox Culture, according to the Churches' websites.

Old Believer Muravyev has since written his own textbook on Foundations of Orthodox Culture, published in 2013 and approved by the Education Ministry. All but a few of its many illustrations could pertain to Old Belief as well as the Moscow Patriarchate, and there is no discussion of saints or events after the seventeenth-century schism between the two. The text is more culturological than Kurayev's, as when explaining festivals with reference to images of particular icons.

It also notes that Russians may be Muslims, Buddhists, Jews or "representatives of other Christian confessions – Catholics and Protestants", and does not interpret this variation as division: "All religions teach goodness and truth in their own way. But peace did not always reign between adherents of different religions. They often argued about which of them better expresses the main Truth (..) [But] religious arguments do not result from people's hatred. On the contrary, they show that the truth of faith is very important and valuable to people."

While focusing on the four faiths "considered the traditional religions of Russia", the main textbook for Foundations of World Religious Cultures notes that "representatives of Western Christian confessions made a great contribution to Russia's cultural development." Elsewhere, forms of religious practice identified as Christian – such as baptism and the Eucharist – are taken from Orthodoxy. Many Protestants would not accept other practices included, such as pilgrimage. In general, however, the textbook is firmly culturological, treating aspects of the different faiths together in thematic chapters, such as on art, architecture, charity and festivals.

Mixed guidance for teachers

Also accompanying the main six textbooks, a 240-page Book for Teachers by numerous

authors has sections on the historical and current religious situation in Russia, as well as encyclopaedic entries on different religions and Secular Ethics. Its tone is contradictory.

Parts of the book favour Russia's so-called "traditional" religions of Orthodoxy, Islam, Judaism and Buddhism, as when noting that, "in recent years the population of the country has begun to regard religious trends that are non-traditional for Russia more negatively." It also maintains that Orthodoxy is "the most important form of Eastern Christianity". Such bias is sometimes explicitly for religious organisations enjoying more positive relations with the Kremlin. The section on Judaism, for example, names only Berel Lazar as Chief Rabbi of Russia (Adolf Shayeveich is a rival Chief Rabbi).

The book also follows Moscow Patriarchate rhetoric by describing how "supporters of the uniate [Eastern-rite Catholic] church also seized Orthodox churches in Ukraine" while omitting to mention that the Soviet authorities confiscated these churches from Eastern-rite Catholics - with Patriarchate backing - in 1946.

Other parts of the Book for Teachers are neutral or highly complimentary about minority religious communities, however. Impartial information is included on the True Orthodox Church, which broke away from the established Russian Orthodox Church due to the latter's 1927 declaration of loyalty to the Soviet regime. The Council of Churches Baptists is similarly said to have broken away from the main Soviet Baptist Union in 1961 "not wishing to be under the harsh control of the state organs". In general, Baptists are described as "law-abiding" and "very tolerant", while Pentecostals are said to "support traditional Christian views of the family" and to have "a high moral standard". High morality is also described as characteristic of Islam: "A Muslim avoids deceit and is very patient."

Occasionally, the Book for Teachers appears confused as to which tone to take, as in one paragraph beginning, "The basic principles of religious freedom were preserved in the 1997 [Religion] Law" but ending "The possibility of missionary work was restricted [by the 1997 Law]." A section on "'New' Religions" further argues that the granting of equal rights to religious bodies in Russia in the 1990s caused conflicts, but concludes with the suggestion that "only a tolerant attitude towards dissent, and punishment only for real crimes rather than dissent or heresy" can deliver the ideals of love, wisdom and order as taught by Christianity, Islam, Judaism and Buddhism.

Again, however, the complexity of the material in the Book for Teachers makes it difficult to imagine a primary school teacher using it in classes for 10- and 11-year-olds. The Secular Ethics section in particular refers to Cyrenaic philosophy, Eudaimonism, utilitarianism and sociologism. Also, the content of the teachers' book poorly complements that of the actual course. The six textbooks used by pupils are mostly concerned with culture and ethics, barely touching upon Russia's recent historical and current religious situation - the focus of the Book for Teachers.

Previous concern

The impact of pre-2009 versions of Foundations of Orthodox Culture alarmed many non-Orthodox parents and religious leaders.

In Voronezh Region - where Foundations of Orthodox Culture was introduced in May 2007 by agreement with the local Patriarchate diocese - David Perov, the young son of a Protestant pastor, was repeatedly beaten up by classmates on his first day of school for refusing to cross himself during prayers at the school led by a Russian Orthodox priest (see F18News 25 September 2007 http://www.forum18.org/archive.php?article_id=1022).

In Belgorod Region - which went furthest by introducing compulsory Orthodox Culture

classes in every grade – pupils in Belyanka village responded by branding classmates from the evangelical Kingdom of God Church "sectarians" in September 2006. Regional teaching materials seen by Kommersant newspaper the same month recommended that pupils should know various Orthodox prayers by heart and urged the opening of Orthodox prayer rooms in schools (see F18News 25 September 2007 http://www.forum18.org/archive.php?article_id=1023).

Mukaddas Bibarsov, who heads the Volga Region Spiritual Directorate of Muslims, told Forum 18 in Saratov in 2005 that Foundations of Orthodox Culture course had turned out not to be optional since its local introduction in September 2004: "In practice it is mission, the Christianisation of our children." He also pointed Forum 18 to an April 2005 issue of the Directorate's newspaper in which one Muslim mother recalled finding the following phrases in her 12-year-old's Orthodox Culture exercise book: "As one of the branches of Christianity, Orthodoxy is today considered the post perfect religion"; "the Koran orders the killing of infidels, that is, non-Muslims." The mother also reported being asked by her son before his December 2004 birthday party not to tell classmates that the family is Muslim (see F18News 25 September 2007 http://www.forum18.org/archive.php?article_id=1022).

Religious propaganda?

The Booklet for Parents introducing the subject doubts that "teachers will try to convert their pupils to one or other religion" in the 34 lessons allotted for the course over two semesters. If this does occur, parents are encouraged to demand the replacement of the teacher concerned.

So far, Forum 18 is aware of only one such case. On 23 April 2013 parents secured the removal of Yelena Cheshuina, headteacher of School No. 15 in the town of Miass (Chelyabinsk Region) after complaining that "religious propaganda" was being taught there in place of Foundations of Orthodox Culture, including the veneration of icons at the school. Cheshuina categorically denied their allegations, according to local television website 1obl.ru.

With the issue privately resolved, parents withdrew their legal suit against the school on 7 May, case records on Miass Municipal Court's website confirm. In July 2013 Cheshuina was appointed head of a local private Orthodox secondary school, Chelyabinsk.ru website reported.

The case demonstrates that the school subject's potential challenge to freedom of religion or belief comes not so much from the official teaching material, but from its interpretation – deliberate or not – by individual schools and even teachers. This makes assessing the situation for Russia as a whole impossible.

No consistency in Krasnoyarsk

Forum 18 found confirmation of this inconsistency on visiting the three Siberian regions of Buryatia, Khakassia and Krasnoyarsk in recent months. Despite these regions' relative proximity to one another, school representatives, religious leaders and parents there reported very different experiences of the subject.

In Krasnoyarsk - the only one of the three regions to participate in the 2009-10 pilot scheme - parents preferred Secular Ethics (58 percent) followed by Foundations of World Religious Cultures (22 percent) and Orthodox Culture (19 percent), according to the pilot scheme results reported by Gazeta.ru (see above). The other three individual religious cultures (Buddhism, Islam and Judaism) together made up only around one percent.

With the subject's introduction across Russia, most parents in Krasnoyarsk Region again

chose Secular Ethics or World Religious Cultures, the region's religious affairs official Rashit Rafikov told Forum 18 in Krasnoyarsk on 20 September 2013. He added that no one chose Buddhism and only a handful chose Judaism or Islam, "even though according to some estimates we have five percent Muslims." While stressing that "even if there are just three people [choosing an option], they will still receive separate tuition," Rafikov maintained this had nowhere happened outside Krasnoyarsk city. Other than concerning teachers not being sufficiently qualified – "but that's a general problem" – he also said he had heard no complaints about the subject.

Pastor Vladimir Ashayev of Krasnoyarsk's Christian Life Pentecostal Church confirmed the lack of qualified teachers to Forum 18 on 18 September 2013: "On the ground, nothing is ready." While recognising the subject's potential conflict with freedom of religion or belief, Ashayev also saw possibilities for Protestants, however: "But we have to fit into the framework. Teachers haven't been trained – qualifications need to be raised – so a few people from our church have undertaken to do that so they can teach this subject." While the subject is offered in some schools in Krasnoyarsk city, Pastor Ashayev has also learnt from church members that "it hasn't even been mentioned" in others: "There is no clarity on this issue."

The children of Muslim mother Yelena Gerasimova have not encountered the subject because they are not yet in fourth grade (nine or 10-year-old), she told Forum 18 in Krasnoyarsk on 17 September 2013. However, their teachers have already displayed a positive attitude towards Islam, she added: "In first grade [7 years] the teacher spoke about the Church, and when it was clear our children didn't understand she invited them to tell the class about their faith and the mosque." A lawyer, Gerasimova is facing charges of religious "extremism" which she strongly denies (see F18News 2 December 2013 http://www.forum18.org/archive.php?article_id=1902).

Gerasimova's local Mufti Gayaz Fatkullin – who enjoys good relations with the Krasnoyarsk authorities – praised the subject as a "lifeline": "If the implementation and understanding are correct, it will prove a great chance to preserve peace in future." However, speaking to Forum 18 in Krasnoyarsk on 18 September 2013, he also had reservations: "Some officials and teachers see this subject as a way to further their own personal ambitions and worldview, and it's a rare teacher who can remain objective. He could be asked, 'Is it true that Christ rose from the dead?' It wouldn't be right to duck the question, or to give a one-sided answer."

While his son is also too young for the subject, Mufti Fatkullin told Forum 18 that he strongly prefers World Religious Cultures over Foundations of Islamic Culture: "I don't want somebody insufficiently educated to read lectures on Islam to my child in school. Even if the teacher doesn't instil a particular viewpoint, he won't be able to say anything and my son will be confused. He already studies here in the mosque from good, qualified people." On the other hand, remarked the mufti, "I do think it right to give a child general knowledge on World Religious Cultures. That gives a wider view on the situation in the world."

Khakassia: "What was the point of us choosing?"

In the neighbouring republic of Khakassia, Forum 18 found varying experience in schools even among Protestants. While Pastor Aleksandr Prus of Glorification Pentecostal Church has not encountered the school subject, he finds schools generally positive about Protestants. "We go into schools and talk about the dangers of drugs, promote a healthy lifestyle," the pastor told Forum 18 in on 10 September 2013. "They are glad for this to happen." The Church's relations with local officials were previously mixed; while winning praise for its successful Reformation youth ice-hockey team, Glorification was forced to demolish its own worship building in June 2007 (see F18News 30 October 2007 http://www.forum18.org/archive.php?article_id=1040).

A Protestant local teacher who is not teaching the subject, Olga Kozlova told Forum 18 on 12 September 2013 that she knew of two schools in Abakan - the Khakassian capital - where Foundations of World Religious Cultures and Secular Ethics are offered: "The schools are inclined to favour Secular Ethics, in order to avoid disagreements between different groups due to religious affiliation." Seeing that the World Religious Cultures option includes only Orthodox Christianity while Secular Ethics is about "the rules of behaviour, good manners", Catholic and Protestant parents in these schools have opted for Secular Ethics, she added.

Also in Abakan, the daughter of Pastor Pavel Zayakin of St Luke's Lutheran Church is taking classes in the subject in a third school, he told Forum 18 on 10 September 2013. While the Zayakins had requested Foundations of World Religious Cultures, they were later told only two pupils had done so. Since the remaining 28 opted for Foundations of Orthodox Culture, the whole class is now following that module, Pastor Zayakin told Forum 18: "The headteacher also explained that, 'We're living in an Orthodox country.' So what was the point of us choosing?"

Telephoned on 11 September, a spokesperson at the Abakan school attended by Pastor Zayakin's daughter declined to comment to Forum 18.

At Abakan City Education Department on 12 September, its assistant director Galina Ozerova repeatedly insisted to Forum 18 that, "We do the maximum to make the choice available and to grant parents' requests" in each of the city's 24 schools. In practice, she continued, parents prefer Secular Ethics, Foundations of Orthodox Culture or Foundations of World Religious Cultures, with approximately 50, 30 and 20 percent choosing these options respectively.

Ozerova also repeatedly insisted to Forum 18 that the subject "is not the foundations of faith, but of culture - I don't wear a cross but I live in Russia, so I must know about Orthodox culture." Adding that, "There are many Muslims in Russia, and so I must know about that too," she also expected that Catholicism and Protestantism would be studied as part of the World Religious Cultures course: "We must study the diversity of the world."

Breaking down barriers in Buryatia

East of Lake Baikal in Buryatia Republic, Forum 18 interviewed a teacher of the subject in the capital, Ulan-Ude, on 7 October 2013. At the junior department of the city's School No. 3, Yelena Kostareva estimated that 150 nine or 10-year-old fourth-grade pupils took up the subject in 2012 and 120 in 2013. Despite Buryatia's reputation as a Buddhist centre, however, she added that no one had chosen the individual course on Buddhist Culture, or indeed on Orthodox, Islamic or Jewish Culture. Kostareva thought this was typical for Buryatia, as she had heard of only a handful of pupils following Foundations of either Buddhist or Orthodox Culture in other districts of the republic.

While parents of pupils at School No. 3 were asked to choose "in principle" from the six modules, the school was sent textbooks only for Secular Ethics and Foundations of World Religious Cultures, Kostareva told Forum 18. The teachers therefore came to an agreement with parents for half of the pupils to study each module: "We just explained that these were the textbooks we got." The textbooks used are those examined by Forum 18 (see above).

Despite not being able to offer individual faith options, there were no objections from parents, Kostareva continued; half wanted World Religious Cultures, some wanted Secular Ethics and a quarter to a third "didn't care at all". The smaller number of pupils

in 2013 allowed greater flexibility, she told Forum 18, with over half able to follow Secular Ethics.

As in the other regions visited by Forum 18, Kostareva attended training courses on the subject at Buryatia's state-run Institute for Raising Qualifications. Guest specialists in the relevant training included clerical and other representatives of the Russian Orthodox Church (Moscow Patriarchate), Old Believers, Muslims, Jews and Buddhists, she recalled. The main co-ordinator, a historian from the historically shamanist Buryat exclave in neighbouring Irkutsk Region, was a follower of shamanism, she added. The training thus included elements on Old Belief and shamanism, even though these faiths barely feature in the official teaching material.

Kostareva described to Forum 18 how she has taken her pupils following the World Religious Cultures module on excursions to see various local religious communities. In Targabatai village, an Old Believer priest explained his faith, "not by saying 'this is the correct way', but by saying 'we do things this way, they do it another way'." Kostareva acknowledged, however, that the priest also "gently" criticised non-Old Believer icons for not being handmade, and that pupils were invited to light candles in the Old Believer church. At the Buddhist temple in Atsagat village, pupils put their hands together in the attitude of Buddhist prayer and sprinkled rice in the Buddhist devotional manner, she continued, stressing that this was voluntary.

Kostareva's pupils studying World Religious Cultures are in fact already familiar with religious practice because there are many observant families in Buryatia, she explained to Forum 18: "They learn it in families – I didn't teach them (..) this wasn't some kind of revelation to the children." Classes are diverse, she added, with pupils from practising Buddhist, Old Believer and Muslim families, as well as a shamanist family originally from Yakutia (Sakha) Republic.

Pointing out that her pupils studying World Religious Cultures choose projects on faiths other than their own, Kostareva also showed Forum 18 pictures drawn as part of a project on houses of worship. A boy of Buryat Buddhist background had drawn a mosque, while ethnic Russian children had written about local Buddhist temples. In Kostareva's view, the aim of the subject is to remove barriers: "So they are not afraid of what goes on [in unfamiliar houses of worship]. Many had been afraid to go there – the Buryats were thinking, 'Why should I go into that church?' At the moment a lot is said about Islam being a frightening religion, blowing things up, but as Askerov [a Muslim pupil] said in his presentation, 'my religion does not promote that'."

Celebrating demons

Kostareva's approach – clearly influenced by her personal values as well as the cultural diversity of her local area – illustrates that the subject may be very variously interpreted on the ground. Yet schools in urban centres are not necessarily more likely to respect freedom of religion or belief by teaching Foundations of Religious Cultures and Secular Ethics as intended at federal level, Forum 18 notes.

In Moscow, Orthodox parents who wish to remain anonymous for fear of repercussions on their children have told Forum 18 that their suburban school has already cancelled tuition of the subject on the pretext of saving money. In 2012 – the only year that Secular Ethics and Foundations of Orthodox Culture was taught at the school – six pupils followed the first module and 22, mostly nominally Orthodox, the second. The subject's cancellation has not upset the practising Orthodox parents, they told Forum 18 on 26 November 2013. As the teacher who taught Foundations of Orthodox Culture was indifferent to Orthodoxy, they explained, their children described the subject as "nasty" and "phony".

Of more concern to these practising Orthodox parents, however, was a different teacher's promotion of Halloween at the school each 31 October. (In recent years school celebrations of Halloween and St Valentine's Day have been widely criticised by some Russian Orthodox as an alien, Western practice.) When young pupils at the Moscow school wore demon costumes for the 2012 Halloween celebration – of which Forum 18 has seen a photograph – the Orthodox parents complained to the headteacher. Despite this, the celebration was repeated on the same date with the same costumes in 2013 – but the teacher announced at the last minute that they would be celebrating not Halloween, but the "festival of Russian devilry [prazdnik russkoi nechistoi sily]".

Wahhabis oppose New Year celebration in Tatarstan

In Tatarstan conflict between Wahhabis and advocates of healthy lifestyle

Interfax-Religiia (07.01.2014) - A conflict between supporters of the movement "Russian joggers for healthy lifestyle" and the so-called "Sharia patrol" has broken out in the village of Bazarnye Mataki in Tatarstan.

The other day in the village, the "Sharia patrols" of Wahhabis became aggressive, attacking passersby, waylaying them, and urging them not to celebrate New Year's and not to use alcoholic beverages and to turn to Islam, reports Sergei Valiakhmetov, the coordinator of the movement "Russian joggers for a healthy lifestyle," according to the press service of the organization.

In the night of 3-4 January, at the local hospital there occurred a scuffle between Wahhabis and activists of the movement. The cause was that the latter defended a fellow villager with whom the "Sharia patrol" tried to "conduct a conversation."

"The Wahhabis tried to resist, but they were forced to flee," the report says. (tr. by PDS, posted 7 January 2014)
