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High court overturns guilty verdict in Kalistratov case

JW Official Website (22.12.2011) – HRWF (19.01.12) - On December 22, 2011, the Supreme Court of the Altay Republic reversed the guilty verdict in a significant criminal case against Aleksandr Kalistratov, one of Jehovah's Witnesses. The judge in the first trial declared Mr. Kalistratov [innocent of the charge of inciting religious hatred or enmity on April 14, 2011](#). However, at the request of the prosecutor, a retrial was ordered with a new judge who issued a [guilty verdict](#) on November 3, 2011, despite a lack of any new evidence. Mr. Kalistratov appealed the conviction, leading to today's verdict.

Mr. Kalistratov stated, "I am glad that justice prevailed. I really hope to resume my normal routine and activities as one of Jehovah's Witnesses." Vasily Kalin of the Administrative Center of Jehovah's Witnesses in Russia said, "Today, the court issued the right decision. We hope that justice will triumph in other legal cases throughout Russia as well, where our fellow believers continue to have their rights significantly restricted solely on the grounds of their religion."

Mr. [Mikhail Odintsov](#), of the Russian Ombudsman's Office, commented on the charges, "Preaching activity, for which Kalistratov was incriminated, has been carried out within the limits of those forms of theological discussions that are generally accepted by Christianity when proving someone's teachings and outlook to be 'true' while claiming all the other religious systems to be 'false.' We are speaking of actions which, in a secular society

governed by the rule of law and a democratic State, have never constituted a crime as stipulated in Article 282 of the Criminal Code of the Russian Federation."

Officials in Siberia target married couple with unjust criminal charges

JW Official Website (22.12.2011) / HRWF (19.01.12) - A married couple in the Siberian city of Chita is now the target of baseless criminal charges brought by Russian authorities.

On December 22, 2011, court proceedings are due to begin in the city of Chita on a case opened against Andrey and Lyutsiya Raitin, under Article 282 (1) of the Criminal Code of the Russian Federation. This is the second criminal case of its kind that has reached the stage of court examination. On the same day, December 22, the [Supreme Court of the Altay Republic reversed a guilty verdict in the first case, which was against Aleksandr Kalistratov](#), one of Jehovah's Witnesses in another Siberian city, Gorno-Altaysk.

The investigator for the Raitins' case claims that giving the book [What Does the Bible Really Teach?](#) to acquaintances should be considered as "inciting to hatred or enmity on the grounds of religious affiliation." However, the Plenum of the Russian Supreme Court ruled the following on June 28, 2011: "Criticism of political organizations, ideological and religious associations, political, ideological, or religious convictions, or of national or religious customs should not, on its own, be viewed as an action aimed at the incitement of hatred or enmity."

Andrey Raitin stated: "Inciting to hatred never came to our mind! As Jehovah's Witnesses, my wife and I respect people of all faiths and cultural backgrounds. In our conversations, we seek to draw attention to what we all have in common and principles that can draw people closer to each other. The charges are all false. I think that this case is really an attack on our religion."

Earlier this year, the officers of law-enforcement agencies in Russia carried out numerous searches in the homes of Jehovah's Witnesses. For example, [on the morning of February 8, 2011, 13 homes of Jehovah's Witnesses in Chita were searched](#). Later, on March 29, 2011, [another three homes were ransacked in the nearby city of Baley](#). One of the homes belonged to an elderly Witness couple, aged 74 and 78, who had been earlier exonerated as victims of political repressions during the Soviet era.

Grigory Martynov, a spokesman for Jehovah's Witnesses in Russia, stated: "We have no choice but to continue protecting our right to religious freedom and freedom of expression through legal means. Hopefully, the courts of Russia will eventually rule to put an end to the harassment of Jehovah's Witnesses."

Russia regrets proposed ban of Hindu holy text in Siberia

Times Live (20.12.11) / HRWF (19.01.12) - State prosecutors in Tomsk seek to ban the Russian translation of the Bhagavad Gita, contending it is an extremist religious text that should be on a blacklist that includes Hitler's Mein Kampf.

They said the book spreads "social discord," the IANS news agency reported.

"I consider it categorically inadmissible when any holy scripture is taken to the courts. For all believers these texts are sacred," Russian Ambassador to India Alexander Kadakin said.

He insisted that Russia was a secular and democratic country where all religions enjoyed equal respect.

Kadakin made the statement a day after Indian lawmakers forced an adjournment of parliament over the issue and Hindus staged protests outside the Russian consulate in Kolkata city.

"It is strange that such events are unfolding in Tomsk which is famous for its secularism and religious tolerance," Kadakin said.

"Well, it seems that even the lovely city of Tomsk has its own neighbourhood madmen. It is sad indeed," he added.

The Siberian court is expected to deliver its verdict in the case on December 28.

One acquittal, but the same day trial of two more begins

Felix Corley

Forum 18 News Service (10.01.12) / HRWF (19.01.12) - The criminal trial in Russia's Siberian city of Chita of a Jehovah's Witness married couple, Andrei and Lyutsiya Raitin, on charges of spreading "enmity and hatred" is due to resume on 23 January. Jehovah's Witnesses dismiss the accusations against the Raitins as "baseless". They pointed out to Forum 18 News Service that the same day the trial began - 22 December 2011 - fellow Jehovah's Witness Aleksandr Kalistratov was finally acquitted on exactly the same charges at Altai Republic Supreme Court, also in Siberia. Unless the Public Prosecutor challenges the decision, Kalistratov's acquittal brings to an end prosecutors' repeated attempts to imprison him on charges which were launched in 2010. Elsewhere in Russia, other criminal cases are continuing against individuals for exercising their freedom of religion or belief.

"Unlike Kalistratov, the Raitins held no position of responsibility in their local community," Jehovah's Witness spokesperson Grigory Martynov told Forum 18 from St Petersburg on 10 January. "They're just ordinary members of the community being punished for carrying out their usual religious activity."

Article 282 "inciting hatred" criminal charges

Kalistratov, the Raitins and several other Jehovah's Witnesses were all accused under Article 282, Part 1 of the Criminal Code ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or through the media"). This and related "anti-extremism" legislation has systemic problems, as noted in a commentary by Alexander Verkhovsky of the SOVA Center at F18News 19 July 2010.

Punishments under Article 282, Part 1 were slightly increased in a Law amending various Articles of the Criminal Code and other Laws, approved by the State Duma on 17 November 2011 and signed by President Dmitry Medvedev on 7 December 2011.

Punishments are now: "by means of a fine of 100,000 Roubles [19,000 Norwegian Kroner, 2,500 Euros, or 3,170 US Dollars] to 300,000 Roubles [57,000 Norwegian Kroner, 7,500 Euros, or 9,510 US Dollars],

- or of the level of pay or other income of the convicted person for a period of between one and two years,
- or the deprivation of the right to engage in specific duties or to engage in a specific activity for a period of up to three years,
- or compulsory labour for a period of up to 360 hours [previously up to 180 hours],
- or corrective labour for a period of up to one year,
- or forced labour for a period of up to two years [a new provision],
- or deprivation of freedom for the same period".

The new penalties have mostly already come into force, though not those relating to forced labour, which come into force at the beginning of 2013.

Article 282.2 "extremism" criminal charges

Also slightly amended under the December 2011 Law were the punishments under Criminal Code Article 282.2 ("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").

Article 282.2 is used to prosecute Muslims who read the works of the late Turkish Muslim theologian Said Nursi. Among many recent cases, Asylzhan Kelmukhambetov was sentenced in June 2011 under this Article in the Urals town of Orenburg to 18 months' imprisonment, becoming the first Nursi reader in Russia to receive a criminal sentence of imprisonment. He suffers from diabetes and has been in prison hospital since he was jailed.

Similarly, Rashid Abdulov was sentenced under this Article in the Volga city of Ulyanovsk in September 2011 to one-year's compulsory work. However, he was freed because he had already spent nearly eight months in custody.

Numerous lower court decisions have found – on highly questionable grounds – that Russian translations of the Islamic theological works of Said Nursi and Jehovah's Witness publications are "extremist" and so placed them on the Justice Ministry's Federal List of Extremist Materials (see 'The battle with "religious extremism" - a return to past methods?') Once materials are on the Federal List, it is then illegal to distribute or store them for distribution.

Such lower court decisions are of great help to officials seeking to prosecute Jehovah's Witnesses and Muslim readers of the works of Said Nursi for exercising their freedom of religion or belief. A total of 68 Jehovah's Witness publications, as well as 15 Russian translations of Nursi's works, have already been ruled "extremist" However, a recent attempt to find a key Hare Krishna book, the Bhagavad-Gita As It Is, "extremist" failed in court in Tomsk.

Chita trial begins

Prosecutors in Chita have long been seeking to prosecute the Raitins under Criminal Code Article 282, Part 1. The local Investigation Committee alleged that in 2010, the couple, "pursuing the aims of inciting religious and social hatred" and knowing that it had been declared "extremist", distributed Jehovah's Witness literature in the village of Novotroitsk near Chita. Investigators claim they distributed 16 named texts, which were confiscated from them. "The crime was revealed by operational workers of the Regional Department of the FSB security service", the Investigation Committee noted.

The prosecution followed early-morning raids on 8 February 2011 on the homes of 28 Jehovah's Witnesses in Chita. Police raided three more Jehovah's Witness homes in nearby Balei on 29 March 2011. Among those raided was the home of a couple in their seventies who had been exiled in the Soviet era for their religious beliefs, and rehabilitated in 1993 as victims of political repression.

The Raitins' trial began under Judge Vera Popova at Chita District Court on 22 December 2011, and continued the following day, Jehovah's Witnesses told Forum 18. At the initial hearing on 10 October 2011, Judge Popova returned the case to prosecutors as it had been prepared "with violations", the court website noted. A new case was then prepared. "We never – even in our thoughts – incited hatred!" Andrei Raitin noted. "As Jehovah's Witness, my wife and I respect people of any religious faith and culture." He described the accusation as "invented". "I regard this case in essence as an attack on our religion."

Yoshkar-Ola case handed to court

After nearly a year and a half of investigation, the criminal trial of Jehovah's Witness elder Maksim Kalinin appears imminent at the City Court in Yoshkar-Ola in the Mari El Republic. He too is accused under the same Article 282, Part 1. On 29 December 2011 prosecutors presented an indictment against him, Jehovah's Witnesses told Forum 18. As he was not well enough to go to the Prosecutor's Office, officials brought the indictment to his home that evening. The following day the case was handed to court.

Judge Sergei Makarov has been assigned the case at Yoshkar-Ola City Court, his secretary told Forum 18 on 10 January. However, she said no date for a preliminary hearing has yet been set.

The case against Kalinin followed August 2010 raids on private homes and a Jehovah's Witness worship service in Yoshkar-Ola at which he was present. Evidence rests on FSB security police surveillance "using a hidden camera in his home without his knowledge", according to a 30 March 2010 document issued by the Supreme Court of Mari El Republic. Astrakhan case to reach court soon?

The case under Article 282, Part 1 against Yelena Grigoryeva, a Jehovah's Witness from Akhtubinsk in the southern Astrakhan Region, appears close to reaching court. The investigator in the case, Aleksandr Glushchenko, handed her a new accusation on 20 December 2011, Jehovah's Witnesses told Forum 18.

The case against Grigoryeva began in early 2011. During the legal process her defence lawyer has faced pressure from the authorities to drop the case.

The latest accusation – seen by Forum 18 – claims Grigoryeva "basing herself on the ideas of inciting religious hatred and enmity, as well as of propaganda of the exclusivity and superiority of people on the basis of their [attitude] to religion, having the criminal intention to commit actions directed at the public incitement of hatred and enmity, as well as the

propaganda of exclusivity and superiority of people on the basis of their attitude to religion, committed from 2009 to February 2010 a crime of minor gravity against the foundations of the constitutional order and the security of the state".

The accusation then noted numerous occasions when Grigoryeva was alleged to have handed a banned Jehovah's Witness text to a named individual, although in each case Investigator Glushchenko notes "the exact date(s) was not established during the preliminary investigation".

Investigator Glushchenko rejected about ten challenges to the case submitted by Grigoryeva's defence, including one to have the case thrown out, Jehovah's Witnesses told Forum 18.

Glushchenko refused to tell Forum 18 on 10 January if the Prosecutor's Office has approved the accusation and handed it to court for a possible trial. Similarly, the woman who answered the phone at Akhtubinsk District Prosecutor's office the same day declined to discuss whether the Prosecutor has already or is likely to approve the case for court. Jehovah's Witnesses describe the prosecution accusations as "unfounded". "I fundamentally disagree with the accusations levelled against me," Grigoryeva declared, "as I firmly believe in the benefits of applying biblical principles."

Grigoryeva's lawyer Gulfira Zakaryaeva also rejects the accusations. "Unfortunately I have to declare that the investigators did not try to establish the truth in this case," she declared. "All they did was to try using any means to accuse my client simply because she is a Jehovah's Witness."

Raid reveals "criminal" case

It was only when officers of the Investigation Committee, the police and the FSB security service raided her home early on 8 February 2011 that Grigoryeva learnt that she was being investigated under Article 282, Part 1. Her personal religious books were confiscated during the raid. Several other Jehovah's Witness homes were raided in the coordinated operation. Three days later, Grigoryeva was forced to sign a statement to say she was leaving her job providing social care in the town "at her own request". Jehovah's Witnesses told Forum 18 that the local authority which employed her was visited by people who refused to say which government agency they were from, after which she was pressured to resign "to avoid problems".

On 17 February 2011 she was handed the official accusation that she had given others religious books which were on the Federal List. However, prosecutors appear to have found it difficult to prepare the case. An investigator told Forum 18 in July 2011 that it was due to be completed in August and handed to Akhtubinsk Town Court. However, the District Prosecutor refused to approve the case and sent it back for further investigation, Jehovah's Witnesses told Forum 18. Indeed, the investigator admitted to Forum 18 that Grigoryeva had not harmed anyone.

Kalistratov's court experiences

The 35-year-old Kalistratov has been leader of the Jehovah's Witness community in Gorno-Altansk since 1999. He began studying Jehovah's Witness literature in 1993 and was baptised into the faith in 1994. In 2000 Kalistratov spent 21 days in detention after applying for the civilian alternative to military service. However, a court subsequently affirmed his right to conduct alternative service.

In December 2008, prosecutors in Gorno-Altaiisk brought a suit to find 18 Jehovah's Witness publications "extremist". Kalistratov represented the local Jehovah's Witness community in court. Drawing on a June 2009 critical analysis by lecturers at Kemerovo State University, Gorno-Altaiisk city court upheld the suit in October 2009, the first time a Russian court had declared any Jehovah's Witness publications "extremist". The Jehovah's Witness appeal failed and the ruling was confirmed by Altai Republic Supreme Court in January 2010.

Gorno-Altaiisk acquittal, appeal, new trial, appeal

Prosecutors then began investigating Kalistratov on accusations of violating Article 282, Part 1 of the Criminal Code. After investigation by the Investigator for Especially Important Cases of the Investigation Committee's Department for Investigating Especially Important Cases, Kalistratov was officially declared a suspect in August 2010. The Investigation Committee prepared an indictment against him the following month and handed the case to Gorno-Altaiisk City Court. The preliminary hearing was held in October 2010.

During 22 subsequent days of court hearings, prosecutors presented no victims. Judge Marina Sokolovskaya finally handed down her verdict exonerating Kalistratov on 14 April 2011.

However, prosecutors appealed against the acquittal to Altai Republic Supreme Court. On 28 May 2011, the court annulled the April 2011 verdict and sent the case for a new trial.

Kalistratov's second trial at Gorno-Altaiisk City Court began on 22 June 2011 under a new judge, Marina Kulikova. Despite no new evidence being presented in the subsequent 18 hearings, on 3 November 2011 Kalistratov was found guilty and sentenced to 100 hours' community service.

Kalistratov appealed against the conviction, and in one hearing on 22 December 2011, a panel of three Judges of Altai Republic Supreme Court chaired by Igor Bobylev overturned the conviction and acquitted him, the court website noted. The written verdict – seen by Forum 18 – rejects many of the "facts" on which the November 2011 conviction was based as "unproven" or not true.

Kalistratov a "victim"

Present in court was Mikhail Odintsov, the official of Russia's Human Rights Ombudsperson's Office covering religious freedom issues, who had joined the appeal against the November 2011 conviction. He told the hearing there was no proof of any crime and no proof that Kalistratov had intended to incite hatred. He called the November 2011 verdict "a mistake of an individual judge who could not hand down an objective ruling, but whose ruling handed down was in contradiction to the totality of the materials presented in the court hearings". He described Kalistratov as a "victim".

In June 2011, Odintsov commented to Forum 18 that many criminal and administrative cases against religious communities "take place with violations of the right to freedom of conscience, violations of the rights of religious organisations and violations of the separation of church and state". He regards the many such cases as "one complex of measures against religious communities".

Odintsov took the opportunity in court in December 2011 to refer to the case then underway in Tomsk to find the book the Bhagavad-Gita As It Is "extremist". He pointed out that the "pseudo-experts" of the same Kemerovo State University – which had found some Jehovah's Witness publications "extremist" in an earlier Gorno-Altaiisk case which was used to help

prosecute Kalistratov – had turned to "other Scriptures" which were "sacred to the followers of Hare Krishna Vaishnavas". He described their "expert analysis" of the Bhagavad-Gita As It Is as "absurd".

On 28 December 2011, a Tomsk Court rejected the prosecutors' suit to find the Bhagavad-Gita As It Is "extremist".

Russian Court Bans Falun Gong Books, Human Rights Report

By Stephen Gregory & Helena Zhu

The Epoch Times (30.12.11) / HRWF (18.01.12) - The main text of the spiritual practice Falun Gong is studied in 114 countries around the world, has been translated into 30 languages, and was a runaway best seller in Beijing, but last week a regional appeals court in Russia banned it. Human rights activists and Falun Gong practitioners say the ban is due to pressure on Russia from the Chinese regime.

The main Falun Gong text, "Zhuan Falun," along with two Falun Gong leaflets, and human rights investigations—two reports and one book—detailing the forced, live organ harvesting from Falun Gong practitioners in China were banned nationwide by a court in the southern Russian city of Krasnodar in October. On Dec. 22, an appeals court decision upheld the ban. This case was first decided in Krasnodar in August 2008. At the time, Falun Gong practitioners appealed the decision successfully, objecting that though they were concerned in the case they were never notified. The Krasnodar court investigated the case for the next two years and in October, deemed the literature in question "extremist."

After the original 2008 decision was made public, the head of the Moscow Helsinki Group, and Sakharov Prize laureate, Lyudmila Alexeyeva, denounced the court case as unlawful. "The decision was made only because Falun Gong practitioners are persecuted in China and leaders of our country have good relations with China. And clearly, for political reasons, to get approval from the Chinese leaders, these decisions were made," Alexeyeva said at the time.

Falun Gong practitioners in Russia also say the Chinese regime is behind last week's decision.

In a report on Monday, Human Rights Without Frontiers International (HRWF), a nonprofit based in Brussels, Belgium, suggested that the court decision was influenced by China. The report said that Moscow has been helping Beijing in its fight against Falun Gong on the basis of two treaties: the 2001 Treaty of Friendship between Russia and China, and the Shanghai Cooperation Organization, a mutual-security organization founded in 2001.

The harassment of Falun Gong practitioners in Russia has included the forced repatriation to China of Chinese nationals who practice Falun Gong, banning public activities by Falun Gong practitioners, and the refusal by authorities to register new Falun Gong organizations. In an action in 2005 that presaged last week's court decision, the newspaper Falun Gong Today was denied registration, preventing its publication, with authorities citing the Treaty of Friendship, according to HRWF.

Falun Gong is a spiritual practice that involves practicing meditative exercises and living according to the principles of truthfulness, compassion, and tolerance. First introduced to the public in China in 1992, it rapidly became very popular, with 100 million having taken up the practice by 1999, according to Chinese state officials.

In July 1999, the then head of the Chinese Communist Party, Jiang Zemin, ordered a campaign to "eradicate" Falun Gong (also known as Falun Dafa). According to the Falun Dafa Information Center, hundreds of thousands of Falun Gong practitioners are detained at any one time, with those detained subjected to torture and abuse.

The most severe form of abuse is that of forced, live organ harvesting. Former Canadian Secretary of State (Asia-Pacific) David Kilgour and the Canadian human rights lawyer David Matas published two investigative reports and a 2009 book, "Bloody Harvest," that make the case that tens of thousands of Falun Gong practitioners are unwilling victims of live organ harvesting throughout China to contribute to the booming market of organ transplants. The appeals court, in part of the decision relating to the ban of the Kilgour-Matas reports, explicitly noted that their publication in Russia "can create for the readers a negative image of China."

Even though neither Kilgour nor Matas have ever been to Krasnodar, were informed of the trial, or were represented in court, the two men are now subject to criminal prosecution if they ever enter Russia to discuss their investigations. At the same time, their writings are subject to confiscation by police.

"The law becomes abusive when it is used this way," Matas said, commenting on the ban by the Russian court. "It tells us that the Russian court and prosecution system does not respect human rights."

Russian court rejects ban on Hindu sacred text

By Dmitry Zaks

AFP (28.12.11) / HRWF (18.01.12) - A Russian court on Wednesday rejected an attempt to ban a translation of a sacred Hindu text in a ruling greeted with relief by New Delhi after protests over the sensitive issue in India.

The ruling represented a rare victory for religious freedoms in Russia after years of expanding influence by the country's dominant Orthodox Church.

Prosecutors in the Siberian city of Tomsk had asked a court to classify a Russian translation of the Hare Krishna edition of the "Bhagavad Gita" as "extremist literature" alongside books such as Adolf Hitler's "Mein Kampf".

They cited conclusions from two Russian state universities claiming the foreword to the Russian edition contained signs of "incitement to religious hatred" and "extremism".

The prologue was written by Swami Prabhupada -- founder of the international Hare Krishna movement that has had repeated run-ins with local authorities since its first appearance in post-Soviet Russia.

Prosecutors had asked for the ban in June after running a check on Hare Krishna's activities in the Siberian region. The Russian general prosecutor's office had also conducted national checks on the movement in 2004 and 2005.

The Izvestia daily said the eight-hour hearing ended Wednesday "with the judge's verdict being drowned out by the sound of applause" from Hare Krishna's supporters in the court room.

"We humbly accept this ruling without any malice in our heart," a local movement representative told the Russian daily.

The case threatened to create an unexpected roadblock in relations between Russia and India, strategic allies that have had exclusive military and other trade relations since Soviet times.

Indian Foreign Minister S.M. Krishna had described the prosecutors' attempted ban as the work of "ignorant and misdirected or motivated individuals" that attacked a text defining the "very soul of our great civilisation".

And the work of India's parliament was briefly suspended last week after an uproar over the issue, while furious protesters picketed the Russian consulate in the eastern city of Kolkata. India's top diplomat later held consultations with Moscow's ambassador to New Delhi that reportedly concluded with assurances from the Russian government that it would ensure the text's continued publication.

"We appreciate this sensible resolution of a sensitive issue and are glad to put this episode behind us," Indian foreign ministry spokesman Syed Akbaruddin said in a statement issued in New Delhi after the ruling.

"The esteemed Tomsk judge's verdict... deserves applause," added Indian Ambassador Ajai Malhotra.

"It is very good to know that this case has been resolved for good and is now behind us," RIA Novosti quoted the New Delhi envoy to Moscow as saying.

India and Russia have enjoyed close ties that date back to the 1950s. Indian Prime Minister Manmohan Singh returned from an annual visit to Moscow at the weekend after sealing a preliminary deal to buy 42 jets.

A controversial 1997 law requires religious groups that had not been active in Russia for at least 15 years to register with the authorities and strictly limits foreign missionary work.

Jehovah's Witnesses document over 1,000 incidents of religious intolerance since pivotal court ruling

JW Official Website (08.12.2011) / HRWF (14.12.2011) – www.hrwf.net - "I fear there will be many more acts of religious intolerance and hatred taken against Jehovah's Witnesses because of the Court's ruling," stated attorney Arli Chimirov following the December 8, 2009, decision by the Russian Supreme Court. The Witnesses' concern over the future of religious freedom in Russia is proving to be well-founded. Witnesses have documented and

published online over 1,000 cases of mistreatment throughout Russia during the two years that have passed since the decision. An interactive map and chronological listing (See http://www.jw-media.org/rus/incidents_map_e.htm) provide the location and a detailed description of each incident.

The ruling liquidated the Local Religious Organization of Jehovah's Witnesses in the city of Taganrog and declared 34 of their publications, "extremist." This resulted in the confiscation of the Witnesses' local place of worship in Taganrog. The increasing abuse has come from both officials and the public in general. Government authorities, including local police officers and town officials, have carried out 94 searches of the Witnesses' homes, over 120 raids of religious meetings, and over 500 instances of interference with the Witnesses' well-known activity of sharing Bible information with others. The interferences led to 420 detentions and/or arrests. Oppressive conduct from the hands of Russian citizens has included 75 assaults, 62 counts of vandalism, including arson attacks on buildings used for worship, and several acts of religious discrimination against Witnesses on the part of employers and teachers.

Vasily Kalin, of the Administrative Center of Jehovah's Witnesses, describes the current situation: "Russian authorities engage in harassment and intimidation to suppress Jehovah's Witnesses and their activities. Public slandering of Jehovah's Witnesses by the media and government authorities is a common practice with the intent of marginalizing them to the fringes of Russian society."

Since domestic courts in Russia have failed to protect basic human rights of its citizens, Jehovah's Witnesses have appealed to the European Court of Human Rights and hope that it will soon examine their application disputing the Supreme Court's decision in the Taganrog case.

Misuse of anti-extremism legislation against non-Orthodox religions in November 2011

SOVA Center (09.12.2011) / HRWF (12.12.2011) - www.hrwf.net - November 2011 was marked by a large number of wrongful prosecutions, and a jump - as was expected - in the abuse of anti-extremist legislation during the parliamentary election campaign.

Criminal Prosecution

"In November, we recorded at least five wrongful convictions in criminal cases: three for membership in the banned organization "Hizb ut-Tahrir," one against a follower of Said Nursi and one against Jehovah's Witnesses. The last sentence was the sensational case of Alexander Kalistratov of Gorno-Altai, who received 100 hours of community service. Amnesty International noted that ruling was contrary to Russian and international law."

(...)

Prohibition of materials for extremism

"In November it became known that the Lublino and Moscow Meshchansky District Courts banned a total of 29 materials related to the organization "Hizb ut-Tahrir." At least two of them - issues of the journal "Caliphate" - do not contain any outright extremism, in our

opinion. The only grounds on which they could be banned seem to be their origin in a banned organization and their campaign for recruitment into it. Recall, it is Sova's position that the ban on "Hizb ut-Tahrir" was not justified because the court decision was not presented with evidence of their extremist (and, even more, terrorist) activity. (...)

Religious hate websites: a petition against A. Kuzmin and A. Dvorkin with over 13,000 signatures

HRWF (12.12.2011) – www.hrwf.net - Under the title "Anti-sectarian Internet websites", *Religiia i pravo* (18 November 2011) has published an article about hate statements repeatedly made by anti-sect activist Alexander Kuzmin against non-Orthodox faiths on Internet. *Saratov News* (17 November 2011) also published an article entitled "Sect fighter Kuzmin accused of insulting non-Orthodox confessions" in which the same criticisms are directed against Alexander Dvorkin, who is the head of the Expert Council for Conducting State Religious Studies Expert Analysis of the Ministry of Justice of the Russian Federation, the vice-president of FECRIS (an umbrella organization grouping together 25 European anti-sect organizations with a status at the Council of Europe and the United Nations) and president of FECRIS member association in Russia, St. Irenaeus of Lyons Centre.

Pentecostals, Charismatics, Jehovah's Witnesses, Scientology and other believers accused of murders, suicides and fraud

On the antisect websites of Saratov sect fighter Alexander Kuzmin, accusations of murders and suicides are made against Pentecostals, charismatics, Jehovah's Witnesses, Scientology, and other believers who, in the opinion of the radical fighter against heterodoxy, are "nontraditional" non-Orthodox Christian confessions and religions or new religious movements that are alien to Russia.

The website of Kuzmin's antisect center (<http://antisekta.ru>) posts not only articles directed against Russian religious associations but also a list of both real victims of some leaders of religious movements and also those victims whom Kuzmin directly links with Christian and nonchristian confessions.

The heading of this list reads: "Consequences of the horrors of sectarianism. Each of the sects creates evil in this world with complete impunity and the victims of sectarian violence cry out to our memory. By their death they warn us who remain alive."

Another website created by Kuzmin, which is declared to be "analytical," presents articles exposing not only non-Orthodox Christians but also pointing to the example of Old Believers as believers who use magic and witchcraft.

Under the heading "Consultation; Attorneys," Kuzmin offers to share property directly if a family member falls into a "sect" and to hire an appropriate attorney.

On Kuzmin's websites there is a directory where practically every non-Orthodox confession or religion and especially new religious movement will be able to find an article about itself with a list of "crimes" and denigration of heterodox believers.

Within the framework of the "Children in Sects" project, images of children are aggressively used in order to show that all heterodox believers are "insane," "frauds" or "criminals." (tr. by PDS, posted 18 November 2011).

Anti-sect activists Alexander Kuzmin and Alexander Dvorkin accused of insults against non-Orthodox faiths

Alexander Kuzmin, a Saratov member of the Expert Council for Conducting State Religious Studies Expert Analysis of the Ministry of Justice of the Russian Federation has been accused of frequent insults of non-Orthodox confessions. The same criticism has been directed against the head of that council, Alexander Dvorkin, the "Server of Christian Fellowship" reports.

An action of scholars and believers against the composition of this council collected more than 13,000 signatures; the Russia-wide ongoing action will mark its 3rd anniversary in April of next year.

According to organizers, radical sect fighters not only insult and denigrate other non-Orthodox confessions and religions existing in Russia but they also have discredited the image of the Orthodox church in the eyes of the public.

"This isn't about freedom of conscience or censorship"

By Felix Corley

Forum 18 News (02.12.2011) / HRWF (09.12.2011) - <http://www.hrwf.net> -Russian state censorship of religious literature is now extending to websites – and possibly also to Hare Krishna sms announcements, Forum 18 News Service has learnt. Some religious books – especially Russian-language translations of works of the late Turkish Muslim theologian Said Nursi and many Jehovah's Witness publications – have long been banned as "extremist", but Jehovah's Witness websites nationwide are now being blocked for carrying copies of their works. "In many of Russia's cities our websites have been blocked by many providers since early and mid-November," Grigory Martynov of the Jehovah's Witnesses told Forum 18 from St Petersburg on 1 December. Meanwhile, attempts to ban the Russian translation of a key book for Hare Krishna devotees – the Bhagavad-Gita As It Is – have been delayed. One of the court-appointed "experts" refused to tell Forum 18 why their analysis had not reached the Tomsk court by the 1 December deadline.

15 Russian translations of Nursi's works and 68 Jehovah's Witness publications have now been ruled "extremist" and placed on the Federal List of Extremist Materials, making it illegal to distribute or store them for distribution. The 68 includes four further Jehovah's Witness magazines added to the Federal List on 2 December. All four were among nine Jehovah's Witness publications ruled extremist by Salsk Court in Rostov Region on 27 June, a decision upheld by Rostov Regional Court on 13 October. The other works had already been ruled extremist by other courts.

"Extremism" prosecutions

Public prosecutors use the presence of Nursi and Jehovah's Witness literature on the Federal List to launch prosecutions on extremism-related charges. In one of the most high-profile cases, Gorno-Altai court found Jehovah's Witness Aleksandr Kalistratov guilty on 3 November of violating Article 282, Part 1 of the Criminal Code ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or

through the media"). Judge Marina Kulikova sentenced him to one hundred hours' community service.

[See a commentary on the systemic problems of Russian anti-extremism legislation, by Alexander Verkhovsky of the SOVA Center, at F18News 19 July 2010 http://www.forum18.org/Archive.php?article_id=1468.]

This was Kalistratov's second trial on the same charges. He was acquitted in April, but after prosecutors successfully challenged this in Altai Supreme Court, a new trial was ordered, which began on 22 June.

Kalistratov has appealed against the verdict, and the appeal hearing is due to begin on 22 December at Altai Supreme Court, Jehovah's Witnesses told Forum 18.

Facing criminal trial in Novosibirsk is Nursi reader Ilham Merazhov. He is challenging the search of his home and the launching of a criminal case against him (see forthcoming F18News article).

The Supreme Court in July cautioned that prosecutions of individuals on "extremism" charges should be carefully and narrowly framed. It warned that it is important to consider the individual's intention in distributing the works. If the intention is not to incite hatred or enmity or to humiliate the human dignity of others, prosecutions should not be brought. Officials have been unwilling to discuss the impact of the Supreme Court's instruction on their prosecutions of Muslims and Jehovah's Witnesses.

Several court decisions seen by Forum 18 in Jehovah's Witness cases order that publications on the Federal List seized from members in the course of cases should be destroyed.

Bhagavad-Gita As It Is banning case delayed

The suit brought by Tomsk Prosecutor Viktor Fedotov to have the book the Bhagavad-Gita As It Is banned as "extremist" has been delayed.

The case began under Judge Galina Butenko at Tomsk's Lenin District Court on 12 August, but was suspended after the fourth hearing on 30 August when the Court controversially ordered a new "expert analysis" by three "specialists" of Kemerovo State University. They were instructed to submit their analysis to the Court by 1 December. A May 2009 "expert analysis" to which one of the three, Mikhail Osadchy, contributed formed a basis for the prosecution of Jehovah's Witness Kalistratov in Gorno-Altai.

It is not clear when the case will resume. Telephones at the Lenin District Court went unanswered each time Forum 18 called. Fedotov's telephone at the Prosecutor's Office similarly went unanswered. Yuri Pleshakov of the Hare Krishna community in Moscow told Forum 18 on 1 December that the Court had told them that it had not yet received the "expert analysis" and was unable to say when the case would resume.

Aleksei Gorbatov, one of the Kemerovo "experts", admitted to Forum 18 on 1 December that their analysis was late, but refused to say why. He also refused to say when he expected it to be completed. He also refused to say whether or not he had read the book the Bhagavad-Gita As It Is. "What do you think, if I have been asked to analyse it?" He insisted that he could not answer any questions until the court case is complete.

Pleshakov welcomed the support he says has come from a wide range of society to the Hare Krishna community's defence of one of their key books. "Given what these 'experts' have written on other books, and their designation of them as 'extremist', we fear what they might produce," he told Forum 18. "But we continue to hope that the court will take a just and objective decision."

Website blocking

Blocking of access in Russia to Jehovah's Witness websites began in July 2010, when internet service provider Technodesign in Komsomolsk-na-Amure blocked its customers' access to the official Jehovah's Witness international website www.watchtower.org, which contains information and publications in English, Russian and many other languages. The banning followed a court order initiated by the town's Prosecutor Vitaly Pakhomov.

However, the blocking of access to Jehovah's Witnesses websites has been extending across Russia, after a 19 September judgment by Yoshkar-Ola City Court in the Republic of Mari-El. Judge Yekaterina Shishmakova ruled that five named internet companies had to block access to the IP addresses linked to two Jehovah's Witness websites, jw.org and watchtower.org, according to the verdict seen by Forum 18.

Prosecutor's Office official Andrei Nazarov argued to the Court that, as the sites contained works on the Federal List of Extremist Materials, access to the sites had to be blocked. The court accepted his argument.

The verdict reveals the involvement in the case of the Mari-El branch of the FSB security service. It notes that "in the course of conducting its operational/investigatory measures, the FSB of Russia for the Republic of Mari-El uncovered" the two sites where, it said, "free access" was possible to two banned works, *What Does the Bible Really Teach?* and *My Book of Bible Stories*.

"This isn't about freedom of conscience or censorship"

Despite the involvement of the FSB, Nazarov of the Prosecutor's Office insisted that the decision to take action against the websites had come as a result of a communication to the office. "We were told of such materials, we checked and found they were there," he told Forum 18 from Yoshkar-Ola on 1 December. "So we took the case to court." He denied absolutely that the communication had come from the FSB or any other state agency, or any part of the Russian Orthodox Church.

Internal government documents have revealed that moves against Jehovah's Witnesses and readers of the works of Muslim theologian Said Nursi are co-ordinated at a high state level. Both Jehovah's Witnesses and Nursi readers have been targeted in ways that suggest that their believers and communities are closely watched by the police and FSB security service - both within and outside their communities. One Russian Orthodox Church diocese has been involved in this, and private employers and public libraries have also been ordered to co-operate in the campaign.

Nazarov of the Prosecutor's Office revealed that in preparing the case, he had a copy of the 2010 Komsomolsk-na-Amure verdict. That case had been initiated by that town's Public Prosecutor Vitaly Pakhomov.

Nazarov rejected suggestions that blocking these websites restricted individuals' freedom of conscience or represented censorship. "This isn't about freedom of conscience or censorship – it's about restricting access to extremist materials."

Internet providers block websites

As a result of the verdict, blocking of the Jehovah's Witness websites began soon after. One of the five companies, Megafon-Sibir, told Forum 18 that it had begun blocking access when the decision came into force. "The websites jw.org and watchtower.org were blocked by the court decision by blocking the corresponding IP-address," Mikhail Ivonin, Megafon-Sibir's public relations manager, told Forum 18 from on 1 December. He said the court had sent the decision to his company.

Ivonin revealed that another Jehovah's Witness website, jw-media.org, was also being blocked even though it was not mentioned in the court verdict, as it is hosted on the same IP-address. Ivonin said the court decision was valid for internet service providers across Russia.

The Moscow-based Sova Center, which monitors the misapplication of the Extremism Law, noted on 29 November that Megafon-Sibir had written to a customer in Kemerovo who had complained about the blocking: "The sites you mentioned were blocked by the company in the interests of your security."

Sova Center noted a growing number of places where these Jehovah's Witness sites were blocked, including by three internet service providers in Moscow.

St Petersburg-based internet service provider Web-Plus said it began blocking Jehovah's Witness sites at the beginning of November. "The blocking took place on a court decision," Konstantin Rodzevich of Web-Plus technical support told Forum 18 from St Petersburg on 2 December. He did not identify which court decision.

The spokesperson for St Petersburg's Prosecutor's Office, Yelena Ordynskaya, refused to tell Forum 18 whether the City Prosecutor's Office or any District Prosecutor's Office had initiated any local cases to have access to Jehovah's Witness websites blocked. She said she was unable to answer Forum 18's questions as it is not based in Russia.

Bans on printed works continue

Meanwhile, courts have continued to ban printed Jehovah's Witness publications as "extremist". Four further Jehovah's Witness magazines were added to the Federal List in its latest update on the Justice Ministry website on 2 December. All four were among nine Jehovah's Witness publications ruled extremist by Salsk Court in Rostov Region on 27 June, a decision upheld by Rostov Regional Court on 13 October. The other works had already been ruled extremist by other courts.

On 18 October, Judge Olga Tereshchenko of Makarov District Court of Sakhalin Region in Russia's Far East ruled nine further Jehovah's Witness booklets "extremist", the court website noted. The case had been brought by the local Prosecutor, Sergei Aleksandrov.

Jehovah's Witnesses complain that they were not informed about the case and only found out about it on 11 November, when an announcement appeared on the Sakhalin Regional Prosecutor's Office website. In justifying the suit, the Prosecutor's Office claimed that the distribution of publications "containing propaganda for the superiority of the Jehovah's

Witness sect harms the rights, freedoms and legal interests of an indeterminate circle of people of other religious confessions". It did not claim that any specific individual had been harmed.

"The publisher who has the rights to these works was not even invited to the court," Jehovah's Witnesses complained to Forum 18. They described this as a violation of its rights under Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which includes the provision that "everyone is entitled to a fair and public hearing".

In a separate case, on 25 November Judge Olga Izrailova of Uspensky District Court of Krasnodar Region in southern European Russia began hearing a suit to ban a further Jehovah's Witness work as "extremist", according to the court website. The case was brought by District Prosecutor Aleksei Yaroshenko, while the Krasnodar Region Justice Department is also a party to the case.

Prosecutor Yaroshenko is seeking to ban the Russian translation of "Bearing Thorough Witness About God's Kingdom", which is about the Acts of the Apostles. He cites analysis by specialists at the Krasnodar Laboratory of Judicial Expert Analysis.

Jehovah's Witnesses note that even three "experts" from Kemerovo State University - including Osadchy who is involved in the Tomsk case - concluded in 2010 that the Jehovah's Witness book "does not contain comparisons and parallels calling for the formation of a negative or repulsive image of any religions or people professing the given religions".

The Court website notes that as the Prosecutor lacked some necessary documents, the case was adjourned until 19 December.

Mystery surrounds cut off of Hare Krishna sms message service

For nearly six years, Russia's Hare Krishna community ran a message service VIOMS sending daily quotes from their publications, items from the Vedic calendar and announcements of events to more than 3,000 subscribers. However, the contract with the Penza branch of the NSS company was halted without warning in mid-November, one of the VIOMS organisers told Forum 18 on 1 December. "We don't know who ordered the breaking of the contract or why, or whether it is connected with the Tomsk case."

The VIOMS organiser said that about two weeks before the cut-off, about fifteen unknown numbers joined the service and began sending out more than 200 messages per day. The organisers do not know who these people were. They say on average each subscriber received between five and fifteen messages per day, though this depended on which of several lists they opted to receive. Subscribers had to confirm each month that they wished to continue receiving messages.

Forum 18 asked NSS whether the sms service was cut on state orders, through a court decision or an instruction from a state agency, or whether it was a decision taken by the company. NSS staff have promised to respond, but had not done so by the afternoon of 2 December.

Amnesty International defends Jehovah's Witness

Attack on freedom of expression, freedom of opinion and freedom of confession

The Administrative Center of Jehovah's Witnesses in Russia (05.12.2011) / HRWF (06.12.2011) - <http://www.hrwf.net> - A hearing in the Supreme Court of the Altai republic is scheduled for 22 December 2011 on the appeal of the sentence given to Alexander Kalistratov, a Jehovah's Witness from Gornyi Altai. In April 2011 Kalistratov was acquitted for lack of evidence of a crime on a charge of inciting hatred and strife, although the prosecutor, dissatisfied with the decision, appealed it, and a newly composed court issued a conviction.

"During the new review, the very same evidence was investigated and the very same witnesses were heard, but the new judge gave everything a diametrically opposite assessment," says Viktor Zhenkov, Kalistratov's attorney. "It seems that the acquittal was set aside only so that the other judge could give a different interpretation of the facts." An advocate from the staff of the Plenipotentiary for Human Rights in RF, Mikhail Odintsov, who participated in the trial, made the following assessment of the charge: "Despite everything, the legitimate actions of Alexander Kalistratov were interpreted as 'criminal activity.'"

The nongovernmental organization "Amnesty International" characterized this sentence as "an attack against freedom of expression of opinion and freedom of confession," and added: "The conviction handed down to Alexander Kalistratov is contrary to Russian legislation and the country's obligations within the framework of international law regarding human rights. The sentence should be overturned."

Raids on meetings for worship increasing?

By Felix Corley

Forum 18 (24.10.2011) / HRWF (07.11.2011) - <http://www.hrwf.net> - Russian police and other security agencies appear to increasingly be raiding religious communities as they meet for worship, Forum 18 News Service notes. In September, four Jehovah's Witness communities in the Chuvash Republic, on the Volga, and one Muslim community in Belgorod Region, on Russia's border with Ukraine, were raided as they met for worship. In Belgorod, several hundred Muslims were in the middle of Friday prayers when police – some with weapons and wearing masks – broke up the service, claiming to be looking for illegal immigrants. Of more than 350 men present, more than 150 were taken to police stations. Only six were found to be in Russia without a legal basis, according to the police report.

Police have often raided and searched places of worship – particularly of Jehovah's Witnesses – but not when services and meetings are underway. Raids on religious communities as they meet for worship are rarer, though these have increased in recent years. In February 2010 armed police with dogs raided a Lutheran Sunday morning service in their church in Kaluga. The Lutheran pastor preaching at that service, drawing on the experience of being raided, later wrote an article with advice on "How to behave during raids". In April 2010 police and an Federal Security Service (FSB) officer raided the Sunday morning service of a Baptist church in a private home in Elektrostal near Moscow.

Most raids on worship services have affected Jehovah's Witness communities. "Reports come in every month of such raids on our services from across the country," Jehovah's Witness spokesperson Grigory Martynov complained to Forum 18 from St Petersburg on 20 October.

At the same time, the number of administrative fines for leading religious worship without the approval of the local authorities also appears to be rising (see forthcoming F18News article).

Coordinated Chuvashia raids

Jehovah's Witnesses in the Chuvash Republic were the targets of a coordinated series of raids on meetings for worship and private homes. The searches and detentions on the evening of 7 September involved among others the ordinary police, officers from the regional police Anti-Extremism Centre, and OMON special police. Jehovah's Witnesses described this as "religious intolerance and aggression" that is "reminiscent of the Soviet era".

Eight police led by Pyotr Tetin, an officer in the police Department for Especially Important Cases, raided an evening meeting for worship in the regional capital Cheboksary. The officers threatened to use force, Jehovah's Witnesses complained to Forum 18, and searched the Kingdom Hall where the Jehovah's Witnesses meet for four hours. Religious books and computers were seized.

A similar raid took place the same evening on another Kingdom Hall in Cheboksary. Those present were taken for questioning. Among those detained for 48 hours in Cheboksary was Andrei Nikolayev, who is now facing criminal charges (see below).

In the nearby satellite town of Novocheboksarsk, several police officers raided the evening Jehovah's Witness service held in rented accommodation. Officers searched the bags of those present and confiscated personal items. They refused to show any search warrant.

Also on the evening of 7 September, in the Chuvash town of Kanash, officers of the police Anti-Extremism Department, led by Sergei Derbenev from Cheboksary, raided the local Jehovah's Witness meeting. This time, officers showed a search warrant. Those present were forced – some being pushed by the officers – to go to the local police station, where they were searched and fingerprinted. Two, Farid Mannafov and Oleg Marchenko, were detained and taken to Cheboksary, 75 kms (45 miles) away.

Among homes searched that evening was that of Oleg Maksimov in Cheboksary. Anti-Extremism Police arrived at 5.30 pm, and spent more than six hours searching his home. The officers – Andrei Yegorov and Yevgeny Biryukov – repeatedly refused to show their identification. During the search on the home of Igor Yefimov in Novocheboksarsk, police seized Bibles, computer equipment and personal photographs.

Jehovah's Witnesses complain that the detention on 7 September of Nikolayev, Mannafov and Marchenko represents the first time since the Soviet period that their followers have been held in detention in Russia. Only on 8 September were local Jehovah's Witnesses able to discover where the three men were being held. Their homes were also searched. The three were freed on 9 September.

"I have no information"

No police Forum 18 contacted in the Chuvash Republic were able to explain why so many officers were sent on the coordinated raids.

Viktor Tolstov, a deputy Interior Minister of the Chuvash Republic, refused to discuss the raids. "I have no information," he told Forum 18 on 18 October. He then put the phone down. The assistant to Aleksandr Nikolayev, deputy head of the regional police with responsibility for operational work, refused to discuss the raids with Forum 18 on 18 October. He refused to put Forum 18 through to Nikolayev.

The telephone of Aleksei Metelkin, head of the police Anti-Extremism Centre in Cheboksary, went unanswered each time Forum 18 called between 17 and 21 October.

Aleksandr Velliullov, head of the regional OMON special police, denied to Forum 18 on 18 October that his officers had been involved.

Pyotr Guriev, deputy head of Kanash police, claimed that his officers took no part in the 7 September raid in the town on the local Jehovah's Witness meeting, or the detention and transfer to Cheboksary of Mannafov and Marchenko. However, he would not tell Forum 18 conclusively on 19 October whether or not the Kanash police had been informed about the raid. "Cheboksary police could conduct an operation here, but we know everything that goes on in the town."

"An operational measure has to be carried out when it is needed"

The only regional police officer prepared to discuss the raids was Dmitry Ivanov, the press officer. "No one was attacked," he claimed to Forum 18 on 19 October, "but religious believers shouldn't violate the law. The police acted entirely in accordance with the law." He insisted the raids were to identify individuals who were spreading inter-religious hatred or enmity. "We now have publications," he added, a reference to Jehovah's Witness literature confiscated during the raids.

Ivanov denied that any of the raids could have taken place without a warrant. "Police must have the correct documents." He said no complaints from Jehovah's Witnesses had come in, as far as he knew.

He said that Jehovah's Witnesses have been present in Chuvashia for "some decades" and there have been "no excesses" against them. "But now some of them violate the law – that's why cases have been launched. The issue is not about the organisation but about the individuals."

Forum 18 pointed out to Ivanov that only one criminal case has been launched in Chuvashia and that Russian law presumes individuals' innocence until any court hands down a guilty verdict. Forum 18 asked why, if that is the case, raids took place during worship and officers did not wait until innocent people had finished their worship. "An operational measure has to be carried out when it is needed," Ivanov told Forum 18.

Criminal case continues

The raids took place the day after a criminal case was launched on extremism-related charges against a Jehovah's Witness in Cheboksary. Chuvash Republic Investigation Committee press officer Oleg Dmitriev repeatedly refused to say who the Jehovah's Witness being investigated under Criminal Code Article 282, Part 1 ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"). But Jehovah's Witnesses themselves named him as 38-year-old Cheboksary resident Andrei Nikolayev.

His age, religious affiliation and place of residence match the details in the original 7 September Investigation Committee announcement. Dmitriev of the Investigation Committee did confirm that the case is not against fellow-Jehovah's Witness Mannafov, who is also 38. One other Jehovah's Witness was detained for 48 hours after the raids, but only one is facing charges. "Only when the investigation is completed will we give the name," Dmitriev told Forum 18 from Cheboksary on 19 October.

Nikolayev is being investigated under the same Criminal Code Article under which fellow Jehovah's Witness Aleksandr Kalistratov has been tried in Gorno-Altaysk. The verdict in Kalistratov's second trial is due on 3 November. Article 282 and other "anti-extremism" legislation has been heavily criticised.

Dmitriev of the Investigation Committee confirmed that the criminal case was launched on 6 September, the day before the raids. He declined to say what led the Investigation Committee to launch the case. "It is likely it was at the initiative of the FSB or the [police] Anti-Extremism Centre," he told Forum 18. He insisted that if presented with materials relating to a crime, "we have to launch such a case. This individual distributed extremist materials in two towns, Kanash and Cheboksary."

Dmitriev said this is the only criminal case in Chuvashia against any Jehovah's Witnesses. Asked if any cases will be brought against Mannafov or Marchenko, both also held under arrest for 48 hours with Nikolayev, Dmitriev said it is possible they might face administrative charges. "There must be a reason for their detention."

Asked if the investigator in the case, whom he would not name, had read the Supreme Court's 28 June instruction on extremism-related prosecutions, he insisted all at the Investigation Committee had done so. The Supreme Court warned that prosecutions under extremism-related charges should be brought with great care and only in limited circumstances.

Friday prayers raided in Belgorod

Officers of the police, FSB security service, and the Belgorod regional Federal Migration Service raided the Friday prayers on 9 September, held by registered local Muslim community Peace and Creation. The prayers were taking place in a rented factory in the industrial part of Belgorod.

"We ourselves have asked the police why they didn't wait until our prayers were over," community leader Ramazan Ramazanov told Forum 18 from Belgorod on 17 October. "We have had no reply yet."

Community leader Ramazanov told Forum 18 the raid happened while the Muslims were still praying. Special police in masks stopped the prayers and made all the men stand around the walls. He put the number of men detained at more than 350. He said women and children were in a separate room and were not affected.

A 10 September account by one of the Muslim men, posted the following day on the islamkuzbass.ru website, said that worshippers ignored the order to stand facing the walls and accompanying threats as they were about to begin the sunnat prayers at the end of the Friday namaz. "This is my house and I will do here what I want," the Muslim quoted one of the special police officers as shouting. As other police were driving the men out into the yard, the officer hit a student from Jordan and forced him to halt his sunnat prayers, the Muslim who says he was an eyewitness recounts.

Police told the Muslims not to use their phones to contact anyone, checked the pockets of all the men, then put them in special buses and took them to various local police stations, both Ramazanov and the written account said. They were fingerprinted and their identities checked. Some were not freed until midnight. Ramazanov was taken to Belgorod's central police station, where he was held for five hours.

A 12 September statement on the regional police website claimed the "operational-preventative measures" were directed at "uncovering illegal migrants, as well as other instances of other violations of migration law of the Russian Federation". The statement claimed that officers were verifying "operational information" that had come in. The statement made no mention of the fact that the raid was on a religious community in the middle of worship.

The police statement said more than 150 people had been detained, "many of whom turned out to be from Central Asia and the Middle East, some of whom did not speak Russian at all". But it stated that police found a total of six individuals present in Russia "without a legal basis".

"Egregious instance of violation of our civil rights"

"We consider this an egregious instance of violation of our civil rights and religious feelings," the Muslim recounted. He pointed out that this was the second such raid on the Belgorod Muslim community this year. The first was conducted in April.

The Muslim speculated that the raid might have been connected with coverage on regional television news of the community's celebration of Id al-Fitr at the end of Ramadan in late August, which had been attended by more than a thousand people. "We believe the broadcast disturbed the local authorities over the rise of the number of Muslims in Belgorod."

The Justice Ministry website notes that the Belgorod Peace and Creation Muslim community has had state registration since April 2006. Ramazanov told Forum 18 it had only been meeting in the rented factory for a month before the raid and had moved there because the community was growing.

No answers

Officials of Belgorod Regional Police and the FSB security service have also refused to answer Forum 18's questions why, if they wished to check individual worshippers' identity documents, they did not wait until Friday prayers were over.

"We have respect for all the people who live on this territory", Tatyana Kireyeva, spokesperson for Belgorod regional police, claimed to Forum 18 from Belgorod on 17 October. But asked repeatedly verbally and in writing to explain why armed police officers, some wearing masks, needed to raid the prayers and could not simply wait until they ended before checking documents, she declined to respond. "We have respect for people both during prayers, before prayers and after prayers."

Kireyeva insisted that everything the regional police could say about the incident was what was in the 12 September statement posted to the website. She repeated its assertion that six people had been found not to have a legal basis for being in Russia. Asked by Forum 18 whether it was a proportional act to interrupt by force the prayers of several hundred

innocent people for six who, it seems, were in the country without a legal basis she was silent. She refused to say if the six had been prosecuted or deported.

"Other information about the work of police officers during this operational-preventative measure is for official use and is not for distribution in the media," Kireyeva added.

Vyacheslav Ryabkov, spokesperson for the regional FSB security service, insisted that assertions by the Muslims that force had been used were not true. "Violence didn't happen," he told Forum 18 from Belgorod on 18 October. "I was on holiday at the time, but police officers I have spoken with say such claims are not true." Asked why at least some of the officers were in masks and carrying weapons, he responded that he was not there so could not say. He insisted the police, not the FSB, had initiated the operation.

Ryabkov conceded that "a low number" of the Muslims present had turned out not to have correct documents. But – although he had been on holiday at the time – he insisted that prayers had finished by the time the raid took place.

However, Lyudmila Shevyakova, spokesperson for the regional Federal Migration Service, specifically denied that any officials from her service took part in the 9 September raid. "We didn't take part in organising or planning the operation," she told Forum 18 from Belgorod on 18 October. "The police merely called us in afterwards to check individuals' documents." Told that the police's 12 September statement identified them as having taken part, Shevyakova said this was not true and said her service had contacted the police to tell them so.

Raids common

Raids on individual Jehovah's Witnesses and readers of the works of the late Turkish Muslim theologian Said Nursi are common, as police and the FSB security service hunt for what they regard as "extremist" texts. Jehovah's Witness and Muslim readers of Nursi meeting in small groups in private homes are also frequently raided. Jehovah's Witness congresses have also been a target.

In a rare victory for Jehovah's Witnesses, on 9 June Judge Tatyana Timofeyeva of Tula Regional Court upheld a decision by Yefremov District Court which found a police raid on a worship gathering illegal, the court website noted. After four police officers raided the meeting in a private flat in Yefremov in January attended by about 20 people, local Jehovah's Witnesses challenged the legality of the police action, Jehovah's Witnesses told Forum 18. The police officers – who had recommended to the Jehovah's Witnesses that they attend an Orthodox church instead – were required to apologise personally to all those present when the meeting was raided. However, this ruling did not address other raids which have taken place in Tula Region and throughout Russia.

Outdoor public religious activity by Jehovah's Witnesses, Hare Krishna devotees and Protestants has also resulted in state harassment. Hare Krishna devotees fear that they could be the next group targetted throughout Russia, as the authorities seek to have the Russian translation of the most important work for Hare Krishna devotees – the Bhagavad-Gita As it Is – banned as "extremist".

Russian terror law has unlikely targets

By Sophia Kishkovsky

The New York Times (03.11.2011) / HRWF (07.11.2011) - <http://www.hrwf.net> - Over the last week, a well-known writer and a Jehovah's Witness in Siberia have become two more Russians to fall foul of a murky and much-criticized law purported to fight terrorism but being turned against a broad and seemingly random array of people.

Grigory Chkhartishvili, better known as Boris Akunin, the writer of best-selling historical mysteries, revealed in his blog that a federal investigative body subordinate to the Kremlin had summoned his publisher for questioning about possible extremist statements in his latest book, "All the World's a Stage."

The Investigative Committee of the Russian Federation said it had been alerted that Mr. Chkhartishvili's novel might be in violation of a law pushed through by the Kremlin in 2002, purportedly to fight terrorism, and amended in 2006. Rights activists say the law is so obscure that it can be applied at official whim to stifle perceived critics.

Making matters murkier, the summons, which Mr. Chkhartishvili posted on his blog (borisakunin.livejournal.com), said that the case was based on a complaint filed by a man identified as a Russian nationalist recently jailed for life for killing non-Slavs.

The Investigative Committee quickly concluded it had found no offending passages. Mr. Chkhartishvili, an expert on the literature and culture of Japan, noted wryly that he could only find one passage in his book possibly offensive to Russians, referring to their inability to distinguish between two sorts of Japanese noodles.

"It's a bit funny that in our country, where there are enough real problems connected with extremism, serious people are engaged in such nonsense," he told the RIA Novosti news agency.

On his blog, a commentator painted law enforcement as a "theater of the absurd."

Religious groups that have encountered the law concur, but say that they are facing very real consequences.

On Thursday, a court in the Gorno-Altai region of Siberia found Aleksandr Kalistratov, a Jehovah's Witness, guilty on charges of disseminating extremist materials. He was sentenced to 100 hours of community service. Mr. Kalistratov had earlier been found innocent, but a higher court ordered a retrial.

"One gets the impression that the state can't live without prisoners of conscience," said Mikhail Odintsov, a religion expert at the office of Russia's Human Rights Ombudsman who defended Mr. Kalistratov.

Viktor Zhenkov, a defense lawyer for Mr. Kalistratov, said the law is so broad now "that any court can rule that any literature is extremist."

Jehovah's Witnesses were repressed, imprisoned and exiled in Soviet times, and their leaders in Russia say that there are now nearly a dozen criminal cases against members on charges of extremism across Russia.

Religious literature distributed by the Jehovah's Witnesses is on a list of extremist literature compiled by Russia's Ministry of Justice, which serves as a basis for cases like the Kalistratov one.

Grigory Martynov, a spokesman for the Jehovah's Witnesses, said that homes of believers have been raided and there were fears in Revyakino, a village in the Irkutsk region, after the local mayor twice burst into gatherings of Jehovah's Witnesses, who were first exiled there in the Soviet era. Most recently, Mr. Martynov said, the mayor shot at the ceiling of the home of a Jehovah's Witness and held a gun to the head of the man's son.

Mr. Martynov said he feared the authorities would not pay attention until the situation became deadly. He also showed this reporter a photocopy of what he said was a Russian police handbook from Kazan, capital of the Tatarstan region, that described the local head of the Jehovah's Witnesses as "likely in contact with the special services of the U.S.A."

Roman Lunkin, a religion expert with the Slavic Center for Law and Justice in Moscow, which has defended religious freedom cases for nearly two decades, said that Russia's special services "see a fifth column" in such religions as the Jehovah's Witnesses and Pentecostals. "They don't see Russian citizens."

Court issues guilty verdict despite lack of evidence

JW Official website (03.11.2011) / HRWF (07.11.2011) - <http://www.hrwf.net> - In a complete reversal, the Gorno-Altaysk City Court found 34-year-old Aleksandr Kalistratov guilty of inciting religious hatred during his retrial ordered by the Supreme Court of the Altay Republic. This decision comes in the wake of a not-guilty verdict issued by the City Court on April 14, 2011. Mr. Kalistratov is sentenced to 100 hours of community service.

Numerous witnesses were called to testify during the proceedings. However, as was the case in the first trial, not one witness could provide evidence attesting to Kalistratov's guilt. Mr. Viktor Zhenkov, who served as Kalistratov's attorney stated, "We clearly demonstrated to the court that the charges are unfounded. We believe that today's verdict is unlawful and exposes the illegal nature of the harassment campaign against Jehovah's Witnesses in Russia. We are determined to take steps to ensure the reversal of the verdict and complete acquittal of this innocent man."

Kalistratov related, "I was convicted in the absence of any victims or evidence and solely for my religious beliefs. The State recognized my religious activities as lawful for 20 years and now it has decided to convict me for those same activities. I am going to appeal the verdict."

Human rights activists consider this guilty verdict to be a dangerous precedent for freedom of conscience and expression in Russia. Mr. Lev Levinson, an expert from the Human Rights Institute, stated, "This trial has made it clear that any individual can be put on trial based on extremism charges, regardless of his beliefs or occupation." According to Mr. Aleksandr Verkhovsky, director of the SOVA Center for Information and Analysis, "Misapplication of the Russian [extremism] law has turned into a universal tool of repression."

Protestant church damaged

Evangelic Christians Baptist Church in Vladivostok attacked by vandals

Portal-credo.ru (17.10.2011) / HRWF (24.10.2011) - <http://www.hrwf.net> - Vandals attacked the house of worship of Evangelical Christians-Baptists in Vladivostok. As a result, the "hooligans" broke a window with stones and damaged a curtain, "VL.ru" reports.

According to law enforcement officers, on 12 October, around 23.30, the pastor of the church called police and reported the attack on the house of worship on Narodny Prospect. Damage caused by the criminals' actions amounted to about 5,000 rubles.

Orthodox diocese resists Evangelical politician

Despite the "Non-political nature" of the Orthodox Church (Moscow Patriarchate), Kemerovo diocese campaigns to keep former Pentecostal pastor out of Putin's "All national front"

Portal-credo.ru (14.10.2011) / HRWF (24.10.2011) - <http://www.hrwf.net> - "Let us pray to keep Kuzbass leader of 'New Generation' out of power": such was the headline of a lengthy statement posted on 7 October on the official website of the Kemerovo diocese of RPTsMP by its press service, calling for preventing a former pastor of the local "Love of Christ" church of the religious organization of Christians of Evangelical Faith (KhVE), Andrei Matiuzhov, from joining Putin's "All-Russia National Front" (ONF), a Portal-credo.ru correspondent reports.

The former pastor expressed the desire to join the ONF not as a religious figure but as a private businessman. The Kemerovo diocese of RPTsMP pays tribute to the new brainchild of Kremlin politicians: "ONF, formed on the initiative of Russian Prime Minister Vladimir Putin, was specifically created in order to facilitate the flow 'of new persons, fresh ideas, and suggestions' into the ruling 'United Russia' party."

But the diocese speaks in opposition to Matiuzhov's joining ONF because this man "several years back was a pastor in Kemerovo," when the KhVE religious organization of which he was a member was liquidated by decision of a court of the Central District of Kemerovo of 8 May 2007 "for violation of point 9 of article 8 of the federal law on freedom of conscience and religious associations."

After this, the diocese declares, Matiuzhov joined the "New Generation" church of Christians of Evangelical Faith, "which is not registered at all in the Unified State Register of Juridical Persons." The diocese calls this KhVE congregation "a unique 'affiliate' in Kuzbass of the religious movement of the same name that was founded back in 1989 in the city of Riga, Latvia, by Pastor Aleksei Lediaev immediately after he was excommunicated from the Pentecostal church."

Citing the notorious "sect scholar" Alexander Dvorkin, the press service of Kemerovo diocese accuses "New Generation" of "prosperity theology, i.e., donating money to the church (pastor)," and of a "special form of prayer when adherents in 'worship services' cry, laugh, sing, jump, and roll on the floor," causing harm to a person's psychological state.

As a decisive argument, the press service of the diocese, citing a certain Ukrainian website but not naming it, maintains that "one of the leaders of this charismatic church was involved

in the organization of the 'Orange Revolution' in Ukraine, and A. Lediaev himself was for a long time barred from entering Russia."

"In light of what is said above," the press service concludes, "there arises the danger that in the event of Pastor A.V. Matiuzhov's coming to power he will lobby for ideas that will not serve the strengthening of our society but its moral degradation. Thus the clergy of Kemerovo and Novokuznets diocese are appealing to all Orthodox Christian believers of Kuzbass to lift their prayers to the Lord for protecting our state from unworthy administrators and installing in power people like the great rulers by whose labor over many centuries Great Rus, Great Russia was created."

"How can a believer light a match to destroy holy books?"

By Felix Corley

Forum 18 News (10.10.2011) / HRWF (17.10.2011) - <http://www.hrwf.net> - Prosecutors in Tomsk are seeking through the courts to have the Russian translation of the most important work for Hare Krishna devotees – the Bhagavad-Gita As it Is - declared "extremist" and placed on the Federal List of Extremist Materials. "This case is more than important for us - it is vital," Hare Krishna lawyer Mikhail Frolov told Forum 18 News Service from Moscow on 4 October. "This is the most important development in the whole history of our movement in Russia. They are trying not just to declare our book extremist, but our religious teaching also. If they succeed, our community throughout Russia could be declared extremist."

Meanwhile, an appeal court in Dagestan – while upholding a three-year suspended prison term on Ziyavdin Dapayev - has ruled that works by the late Muslim theologian Said Nursi confiscated from him should be handed to the Dagestan Muslim Board "for a decision on the question of the destruction of the banned books and pamphlets". Forum 18 notes that Russian law bans handing over state functions – such as this decision - to religious organisations. A spokesperson for Dagestan's Muslim Board told Forum 18 they have not been given the verdict or the books, and would not destroy them on state orders (see below).

Tomsk Prosecutor and FSB against Hare Krishna community

Viktor Fedotov, Tomsk's Prosecutor, asked the city's Lenin District Court to rule the third Russian edition of the Bhagavad-Gita As it Is extremist. The book is a Russian edition of a translation by Swami Prabhupada, founder of the International Society for Krishna Consciousness. An "expert analysis" completed in October 2010 by three academics at Tomsk State University – Sergei Avanesov, Valeri Svistunov and Valeri Naumov - found that the book "contains signs of incitement of religious hatred and humiliation of an individual based on gender, race, ethnicity, language, origin or attitude to religion", he said. The analysis claimed the book humiliated those who did not believe in or even know about Krishna or follow Krishna's teachings. It claimed that the author propagated the exclusivity and superiority of his faith and was hostile, insulting and humiliating about other faiths. It also claimed that the author called for hostile or violent acts against women and non-Hare Krishna devotees.

[For an analysis of the problematic nature of the concept of "the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion", and other problems with Russian anti-

extremism legislation, see a personal commentary by Alexander Verkhovsky of the SOVA Center for Information and Analysis at F18News 19 July 2010 (http://www.forum18.org/Archive.php?article_id=1468.)].

Tomsk Prosecutor Fedotov argued that the Bhagavad-Gita As it Is was therefore extremist under Article 1 of the 2002 Extremism Law. Article 13 of the same Law bans the distribution or storage for the purposes of distribution of such extremist works. He cited a 24 June report by Tomsk regional FSB security service that it had obtained the Bhagavad-Gita As it Is at the Saraswati Indian shop in Tomsk. Fedotov also asked the court to send its ruling that the book is extremist to the federal authorities in Moscow, so that it could be included in the Federal List of Extremist Materials and banned throughout Russia.

Tomsk Prosecutor's Office refused to put Forum 18 through to Prosecutor Fedotov. Marina Osipova, the official who prepared the 30 June letter, refused to tell Forum 18 on 24 August who had initiated the action against the city's Hare Krishna community and the Bhagavad-Gita As it Is or why. "There is a special procedure for answering questions," she told Forum 18 and put the phone down.

An officer of the Tomsk FSB, who would not give his name, insisted the same day that it could not comment while the case was in the courts. However, he claimed that the FSB security service had played "no role" in the case and merely "carried out the instructions given by the Prosecutor's Office".

Attempts to ban book "absurd"

Nelli Krechetova, the Tomsk Region Ombudsperson for Human Rights, described attempts to ban the Bhagavad-Gita As it Is as "absurd", the local media reported on 3 October. She warned that "the possible ban on the book, and, therefore, the ban on the religious activity of its followers, violates the constitutional rights of the citizen to freedom of conscience, freedom of religion and freedom of speech." She called for the legal case to be reconsidered.

As the court case was underway, Swami Prabhupada's edition of the Bhagavad-Gita As it Is gained praise from the Indian Ambassador to Russia, Ajai Malhotra. In a recording on YouTube he said: "The translation by Swami Prabhupada is I believe one of the best that you can find," he told a celebration of the festival of Krishna Janmashtami in Moscow on 21 August. "The reason is because he gives you the words, their meanings and the options to understand it [Bhagavad-Gita] as it was written, not through any intermediary."

In June, Russia's Supreme Court made clear that cases under "extremism"-related Articles of the Criminal Code should be very carefully and narrowly framed. But this has not stopped the Tomsk case, or similar cases against Muslim readers of Nursi's works and Jehovah's Witnesses.

Case begins

At Lenin District Court, the case was handed to Judge Galina Butenko, the court website notes. Four hearings took place between 12 and 30 August, when the case was suspended. As the case began, human rights defenders picketed the court, with posters quoting the rights to religious freedom and freedom of speech in the Universal Declaration of Human Rights and the Russian Constitution.

Also displayed were quotations from the 1953 novel Fahrenheit 451 by the writer Ray Bradbury, which envisages a future where all books are burnt and those who possess them

punished. One poster quoted an exchange from the novel between a woman and her neighbour, a fireman who burns books: "'Do you ever read any of the books you burn?' He laughed. 'That's against the law!'"

During the hearings the three compilers of the "expert analysis" were questioned. On 18 August, Avanesov admitted in court that the FSB security service had asked him to conduct the analysis in 2010, long before the case reached court. In response to a question from the judge, he acknowledged that he sees no direct incitement to discord in the book. He claimed that some people – though not himself - could be offended by the use of the word "pigs". The judge then pointed out that the Bible uses the same word in the saying "do not cast pearls before swine" (St Matthew 7,6).

Svistunov also stated in court that the Bhagavad-Gita As it Is contains no hostile comments about other faiths. He said the book supports the exclusivity of the faith, but added that this is the same for any faith.

Among other assessments, the defence presented a 2004 analysis by Professor Boris Falikov, of the Russian State Humanitarian University's Centre of Comparative Religions (who is Russian Orthodox), which noted that: "Prabhupada's books do not express any negative views or positions in relation to any ethnic, racial, national or religious groups". However, the court refused to accept the analysis because it did not specify which edition of the book it analysed.

In the evening of 30 August, Judge Butenko agreed to the Prosecutor's request to order a further "psychological/religious studies/linguistic expert analysis" of the Bhagavad-Gita As it Is, this time by three academics at Kemerovo State University. The three academics are Aleksey Gorbatov (religious studies), Mikhail Osadchy (linguist) and Sergei Dranishnikov (psychologist). The instructions to the experts drawn up by the Prosecutor's Office include the formulation "manipulation of consciousness".

The book's publishers in Russia, the Hare Krishna-run Bhaktivedanta Book Trust, appealed against the judge's decision to send the book for further analysis. However, on 30 September Tomsk Regional Court rejected their suit. This allowed the Lenin District Court to request the expert analysis on 3 October, to be submitted by 1 December.

Concern over "experts"

The Hare Krishna community has expressed concern over the choice of "experts", pointing out that Gorbatov is not an expert in Hinduism and that his main publications have been on the history of Christianity in Siberia. They are also concerned at another of the three new "experts", Osadchy, as he was one of three Kemerovo State University "experts" who found that Jehovah's Witness literature was "extremist".

The May 2009 "expert analysis" to which Osadchy contributed formed a basis for the prosecution in Gorno-Altai on extremism-related charges of local Jehovah's Witness Aleksandr Kalistratov. This "expert analysis" was strongly criticised by Aleksei Nagovitsyn, a professor in Moscow State University's Social Anthropology and Sociology Department, in a written assessment. Equally critical of the "analysis" in court in Gorno-Altai on 16 March during Kalistratov's first trial was Mikhail Odintsov, the top official dealing with religious issues at the office of Russia's Human Rights Ombudsperson in Moscow. He described it as "unscientific" and stated that relying on it "is fraught with further miscarriages of justice and may prove a detonator of mass violations of human rights".

Kalistratov was prosecuted under Criminal Code Article 282, Part 1 ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"). However, after a six-month trial he was acquitted in April. But after prosecutors appealed a second trial was ordered on the same charges, which began on 22 June. Among "witnesses" on Kalistratov called by the prosecution has been a Russian Orthodox priest who did not know him and an "anti-cult" activist.

The 17th hearing in the second trial took place at Gorno-Altai City Court on 6 October, according to the court website. The trial is due to continue on 13 October.

Will new assessment be accurate?

Some doubt that the second analysis of the Bhagavad-Gita As It Is will be more accurate than the first. "The defence succeeded in completely rejecting the conclusions of the 'expert analysis'," Nikolai Karpitsky, a philosophy lecturer at Siberian State Medical University, told Forum 18 from Tomsk on 4 October. Karpitsky, who is Russian Orthodox, attended court hearings as an expert for the defence. "The court had two choices: to agree that no reason exists to consider the Bhagavad-Gita As it Is extremist, or to decide that the court didn't have enough evidence to make a decision. The court chose the second option."

Kemerovo State University is "practically the only place where the Prosecutor's Office analysis that a book is extremist would be confirmed", Karpitsky told Forum 18. "That's why the court rejected the defence's suggestions of possible experts in Moscow or Yekaterinburg. I think all the mistakes of the first 'expert analysis' will be removed this time round, making it much harder to challenge the new 'expert analysis' in court."

"I can't be an expert on every single faith"

Gorbatov, one of the newly-appointed "experts", told Forum 18 from Kemerovo on 5 October that he had not yet had any official document about the analysis. He said he did not know if he would be paid for it, though he told Forum 18 its question about payment was "not appropriate".

At Kalistratov's trial for manifesting his Jehovah's Witness beliefs in Gorno-Altai on 16 September, the defence revealed that the contract with Osadchy and his colleagues for the "expert analysis" had provided for the experts to be paid 50,000 Roubles (9,000 Norwegian Kroner, 1,160 Euros, or 1,600 US Dollars) each. Although billed as a "judicial expert analysis", the contract also revealed that it had been prepared by the Prosecutor's Office without informing the court, and that it had made clear that if the conclusions of "expert analysis" are "undesirable for the Prosecutor's Office", it will retain the right to seek a further analysis or choose new "experts". Jehovah's Witnesses point out that this gives the "experts" a strong incentive to reach the conclusions the Prosecutor's Office wants.

Gorbatov told Forum 18 that he did not know why the court had chosen him, but that his dissertation had been on relations between the state and religious communities. Asked if he has a special knowledge of Hinduism, he responded: "I am a religious studies expert, but I can't be an expert on every single faith."

Gorbatov told Forum 18 he is not personally a religious believer, but is positive to all faiths. He defended his colleague Osadchy's contribution to the "expert analysis" on Jehovah's Witness literature. "He was one of those who judged my dissertation." He said he was aware of criticism of the analysis Osadchy contributed to, including from Odintsov of the Human

Rights Ombudsperson's office. "He is entitled to his views. But Jehovah's Witnesses are a problem all over the world." He declined to explain what he meant by "problem".

Asked whether he believes it is right that the state carries out "expert analyses" of religious texts, Gorbатов responded: "All states do this." Asked to name some, he responded: "France and Germany."

The Tomsk case is not the first occasion on which Hare Krishna devotees have recently been targeted. Outdoor public religious activity by Russian Jehovah's Witnesses, Hare Krishna devotees and Protestants has resulted in harassment by the police, repeated bans, and in one case a refusal to defend a Protestant meeting against violent attack involving stun grenades.

"How can a believer light a match to destroy holy books?"

In his 20 September decision in the case of Muslim reader of Said Nursi's works Dapayev, Judge Magomed Onzholov of Makhachkala's Lenin District Court rejected his appeal against his three-year suspended prison sentence, according to the verdict seen by Forum 18. He upheld Dapayev's appeal against the lower court decision that 1,820 books confiscated from him should be destroyed. However, Judge Onzholov ruled instead that the books – which the verdict says are being held by the Investigation Department of Dagestan's FSB – are to be handed to Dagestan's Muslim Board "for a decision on the question of the destruction of the banned books and pamphlets".

Forum 18 notes that the ambiguous wording of this sentence does not make clear if the Muslim Board can choose whether or not to destroy the books, or only to choose how they will be destroyed. Most of the books were copies of Nursi's commentary on the Koran, Risale i-Nur, many Russian translations of which have been banned and placed on the Federal List of Extremist Materials.

Judge Onzholov refused to discuss his decision on 5 October. When Forum 18 pointed out that Article 4, Part 2 of Russia's Religion Law bans handing over state functions to religious organisations, he put the phone down.

Dapayev told Forum 18 from Makhachkala on 6 October that Judge Onzholov said at the hearing that he is a religious man and that he was afraid to order the books' destruction because they contain ayahs (verses) from the Koran. This is why he handed the issue to the Muslim Board.

"This is the first time I have heard of such a decision – it is incomprehensible," Odintsov of the Human Rights Ombudsperson's office told Forum 18 from Moscow on 5 October. "The court was wrong to hand the books' destruction to the Muslim Board." He said his interpretation of the verdict is that the Board will have to destroy the books. "How can a believer light a match to destroy holy books? It would be considered sacrilege."

Odintsov said that if the court thinks the books should be destroyed – something he thinks is unjustified in the case of Nursi's works – it should do it itself. He stressed though that Vladimir Lukin, Russia's Human Rights Ombudsperson, "has said more than once that it is wrong to consider Said Nursi's books extremist".

"We can't destroy books"

Dagestan's Muslim Board has not yet received a copy of the verdict, or the books confiscated from Dapayev, its spokesperson Magomedrasul Omarov told Forum 18 from Makhachkala on 5 October. "We can conduct an expert analysis of books according to the canons of Sharia, but we can't destroy books," he insisted. "We publish books, not destroy them." He said the Board would reject any order that they should take religious books and destroy them. Omarov added that he knew Dapayev and regarded him as a "good fellow".

Many Russian translations of Nursi's works – as well as many Jehovah's Witness publications – have been ruled "extremist" and placed on the Federal List of Extremist Materials, making it illegal to distribute or store them for distribution.

Several court decisions seen by Forum 18 in Jehovah's Witness cases order that publications on the Federal List seized from members in the course of cases should be destroyed. When Lyubov Belimova from Tver was fined in December 2010, the magistrate ordered that her confiscated literature be destroyed. She failed to overturn the decision on appeal in March 2011.

"Such court decisions to destroy our literature are offensive," Jehovah's Witness spokesperson Grigory Martynov told Forum 18 from St Petersburg on 8 September. "For a religious believer, any of their literature is important." He noted that in one case a court in Belgorod ordered that a confiscated Bible belonging to a Jehovah's Witness be destroyed, but the ruling was overturned on appeal. Such confiscations and destructions have affected both Muslim Nursi readers and Jehovah's Witnesses.

Russian-language editions of four Jehovah's Witness publications were among the 11 new items added on 26 September to the Federal List posted on the Justice Ministry website. Three issues of their magazine The Watchtower and a book Draw Close to Jehovah had been ruled "extremist" by First of May District Court in Krasnodar on 22 April. Two of the four are already on the Federal List, so it is unclear why they have been listed a second time.

Jehovah's Witness publications are regularly added to the Federal List, with the previous addition of two items on 18 July. The most recent work by Nursi added to the Federal List came on 12 May.

Latest Dapayev appeal to be heard in November?

The investigation into Dapayev's activities began in December 2009, following armed raids on homes associated with Nursi readers in three Dagestani towns. Dapayev freely admits he reads Nursi's works, but vehemently denies any association with terrorism.

Dapayev was convicted on 18 May 2011 by a local magistrate in Makhachkala, who gave him a suspended three-year prison sentence under Article 282.2, Part 1 ("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"). His appeal began under Judge Onzholov on 20 June.

Dapayev told Forum 18 that his lawyer Murtazali Barkayev lodged his further appeal against his conviction to Dagestan's Supreme Court in late September. He said he expects the hearing to take place in a month's time, in November.

Ministry of Justice proposed amendments to law toughening requirements on religious organizations

By Andrei Melnikov

Nezavisimaia gazeta (07.10.2011) / HRWF (10.10.2011) - <http://www.hrwf.net> - The Russian Ministry of Justice published a draft of amendments to the federal law "On freedom of conscience and religious associations." The draft is available for study on the Web site of the ministry. Until 10 October citizens will be able to discuss the document. Experts have noted a trend toward greater regulation of religious associations and restriction of free confession of faith.

An analysis of the proposed amendments reveals several substantive innovations. The concept of a religious group has been eliminated, that is, an association of people on the basis of a single religious confession; groups have not been required to have governmental registration. Thus the principle of the functioning of religious associations will change from an informational basis to one of strict authorization. At the same time, the list of reasons for which an organization can be denied registration has been expanded. According to existing law, groups of three to ten persons may assemble for confession, preaching, and worship without applying for registration but merely informing a state office of their existence.

The requirements for centralization of associations have been further intensified. Local religious organizations that have not established the fact of their membership in centralized organizations are restricted in their rights, including the right of creating educational institutions. In addition, the requirement of a state religious studies expert analysis has been instituted. Finally, the role of registration agencies has been strengthened. Apparently it is being proposed that decisions with regard to the activity of one or another association will be made not on the basis of governmental action but as administrative actions of the Ministry of Justice, which makes the decision regarding registration, and of the taxation service, which maintains the register of legal entities. However there are no precise formulations in the document and one can only guess what the authors of the amendments have in mind on this particular point.

Mikhail Odintsov, the head of the Department for Protection of Freedom of Conscience of the apparatus of the Plenipotentiary for Human Rights of RF, identified in the proposals of the Ministry of Justice several changes that refine the wording. Although regarding the rest the expert had several comments. In his opinion, the law should reflect current practice of legal relations, but these additions eliminate from the legal field religious groups, which today constitute 20 to 30% of religious associations. Odintsov recalled that even soviet legislation contained the provision for religious groups, although it required their compulsory registration. In addition, the expert noted, the standard for conducting a state religious studies expert analysis is not prescribed sufficiently clearly. "Who will conduct the expert analysis? How? Within what period of time?"—such questions remained with the expert after he studied the document. "The word 'association' should be removed from the title of this law and be replaced by the word 'organization,' Odintsov added.

"The essence of the draft law is to create new impediments for the activity of associations of 'nontraditional' religions," thinks State Councilor First Class Andrei Sebentsov. "Elimination of religious groups from the law effectively creates a situation of a ban on religious activity without registration, and the remaining proposals violate so much the spirit of decisions of the European Court for Human Rights that it is simply amazing how much we (in the person

of the Ministry of Justice) are managing to create precedents for worsening the problems in the guise of solving them," the expert concluded.

It is interesting that almost immediately after the publication of the draft law there appeared the news that the Ecclesiastical Board of Muslims of the European Part of Russia (Moscow muftiat) filed suit in the Arbitration Court of the capital for finding the registration of the Ecclesiastical Board of Muslims of Moscow and the Central Region of Russia (Moscow muftiate) to be illegal. In the opinion of the former board, the borrowing of a part of the title is a violation of the law and is not in accord with the requirements of the law on the procedure for registration of centralized religious organizations.

Russian government tries to prohibit free religious activity

Portal-credo.ru (07.10.2011) / HRWF (10.10.2011) - <http://www.hrwf.net> - Soon in Russia only officially registered religious associations will be able to teach religious doctrines to their adherents. And only a religious organization that is a member of a centralized religious association will be able to publish books and teach children in Sunday schools. As "Gazeta.ru" reports, such amendments to the law on freedom of conscience of 1997 have been proposed by the Ministry of Justice of RF and have been found to be discriminatory by Russian rights advocates and competent international organizations (several provisions of this law have been eliminated by the Constitutional Court of the Russian federation).

The text of the draft law was published by the Ministry of Justice on 6 October. It specifically contains a prohibition of religious associations that have not been registered with a territorial office of the Ministry of Justice (in existing law they are called "religious groups") for engagement in religious activity and conduct of services.

According to the amendments, citizens who have decided to form a religious group will have to inform the Ministry of Justice in writing even if they do not intend in the future (after 15 years as existing law provides) to register and to acquire the status of legal entity (juridical person). The only religious group that will be able to be registered is one with no fewer than ten persons and that has submitted a charter and passed a state religious studies expert analysis. At the same time the state retains the right to refuse registration of such an association on the basis of a whole series of instances—in particular, if its "goals and activity" violate the constitution and Russian legislation generally, and "if the organization is not recognized as religious in accordance with established procedure."

The draft law eliminates the fifteen-year period that is required for registration of newly created religious organizations that are not members of centralized religious organizations.

Existing law divides religious associations into organizations and groups. Religious groups may operate without registration and they have the right to worship in private apartments and teach religion to their members. The document proposed by the Ministry of Justice effectively eliminates the very concept of a religious group operating without governmental registration.

As the expert from the Institute of Human Rights, Lev Levinson, explained in a conversation with "Gazeta.ru," newly created religious structures will be required to be registered as local organizations, if they are not a part of centralized organizations like, for example, parishes of RPTsMP. "At the same time, for a period of ten years they will not have the right to create educational institutions and Sunday schools, or to invite foreign citizens for

professional purposes, or to open foreign representations, or to conduct religious ceremonies in hospitals, prisons, and boarding schools, or to publish and distribute religious literature or create news media," the rights advocate explained. All these things will be able to be done only by those religious organizations that are members of a centralized structure. In Levinson's opinion, this will make any alternative religious movement impossible: "It turns out that religious and spiritual development will be banned."

Levinson thinks that the draft law effectively protects large church structures from schisms and it is they who will primarily be pleased with the law. "I would not rule out that this draft law was made with the participation or with lobbying of religious confessions who are trying thereby to resolve their own internal problems or conflicts," an "Agora" analyst, Ramil Akhmettaliev, concurs with Levinson. "So far as I understand it, this is also pleasing to the state. This makes it convenient for it to communicate with religious persons. Through the center. This is the vertical of power, transferred to religious organizations."

In Akhmettaliev's opinion, the draft law proposes to restrict the right of freedom of religious confession. In addition, thanks to its centralized religious organizations, such as for example RPTsMP, will be able to establish control over regional religious organizations.

"This will create barriers for the existence of local organizations that do not agree with the policies of the large centralized associations. This applies to all confessions. Such a trend was evident long ago. This position of the Ministry of Justice has already been existing in practice. We have received complaints from local organizations who wanted to exit from large organizations and have tried to register, and everything came down to the fact that either you remain under the roof of the centralized organization or we will refuse you," the rights advocate explained.

OSCE Human Dimension Implementation Meeting

Warsaw, 2 October 2011

Working Session 13 : Tolerance and non-discrimination

Russia: Misuse of the law against extremism

Russia has adopted a law against extremism that is misused to target minority religious faiths. The interpretation of the law against extremism goes so far that it restricts freedom of expression and access to information, freedom of assembly and of worship, freedom of religion or belief in general.

Jehovah's Witnesses and Nursi readers are particular targets of "extremism"-related criminal prosecutions, as works they frequently read or use during their religious meetings have been banned by various courts. They have been placed on Russia's Federal List of Extremist Materials maintained by the Justice Ministry. Anyone distributing works from this official black list or storing them with the intention of distributing them is liable to criminal prosecution.

Last but not least, in a new development, prosecutors in Tomsk are seeking through the courts to have the Russian translation of the most important work for Hare Krishna devotees - The Bhagavad-Gita by Swami Prabhupada, the founder of the International Society for Krishna Consciousness - declared "extremist" and placed on the Federal List.

Meanwhile raids continue, including coordinated raids on 25 August on at least 19 homes of members of the Jehovah's Witness community in Taganrog.

On 7 September 2011, three local Jehovah's Witnesses were arrested without charges in the Chuvash Republic. Farid Mannafov, Oleg Marchenko, and Aleksey Nikolayev were escorted by the police to an undisclosed location. Their relatives did not find out until the following day that the three were being kept in custody at a temporary detention center. They spent two days in custody. Searches were conducted in the homes of these and other Witness families. Bibles, computers, legal documents, and personal valuables were confiscated. Some searches were carried out for more than six hours.

Also on 7 September, some of the religious services of Jehovah's Witnesses were disrupted in the Chuvash Republic. In what appears to be a coordinated attack on the Witnesses there, police officers intruded into the Witnesses' places of worship (known as Kingdom Halls) and other premises used by the Witnesses in the cities of Cheboksary, Novocheboksarsk and Kanash. In addition to disrupting the peaceful religious services being held by the Witnesses, those present were searched, forcibly taken to a police station, and fingerprinted against their will. Senior police officers took part in the raids.

Human Rights Without Frontiers recommends to the Russian authorities

- To put a moratorium on the implementation of the 2002 **Law On Fighting Extremist Activity** as it is used and abused to restrict religious freedom, to repress and attempt to ban non-violent religious groups such as Jehovah's Witnesses or Said Nursi readers;
 - To revise Article 14 of the 1997 **Law on Freedom of conscience and association** which deals with the banning of the activities of Religious Organizations and their liquidation as several of its provisions are not necessary in a democratic society;
 - To establish clear guidelines for the implementation of Article 282 of the Criminal Code (incitement of national, racial or religious enmity) so as to stop the misuse of it in restricting the legitimate activities of religious communities (e.g. teaching the superiority of their doctrine over those of other religions);
 - To reconsider cases against individuals and organizations which have been accused of extremism for conducting normal religious activities protected under international norms and laws;
 - To put an end to the harassment of Jehovah's Witnesses and Said Nursi's readers (innumerable check ups, banning of their religious literature, accusations of extremism and religious enmity);
 - To dissolve the Expert Council for Conducting State-Religious Studies put in place under the Ministry of Justice as its powers have been unduly extended to limit the freedom of "non-traditional" religious movements and its members include activists of the Orthodox Church and anti-sect movements;
 - To fully implement the decisions of the European Court.
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"Unfortunately the judge did not agree with the prosecutor"

By Felix Corley

Forum 18 News (12.09.2011) / HRWF (21.09.2011) - <http://www.hrwf.net> - Russian prosecutors have vowed to challenge what they regard as too "mild" a sentence handed down on 7 September to Rashid Abdulov, a reader of the works of the late Turkish Muslim theologian Said Nursi in the Volga city of Ulyanovsk. Abdulov received a one-year sentence of compulsory work on extremism-related charges, and was freed in the courtroom as he had already been held in detention since January. "The Prosecutor's Office will appeal as we believe he deserves a four-year term in a labour camp," Vasili Zima of the Ulyanovsk Regional Prosecutor's Office told Forum 18 News Service on 8 September. "Unfortunately the judge did not agree with the prosecutor."

Abdulov welcomed his release after nearly eight months' detention, although he rejects the finding of guilty. "They said we formed an extremist group – but I don't agree with this," he told Forum 18 on 7 September. "The FSB [security service] pressure me while I was in pre-trial detention to confess. But it feels good now it is over." He had to sign a pledge not to leave Ulyanovsk over the next ten days. However, since he spoke the Prosecutor's Office announced its decision to appeal.

Liliya Bakayeva of Lenin District Court in Ulyanovsk confirmed to Forum 18 that Judge Gelsine Miftakhova sentenced Abdulov on 7 September under Criminal Code Article 282.2, Part 1 ("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") and Article 282, Part 2 (c) ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity conducted by an organised group"). She stressed that the sentence has not yet come into force.

Nursi readers and Jehovah's Witnesses are particular victims of extremism-related accusations, which they vigorously deny. Yet a growing number are facing criminal prosecution.

Eight criminal cases are known to be underway against Jehovah's Witnesses, their spokesperson Grigory Martynov told Forum 18 from St Petersburg on 12 September. A ninth – in Asbest – was halted in March 2010, though in theory it could be restarted.

Prosecutors to appeal

A 34-year-old Azerbaijani citizen, Abdulov was arrested in Ulyanovsk on 20 January, but his trial did not begin until 12 July. Prosecutor Aleksei Tikhonov led the case in court.

The prosecution claimed that "under the guise of conducting lessons of the study of Islam" Abdulov and fellow Nursi reader Ayrat Akhtyamov promoted the ideas of the Nurdzhular movement, which was banned by Russia's Supreme Court in April 2008. Readers of Nursi's work insist that no such movement exists and that they meet to read Nursi's work because they find it helpful to understand their faith better. The prosecution also said that the groups Abdulov and Akhtyamov led studied works by Nursi which have been declared "extremist" and banned by Russian courts.

Zima of the Prosecutor's Office admitted to Forum 18 that Abdulov had not killed anyone. However, he insisted Abdulov deserves a prison term "because he called for an Islamic Caliphate in meetings in conspiratorial flats". "This is a case of extremism and there is a danger Abdulov could kill someone," he claimed.

Zima praised the work in the case of the Federal Security Service (FSB), which was involved in raiding a meeting in Ulyanovsk after which Abdulov was arrested.

Abdulov told Forum 18 that the FSB had also sought and received information about him from Azerbaijan's National Security Ministry (he had been given a five-day prison term in Azerbaijan as a Nursi reader in 2006).

Zima added that books confiscated from Abdulov and held as evidence during the trial "will be destroyed when the verdict comes into force".

Akhtyamov and the former imam of Ulyanovsk's cathedral mosque, Ilkham Khisanutdinov, also accused of similar "offences" as part of the same investigation, are both being hunted by the federal authorities, Zima of the Prosecutor's Office told Forum 18.

The Regional Department of the FSB security service declined to comment on Abdulov's case to Forum 18 on 12 September.

Not a "secret case"

Bakayeva insisted that details of all cases heard by the court are placed on the Lenin District Court's website – "there are no secret cases". Strangely, Forum 18 could find there no record of Abdulov's case. (Other court websites elsewhere in Russia appear not to have listed some cases against other Nursi readers, although cases against Jehovah's Witnesses generally do appear to be listed.)

Bakayeva maintained that it could be because the verdict has not yet come into force (the website records cases at all stages, as soon as a case has arrived at the court before a trial has started). Aleksandra Moskalonova, the court secretary who places material on the court website, was unable to tell Forum 18 on 12 September why Abdulov's case had not appeared. Both she and Bakayeva denied that information on Abdulov's case had been deliberately suppressed.

Nursi appeal in Orenburg

Meanwhile, the appeal of fellow Nursi reader Asylzhan Kelmukhambetov resumes under Judge Svetlana Shabanova at Lenin District Court in the Urals town of Orenburg on 13 September, a court spokesperson told Forum 18 on 12 September. He said previous hearings on 10 August, 24 August and 2 September were cancelled when witnesses failed to appear. However, he did not know if these were prosecution or defence witnesses.

"It will probably be about two months until a decision on the appeal," Kelmukhambetov's lawyer Raulya Rogacheva told Forum 18 from the city on 12 September. "I will ask for specialists to conduct an expert analysis on the Nursi books confiscated from him."

On 28 June, after a trial lasting nearly a year, Kelmukhambetov was found guilty under Criminal Code Article 282.2, Part 1. He was sentenced to 18 months' imprisonment, becoming the first Nursi reader in Russia to receive a criminal sentence of imprisonment.

Kelmukhambetov had not been in detention as the trial proceeded, but was arrested in the courtroom when the guilty verdict was handed down. He was taken to Orenburg's Investigation Isolation Prison No. 1. Most of the time there he has spent in the prison hospital, as he is suffering from the effects of diabetes.

Rogacheva applied again to the Lenin District Court for her client to be freed as the appeal is heard, but Judge Shabanova rejected this, the lawyer complained to Forum 18. However, she said she does have access to her client in the prison hospital.

As in the case of Abdulov in Ulyanovsk, Forum 18 was unable to find Kelmukhambetov's case on the website of Lenin District Court.

Makhachkala appeal to conclude?

The appeal against the criminal conviction of another Nursi reader, Ziyavdin Dapayev from the southern Russian republic of Dagestan, is likely to conclude on 19 September, as he told Forum 18 from Makhachkala on 12 September. He said he remains hopeful that his criminal conviction will be overturned. "The judge is objective – and if he alone decided I am sure I'd be acquitted. But we hear there is great pressure on him from the FSB security service."

Dapayev's appeal began under Judge Magomed Onzholov at Makhachkala's Lenin District Court on 20 June. He had been convicted on 18 May under Article 282.2, Part 1 by a local magistrate, who gave him a suspended three-year prison sentence.

Eight known criminal cases

Martynov of the Jehovah's Witnesses told Forum 18 that of the eight known current criminal cases against Jehovah's Witnesses, four are against named individuals.

A further hearing – the tenth - in the second criminal trial of Aleksandr Kalistratov took place in Gorno-Altaysk City Court today (12 September), the court website notes. Appearing as one of the defence witnesses (as he had done in the first trial) was Mikhail Odintsov, the top official dealing with religious issues at the office of Russia's Human Rights Ombudsperson in Moscow. The eleventh hearing is due tomorrow (13 September).

Kalistratov is facing charges under Criminal Code Article 282, Part 1 ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"). After six months in court he was acquitted in April at his first trial. This was overturned after prosecutors appealed and the case was sent for a second trial, which began on 22 June.

A criminal investigation is also underway in Ioshkar-Ola in the Mari El Republic against Maksim Kalinin.

In Chita, Andrei and Lyutsiya Raitin are now facing trial, while in Astrakhan Region a criminal case against Yelena Grigoryeva is being prepared (see below).

Two of the eight cases are against "unknown persons". In two further cases which have recently been lodged – in Taganrog and Cheboksary – prosecutors have not yet revealed who is facing charges.

"We don't give out such information"

The Investigation Committee for the Chuvash Republic announced on its website on 7 September that its Department for Investigating Especially Important Cases was investigating an unnamed 38-year-old resident of Cheboksary under Criminal Code Article 282, Part 1. The Jehovah's Witness is being investigated on accusations of distributing in the town and in the nearby town of Kanash books which are on the Federal List of Extremist Materials. The Investigation Committee accused the individual of thereby aiming "to incite enmity"

The official who answered the phone of Investigation Committee press officer Oleg Dmitriev on 12 September said he was away on leave. The official – who would not give his name – refused to identify the 38-year-old Jehovah's Witness being investigated or to add any information than that published on the website. "We don't give out such information because of the secrecy of the investigation," he told Forum 18.

The official admitted he had not read the Supreme Court's 28 June instruction that prosecutions under extremism-related charges should be brought with great care and only in limited circumstances. "But we work very carefully anyway," he insisted.

In Taganrog in Rostov Region, a criminal case was opened – apparently in late August – against unnamed Jehovah's Witnesses under Criminal Code Article 282.2, Part 1, Martynov told Forum 18. The case was opened after co-ordinated mass raids on at least 19 Jehovah's Witness homes in Taganrog and surrounding areas on 25 August. The raids, which began at 6.30 am, involved police and FSB security service officers. One home raided was of a married couple in their eighties, one of whom is a wheelchair user.

Rostov-on-Don Regional Court dissolved the Jehovah's Witness community in Taganrog as "extremist" in September 2009. Russia's Supreme Court in Moscow upheld the liquidation in December 2009. The community is challenging the enforced liquidation in the European Court of Human Rights in Strasbourg.

Chita case handed to court ..

Andrei and Lyutsiya Raitin, a Jehovah's Witness married couple in their thirties, are facing criminal prosecution in the Siberian city of Chita. The Investigation Committee for Baikal Region, which includes Chita, noted on its website on 7 September that a criminal case has been completed against the couple, whom it did not name, under Article 282, Part 1 and handed to court.

It alleged that in 2010, the couple, "pursuing the aims of inciting religious and social hatred" and knowing that it had been declared "extremist", distributed Jehovah's Witness literature in the village of Novotroitsk near Chita. Investigators claim they distributed 16 named texts, which were confiscated from them. "The crime was revealed by operational workers of the Regional Department of the FSB security service," the Investigation Committee noted.

A Baikal Region FSB security service spokesperson told the Ria-Novosti website that the case had been handed to court on 7 September. He said that the regional FSB, the police, the Prosecutor's Office and the Investigation Committee had all worked on the case.

The case against the Raitins was opened on 8 July. That month Anatoly Tskhai of the Investigation Committee refused to discuss the case with Forum 18. Telephones of the investigators went unanswered when Forum 18 called on 12 September.

.. while investigation continues in Astrakhan Region

Meanwhile, investigator Oleg Mironenko told Forum 18 on 30 August that he and his colleagues are still working on the case against Yelena Grigoryeva, a Jehovah's Witness from Akhtubinsk in the southern Astrakhan Region. A case is being investigated against her under Article 282, Part 1 which, another investigator told Forum 18 in July, was due to have been completed in August and handed to Akhtubinsk Town Court.

"I can't say when the investigation will be completed and the case will be handed over to the court," Mironenko told Forum 18. Asked whether anyone had suffered from Grigoryeva's alleged activity, he responded: "No one was injured and no one was killed." Asked why she is being prosecuted, he insisted Forum 18 had not understood the "particularities" of Russian criminal law, which he refused to explain. He also refused to say if he had read the Supreme Court's instruction of 28 June on extremism-related prosecutions.

The telephones both of Mironenko and another investigator in the case, Ilya Kamenyukin, went unanswered on 12 September.

'Missing' Brazilian found copying holy texts in Siberia

By Alexandra Odynova

The Moscow Times September (07.09.2011) / HRWF (09.09.2011) - <http://www.hrwf.net> - Five years ago, Brazilian citizen Ustina Chernishoff made her home in the Siberian taiga, doing random chores and copying by hand the holy texts of a local Old Believers community.

That is, until the police came knocking on her door.

Chernishoff, 23, was put on an Interpol missing list after she stopped writing to her mother back in Brazil. Now her mother will have a chance to see her again, because Chernishoff is facing deportation from Russia.

An ethnic Russian, Chernishoff was born in a Brazilian community of Old Believers — a catch-all phrase for hundreds of Orthodox Christian sects originating in Russia that have fled persecution for centuries and now span the globe in a network of communities.

"Her ancestors ... had to move from Russia at the time of the October Revolution [in 1917] and settled in South America," Vladimir Yurchenko, spokesman for the Krasnoyarsk police department, said by telephone.

Her father, Mark Yakov Chernishoff, divorced her mother and decided to move with their children back to Russia, Yurchenko said Tuesday.

In 2006, Chernishoff brought his son and daughter to a remote Old Believers settlement by the Yenisei River, one of the three great Siberian rivers, along with the Ob and the Lena.

Local police did not release the name of the settlement, saying only that it is located in the Krasnoyarsk region's Turukhansky district, more than 1,000 kilometers north of the city of Krasnoyarsk.

The elder Chernishoff soon had enough of the harsh Siberian environment and traded it, interestingly, for Canada, leaving Russia in 2008, Yurchenko said. Chernishoff's son went with him, but his daughter stayed.

Ustina Chernishoff has kept in touch with her mother, Vera, but stopped writing earlier this year, prompting the worried woman to report her as missing to Interpol, which, in turn, contacted the Krasnoyarsk police.

Regional police promptly located Ustina, who, they said in a statement, had spent the years doing community chores, including "copying by hand the holy books of the Kerzhaks," an ethnic group of Old Believers.

A video made by the police showed Chernishoff wearing a long dress covering her toe to neck, her hair carefully braided. She looked shy and modest, fidgeting nervously and occasionally flashing a smile at the police officials who were talking to her.

She speaks good Russian, but uses a lot of outmoded words and expressions that are no longer in common use, Yurchenko said.

The police video, published on their web site, also shows her visa, which was issued in August 2006 for one month.

Chernishoff was sent to Moscow on a plane Tuesday, Yurchenko said. "She didn't want to leave and said that she would like to return to Russia," he added.

A spokeswoman for the Brazilian Embassy in Moscow, which is assisting in her deportation, was unavailable for comment Tuesday, the eve of Brazil's Independence Day.

The Old Believers separated from the official Orthodox Church in the mid-17th century after a state-backed reform aimed to bridge the Russian and Greek churches. The reform, although limited to changes in rituals and minor edits of religious texts, resulted in a full-scale schism and public upheavals, complete with a crackdown on schismatics, some of whose unrelenting leaders were burned alive.

Most of the population eventually accepted the reform, but a significant portion held to the old ways despite state persecution. Many started to trickle from Russia's European mainland, either to remote regions of Siberia or abroad. The exodus received a particularly strong boost following the 1917 Revolution.

Many Old Believers observe the old ways in both rituals and their everyday lives, making a living by gathering, hunting and agriculture. Some do not cut their hair or shave, and refuse to hold passports.

Old Believers are hard to count due to their isolated lifestyle, but their number in Russia is estimated upward of 2 million people.

Several million more are scattered around the world, including in the United States, Canada, Australia and New Zealand, as well as South American countries, especially in Brazil, Argentina, Uruguay and Bolivia.

Some Old Believers have returned to Russia under a Kremlin repatriation program for ethnic Russians, initiated in 2007. But the program, which aims to improve the country's

increasingly dismal demographics and winds up next year, has not managed to lure back many people.

"The fantasy of the special services"?

By Felix Corley

Forum 18 News (31.08.2011) / HRWF (07.09.2011) - <http://www.hrwf.net> After a 17-month investigation, the preliminary court hearing in the case against four readers of the works of the late Turkish Muslim theologian Said Nursi took place today (31 August) in the Siberian city of Krasnoyarsk, Forum 18 News Service has learnt. The case resumes on 14 September. The four are facing extremism-related charges, which they reject. Two more Nursi readers in Chelyabinsk just east of the Ural Mountains are facing criminal charges after police raided a summer school for local children in early August. Fellow Nursi readers have described to Forum 18 prosecutors' charges that the women were running schools for future suicide martyrs as "the fantasy of the special services". Meanwhile, the tenth hearing in the second trial of Jehovah's Witness Aleksandr Kalistratov on charges of inciting hatred is due in the Siberian town of Gorno-Altaysk on 12 September. Prosecutors have brought in as prosecution witnesses two Russian Orthodox, neither of whom personally knows Kalistratov but who object to his faith.

The four Krasnoyarsk and two Chelyabinsk Nursi readers are accused of promoting Nurdzhular, an alleged organisation which Nursi readers insist does not exist. It was declared illegal by Russia's Supreme Court in April 2008. Since then prosecutors have tried to show that it is organised and dangerous.

In June, Russia's Supreme Court made clear that cases under "extremism"-related Articles of the Criminal Code should be very carefully and narrowly framed.

Jehovah's Witnesses and Nursi readers are particular targets of "extremism"-related criminal prosecutions, as works they frequently read (such as many of those by Nursi) have been banned by various courts. They have been placed on Russia's Federal List of Extremist Materials maintained by the Justice Ministry. Anyone distributing works on the list or storing them with the intention of distributing them is liable to criminal prosecution.

But in a new development, prosecutors in Tomsk are seeking through the courts to have the Russian translation of the most important work for Hare Krishna devotees – The Bhagavad-Gita As it Is by Swami Prabhupada, the founder of the International Society for Krishna Consciousness - declared "extremist" and placed on the Federal List.

Meanwhile raids continue, including coordinated raids on 25 August on at least 19 homes of members of the Jehovah's Witness community in Taganrog (see forthcoming F18News article).

Krasnoyarsk case reaches court

The preliminary hearing in the case of the four Nursi readers from the Siberian city of Krasnoyarsk – Andrei Dedkov, Yevgeni Petry, Aleksey Gerasimov and Fizuli Askarov - took place in the afternoon of 31 August under Magistrate Natalya Yermolenko at Judicial Unit No. 80 in the city's Soviet District, the court website noted.

According to the indictment – seen by Forum 18 – the four were conducting organised activity on behalf of Nurdzhular, including through study groups of Nursi's writings.

Dedkov and Petry are facing charges under Criminal Code Article 282.2, Part 1 ("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"), which carries punishment of up to three years' imprisonment.

Gerasimov and Askarov are facing charges under Article 282.2, Part 2 ("Participation in 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"), which carries punishment of up to two years' imprisonment.

The indictment was prepared by Major A. Kurbatov, Deputy Head of the Investigation Department of the Krasnoyarsk Region FSB. It records that the investigation lasted 16 months and 27 days.

The cases – which were launched after February 2010 raids - had been completed in April 2011, but the Prosecutor's Office sent them back to FSB investigators because they were incomplete.

Dedkov told Forum 18 after the preliminary hearing that the prosecution has only made available about half the materials in the case. "The Magistrate behaved correctly and gave two weeks for us to get and review the rest of the materials," he said. The trial is due to begin on 14 September. The four have not been arrested, but have been required to sign statements that they will not leave the city.

Why can't defendants choose their own lawyers?

However, Dedkov complained that prosecutors had insisted that their lawyer, Yevgeny Kolobaev, could only represent one of the accused, not all four. "We are all very satisfied with his work, and want him to represent us," he told Forum 18. "But they are only allowing him to represent Petry." He said prosecutors claimed that the four had disagreements among themselves over their lawyer. "This is just not true."

He said Askarov and Gerasimov had rejected the services of the court-appointed lawyer.

Dedkov insisted that all four are innocent of any wrongdoing. "We can't understand why they are trying to prosecute us." He said the case is mainly being led by the FSB security service.

Forum 18 was unable to reach Magistrate Yermolenko on 31 August to find out why she had not allowed the defendants to use their own lawyer, as it was the end of the working day in Krasnoyarsk.

Aznalino Nursi raid

On 8 August, a summer home in the village of Aznalino in Safakuleev District of Kurgan Region owned by Nursi reader Farida Ulmaskulova was raided. The village is about 90 minutes drive from Chelyabinsk, from where the raid was organised. Ulmaskulova was

teaching seven girls between the ages of 11 and 17 the principles of Islam and reading the Koran, using a course devised by the Chelyabinsk Spiritual Union of Muslims.

"These children were children of her friends – she took them in at the request of their mothers," fellow Nursi readers told Forum 18. "She was preparing them for the children's Olympiad in Ufa in Bashkiria, where children compete over reading the Koran and on questions on the bases of Islam." However, the children were unable to take part in the Olympiad because of the lack of space on buses.

Umaskulova's friends say she not only taught the girls religion, but took them with the help of neighbours to swim in a local lake. "The children had a rounded summer holiday."

More than 20 officers from both Kurgan and Chelyabinsk Regions arrived in four cars in the early afternoon of 8 August. The search record seen by Forum 18 reveals that the search lasted three hours and forty minutes. Officers confiscated all the printed and handwritten texts they could find. They detained everyone, taking all the children and Umaskulova, separating her from the children despite her insistent requests.

Officers called the girls' fathers in the evening and handed them back. Officers warned them that their children were being prepared as "martyrs" and that they were being taught from "banned books", despite the fact that Umaskulova was using course books devised by the local Muslim Board.

Umaskulova (who like the children was fasting during Ramadan) felt ill when the officers arrived and collapsed. Despite this, officers continued the search and took her in that state to be interrogated at the City Prosecutor's Office in Chelyabinsk without providing any medical attention. Umaskulova's daughter Fatima Bayrangulova (who lives with her in Chelyabinsk and who had also been detained) more than once asked officers to call an ambulance. But one officer responded: "Call one, but not here." Umaskulova was not freed until 8.30 pm.

Chelyabinsk raids

Two homes in Chelyabinsk were also raided on 8 August, including Umaskulova's Chelyabinsk home. According to case documents seen by Forum 18, officers began a search of Umaskulova's home ten minutes after the search in Aznalino began. Two armed officers, one investigator and several other officers and the two required witnesses arrived, soon followed by two more who filmed the search. Books, some 200 DVDs and Bayrangulova's old passport were among items confiscated.

Officers refused to allow Bayrangulova to go to the kitchen for a drink of water when she felt ill. At 6 pm, when the four-hour search was over, Bayrangulova and a guest were detained. Officers refused to hand her a copy of the search record, releasing it only a week later after her insistent demands.

Also raided on 8 August was the Chelyabinsk flat where Gulnaz Valeyeva is currently living. Local Muslim women use the flat for prayers. "If there are daughters in the family, the parents try to ensure that the daughters go only rarely to the mosque so that they don't meet unrelated men, even by chance. That's why the women often meet in this flat."

However, fellow Nursi readers express particular alarm about the search of Valeyeva's home. "Officers planted the recipe for preparing explosives. An operational officer looked through the papers and the checked notebooks and put them on his left. Then another came

up and began to look through the same pile which had already been examined. There were about eight notebooks and, as if by chance, found these plans – he didn't know they had already been examined."

The court permission for the search of Valeyeva's flat – seen by Forum 18 – was given on 4 August by Judge Nikolai Maksimkin of Chelyabinsk's Central District Court. The search was ordered as part of a criminal case under Article 282.2, Part 2. The case is led by Pavel Derkho of the Department for Especially Important Cases of the Chelyabinsk Region Investigation Committee.

The court permission claimed that the investigation had established that in Valeyeva's flat, "persons the investigation has not identified have taken part in the activity of the Nurdzhular religious association by means of studying the bases of Islam, and the Arabic and Turkish languages, as well as printed materials banned in the territory of the Russian Federation whose essence is directed at the carrying out of extremist activity on the territory of the Russian Federation".

Lies?

Investigators told the local media that they had prevented the formation of suicide bombers. They said the Nursi readers had been preparing suicide vests and had recipes for manufacturing the explosive ammonal. They implied that the "evidence" for their claims had been found at the home where the summer camp was underway, although this was not the case.

"The danger is that [Nurdzhular's] followers, creating educational establishments, form in the population a positive attitude to death and a feeling of self-sacrifice," the head of the Centre for Countering Extremism of the Chelyabinsk Regional Police, Sergei Spiridonov, told regional television on 17 August.

He said 525 religious books had been confiscated. "The quantity of confiscated literature speaks of the well organised programme of study," Spiridonov claimed. "At the same time during searches in the conspiratorial flats a timetable of lessons was found for this organisation for 2012, demonstrating its serious intentions."

Fellow Nursi readers complained to Forum 18 of what they insist are "lies". They point out that officials have made similar accusations of wrongdoing in recent years through the media.

Yuri Vlasov, Head of the Department for Especially Important Cases of the Chelyabinsk Region Investigation Committee and Derkho's boss, told Forum 18 on 31 August that the investigation of the case is underway. He refused to discuss why prosecutors had made specific accusations as if they were fact if the investigation has not been concluded. "Neither I nor Derkho can give any information or commentary on the case."

Forum 18 was unable to reach anyone on 31 August at the Centre for Countering Extremism of the Chelyabinsk Regional Police.

Second Kalistratov trial continues

Meanwhile, the second criminal trial of Jehovah's Witness Aleksandr Kalistratov is continuing in the Siberian town of Gorno-Altai. His retrial began under Judge Marina Kulikova at Gorno-Altai City Court on 22 June, the court website notes. He is being prosecuted for the

second time under Article 282, Part 1 of the Criminal Code ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"). Specifically, he is again accused of giving away two copies of "What Does God Require of Us?" without knowing it had been banned, charges he denies.

Kalistratov, who turned 35 in July, has been a Jehovah's Witness since 1994. He became the first Jehovah's Witness to face criminal trial in post-Soviet Russia in connection with his religious activity. But after six months in court he was acquitted in April at his first trial. This was overturned after prosecutors appealed and the case was sent for a second trial.

Jehovah's Witnesses expressed surprise that Prosecutor Bulat Yaimov has called to court as "witnesses" two people associated with the Russian Orthodox Church, neither of whom personally knows Kalistratov. At the 16 August hearing, the Orthodox priest Fr Georgy Balakin appeared as a prosecution witness (as he had done at the first trial). But the court cut off his testimony as the priest said he could not say anything personally about Kalistratov. At the most recent hearing on 19 August, Oleg Zaev of the "anti-cult" centre of St Irinaeus of Lyon (which is headed in Moscow by Aleksandr Dvorkin) testified for two and a half hours, expressing his views on Jehovah's Witnesses and their beliefs.

According to the court website, nine hearings have already taken place in Kalistratov's latest trial, with the case due to resume on 12 September.

Russia's harassment of Jehovah's Witnesses continues with police raids in Taganrog

JW Official Website (29.08.2011) / HRWF (30.08.2011) - <http://www.hrwf.net> - Beginning at 6:30 in the morning of August 25, 2011, police executed 19 simultaneous searches of the homes of Jehovah's Witnesses in the city of Taganrog and its suburbs. This undercover operation is the latest incident in a continuing campaign of harassment targeting Jehovah's Witnesses throughout Russia.

"These searches are traumatic for these law-abiding Christians," states Grigory Martynov, a spokesman for Jehovah's Witnesses in Russia. He added, "It is obvious that innocent people, including elderly ones and children, are being harassed only because they are Jehovah's Witnesses." One of the homes searched belonged to Ivan and Anna Kumshatskiy, Jehovah's Witnesses aged 81 and 80. When a search squad arrived in their home, Anna was unable to get out of her bed since she is confined to a wheelchair.

The raids in Taganrog appear to be based on a ruling by the Russian Federation Supreme Court on December 8, 2009. The Supreme Court ruling upheld an earlier court decision to liquidate the Local Religious Organization of Jehovah's Witnesses in Taganrog. Witnesses filed an application with the European Court of Human Rights contesting the Supreme Court's ruling. It is noteworthy that the European Court recently condemned a similar ban imposed on the Moscow Community of Jehovah's Witnesses by the Golovinsky District Court, and stated that the ban grossly violated the rights and freedoms of the believers.

Attorney Viktor Zhenkov says: "Since the Supreme Court decision did not abolish the constitutional rights of Jehovah's Witnesses in Taganrog to worship freely, it appears that the local authorities have decided to exert their power and influence against them in another way, by means of criminal prosecution. This is just like the criminal prosecution of Jehovah's Witnesses under the Soviet regime."

Criminal cases against "unknown persons" lodged "to prevent lawyers 'meddling'"?

By Felix Corley

Forum 18 News (25.07.2011) / HRWF (22.08.2011) - <http://www.hrwf.net> - The day after Russia's Supreme Court in Moscow overturned a lower court ban on the activity of the Grace Pentecostal Church in the Siberian city of Khabarovsk, local prosecutors again began summoning church members as they seek to bring criminal charges against the Church's leadership. "The following morning [6 July] two church members were summoned for questioning and this has continued almost every day," one church member who asked not to be identified told Forum 18 from Khabarovsk on 19 July.

The church member told Forum 18 the court hearings over the ban and the long criminal investigations and interrogations worry church members. "Of course all this has an impact – it is not pleasant. It affects people's nerves. Others start to look at us as if we have committed some crimes."

The case to ban the Church was brought by Khabarovsk Region's then Acting Prosecutor Valentin Volkov, and was handed to court on 24 February. On 27 April Judge Natalya Barabash of Khabarovsk Regional Court upheld the Prosecutor's suit and banned the activity of the Church throughout Khabarovsk Region.

The Church then took its appeal to Russia's Supreme Court in Moscow which, on 5 July, overturned the ban, the Church's Moscow-based lawyer Inna Zagrebina told Forum 18. However, she pointed out that the Supreme Court can only overturn the most recent court decision, not annul it, so the suit returns to Khabarovsk Regional Court. She said that as of 25 July, the Supreme Court had not yet issued its written decision.

Criminal cases continue

Criminal cases have been launched under two Articles of the Criminal Code: Article 111, Part 1 ("Deliberate causing of serious harm to health"), which carries a prison term of up to eight years; and Article 239, Part 1 ("Creation of a religious or social association whose activity is linked with violence against citizens or other causes of harm to their health"). This carries a fine or imprisonment of up to three years.

During the Supreme Court hearing, the General Prosecutor's Office representative, Vladimir Krotov, noted that the two criminal cases being investigated against unnamed church members have been joined into one case.

However, Igor Lavrienko, Deputy Head of Khabarovsk's Investigation Committee, who is overseeing one of the cases, insisted to Forum 18 on 19 July that the two cases are still proceeding separately.

"To prevent lawyers 'meddling' in the cases"?

The Church's lawyer Zagrebina noted concerns among church members that criminal cases are lodged against "unknown persons". Church leaders are then questioned in the cases

without being able to defend themselves. "This is often done to prevent lawyers 'meddling' in the cases," she told Forum 18. "Then when the investigation is complete they unveil the accusation. So from the start it's clear who they're going to accuse, but that person can't do anything. It's a trick."

Close FSB interest

The current moves against Grace Church appear to have begun in 2009 and have involved several state agencies, including the Khabarovsk Regional Justice Department, the courts, the FSB security service, the Prosecutor's Office and the Investigation Committee.

Close FSB interest is clear from a 27 September 2010 letter from Lieutenant-General Sergei Demin, head of the FSB Directorate for Khabarovsk Region, to the Deputy Prosecutor for Khabarovsk Region Lidiya Dyakonova. The four-page letter, seen by Forum 18, details many of the Church's activities over nearly twenty years, including its foundation by foreigners, alleged financial impropriety by foreigners, splits in the Church and the transition to a new leadership.

Demin expresses concern that the Church's work with children is allegedly conducted by individuals "without the appropriate pedagogical and social training" and claims that the "religious cultivation of children who do not have firm reference points in life is capable of exerting on them a certain psychological influence, possibly leading to nervous stresses and mental illnesses".

The FSB letter complained that a religious course, Tres Dias, was held regularly over several days at a children's camp in Amur District, "in harsh isolation". It alleged that after a September 2009 course, "a range of church members" had complained to the police of harm to their health.

The FSB letter notes that "check-ups" by the local Justice Department in 2009-10 found "a range of violations" by the Grace Church. Its Pastor Vladimir Pak was given administrative fines for failing to maintain documentation of an audit committee, distributing audio recordings which did not have the name and address of the church on them, failing to document church members' financial offerings and "a range of other accounting violations".

Lieutenant-General Demin noted that they have not put under surveillance any church "adepts" (a pejorative term for a member of a sect) did not ask the Prosecutor's Office to take any action on the Church, saying that the information was being provided as "a co-operative measure".

However, the same evening that Demin signed his letter, Investigator M. Vostrikov of Amur District Police launched a criminal case against "unknown persons" on the basis of alleged harm to health suffered by a woman who had attended the course the Church had run nearly 13 months earlier. The document recording the launching of the case, seen by Forum 18, notes that it was initiated under Article 111, Part 1.

The FSB security service has also been, along with the police, closely monitoring both Jehovah's Witnesses and Muslim readers of the works of Muslim theologian Said Nursi – from both within and outside their communities.

Does FSB regard Grace Church as "destructive"?

Forum 18 was unable to reach Khabarovsk Regional FSB chief Demin. His assistant, who would not give his name, told Forum 18 from Khabarovsk on 25 July that Demin was on leave. Asked about why, as is clear from the September 2010 letter, the FSB has devoted resources to closely following Grace Church's activity, the assistant responded: "That is a classified document. How did you get hold of it?" The assistant then added: "I don't understand why you are intending to defend this Church."

The assistant maintained that it is the obligation of the FSB security service to "defend national security and the interests of citizens of the Russian Federation". He said this included protecting citizens "who could suffer harm to their health from religious organisations of destructive character". Asked whether the FSB regards Khabarovsk's Grace Church as "destructive", the assistant told Forum 18: "There is a Prosecutor's Office declaration and an expert analysis that they harmed the health of individuals." The assistant rejected suggestions that the FSB was waging a campaign against the church.

Extremism prosecutions

A number of religious communities – mainly Protestant – face accusations that they harm adherents' health. Other religious communities – mainly Jehovah's Witnesses and Muslim readers of the works of Said Nursi – face accusations of "extremism", with a number facing criminal prosecution and even imprisonment.

Intrusive requests for information are becoming more frequent. In a letter seen by Forum 18, a police officer in the town of Yakutsk, regional capital of the Republic of Sakha (Yakutia), on 3 March sent some local religious communities an "urgent" request for information required out of "service need". The letter demanded information on the leader (including a photo), sources of funding, places of meeting, number of members, when the last visit by missionaries took place and from where, whether they have Sunday schools and children's camps and the identities of the children, and whether any members of the community have rejected military service on religious grounds.

In documentation seen by Forum 18, Yakutsk's acting Deputy Prosecutor R. Fayzrakhmanov on 4 April rejected an application by a local Protestant pastor that the demands for information were unlawful.

Roman Lunkin, President of the Guild of Experts on Religion and Law, told Forum 18 on 25 May that only Protestant churches received the demand for information, which he regards as "illegal" and "the deliberate and purposeful policy of officials and police". However, on 6 May Sakha Interior Ministry rejected his written protest against the demand.

Some Russian lawyers have identified a pattern in Russia today of state interference in the activity of minority religious communities - whether or not that interference is legal.

Baptist conscientious objector in psychiatric unit

A 20-year-old Baptist from Tyumen, Igor Shlak, has been held in a psychiatric hospital in his military unit in Krasnoyarsk Region since 1 July, church members told Forum 18 from Tyumen on 18 July. "He refuses to take the military oath or to take weapons in his hands because of his religious convictions. The Gospel sets out this position very clearly."

Konstantin Kostyakov, assistant to the Military Prosecutor's Office, who is based in Uzhur, confirmed that Shlak has been held in a psychiatric unit. "This was to check his capability for

serving," he insisted to Forum 18 on 18 July. "No medicines were given him – he was just under observation."

Shlak, who is a member of a Council of Churches Baptist congregation in Tyumen, was called up against his will in November 2010. He wished to do alternative service, as he objects on religious ground to swearing the military oath and taking up weapons.

Several Church members, including Shlak's mother Valentina Zhigareva, were able to travel to the military unit in Uzhur to visit him in mid-July. They say the psychiatric assessment has found Shlak to be mentally healthy. "He is due to be freed from the psychiatric unit soon," they told Forum 18.

Will Shalak be prosecuted?

Shlak was first sent to a military education unit in Saratov Region, where church members say he was able to serve without taking the oath and without weapons. However, his problems began after being transferred in April 2011 to a unit in Uzhur in Krasnoyarsk Region.

Church members are concerned that Shlak might face criminal charges. They say Major Andrei Sarapultsev, the deputy commander of the military unit 32441-K in Uzhur where Shlak is based, told them the young Baptist will be prosecuted. "We have to put him on trial," church members quoted Sarapultsev as telling Shlak's mother.

Forum 18 tried to reach Major Sarapultsev on 19 July, but was put through instead to one of his aides, who did not give his name. "The prosecutor will decide whether to prosecute," the aide told Forum 18. He declined to answer any other questions. "This conversation is at an end," he said and put the phone down.

Kostyakov of the Military Prosecutor's Office insisted that no criminal case has been launched against Shlak and no case is planned. "No one will force him to take up weapons," he added. Asked what will happen to him, Kostyakov said it was not a decision for the Military Prosecutor's Office but for the unit's commander, Andrei Faeskhanov, who is currently on leave.

Why wasn't alternative service offered?

Members of Shlak's church told Forum 18 that six months before his call-up, he went to the Tyumen and Nizhnetavdinsk Districts Military Enlistment Office to present a written request to do alternative service. However, an official there Maksim Sheremetyev, told him to come back when he was due for call-up. He lodged the written request when he was due for call-up.

However, when Shlak was summoned to the Conscription Commission, officials told him the application was sitting in his file and that no-one had looked at it. He was then told that he had not been chosen for alternative service, and that he therefore had to serve in the military.

Forum 18 was unable to find out why Shlak's request to do alternative service appears not to have been considered. Sheremetyev of the Military Enlistment Office confirmed to Forum 18 from Tyumen on 18 July that he had called Shlak up. He insisted "no illegal activities" had taken place in relation to Shlak, but declined absolutely to discuss anything further

about why he had not been assigned to alternative service as he had requested. "I am not authorised to answer any questions," he said, and put the phone down.

Usually no obstacles to alternative service

Generally speaking, those who cannot serve in the armed forces on grounds of conscience do not face obstacles opting for alternative service, human rights defenders told Forum 18. "There are certain deadlines – applications need to be lodged in time – but I don't see problems in this area," Vladimir Ryakhovsky of the Slavic Centre for Law and Justice told Forum 18 from Moscow on 25 July.

Jehovah's Witness young men – who refuse on grounds of religious conscience to have anything to do with military service – do not generally have problems. "Sometimes officials of the Military Conscription Office speak negatively of the religious views of those applying for alternative service and try to persuade them to change their minds, sometimes in a highly humiliating way," Jehovah's Witness spokesperson Grigory Martynov told Forum 18 on 25 July. "But as a rule, in the end they provide them alternative service."

18-month prison term and heavy fine

By Felix Corley

Forum 18 News (30.06.2011) -/ HRWF (17.08.2011) - <http://www.hrwf.net> - Asylzhan Kelmukhambetov, a Muslim who reads the works of the theologian Said Nursi, is due to appeal against his 18-month prison term on extremism-related charges, his lawyer Raulya Rogacheva told Forum 18 News Service. Kelmukhambetov, who suffers from diabetes, was arrested at the end of the year-long trial on 28 June when the verdict was handed down and is now in prison hospital in Orenburg. An FSB security service spokesperson defended the prosecution to Forum 18. A court in the Siberian city of Krasnoyarsk has heavily fined a Muslim organisation for teaching Islam without an educational licence, although Russia's Supreme Court has ruled in a similar case that such licences are not needed. "People have been deprived of their rights to teach and receive religious education," Mufti Gayaz Fatkullin complained to Forum 18. An official of Russia's Human Rights Ombudsperson's Office described the case to Forum 18 as "stupidity and a violation of the rights of religious believers".

Asylzhan Kelmukhambetov, a reader of the works of the Turkish Muslim theologian Said Nursi from the town of Orenburg in the Urals, was sentenced to 18 months' imprisonment on 28 June after a trial lasting nearly a year. "He is a respected local man who has simply been punished for his faith," his lawyer Raulya Rogacheva told Forum 18 News Service from Orenburg on 30 June. "The prosecutors offered no proof of any extremism." She says her client – now in prison hospital in Orenburg - will "definitely" appeal against the sentence. Forum 18 notes that Kelmukhambetov is the first Nursi reader in Russia to receive a criminal sentence of imprisonment. Meanwhile, a court in the Siberian city of Krasnoyarsk has handed down a heavy fine on a Muslim organisation for teaching Islam without an educational licence, although Russia's Supreme Court has ruled in a similar case that such licences are not needed.

Many of the Russian translations of Nursi's works have been deemed "extremist" by various local courts and have been placed on the Justice Ministry's Federal List of Extremist

Materials, making their distribution a criminal offence. The latest of Nursi's works in Russian translation to be added to the Federal List, a further volume of his Risale-i Nur (Messages of Light) collection of sermons, was on 12 May.

"Nurdzhular", an alleged organisation based on the teaching of Nursi, was banned by Russia's Supreme Court in April 2008. Russia's Nursi readers insist the organisation does not exist.

In August 2010, Ilham Islamli became the first Nursi reader in Russia to be convicted under the Criminal Code and punished under extremism-related charges. He was sentenced to ten months' detention, suspended for one year.

Other Nursi readers have been tried since then. Ziyavdin Dapayev is appealing against his criminal conviction in Dagestan.

Sergei Sychev, the lawyer who will represent three Nursi readers currently under criminal investigation in Krasnoyarsk when the case comes to court, told Forum 18 on 30 June that the case is close to completion. He said he expects the trial to take place in July or August.

Jehovah's Witnesses have also faced accusations of "extremism" after many of their publications were declared "extremist" and placed on the Federal List. The retrial of Aleksandr Kalistratov in the Siberian town of Gorno-Altai on charges of distributing "extremist" religious literature continues on 25 July.

18 month prison term

The 42-year-old Kelmukhambetov went on trial under Magistrate Valeri Vorobyev at Judicial Unit No. 3 of Orenburg's Lenin District in July 2010, the court website notes. He was tried under Criminal Code Article 282.2, Part 1 ("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"). He denied the accusations. Magistrate Vorobyov found him guilty on 28 June and handed down an 18 month term in an open prison. Local television filmed the Magistrate reading parts of the verdict.

"It is very rare that trials here go on so long," Svetlana Tyunina, Magistrate Vorobyev's assistant, admitted to Forum 18 on 30 June. However, she was unable to explain why this trial had lasted so long with so many hearings. The 91-page verdict took five hours to read. Tyunina said the written verdict has been handed down and Kelmukhambetov has 10 days to lodge an appeal to Lenin District Court. She stressed that the verdict has not yet come into legal force.

Verdict "not a surprise"

Kelmukhambetov was accused during the trial of running a "home medrassah [Islamic college]" for 15 local students in a private home between 2008 and 2009.

The case followed raids on students' homes in March 2009 conducted by officers of the regional FSB security service and Police Organised Crime officers. The students reported at the time that Nursi brochures and a leaflet called "How to Join the Nurdzhular Organisation" appeared "miraculously" in their flats during the raid.

While insisting that her client is innocent of any wrongdoing, Rogacheva told Forum 18 that "the way the trial went, the verdict did not come as a surprise".

Yevgeni Slavgorodsky, spokesperson for Orenburg regional FSB security service, defended the prosecution, though he refused to name Kelmukhambetov because no appeal had yet been heard. "This man attracted young people to read books and he taught from these books," he told Forum 18 from Orenburg on 30 June. Asked why reading and studying religious books was a crime, he insisted this was because many of Nursi's works had been ruled extremist by the courts and placed on the Federal List.

Asked why reading and studying Nursi's works necessarily entailed membership of an organisation, Slavgorodsky claimed it did. "The Nurdzhular organisation has been declared extremist and banned by the Supreme Court. This man conducted mass propaganda for the organisation."

Slavgorodsky noted the Regional FSB's involvement in preparing the case. "It was our operational material and our investigators that made the case," he told Forum 18.

Officials of the Lenin District Prosecutor's Office told Forum 18 that Yelena Akimova, the Deputy Prosecutor who had been involved in much of the case, was not on sick leave. The telephone of Aleksandr Karyakin, who took over the case from Akimova and took part in the final hearings, went unanswered on 30 June.

Health concern

Tyunina, the Magistrate's assistant, said Kelmukhambetov had not been in detention as the trial proceeded, but was arrested in the courtroom when the guilty verdict was handed down. She said he is now in Orenburg's Investigation Isolation Prison No. 1.

Rogacheva, Kelmukhambetov's lawyer, complains his detention is illegal, as the verdict has not come into force. She expressed concern over her client's health, as he suffers from diabetes and needs insulin injections, and is being held in the prison hospital. She told Forum 18 she does not know if he is being appropriately treated.

Fined for religious education without a licence

Meanwhile, the United Spiritual Directorate of Muslims of Krasnoyarsk Region has been fined for offering religious education in their central mosque in the Siberian city of Krasnoyarsk without an educational licence. About 200 students, "adults and children, male and female", study at the mosque, Mufti Gayaz Fatkullin, head of the Directorate, told Forum 18 from Krasnoyarsk on 27 June.

The official record of a violation of the Code of Administrative Violations drawn up on 10 May – seen by Forum 18 – shows that the case against the Muslim Directorate was initiated by Krasnoyarsk Regional Service for Control over Education. An official of the Service, Tatyana Kolyada, drew up the record after a 24 March visit to religious lessons at the mosque. Mufti Fatkullin refused to sign the official record.

According to the verdict seen by Forum 18, Judge Polina Yefimenko of Krasnoyarsk's Central District Court on 17 June found the Directorate guilty of violating Article 19.20, Part 1 of the Code of Administrative Violations (Carrying out activity not connected with the attraction of profit, without special permission (licence), if such permission (licence) is obligatory). The

Directorate was fined the minimum for legal entities under this provision, 170,000 Roubles (32,700 Norwegian Kroner, 4,200 Euros or 6,100 US Dollars).

"We don't know why the court adopted this decision – it was very unexpected," Mufti Fatkullin told Forum 18. "People have been deprived of their rights to teach and receive religious education." He described this as a violation of rights to religious freedom enshrined in Russia's Constitution.

Mufti Fatkullin said that the Directorate is appealing against the decision to Krasnoyarsk Regional Court. He said the Directorate is also appealing to Russia's Ombudsperson for Human Rights in Moscow, as well as his Regional representative in Krasnoyarsk. The Mufti added that as the decision has not yet come into legal force the mosque is continuing to offer religious education.

Does religious education need a licence?

Religious organisations do not need educational licences if they do not conduct religious education jointly with the state or to a level accredited by the state, Mikhail Odintsov, the top official dealing with religious issues at the office of Russia's Human Rights Ombudsperson in Moscow, explained to Forum 18 from Moscow on 28 June. "Various court decisions have overturned bans and fines imposed on religious communities for not having such licences."

Odintsov particularly pointed to a June 2008 Russian Supreme Court decision, which made clear that local courts had been wrong to ban a Methodist Church in Smolensk simply because its religious education class (for four children) had been operating without an education licence. Under the 1992 Education Law, the decision explains, educational (obrazovatel'naya) activity is "a goal-oriented process of education (vospitaniye) and study accompanied by confirmation that the student has attained levels of education prescribed by the state".

"The Supreme Court decision is not a precedent," Odintsov added, "but all courts should study it carefully as it explains the position in law."

Odintsov described the Krasnoyarsk Directorate case as "stupidity and a violation of the rights of religious believers". He said he had spoken with the office of the local Ombudsperson Mark Denisov and asked him to get involved. Denisov's office confirmed the call to Forum 18.

"We're governed by the law"

Kolyada of the Regional Service for Control over Education, who initiated the case against the Muslim Directorate, told Forum 18 from Krasnoyarsk on 28 June that her boss, Artem Petenov, who had taken the decisions in the case, was not present. However, she insisted that the prosecution of the Directorate was justified and dismissed the Directorate's complaints that this violated their rights. "We're governed by the law, which requires a licence," she told Forum 18. She stressed that not her Service but the court had taken the decision to fine the Directorate.

Kolyada declined to say if she had read the 2008 Supreme Court decision in the case of the Smolensk Methodist Church. But she insisted the Supreme Court decision was "not a precedent".

European Court of Human Rights appeal

Among the many religious communities which have faced official pressure for offering religious education was the Biblical Centre of the Chuvash Republic. It was dissolved by the republic's Supreme Court on 3 August 2007 for following a timetable and issuing diplomas without an education licence. This verdict was upheld by Russia's Supreme Court on 16 October 2007. The Centre lodged a case to the European Court of Human Rights (ECtHR) in Strasbourg on 15 April 2008.

The ECtHR told Forum 18 from Strasbourg on 28 June that the Court has not yet declared on whether the case (application no. 33203/08) is admissible. However, on 30 August 2010 the Court put questions to the Russian Government and the Biblical Centre.

Government rejects proposed legal restrictions on religious literature

In a critical response posted to the website of Russia's Lower House of Parliament, the State Duma, on 22 June, the government has declared proposed new restrictions on distributing religious literature to be in defiance of the Constitution, the Civil Code and other Articles of the Religion Law.

The proposed amendments to Russia's 1997 Religion Law would have banned everyone except for registered religious organisations from distributing religious literature, and amendments to the Administrative Violations Code would have fined those distributing religious literature without a registered religious organisation's approval.

The proposed amendments - the initiative of the Duma of Belgorod Region - received the initial backing of the State Duma Committee on Social and Religious Organisations on 18 March. This was the furthest any such restrictive legal amendments have reached in the legislative process and aroused concern from religious freedom defenders and some religious communities.

However, the government response - signed by Vyacheslav Volodin, the Head of the Government Administration - was direct. "The Government of the Russian Federation does not support the draft law presented," it concluded.

"One complex of measures against religious communities"

By Felix Corley and Rosemary Griffin

Forum 18 News (29.06.2011) -/ HRWF (17.08.2011) - <http://www.hrwf.net> - Religious communities of a range of faiths - including Protestant Christians, Muslims and Jehovah's Witnesses - have faced administrative and criminal cases after prosecutors have sought to restrict their activity or to punish them for activity they have already undertaken, Forum 18 News Service notes. Two Protestant Churches from Siberia are taking their cases to Russia's Supreme Court. At a 5 July Supreme Court hearing, Khabarovsk's Grace Church will challenge a ban on its activity, though concern is also mounting about two separate criminal cases, one of them launched against the church's leader, Pastor Vladimir Pak. New Generation Church in Blagoveshchensk is about to lodge a challenge to the Supreme Court against a ban on distributing recordings of their sermons on alleged health grounds. A court in the far eastern Kamchatka Region liquidated an Orthodox Jewish community in April for

failing to file information. While the community could have appealed, it chose to accept the ruling and intends to try to re-register.

Mikhail Odintsov, the top official dealing with religious issues at the office of Russia's Human Rights Ombudsperson in Moscow, is concerned about the many cases in the courts against religious communities, including those against Khabarovsk's Grace Church and Blagoveshchensk's New Generation Church.

"Formally, officials say they are ensuring compliance with the law," Odintsov told Forum 18 on 29 June. "But many of these cases take place with violations of the right to freedom of conscience, violations of the rights of religious organisations and violations of the separation of church and state."

Odintsov noted that while many cases against religious communities concern alleged "extremist" activity or distribution of "extremist" material, most of which he regards as unfounded, officials often use other criminal or administrative charges. "But they are all part of this one complex of measures against religious communities."

A Muslim community in the Siberian city of Krasnoyarsk is challenging a fine imposed to punish it for conducting religious education without a licence, a case which has also aroused the concern of the Ombudsperson's Office.

Jehovah's Witness communities are facing numerous criminal and administrative cases. The most high-profile case is of Aleksandr Kalistratov in the Siberian town of Gorno-Altaysk. His retrial on charges of distributing "extremist" religious literature began on 22 June and continues on 25 July.

Similarly, readers of the works of the late Turkish Muslim theologian Said Nursi have faced raids, prosecutions, fines and literature confiscations to punish them for their religious activity. Ziyavdin Dapayev, a Nursi reader from the Dagestani capital Makhachkala, is challenging his criminal prosecution.

Protestant Church banned in Far East

Prosecutors in the Far Eastern city of Khabarovsk have successfully gained court rulings to ban the local Protestant Grace Church, which is led by Pastor Pak. The case was brought by Khabarovsk Region's then Acting Prosecutor Valentin Volkov, and was handed to court on 24 February.

On 27 April Judge Natalya Barabash of Khabarovsk Regional Court upheld the Prosecutor's suit and banned the activity of the Church throughout Khabarovsk Region, the court website noted. The court's ruling reads that in 2009 the church used methods which "changed the psychological state" of a number of church members and were harmful to their health. These include courses in Christianity widely used internationally, such as the Alpha Course, Tres Dias and Encounter.

The court also highlighted the recitation of prayers at a high volume, placing hands on parishioners' bodies, speaking in tongues and the descent of the Holy Spirit as "methods of psychological manipulation".

Defending the action taken by her colleagues at Khabarovsk Regional Prosecutor's Office is Senior Prosecutor Lyudmila Potapova. She said the case had been launched after four "victims" had appealed to the Prosecutor's Office in September 2010. "Four people suffered

because of the activity of the church, and we can't leave their appeals unanswered," she insisted to Forum 18 from Khabarovsk on 29 June. "We have medical expert testimony from psychologists that they suffered serious harm." She said this justified the ban on the church.

Asked about the current condition of the four individuals, Potapova said that now they have had medical treatment "they live normally".

The church has appealed against the decision to Russia's Supreme Court in Moscow, the church's lawyer Inna Zagrebina, formerly of the Slavic Centre for Law and Justice and now at the Guild of Experts on Religion and Law, told Forum 18 from Moscow on 28 June. She said the Supreme Court is due to hear the appeal on 5 July.

"This ruling is unprecedented. If it stands, it will have consequences for Protestants throughout Russia," Zagrebina told Forum 18. She added that this is the first time the Alpha Course has been ruled to be harmful to health by a Russian court. She said the ruling has not yet come into legal force, as the appeal is still underway.

Criminal cases launched

Criminal cases and investigations have also been initiated against the church's leaders for alleged harm already rendered to parishioners. Neither case has yet been handed to court.

The first case, being led by an investigator from Khabarovsk, is against Pastor Pak under Article 111 Part 1 of the Criminal Code ("Deliberate causing of serious harm to health"). This carries a prison term of up to eight years.

Igor Lavrienko, Deputy Head of Khabarovsk's Investigation Committee, who is overseeing the case, said it was launched against Pak in response to a complaint from "citizens", whom he declined to identify. He said Investigator Aleksei Stefanchuk is leading the investigation, adding that it is impossible to say when the investigation will be complete. "It's too early to talk about any trial." Lavrienko dismissed any complaints about the launching of the case. "No-one's rights are being harmed," he told Forum 18.

The second case is being led from the Federal Investigation Service from Moscow. The church leadership is being investigated under Article 239 Part 1 of the Criminal Code ("Creation of a religious or social association whose activity is linked with violence against citizens or other causes of harm to their health"). This carries a fine or imprisonment of up to three years.

"This is a very serious and worrying development, that church leaders face possible criminal prosecution for their activities in the church," Zagrebina told Forum 18. She said the church has appealed to Russia's Ombudsperson for Human Rights.

Church challenges ban on "harmful" videos

The New Generation Protestant Church in the city of Blagoveshchensk in Amur Region of Siberia is challenging in Russia's Supreme Court a court-ordered ban on "health" grounds on material it distributes. The Church's lawyer Vladimir Ryakhovsky told Forum 18 from Moscow on 28 June that the appeal will be lodged in early July. "I believe the Church will win as the law is on its side."

Amur Regional Prosecutor, Nikolai Pilipchuk, had long pushed for such a ban. The case, which was opened on 18 August 2010, centred on video materials which the prosecutor

asserted are harmful to health and liable to licensing as medical activity. On 4 March 2011, Judge Vadim Nikitin at Blagoveshchensk City Court ruled to ban the material, the court website noted.

The court ruled that the church's use of "medical technologies, including techniques which have a psychological and psychotherapeutic affect on the human psyche," is illegal and banned the use of such techniques during its activities. The court also banned 15 videos, including recordings of seminars led by the group, television programmes including "The Foundations of Success" and "Men are from Mars, Women are from Venus" as well as the films "Cancer treatment" and "Armenia New Generation".

However, on 8 April, the collegium of Amur Regional Court chaired by Judge Nadezhda Groza overturned the ban, sending the case for a new trial, the court website noted. Prosecutor Pilipchuk appealed against the 8 April decision and at a supervisory appeal hearing on 11 May, the Regional Court's Presidium overturned the 8 April decision, the court website noted.

"Discrimination on religious grounds"

In a commentary written on 19 March, New Generation Pastor Mikhail Darbinyan condemned the 4 March court decision, describing it as "illegal" and as "discrimination on religious grounds". He complained that this was the latest in a series of criminal proceedings initiated by the Blagoveshchensk Prosecutor.

"A medical license is incompatible with the right to tell people about God, publicly read the Bible and perform the Psalms, which Christians have been doing across the world without any medical license for 2000 years," he insisted. "The requirement to licence Evangelical sermons at the Ministry of Health is at any rate, absurd."

Darbinyan noted that of four cases brought against the Church over the previous ten months, it had already won three. "It has been a long fight, each one has involved between one and six hearings." He expressed optimism that the Church will win this case too "because we believe that justice and resolve to defend citizens' rights to freedom of conscience as guaranteed by Article 28 of the Russian Constitution will prevail."

The New Generation Church, which claims about 1,000 members, complained that inspections by local authorities and the subsequent court cases began when it stated its intention to establish a theological seminary. One of the cases the Church won was over teaching religion without a licence.

"The prosecutor is taking these actions because the church is large, very active and does a lot of social work in the city," Ryakhovsky, the church's lawyer, told Forum 18. "It is well known in the city and someone didn't like it."

However, Dmitri Momot, a Prosecutor at Blagoveshchensk Prosecutor's Office, rejected suggestions that the church was being targeted by his office. "It was the action of the church itself which dictated all the suits," he insisted to Forum 18 from Blagoveshchensk on 29 June. "If they disagree with the court decision, they have the right to challenge it."

Jewish community liquidated

On 19 April, Judge Kirill Yeryutin of Kamchatka Regional Court ruled to liquidate the Orthodox Jewish community in the regional capital Petropavlovsk-Kamchatsky, a member of

the Federation of Jewish Communities of Russia, the court website noted. The local Justice Department had brought the case following the community's failure to provide local authorities with information including: confirmation that their activity is continuing; reports of their activity; information about members of the organisation's ruling body; financial expenditure; and the use of other property. The ruling came into force on 6 May after the community failed to lodge an appeal.

Yevgeniya Latman, head of the local Jewish Cultural Centre and one of the leaders of the Petropavlovsk-Kamchatsky community, said that it chose not to appeal against the court's decision. "Our representative who dealt with the local authorities left, that is how it came about that we did not provide all the documentation to the local authorities," she told Forum 18 on 20 May.

Moscow-based lawyer Zagrebina, who followed the case, told Forum 18 that the liquidation of the community was "entirely legal" following administrative proceedings against the community and its repeated failure to provide information stipulated by law. "Of course there was a chance that they could have overturned the decision if they provided the relevant documentation," she said. "But under the law on non-profit organisations the authorities are entitled to shut down communities that do not provide certain documents."

By contrast, Zagrebina pointed out in February attempts by local authorities to pressure religious groups into revealing information about their activity not required by law.

Latman added that the community numbers approximately 300, with closer to 100 regularly attending services. She said it would simply apply to the Justice Department to register a new organisation, which she sees as a "relatively straightforward process". "It's a question of time, not of difficulty."

An official of the Kamchatka Regional Justice Department defended the liquidation, insisting to Forum 18 on 29 June that her office has the "obligation under Federal Law" to do so for organisations that fail to file documentation. She denied suggestions that liquidation was too harsh a penalty. "They can do everything they could do before, except have a bank account and hold public events."

Russian court bans Scientology books

AP (30.06.2011) / HRWF (05.07.2011) - <http://www.hrwf.net> - A court in a Moscow suburb has banned works by the founder of the Church of Scientology, officials said Thursday.

The Shchyolkovo court ruled that "What is Scientology?" and other books by L. Ron Hubbard "contain calls for extremist activities," the Prosecutor General's office said in a statement. It said that once the court decision comes into force, scientology books will be put on the federal list of extremist materials banned for release throughout Russia. The court made the ruling following a request by local prosecutors.

Attempts by Russian authorities to ban Scientology literature have been overturned recently. In May, the Russian Justice Ministry removed Hubbard's books from the list of banned literature after a decision by a court in Siberia was overturned.

Scientology officials said they would protest the latest court decision.

"There have been many legal violations, the case is unfounded and the trial was hasty," the

group's attorney Sergei Korzikov told The Associated Press. "We could not defend our legal interests."

The group's spokesman in Russia, Yuri Maximov, said that Russia is home to "tens of thousands" of Scientology devotees. Russian media have claimed that some powerful businessmen and officials are among Scientology adepts.

Russia's dominant Orthodox Church has denounced Scientology as a "totalitarian sect," and the European Court of Human Rights ruled that Moscow city authorities infringed on the group's rights by repeatedly refusing to register it. In 2007 and 2009 the Strasbourg-based court issued decisions upholding the rights of Russian Scientologists to practice their religion free from unlawful government interference.

Hubbard, a science fiction writer, founded the Los Angeles-based Church of Scientology in 1954. It teaches that technology can expand the mind and help solve problems.

The group claims 10 million members around the world, including film stars Tom Cruise and John Travolta.

Scientologists say that there are more than 280 million copies of Hubbard's books distributed around the world.

Belgium, Germany and other European countries have been criticized by the U.S. State Department for labeling Scientology as a cult or sect and enacting laws to restrict its operations and monitor its activities.

Fascist youths attack synagogue

Three Khabarovsk nationalists given suspended sentences for arson of synagogue

Interfax-Religiia (22.06.2011) / HRWF (27.06.2011) - <http://www.hrwf.net> - A court in Khabarovsk issued sentences to three nationalists who tried to set fire to the building of a Jewish cultural center and synagogue.

The senior assistant prosecutor of Khabarovsk territory, Valentina Glazova, told Interfax on Wednesday that 24-year-old Viacheslav Kravchenko and 19-year-old Evgenii Smoliakov, as well as the leader of the group, a local high schooler, were found guilty under the article "deliberate destruction of property for motives of national hatred."

The court sentenced V. Kravchenko to two years in jail and E. Smoliakov to two years and three months; the sentences were suspended. The minor received 18 months restriction of liberty. With respect to a fourth participant in the group, criminal prosecution was halted by reason of mutual reconciliation of the parties.

According to information from the investigation, on the night of 13 September 2009, two attackers threw two bottles with flammable material into the building of a Jewish cultural center and synagogue in Khabarovsk.

At the same time, two of their accomplices tried to set fire in the same way to the home of an officer of the center for combating extremism of the Chief Directorate of the Ministry of Internal Affairs of the Russian federation for the Far Eastern Federal District. At the time, seven policemen were in the house.

A large fire was avoided. In the first case, the bottles broke on a window in the second story and the entryway of the synagogue, and the building did not sustain substantial damage, and the bottle thrown into the policeman's house hit tree branches and fell into the yard. At the time of the commission of the crimes the perps were from 15 to 23 years of age, including a high schooler, two students, and a resident of Khabarovsk who previously had served in one of the special divisions of the Ministry of Defense.

According to information from the investigation, the youths had spent two weeks planning the crimes. They planned to commit an act of intimidation in Khabarovsk and they intended to time it for 18 September, the new year on the Jewish calendar.

Later, in order to assure their own safety, the extremists decided to commit the crime a week earlier. They figured that during those days law enforcement agencies would turn their principal attention to the Jewish Autonomous province where the 75th anniversary of the region was being marked.

In the course of the investigation of the criminal case, electronic media were seized from two of the young people, which contained files with nationalistic literature, images, and music.

The leader of the group, who at the time of the crime was 15 years old, was found to be the organizer of both crimes. The attempt to burn down the home of the security officer was explained as his desire to get revenge on the policeman because he investigated a case of vandalism involving the teenager.

Earlier, the teenager and his peers painted fascist symbols and nazi slogans on the central streets of Khabarovsk.

Muslim's appeal begins, Jehovah's Witness' second trial to begin

By Felix Corley

Forum 18 News (21.06.2011) -/ HRWF (27.06.2011) - <http://www.hrwf.net> - The appeal of Ziyautdin Dapayev, a Muslim from the southern Russian republic of Dagestan, against a suspended three-year prison sentence began in the republic's capital Makhachkala yesterday (20 June), his lawyer told Forum 18 News Service. Dapayev - a reader of the works of the late Turkish Muslim theologian Said Nursi - had been found guilty on "extremism" related charges, which he rejected. Meanwhile, a new criminal trial of Jehovah's Witness Aleksandr Kalistratov is due to begin tomorrow (22 June) at Gorno-Altaysk City Court in Siberia. He had been acquitted in April after a six-month trial on extremism-related charges, which he denies, but the retrial was ordered after the Prosecutor appealed against the acquittal.

"I believe I will be acquitted," Dapayev told Forum 18 from Makhachkala on 21 June. "We're not criminals," he added, speaking of those like himself who gather in private homes to discuss their faith.

Dapayev's lawyer, Murtazali Barkayev, insists the sentence handed down to his client should be overturned. "From the point of view of the current law, he can only be acquitted," he told Forum 18 from Makhachkala on 21 June. "But if political elements are brought in, don't expect an objective verdict in the appeal."

"Tendentious and superficial"

The prosecution of Kalistratov was the subject of harsh criticism from Vladimir Lukin, Russia's Human Rights Ombudsperson, who described it as a "landmark case". "The charge sheet in the case was built exclusively on an expert analysis of Jehovah's Witness literature," he complained in his annual report for 2010, published on 13 May 2011 on his official website. "For his part, the Ombudsperson regards the conclusions of the expert analysis as tendentious and superficial."

And Lukin added: "Indeed, the criminal prosecution of a religious organisation and its representatives for openly using their religious literature is nothing less than a method reminiscent of the Soviet practice of persecution on grounds of faith."

Readers of Nursi's works and Jehovah's Witnesses have been particular targets of the government's hostility. They are often subjected to police and FSB security service raids, interrogation and prosecution.

Police officers often use the alleged presence of literature courts have deemed "extremist" as an excuse to raid places of worship, Lukin noted in his annual report. They break up worship services and "harshly" interrogate, photograph and fingerprint those present. "The paradox is that even such questionable (from a legal point of view) and clearly excessive zeal in the struggle with 'extremists' as a rule does not uncover cases where religious organisations have violated the current law."

Russian anti-extremism legislation itself has systemic problems.

More publications banned

More Islamic theological works by Nursi, and Jehovah's Witness publications, deemed "extremist" by local courts have been added to the Federal List of Extremist Materials maintained by the Justice Ministry, making their distribution a criminal offence. The latest of Nursi's works in Russian translation to be added to the Federal List was The Tenth Word on the Resurrection of the Dead, a volume of his Risale-i Nur (Messages of Light) collection of sermons, the Justice Ministry website notes. This was added to the list on 12 May following a court ban imposed by Zheleznodorozhny District Court in Krasnoyarsk in September 2010. Fifteen of Nursi's works are now on the Federal List.

The latest Jehovah's Witness publications added to the Federal List were six added on 18 January 2011, after being banned by Zavodsky District Court in Kemerovo in October 2010. A total of 58 Jehovah's Witness publications are now on the Federal List, including numerous issues of their magazines, The Watchtower and Awake!

Prosecutors in Krasnodar and Salsk are seeking to have further Jehovah's Witness publications declared "extremist", Jehovah's Witnesses complained to Forum 18 on 21 June.

Mass distribution, preparation or storage with the aim of mass distribution of titles banned as extremist may result in prosecution under Criminal Code Article 282 ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or through the media"), whose penalties range from a fine to up to five years in prison. The authorities may instead choose to prosecute under Article 20.29 of the Administrative Violations Code ("Production or distribution of extremist materials"), whose penalties range from a fine to up to 15 days' detention.

Jehovah's Witnesses complained to Forum 18 of previous court decisions where confiscated publications have been ordered destroyed. "Although our publications are just printed paper and are not in themselves sacred, such court-ordered destruction of our literature is unpleasant, even offensive." They noted one case where a Bible was included in the literature a court ordered destroyed. "At least over the Bible we were successful in having the destruction order overturned." Such confiscations and destructions have affected both Muslim Nursi readers and Jehovah's Witnesses.

Suspended prison sentence

Dapayev had his 29th birthday a week before being sentenced on 18 May. His trial was held under Magistrate Vera Ivashkina, of Judicial Unit No. 12, of Lenin District of Makhachkala. The court website notes that after the initial hearing on 14 December 2010, a further 25 hearings took place in the case.

He was initially investigated under Article 282.2, Part 2 ("Participation in 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") of the Criminal Code. However when the charges were formally brought they were changed to Criminal Code Article 282.2, Part 1 ("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").

According to the verdict seen by Forum 18, Magistrate Ivashkina found Dapayev guilty of violating Article 282.2, Part 1. The maximum penalty is three years' imprisonment, but Judge Ivashkina ruled that the three year prison term should be suspended for two years.

Prosecutors alleged that Dapayev was involved in "Nurdzhular", an organisation based on the teaching of Nursi which was banned by Russia's Supreme Court in April 2008. Russia's Nursi readers, including Dapayev, insist the organisation does not exist.

Defenders of state action against Nursi followers routinely claim that his works are banned in Turkey, but this is not so. Readers of Nursi's works have also been linked in the Russian media with the American Central Intelligence Agency (CIA), which claim Muslims vehemently deny.

The 18 May verdict complains that Dapayev and a colleague "deliberately engaged in attracting residents of Dagestan to study and spread the teaching of Said Nursi" in "so-called 'home medressahs' [religious colleges]" in six locations in Makhachkala, as well as in the nearby towns of Izberbash and Derbent. During such meetings, "he held collective discussions with them of religious books written by Said Nursi", taught them and gave them copies of Nursi's books.

The verdict ordered that 1,820 copies of Nursi's books being held by the Dagestan FSB in connection with the case be destroyed.

Appeal begins

Dapayev's lawyer Barkayev lodged an appeal against the conviction on 24 May to Lenin District Court in Makhachkala. In his appeal, seen by Forum 18, Barkayev argues that his

client was convicted "because individually and together with others he professes Islam". He also complained of what he argued were procedural violations.

Barkayev particularly complains over the destruction of the books, insisting that the works - in English, Russian and Arabic - are not on the Federal List. "No court has determined that they are extremist," he told Forum 18. "They contain quotations from a holy text [the Koran], so I hope that at least this part of the verdict will be annulled."

Barkayev said he last saw the books at the trial, but they are being held by the Dagestan FSB security service. "They are Dapayev's personal property and according to the law should be returned when the case is over. This is a violation of his right to private property."

Since lodging the appeal, Barkayev has also demanded that Magistrate Ivashkina provide a transcript of the trial, as she was required by law to do within five days of the verdict.

The appeal hearing began under Judge Magomed Onzholov at Lenin District Court on 20 June, but has been adjourned to an unspecified date which will be set only when Ivashkina provides the transcript, Dapayev told Forum 18.

Second criminal trial after acquittal at first trial

Kalistratov, who will be 35 in July, was the first Jehovah's Witness to face criminal trial in post-Soviet Russia in connection with his religious activity. His second trial - after the long-running series of hearings in his first trial which led to his acquittal - begins tomorrow (22 June). It is being held at the same Gorno-Altai City Court as his first trial, but this time under Judge Marina Kulikova.

Despite Kalistratov's 14 April acquittal, on 18 May Bulat Yaimov of the Prosecutor's Office lodged an appeal against the acquittal. On 26 May, Judges Olga Birulya, Svetlana Kalinicheva and Aydar Sautkanov of the Altai Republic Supreme Court overturned the verdict and ordered a new trial in the case, the Court website notes.

Acquittal verdict "illegal and unfounded"?

Larisa Shestak, spokesperson for the Altai Republic Prosecutor's Office, stated that "an appeal was lodged because the verdict was illegal and unfounded," she told Forum 18 from Gorno-Altai on 21 June. She was unable to say in what proportion of acquittals prosecutors in the Altai Republic challenge the verdict. But Shestak denied that anyone apart from the Prosecutor's Office had taken the decision to appeal against the verdict. She also denied that her office was governed by anything other than the law. "This is not a private campaign against Kalistratov."

Asked what would happen if Kalistratov is acquitted at the end of the new trial, Shestak insisted that prosecutors can challenge court decisions "as many times as they need to if they regard the verdict as unfounded".

Shestak told Forum 18 she had read the remarks on Kalistratov's case from Human Rights Ombudsperson Lukin, but declined to comment on them or to say if they would have any impact on the case.

Acquittal at end of six-month first trial

In Kalistratov's first trial, he was accused of giving away two copies of the booklet "What Does God Require of Us?" while knowing it had been banned by Gorno-Altai City Court - even though this ruling had not entered into force at the time of the alleged offence. He was prosecuted under Article 282, Part 1 of the Criminal Code ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion .."). He denied the accusations.

The first trial began on 20 October 2010 at Gorno-Altai City Court. After a long-running trial which included 24 hearings and saw 71 witnesses testify, Judge Marina Sokolovskaya found him innocent on 14 April 2011.

Court found prosecution's contention "unfounded"

The 56-page court verdict, seen by Forum 18, states that in neither the pre-trial investigation nor the court hearings was it proven that Kalistratov distributed banned material. "The contention of the prosecution that Kalistratov had the deliberate intention of committing actions directed at inciting hatred or enmity, the court considers unfounded," it added. The court rejected the contention of four prosecution witnesses that Jehovah's Witness literature incited "dissatisfaction, anger, and at times hatred" among Gorno-Altai's residents, as well as the prosecution case that this proved that Kalistratov was guilty.

Is prosecution of Kalistratov "necessary"?

Testimony during Kalistratov's first trial by Irina Moshkareva, a city administration official responsible for links with public - including religious - organisations between October 2003 and May 2009, revealed the way different officials and agencies in Altai Republic worked together over some years to try to find ways to halt the activity of local Jehovah's Witnesses, before finding an effective mechanism in Russia's 2002 Extremism Law.

Moves involved the city administration - including Mayor Viktor Oblogin - the Prosecutor's Office, Altai Republic Supreme Court and a university lecturer who provided an expert analysis of Jehovah's Witness literature. The official insisted that a request to liquidate the Jehovah's Witness community in Gorno-Altai came because the city administration "considered it necessary".

However, Forum 18's investigations could not determine conclusively who initiated these attempts.

Evangelical rehabilitation mission faces liquidation

Russian Supreme Court finds suspension of activity of "Transformation of Russia" legal

Rossiiskaia gazeta (07.06.2011) / HRWF (08.06.2011) - <http://www.hrwf.net> - On 7 June, the Supreme Court of the Russian federation found legal the decision regarding suspension of the activity of the Russia-wide philanthropic public organization, "Transformation of Russia," which engages in rehabilitation of drug addicts. As reported at the court, in this way the appeal of representatives of the organization was rejected.

On 8 June the Supreme Court will review the lawsuit of the Russian Ministry of Justice for liquidation of "Transformation of Russia."

In April of this year the Supreme Court turned down a request by representatives of the organization and found an order of the Ministry of Justice suspending its activity to be legal. The order had been issued in November 2010 after an inspection revealed a number of violations. In particular, there were established instances of conducting illegal business activity and use of people as free labor; the organization had not submitted information about the financing of charitable programs. In addition, a logo used on the printed and promotional products of "Transformation of Russia" is absolutely identical with the coat of arms of Moscow, which violates the law. At the Ministry of Justice it was affirmed that the organization had not eliminated a single one of the discovered violations.

Representatives of "Transformation of Russia," in protesting the decision of the Ministry of Justice, insisted that the organization has not violated legislation but is engaged in its centers in the rehabilitation and socialization of people who have fallen on hard times. The work of the organization has been accompanied by noisy scandals, dealing with the methods of reeducation it practices, as a result of which in the spring of 2009 a participant in a rehabilitation program died from a beating. At the present time, almost 400 divisions of "Transformation of Russia" are active in Russia, involving around 7,000 persons.

In rehabilitation centers there are used, inter alia, religious rituals and occupational therapy. This is not the first scandal involving organizations engaged in healing persons suffering from drug and alcohol dependency. Thus, in 2010 in Nizhnyi Tagil, Egor Bychkov, 23, who was directing a division of the "City without drugs" foundation, was given a suspended sentence for illegal imprisonment of patients. On a similar accusation, in March of this year Albert Sazhin, director of a rehabilitation center of the noncommercial "Novosibirsk against drugs" foundation, was given a four-year suspended sentence. (tr. by PDS, posted 7 June 2011)

Counter-extremism agents harass Jehovah's Witnesses

Staff of "E" Center disrupt Jehovah's witnesses' worship in Adygei

SOVA (30.05.2011) / HRWF (07.06.2011) - <http://www.hrwf.net> - On 26 May 2011, officials from the center for combating extremism ["E"] arrived from Maikop at a house of one of the residents of the village of Krasnogvardeiskoe (republic of Adygei), where a meeting of Jehovah's Witnesses was going on. They explained their visit by citing a phone call that had been received, reporting that unknown persons had gathered in the house.

The officials were warned that their presence could interfere with a worship service; nevertheless the investigators entered, scattered about the rooms, and began filming. A book was snatched away from one of the believers in order to check its title with a list. A search was conducted in the house. The meeting was halted and believers dispersed to their homes. (tr. by PDS, posted 30 May 2011)

Jehovah's Witnesses charged with exclusivity

Trial for ban on Jehovah's Witnesses material resumed in Salsk

SOVA (27.05.2011) / HRWF (30.05.2011) - <http://www.hrwf.net> - It has been learned at the end of May that on 28 April 2011 a trial for finding five titles of Jehovah's Witnesses' materials extremist has been reopened in Salsk city court of Rostov province.

The focus is on the issue of the "Awake" magazine for December 2007, 2 issues of the "Watchtower" magazine of 1 and 15 December 2007, a booklet "Who really rules the world?" (1992 edition), and a brochure "Watch!" (2004 edition).

We note that the "Watch!" pamphlet has already been ruled extremist material by decision of the Zavodsk district court of Kemerovo of 28 October 2010. But on 30 December 2010 the Novouralsk city court did not find in it indicators of extremism.

The trial on a lawsuit from the city prosecutor of Salsk began 12 March 2009 and since then it has been recessed twice. On 20 January 2010 a judicial complex psychological-linguistic expert analysis was ordered. Staff members of the Yuzhnyi Regional Center of Expert Analysis, philologist Ekaterina Dailof and psychologist Olga Shipshina, along with a philosophy docent of Yuzhnyi Federal University, S.N. Astapov, were commissioned to conduct it.

It was not the first time that specialists of the Yuzhnyi Regional Center of Expert Analysis have given conclusions about Jehovah's Witnesses' material. It was there that an expert analysis was made on the basis of which in September 2010 the Rostov provincial court banned 34 items.

This time also the experts found that the Jehovah's Witnesses preach their own exclusivity. This is how they argued this thesis: "The situation of Jehovah's Witnesses in communist Albania was presented tendentiously. 'Several decades ago in a small mountainous country in southeast Europe there was a tiny group of fearless Christians. The communist government did everything possible to be rid of them.' It was true, in communist Albania Jehovah's Witnesses were a small group. But the quoted words create the impression that there were no Christians in Albania beside the Jehovah's Witnesses. Which is false since there also existed the Albanian Orthodox Church, and the Catholic church had its own adherents among Albanians. And these Christians also suffered pressure on the part of the communist state. Thus, through the context one sees the religious exclusivity of Jehovah's Witnesses which can be expressed in the thesis: 'only Jehovah's Witnesses are genuine Christians.'"

It is obvious that in this excerpt the propaganda of exclusivity is spun out of thin air. But even if more serious arguments were produced, it is impermissible to ban religious literature because of this since any religion preaches its own truthfulness and uniqueness.

State financing of church

Russian Supreme Court finds allocation of budgetary resources for constructing Russian Orthodox church (Moscow Patriarchate) legal

Portal-credo.ru (25.05.2011) / HRWF (30.05.2011) - <http://www.hrwf.net> - As the head of the Karelian division of the "Young Rights Advocates Group," Maksim Efimov, told Portal-credo.ru, at the beginning of May the Supreme Court of RF reviewed his private appeal against the determination of the republican Supreme Court in a lawsuit asking to find illegal a number of items of the legislative budgetary acts of a component element of the

federation whereby resources from the republic's budget subsidized the construction of a church of the *Russian Orthodox Church* in the Drevlianka microregion of Petrozavodsk.

The Russian Supreme Court fully agreed with the determination of the republican Supreme Court, issued at the end of January 2011, that confirmed the legality of decisions for financing the construction of the diocesan building.

Regional authorities made the decision for financing the construction of the church of St. Panteleimon in the Drevlianka microregion of Petrozavodsk out of the republican budget for the 90th anniversary of the republic of Karelia. The resources were allocated out of the expense section "Culture, Cinematography, News Media."

In the autumn of 2010 the Young Rights Advocates Group of Karelia sent a letter appealing to Archbishop of Petrozavodsk Manuil of RPTsMP to return 13 million rubles to the budget of a component element of the federation [i.e., a republic, province, territory, etc. of the Russian federation—tr.] which had been disbursed for the completion of the construction of the church. The rights advocates called to the bishop's special attention both the provision of article 14 of the constitution of RF proclaiming Russia a secular state and the budget deficit of the republic. They also suggested that the head of the Petrozavodsk diocese of the *Russian Orthodox church* provide a moral assessment of what had happened.

To an inquiry by the Young Rights Advocates Group of Karelia at the republican prosecutor's office relative to the consistency of this decision with the provision of the Russian constitution there came a reply citing the Budgetary Code of RF. According to the answer received, a religious organization was financed in accordance with the same rules as individual entrepreneurs and physical persons "who produce goods, labor, and services gratis in order to recover losses connected with execution of projects."

A different answer came to the rights advocates from the republican Ministry of Finance over the signature of the first deputy minister of finance of Karelia, Irina Akhokas. "The constitutional principle of the separation of religious associations from the state," this document points out, "was developed and confirmed in the federal law 'On freedom of conscience and religious association,' along with legislative guarantees of the noninterference of the state in the activity of religious associations. The indicated questions are not governed by the republican law 'On the budget for 2009.'"

The republican Ministry of Finance based the legality of allocation of means for the construction of a church on article 78 of the "Budgetary Code of RF." According to this document, allocation of subsidies from the budget of a component element of the Russian federation to legal entities other than state and municipal institutions is provided for "in instances and procedures determined by the law of a component element of RF regarding the budget of the component element of RF and is acceptable in accordance with normative legal acts of a higher executive office of state authority of a component element of RF for purposes determined by such acts."

In the opinion of Maksim Efimov, which he shared with a Portal-credo.ru correspondent, the reason for such a decision of the Russian Supreme Court lies in "the vaguely worded text of the State Procedural Code of RF of the conditions for satisfying such lawsuits, which permits the hypertrophy of the subjective moment in the adoption of judicial decisions and makes it possible to turn applicants—who are trying to appeal to the spirit and letter of the law--into political footballs.

Hundred thousands of Wahabis in North Caucasus

Interfax-Religiia (24.05.2011) / HRWF (26.05.2011) - <http://www.hrwf.net> - On 6 May 2011 in Sharya, Moscow, Russia - Roman Silantiev, an expert on Islam, has expressed concerns about the spread of radical Islamic ideas (Wahhabism) in the North Caucasus.

"Most of the Wahabis live in Dagestan (there are some 30,000 people there). In Ingushetia, there are some 10,000. Among the most problematic republics of the region is Kabardino-Balkaria. The percentage of radical Wahabis is high among the Muslims of the Stavropol Territory," Silantiev told Interfax-Religion at a presentation of the fiction collection Antiterror 2020 held in Moscow.

There is an active fight in Chechnya against Wahabis, but the problem remains. As for the people assisting and sympathizing with Wahabis in the North Caucasus, "they are in the hundred thousands," he said.

"In general, the percentage of Wahabis in Russian Islam reaches some 5%, and in the North Caucasus it is 10-15%. When their number exceeds 40%, it will mean that they have won," he said.

Speaking about the degree of radicalization of the Islamic clergy, the expert said there are no statistics on that, but he believes their number is "much less than a half."

At the same time, some people believe that the percentage of radical people among religious figures is higher than among ordinary Muslims "because Wahabis mainly work with the clergy, and the percentage of imams who sympathize with them is high," Silantiev said.

Many imams preach extremist views "out of fear for their life and under pressure from bandits," he said.

When asked how this situation can be changed, Silantiev said: "We need to provide more effective physical protection to traditional Muslims and more effectively force people who don't want to live in peace and those assisting them to leave in peace."

Survey shows only quarter of Russians think social and political activity of Orthodox Church excessive

Interfax-Religiia (19.05.2011) / HRWF (30.05.2011) - <http://www.hrwf.net> - According to data of sociologists, almost half of Russian do not consider the social and political activity of the Russian Orthodox Church to be excessive; on the contrary, only a quarter of those questioned (26%) agreed with this.

In the course of a Russia-wide survey conducted by the "Sreda" service and "Public Opinion" foundation among 1,500 persons, the question was posed: "From your point of view, is the allegation true or untrue that the social and political activity of the Russian church has become excessive recently?"

In all, 48% of those questions expressed their disagreement with this position.

The assertion regarding excessive activity by the church is considered untrue most often by respondents with higher or incomplete higher education. Also it is rarer for residents of small cities (fewer than 50,000 residents), settlements of urban type, and Orthodox Christians as a whole to agree with the assertion; 54% of Orthodox believers consider the assertion concerning its social and political activity untrue (or more likely untrue).

No definite opinion on the issue of the social and political activity of the Russian church was held by 27% of respondents. More often than others, Russians who had difficulty answering were those having education below secondary (42%), young people from ages 18 to 24 (36%), rural residents (32%), and Muslims (38%).

Russians who considered the social and political activity of the Russian Orthodox Church to be excessive recently constituted 26%. Among them, most were nonbelievers (36%), relatively well-to-do respondents who have money for a car (35%), and entrepreneurs and executives (32%). This group also contained students and scholars (33%).

Muscovites (36%) and residents of the Central Federal District (30%) more frequently than others call the activity of the church excessive. However, even among residents of the Central Federal District, 41% of those questioned did not agree that the social and political activity of the Russian Orthodox Church has become excessive.

More often than others, politically active citizens (49%) do not agree that the social and political activity of the church is excessive. By way of contrast, Russians who support the Liberal Democratic Party of Russia do agree somewhat more often than others.

Jehovah's Witness beaten at police station

Police officer beats Jehovah's Witness in Kostroma province

SOVA(12.05.2011) / HRWF (18.05.2011) - <http://www.hrwf.net> - On 6 May 2011 in Sharya, Kostroma province, police officers arrested a member of the local Jehovah's Witnesses congregation, Nikolai Golotaistrov.

Under pretext of conducting an investigation of the disappearance of a child, the policemen asked N. Golotaistrov to proceed to the Department of Internal Affairs, where two men in civilian clothes demanded that he name the addresses and surnames of other members of the congregation, and a third beat him about the face.

The interrogation with threats and abuse continued about two hours. (tr. by PDS, posted 13 May 2011)

Jehovah's Witnesses file third stage of appeal

Jehovah's Witness litigation with Roskomnadzor over ban of book production continues in appeal

Pravo.ru (06.05.2011) / HRWF (18.05.2011) - <http://www.hrwf.net> - The Watchtower Bible and Tract Society of Jehovah's Witnesses (Germany) and the Administration Center of

Jehovah's Witnesses in Russia religious organization have appealed in Federal Arbitration Court of the Moscow district a decision of lower instances which rejected the applicants' suit for finding the order of Roskomnadzor of 26 April 2010 invalid. The date for review of the appeal has still not been scheduled.

By its order Roskomnadzor annulled permission for distribution on Russian territory of foreign periodical publications "Awake!" and "Watchtower," which had been issued in 1997 by the Russian federation State Committee on the Press. As the agency reported, the permission was annulled on the basis of decisions of courts of the Russian federation that found a whole number of editions of these publications extremist. The publications were entered by the courts into the Federal List of Extremist Materials. An arbitration court of the city of Moscow on 27 October 2010 found Roskomnadzor's decision to be legal. The plaintiffs, who did not agree with this, filed an appeal in the Ninth Arbitration Court, but it confirmed the legality of this decision in January 2011.

The Watchtower Bible and Tract Society of Jehovah's Witnesses thinks that Roskomnadzor's decision violates the economic rights of the publisher, the "society." As its attorney told "Pravo.ru," the society publishes literature of the Jehovah's Witnesses in Germany and ships it to Russia. "Conditions in the last 20 years have been such that in order to satisfy the needs of adherents of the movement in Russia, half of the literature published by Jehovah's Witnesses has been in Russian," a representative of the society said. There are as many adherents of the Jehovah's Witnesses in Russia as in Germany, the society's attorney affirmed. He said that the organization acquired the printing press for 11 millions Euros especially for producing books in Russian in order to distribute them in RF. "Thus, Roskomnadzor's order violates our property rights. Production of books would become unthinkable if we cannot distribute them in Russia," the representative of the society declared. He added that since 1996 the contents of the books has not changed, which makes them no different from the contents of books of other religions. A representative of the Administrative Center of Jehovah's Witnesses in Russia maintained that Roskomnadzor's order restricts the rights of the society and the center to own, use, and distribute literature. He noted that books are provided by the society to the center at no cost, but it does not cover the expenses of the import of literature into RF (taxes, duties). In all, the attorney noted, the center lost 5 million rubles on importation.

The defendant did not acknowledge the suit. A representative of Roskomnadzor stated that in its order the agency relied on the decisions of Russian courts that found Jehovah's Witnesses' literature extremist. Judge Irina Kononova supported the conclusions of the defendant and denied the plaintiffs' requests.

Permission for distributing on Russian territory foreign periodical publications "Awake!" and "Watchtower" had been given to the company Wachtturm Bibel—und Traktat-Gesellschaft, Deutscher Zweig, e.V. The distributor of the publications was the Administrative Center of the Jehovah's Witnesses regional religious organization.

The European Court for Human Rights in Strasbourg (ECHR) in June 2010 found the decision of a Russian court to dissolve the "Jehovah's Witnesses religious society in Moscow" illegal and required Russia to pay the victims 70,000 Euros.

The lawsuit for banning the activity of the Jehovah's Witnesses organization was filed by a nongovernmental organization, "Committee of Salvation," in 1995. In March 2004 a district court in Moscow liquidated the religious congregation and banned its activity. The organization was found guilty specifically of enticing minors into a religious organization against their own will and without permission of parents, prompting believers to break with

their families, violation of the rights and freedoms of citizens, endangering their health, prompting suicide, refusing medical aid for religious reasons, and prompting citizens not to fulfill civic duties.

A decision of the Strasbourg court takes effect if the sides do not request within three months that the case be taken to the Grand Chamber of ECHR, which, in turn, may adopt a different decision.

Jehovah's Witnesses is an international religious organization. In the opinion of representatives of traditional confessions and a number of researchers it is a totalitarian pseudo-Christian sect. According to the calculations of the organization itself, in August 2009 it has around 7 million members. The activity of the Jehovah's Witnesses is forbidden in China, North Korea, Uzbekistan, Turkmenistan, Tajikistan, Saudi Arabia, Iran, Iraq, and a number of other countries. (tr. by PDS, posted 9 May 2011)

Far Eastern Orthodox Jewish community liquidated

Jewish religious society closed for violation of law requirements

Večernee Vesti Petropavlovsk (27.04.2011) / HRWF (18.05.2011) - <http://www.hrwf.net>
- A Kamchatka territorial court issued a decision regarding liquidation of the Orthodox Jewish "Petropavlovsk-Kamchatka Jewish Religious Society" of the Federation of Jewish Communities of Russia. The court granted the petition of the Administration of the Ministry of Justice of the Russian federation for Kamchatka territory for liquidation of the organization.

As the court's press service reported, the basis for making the decision was noncompliance on the part of the religious community with the requirement to make annual reports to the proper office regarding continuation of activity and to present accounts regarding its activity, regarding the personal composition of leadership bodies, regarding disbursement of financial resources, and regarding use of other property. This requirement is provided for by the federal law "On noncommercial organizations" and the decree of the government of the Russian federation "On measures for implementation of various provisions of federal laws regulating activity of noncommercial organizations."

Previously the religious society had been held administratively responsible for failure to submit the indicated information to a state agency.

Having reviewed the materials of the case, and taking account of the repeated violations by the religious society of the requirements of existing legislation, the court made the decision for liquidation of the local Orthodox Jewish religious organization, "Petropavlovsk-Kamchatka Jewish Religious Society" of the Federation of Jewish Communities of Russia and expunged information about this organization from the Unified State Register of Juridical Persons.

The decision has not taken legal effect and may be appealed to the Supreme Court of the Russian federation. (tr. by PDS, posted 10 May 2011)

Russian Protestants number about 1.5 million

More than 700 delegates attend 2nd congress of all Russian fellowship of evangelical Christians

Portal-credo.ru (27.04.2011) / HRWF (06.05.2011) - <http://www.hrwf.net> - The grand opening of the second congress of the All-Russian Fellowship of Evangelical Christians (VSEKh) was held in the evening of 26 April in the concert hall of the "Izmailovo" hotel complex of Moscow. As a Portal-credo.ru correspondent reports, more than 700 delegates from various regions of Russia, countries of the near abroad, Latvia, Germany, USA, and Israel gathered for the congress. The first VSEKh congress, that declared the creation of the new association of protestants of Russia, which is organized on the principle of confederation and does not have its own state registration, was held in the capital two years ago.

The VSEKh comprises ten registered centralized religious organizations (The "Good News" Association of Churches; Armenian Congregations of Evangelical Christians; Association of Churches of Evangelical Christians; "Unity" Association of Christian Churches; "Light of Truth" Assembly of Evangelical Christians; "The Bible Says" Association; Primorskoe Association of Missionary Evangelical Churches; Union of Churches of Evangelical Christians; Union of Messianic Congregations; and the "Gospel" Christian Union) and another three centralized organizations have the status of associate participants of the fellowship. The heads of all the associations constitute the VSEKh Council, whose president is Pastor Pavel Kolesnikov and executive secretary is Bishop Alexander Semchenko. As the bishop told the Portal-credo.ru correspondent, the president conducts all of the current organizational and coordination work and the executive secretary supervises the funding of the projects of the fellowship.

In his official report at the first plenary session of the congress Pavel Kolesnikov stated that VSEKh unites more than 700 local churches and congregations, and each of the centralized organizations has membership of from 3 to 127 local organizations. As the principal internal problem of VSEKh Pavel Kolesnikov pointed to the fatigue and "burn out" of many pastors after 20 years of hard work and he summoned rank-and-file members of the churches to help them in as many ways as possible, supporting rehabilitation programs for pastors. Bishop Alexander Semchenko added at the press conference summarizing the first day of the forum that the number of protestants in Russia has not been growing rapidly because of the departure abroad of activists and he noted that if several leaders had not emigrated, many churches would have been formed in Russia.

The first plenary session of the congress presented a colorful show where greetings to the guests and speeches by leaders of VSEKh were interspersed with performances by the "Salvation" and "Spirit" groups and Tatiana Belenkaia, against a background of music beacons surrounding an enormous VSEKh banner. Official greetings to the congress were delivered by representatives of the Russian presidential administration, the government of Moscow, the Commission on Affairs of Public Associations and Religious Organizations of the Russian State Duma, the Public Chamber of RF, the Department of External Church Relations of the Moscow patriarchate, the Russian Associated Union of Christians of Evangelical Faith, and other protestant associations of Russia, Germany, USA, and Israel. The congress was opened by the executive secretary of VSEKh, Bishop Alexander Semchenko. The first plenary session was closed by prayers of VSEKh pastors and participants of the congress for pastors. The lobby of the concert hall was filled with an extensive "Gallery of Ministries," where various protestant organizations displayed their products: books, audio and video materials, news media, web sites, souvenirs, services, and the like.

At the press conference on the results of the first day of the congress' work, Bishop Sergei Riakhovskii, the president of the Russian Associated Union of Christians of Evangelical Faith and a member of the Public Chamber of RF, commented on the relationship of the protestant community to initiatives for producing a religiously tolerant state emblem for Russia and the results of the first years of the experiment in teaching foundations of religious culture in Russian schools. On the whole, Sergei Riakhovskii does not think that it would be appropriate to change the state emblem and in his opinion to draw conclusions about the experiment would be premature. He figures that the number of protestants in Russia does not exceed 1.5 million "which is within the limits of statistical error." Nevertheless, he thinks that the state has made the first steps toward recognizing the protestant community as a "traditional confession" in Russia.

Judicial persecution of Jehovah's Witness continues

Prosecutor appeals acquittal of head of Jehovah's Witnesses branch in Altai

Portal-credo.ru (27.04.2011) / HRWF (06.05.2011) - <http://www.hrwf.net> - On 25 April, the prosecutor's office of the republic of Altai filed in the Supreme Court of the republic an appeal of the acquittal verdict in the case of Alexander Kalistratov, who was indicted under part 1 of article 282 of the Criminal Code of RF (arousing hatred), the SOVA Information and Analysis Center reports.

The prosecutor's office justifies the necessity of a repeat review of the case by saying that "the verdict of acquittal granted Kalistratov is baseless in view of the discrepancy between the conclusions of the court and the factual circumstances of the case and also in view of the incorrect judgment of the case." After the city court of Gorno-Altaysk prepares all the materials of the case for delivery to the Supreme Court of the republic, the date for review of the case will be announced.

We recall that Alexander Kalistratov, the head of the Gorno-Altaysk branch of Jehovah's Witnesses, was charged with distributing Witnesses' publication that had been ruled extremist by the Gorno-Altaysk city court in October 2009. On 14 April the Gorno-Altaysk city court completely exonerated Kalistratov because of the lack of evidence of a crime.

One of Jehovah's Witnesses declared innocent in historic criminal case in Russia

JW Official Website (14.04.2011) / HRWF (04.05.2011) - <http://www.hrwf.net> - The Gorno-Altaysk City Court just concluded a trial with profound implications for freedom of expression and religious belief in Russia. Judge Marina Sokolovskaya has issued a not-guilty verdict in the criminal case against Aleksandr Kalistratov, who is one of Jehovah's Witnesses.

The case was the first of its kind in Russia. Mr. Kalistratov was charged with inciting religious hatred or enmity; however, not one of the 71 witnesses in the case could testify that Kalistratov was guilty. Additionally, no evidence was produced during the six-month trial that substantiated the charge. Viktor Zhenkov, one of Mr. Kalistratov's defense attorneys, stated: "It is unmistakably clear that Aleksandr Kalistratov committed no crime. Today's ruling proves that the charges against Kalistratov and other Jehovah's Witnesses in Gorno-

Altaysk are totally without proper basis. These charges are really a misapplication of the extremist law."

When asked for his reaction to the verdict, Mr. Kalistratov responded: "I am grateful for the courageous stand that the judge took in issuing such a decision. I just hope that the ruling will be helpful to many of my fellow believers who continue to be prosecuted in Russia. It would be sad for other innocent Russian citizens to be subjected to illegal surveillance merely out of religious intolerance."

More than 7,500,000 of Jehovah's Witnesses in over 230 lands have been watching the developments in this case with keen interest. "Our fellow worshippers around the world and other observers of this case are rejoicing that the court confirmed that Kalistratov is innocent," states Vasily Kalin, Chairman of the Administrative Center of Jehovah's Witnesses in Russia. "This victory is a major step forward in the protection of freedom of worship."

Today's verdict is in harmony with the unanimous judgment of the European Court of Human Rights on June 10, 2010, which noted that Russian courts had clearly violated the rights of the Moscow Community of Jehovah's Witnesses. That judgment states that the Russian government "has a legal obligation . . . to put an end to the violation found by the Court and to redress as far as possible the effects."

"The main problem – the Law on extremism – remains"

By Rosemary Griffin

Forum 18 News Service (20.04.2011) / HRWF (0405.2011) - <http://www.hrwf.net> - Criminal prosecution of followers of Russia's readers of Muslim theologian Said Nursi and Jehovah's Witnesses continue, Forum 18 News Service notes. This is despite the acquittal on 14 April of Jehovah's Witness Aleksandr Kalistratov. Currently, 10 Jehovah's Witnesses and four Muslim readers of Said Nursi's works are facing trial.

Kalistratov faced the first post-Soviet trial of a Jehovah's Witness, which began on 20 October 2010. He was charged under "anti-extremism" legislation, Article 282, Part 1 of the Criminal Code (Entitled "Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"). Specifically, he was accused of giving away two copies of "What Does God Require of Us?" while knowing it had been banned by Gorno-Altaysk City Court – even though this ruling had not entered into force at the time of the alleged offence (see F18News 30 November 2010).

The long-running trial trial included 24 hearings and saw 71 witnesses testify.

On 14 April, Judge Marina Sokolovskaya read the Gorno-Altaysk City Court verdict, in which it was stated that in neither the pre-trial investigation nor the court hearings was it "proven that Alexander Kalistratov distributed the banned material in question". Kalistratov was therefore acquitted on the grounds that a crime had not been committed. A Court spokesperson, who would not give their name and refused to put Forum 18 through to Judge Sokolovskaya, refused on 18 April to comment further on why Kalistratov was found not guilty.

The spokesperson also would not state if and when the full text of the verdict will be released.

"The main problem – the Law on Extremism – remains"

"To be honest, the verdict did surprise me," Aleksandr Verkhovsky, director of the SOVA Center for Information and Analysis told Forum 18 on 19 April. "It's difficult to say what the verdict will mean for other cases. I would like this one to set a precedent but it depends a lot on the formal reasons why he was acquitted", he said.

Kalistratov himself, speaking on 14 April after his acquittal, stated that he was "grateful to the judge for finding within herself the courage to take such a decision. I hope that this verdict will be beneficial to my fellow believers, who as before are being persecuted in Russia. It would be sad if other innocent Russian citizens were also exposed to illegal observation just because of religious intolerance."

His Defence Lawyer, Viktor Zhenkov, stated on 14 April that the prosecution "serves as a clear example of the illegal application of the federal law "On Combating Extremist Activity".

Ziyautdin Dapayev, a Muslim from Dagestan also facing "anti-extremism" charges, told Forum 18 on 18 April that he is not sure how, if at all, the verdict in the Kalistratov trial will affect his case and similar cases. He sees intimidation and prejudice at a local level as a more decisive factor than verdicts in "extremism" cases elsewhere. Dapayev said that at each hearing in his trial that he has attended so far, members of the FSB security service have observed proceedings, which he believes is having "a psychological impact."

He pointed to the conduct of Moscow's Koptevo Court as further example of this. On 21 May 2007, the Court held a closed trial at which it ruled – in a highly controversial judgment – that the works of Said Nursi are extremist.

Dapayev is facing charges under Article 282.2, Part 2 ("Participation in a banned religious extremist organisation") of the Criminal Code.

"Of course it is a big victory for us", Jehovah's Witnesses spokesperson Grigory Martynov, told Forum 18 on 20 April. "But the main problem – the Law on Extremism – remains in place. Our publications are still banned and people who have committed no crimes continue to be investigated and prosecuted."

Will Prosecutor appeal against verdict?

Martynov also commented that "it is hard to say how this verdict will affect other cases. The first issue is whether the not guilty verdict will stand. The prosecutor may appeal."

The Prosecutor has ten days to formally appeal against the decision, and so will have to lodge the appeal by 25 April. A spokesperson at the Prosecutor's Office would not confirm or deny to Forum 18 on 19 April whether an appeal would be made. Gorno-Altai City Court told Forum 18 on 20 April that it has not yet received a formal appeal from the Prosecutor.

Trials continue

Dapayev continues to face trial in Makhachkala for allegedly belonging to a banned organization – "Nurdzhular" – which he and other Muslims insist does not exist. The group was banned by the Supreme Court in April 2008. Defenders of state action against Nursi followers routinely claim that his works are banned in Turkey, but this is not so. Readers of Nursi's works are also being linked in the Russian media with the American Central Intelligence Agency (CIA), which claim Muslims vehemently deny.

Dapayev told Forum 18 on 20 April that his legal team expects a verdict within the next month. "From a legal point of view, we have a good case," Dapayev said. "But from a political point of view we are not so confident."

The trial has already included 16 hearings and 27 witnesses and is set to resume on 31 April, after a break since 18 April. Court spokespeople contacted on 15, 19 and 20 April refused to comment on Dapayev's case. A case is also being prepared against three Nursi readers in Krasnoyarsk and Rashid Abdullov remains in pre-trial detention in Ulyanovsk.

Ten cases against Jehovah's Witnesses are currently being investigated. They are primarily investigations into the activity of individuals, although a case in Kemerovo involves a small group of Jehovah's Witnesses. "All these other cases are at the investigation stage – either law enforcement agencies are gathering evidence or the prosecutor is examining the cases," said Martynov.

European Court of Human Rights appeal

Russia's Nursi readers have taken Russia to the European Court of Human Rights (ECtHR) in Strasbourg for banning some Islamic texts. On 4 April the ECtHR began examining the admissibility of two complaints from Russian Muslims (Application number 1413/08) by Ibragim Ibragimov and the Cultural Educational Fund Nuru-Badi, against Russia.

The complaint, which was lodged on 3 December 2007, concerns the banning of 17 Islamic texts in August 2007 by the Buguruslan City Court in Orenburg Region; and the banning also in 2007 of Russian translations of some of Said Nursi's works by the Koptevo District Court in Moscow.

Ibragimov on 14 April sent Forum 18 a document in which the ECtHR asked Russia on 4 April to provide copies of the court verdicts and expert analyses used to prove the texts were extremist. Russia has also been asked to answer the following questions:

1. Did the ban on the distribution of books by Said Nursi pronounced in the judgement of the Koptevo District Court of Moscow of 21 May 2007, as upheld on appeal on 18 September 2007, interfere with the applicants' rights under Article 9 ("Freedom of thought, conscience and religion") of the European Convention on Human Rights and Fundamental Freedoms?

Was the interference prescribed by law?

Was it "necessary in a democratic society" within the meaning of Article 9 § 2 of the European Convention?

2. Did the ban on the distribution of above-mentioned books interfere with the applicants' freedom of expression guaranteed by Article 10 ("Freedom of expression") of the European Convention?

Was the interference prescribed by law?

Was it "necessary in a democratic society" within the meaning of Article 10 § 2 of the European Convention?

It is not known when the ECtHR will decide on whether the case is admissible.

Armed, drunken local official storms private Jehovah's Witnesses meeting

SOVA CENTER (22.04.2011) / HRWF (04.05.2011) - <http://www.hrwf.net> - On April 17, 2011, the Head of Administration for the Revyakino Municipality of the Irkutsk region forced entry to a private residence where a Jehovah's Witnesses meeting was underway.

Firing a pistol into the air, Leonid Frolov demanded an end to the meeting, and is reported to have broken furniture, assaulted two believers in attendance, and made death threats.

Participants in the meeting appealed to police for a criminal investigation of Frolov for threats of violence, abuse of office, incitement to hatred on religious grounds, and obstruction of the right to freedom of conscience and religion.

Jehovah's Witnesses meetings were also broken up in Novokuznetsk and the Rostov region on the same day.

More raids and trails, pressure on lawyers, defendant forced to resign from job?

By Rosemary Griffin

Forum 18 News Service (13.04.2011) / HRWF (18.04.2011) - <http://www.hrwf.net> - Raids by Russian authorities on on Jehovah's Witnesses and readers of the works of Muslim theologian Said Nursi for alleged "extremism" are continuing, Forum 18 News Service notes. Lawyers defending those charged with offences are also reportedly coming under pressure from the authorities, and Protestants in the far eastern Russian Republic of Sakha have received an intrusive questionnaire from the local police Centre for Combating Extremism. And Nursi readers face fresh disinformation, with strongly disputed claims that they are linked to the American Central Intelligence Agency (CIA).

Lawyer pressured

The defence lawyer for Jehovah's Witness Yelena Grigoryeva in the southern region of Astrakhan, Gulfira Zakaryeva, has been pressured by authorities to quit the case Jehoavha's Witnesses have claimed. However, Jehovah's Witnesses Spokesperson Grigory Martynov told Forum 18 on 5 April that Zakaryeva is still working as Grigoryeva's defence lawyer.

"Some of my relatives work in the legal profession" Zakaryeva is quoted by the Jehovah's Witness as saying. "FSB security service agents got to them, through people I would rather not name for my own wellbeing. They told them that I should leave my role in the defence or quit the legal profession overall, to avoid certain problems." Zakaryeva further described such attempts to put pressure on a defence lawyer as "illegal".

Both the local FSB in Astrakhan and their Press Office in the capital Moscow refused to confirm or comment to Forum 18 on her statement.

Grigoryeva is facing charges under under Criminal Code Article 282 ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity") for sharing her beliefs.

She is also accused - as are other Jehovah's Witnesses - of distributing printed material on the Federal List of Extremist Materials.

In 2007 the Federal List of Extremist Materials was created to centralise records of works that are banned. Those caught distributing works on the list face heavy penalties.

According to Martynov, this is the second instance of the authorities putting pressure on Jehovah's Witness defence lawyers. He told Forum 18 on 6 April of case in Asbest, in the Sverdlovsk region, "about a year ago. One of our lawyers was present when members of the local community were raided.

The lawyer tried to help them, he explained their rights to them and what the police officers were legally allowed to do."

The lawyer was, Martynov said, accused of preventing officers from entering the building, filming what happened and encouraging the congregation to do the same. Martynov said that authorities later attempted to ban the lawyer from practicing for "incorrect behaviour" The case was dropped, however, and the lawyer was allowed to continue working.

Ilham Merazhov, a reader of Said Nursi's works and Chair of the Committee on Education and Science of the Spiritual Directorate of Muslims of the Asian Part of Russia (part of the Council of Muftis chaired by Mufti Ravil Gainutdin), told Forum 18 on 12 April that the authorities have tried to persuade defence lawyers to drop cases involving Nursi readers.

But this is not the case for all lawyers defending Nursi readers on trial in Russia. Akhmed Kolobayev, a lawyer representing Nursi readers on trial in the Siberian city of Krasnoyarsk, told Forum 18 on 12 April that he has not experienced any pressure from local authorities while working on the case. "It is possible some of my colleagues have, but it is not something that I am aware of." Kolobayev said.

Accused forced to leave job?

Since the investigation into Jehovah's Witness Grigoryeva's case began, she has left her job as a social worker. Her house was raided on 8 February and she left her job on 11 February. Jehovah's Witness spokesperson Martynov told Forum 18 on 13 April that representatives of law enforcement agencies had visited the employer and recommended that they tell her to resign. She claims that she was told to do this of her own free will "to avoid any problems".

An Astrakhan police spokesperson told Forum 18 on 13 April that "it is unlikely any pressure was applied" to Grigoryeva to resign. The spokesperson, who would not give their name, refused to comment further on the case. The local police department in Aktubinsk also refused to comment on the case when contacted by Forum 18 on 13 April.

Staff working for Grigoryeva's former employer, the Department of Social Protection in Akhtubinsk declined to comment to Forum 18 on 13 April.

Raids continue in March

Raids on both Jehovah's Witnesses and Muslim readers of Said Nursi's works continued in March. The Jehovah's Witnesses stated that, on 29 March, three raids were carried out on Jehovah's Witnesses in Zabaykalsky Krai, in eastern Siberia. They were carried out by three officials including one from the local FSB security service, Lieutenant Dmitry Dogadin.

The first search took place at 7.00 am at Andrei Antonov's house, where only his wife and three year old disabled child were present. Without showing a warrant, the officials entered the house and started questioning his wife about her personal and religious life. Her husband was later questioned at his workplace.

Later that morning, at 11am the same group raided the house of Vasily and Lidia Bzovi, aged 78 and 74 respectively, and both invalids. Again no search warrant was shown and religious literature was confiscated. The couple were exiled in the Soviet era for their religious beliefs, and rehabilitated in 1993 as victims of political repression.

At 3pm the same day, the group raided the summer house of Valery Sarachuk. Sarachuk was taken to his flat, where without being shown a warrant his property was searched and he was questioned for two hours.

An official at the Zabaykalsky Krai bureau in Chita told Forum 18 on 5 April that they were aware of the raids, but refused to confirm Lieutenant Dogadin's involvement or whether a criminal case will be opened against those searched.

Nursi readers are also facing a similar pattern of raids followed by prosecution under anti-extremism legislation, with foreign nationals particularly vulnerable. Ilham Merazhov told Forum 18 that he thinks the situation is getting "worse", when he spoke to Forum 18 on 6 April. Six Nursi readers are currently being prosecuted in Russia, and the most recent raids took place at the end of March.

Merazhov also said that foreigners are being targeted more than Russian citizens "because they are easy to deport." According to a police report filed on 30 March, seen by Forum 18, a flat in Yaroslavl north-east of Moscow was searched by security services on that day. The search followed reports that inhabitants had extremist materials.

The raid on the property, which has been rented by Azeri national Kamil Isaev for over a year, lasted over two hours. Before searching the property, those present were read their rights and shown a copy of a court order permitting the search. At the time of the raid another Azeri citizen, Ramzi Ramazanov, was present, as well as Uzbek citizen Golibzhon Karimov.

Following the raid Karimov's passport and migration card were confiscated by police. The authorities issued him with a certificate valid until 16 April explaining this.

Officers confiscated books in Russian and Turkish, including some Nursi texts, as well as religious pamphlets and notebooks and a computer. Isaev told the authorities that all the books had been purchased by him, some in Turkey and Azerbaijan.

A spokesperson for the police in the Lenin region of Yaroslavl contacted by Forum 18 on 6 April said that the authorities are currently examining confiscated materials. "I cannot tell you yet whether a criminal case will be brought," said the spokesperson, who would not give their name.

As yet there have been no raids on Jehovah's Witnesses in April Martynov told Forum 18 on 13 April. Forum 18 is not aware of any raids on Nursi readers taking place in April.

Trials

Facing possible imprisonment for alleged distribution of works on the Federal List of Extremist Materials is Jehovah's Witness Aleksandr Kalistratov, who insists he has done nothing wrong. Other court cases instigated following raids on Nursi readers include the prosecution of four people in Krasnoyarsk and the trial of Ziyautdin Dapayev in Dagestan. Nursi reader and Azeri national Rashid Abdullov is also facing prosecution in Ulyanovsk after a raid on his flat. .

A verdict in the long-running Kalistratov trial is due on 14 April, Jehovah's Witnesses told Forum 18. A court spokesperson refused to give any further details of the Dapayev case to Forum 18 on 6 April 2011.

Ilham Islamli was the first Nursi reader to be convicted of extremism charges on 18 August 2010 .

In Tambov, south east of Moscow, a criminal case was opened against Jehovah's Witness Pavel Stregachev on 17 January 2011. He stands accused of inciting religious hatred under article 282 of the Criminal Code. The prosecutor initially refused to accept the case, calling for further investigation. A court official refused to provide more details to Forum 18 on 6 April.

A spokesperson for the police in the Lenin district of Tambov, would not give their name, confirmed on 6 April to Forum 18 that "our investigation began in spring last year". This was when there were three raids, the first such raids on Jehovah's Witness homes since the Soviet era. The raids included extensive searches for what a March 2010 order by Tambov's Lenin District Court described as "items, literature, memory sticks with propaganda of religious hatred" and "other documents, showing the religious organisation's activity".

Some of those prosecuted, such as Jehovah's Witness Lyubov Belimova, have received relatively light punishments for distributing "extremist" literature. On 18 March the Tver Central District Court, north of Moscow, upheld a decision by the city's Central Magistrate's Court to fine her 1000 Roubles (193 Norwegian Kroner, 25 Euros, or 36 US Dollars), and to confiscate and destroy printed materials. The original case followed surveillance of the local Jehovah's Witnesses community, following which Belimova was prosecuted for distributing 38 items of "extremist" material from 1 February 2010 to 11 October 2010.

Increasing pressure against religious literature distribution

These raids and trials take place at the same time as proposed legal amendments that would ban anyone, except registered religious organisations, from distributing religious literature. These have received initial backing from the Duma's Committee on Social and Religious Organisations, the first time such amendments have got so far.

The proposed new restrictions on literature distribution follow increased controls on religious activity, focussing on restricting the free publication and distribution of religious literature. Citing the need to crack down on alleged "extremism", a growing number of religious publications by Jehovah's Witnesses and Muslims (especially works by the Muslim theologian Said Nursi) have been banned by local courts.

Demands for intrusive information

The March 2010 raids on and searches of Jehovah's Witnesses in Tambov are part of a growing trend for the authorities to use extremism legislation to gather information about religious organizations - even if there is no legal obligation to provide such information.

Both Jehovah's Witnesses and Nursi readers have been targeted in ways that suggest that their believers and communities are closely watched by the police and FSB security service - both within and outside their communities. Internal government documents, from a wide geographic spread of regions, reveal that the campaign against both groups of religious believers is co-ordinated at a high level. Private employers and public libraries have also been ordered to co-operate in the campaign.

In the far eastern Republic of Sakha the authorities have sent a questionnaire demanding intrusive information from churches belonging to the Association of Evangelical Christian Churches of the republic. A spokesperson for the group told Forum 18 on 8 April that a number of its member churches have received a questionnaire from the local police's Centre for Combating Extremism.

The questionnaire asked for details of: their source of financing; the church leader or pastor's contact details and place of residence; a list of locations where worship services take place; the number of people attending these services; whether religious literature is distributed; a photograph of the director; when the most recent missionaries to arrive did so, where they operate and their aims; whether the community operates Sunday schools or children's summer camps; and if so how many children attend these groups and their personal details.

A spokesperson for the local police confirmed to Forum 18 on 8 April that the police are gathering information on the religious organizations. However, they refused to answer questions on how this information will be used, or whether criminal cases will be opened against those questioned.

This investigation into Protestants appears to be limited to Sakha.

Disinformation

Nursi readers are also being linked to the American Central Intelligence Agency (CIA). On 31 March 2011 Russian newspaper Izvestiya quoted former Turkish MIT secret police official Nuri Gündes. He claims that "Nurdzhular" allowed 130 CIA agents to work for it in Central Asia in the 1990s. Other Russian media outlets also reported these claims.

The claims are strongly contested in Turkey, and also by some retired CIA officials, and were briskly dismissed to Forum 18 by Nursi reader Merazhov as "nonsense". Gündes himself has been questioned as part of the Ergenekon investigations into a plot to overthrow the Turkish government.

"Nurdzhular" - which Nursi readers insist does not exist - was banned as an extremist organisation by Russia's Supreme Court in April 2008. Defenders of state action against Nursi followers routinely claim that his works are banned in Turkey, but official Turkish government documents viewed by Forum 18 state categorically that the theologian's works are not harmful in any way whatsoever and are freely available in Turkey.

Rhetoric from senior officials has attempted to link Nursi readers with terrorism.

Biased study of Jehovah's Witnesses literature admitted into court

Tambov: Investigation declares legality of religious studies expert analysis in extremism case by institution studying "Totalitarian sects" under sponsorship of orthodox diocese

Porto-credo.ru, (08.04.2011) / HRWF (15.04.2011) - <http://www.hrwf.net> - The regional subdivision of the Investigation Committee for Tambov province informed a follower of the Jehovah's Witnesses religious organization, Pavel Stegachev, who is a defendant in a criminal case for distribution of literature from the national Russian register of extremist materials, of the refusal to grant his petition for the disqualification of an expert, a Portal-credo.ru reports.

P. Stegachev and his attorney pointed out in their petition that the Center for Religious Studies Research of the Tambov State University (TGU) "cannot be considered" an expert institution in light of the fact that it "maintains close cooperation and joint activity" with the Tambov diocese of the RPTsMP, a priest of said religious organization is on its board, and the diocesan administration is a sponsor of the "Totalitarian Sects: Regional Aspect of Research" project being conducted by the center at TGU.

As the defendant indicated in his request, using an expert who represents another religious organization, which has its own set of ideas about doctrine and liturgical practice, is obviously not consistent with the purposes and tasks of a forensic expert analysis and it cannot produce an objective result.

The Investigation Committee for Tambov province did not find a basis for disqualification of either the expert organization or the expert representing it, a candidate of philosophy, Docent Tatiana Pronina. In its ruling, the investigation cited the fact that Pronina is an approved expert of the regional administration of the Russian Ministry of Justice for conducting state religious studies expert analysis. In addition, the document does not indicate that the competence of this office is restricted to conducting expert analyses of specific groups of believers seeking to obtain the status of legal person.

The investigators also did not find evidence of Pronina's interest in the outcome of this criminal case as the defendant and his attorney indicated: T. Pronina's assessment of the Jehovah's Witnesses publications is the judgment of a believer that is based on an unscientific premise.

On the contrary, the Tambov Investigation Committee called the request of the defendant for disqualification of the experts "a device of avoidance clearly intended to drag out the period of the investigation."

Hostility against building churches in Moscow turns violent

Unknown persons destroy framework of church being built in Moscow

Interfax-Religiia (12.04.2011) / HRWF (14.04.2011) - <http://www.hrwf.net> - The attackers destroyed the framework of an Orthodox church, which is being constructed in the Moscow region of East Degunino.

According to reports of eyewitnesses, the group of criminals comprised approximately 15 persons, Interfax-Religiia was told on Tuesday in a local Orthodox parish. Interfax still has not obtained commentaries from law enforcement agencies.

A week ago a public hearing was held in this region on the matter of the construction of the church. At that time, a small group of people burst into the room where the event was

taking place, who expressed themselves both against the construction of the church on the territory of the Dubka Part (Orthodox persons argued that the church would be built not on the area of vegetation but on the paved area), and also against a compromise version at lot 77 of Keramicheskii alley, proposed by Moskomarkhitektura.

One of the small number of opponents of the church insulted Orthodox believers, including priests, and another shook his fists at the Orthodox evangelist Andrei Kaplin, who was participating in the hearing. Threats were made against supporters of the construction of the church. Thus a video tape shows a woman speaking against the construction, who declared to one of the Orthodox: "Drop dead in your church!"

Pentecostals win legal appeal

Amur provincial court overturns decision against Blagoveshchensk "New Generation" church

Portal-credo.ru (11.04.2011) / HRWF (14.04.2011) - <http://www.hrwf.net> - The Legal College for Civil Cases of the Amur provincial court on 8 April overturned the decision of the Blagoveshchensk city court of 4 March 2011 banning the distribution of audio and video materials of the Blagoveshchensk "New Generation" church, the "Religiia i pravo" ["Religion and Law"] site reports.

We recall that the Blagoveshchensk city court on 4 March (10 March in its final form) partially granted the civil suit of the Blagoveshchensk prosecutor's office against the "New Generation" church of Christians of Evangelical Faith (Pentecostals). The court found illegal the use by this church of "medical technologies, including techniques of psychological and psychotherapeutic effect on the human psyche" and it banned the use of these "techniques" in church events. The court also banned the distribution of some "New Generation" materials. The list of 15 items included DVD disks with recordings of sermons and seminars, a recording of the "Bases for success" television program and the films "Cure for Cancer," "Armenia of the New Generation" and the talk-show "Men are from Mars; women are from Venus." According to a report of the Blagoveshchensk "New Generation" church, this was the fourth suit filed by the prosecutor against Pentecostals. At first the prosecutor tried to block weekend distribution of DVDs by the church, and then he required a license for distribution of "New Generation's" own materials. The third time he tried to have teaching of religion without a license found illegal. All three times the court took the Pentecostals' side. The fourth time the prosecutor filed a petition for conducting a forensic psychiatric expert analysis of the disks.

On 31 March 2011 the director of the Institute of Religion and Law, Roman Lunkin, sent an appeal to law enforcement agencies. His appeal specifically says: "In essence, for the first time since the soviet era an attempt has been made to prohibit Christian preaching and elements of Christian evangelistic activity on the basis of a psychiatric expert analysis. . . . Essentially a struggle is going on against a Christian church which has never been cited for any illegal actions, and inter-religious strife and enmity are being fanned in the region and grounds have been created for civil actions and statements in place of combating extremism. We ask offices of the prosecutor and FSB as well as the governor of Amur province to pay attention to the strained situation that has developed.

According to attorney Vladimir Riakhovskii, who represented the church in the court, the decision of the Amur provincial court of 8 April shows that the court can issue an objective decision. Now the case has been sent again to the city court, but it is time to end this shameful trial of believers, the attorney emphasized.

Followers of Krishna lose housing

Illegal settlement of Krishnaites liquidated outside Tomsk

Interfax-Religiia (11.04.2011) / HRWF (14.04.2011) - <http://www.hrwf.net> - Officers of the court on Monday carried out the decision of a court to demolish illegal structures in the so-called settlement of Krishnaites near the village of Kandinka, Tomsk province.

"Since September 2010, an officer of the court has three times ordered the debtors to raze the building and three times they have not fulfilled the court's decision, in connection with which the debtors were fined from 30,000 to 71,000 rubles. Today the court's decision was carried out and the last building was demolished," the press service of the provincial administration of the Federal Service of Officers of the Court told Interfax.

The agency's source also denied reports in local news media that special OMON forces have been patrolling the village.

"There are no OMON troops, prosecutors, police, or FSB there. There are only officers of the court and court security," he said.

In his turn, a former resident of the Krishna settlement, Elena Gantsevich, told the news agency that along with other activists she is now seeking an opportunity to appeal to the Russian Supreme Court with a request for finding the decision of the Tomsk regional court regarding demolition of the settlement illegal.

Members of the Tomsk Society of Krishna Consciousness intended to construct in the vicinity of the village of Kandinka a settlement of 57 dormitory buildings although local residents, the Tomsk diocese, and the Rosselkhoz nadzor administration had spoken against the construction, since the lands are in the agricultural rotation.

In August 2010 a Tomsk regional court ordered the Krishnaites to raze the illegally constructed settlement on agricultural lands near Tomsk owned by members of the "Kandinka" suburban noncommercial partnership.

Representatives of the society have often appealed to the court for a postponement of execution of the court's decision, but the court has denied these requests.

Verdict in significant Russian criminal trial to be announced April 14, 2011

Public defender: "Not guilty—not before the law, not before man, not before God!"

JW Official Website (01.04.2011) / HRWF (06.04.2011) – <http://www.hrwf.net> - On April 14, 2011, the Gorno-Altaysk City Court will announce the verdict in the criminal case against Aleksandr Kalistratov, who is one of Jehovah's Witnesses. He is being accused of inciting religious hatred and enmity under Article 282(1) of the Russian Federation Criminal Code.

During the six-month trial, not one of the 71 witnesses who were questioned could confirm that Kalistratov was guilty of inciting religious hatred or enmity. Additionally, Professor Aleksey Nagovitsyn, who spoke in court, declared that the 48 publications of Jehovah's Witnesses that served as the grounds for the bill of indictment in this criminal case neither in whole nor in part "contained an intent aimed at fomenting hatred or enmity, or the degradation of human dignity on the basis of religious orientation or affiliation with any social group."

Since no crime was committed in the case, and the charge lacks proper grounds, Kalistratov's attorneys have every basis for insisting on a verdict of not guilty. One of the defense attorneys, Viktor Shipilov, illustrated this point the following way: "If a triangle has no sides, then that geometrical figure itself does not exist, or, in our case—the crime [does not exist]." Mikhail Odintsov, Kalistratov's public defender, summed up the essence of the case: "Aleksandr Kalistratov is not guilty—not before the law, not before man, not before God!"

Despite the absence of evidence of a crime, the prosecuting attorney demanded that Kalistratov be sentenced to 160 hours of community service. Viktor Zhenkov, another of Kalistratov's defense attorneys, stated: "Any guilty verdict in this case, will result in not simply mandatory community service for Kalistratov; but will label all Jehovah's Witnesses in Russia as criminals."

The verdict will be announced on April 14 at 9:00 a.m. Jehovah's Witnesses in Russia, numbering more than 162,000, as well as their fellow believers worldwide await the outcome of one of the most significant criminal cases in Russia's modern day.

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Despite opposition, Jehovah's Witnesses cherish twenty years of official registration and growth in Russia

JW Official Website (29.03.2011) / HRWF (06.04.2011) – <http://www.hrwf.net> - On March 27, 1991, exactly 20 years ago, Jehovah's Witnesses in Russia were officially registered after enduring decades of persecution and oppression. The Charter of the Administrative Center of the Religious Organizations of Jehovah's Witnesses in the former U.S.S.R. was signed by a ranking official of the Ministry of Justice of the Russian Soviet Federated Socialist Republic. This official registration occurred on the one-hundred-year anniversary of the first Witnesses arriving in the country.

"After decades of persecution for our faith under an atheist government, which included being sent to prisons and into exile, we could let out a sigh of relief," recalls Vasily Kalin, chairman of the Presiding Committee of the Administrative Center of Jehovah's Witnesses in Russia. He added, "It is wonderful to see how many spiritually hungry people were able to gain knowledge of God and his wonderful purpose for the earth and mankind." There are now 162,182 people in Russia participating in the Bible education work of Jehovah's Witnesses. However, nearly 279,000 individuals in Russia attended the Memorial of Christ's death on March 30, 2010, which was observed simultaneously in 2,339 congregations of Jehovah's Witnesses throughout the country.

Each year, despite the propaganda being spread about Jehovah's Witnesses in Russia and a government sponsored campaign of harassment and mistreatment, thousands of Russian citizens are moved to discover for themselves the true nature of this Christian religion. "To be honest," admits Masha, a 19-year-old girl in Khabarovsk, "in the past, I would avoid Jehovah's Witnesses." However, after reading a few copies of the magazines published by the Witnesses, she changed her attitude. "It is all so very interesting and enlightening," writes Masha, "but most important, it makes you look at the world differently. I slowly began to understand why people are given a life to live." Last year, more than 6,600 people in Russia were baptized as Jehovah's Witnesses. Although their membership is increasing, Jehovah's Witnesses are still a religious minority in Russia, making up a very small percentage of the population.

Court heeds psychiatric assessment of Pentecostals

Blagoveshchensk court bans distribution of "New Generation" church materials

Sova Center (30.03.2011) / HRWF (31.03.2011) - <http://www.hrwf.net> - On 10 March, the Blagoveshchensk city court satisfied in part the civil suit filed by the Blagoveshchensk prosecutor against the "New Generation" church of Christians of the Evangelical Faith (Pentecostals). The court found illegal the use by the church of "medical technologies, including techniques of psychological and psychotherapeutic effects on the human psyche" and forbade the use of these "technologies" during church events.

The court also banned distribution of a number of "New Generation" materials. Among the 15 items in the list were DVD disks with recordings of sermons, recordings of "New Generation" seminars, recordings of the "Foundations of Success" television program, and the films "Cure for Cancer," "Armenia of the New Generation," and the talk-show "Men are from Mars, Women are from Venus." In the opinion of the court, the contents of these materials "may have a negative impact on the psychological health of a person."

The court declined to grant the request of the prosecutor to ban distribution of recordings of the Easter program "Exodus," the "Honoring Parents" project, and the diary of the "Amur Samson" competition.

According to the report of the "New Generation" Blagoveshchensk church, this was the fourth suit filed by the prosecutor against Pentecostals. Originally the prosecutor challenged the weekend distribution of DVDs by the church, and then he required a license for the distribution by "New Generation" of their own materials. The third time he sought for the teaching of religion without a license to be found illegal. All three times the court took the Pentecostals' side.

The fourth time the prosecutor filed a petition for conducting a judicial psychiatric expert analysis of the disks. The court ignored the objection of the church's attorney that Russian legislation does not provide for the conducting of psychiatric expert analysis of inanimate objects, and it sent the disks with recordings of sermons and singing for psychiatric expert analysis. It was conducted by employees of the Khabarovsk territorial psychiatric hospital.

Church elder Mikhail Darbinian maintains that "most of the Khabarovsk conclusion is a case of plagiarism, as it mainly consists of quotations from the scientific work of Professor Kondratiev that was posted more than ten years ago on the Internet."

On the basis of this expert analysis, the court banned the distribution of the materials. At the same time, the court paid no attention to the conclusion of the Plenipotentiary for Human Rights of RF, Vladimir Lukin, that this conclusion was baseless. The church intends to appeal the court's decision.

Proposed restrictions on religious literature distribution

By Mikhail Frolov

ReligioPolis (25.03.2011) / HRWF (28.03.2011) - <http://www.hrwf.net> - Russian news media have reported that the Belgorod provincial дума presented for consideration in the State Duma a draft of a federal law for introducing amendments into article 17 of the federal law "On freedom of conscience and religious associations" and article 5.26 of the Code of the Russian Federation on Administrative Law Violations. How will this affect the liberties of believers in our country?

In particular, the deputies propose "improving" the provisions of point 1 of article 17 of the federal law of 26 September 1997 "On freedom of conscience and religious association" with the following formulation:

"Distribution of religious literature and printed, audio, and video materials and other items of religious contents may be conducted only by persons who are participants of religious organizations or by other persons who are authorized by religious organizations."

In addition, the authors of the draft law propose establishing administrative liability in the form of a fine of 1,000 rubles for violation of the proposed standards of the law and supplementing article 5.26 of the Code of the Russian Federation on Administrative Law Violations with a new form of law violation.

However, the proposed draft law suggests substantially restricting the citizens' right, guaranteed by article 28 of the Russian constitution, of disseminating their religious views, making this right depend upon citizens' participation in some registered religious organization or religious group, as well as upon the permission of this religious organization or group.

Such attempts were already made previously and they were rejected. In particular, when the government of RF officially withdrew the draft law "On introducing an addition to chapter III of the federal law 'On freedom of conscience and religious associations,'" the following was noted:

"The constitution of the Russian federation and federal law of 26 September 1997 'On freedom of conscience and religious associations' have already established rules regulating the activity of religious associations, including dissemination of faith.

"From article 28 of the constitution of the Russian federation in keeping with its articles 14, 19 (parts 1 and 2) and 30 (part 1) it follows that freedom of religious confession entails the freedom of creation of religious associations and freedom of their activity on the basis of the principle of legal equality. In accordance with article 28 of the constitution of the Russian federation and article 3 of the federal law 'On freedom of conscience and religious associations' every person has the right to disseminate religious convictions." (site of the Russian State Duma)

Especially disturbing is the use of such a fuzzy formulation as "and other items of religious contents." In the absence of precise definition of the concept of "religious contents," such a formulation could include generally any books that contain a mention of God, to say nothing of esoteric wares.

It cannot be ruled out that the authors of this draft law are pursuing a quite specific goal: restricting the dissemination of religious views (which usually are disseminated by religious literature and printed, audio, and video materials) to just the activity of religious organizations, which, in turn, will be much easier to control and for which it will be much easier to create obstacles to their activity, entailing at the level of the component parts of the Russian federation arbitrary additional demands upon the activity of religious associations. For example, some provincial law (and such laws already exist) could demand of a preacher mandatory notification of the provincial administration of his itinerary, or the number and nature of meetings, or submission of notarized copies of a series of documents to the "authorized agency."

And besides, to which organization (if the absurd amendments should be adopted) will a citizen have to report if he wishes to give a birthday present to friends and relatives of, let's say, a Bible, Quran, or Baghavad-Gita? And by no means will all of our police officers be able to distinguish religious literature from scholarly religious studies.

Unregistered Baptists denounce proposed law on literature distribution

Initsiativniki Baptists request Russian President to reject draft law restricting freedom of conscience and confession

Portal-credo (22.03.2011) / HRWF (28.03.2011) - <http://www.hrwf.net> - Muscovite Evangelical Christians-Baptists (Initsiativniki), in a letter to the president of the Russian federation, expressed concern over the contents of a draft of a federal law ("On introducing amendments to article 17 of the federal law 'On freedom of conscience and religious association' and article 5.26 of the Code of the Russian federation on administrative law violations,") that was introduced into the State Duma of RF by the Belgorod provincial duma, a Portal-credo.ru correspondent reports.

In particular, the draft reads: "Distribution of religious literature and printed, audio, or video materials and other items of religious contents may be conducted only by persons who

are participants of religious organizations or other persons authorized by religious organizations." An explanatory note to this draft law says: "The proposed draft law intends to forbid the activity by persons who are not participants of religious organizations and who are not authorized by a religious organization of distribution of religious literature and printed, audio and video materials and other items of religious contents, while establishing responsibility for conducting such activity."

In the believers' opinion, such statements grossly distort the sense of provisions of the constitution and norms of international law that guarantee the right to freedom of conscience and religious confession; "the draft law contains crude violations of the constitution of RF (art. 28; 29, point 4); the existing federal law 'On freedom of conscience and religious associations' (art. 3, point 1), and the International Agreement on Civil and Political Rights (art. 18, point 1; 19, point 2)."

The letter, which is signed by 80 believers, says that "every individual persons has the right to profess and to disseminate religious convictions and this right is in no way dependent upon his membership in any religious organization. At the same time, it would be natural to assume that a person who professes some religious teaching would suggest to another person who wishes to become acquainted with the bases of such teaching that he read appropriate religious literature or to present to him some book. According to the proposed draft law, the right to present to another person a book of religious contents will be possessed only by someone who 'is a participant in a religious organization,' or 'is authorized by a religious organization.' Thus, the authors of the draft law effectively propose to forbid citizens who are not members of some religious organization from freely disseminating their religious convictions. This means that the draft law that was introduced into the State Duma is intended to severely restrict in the Russian federation one of the basic human rights guaranteed by the constitution of the state, the right to freedom of conscience and religious confession."

A letter by P.D. Peters, a minister of the Evangelical Christian-Baptist church, says that this draft law "proposes to now remove the function of regulating the rights of freedom of dissemination of religious convictions from the constitution and transfer it to religious organizations. This would lead to the confounding of state and church and the elimination of the provision concerning the separation of the church from the state (RF constitution, art. 14, point 2) and to the creation of a powerful alliance for repressing believers who are in religious groups. I wish to call your attention to the fact that the expression of contempt for one article of the Fundamental Law of Russia, the Russian constitution, is expression of contempt for the Russian constitution as a whole. The introduction into the State Duma for consideration of drafts of laws that contradict the constitution actually is an attack on the state structure of Russia."

The letters conclude with the request for taking measures for observing the constitution of RF and preserving the right to freedom of conscience and religious confession.

Concerted campaign against Jehovah's Witnesses

ReligioPolis (24.03.2011) / HRWF (28.03.2011) - <http://www.hrwf.net> - On Thursday, 24 March 2011, it was learned that on 17 March there was another incident demonstrating the deliberate persecution by the political authorities of believers of the Jehovah's Witnesses in the Moscow suburbs.

As was reported earlier, demonstrative actions of violation of the rights of religious citizens and disruption of worship services were undertaken by the authorities on 16 and 18 March 2011 in the Moscow suburbs of Dubna and Istra.

This time officers of the recently renamed "organs" arrested two members of the Jehovah's Witnesses religious organization, Ekaterina Zharenova and Maria Kuriatnikova, on the street in the city of Ivanteevka. The believers' possession of documents that obviated the need for arresting them in order to identify them did not prevent Sgt. Pavel Kopylov and his partner from taking the believers to the local internal affairs department.

The women were taken to different offices in this investigation agency for questioning by detective Sergei Nemigalov and criminal investigator Oleg Mironov. The questioning turned out to be rather strange. Thus the appeal of one of the believers to the constitutional guarantees of freedom of conscience and religious confession made the more emotionally unstable of the agents of the "organs," Nemigalov, furious. He began shouting at the woman, threatening to put her into a cell and leave her there until morning. In the opinion of the internal affairs officers, which they expressed freely to the one being questioned, "the 28th article of the constitution applies only to Orthodox believers and Jehovah's Witnesses is a sect," and that "the European court is nonsense, we have our own Ivanteevka court," and in this particular case they "did not arrest" the believers but only "restricted their liberty."

After this the women were thoroughly searched and everything was taken from their handbags and pockets and all existing literature and the Bible were confiscated and after four and a half hours, when it was already nighttime, they were dismissed from the internal affairs building.

Will Duma approve "anti-Constitutional" religious literature restrictions?

By Felix Corley

Forum 18 (24.03.2011) / HRWF (28.03.2011) - <http://www.hrwf.net> - Proposed Russian legal amendments that would ban anyone except registered religious organisations from distributing religious literature have received initial backing from the Duma's Committee on Social and Religious Organisations, Forum 18 News Service has learned. The Committee has set 30 April as the deadline for comments on the amendments, which also impose fines for this "offence", and are an initiative of the Duma of Belgorod Region. In May the Committee will review the draft in the light of comments and either pass it to the full Duma or reject it. Some do not think the draft will be adopted, but it has aroused concern from human rights defenders and some religious communities. Similar proposals have regularly been made, but this is the first time to Forum 18's knowledge that such a proposal has had initial Committee backing. It is unclear how much support this proposal has among senior Russian political figures.

Proposed amendments to Russia's 1997 Religion Law that would ban everyone except for registered religious organisations from distributing religious literature - and amend the Administrative Violations Code to fine those distributing religious literature without a registered religious organisation's approval - received the initial backing of the Committee on Social and Religious Organisations of the State Duma in Moscow on 18 March, Forum 18 News Service has learned. The Committee has set 30 April as the deadline for comments on the amendments and aims for their consideration by the State Duma in June 2011.

The proposals – which are available on the website of the State Duma - came at the initiative of the Duma of Belgorod Region. Some do not think the amendments will be adopted, but they have aroused concern from religious freedom defenders and some religious communities.

"Sergei Popov, our Committee chair, did not endorse this draft Law on 18 March, merely approved it for further distribution and consideration," a staff member of the Duma's Committee on Social and Religious Organisations told Forum 18 from Moscow on 24 March. "All is being done according to parliamentary procedure."

Stepan Medvedko, a Committee aide who is handling work on the amendments, told Forum 18 the same day that the next stage is a meeting of the Committee's Expert Council on 4 April to discuss the draft amendments. He said government agencies have until 30 April to provide their comments. In May the Committee will review the draft in the light of comments and either pass it to the full Duma or reject it.

If approved by the State Duma, the amendments would also need to be then approved by parliament's upper house, the Federation Council, and signed by President Dmitry Medvedev before becoming law.

Stressing that he was speaking personally "as an expert", Committee aide Medvedko told Forum 18 the draft will not be adopted "because it restricts the rights of citizens and the formulation is not correct". He pointed out that were it to be adopted, not only would distribution of religious materials by unregistered religious communities be banned and punishable, so would sale of religious books in commercial bookshops and personal gifts of religious books.

Medvedko repeatedly stressed, however, that not he but State Duma deputies will be taking the decision to approve or reject the amendment.

Forum 18 notes that amendments to the Religion Law and other laws to increase restrictions on religious activity are regularly proposed. However, few ever reach the stage of being approved by a State Duma Committee, let alone reach the full chamber. Yet this is the first time to Forum 18's knowledge that such a proposal has had initial Committee backing. It is unclear how strong backing for the proposal is among senior Russian political figures.

"They are so stupid"

One Moscow-based religious freedom advocate is sceptical that the amendments will be adopted. "They are so stupid and clearly violate the Constitution," the individual who asked not to be identified told Forum 18 on 24 March. "I doubt they will be adopted. How can they be?"

Alexander Verkhovsky, director of the Moscow-based Sova Center, which monitors religious freedom violations, says that the proposal clearly restricts the free distribution of religious literature and violates Russia's Constitution. "It also widens the restrictions on the activity of unregistered religious groups already set out in the Religion Law," he told Forum 18 on 23 March. He added that if adopted, it would also harm commercial bookshops which sell religious literature.

Verkhovsky says the ideas in the proposal have many backers, including the Duma's Committee on Social and Religious Organisations and its Chair Popov.

"But the formulation of this draft is such that simple common sense should not allow deputies to adopt it," he told Forum 18. He believes that even if it does pass its first reading in the Duma, it is likely that it will be rejected on the second reading, or be effectively halted by being indefinitely postponed.

Draft Law "clearly violates" Constitution

Some religious communities are highly critical of the proposals. For example, about 80 members of an independent Baptist congregation in Moscow led by Pyotr Peters complained that the draft Law "clearly violates" the Constitution, the Religion Law and the International Covenant on Civil and Political Rights, according to the religious news website Portal-credo.ru.

"Every individual has the right to profess and spread their religious convictions, and in no way can this right be conditional on their membership of a [registered] religious organisation."

Mikhail Frolov, the lawyer for the Centre of the Hare Krishna's of Russia, similarly points out that the amendment would restrict individuals' rights under Article 28 of the Constitution not only to hold religious beliefs but to spread them. "It seems to me that the authors of this draft are following a very concrete aim: to limit the spreading of religious beliefs, which is usually done through literature and recordings, to religious organisations only," he told Forum 18 from Moscow on 24 March. "Religious organisations are much easier to control and restrict."

Frolov points out that local religion laws in different regions of Russia already impose "arbitrary extra demands" on people spreading their faith.

Aleksandr Filin, a lawyer who has often defended Jehovah's Witnesses, told Forum 18 that his personal view is that Russian law – including Article 28 of the Constitution – and the country's international human rights commitments guarantee the right to spread religious views, including through the use of literature and other materials.

"The rights set out in Article 28 of the Constitution cannot be restricted, even for example during martial law or other emergencies", Filin stressed to Forum 18 on 24 March. "I see the aim in this – and similar earlier proposals – is to link individuals closely to registered religious organisations. Any individual's activity – whether preaching, distributing literature or giving education – would have to be done in the name of the religious organisation, which would allow the authorities to exercise control. This would also allow bans on their activity, liquidation or other legal punishments."

Other legislative proposals

Similar proposals to those of Belgorod Region's Duma have regularly been made, such as a currently proposed amendment to Article 5 of the Religion Law. This would require religious communities to have the written permission of both parents before a child under the age of 18 can take part in religious activity, and came from the parliament of the North Caucasus republic of Kabardino-Balkaria. It reached the State Duma on 22 January, its website notes. The Committee on Social and Religious Organisations initially approved the proposal on 8 February and set the deadline for comments of 1 April. This proposal too is due to be discussed by the Expert Council on 4 April.

Article 104 of Russia's Constitution names Regional Dumas as one of the types of state bodies able to initiate new federal legislation.

In 2009, proposed Justice Ministry amendments to the 1997 Religion Law and the Administrative Violations Code proposed draconian controls on religious activity. However, they were removed from the Ministry's website within a month of being proposed after protests from religious communities.

Increased controls

The proposed new restrictions on literature distribution follow increased controls on religious activity, focussing on restricting the free publication and distribution of religious literature. Citing the need to crack down on alleged "extremism", a growing number of religious publications by Jehovah's Witnesses and Muslims (especially works by the Muslim theologian Said Nursi) have been banned by local courts. In 2007 the Federal List of Extremist Materials was created to centralise records of works that are banned. Those caught distributing works on the list face heavy penalties.

Facing possible imprisonment for alleged distribution of works on the Federal List is Jehovah's Witness Aleksandr Kalistratov, who insists he has done nothing wrong. He went on trial in Gorno-Altai in October 2010. A verdict in the long-running trial is due on 14 April, Jehovah's Witnesses told Forum 18.

Belgorod's proposed restrictions

The proposed amendments to the Federal Religion Law and Administrative Violations Code would add one clause to Article 17 of the Religion Law: "The distribution of religious literature, printed, audio and video materials and other objects of religious designation can be carried out only by those people who are participants in religious organisations or by other persons authorised by religious organisations."

"Religious organisations" are in Russian law the higher-level registered religious communities, meaning that if adopted, rights to distribute religious materials would no longer extend to "groups", who are unregistered.

The amendments would also add a new point to the Administrative Violations Code, Article 5.26 Part 3: "The distribution of religious literature, printed, audio and video materials and other objects of religious designation by people who are not participants in religious organisations or by persons not authorised by religious organisations attracts the imposition of an administrative fine on citizens of between 500 and 1,000 Roubles."

The wording of the amendments does not make clear if specific authorisation would be needed for participants of a religious organisation, from the organisation itself, or whether such authorisation is needed only by those who are not participants - such as commercial entities. The 1997 Religion Law does not define the term "participants".

Why?

On 24 February, deputies of Belgorod Regional Duma voted unanimously to submit these proposed amendments to the State Duma in Moscow for nationwide adoption, the Region Duma website noted. The Regional Duma assigned to its First Deputy Chair Aleksandr Sklyarov the responsibility to liaise with the State Duma in Moscow over the amendments. The Chair of the Regional Duma, Ivan Kulabukhov, urged that the amendments be adopted.

In its three-page note explaining why it believes the amendment is "necessary", the Regional Duma claimed that the number of religious communities "actively propagandising their religious views" – including through the use of publications - has grown. It claims, wrongly, that the 1997 Religion Law gives "only" registered religious organisations the right to distribute such materials. In fact, the Religion Law contains no restrictions on distributing religious publications.

Belgorod's note claims that cases occur "everywhere" where people not authorised by religious organisations distribute such literature. It accuses many of them of working "not in good conscience" by for example claiming the "superiority" of one faith over others. It claimed that some people "deliberately distort the bases of the faith they are spreading, leading citizens into error".

Regional Duma Chair Kulabukhov sent the proposed amendments on 3 March to the State Duma in Moscow, which registered them on 4 March, documentation on the Regional and State Duma websites reveal.

Neither Kulubakhov nor Sklyarov were available when Forum 18 tried to reach them on 24 March.

Belgorod's track record of religious restrictions

Verkhovsky of the Sova Center is not surprised that the initiative came from deputies of the southern Russian region of Belgorod, which borders Ukraine.

"The Belgorod authorities are the constant source of initiatives undermining the constitutional principle of the secularity of the Russian state," he told Forum 18.

Belgorod Region has long had more restrictive laws governing religious activity than federal laws. Its restrictive 2001 Law on Missionary Activity encouraged several other regions to produce their own anti-missionary laws.

In July 2002 the regional Administrative Violations Code introduced Article 6.8 to punish "harassment with the aim of imposing religious convictions". Fines under this Article were initially small, but were sharply increased in 2007 and 2009 (when the use of "printed publications of missionary content" was added). Also introduced in July 2002 was Article 5.5 (later renumbered 5.1.12), "violation of the procedure for carrying out missionary activity". In 2010, Jehovah's Witness Sergei Ishchenko was fined 1,000 Roubles under Article 6.8 and a further 500 Roubles under Article 5.1.12 for not having missionary accreditation.

Imposition of the controversial Foundations of Orthodox Culture course in state schools has gone furthest in Belgorod Region, where it was introduced as a compulsory subject for all pupils in 2006.

Verkhovsky of the Sova Center told Forum 18 that if the proposed amendments fail in the State Duma, "this should be a signal to the Prosecutor's Office" to check the legality of Belgorod Region's own Missionary Law.

Chechnya enforcing Islamic dress code

Women attacked, intimidated as Moscow officials look the other way

HRW (10.03.2011) / HRWF (14.03.2011) - <http://www.hrwf.net> - Chechen authorities are enforcing a compulsory Islamic dress code for women and condoning violent attacks on women deemed to dress immodestly, Human Rights Watch said in a report issued today. Russia's federal government has done almost nothing to respond to these violations of women's rights in Chechnya.

The 48-page report, "You Dress According to Their Rules: Enforcement of an Islamic Dress Code for Women in Chechnya," documents acts of violence, harassment, and threats against women in Chechnya to intimidate them into wearing a headscarf or dressing more "modestly," in long skirts and sleeves to cover their limbs. The documented attacks by unidentified men believed to be law enforcement officials took place from June through September 2010 in the center of Grozny, the Chechen capital.

"These attacks against women are outrageous, and the alleged involvement of law enforcement officials is of special concern," said Tanya Lokshina, Russia researcher at Human Rights Watch. "The Kremlin should publicly and unambiguously make clear, in particular to the Chechen authorities, that Chechen women, like all Russians, are free to dress as they choose."

The Russian government also should ensure that the attackers are prosecuted, Human Rights Watch said.

The attacks and the dress code policy are parts of a quasi-official "virtue campaign," which Chechen officials began several years ago in the republic. The campaign breaches freedom of religion, freedom of conscience, and the right to personal autonomy and expression, guaranteed by Russia's constitution and international human rights obligations, Human Rights Watch said.

As part of this campaign, despite the absence of any legal basis for doing so, local authorities prohibit women from working in the public sector if they do not wear headscarves. Education authorities require female students to wear headscarves in schools and universities.

Gradually, throughout 2009 and 2010, the authorities broadened their enforcement of this de facto "headscarf rule" to other public places, including entertainment sites, movie theaters, and even outdoor areas. These measures are strictly enforced and publicly supported by the Chechen leader, Ramzan Kadyrov, who was appointed directly by the Kremlin. In numerous media interviews, Kadyrov has said openly that he considers women inferior to men and that it is women's duty to obey men and keep themselves covered up so as not to tempt men into violating Islamic morality.

Last summer's attacks signaled a dramatic intensification in the headscarf campaign. Unknown men, mostly dressed like local law enforcement officials, shot dozens of women in Grozny with paintball guns for wearing clothes deemed to be revealing and for failing to cover their hair. The men also distributed leaflets stating that the paintball shootings were a preventive measure aimed at making women wear headscarves and threatening that women who refused would face more "persuasive" measures. All of the 31 women interviewed by Human Rights Watch for this report unanimously interpreted this as a threat to use real weapons instead of paintball guns.

In a televised interview in July 2010, Kadyrov expressed unambiguous approval of the paintball attacks by professing his readiness to "give an award to" the men engaged in them and arguing that the targeted women deserved this treatment.

At the start of Ramadan in mid-August 2010, groups of men in traditional Islamic dress claiming to represent the republic's Islamic High Council started publicly shaming women in the center of Grozny for violating their interpretation of Islamic modesty laws. They handed out brochures with detailed descriptions of appropriate Islamic dress for women and instructed them to wear headscarves, skirts that fell well below the knees, and sleeves well below the elbow.

Aggressive young men joined the purported council envoys, pulling on women's sleeves, skirts, and hair, touching the bare skin on their arms, accusing them of dressing like "harlots" and making other humiliating remarks and gestures. In interviews with Human Rights Watch, over 30 victims and witnesses described a pattern of harassment that continued throughout Ramadan and that in some cases involved law enforcement authorities as enforcers of the women's dress code.

"When a public official like Ramzan Kadyrov praises violence and speaks of women in inferior terms, he is openly encouraging attacks and humiliation of women," Lokshina said. "This is absolutely unacceptable, yet Russian authorities seem to make no efforts to rein him in."

Russia's Prosecutor General's Office has directed Chechen authorities to look into the paintball attacks. But the federal authorities have taken no further steps to put an end to the enforcement of a compulsory Islamic dress code and have failed to indicate in any public way that Kadyrov's justification of violence against women is unacceptable.

Human Rights Watch has criticized the governments of Germany, France, and Turkey for violating religious freedoms by banning religious symbols in schools and denying Muslim women the right to choose to wear headscarves in schools and universities. By the same token, women and girls should be free not to wear religious or traditional dress.

Human Rights Watch called on the Russian government to condemn publicly the enforcement of a compulsory Islamic dress code on Chechen women. The Russian government should also ensure access to the region for international monitors, including the UN Special Rapporteurs on violence against women and on freedom of religion, and empower Chechen women to enjoy their right to personal autonomy, Human Rights Watch said.

"The Russian government needs to stop tolerating Chechnya's unlawful gender policies," Lokshina said

European Court of Human Rights "obviously ignored"

By Rosemary Griffin

Forum 18 (02.03.2011) / HRWF (07.03.2011) - <http://www.hrwf.net> - Russian Jehovah's Witnesses and Armenian Catholics continue to struggle to register with Moscow city authorities. Their difficulties registering in the capital are in contrast to recognition of both communities at a federal level, as well as local authorities' willingness to register their communities in other parts of Russia. For the Jehovah's Witnesses, this fits a pattern of

nationwide repression, including intimidation and criminal prosecution of their followers. Meanwhile Vladimir Ryakhovsky of the Slavic Centre for Law and Justice, the lawyer for the Armenian-rite Catholic community, told Forum 18 News Service that he is not optimistic about their next court hearing. However, he relishes the prospect of taking the case to the Constitutional Court as he thinks the current Religion Law is unconstitutional.

Ryakhovsky's colleague Inna Zagrebina has also identified a trend of nationwide interference in religious organisations' activity, with the authorities increasingly demanding information religious communities are not legally bound to provide.

"Obviously ignored the ruling of the European Court"

The Jehovah's Witness community in Moscow was dealt a blow on 15 February 2011, when Judge Elena Novikova at the Golovinsky District Court ruled that it would not reassess a decision to close the organisation taken on 26 March 2004.

The ruling is the first such decision taken on the community's right to exist since the European Court of Human Rights (ECtHR) in Strasbourg on 10 June 2010 ruled in favour of the Jehovah's Witnesses of Moscow. The ruling was in response to their October 2001 appeal against a ban on the community (Application No. 302/02). The ruling – which became final on 22 November 2010 - included damages to be paid to the Jehovah's Witnesses of 20,000 Euros (781,500 Roubles, 160,870 Norwegian Kroner, or 25,280 US Dollars) plus costs of 50,000 Euros (1,953,200 Roubles, 402,225 Norwegian Kroner, or 63,200 US Dollars). Two other ECtHR cases brought by the Jehovah's Witnesses against Russia are ongoing.

Following the Golovinsky District Court ruling, Jehovah's Witnesses lawyer Artur Leontyev complained that the decision "obviously ignored the ruling of the European Court." He added that the community will appeal.

In light of the ECtHR ruling, the Jehovah's Witnesses contacted three Moscow courts which had ordered the community to disband, in an attempt to overturn these court rulings. In December 2010 the community lodged appeals by post with three Moscow district courts, Golovinsky, Butyrsky and Presnensky, with this aim. Grigory Martynov of the Jehovah's Witnesses told Forum 18 on 28 February that they were expecting a response within one month. So far the Golovinsky District Court is the only one to respond to the request.

At the start of 2011 the Jehovah's Witnesses also asked the Ministry of Justice in Moscow to re-register their Moscow branch. Martynov told Forum 18 that a request was filed with the Moscow Ministry of Justice in person on 11 January 2011. The Jehovah's Witnesses were expecting a response within ten days, but by 23 February the Ministry had still failed to respond. Requests for information made by Forum 18 to the Moscow Ministry of Justice went unanswered.

Compensation not yet paid

The ECtHR mandated damages and costs have not been paid to the Jehovah's Witnesses, spokesperson Martynov told Forum 18. He stated though that the government was in the process of resolving the issue. "It's not a problem that they haven't paid yet, we're sure that they will pay us eventually," he said. Under the terms of the ECtHR verdict, the deadline for payment was 22 February. The Russian government is now obliged to pay interest on the outstanding sum.

Separately, the criminal trial in Gorno-Altaiisk of Jehovah's Witness Aleksandr Kalistratov on extremism-related charges is continuing. Other Jehovah's Witnesses are facing similar charges. Also continuing in Dagestan is the criminal trial of Ziyavdin Dapayev, a reader of the works of Muslim theologian Said Nursi. Publications from the Jehovah's Witnesses and Russian translations of the works of Said Nursi are among the banned publications on the Federal List of Extremist Materials.

Russia must also under the ECtHR ruling rectify the conditions which led to the violations the Jehovah's Witnesses in Moscow experienced – which would also affect the case of Moscow's Armenian Catholics.

Armenian Catholics still unregistered

Meanwhile, Moscow's Armenian Catholic congregation continues to be unable to register as a religious organisation. In June 2010 the Meshchansky District Court ruled that the Moscow Justice Department's refusal to consider an October 2009 registration application from the parish of St Gregory the Illuminator was unlawful. The Justice Department appealed immediately and its lawyers maintain that refusal to register the religious community is due to its failure to produce a document proving that it has been operating for 15 years. Such a document is a requirement of the 1997 Religion Law.

Vladimir Ryakhovsky of the Slavic Centre for Law and Justice, the community's lawyer, told Forum 18 on 22 February that such a document was submitted with the original October 2009 registration application. An appeal hearing, scheduled to take place at Meshchansky Court on 28 February was postponed earlier this week, according to the court's website. This was because a representative of the local authorities failed to appear in court. The next hearing is set to take place on 20 April 2011. Speaking before the postponement, Ryakhovsky was not optimistic that the court will rule in the community's favour. But he saw this as an opportunity to take the issue to a higher level.

"On the one hand any negative ruling would be bad for the Armenian Catholic community in Moscow," Ryakhovsky said. "On the other hand, it would give us the chance to take the issue to the Constitutional Court and challenge the Religion Law, which has been in force for 13 years and we think is unconstitutional."

The Armenian Catholic community continues to worship every week in Moscow. It has been meeting in the capital since the mid 1980s, and since 1991 has held services at the Catholic Cathedral of the Immaculate Conception. The Armenian Catholic parish is separate from the structures of Moscow's Catholic Archdiocese, and is subject to the Armenian Catholic bishop based in Armenia. Ryakhovsky said that registration has only been a problem for Armenian Catholics in Moscow, with other communities in Russia granted legal status by local authorities. The largest concentration of Armenian Catholics in Russia is in the Krasnodar Region of southern European Russia.

The Moscow Ministry of Justice has repeatedly refused to talk to Forum 18 about problems with registering minority religious communities in the capital, most recently on 28 February.

State interference "an integral part of life for religious organisations"

For some lawyers working in the field, the problems of Jehovah's Witnesses and Armenian-rite Catholics are part of a pattern in Russia today of state interference in the activity of minority religious communities - whether or not that interference is legal. The targets of

nationwide harassment and trials have mainly been Jehovah's Witnesses, and Muslim readers of the works of theologian Said Nursi.

In an article dated 16 February 2011, Inna Zagrebina, another lawyer at the Slavic Centre for Law and Justice, described illegal interference in communities' internal activity by state authorities as "an integral part of life for religious organisations".

She points to problems with the legal status of religious leaders, but also a trend to interfere in all spheres of an organisation's activity, demanding information which they are not legally obliged to provide. This includes access to correspondence and personal information, which is protected by both Article 23 of the Russian Constitution, which states:

"1. Everyone shall have the right to the inviolability of private life, personal and family secrets, and the protection of their honour and good name.

2. Everyone shall have the right to privacy of correspondence, of telephone conversations, postal, telegraph and other messages. Limitations of this right shall be allowed only by court decision."

Russian national law and the European Convention for the Protection of Human Rights and Fundamental Freedoms also protects the right to privacy. For example, Article 3 paragraph 5 of the 1997 Russian Religion Law states in part: "No one is obliged to provide information about personal religious affiliation, nor can they be subjected to duress for choosing a religious affiliation or confession, or rejecting a religious confession, or for participation or non-participation in religious services, or other religious rites and ceremonies, or the activity of religious associations, or religious education."

Despite this, Zagrebina told Forum 18 on 28 February that "the authorities are interfering in the internal activity of religious organisations. They are asking leaders for information such as passport details and where members of the organisation live, as well as demanding to see financial documents". She said that these requests for information are most commonly made to leaders of Protestant churches and newly established religious organisations. "It is completely illegal, they demand to know details about church services, who attends them and where they take place", Zagrebina stated.

An example was the case of a religious leader who recently contacted the Slavic Centre looking for help, after the Rostov Regional Justice Department demanded he submit information about the place, time, aims and main content of religious services, the church's council, and inter-church prayers.

As well as looking for information, Zagrebina noted that the authorities are increasingly trying to restrict certain organisations' activity. "Some authorities are saying that members of a religious community can only worship in the place which is listed as their place of residence in their passport." If someone lives in a different place to the one listed as their residence in their passport, they are told to either return there to worship, or to give up worshipping. Zagrebina described this as "completely illegal."

Zagrebina said that religious leaders often do not know that these requests are illegal. "Those that do know it is illegal are scared to refuse to comply, in case it causes them more trouble in the future", she told Forum 18.

"The negative impact is that these demands can be used as a warning to religious organisations." Zagrebina said, adding that once these details are in the public realm, anyone influenced by fears and media reports of "sects", which reports are widespread in Russia, could act against "sect" followers.

But there is a positive impact, she noted. "When these demands are made, it forces religious organisations to become more aware of the law and their rights, and to seek help to protect them". The full text of Zagrebina's article in Russian is available at <http://www.sclj.ru/news/detail.php?ID=3221>.

Prosecutor calls for increased law enforcement against minority religions

Sova Center (21.02.2011) / HRWF (28.02.2011) - <http://www.hrwf.net> - On 21 February 2011 it became known that the Klin city prosecutor conducted a verification of the execution of legislation on combating extremism by agencies of local government.

In the course of the verification it was established that "prevention of extremist activity on the territory of the Klin municipal district is being carried out improperly."

In particular, the prosecutor noted that "there is no real mechanism for interaction between administrations of residential districts with law enforcement agencies of the Klin municipal district in terms of identifying places where worship of nontraditional religious movements is conducted or places being used by pseudoreligious totalitarian organizations for holding meetings." The prosecutor sent a letter to the head of the Klin municipal district suggesting that a program "of development of civic solidarity and prevention of xenophobia" on the territory of the district be developed and adopted.

Provincial legislation seeks to revive thwarted federal attempt to ban public evangelism

"Unofficial" distributors of religious literature in Belgorod province to be fined

Portal-credo.ru (25.02.2011) / HRWF (28.02.2011) - <http://www.hrwf.net> - Deputies of the Belgorod provincial дума reviewed at a regular session on 24 February additions to the regional Code of Administrative Violations of Law, a Portal-credo.ru correspondent reports.

The document, which was adopted unanimously, introduces penalty fines for persons who distribute religious literature but do not have documents indicating their status as "official representatives" of a specific religious organization. Official information from the Belgorod provincial дума of 24 February shows that the amendments to the administrative code have been adopted and consequently they have gone through their final reading.

The prohibition establishes fines for its violators of from 500 to 1,000 rubles.

As noted in a report from a "abireg.ru" correspondent, who was present in the assembly hall, during review of the suggestion one of the authors of the draft law—the chairman of the Committee on Security, Relations with Public Organizations, and News Media and head of the Department of Information Broadcasting of the regional "Mir Belgoria" television and radio company, Elena Bondarenko of the "United Russia" fraction—was asked by her colleague, the communist Valerii Shevliakov: "How will it be determined which religious association a distributor belongs to?" Bondarenko pointed out that the issue is "distributors who do not have any authorization but are acting in a personal capacity," and she cited Jehovah's Witnesses as an example.

"BelFM.ru" cited another statement made by a journalist deputy: "A person must not engage in dissemination of religious views in a personal capacity."

In addition, reports of "Bel.ru" and "BelFM.ru" said that the Belgorod innovations were caused by the change in article 17 of the federal law on freedom of conscience and religious association, which prohibits preaching without the authorization of a religious organization.

"With the adoption of changes in article 17 of the federal law 'On freedom of conscience and religious associations,' the distribution of religious literature is permitted for representatives of religious organizations exclusively," "BelFM.ru" writes.

The absence of regulations in the provincial administrative code, however, did not prevent the fining in October 2010 of two Jehovah's Witnesses, who did not have documents certifying their membership in a religious organization, for "violation of the procedure for conducting evangelistic activity."

In an article on 14 February 2011 titled "Belgorod authorities hold false missionaries accountable" "Bel.ru" sets out the provisions of an explanatory note that establishes the necessity of the innovations. At the same time, the official site of the legislative assembly has not posted any texts of the relevant draft laws. The "Bel.ru" reports says that committees of the provincial дума are reviewing amendments to the law "On evangelistic activity on the territory of Belgorod province," and that "regional authorities propose expanding the concept of 'missionary' and intend to impact the activity of 'unscrupulous preachers' with the help of administrative fines."

The regional law on evangelistic activity interprets evangelism exclusively as activity "of representatives of religious associations" for dissemination of teachings and religious practice among persons of a different faith and atheists. Thus, in the understanding of Belgorod legislators, evangelists are "only genuine representatives of religious movements who have appropriate authorization from their organization."

In accordance with such an understanding, the deputies' concerns are aroused by popularization "of beliefs and the active distribution of religious literature" by adepts of various religious associations who are not "really their members and are not authorized by them to do this."

An explanatory note says that "the indicated persons often act unscrupulously with respect to citizens, among whom they disseminate their beliefs and they may intentionally distort the foundations of the doctrine they are disseminating and deceive persons of a different faith, which in turn may entail the violation of the rights of citizens to confess the religion they choose and thus discredit the religious association."

Such evangelists "officially are not representatives of religious organizations, and thus regional legislation regulating evangelistic activity does not apply to them." Therefore the authorities have proceeded to widening "the circle of persons recognized as evangelists which will resolve problems of holding accountable those who violate the provincial law 'On evangelistic activity.'"

Information: In 2009, the Ministry of Justice prepared amendments to the federal law "On freedom of conscience" in order to strengthen the obstacles for evangelistic activity. A campaign in defense of freedom of conscience under the slogan "No to Inquisitors!" put a stop to further actions connected with advancing the draft law. Aside from this no other changes have been made in article 17 of the law.

Article 17. Religious literature and objects with religious significance

1. Religious organizations have the right to manufacture, acquire, export, import, and distribute religious literature, printed material, audio-visual materials, and other objects with religious significance.
 2. Religious organizations enjoy the exclusive right to establish organization publishing liturgical literature and manufacturing objects with religious significance.
 3. Literature, printed material, and audio-visual materials, produced by religious organizations must have the trademark with the full official name of the given religious organization.
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Illegal surveillance "evidence" used to prosecute Jehovah's Witnesses

JW Official Website (03.02.2011) / HRWF (23.02.2011) - <http://www.hrwf.net> - Investigators in two Russian cities filed charges against two of Jehovah's Witnesses, Maksim Kalinin in Yoshkar-Ola and Pavel Stegachyov in Tambov. The men were accused of inciting hatred and enmity and were charged on January 17, 2011, with violating Article 282 (1) of the Criminal Code of the Russian Federation.

In the town of Yoshkar-Ola police disrupted a peaceful religious meeting on August 10, 2010, that Mr. Kalinin was attending. Earlier in 2010, FSB officers received a warrant to enter into the home of Kalinin and covertly install equipment for phone tapping and video surveillance. They took an audio recording of a Bible talk that was allegedly presented by Mr. Kalinin along with the several publications of Jehovah's Witnesses and sent them to the Kemerovo State University to be examined by linguistic experts. Previous linguistic opinions prepared by this university have been criticized as unscientific. On September 27, 2010, the Yoshkar-Ola City Court ruled that the personal searches made by police during the raid were unlawful. However, investigators still filed criminal charges against Kalinin despite the ruling.

Grigory Martynov, press secretary for Jehovah's Witnesses stated: "A potential wave of unjust criminal cases against Jehovah's Witnesses could soon be flooding the judicial system. Thus far, we know of 12 criminal cases initiated against Jehovah's Witnesses in

various Russian cities, including the case against Pavel Stegachyov, all based on the misapplication of an article in the Criminal Code concerning 'extremism.' The resources of law-enforcement agencies are being spent on harassing people who are internationally known as peaceful and law-abiding Christians."

Soviet style interference in protestant activity

Russian Ministry of Justice and Prosecutor of Tiumen province contradiction one another as to standards of law concerning activity of religious organizations

By Elena Semenova

Slavic Legal Center (15.02.2011) / HRWF (21.02.2011) - <http://www.hrwf.net> - An interesting, if not to say curious, situation has developed in Tiumen province. Employees of the territorial administration of the Ministry of Justice during a routine inspection of the activity of evangelical churches demanded they present financial accounting documents, tax accounts, correspondence of religious organizations with individuals and legal entities on matters of performing activity directed to achieving charter goals, as well as information about members of religious organizations.

These demands evoked doubts as to their legality in the president of the Congress of Religious Associations of Tiumen province and president of the Union of Missions of Christians of Evangelical Faith, Evgenii Shestakov. "In my view, this exceeded the authority of the territorial office of justice and an assumption of the functions of the prosecutor's office and tax inspection," the clergyman thought. In order to clarify who is right in this situation, Evgenii Shestakov sent an inquiry regarding the legality of these actions to the prosecutor general.

In the end, two official answers came to the request of the prosecutor general: from the Ministry of Justice of RF (of 6 December 2010) and from the prosecutor's office of Tiumen province (of 29 December 2010), and the answers turned out to be not so much disputable as directly contradictory!

The prosecutor of Tiumen province considered that "officials of territorial administrations of the Ministry of Justice of RF have the right to request from religious organizations the indicated documents and information." In the opinion of the prosecutor's staff, the Ministry of Justice has granted such authority to their territorial administration. At the same time, to the contrary, the answer of the Ministry of Justice gives detailed explanations of the illegality of the demands of the territorial offices.

Appealing to a federal law of 12 January 1996 "On noncommercial organizations," the staff of the Ministry of Justice indicates that religious organizations are not obliged to provide tax declarations and financial accounting reports, because they are among the documents that can be obtained "from offices of state statistics, the federal executive branch, the commissioner for control and supervision of taxes and fees, and other agencies of state supervision and control, as well as from credit and other financial organizations."

The demand to provide correspondence of religious organizations with individuals and legal entities was also considered by the Ministry of Justice to be illegal, since "such information does not relate to the administrative documents of a religious organization." The demand to provide information about members of a religious organization showing their names, citizenship, place of residence, dates of birth, etc. is considered by the Ministry of Justice "a violation of federal law of 27 July 2006 'On personal information' since territorial agencies of the Ministry of Justice are not the repository of personal data regarding members (participants) of religious organizations.

It is not difficult to imagine how confused was the minister who received two contradictory official answers to his inquiry. Whom should he listen to? For explanations he turned to the Slavic Legal Center. After studying both answers, attorneys of the center acknowledged directly that in such a case it is necessary to listen to the Ministry of Justice of RF finding the demands of the territorial administrations illegal.

"The above indicated demands on the part of the monitoring agency are a crude violation of legislation and illegal interference in the activity of the church," thinks a Slavic Legal Center attorney, the deputy director of the Institute of Religion and Law, Inna Zagrebina. "In analyzing what happened, one gets the impression that officials of the agencies of justice either are not acquainted with the legislation regulating the activity of religious associations or are intentionally ignoring its requirements. One would like to hope that the fault lies in the legal nihilism of individual bureaucrats in the provinces mixed with the desire to 'earn favor' by indicating 'successful' regarding work accomplished."

So it turns out, you should trust the representatives of the law, but verify, and then after carefully considering and analyzing everything—execute. It seems that we have one law, but it turns out that each monitoring agency has its own view on it.

Criminal case against Jehovah's Witnesses

Details of outrage in Akhtubinsk

ReligioPolis (11.02.2011) / HRWF (16.02.2011) - <http://www.hrwf.net> - The first shock experienced by Elena Grigorieva, a 43 year old believing woman who lives in Akhtubinsk, was the doorbell that rang in her home at 6:40 a.m. on 8 February 2011. Five men—an investigator, two FSB operatives, and two witnesses—invaded her residence in order to conduct a search.

The woman was frightened yet more when she learned to her surprise that the search was being conducted within the framework of a criminal case that had been initiated against her. She was accused of allegedly "propagandizing the exclusivity and superiority of the religion preached by representatives of the Jehovah's Witnesses religious organization over other religions."

A further shock came from an information wave in local and central news media, including television. From investigators' reports journalists have not hesitated to report that her "crime" has already been "solved" and her "accessories" have been identified. The materials

were often published under the heading "criminal," accompanied by a picture of handcuffs.

Finally, arriving at her place of work in the Department of Social Welfare, Elena learned that staff members from a ministry that did not wish to be identified had already been there. They put pressure on the administration of the institution and on 11 February 2011 the already emotionally distraught woman was forced to resign at her own request "to avoid problems."

Here is what Elena told about how the search proceeded:

"The doorbell awoke me at 6:40 a.m. Five men stood at the threshold. One of them showed his identification as senior investigator T. Mukashev. The others refused to identify themselves, but it became known later that they were FSB operatives E. Sozonov and A. Parkhomin, and there were two men as witnesses. They showed the warrant for the search within the bounds of a criminal case that had been initiated against me two days previously, although they refused to present a copy.

"First off they took from me and also from Natalia Kuznetsova, who lives with me, and a minor, P., our telephones and passports. Our claims about our rights, including the right to legal help, were ignored or met with threats. We said that there was no legal basis for the search in the room of a minor girl. But FSB officer Parkhomin declared: "Say thank you that we still have not conducted a personal search on you, but we may do that." There were five unknown men in the house who ignored our rights and that was really frightful for us. Parkhomin continually photographed (at least pretended to photograph) what was happening on a cell phone camera, although the protocol of the search does not mention that.

"Just one list of the property seized from us constituted 13 pages. It included religious books, a personal computer, videodiscs, and personal letters.

"The search in the home lasted six hours. All this time they did not permit us to leave or to telephone anybody. When the search was concluded, they took all of us, including the minor P., to the investigative department where they detained us another five hours. They demanded that we show the contents of our handbags. From my handbag they took a Bible, although a protocol of the personal search was not drawn up. The Bible was included in the list of items taken in the house.

"After this they wrote out a summons to appear the next day as a suspect. Two days later, both Natalia Kuznetsova and I were fired from work."

As part of this criminal case, on 8 February 2011 similar searches were conducted in another five dwellings of Jehovah's Witnesses.

Both Elena herself and her attorney think that the investigators in cooperation with subdivisions of FSB and the "E" center ruthlessly violated her basic human and civil rights. "There was a crude violation of the right to a just judicial investigation, which includes the right to qualified legal help during the search," Elena's attorney says. "It turns out that enormous efforts of law enforcement agencies were activated in order to establish the religious confession of a woman, and then to invade her residence with a search in order to confiscate her personal library. Such infringement of rights as well as the subsequent dismissal of the women from employment are clear discrimination on the basis of religious identity. (tr. by PDS, posted 11 February 2011)

Jehovah's Witnesses lose appeal in district court

Court confirms ban on distribution of Jehovah's Witnesses magazines

RAPSI (10.02.2011) / HRWF (16.02.2011) - <http://www.hrwf.net> - The Ninth Arbitration Court of Appeal left in force the decision of Moscow arbitration that found the decree of Roskomnadzor revoking permission for distribution of magazines of the Jehovah's Witnesses religious organization to be legal, RAPSI was told by an associate of the court.

The court turned down the appeal of the religious organizations.

The Federal Service for Supervision in the Sphere of Communications, Information Technology, and Mass Communication (Roskomnadzor) on 26 April 2010 revoked the permission for distribution of the magazines "Awake" and "Watchtower" that had been issued in 1997 by the Russian State Committee on Publication. As the service reported, permission was revoked on the basis of decisions of courts of the Russian federation that found a number of articles of these publications to be extremist. The publications were entered by the courts into the federal list of extremist materials.

The press service of Roskomnadzor told RAPSI that a second disputed decree of 18 May 2010 corrected technical inaccuracies of the first.

The Watchtower Society of Bibles and Tracts of Jehovah's Witnesses (Wachturm Bibel und Traktat Gesellschaft, Deutscher Zweig, e.V), to which the permission had been given, and the Administrative Center of the Jehovah's Witnesses Regional Religious Organization, the distributor of the magazines, appealed the orders of Roskomnadzor.

A Moscow Arbitration Court rejected the suit in October 2010. After that the plaintiffs appealed the decision of the court to an appellate instance.

"Witnesses" in courts:

The European Court for Human Rights in Strasbourg in June 2010 found illegal the decision of a Russian court to dissolve the Jehovah's Witnesses congregation in Moscow and ordered Russia to pay 70,000 Euros to the victims.

The suit for banning the activity of the Jehovah's Witnesses organization was filed by a nongovernmental organization, "Committee of Salvation," in 1995. The district court in Moscow dissolved the religious community and banned its activity in March 2004.

"It is, in my opinion, religious persecution"

By Rosemary Griffin and Felix Corley

F18News (04.02.2011) / HRWF (15.02.2011) - <http://www.hrwf.net> - Russian authorities continue to raid meetings of readers of the works of Muslim theologian Said Nursi in 2011, Forum 18 News Service has found. Azeri national Rashid Abdulloev was arrested in Ulyanovsk on 20 January and is still in detention. Other Muslims gathered in the same flat were briefly

detained in a raid in which physical violence was used against them, including against children present. Meanwhile fellow Nursi reader and Uzbek Bobirjon Tukhtamurodov also remains in prison in Russia, arrested in connection with an extradition request from his home country and awaiting news on a request he filed to receive refugee status in Russia.

Jehovah's Witnesses are also subject to such raids. The end of the trial of Aleksandr Kalistratov, the first Jehovah's Witness to face criminal charges for possession of extremist materials, which started in October 2010, has been further delayed. Court proceedings are expected to recommence later in February.

"It is, in my opinion, religious persecution"

Abdullov's lawyer Vladimir Zavilinich told Forum 18 by phone on 24 January that: "It is, in my opinion, religious persecution, and fits in with the trend of arrests in Novosibirsk and Krasnodar". The raid took place in Ulyanovsk on the evening of 20 January, and Abdullov was found to be in possession of materials listed on titles which feature on the Federal List of Extremist Materials.

Zavilinich told Forum 18 that Abdullov had 14 brochures which were on the List of Extremist Materials. He met his client shortly after his arrest, and said that Abdullov seemed healthy and well.

Under the Extremism Law, mass distribution, preparation, or storage with the aim of mass distribution, of books on the List may result in prosecution under Criminal Code Article 282 (Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"). This carries a maximum punishment of two years' imprisonment. However, the Law does at least formally allow possession of the books. The authorities may instead choose to prosecute under Article 20.29 of the Administrative Violations Code ("production and distribution of extremist material"), whose penalties range from a fine to up to 15 days' detention.

In May 2007, Russian translations of Said Nursi's "Risale-i Nur" ("Messages of Light") multi-volume Koranic commentary were outlawed by Moscow's Koptevo District Court. Any court in Russia can rule a text extremist. When it is added to the Federal List of Extremist Materials, the text is then illegal throughout the country. Nurdzhular - a supposedly pro-Nursi organization, which Nursi readers have denied exists - was then banned as an extremist organisation by Russia's Supreme Court in April 2008.

The Azerbaijani diaspora has been permitted to bring Abdullov food and clothes, and Zavilinich has offered to bring any medicines he may need to the prison.

Zavilinich said that prosecutors are now examining materials confiscated from Abdullov and preparing a case against him, a process which could take two months, but is likely to take longer. "It should take a maximum of six to nine months, during which time Abdullov will remain in prison," the lawyer said.

No comment

The Ulyanovsk local government Ombudsman for Human Rights told Forum 18 on 31 January that they are not involved in the case, and have not been contacted by Abdullov or any of his representatives.

Ulyanovsk police refused to comment on the investigation thus far. Speaking to Forum 18 on

24 January, a spokesperson said that they would make no comment to the press until evidence gathered during the raid has been analyzed and a case against Abdullov prepared.

Zavalinich believes his client was detained primarily because of his citizenship. "The only reason why he was arrested is because he is not a Russian citizen. He is registered in the Moscow region, but he is a citizen of Azerbaijan," Zavalinich said.

An eyewitness account of the raid, seen by Forum 18 alleges that an investigator said to some members of the group, knowing that they were not Russian citizens "What are you doing in Russia? Go back to your own country!" The eye witness continues that Rashid Abdullov was originally accused of failing to register properly in the city, then that his car showed traces of criminal activity and finally of organising extremist activity.

Forum 18 has from late January asked the Federal Security Service (FSB) in Ulyanovsk by phone and e-mail for confirmation or denial that Abdullov has been particularly targeted because of his citizenship. However there has not been any answer to these requests.

"Everybody down! Face the floor!"

Another eyewitness account of the Ulyanovsk raid describes around 30 masked and armed police officers breaking up a gathering, and using physical violence against the group, while searching for evidence of extremism. This statement referred to states that the Muslims had gathered in the evening to discuss their faith and support a friend who had recently undergone an operation. Some of the sick man's acquaintances from the mosque in Ulyanovsk were in attendance.

"The doorbell rang and when we opened the door, armed, masked men shouted "Everybody down! Face the floor," before using physical force to push people to the ground," the statement reads.

Three children were reportedly among the group, aged from nine to 14. "They pulled a young, 15 year old boy out of the cupboard in which he was hiding in fear. They hit him a few times, and his nose started to bleed," the statement continues, "Without showing any documents or offering any explanations they asked 'Are there any weapons, narcotics, illegal items etc. here?'"

The sick man was also treated roughly and when officers were asked to free the man, whose condition was serious, their request was refused.

The group's mobile phones were confiscated and they were taken to an unknown location, later revealed to be the Investigation Department of the FSB security service building. "There we were told that any movement would be considered an attempt to escape. They made the men stand facing the wall and ordered them not to move. They remained in this position for about three hours," the witness statement reads.

Each member of the group was then questioned individually about their prayer and reading habits, their views on Turkish theologian Said Nursi and whether they are members of the banned group Nurdzhular. The authorities did not tell the group before questioning they would have to sign a statement saying they did not object to night-time questioning, but reportedly forced them to sign the document in the morning.

The group was then told that Abdullov was being taken to a temporary detention centre where he will remain until his trial. During the group's detention, the flat was searched,

computers and memory sticks as well as notepads were seized and the premises ransacked. "They showed an extreme lack of respect for holy books. In particular, they put the Holy Koran on the floor", the statement reads.

Growing trend

Officials have repeatedly refused to explain why and by whom the widespread state actions against Jehovah's Witnesses and readers of the works of Muslim theologian Said Nursi were initiated.

The arrest in Ulyanovsk follows the arrest and conviction of other Muslims in possession of the works of Said Nursi in Russia in the last year. The first to be convicted was Ilham Islamli, who was given a suspended sentence of ten months detention by the Nizhny Novgorod District Court in August 2010.

Targeting foreigners?

Abdullov is not the only Nursi reader with foreign citizenship to have been detained in Russia. Still being held in Novosibirsk's Investigation Prison No. 1 is Bobirjon Tukhtamurodov, a Nursi reader who faces extradition to his native Uzbekistan, his lawyer Igor Khryachkov told Forum 18 from Novosibirsk on 31 January 2011. Tukhtamurodov was arrested in Novosibirsk in August 2010 after the Russian authorities received an extradition request from Uzbekistan. His supporters fear he will be sentenced there to a long prison term for his faith, as has happened to one of his brothers.

Khryachkov said that the General Prosecutor's Office in Moscow ruled on 25 November 2010 that Tukhtamurodov should be extradited to Uzbekistan, though he did not learn of this until 2 December. Such rulings do not usually give any reasons for their decision. The lawyer lodged a legal challenge to the ruling in late December 2010 to Novosibirsk Regional Court. He expects the case to be heard in February 2011, although no date has yet been set.

"My client applied to the Migration Service for refugee status in Russia," Khryachkov told Forum 18. "Yet this wasn't even considered, even though the law says it must be. I believe it is unlawful to extradite an individual before their asylum claim has been considered."

Yelena Ryabinina, Head of the Right to Asylum Programme of the Moscow-based Human Rights Institute, who has backed Tukhtamurodov, fears the Regional Court will reject his case. "If that happens, we will lodge simultaneous appeals locally and to the European Court of Human Rights in Strasbourg," she told Forum 18 from Moscow on 31 December 2010.

She said that only on 10 December 2010, after a two and a half-month delay, the Migration Service considered Tukhtamurodov's application for refugee status. The time period for such applications to be considered is three months. "I am sure this decision too will be negative," Ryabinina told Forum 18. "But we're not going to be put off and we will use what possibilities we have. Recent rulings in extradition cases from Russia's Supreme Court have been excellent, and we would very much like to hope that this represents not an aberration but a principled position on the part of the Supreme Court."

Trial of Jehovah's Witness drags on

Courth continues to study investigative violations

ReligioPolis (20.01.2011) / HRWF (25.01.2011) - <http://www.hrwf.net> - In a continuation of the judicial investigation in the case of Alexander Kalistratov on 19 January 2011, the Gorno-Altai city court reviewed a letter from Kemerovo State University sent to the prosecutor of the republic of Altai. The document reports the end of the production of a forensic expert analysis ordered by the Gorno-Altai city court on 10 February 2009. An addendum to the letter noted the attachment to it of a copy of the expert analysis and a certificate of work performed. In the process of a careful study of the document by the court, attorneys for the defendant called attention to a number of violations connected with it, a RP correspondent reports.

First, the very fact of Kemerovo State University's sending a copy of the expert conclusion to the prosecutor, who is not a party in the case, is surprising. In addition, in civil proceedings judicial documents cannot be sent to any place other than the court.

Second, the prosecutor received a certificate of work performed, which usually is drawn up in accordance with a contract. This points to the possibility of a criminal conspiracy between Kemerovo State University and the prosecutor's office of Gorno-Altai. However, it was on the basis of this expert analysis that the prosecutor of Gorno-Altai found 18 Jehovah's Witnesses publications "extremist materials." And now, on the same basis, the intention to hold a law-abiding resident of Gorno-Altai criminally responsible is being carried out.

Third, it is amazing that a letter on an official form of the university is signed by the associate dean of the faculty of philology, M. Osadchii, whereas as a rule signatures on official forms of a university as those of the rector or prorector.

Attorneys voiced a number of other issues. The materials of the criminal case include numerous replies from investigative agencies, that came from various regions of the Russian federation, and confirm that criminal cases did not exist on such a basis as the distribution of materials found to be extremist by representatives of the Jehovah's Witnesses confession.

In the event of a violation by individual believers of the provisions of existing legislation, specifically article 13 of Russian federal law "On combating extremist activity," which prohibits the distribution, production, and possession for the purposes of distribution of publications included on the corresponding list, they are held to administrative, but not to criminal, responsibility. However, as an exception to the general rule, for the first time on the territory of the Russian federation, for the identical actions, law enforcement agencies of Gorno-Altai, for some reason, find this a crime. Subsequently, that approach began to be adopted in other regions, for example, in Tambov and Yoshkar-Ola.

At the basis of the indictment lies the decision of the Golovin court regarding the Moscow congregation. This decision was appealed by believers to the European court, which came to an unequivocal decision that the rights of a ten-thousand strong community of believers had been crudely violated in Moscow. The court prescribed taking individual and general measures in order "to restore, to the extent possible, the situation existing before the violation." The ruling of the European Court for Human Rights (ECHR), issued in favor of the Moscow congregation of Jehovah's Witnesses, has taken effect and it is required to be fulfilled on the territory of Russia. Many of the questions which were reviewed on 19 January

in Gorno-Altai city court were examined by the European court. In this session, 14 of the 54 pages of the ECHR decision were read.

The study of the ruling will continue in the next session, scheduled for 20 January. (tr. by PDS, posted 20 January 2011)

Has the Orthodox church replaced the court?

ReligioPolis (19.01.2011) / HRWF (25.01.2011) - <http://www.hrwf.net> - According to a report of a RT correspondent, at the beginning of the judicial session of the Gorno-Altai court on 19 January 2011, after the questioning of the next witness for the defense, several materials of the case were made public. In the course of study of the documents it was discovered that the publications named in the indictment contradict the official data of others documents present in the case.

One of the special revelations of the judicial session was the publication of the answer of the Investigative Committee of the Prosecutor's Office of the Russian federation for Tver province to an inquiry by the Department of Criminality of the Investigative Committee of the republic of Altai. The document, read in court, reports not only that no criminal cases with regard to Jehovah's Witnesses were opened in the period 2007-2010, but it also contains a recommendation "to turn for help on this question to the FSB for the republic of Altai as well as to the highest office of the Orthodox religion for the republic of Altai."

In this way there came an indirect answer to the puzzle of the reasons for the appearance in the trial of the Kalistratov case of clergymen from RPTsMP—the dean for the Gorno-Altai district of Barnaul diocese, Yuri Balakin, who is also a member of the Public Council for the Ministry of Internal Affairs of the republic of Altai, and Sergei Bashkatov, a priest in the village of Maima. This answer evoked confusion and a lot of questions of the part of participants in the trial and of all persons present. Attorney V. Zhenkov noted that "if even governmental agencies consider that affairs of another religious organization, specifically the Jehovah's Witnesses, should be the concern of the supreme Orthodox office, then it is clear why clergy of the Orthodox church were summoned to the trial in the Kalistratov case."

However, the main question that can be put now at the official level, thanks to the precision of the statement of the Investigative Committee of the Prosecutor's Office of Tver province, will address how a religious organization of the Moscow patriarchate, which is separated from the state, turns out to be among the power ministries that possess authorization of the judicial system of the Russian federation to determine the commission of crimes. (tr. by PDS, posted 20 January 2011)

Court studies context

ReligioPolis (18.01.2011) / HRWF (25.01.2011) - <http://www.hrwf.net> - According to a report from a RP correspondent, the trial in Gorno-Altai began with a return to the question of the addition to the case of material evidence and the conclusions of experts regarding it.

We recall that the expert analysis conducted by the Kemerovo State University was ruled to be most incompetent and unscientific. The conclusion was reached by L.A. Araeva, M.S. Yaitskii, and M.A. Osadchii. It was to them that the investigator turned in order to find the selected materials "extremist." An appeal was made, inter alia, also to the case of Maksim Kalinin in Yoshkar-Ola (the case has much in common with the Kalistratov case) with a goal of holding the young man criminally responsible on the same grounds as in this criminal

case. Based on the pseudo-scientific expert analysis, the Gorno-Altai court previously found 18 religious publications of the Jehovah's Witnesses "extremist materials."

It is noteworthy that these publications in the main were found extremist in the parts containing autobiographical information. So, one of the publications describes how a certain man was a Catholic from the time of his confirmation in childhood, but later, after becoming an adult, he became interested in the Bible and joined the Jehovah's Witnesses. From the attitude of the court to such circumstances it appeared that the action itself was not illegal (and he was not tried for this), but nobody is allowed to talk about it, because that is what constitutes "extremism." And that is just because specialists in Kemerovo University consider that such stories create a "negative image" of Christian clergy.

It seems that the scholars did not write the conclusion but a composition that was supposed to disclose the "image" of clergy in the publication, having forgotten at the same time that the creation of "images" is the essence of artistic literature (in Pushkin's novel "Eugene Onegin" there are images like Tatiana or Onegin himself) and not autobiographical materials.

In the opinion of Attorney Viktor Zhenkov, that he expressed in the trial: "The conclusion suggests that in our country they wish to forbid citizens to describe real experiences occurring in their lives or to publish information that a certain group of clergy do not like."

It is sad, but true, that now on the basis of the expert analysis of KGU and specialists from Rostov, they want to hold a janitor from Gorno-Altai criminally responsible simply because he is not Orthodox but adheres to another confession and is convinced of the truth of his views.

Earlier the defense and an expert participating in the trial appealed to various secular and scientific sources, citing textbooks on history and literature. On the basis of a comparison of expressions on which the attention of experts and the prosecution focused in the indictment, the defense, in the judicial session of 18 January, presented a petition to the judge which articulated measures that could help avoid judicial mistakes. The prosecution presented objections that the judge rejected. As a result, the defense petition was granted and added to the case.

Jehovah's Witnesses' magazines ruled extremist

Pamphlets of Muslims and Jehovah's Witnesses expand once again federal list of extremist materials

Portal-credo.ru (18.01.2011) / HRWF (20.01.2011) - <http://www.hrwf.net> - The "Federal list of extremist materials," which is published on the site of the Russian Ministry of Justice, was expanded on 18 January with fresh materials. Items 748-757 were added to it. The list was extended by an anti-Semitic article, two Muslim texts, and also ordinary materials of Jehovah's Witnesses, the "SOVA" information and analysis center reports.

Thus, in the list of 757 items, 4 items have been "zeroed out" (materials removed but numbering retained); 32 items are on the list incorrectly, since decision ruling the materials extremist were rescinded by courts of higher instances and other decisions have still not been reached; and 49 items duplicate one another.

749. An article by N.T. Porotov. "According to pages of printed editions. On the question of oligarch Jews in postsoviet Russia, or on the creation of the "power kleptocracy," published

18 March 2010 in an issue of the "Rodina" [Motherland] newspaper, No. 11 (808) (Decision of October district court, Stavropol, 23.09.2010).

750. A book of Sheikh Ali Al-Tantaua, "General introduction of Islam." (decision of Maikop city court, republic of Adygei, 24.11.2010).

751. A brochure of Yser Al-Ustuani, "What do you know about Islam?" (decision of Maikop city court, republic of Adygei, 24.11.2010).

752. A printed edition, "The Bible: word of God or man?" publisher Watchtower Bible and Tract Society of New York, Inc. International Bible Students Association Brooklyn, New York, U.S.A. 1998 (decision of Zavod district court, Kemerovo, Kemerovo province, 28.10.2010).

753. A brochure, "Be alert!" publisher Watchtower Bible and Tract Society of New York, Inc. International Bible Students Association Brooklyn, New York, U.S.A., 2006 (decision of Zavod district court, Kemerovo, Kemerovo province, 28.10.2010).

754. A brochure, "Watchtower" from 1 January 2008, publisher Wachtturm Bible and Tractat-Gesellschaft der Zeugen jehovas, e. V., Selters/Taunus (decision of Zavod district court, Kemerovo, Kemerovo province, 28.10.2010).

755. A brochure, "Watchtower" from 1 November 2009, publisher Wachtturm Bible and Tractat-Gesellschaft der Zeugen jehovas, e. V., Selters/Taunus (decision of Zavod district court, Kemerovo, Kemerovo province, 28.10.2010).

756. A brochure, "Watchtower" from 1 December 2009, publisher Wachtturm Bible and Tractat-Gesellschaft der Zeugen jehovas, e. V., Selters/Taunus (decision of Zavod district court, Kemerovo, Kemerovo province, 28.10.2010)

757. A brochure, "Awake" for August 2009, publisher Wachtturm Bible and Tractat-Gesellschaft der Zeugen jehovas, e. V., Selters/Taunus (decision of Zavod district court, Kemerovo, Kemerovo province, 28.10.2010) (tr. by PDS, posted 19 January 2011)

Russian Church official urges 'national dress code'

BBC (18.01.2011) / HRWF (19.01.2011) - <http://www.hrwf.net> - A controversial Russian Orthodox Church official has rebuked Russians for wearing skimpy clothes and proposed a "national dress code".

Archpriest Vsevolod Chaplin, head of the Church's social affairs department, chided women who "confuse the street with striptease".

He also frowned on men wearing tee-shirts and shorts in cities.

The cleric caused uproar last year when he seemed to suggest women in mini-skirts were to blame if they got raped.

His comments, made at a debate on inter-ethnic relations, prompted the For Feminism group to send an online petition to the head of the Church, Patriarch Kirill.

The petition, backed by more than 1,300 signatures, urged the Patriarch to condemn "discriminatory and insulting remarks about women by representatives of the Church".

Organised religion has been growing in power in Russia since the collapse of communism two decades ago.

Conservative trends within the Church have long raised concern that women's rights may be eroded.

'Brothels exempted'

In an open letter published by Interfax news agency on Tuesday, Archpriest Chaplin replied to the online petition by denying he had sought to "justify rape".

"I had no such thoughts," he said. "There is no justification for such acts."

But the issue of inappropriate clothing remained, he wrote, before depicting a woman "dressed and painted like a clown" getting herself into trouble with "idiots" in public places.

"Personal appearance has never been a 100% private matter," he argued.

"Women's behaviour in public spaces, in college or at work is not their 'private business' alone."

Turning to scantily clad men, he said they were "unworthy of respect and only deserving of pity as if they were tramps".

Commending Russian firms and colleges which had introduced dress codes, the cleric said it would be "good to think up a national dress code".

In the same breath, he appeared to make a joke, saying this new code "would not have to apply to strip clubs and brothels".

"I think the day will come when an indecently dressed person... will be escorted out of a decent place," he wrote.

Russian bloggers pounced on the archpriest's letter with one hostile writer, Dmitry Yakushev, describing it as "medieval philistinism" and accusing the author of launching a witch hunt.

"Violence comes not from women's provocations but society's degradation," the blogger argued.

Misuse of anti-extremist acts

Sova Center (14.01.2011) / HRWF (17.01.2011) - <http://www.hrwf.net> - In autumn 2010, all the main tendencies of the misuse of the anti-extremist acts remained. This includes prosecution of adherents of religious groups for spreading their literature (some of which was inappropriately added to the Federal List of Extremist Materials). There are also repressions for the criticism against the authorities as a whole or separate state institutions under the guise of defense of social groups. Another type of misuse is the imitation of anti-

extremist activity by way of mass administrative sanctions against libraries and educational institutions, etc.

Limitations of freedom of religion

The main religious group prosecuted on the anti-extremists grounds is still Jehovah's Witnesses. In autumn, at least four cases were instigated against members of the group charged with inciting hate and/or establishing an extremist community, in Kemerovo and Altai Republic. The administrative prosecution goes on for spreading religious literature against separate adepts or whole religious organizations. For instance, a prosecutor's warning was sent to an organization in Birobijan.

It is worth noting that in Kemerovo, article 282 part 1 (establishing an extremist community) was used against Witnesses. This article implies group action intended at committing extremist crimes. These supposed crimes are however qualified under article 282 yet and mean only spreading religious materials and religious propaganda.

This kind of use of the article 282 part 1 seems somewhat strange and contains a potential threat. If it is based on spreading forbidden materials, this deserves only administrative prosecution. If the sermon itself is considered criminal (that is possible in principle) and coreligionists are held criminally liable for being members of one community (organization) then thousands or hundreds of thousands of coreligionists can be made responsible for the crimes of one believer, even if he is real, but it is not so in the case of Witnesses.

The prosecution of scientologists in autumn were linked to the inappropriate inclusion of their materials in the Federal List. However, on 12 October the court of Khanty-Mansi autonomous district cancelled the ruling of the Surgut city court on deeming 27 scientological materials extremist. On 28 October, Zamoskvoretsky court in Moscow started to consider the scientologists' suit to the Justice Ministry on withdrawal of their materials from the list. But the case stuck in court. At the moment the report is being written (the beginning of December), a court session was delayed due to evocation of evidence. The sanctions however are still appearing, and not only in standard forms like fines or warnings for spreading extremist literature. Some of them are quite unusual. For instance, a firm in Samara received a prosecutor's warning for advertising a book by Ron Hubbard.

The prosecution of Muslim groups in autumn was limited by investigations and sanctions against activists of Tablighi Jamaat and Hizb ut-Tahrir, and a cancellation of one more book by Said Nursi. But the event that produced the most resonance was that with Aidar Khabibullin, director of the Sad publishing house who was detained and charged with inciting hatred and storing ammunition. He and Eduard Gabdrakhmanov earlier convicted for participation in Hizb ut-Tahrir[13] were detained in September for spreading leaflets and books because an examination found there had been something extremist there. Khabibullin's detention caused a wave of addresses from representatives of the Muslim society questioning the appropriateness of this prosecution.

We find difficulty in estimating the content of the leaflets but the examination of books published by Sad is very disputable. We have some questions concerning both the procedure of the examination and its point. Experts were asked to produce a legal evaluation of the text which is completely inappropriate. They also did not like some demands to a Muslim in the medieval text because they found it outdated. For instance, the book mentioned a ban on killing fleas during a prayer or a necessity to go far away into the desert in order to ease oneself. The experts also interpreted the description of Muhammad's military actions accepted in the Islamic tradition as an appeal for violence.[14].

Source: Autumn 2010: The ultra-right in search of a new strategy (<http://www.sova-center.ru/en/xenophobia/reports-analyses/2011/01/d20707>)

[13] According to the Human Rights Institute, the case was completely forged.

[14] See further in *Kratkii analiz expertizy po delu Gabdrakhmanova i Khabibullina // SOVA Center. Racism and xenophobia. 2010. 25 October* (<http://www.sova-center.ru/misuse/news/persecution/2010/10/d20090/>).

Sunday day of protests in Kaliningrad

Kaliningraders hold third street protest against building mosque

Interfax-Religiia (08.01.2011) / HRWF (09.01.2011) - <http://www.hrwf.net> - On Sunday in Kaliningrad a third protest action against the destruction of South Park and constructing a mosque in the park will be held. The event will begin at noon at the entrance to the park, organizers told an Interfax-Religiia correspondent.

They recalled that a month earlier in South Park, which is a monument of cultural heritage of regional significance, a general felling of trees for construction of the mosque was begun.

"Despite protests of residents, two protest actions, two thousand collected signatures, and letters to various offices demanding that the building of the mosque be stopped, it did not cease either by day or by night, and tension within society increased," the director of the action group, Julia Yatsenko, told the news agency.

She said that already a hill on which Kaliningrad children have skated for decades has been leveled and ping-pong tables have been destroyed. "This was a favorite spot for family recreation. Now the children have to stay home or play along the roadway," J. Yatsenko said.

The Islamic community received permission to build the mosque from the provincial center in 1993. City authorities have scheduled its construction in several places, but residents expressed sharp dissatisfaction about this.

In February 2008 public hearings on the possible construction of a mosque were held, at which 120 city residents were present. In the course of discussion, 18 persons spoke against construction, and the rest approved. Meanwhile opponents of construction of the mosque say that the announcement about holding the hearings was posted immediately before their start and many residents simply did not see it.

As a result, a commission of the Kaliningrad city council voted to assign for free use by the Muslim religious organization of Kaliningrad several free standing buildings on Dzerzhinskii street.

Opponents of the construction of the mosque in South Park say that they intend to protest further. (tr. by PDS, posted 10 January 2011)

Judge rules in Jehovah's Witnesses' favor

Court finds interruption of Jehovah's Witnesses service in Kamyshlov illegal

Portal-credo.ru (10.01.2011) / HRWF (11.01.2011) - <http://www.hrwf.net> - A decision of the Kamyshlov city court of Sverdlovsk province has taken effect, by which actions by the police of entering and searching a residence, confiscating liturgical literature of Jehovah's Witnesses, interrupting their worship services, and transporting several believers to police stations in August 2009 were ruled illegal, a Portal-credo.ru correspondent reports.

The court required the local Department of Internal Affairs to destroy photographs and fingerprints that were collected.

In August 2009, a worship service of the Jehovah's Witnesses Christian congregation was being conducted in the home of Yury and Galina Ponarin, who live in the city of Kamyshlov of Sverdlovsk province. Fourteen persons, including children, were in attendance. Suddenly a group of police and FSB officers, without any documents permitting a search of the residence, entered the yard of the house. The owner tried to object to their entry into the building but the chief of criminal investigation forcefully pushed her aside and went in. The law enforcement officials crudely interrupted the religious meeting and did not permit anyone to leave until they had copied the personal data of all present. One of the policemen, having caught sight of a recorder in the hands of believers, seized it, removed the cassette, and threw it into a pan with water. (The tape was later able to be recovered and used in the trial.) Three believers were taken to the police department where they were fingerprinted and photographed.

On 10 November 2009 seven members of the Jehovah's Witnesses organization sent to the court a complaint against the actions of the law enforcement agencies. The interests of the Department of Internal Affairs were defended in court by the acting warden of the local parish of the Russian Orthodox church of the Moscow patriarchate, a retired KGB lieutenant colonel. According to eyewitnesses, in the trial he so demeaned the dignity of the plaintiffs on the basis of their religious identity that the court was forced to send to investigating agencies material for deciding the question of opening a criminal case against him for incitement of inter-religious strife on the basis of part 1, article 282 of the Criminal Code of RF. However opening of a case against the church warden was rejected.

The decision of the Kamyshlov city court accorded with the ruling of the European Court for Human Rights, which in 2007 found the interruption of a Jehovah's Witnesses' worship service in neighboring Cheliabinsk to be illegal. (tr. by PDS, posted 10 January 2010)
