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Evangelical minister appeals to European court against Russian violation of rights

PASTOR FINED FOR READING BIBLE IN CAFE FILES COMPLAINT IN EUROPEAN COURT FOR HUMAN RIGHTS

Gazeta.ru - http://www.gazeta.ru/social/news/2015/07/29/n_7418625.shtml
 (29.07.2015)- Pastor Aleksei Koliashnikov from Sochi sent to the European Court for Human Rights a complaint against the violation of four articles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This was reported by attorney Alexander Popkov, who is representing the pastor's interests.

The occasion was the decisions of Russian courts as the result of which the clergyman was found guilty of organizing a public event without submitting notification about its conduct for reading the Bible in a cafe that he had specifically rented for this purpose. He was fined 30,000 rubles.

Aleksei Koliashnikov's complaint speaks about violation of the right to a fair trial (article 6 of the convention) and violation of the freedom of thought, conscience, and religion (art. 9), freedom of expression of opinion (art. 10), and freedom of assembly and association (art. 11).

On 10 October 2014, municipal Judge Nikolai Volkov of judicial district No. 99 of the Khosta district of Sochi found Koliashnikov guilty of organizing a public event. (tr. by PDS, posted 31 July 2015)

Background articles:

Court quashes fine of Sochi pastor who read a Bible in a café

Christian Portal of News and Analysis (03.12.2015) - The Khosta district court of Sochi reversed the decision of a municipal judge who fined a protestant pastor, Aleksei Koliashnikov, 30,000 rubles for reading the Bible in a cafe, newsru.com reports. His attorney, Alexander Popkov, stated that the decision was made inasmuch as "the municipal judge did not have any legal grounds for considering this case."

"The ruling issued by the unauthorized judge is subject to reversal. . . . As a result, this administrative case was sent for a new consideration in the Khosta district court," Popkov explained to OVD-Info.

The session will be conducted with the participation of the very same judge on 9 December, MediaZona writes. In the opinion of the lawyer, there is no evidence of an administrative violation of law in the actions of his client.

According to the news report of MediaZona, on 28 September Koliashnikov rented the premises of the Bel Canto cafe in Khosta district of Sochi for conducting a religious meeting. Its participants read the Bible aloud and discussed different points. At the end of the meeting, people in civilian clothing, who identified themselves as agents of the FSB, police, and prosecutor's office, entered the establishment.

After the arrest of the pastor, an administrative report was drawn up on the basis of part 2 of article 20.2 of the Code of Administrative Violations of Law ("Organizing a public event without submitting notification of its conduct"). After reviewing it, a municipal judge assessed the maximum punishment in the form of a fine of 30,000 rubles.

We note that earlier Novaia Gazeta wrote about this incident. The publication, citing a certain document, confirmed that the Sochi service of the FSB, in connection with the incident, asked the prosecutor's office to inspect the café with the help of Rospotrebnadzor, Roszdravnadzor, the Sochi Board of Health, and the "E" Center. In the opinion of a representative of the FSB, whom the article quotes: "Behind the activity of the pastor stand people whose religious views are based on the ideology of pro-Western protestant religious movements with the financial support of countries of NATO and the European Union," and Pastor Koliashnikov "acts in violation of the canons of Christianity, including the notification of and coordination with municipal agencies." (tr. by PDS, posted 1 August 2015)

Attorney Vladimir Rakhovskii : The court decision is completely illegal

SOVA Center (03.02.2015) - Attorney Vladimir Riakhovskii, who represented the interests of Pastor Aleksei Koliashnikov in court, commented for the SOVA Center on the decision of a Krasnodar territorial court finding the fine for the collective reading of the Bible in a cafe to be legal.

It is still too early to speak about the rationale for the judicial decision, because there is still no text of the decision itself. Therefore what guided the court can only be supposed.

The background of this case is as follows. Pastor Aleksei Koliashnikov has a small religious group that is not registered as a religious organization and which functions on the basis

of the rights of a religious group. They conduct meetings for reading the bible in a Sochi cafe, which provides them the premises for conducting meetings. At that time, the cafe is not operating normally. This happens on Sundays from 1000 to 1300. Visitors are warned that a special service is going on, but if a person wants to enter and listen, he is admitted.

The deputy chief of the district FSB wrote a letter to the prosecutor's office saying that according to official information, a religious group was gathering in this café, which reads the Bible and interprets it in a distorted way, and in violation of Christian canons it reads it not in a hard copy but on electronic devices. This is where he saw a danger. In this letter he points out that this group, according to intelligence, has a connection with protestant Ukrainian organizations that are financed—not the group itself but these organizations—by western Europe and NATO. Such horrors.

On the basis of this letter, the prosecutor's office of the city of Sochi organized an inspection on the site. In addition to the prosecutor's office, representatives of the MVD and FSB participated. They arrived at this cafe and were told that a meeting of a religious group was going on there. They expressed a desire to attend and they struck up some discussion. At the conclusion of this event, they drew up a report to the effect that a meeting of a religious group had been conducted without notifying agencies of executive power.

On the basis of this, the Sochi prosecutor ordered the opening of a criminal case for violation of the law "On meetings, rallies, demonstrations, marches, and picketing." And a Khosta district court of Sochi on 12 December 2014 issued a decision imposing a fine on the basis of part 2 of article 20.2 of the Code of Administrative Violations of Law of the RF (conducting a public event without submitting in established form notification of its conduct).

We have appealed this decision. I did not participate in the trial at the first instance. I joined later. The case was remanded for a new consideration and on 28 January 2015, a Krasnodar territorial court left the decision of the Khosta court in force.

I consider that the decision of the court is completely illegal. In accordance with the law "On freedom of conscience and religious associations," a religious organization conducts services or events without hindrance, including in premises that have been provided to religious organizations for these purposes on other bases. That is, not only in their own property but also if it is a rental, but it is provided for conducting an event, and that means it should be conducted without hindrance. This means that no notification, coordination, or permission is required. That should be the end of the matter.

However the Khosta court cited the law "On meetings, rallies, and marches," providing the conducting without notification only of a one-person picket. But if it is a collective meeting of citizens presupposing "discussion of socially significant matters and making a decision"—how is it possible for one person to discuss and made a decision? We leave that to the court's imagination.

We are now awaiting the text of the decision and, of course, we will appeal it in the process of oversight. The first stage will be the chairman of the Krasnodar territory court. I think that will be a useless step, because the Krasnodar court already has issued its opinion, but it is simply necessary procedurally. Then it will be the Supreme Court.

If we hear in the decision a phrase about a meeting with a single person then we will have full reason to turn immediately to the Constitutional Court.

We are obligated to pursue this case to the end, because it is creating a very dangerous precedent. (tr. by PDS, posted 1 August 2015)

Customs officials block Bibles from entering Russia

JW.ORG (21.07.2016) - <http://www.jw.org/en/news/legal/by-region/russia/russia-blocks-bibles-20150721/> - On July 14, 2015, Russian customs officials took an unprecedented step against Jehovah's Witnesses by denying importation of the *New World Translation of the Holy Scriptures*, published by the Witnesses in the Russian language. Since March 2015, Russian authorities have stopped all shipments of the Witnesses' religious publications, even though none of the literature intended for import is banned in Russia. The blocking of shipments of literature along with the recent ban of their official website, www.jw.org, is an ominous development that curtails freedom of worship, speech, and the press.

Russia should embrace its religious diversity

The Moscow Time (26.07.2015) - How will Europe's human rights court respond to a government that treats a pacifist religious group as a dangerous extremist cell? The European Court of Human Rights (ECHR) will answer that question this summer when it rules on whether Russia's prosecution of Jehovah's Witnesses under its extremism law criminalizes freedom of religion or belief.

A ruling against the Kremlin could be a landmark decision for Russia, affecting not only Jehovah's Witnesses. From Muslims to dissenting members of the Moscow Patriarchate Russian Orthodox Church (MPROC), other Russians are also caught in the wide net cast by this overly broad law.

Under the extremism law, religious material is banned throughout Russia once a higher court upholds a lower court ruling that it is "extremist." Convicted individuals face up to four years in prison. As of this June, Russia's list of banned materials reached 2,859 items, having started in 2007 with 15 items.

The ECHR is reviewing 22 cases of Russian court bans of 72 Jehovah's Witness texts, including a children's book called "My Book of Bible Stories."

Russia enacted its extremism law in 2002, just months after the Sept. 11, 2001 attacks in the United States. Two of the law's provisions defined religious extremism as promoting the "exclusivity, superiority, or lack of equal worth of an individual" and "incitement of religious discord" in connection with acts or threats of violence.

How did these provisions allow Russia to target Jehovah's Witnesses or other peaceful religious minorities?

Officials began to interpret the first provision as promoting the superiority of a belief rather than an individual, contrary to the text's plain meaning. And in 2007, Russia amended the law to allow prosecution for inciting religious discord even in the absence of any threat or act of violence.

Since every group believes its own dogma to be in some sense superior, any group could face an extremism charge. And since inciting "religious discord" is no longer linked to advocating or perpetrating violence, those advocating religious views face potential criminal charges of incitement.

But in practice, the Russian authorities selectively target certain religious groups,

including Jehovah's Witnesses. In August 2013, Russia even banned the group's international website - the only nation to do so. In early 2014, a regional court overturned this ruling.

And it was not until May 2015 that the Russian Justice Ministry allowed the Jehovah's Witnesses to operate as a legal community in Moscow - five years after the ECHR ruled against Russia's refusal to do so.

But it is Russia's 20 million Muslims who are targeted the most by the application of the new law, with Muslims sentenced to prison terms despite engaging in peaceful observances and activities.

A court in 2007 banned the Russian translations of 14 Quran commentaries by Turkish theologian Said Nursi due to his asserting Islam's superiority. Five years later, in response to an Orenburg court's ban of 65 Muslim texts issued "by literally all Islamic publishers in Russia," the Council of Muftis protested that this ruling constituted "the revival of total ideological control" reminiscent of the Soviet era.

Although a local court partially overturned this ban earlier this year, it still is unclear what this ruling means in practice. The Council of Muftis is appealing this ban to the ECHR. In September 2013, the Novorossiisk District Court even banned a translation of the Quran itself and ordered its destruction, a ruling that fortunately was overturned three months later.

So why is Moscow targeting these groups?

Russia believes they threaten national security; the Kremlin includes in this term cultural as well as physical threats to the Russian state. It considers the MPROC the nation's chief cultural and religious embodiment and views certain other religious groups as competitors and dangers to Russia's unity. So when Jehovah's Witnesses or Muslims assert different religious views, officials insist Russia is somehow harmed.

But the opposite is the case. With some 185 officially recognized ethnic groups, Russia is far from being a cultural, religious or ethnic monolith. To combat this diversity by suppressing minority religions promises more - not less - chaos and conflict.

Advancing the myth of a monolithic Russian culture by repressing religious minorities also clearly violates the internationally recognized right to freedom of religion or belief. This repression is a major factor driving the U.S. Commission on International Religious Freedom, on which we serve, to designate Russia a serious religious freedom abuser. In March of last year, the European Union reiterated its strong opposition to the law.

Now the ball rests in the European Court of Human Rights. A ruling in favor of the Jehovah's Witnesses will be the latest call to improve both freedom and security in Russia.

M. Zuhdi Jasser is vice chair of the U.S. Commission on International Religious Freedom (USCIRF). Katrina Lantos Swett is a USCIRF commissioner.

To interview a USCIRF Commissioner, please contact USCIRF at media@uscirf.gov or 202-786-0613.

The U.S. Commission on International Religious Freedom was created by the International Religious Freedom Act of 1998 to monitor the status of freedom of thought, conscience, and religion or belief abroad, as defined in the Universal Declaration of Human Rights and related international instruments, and to give independent policy recommendations to the President, Secretary of State, and Congress.

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Cossacks attack, throw stones at Jehovah's Witnesses

by Nina Achmatova

AsiaNews (23.07.2015) - <http://www.asianews.it/news-en/Cossacks-attack,-throw-stones-at-Jehovah's-Witnesses-34845.html> - Jehovah's Witnesses were meeting in congress on 10-12 July in Krymsk, Krasnodar region. On the second day, Cossacks attacked the gathering as police stood idly by. For participants, the action violated "our right to religious freedom".

Some Cossacks stormed a Jehovah's Witnesses gathering in the city of Krymsk, in the southern Russian region of Krasnodar. They disrupted the meeting and threw stones at participants, this according to online news website *newsru*, which cited the Sova Centre, a Russian information and analysis think tank on racism and xenophobia.

The congress was scheduled for 10-12 July at Krymsk stadium. Participants came from the city of Krymsk itself as well as Anapa, Gelendzhik and Novorossiysk.

According to eyewitness accounts, police officers with the Cossacks arrived on the morning of 11 July to ensure public order. Suddenly, the lights were turned off, but the public remained calm until generators were brought in and activities resumed.

Less than an hour later however, the Cossacks began throwing stones at the faithful, putting at risk the safety of those present, as the Jehovah's Witnesses reported in a statement.

"In the end, the meeting was suspended and the faithful went home before the congress could finish. On the third day, finally, it was not possible to celebrate the service, as planned," read the statement.

Jehovah's Witnesses accuse the Cossacks of violating their right to religious freedom and slammed the police for doing nothing to prevent the attack.

The local Prosecutor's Office tried to justify the action against the congress by claiming that the more than 1,500 participants had started an unauthorised procession.

"The Prosecutor is trying to justify the unjustifiable," some Witnesses said, noting that they did not hold a procession since the event was held in a closed environment with songs, prayers and preaching the Bible.

For the Witnesses, "Under the existing law, unlike activities in a public place, there is no need to notify officially the authorities if they are conducted indoors. By organising the congress in the stadium, believers followed the law to the letter."

For years, Jehovah's Witnesses have faced a number of legal issues in Russia. In March 2015, a court in Krasnodar region described the local community as extremist and ordered the seizure of its local assets. In December 2014, the Supreme Court ruled their website and that of three other religious groups as "extremist".

Jehovah's Witnesses are among the religious minorities in the former Soviet Union that have had to endure discrimination the most.

Although only some 200,000 across in the Russian Federation, they have been accused of sectarianism, "religious extremism", "incitement to social isolation" and actions that undermine societal harmony.

Russian authorities object to some practices associated with the group, most notably their objection to compulsory military service, refusal to bear arms, opposition to blood transfusions and the demand on members to be totally dedicated to community life.

Freedom of assembly and expression of Jehovah's Witnesses curtailed

HRWF (25.07.2015) – Jehovah's Witnesses in Russia are being increasingly repressed. Their website has been banned, importation of religious literature has been blocked and their congress in Krymsk has been disrupted.

Disruption of a three-day congress of Jehovah's Witnesses

SOVA CENTER (21.07.2015) –

<http://www.sova-center.ru/religion/news/harassment/intervention/2015/07/d32474/> - In Krymsk, police officers broke up a Jehovah's Witnesses congress. Cossacks who arrived with them cut off the electricity to the stadium at which the event was being conducted, and then they pelted believers with stones.

It was reported on 21 July that in Krymsk, personnel of the police and Cossacks disrupted a three-day congress of Jehovah's Witnesses. The event lasted from 10 to 12 July in the stadium in Krymsk. Participants included believers from Krymsk, Anapa, Gelendzhik, and Novorossiisk.

Members of the society described how "in the morning of the second day, 11 July, Witnesses who were arriving for a worship service saw around the stadium strangers who turned out to be law enforcement personnel and representatives of Cossackdom. The latter behaved extremely aggressively, demanding that the worship service cease. They put pressure on the director of the complex. Soon unidentified persons turned off the electricity in the complex. Although believers were offended by such a gross disruption of the service, everyone remained in their places calmly. After 45 minutes generators were delivered and the service continued. Unfortunately, aggressively minded people began throwing stones and bricks into the territory of the complex, causing a threat to the health of believers. At the same time, police and other law enforcement personnel did not put a stop to these actions. Instead, unidentified influential persons continued to put pressure on the administration of the complex, demanding to halt the worship service. In the end, the meeting was broken up and believers were forced to disperse to their

homes, without bringing the service to its conclusion, since the planned third day of worship could not be held."

Jehovah's Witnesses think that the actions of the police and Cossack personnel impeded their right to freedom of religious confession. In their opinion, "the local prosecutor's office, trying to justify the illegal actions of their colleagues in disrupting the worship service spread the fantasy about some kind of preliminary march." Actually, the website of the prosecutor's office said that "the worship service was accessible to everybody and it was conducted in the form of a mass meeting of more than 1,500 citizens on the territory of the athletic structure, accompanied by the movement of persons along a previously planned route" and thus it should have been conducted with a notification of the authorities. (tr. by PDS, posted 21 July 2015)

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Appeals court defends Jehovah's Witness

Krasnodar territorial court finds JW' arrest for distributing religious literature illegal

Portal-credo.ru (09.07.2015) - The 58-year-old elder of the religious congregation of Jehovah's Witnesses, Vladimir Eltavsky, who was arrested in the courtroom in the village of Briukhovets, of Krasnodar territory, RF, went free after 32 hours of illegal detention in an isolation cell. A higher court ruled as illegal the order for a 12-day detention that had been issued by Briukhovets Judge Dmitry Mosypan, the press service of the Administrative Center of Jehovah's Witnesses in Russia reported on 9 July.

During an appellate hearing, a representative of the territorial prosecutor's office expressed surprise at the actions of the district prosecutor, A. Fomenko, who shut his eyes to the obvious reasons for closing the case.

"Detention for 12 days was for me like a bolt out of clear sky," Vladimir Eltavsky says. "I am profoundly thankful to Judge Evgeny Smirnov, who on review of the case was able to clear up the situation."

The arrest of Vladimir Eltavsky, who was accused of possession and distribution of Jehovah's Witnesses' literature, was reported by Portal-credo.ru on 2 July. (tr. by PDS, posted 9 July 2015)

SOVA Center's Report at OSCE Supplementary Human Dimension Implementation Meeting in Vienna

Sova Center (03.07.2015) -

SOVA Center for Information and Analysis took part in the 2015 OSCE Supplementary Human Dimension Meeting (SHDM) in Vienna (July 2-3). Here we publish the report made by the center's speakers at working session "Freedom of Religion or Belief and fostering mutual respect and understanding in the OSCE area - opportunities and challenges" on July 2, 2015.

Dear Chairman, Dear participants of the conference!

The center "Sova" conducts monitoring of the numerous problems in Russia related to freedom of religion and conscience. The monitoring identifies the most urgent problems that impede the implementation of religious freedom and threaten the inter-confessional accord.

1. The anti-extremist legislation remains a major source of threat to freedom of conscience. Representatives of different religions are wrongfully persecuted under the provisions of this legislation, but certain groups such as Muslims and Jehovah's Witnesses are the most affected. In 2014 new criminal cases were instituted against the followers of Said Nursi, this year one of them was sentenced to a real imprisonment. Muslim literature of clearly non-extremist sense is still prohibited: the publications that were previously excluded from the federal list of extremist materials have been recently re-included into the list. We have repeatedly pointed out the inefficiency of the Russian anti-extremism legislation to solve the security issues. On the contrary, the employed instruments contribute to discrimination against Muslims and creating the image of enemy.

2. The problem of hijab remains acute in Russia as well as in other European countries. In some regions regulations were adopted banning the wearing of Islamic clothing in schools. An attempt by Muslims to challenge a similar decree of the Mordovia Republic's government in court failed. Regulation of the religious behavior of citizens by prescriptive methods, as it seen in Russia and other countries, usually is an attack on freedom of conscience. But in Russia, such regulation also call into question the supremacy of federal law in the sphere of human rights, as well as the integrity of the legal environment, as, for example, the authorities in Chechnya, on the contrary, force women to wear headscarves. In addition, such restrictions will inevitably push some Muslims to radicalization.

3. The Russian law toughening administrative responsibility and introducing criminal responsibility for offending religious feelings, adopted in 2013 despite numerous protests, contrary to expectations, was not actively put into practice. However, on top of this law the authorities are finding other ways to support those appealing to religious feelings who try to affect the cultural life without considering the interests of the rest of society - both believers and non-believers. Under the pressure of radical Orthodox Christians there have been cancelled concerts, performances, exhibitions and festivals in different regions of Russia and there are also evidence of censorship of works of art. The director of the Novosibirsk Opera and Ballet Theater, who refused to reconsider the repertoire policy in accordance with the wishes of the believers, was later dismissed at the decision of the Ministry of Culture. In some cases, defenders of religious feelings get their way by means of physical force, without incurring penalties.

4. The construction of churches, mosques and other houses of prayer is always a subject to compromise between representatives of religious communities, municipal authorities and local communities. Unfortunately, in many Russian regions, primarily in Moscow, more and more frequently such a compromise cannot be reached, and the construction of temples is very often accompanied by conflicts. Orthodox community, despite the

existing legislation, gets allocation of plots on the territory of park areas, which naturally leads to protests by the local population, but the authorities often ignore the violations of law. At the same time, Muslims with the evident lack of mosques in Moscow cannot get a construction permit for several years, and the officials justify their refusal by citing the displeasure of local residents. Such an explicit support of the interests of one religious organization to the detriment of the rest of society is perceived as discrimination and creates tension in society.

Our recommendations for OSCE participating states

1. Do not use lists of banned literature as an instrument for protecting tolerance, including religious tolerance as this tool has already demonstrated a complete lack of efficiency, and it generates more human rights violations.
2. Accept the fact that religious tolerance should be protected by the same mechanisms as other forms of tolerance, and refrain from creating special rules that restrict certain freedoms for the sake of specifically religious tolerance.
3. Disavow any and all laws that interpret religious polemics as incitement to religious hatred, and to revise the previously adopted solutions reflecting this spirit.
4. Prevent enactment of new laws and other legal acts that are aimed to restrict public expression of religious beliefs.
5. Develop an effective mechanism for adopting decisions on the construction of religious buildings.

Salafist-Sufi tensions threaten greater instability in North Caucasus

Eurasia Monitor/ Volume 12, Issue 109 (11.06.2015) - Muslims in the North Caucasus anxiously watched the incident at a mosque in Ingushetia's Nasyr-Kort (Nazran) municipality on June 5, when several thousand supporters of the republican mufti, Isa Khamkhoev, and the imam of the mosque, Khamzat Chumakov (see [EDM](#), August 1, 2013), clashed with each other ([YouTube](#), June 5). Multiple gunshots can be heard on a video of the incident posted on the Internet, which means that people went to the prayer with guns, assuming that there would be physical violence. A day earlier, on June 4, the governor of the republic, Yunus-Bek Yevkurov, used his official Facebook account to call on residents of the republic to abstain from provocations and conflicts based on differences over Islamic teachings ([Facebook.com](#), June 4).

Chumakov had earlier decided to stop performing the midday prayer on Friday, but that decision led to the conflict. The Nasyr-Kort imam said that this was the recommendation made at the International Islamic Theological Conference that took place in Ingushetia on May 15, 2015 ([Islam.ru](#), May 15). The purpose of that conference was to let well-known Islamic theologians call for moderation among the Muslims of the North Caucasus.

According to the Shafi'i madhhab, which is one of the four legal schools of Islam, the midday prayer after the Friday prayer is not necessary. The Sufis of the North Caucasus, however, consider the midday prayer on Friday as mandatory. The problem appears to be a quite trivial one that could have been settled through discussion instead of fighting. However, this was only a small aspect of a broader rivalry and competition between the supporters of the two Islamic schools. The conflict at the Nasyr-Kort mosque should have affirmed the victory of the Salafis on this relatively small issue once and for all. In deciding to stop performing the midday prayer on Friday, Chumakov cited Islamic

theologians of the Middle East—above all, the Secretary General of the International Union for Muslim Scholars, Ali Muhiddin al-Karadaghi (Kavpolit.com, June 5).

For his part, Khamkhoev received Ali Muhiddin al-Karadaghi's views coldly. The official republican cleric had not expected the well-known theologian to support the opponents of the Sufis. At midday on June 5, Khamkhoev and a large crowd of Sufis entered the Nasyr-Kort mosque, where imam Chumakov was delivering his sermon. According to the rules of Islam, a person who is delivering a sermon cannot be questioned or interrupted. Khamkhoev nonetheless tried to approach Chumakov, but was stopped by two bodyguards. The fighting ensued, involving several thousands of Muslims in the mosque. The Salafis eventually forced the mufti out of the mosque, but the fighting continued in the mosque for some time. That same evening, Khamkhoev explained his position, saying he had gone to the mosque on behalf of co-villagers who disliked the fact that Chumakov was putting constraints on them ([YouTube](https://www.youtube.com/watch?v=...), June 5). The mufti of Ingushetia said no one had appointed Chumakov as the mosque's imam and called him an impostor. The republican mufti said he had been trying to correct the situation and wanted to address the parishioners of the mosque, but was attacked by Chumakov's supporters.

Nearly all of Ingushetia's police forces were dispatched to the mosque, which was surrounded by special forces, who prevented anyone from entering, allowing people only to exit ([Kavkazsky Uzel](http://Kavkazsky.Uzel), June 5). It is unclear why the police let those who had weapons and fired shots in the mosque leave the scene and did not even try to identify them. The next day, the official media sided with Khamkhoev and condemned the supporters of Khamzat Chumakov, blaming them for what they labeled a preplanned provocation (06region.ru, June 6).

It is not only the Salafis of Ingushetia who have defended Khamzat Chumakov. Abu Umar Sasitlinsky of Dagestan also called on the Salafists there to support the Salafist imam of Ingushetia ([Facebook.com/AbuUmarSasitlinskiy](https://www.facebook.com/AbuUmarSasitlinskiy), June 5). Chumakov's reputation has been bolstered considerably, and the active part of the Muslim population of the North Caucasus is closely watching him and the government's actions against him. Various experts have also come out in support of him, saying that Chumakov was right in this dispute ([Kavkazsky Uzel](http://Kavkazsky.Uzel), June 6). Chumakov himself preemptively addressed President Vladimir Putin, asking him to prevent the conflict around the mosque from escalating ([Kavkazsky Uzel](http://Kavkazsky.Uzel), June 6).

The June 5 incidents in Ingushetia were only the tip of the iceberg of the growing regional problems between the Sufis and Salafists. This incident shows that the tensions between the two groups may spiral into actual clashes between the supporters of the rival Islamic teachings (Onkavkaz.com, June 5). As soon as the Salafists feel government pressure is receding, they will likely create a mini-Syria in the North Caucasus and prevent the Sufis from practicing Islam according to their beliefs.

The Russian authorities do not realize that the armed Islamic underground movement has long chosen a parallel way of integrating into society. The Salafists realize that they cannot defeat the Russian army and the security services in an open fight, so they have adjusted their tactics. Now they are trying to establish themselves in their own mosques and spread their propaganda legally via the Internet. The Salafists are thus trying to spread their influence, which diminished after 16 years of military actions against them by the Russian authorities. The Salafists in the North Caucasus have mutated significantly, which means that further outbreaks of violence in the region may occur at any time just as the above mentioned incident erupted recently in Ingushetia.

Bans demanded for "religious superiority", "religious hatred"

Forum 18 (08.06.2015) - Prosecutors in Sverdlovsk Region in the Urals are seeking to have a Russian-language collection of hadith (sayings of the Muslim Prophet Mohammed) banned as "extremist", Forum 18 News Service has learned. Another text – an Islamic examination of the Christian doctrine of the Trinity – could also be outlawed. A court ordered second analyses of both in May. The first analyses by an FSB security service specialist claimed to have found that they both promote "religious superiority" of Islam over other faiths and incite "religious hatred".

Similar arguments have been used to ban Jehovah's Witness publications which, in a recent case in Belgorod Region, the community is now trying to challenge (see below).

On 17 February, Russia's Constitutional Court ruled that rights to freedom of speech, conscience and religion are not infringed by outlawing material as "extremist" for proclaiming the truth or superiority of one religion or belief system's teachings. The case was brought by Sergey Alyokhin, who was involved in a 2011 case in Krasnodar which resulted in the banning of material from the Chinese spiritual movement Falun Gong (see F18News 14 December 2014 http://www.forum18.org/archive.php?article_id=1782).

Any Russian court can declare a work (book, leaflet, song, slogan, video, website or webpage) "extremist". The Justice Ministry is then empowered to place such a work on its Federal List of Extremist Materials. Ownership of a work on the list can lead to prosecution. Numerous Muslim and Jehovah's Witness works have been placed on the list, together with several Falun Gong and one Catholic publication (see F18News 20 March 2015 http://www.forum18.org/archive.php?article_id=2049).

Not only hard copies of religious material may be targeted by law enforcement, Forum 18 notes. Websites, webpages and apps found to contain "extremist" material may be blocked by court order or directly by the Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor), and added to the Unified Register of Banned Sites, rendering them inaccessible inside Russia.

Pervouralsk

The two books prosecutors in Sverdlovsk Region are seeking to ban – the Russian-language hadith collection and Islamic examination of the Christian doctrine of the Trinity – were seized from the Sabr Muslim community's mosque in the town of Pervouralsk during an inspection in 2014, carried out by law enforcement agents to check compliance with anti-extremism legislation.

After linguistic analysis of the material by FSB specialist Svetlana Mochalova, prosecutors submitted two suits to Pervouralsk City Court. The Sabr community and its parent organisation, the Kazyyatskoye Administration of Muslims, have been named as "interested parties" in the suits, but do not currently face charges themselves. They have invited Ilhom Merazhov (an Islamic theologian from Novosibirsk) and Sergei Mezentsev (a specialist in religious studies from Moscow) to act as expert witnesses.

On 18 May, Judge Natalya Kukushkina ordered religious and psychological analyses of both texts and adjourned proceedings until this is completed. It is unknown when hearings will resume. According to Merazhov, this further analysis will also be conducted by the FSB security service, but must be paid for by the mosque community.

When Forum 18 called Pervouralsk City Prosecutor's Office on 4 June and asked a spokeswoman about the attempt to ban these texts, the phone was immediately put

down.

Hadith collection

"Selected Hadith", a Russian-language translation published in Kazan in 2003, consists of several hundred sayings attributed to the Muslim Prophet taken from the six accepted and authoritative sources of hadith, accompanied by brief explanatory comments. Muhammad Yusuf Kandahlawi compiled and edited the collection. Kandahlawi (1917-1965) was an Indian-born Islamic scholar and teacher, and a major figure in the Tabligh Jamaat movement, which is banned in Russia as an extremist organisation.

According to Merazhov and Mezentsev's expert witness statements to the court, seen by Forum 18, linguist Mochalova concluded that the book promotes "the religious superiority of Islam over other religions" and incites "religious hatred towards Christianity".

Merazhov asserts that the FSB analysis confuses the illegal denial of civil rights or legal benefits to citizens on the basis of religion with "the conviction of believers that their religion is the most correct and true, from which the infringement of civil rights does not follow". The right to believe in the inherent truth and superiority of one's own faith is part of the right to freedom of religion and belief, and, as Merazhov argues, "cannot by itself be regarded as an act aimed at inciting hatred or enmity".

Mochalova highlights a hadith which states that believing Muslims go to paradise after death while unbelievers go to "the Fire". Merazhov argues that statements about belief in the afterlife "cannot be matters of trial in a secular state".

Ancient texts can contain statements opposed to present-day understandings of the rights of others, gender equality, freedom of religion or belief and other human rights, Forum 18 notes. A refusal to acknowledge the context in which ancient texts were written, their subsequent interpretation, and the impact they have had on people can lead to arbitrary criminalisation of texts. Such bans can undermine the very values the ban is supposed to uphold.

Doctrine of the Trinity

"Is the Doctrine of the Trinity Divinely Inspired?" was written by Muhammad Ameen Cave and appears to have been originally published in English in 1996. In the introduction, the author states that he is a convert from Christianity to Islam. The text which is the subject of the Pervouralsk suit is a Russian translation.

Mochalova's analysis, dated 4 December 2014 and seen by Forum 18, also asserts that the book intends to promote "the religious superiority of Islam over other religions" and incites "religious hatred towards Christianity".

The analysis draws attention to several passages which argue that the Christian idea of the Trinity "perverts" the "true" nature of God, and describe the concept as "not biblical but fallacious, baseless, senseless, repugnant, and contrary to reason" (Cave's words). By arguing that teachings about the Trinity "degrade the human intellect", Cave is "thereby emphasising the inferiority of Christians who believe in this doctrine" (Mochalova's words).

The right to assert the truth of one's own beliefs and to criticise any or all other beliefs is a fundamental part of freedom of religion and belief.

As long as the Extremism Law remains "unclear and ambiguous", attempts to ban books will continue, Merazhov remarked to Forum 18 on 4 June. The situation will only improve, he believes, if there are "firstly, clear comprehensible laws, and secondly, a precise,

commonly accepted method of conducting these expert analyses". At present, "any book can be considered extremist and banned which talks about its own truth", even if, as in the two Pervouralsk cases, it contains no calls for violent action.

Meanwhile, Muslims in Pervouralsk fear that if "Selected Hadith" and "Is the Doctrine of the Trinity Divinely Inspired?" are ruled "extremist" by the City Court, further punishments against their community will follow and their mosque might be closed.

If the hadith collection is outlawed, Merazhov predicts "outrage among believers, and distrust of the legal and judicial system".

Jehovah's Witnesses appeal against ban

An appeal against the ban on two Jehovah's Witness brochures is due to be heard at Belgorod Regional Court on 11 June, a Jehovah's Witness spokesperson told Forum 18 on 5 June.

On 4 March the city's October District Court found that "The Son Will Reveal The Father" contained "propaganda of exclusivity and calls for inciting religious hatred", while "Was life created?" was deemed to include references to the "Book For All", already banned by Rostov Regional Court in 2009.

The court also ordered the Administrative Centre of Jehovah's Witnesses in Russia to pay 15,000 Roubles to cover the cost of "expert analysis" of the texts, which was carried out by Belgorod State University (see F18News 20 March 2015 http://www.forum18.org/archive.php?article_id=2049).

Orenburg

In February, Judge Kira Annenkova of Orenburg Regional Court overturned (for procedural reasons) a lower court decision banning 68 Islamic texts as extremist. The new decision partially upheld the prosecutors' original suit and stipulated that only 18 texts should be included on the Federal List (see F18News 20 March 2015 http://www.forum18.org/archive.php?article_id=2049).

Although lawyers in the appeal case initially believed that the remaining titles had been reprieved and that any subsequent prosecution under Administrative Article 20.29 ("mass distribution of extremist materials") would be illegal, these 50 items will in fact remain on the Federal List until the case is re-examined by the original court.

Forum 18 has found at least two cases of fines imposed for distribution of these texts after the Regional Court decision came into force (see F18News 15 May 2015 http://www.forum18.org/archive.php?article_id=2062).

Asked why no Orenburg titles had yet been removed from the Federal List, the Justice Ministry explained to Forum 18 on 4 June that, if a verdict has already been fulfilled, any re-examination of the case which results in the cancellation of that verdict should either explicitly reverse the original decision or send it back to the original ("first instance") court for resolution.

Judge Annenkova's written verdict, which dates from 27 February but only became available in April, orders 18 items to be included on the Federal List, but makes no mention of what should happen to the remainder. Article 445 of the Civil Procedural Code states that "If in a higher court judgment, decision or ruling there is no guidance on reversing the fulfilment of the [original] court verdict, the defendant is entitled to submit an application to the court of first instance". Lawyers attempting to have the Orenburg

materials removed from the Federal List will therefore have to return to the city's Lenin District Court.

Lenin District Court ruled that the publications were "extremist" in March 2012 in a hearing lasting only 20 minutes. The decision remains the biggest single known banning of religious literature by a Russian court. The banning decision only became public, however, in June 2012 - after the period for appeals had passed (see F18News 19 June 2012 http://www.forum18.org/Archive.php?article_id=1713).

Although the Regional Court later accepted five appeals by authors and publishers, the delay meant that the District Court ruling could come into force in the meantime and be fulfilled by the addition of the 68 titles to the Federal List. This has led to numerous prosecutions across Russia for distribution of the banned texts under Administrative Code Article 20.29 (see F18News 31 March 2015 http://www.forum18.org/archive.php?article_id=2052).

Same books, different bans

Several of the items banned in Orenburg have also been the subject of "extremism" rulings in different editions in other parts of Russia. Even if the Orenburg ban is ultimately entirely lifted, therefore, individuals will need to check the edition of a book carefully in order to avoid prosecution for mass distribution of extremist materials.

A 16 February decision by Judge Nadezhda Rogova at Kurgan City Court, for instance, banned three further editions (dating from 2006, 2009, and 2010) of Said bin Ali bin Waqf al-Qahtani's "Fortress of a Muslim". This is a collection of prayers and greetings for various situations (such as "What to say when entering the home", "Invocations for visiting the sick", and "Invocations for travelling").

According to the verdict, seen by Forum 18, the books were uncovered during an FSB inspection of a prison colony. FSB linguistic analysis concluded that the text "contains information aimed at promoting the religious exclusivity and superiority of Islam over other religions, as well as incitement to religious hatred and enmity towards non-Muslims, and hidden incitement to violence against non-Muslims".

Online material targeted

After carrying out internet monitoring, Stavropol Regional Prosecutor's Office requested that two sites, each containing the text of a different edition of al-Qahtani's "Fortress of a Muslim", should be blocked. On 20 April, Judge Aleksandr Korobeynikov upheld the prosecutors' suit at Stavropol's October District Court, and banned access to pages on islamvmoldove.com and rasoulallah.net, according to court records. Roskomnadzor added both sites to its Unified Register of Banned Sites on 26 and May respectively.

Russia's General Prosecutor has also applied to Roskomnadzor to block access to the text of "Fortress of a Muslim" via the Apple and GooglePlay online app stores, Roskomnadzor spokesperson Vadim Ampelonsky told "Izvestiya" newspaper on 21 May.

Nizhny Tagil video ban

A YouTube video by Australian Islamic filmmaker Kamal Saleh has been banned by Tagilstroyevsky District Court in Nizhny Tagil (Sverdlovsk Region). Judge Igor Andreyev ruled on 30 March that "Jesus in Islam and Christianity" should be added to the Federal List.

The five-minute film, posted on a Russian Muslim YouTube channel, consists of the recitation of an English-language poem questioning the Christian view of Jesus, dubbed

into Russian. "In the video, the divine nature of Christ is denied, which is quite natural for preachers of Islam," the Moscow-based SOVA Centre for Information and Analysis noted on 5 June. "Such theological issues are, however, outside the scope of anti-extremist legislation."

The video was added to Federal List on 4 June, but does not yet appear on the Unified Register.

No response to website ban challenge

Russia's Supreme Court has still not responded to the appeal against the ban on the Jehovah's Witnesses' main international website, jw.org. "The supervisory appeal was filed with the Chair of the Supreme Court. We have received no answer from him," the Jehovah's Witness spokesperson told Forum 18 on 8 June.

The website had been blocked by Tver's Central District Court in August 2013 after FSB investigators found it to contain seven items from the Federal List. Jehovah's Witnesses successfully appealed against the ban at Tver Regional Court in January 2014 (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920).

The Supreme Court ruled the site "extremist", however, on 2 December 2014 (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020). A supervisory appeal was submitted in early February 2015 (see F18News 20 March 2015 http://www.forum18.org/archive.php?article_id=2049).

Roskomnadzor added the website to the Unified Register of Banned Sites on 26 January 2015. It is now inaccessible within Russia in all languages, not only Russian, Forum 18 notes.

Jehovah's Witnesses in North Caucasus subjected to unreasonable search and seizure

ReligioPolis (05.06.2015) - <http://www.religiopolis.org/news/9127-antireligioznyj-zud.html> - On 29 May 2015 in the cities of Mozdok, Alagir, and Vladikavkaz, under the guise of surveys, searches were conducted in four Kingdom Halls (houses of worship of Jehovah's Witnesses). Not finding anything that is prohibited, the police confiscated a sound system, CD-players, and compact disks with recordings of religious melodies that are used during the conduct of worship services.

At the same time as this, in the city of Beslan, FSB personnel and police, under the guise of a survey, conducted a full-scale search of a residence in which volunteers from the Jehovah's Witnesses were engaged in the translation of biblical publications in the Ossetian language. In the end, nothing illegal was discovered in the residence and in the adjoining territory also.

During the course of the so-called survey, which lasted all day, personnel of law enforcement agencies confiscated personal items of the believers, including religious literature, photographs, documents, and all computers which they were using for help in translation into the Ossetian language, as a result of which all translating activity was paralyzed.

Over the course of many years, Jehovah's Witnesses have provided residents of the republic the opportunity to read Christian publications in their native language. Also in

2010, a full Ossetian (Irontsy dialect) translation of the Bible was released for the first time in history. All of this work, undoubtedly, has facilitated the preservation and development of the Ossetian language, which, according to UNESCO is considered to be endangered.

Without disputing the right of oversight and monitoring agencies to conduct verification measures, we consider that in this case they were carried out not by reason of specific instances of illegal actions on the part of Jehovah's Witnesses, but with substantial violation of the law and going beyond their authority by officials. The believers intend to press for the return of their personal things and to complain in court about all illegal actions by personnel of the power structures. (Source: Press Service of the Administrative Center of Jehovah's Witnesses in Russia)

Jehovah's Witnesses continue to fight in courts

HRWF (05.06.2015) – Jehovah's Witnesses are a major target of religious oppression in Russia. Many of their religious brochures, which are regularly distributed all over the world without any problem, are regularly censored by the authorities on the ground of extremism. Those who use them or distribute them are arrested and sentenced to heavy fines. Their website in Russia has been closed. They fight for their rights in domestic courts and at the European Court but Russia balks at implementing its decisions.

Ministry of Justice registers Jehovah's Witnesses in Moscow

On 27th May 2015, the Russian Federation Ministry of Justice registered the Local Religious Organization of Jehovah's Witnesses in Moscow. The registration came nearly five years after the European Court of Human Rights (ECHR) ruled that a Moscow court decision to liquidate the Witnesses' legal entity was illegal (See <http://www.strasbourgconsortium.org/common/document.view.php?docId=4955>).

After years of legal proceedings, the Golovinskiy District Court of Moscow ruled to liquidate the Witnesses' legal entity in 2004. In 2010, the ECHR ordered Russia to remedy the violation by restoring the community's registration and paying moral damages. The Russian government paid the fine but only now registered the religious community.

Crucial decision in Taganrog criminal case expected soon

The retrial of 16 of Jehovah's Witnesses in Taganrog, Russia, that began in February 2015 has continued into its fifth month. The accused face imprisonment and fines simply for practicing their faith.

Their criminal trial began on 13th May 2013, after they were indicted on criminal charges for alleged extremist activities. The trial court fined seven of the Witnesses and sentenced four of them to lengthy prison terms, but the judge suspended the sentences. On December 12, 2014, the appellate court ordered a retrial at the request of the prosecutor. Jehovah's Witnesses expect the new judgment by the end of June.

Source: JW.ORG

Trials of Muslims and Jehovah's Witnesses continue

Forum 18 (27.05.2015) - After two appeal hearings on 6 and 13 May, Judge Maksim Maksimov of Russia's Ulyanovsk Regional Court upheld a February ruling that Bagir Kazikhanov, Stepan Kudryashov and Aleksandr Melentyev met regularly in "conspiratorial gatherings". Kazikhanov was alleged to have come to Ulyanovsk to set up a "cell" on the orders of "Nurdzhular", an organisation Russian Muslims deny exists. He has now begun his three and a half year jail term. Also, in the criminal trial in Krasnoyarsk of Yelena Gerasimova and Tatyana Guzenko, accused of running a "Nurdzhular women's cell", Gerasimova was placed on the Interior Ministry's federal "Wanted Database" because of her frequent absences at hearings. Separate proceedings were opened against her, but she was absent because she was pregnant, a Muslim told Forum 18 News Service, and she has now been removed from the Wanted Database. And after multiple delays, the re-trial of 16 Taganrog Jehovah's Witnesses charged with "continuing the activities of an extremist organisation" continues.

Russia's Ulyanovsk Regional Court has upheld the three-and-a-half-year prison term on one Muslim and the suspended prison terms on two others at hearings in May, Forum 18 News Service has learned. On his February conviction, Bagir Kazikhanov became the first reader of the works of the late Turkish Islamic theologian Said Nursi to receive a jail sentence in Russia since September 2013.

Two other criminal trials to punish individuals for exercising the right to freedom of religion or belief continue. The trial against two Muslim women accused of "extremism" continues in the Siberian city of Krasnoyarsk, while in Taganrog in southern European Russia, the re-trial of 16 Jehovah's Witnesses also continues (see below).

Prosecutors in the Siberian city of Novosibirsk have completed their long-running criminal case against up to twenty Muslims, all migrants from Central Asia, on "extremism" charges. The case appears likely to be presented to court soon (see below).

Three Ulyanovsk Muslims lose appeal

Three Muslims who read the works of Islamic theologian Nursi have lost their appeal against their February convictions for "extremist" activity by Ulyanovsk's Lenin District Court. After two appeal hearings on 6 and 13 May, Judge Maksim Maksimov of Ulyanovsk Regional Court upheld the original ruling that Kazikhanov, Stepan Kudryashov and Aleksandr Melentyev met regularly in "conspiratorial gatherings". Kazikhanov was alleged to have come to Ulyanovsk to set up a "cell" on the orders of "Nurdzhular".

"Nurdzhular" is a banned "extremist" organisation which Russian Muslims deny exists (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

All three defendants denied the charges, maintaining they had met only to discuss Islam and to attend football matches. Kazikhanov, who was detained in police custody until the appeal hearings, was sentenced in February to three and a half years' imprisonment for "organisation of extremist activity", the first known person to be sentenced since lengthened prison terms under Criminal Code Article 282.2, Part 1 were introduced in February 2014. He was also the first reader of Nursi's books since September 2013 to receive a jail sentence (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

Kudryashov and Melentyev were convicted under Criminal Code Article 282.2, Part 2, of the lesser offence of "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". They both received suspended sentences, Kudryashov of two years, and Melentyev 20 months.

The whereabouts of a fourth man, Farkhad Allakhverdiyev, who was also charged under Article 282.2, Part 2, are unknown and he is being sought by law-enforcement agencies (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

All three sentences will be reduced by the length of time the defendants spent in custody and under house arrest before their initial trial.

Senior Assistant Prosecutor Vasily Zima of the Regional Prosecutor's Office told Forum 18 on 26 May that enquiries should be directed to the FSB security service. Reached by Forum 18 on the same day, a spokesman for Ulyanovsk Region's FSB maintained that he could not answer questions about the case.

Despite avoiding imprisonment, Kudryashov and Melentyev will remain on probation for long periods – Kudryashov for two years (reduced by time spent in custody before the trial), Melentyev for one year and 10 months - despite a sentence of one year and eight months, but also reduced by the length of his pre-trial detention. During this time, they cannot leave the city of Ulyanovsk or change their places of residence without informing the state authorities responsible for monitoring those with suspended sentences.

Kazikhanov, Kudryashov, Melentyev, and Allakhverdiyev all appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorists and extremists" whose assets banks are obliged to freeze (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

Krasnoyarsk trial for running "Nurdzhular women's cell" continues

The criminal trial in Krasnoyarsk of Yelena Gerasimova and Tatyana Guzenko, accused of running a "Nurdzhular women's cell", has encountered further complications. Because of her frequent absences at hearings in Soviet District Court, Gerasimova was placed on the Interior Ministry's federal "Wanted Database" and separate proceedings opened against her.

Gerasimova had not been attending court because she was pregnant, a fellow Muslim told Forum 18 on 14 April. She has since been removed from the Wanted Database and her case sent to Magistrate's Court No. 79.

Telephones at the Magistrate's Court went unanswered whenever Forum 18 called on 26 and 27 May. Forum 18 sent a request for information by email mid-afternoon of Krasnoyarsk's working day on 26 May. No answer has yet been received.

The case against the two women under Article 282.2, Part 1 ("Organisation of extremist activity") began with a preliminary hearing at Soviet District Court on 27 November 2014, having been passed around the Krasnoyarsk court system for the previous six months (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017). Since then, all 25 hearings have been adjourned except for one on 18 February. The latest took place on 26 May.

The trial follows August 2013 raids by "Anti-extremism" Police and the FSB security service on Gerasimova's and Guzenko's flats as the families celebrated the major end-of-Ramadan festival Eid-ul-Fitr. Gerasimova's home was searched for five hours and the family's guests were not permitted to leave. Gerasimova (who is a lawyer) noted a number of procedural violations (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

So far, Gerasimova and Guzenko's names have not been added to the Rosfinmonitoring list of "terrorists and extremists".

Taganrog re-trial of 16 Jehovah's Witnesses continues

After multiple delays, the re-trial of 16 Jehovah's Witnesses charged with "continuing the activities of an extremist organisation" after their community was dissolved in 2009 began on 18 March at Taganrog City Court. There have been 10 hearings so far, and a further six adjournments because of a defendant's illness or for "other reasons", according to the court website (see eg. F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046). The next hearing is due to take place on 27 May.

The 2009 liquidation of the Taganrog Jehovah's Witness community as allegedly "extremist" was used to justify banning all Jehovah's Witness activity in the city, a ban subsequently upheld by the Supreme Court (see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385).

The Samara and Abinsk Jehovah's Witness communities have also been liquidated as "extremist". Both the Taganrog and Samara Jehovah's Witness communities appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorist and extremist" organisations and the list of banned "extremist" organisations on the Justice Ministry website (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046)

Four of the 16 Taganrog Jehovah's Witnesses were in July 2014 convicted under both Criminal Code Article 282.2, Part 1 ("Organisation of extremist activity") and Article 150, Part 4 ("Involving a minor in the commission of a crime"). Another three were convicted under Criminal Code Article 282.2, Part 2 of the lesser offence of participation in "extremist" activity and the remaining nine people were acquitted. The "crime" of those convicted was to continue to meet together for prayer and Bible study (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

After the August 2014 convictions of those convicted of meeting together in Taganrog for prayer and Bible study, they appealed to Rostov Regional Court. At the Rostov appeal hearings on 11 and 12 December 2014, both convictions and acquittals were overturned and the case sent back for re-examination (see F18News 30 January 2015 http://www.forum18.org/archive.php?article_id=2033).

Up to 20 Muslims to be tried in Novosibirsk

Up to 20 Muslims in the Siberian city of Novosibirsk are to be tried for involvement in banned "extremist" organisation Tabligh Jamaat. The defendants were "apparently intimidated and forced to give evidence that they are members of a cell, although it is unlikely they really understand this", Yuliya Zhemchugova, the lawyer for Tajik citizen Kamolitdin Rakhmanov, told Forum 18 on 23 May. She and Rakhmanov are now disputing his guilt. He remains under travel restrictions until the case comes to court.

The men, all immigrants from Central Asia, were charged under Article 282.2, Part 2, of the Criminal Code ("Participation .. in extremist activity"). It is unclear exactly what they were doing and how they attracted the attention of law enforcement agencies. The FSB security service accuses them of running a "cell" of Tabligh Jamaat since 2005, recruiting new members and holding regular seminars using banned religious literature.

None of the men pursued any extremist purpose, according to Rakhmanov's lawyer. Rakhmanov maintains that they met only to read the Koran and pray – "like all devout Muslims, to study Islam", Zhemchugova insisted to Forum 18.

Rakhmanov was expelled from Russia in 2012 for involvement in Tabligh Jamaat and banned from returning for five years, according to the Interfax news agency on 5 November 2013, citing unidentified "law-enforcement sources". He allegedly re-entered the country on a fake passport in early 2013 and has also been charged under Criminal Code Article 322, Part 2 ("Illegal crossing of state borders").

The "extremism" charges are "based only on the fact that an expert analysis of conversations between the men.. indicates that they belong to the organisation Tabligh Jamaat", the lawyer Zhemchugova told Forum 18, but, "according to the findings of the same examination there were no signs of extremism in these communications". Forum 18 has been unable to find out who recorded these conversations and how.

In a series of raids in November 2013, law enforcement agents found copies of Abu Zakaiya's "Gardens of the Righteous", the Bulugh al-Maram (a collection of hadith), Elmir Kuliyeu's "The Way to the Koran", and Abd ar-Rahman al-Saadi's "Interpretation of the Holy Koran" in the men's possession.

"Gardens of the Righteous" and "The Way to the Koran" were banned by Lenin District Court in Orenburg on 21 March 2012. However, on 27 February 2015 Orenburg Regional Court overturned this ruling in respect of both books and 48 other Islamic texts. Neither the Bulugh al-Maram nor al-Saadi's "Interpretation" appears on the Federal List of Extremist Materials (see F18News 18 March 2015 http://www.forum18.org/archive.php?article_id=2049).

The FSB also claims to have found copies of "The Values of Tabligh", and "Fazail Amali" by Sheik Muhammad Zakariya Kandahlawi. These were banned respectively by Abakan City Court (Khakassiya Republic) on 11 August 2009 and Sol-Iletsk District Court (Orenburg Region) on 20 April 2010.

Tabligh Jamaat

Tabligh Jamaat was outlawed in Russia as "extremist" by a Supreme Court ruling of 7 May 2009. Unlike the similar ban on the alleged "Nurdzhular" organisation, the Tabligh Jamaat ban is justified with claims that its associates in Russia have been linked to violent acts "have called [in sermons] for the violent seizure of power and [made] statements aimed at inciting national, racial, and religious hatred" (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Worldwide, Tabligh Jamaat aims to revive and strengthen the faith of Muslims and has no formal membership. Its associates spend significant periods of time travelling and preaching in mosques to spread their message. Women are encouraged to share their Islamic beliefs with other women and are required to practice complete seclusion and segregation in everyday life. Tabligh Jamaat's loose internal structure means that people associated with it have different views in different parts of the world. In some countries people associated with it peacefully exercise their freedom of religion or belief, yet in other countries people associated with it have been linked to violent acts.

Jehovah's Witnesses trial to continue at least two more weeks

Kavkazskii

Uzel

(26.05.2015)

<http://www2.stetson.edu/~psteeves/relnews/150526a.html> - In the course of the latest session of the court in the case of Jehovah's Witnesses in Taganrog who are accused of extremism, witnesses were questioned. The court plans to conduct questioning until 5 June. Five sessions in April and one in May were conducted behind closed doors.

As Kavkazskii Uzel has written, 16 members of the congregation of Jehovah's Witnesses in Taganrog were charged with extremism since, according to the investigation, in 2011 they continued to conduct worship services and study literature which had been ruled extremist, after the prohibition of the congregation by a Rostov provincial court in September 2009. On 30 July 2014, a city court in Taganrog sentenced four defendants to suspended prison terms and they and another three members of Jehovah's Witnesses were punished with fines.

However all of the convicted were released from their penalty because of the elapse of statute of limitations. Another nine defendants were acquitted. On 8 August, all 16 defendants in the case filed an appeal of the sentence of the city court. On the same day the prosecutor's office of Rostov province also appealed the sentence. In March 2015 a second consideration of the case began in a Taganrog city court. On 17 March, two witnesses for the prosecution were questioned and on 14 April the court questioned another two witnesses for the prosecution.

One of the lawyers for the defense, Anton Omelchenko, told a Kavkazskii Uzel correspondent that the latest session of the trial was held on 25 May. Five sessions, from 20 to 23 April and also 12 May were held behind closed doors. "The judge declared that the public should not hear excerpts from extremist publications and therefore the sessions were held behind closed doors," the lawyer declared. He added that at the sessions in April the court examined publications that had been confiscated during searches in believers' homes on 25 August 2011.

"Personal libraries and photographs were confiscated from four believers and computers from others; all of that, in the opinion of the investigation, proves the guilt of the accused. And not only those items that were found to be extremist were confiscated, but also some that were found to be not extremist. The agent who conducted the search was questioned. He stated that he planned to return all nonextremist materials. But actually for four years all that was confiscated has not been returned to the defendants," Anton Omelchenko clarified.

The attorney said that since 13 May the sessions have again been open. "In the sessions that were held in May, relatives of believers were questioned as witnesses, who explained that some had begun attending worship services of Jehovah's Witnesses at a time when the local religious organizations did not exist judicially and therefore the existence of a legal entity made no difference to them since they had never joined a legal entity," the attorney noted. According to his information, among those questioned there were not only relatives of defendants.

The next sessions of the trial will be held from 26 to 29 May as well as from 2 to 5 June, inclusively, at which questioning is also planned.

The Taganrog prosecutor's office earlier refused to comment for a Kavkazskii Uzel correspondent before the conclusion of the judicial proceedings. (tr. by PDS, posted 27 May 2015)

New Russian law poses threat to minority religions

Putin signs bill on "undesirable foreign groups" into law

Russia [Religion](#) News (25.05.2015) –
<http://www2.stetson.edu/~psteeves/relnews/150525c.html>

The Russian president has signed a bill banning the activities of foreign groups that pose a threat to national security or defense capability, and to punish those who continue to cooperate with such groups.

The bill, initially drafted by two opposition MPs, was passed by both chambers of the Russian parliament last week. It tasks the Prosecutor General's Office and the Foreign Ministry with creating a proscribed list of "undesirable foreign organizations" and to outlaw their activities in the country. The main criterion for putting a foreign or international NGO on the list is a "threat to the constitutional order and defense capability, or the security of the Russian state."

Once the group is recognized as undesirable, all its assets in Russia must be frozen, its offices closed and distribution of any of its information materials must be banned. [. . .]

Editor's note: I have not yet found any news article that deals with the potential impact of this law on specific religious groups, such as those that have substantial international connections (Mormons, Jehovah's Witnesses, Scientology, Hare Krishna, etc.).

Jehovah's Witnesses fined for distributing religious literature in Rostov-on-Don

SOVA Center (20.05.2015) - <http://www2.stetson.edu/~psteeves/relnews/150520a.html>
- On 12 May 2015 the Rostov provincial court confirmed the decision of the Zheleznodorozhnyi district court of Rostov-on-Don that was issued on 2 March 2015 with respect to members of the congregation of Jehovah's Witnesses, M.S. Churikina and Yu.S. Svetlakova, who were witnessing on the streets of Rostov-on-Don.

On 15 February 2015, the women were witnessing in Rostov-on-Don not far from a bus station and they were giving out religious literature arrayed on a portable stand. Their activity was considered to be unsanctioned picketing.

"They organized and conducted picketing in public without submitting notification about a public event in accordance with established procedure; that is, they were expressing their opinion without processing and using amplification devices by means of an informational stand on which were posted inscriptions: 'Is the Bible outdated,' 'Take for free,' 'Ask in your own language.' On the stand there also were placed brochures: 'Is the Bible outdated' and 'How to love your work,' on which was indicated the website on the Internet of the Jehovah's Witnesses religious organization, 'jw.org,' which has been

entered in the register of domain names, and which contain information whose dissemination within the Russian federation [is prohibited?—tr.]," the text of the court's decision says.

The court found the women guilty of committing an administrative violation of law in accordance with part 2 of article 20.2 of the Code of Administrative Violations of Law (Organizing or conducting a public event without submitting in established procedure notification of conducting a public event) and assigned each of them a fine of 20,000 rubles.

It is noteworthy that the decision of the court says directly that what was determinative in issuing the fine was the fact of the appearance in the text of the brochures a reference to the Jehovah's Witnesses' website which is, in our view, illegally prohibited: "On their stand there were books not only of religious contents, for example, 'How to love your work,' whose place was fixed in a determinative way and—what is most important—on the stand there was a reference to a website whose distribution within the Russian federation is prohibited." (tr. by PDS, posted 21 May 2015)

Petition drive to remove Dvorkin from expert analysis committee

Open appeal to Minister of Justice of the Russian Federation

Russia Religion News (<http://www2.stetson.edu/~psteeves/relnews/150504a.html>) - Alexander Leonidovich Dvorkin is a sectologist. His public statements and other actions are able to evoke hostility on the basis of religious identity, division within society, and intolerance among Russian citizens. He is not an expert in the area of religion and he does not have appropriate education, but he is notorious as a clear opponent of non-Orthodox religious organizations, which indicates his prejudice as an expert.

In 2009, by order of Minister of Justice A.V. Konovalov, Dvorkin was included in the makeup of the Expert Religious Studies Council under the Russian Ministry of Justice. Along with him the council included other sectologists also (E. Mukhtarov, A. Kuzmin, L. Semenov, A. Vasilchenko).

In connection with this, religious studies scholars, attorneys, rights advocates, and representatives of religious organizations started an action called "No to Inquisitors!" with the demand to exclude sectologists from membership in the council. Dozens of appeals and public petitions directed to the minister of justice and president were submitted.

In January 2015 the composition of the council was revised. A large portion of the sectologists were eliminated from the membership, although Alexander Dvorkin remained a member. Such a change in the makeup seems, at least, strange; after all it was the figure of Dvorkin that evoked the most outrage. In addition, speaking on 28 April 2015 in Cheliabinsk, he declared that he had been elected vice-chairman of the council.

We demand that the sectologist A.L. Dvorkin be removed from membership in the Expert Council for Conducting State Religious Studies Expert Analysis under the Minister of Justice of the RF.

One may sign the petition (in Russia) through <http://www2.stetson.edu/~psteeves/relnews/150504a.html> (tr. by PDS, posted 5 May 2015)

Increased fines for "extremist" texts, one jailing so far in 2015

Forum 18 (15.05.2015) - Russian people and religious organisations charged with distributing banned "extremist" texts face sharply increased fines after President Vladimir Putin on 2 May signed into law amendments to Article 20.29 of the Code of Administrative Offences. This punishes "the mass distribution of extremist materials included in the published Federal List of Extremist Materials, as well as their production or storage for mass distribution". Confiscations of religious texts from both Muslims and Jehovah's Witnesses, mostly during raids or detentions, frequently result in prosecutions under Article 20.29, Forum 18 News Service notes.

If an item is on the Federal List, possession of it carries the risk of a fine or imprisonment for up to 15 days, and confiscation of the banned literature. The Federal List now runs to over 2,500 items, often does not include full bibliographical details, and is irregularly updated, making it difficult for anyone to keep abreast of recent bans (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1724).

Courts continue to rule texts "extremist", opening the way for more prosecutions for their possession or "mass distribution". These include the Google Translate Russian version of a collection of sayings of the Islamic prophet Mohammed, a video commenting on the attempted seizure by bailiffs of saints' relics from the Russian Orthodox Autonomous Church, and Jehovah's Witness texts (see F18News 20 March 2015 http://www.forum18.org/archive.php?article_id=2049).

Despite Article 20.29 using the term "mass distribution", prosecutors have often brought charges even if only one copy of a text is discovered. Court decisions usually order "extremist" materials to be confiscated and often destroyed (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1724).

Convictions of individuals under Article 20.29 have led to liquidation or threats of liquidation against Jehovah's Witness or Muslim communities they belong to. If members of "liquidated" communities continue to meet they can be prosecuted (see below).

Other freedom of religion or belief obstacles

The possession of allegedly "extremist" texts is not the only obstacle to exercising freedom of religion or belief. Communities face barriers to holding public events. Baptist pastor Pavel Pilipchuk was imprisoned for five days in Orel in mid-April for refusing to pay a fine for allegedly organising an open-air meeting for worship without informing the city administration beforehand (see F18News 1 May 2015 http://www.forum18.org/archive.php?article_id=2059).

In February 2014 lengthened terms of imprisonment under Criminal Code Article 282.2, Part 1 were brought in. In March 2015 a Muslim from Ulyanovsk, Bagir Kazikhanov, was sentenced to three and a half years' imprisonment for "organisation of extremist activity". He is the first known person to be sentenced under the new Article (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

Massive fine increases

The amendments to the Administrative Code, which President Putin signed into law on 2 May, came into force on their official publication on 6 May.

The minimum fine under Article 20.29 for "juridical persons" (which include commercial, publishing, media and registered religious organisations) has been doubled to 100,000 Roubles (about 15,000 Norwegian Kroner, 1,780 Euros, or 2,050 US Dollars). The maximum fine has been raised by 10 times the previous amount to 1 million Roubles (about 150,000 Norwegian Kroner, 17,800 Euros, or 20,500 US Dollars).

The increases are part of a number of legal changes proposed by the Communications Ministry in December 2014, which introduce specific charges for media outlets accused of inciting "extremism" and harshen existing punishments for related offences.

The May changes have not increased fines for individuals or officials. If convicted, individuals continue to face a fine of between 1,000 and 3,000 Roubles (about 150 to 450 Norwegian Kroner, 18 to 55 Euros, or 21 to 61 US Dollars), or up to 15 day's imprisonment. Fines for people acting in an official capacity (including individuals such as bookshop owners) range from 2,000 to 5,000 Roubles (about 300 to 750 Norwegian Kroner, 36 to 90 Euros, or 41 to 102 US Dollars).

19 prosecutions so far in 2015

Between the beginning of January and the end of April 2015 there were 19 known prosecutions under Article 20.29 for belief-related materials which do not appear to incite hatred or violence, deriving from 13 separate police cases or investigations. All but one resulted in fines, with no acquittals and no known appeals so far. All 19 cases were concluded before the new penalties came into force. Organisations may also be prohibited from operating for a period of up to 90 days.

In 10 of the 19 known prosecutions (six related to Muslim literature, four to Jehovah's Witness literature), judges ordered the destruction of the confiscated religious materials, Forum 18 notes.

A growing number of Article 20.29 prosecutions relate to online texts or videos. Law enforcement monitoring is increasingly being carried out online, targeting the sharing of videos and electronic documents on social media, principally the popular Russian VKontakte site. Four known cases in the first four months of 2015 related to religious materials.

One Article 20.29 jailing so far in 2015

One of the 19 known prosecutions resulted in a resident of Perm Region being sentenced to five days imprisonment. This is the first known instance in 2015 of a jailing under Article 20.29 for distribution of allegedly "extremist" religious material. No such jailings took place in 2014 (see F18News 31 March 2015 http://www.forum18.org/archive.php?article_id=2052).

On 26 March Judge Yekaterina Malysheva of Kungur City Court sentenced Yevgeny Menshenin to five days imprisonment for posting a video on his profile page on the VKontakte social network. The film "The Wonders of the Koran" was banned by Nefteyugansk City Court in Tyumen Region on 7 April 2011.

On 24 April 2014 Rail Ganiyev in the Mari El Republic was fined 3,000 Roubles for posting the video to his VKontakte page, one of 65 individuals and religious communities known to have been prosecuted under Article 20.29 in 2014 (see F18News 31 March

2015 http://www.forum18.org/archive.php?article_id=2052). The video does not appear to contain any incitement to violence or hatred.

According to the March 2015 Kungur City Court verdict, seen by Forum 18, Menshenin argued that he had not known that the video was deemed "extremist" and had not watched it himself. The judge, however, considered that "placement on one's page of extremist materials banned by the law, if other persons have access to it, should be considered actual distribution by the user of information of an extremist nature".

The judge imposed a sentence of five day's imprisonment "given the nature and degree of public danger of the administrative offence, the circumstances of the offence, and the personality of the perpetrator", and obliged Menshenin to delete the video from his profile.

So far in 2015 two other residents of Perm Region have been convicted of distributing "The Wonders of the Koran", on 2 March and 27 March respectively. One was fined 1,500 Roubles, the other an unknown amount. One was also sentenced by Judge Malysheva at Kungur City Court, the day after Menshenin.

Judge Malysheva said she could not discuss the case when Forum 18 reached her on 13 May. Prosecutor Yuliya Lobanova, who was present in court, similarly would not answer the question of why Menshenin was imprisoned when others convicted of the same offence were not. She directed Forum 18 to the press office of the Regional Prosecutor. This number went unanswered whenever Forum 18 called on 13 and 14 May.

Fined although materials no longer deemed "extremist"

Two of the 19 prosecutions in January-April 2015 involved materials which were at the same time not deemed "extremist" under Russian law. An imam from Penza Region and a librarian in Tatarstan were convicted in March of mass distribution of texts unbanned by an Orenburg Regional Court ruling on 27 February, which came into force on the day of its adoption.

After repeated delays since June 2012, repeated "expert analysis", and the destruction of their own evidence by law enforcement agencies, Orenburg Regional Court overturned a widely condemned "extremism" ban on 50 texts from a total of 65 Islamic books, one issue of the Muslim journal "Novie Grani" (New Boundaries), and two short articles. Eighteen Islamic books from the 68 texts nevertheless continued to be deemed "extremist" and prohibited from distribution. On the day of the verdict (27 February) lawyers in the case thought the entire process of removing the 50 texts from the Federal List could take up to two months (see F18News 20 March 2015 http://www.forum18.org/archive.php?article_id=2049).

The 50 unbanned titles have still not (as of 15 May) been removed from the Federal List of Extremist Materials on the Justice Ministry's website, despite the court ruling entering force immediately.

On 5 March Anna Vilchinskaya, director of Rybnaya Sloboda village library, was fined an unknown amount for the presence in her library's religion section of a single copy of "Pillars of Islam and Faith", by Muhammad bin Jamil Zeno (banned by Pervomaysky District Court, Vladivostok on 6 March 2012), and two copies of "Stories from the Life of the Prophet of Allah", Book 2 of the "Religious Narrative" series compiled by Abdel Hamid Dzhuda Al-Sahhar. The latter text was unbanned by Orenburg Regional Court on 27 February, the same day Vilchinskaya's case was brought to court. Judge Nurtdin Zamaliyev fined her and the fine would have been between 2,000 and 5,000 Roubles as she is an official. The books were ordered confiscated.

Vilchinskaya admitted negligence in monitoring the library's stock and did not appeal. The verdict entered legal force on 17 March.

When Forum 18 telephoned Rybnaya Sloboda District Prosecutor's Office on 12 May and mentioned the case to a spokeswoman, she immediately ended the call.

A full month – on 27 March – after "Constellation of the Righteous Caliphs" by contemporary Istanbul Naqshbandi Sufi teacher Osman Nuri Topbas was unbanned by Orenburg Regional Court, Imam Shamil Neverov was brought to Spassk District Court in Penza Region. The case was brought after a police inspection found one copy of the book in the library of his mosque in Nizhny Lomov. At the hearing on 30 March, Judge Yury Kamynin also ordered the destruction of the book and Imam Neverov was fined 2,000 Roubles.

Neverov also did not appeal against his conviction, and the ruling came into force on 17 April. Forum 18 called Spassk District Court on 12 May but the phone was immediately put down.

Orenburg unbanning possibly taking effect

The 27 February Orenburg ruling may be having an effect on whether cases under Article 20.29 are brought. The first four months of 2015 saw nine prosecutions concerning these texts out of a total of 19. Only the two Penza and Tatarstan cases (see above) took place after the Orenburg ruling came into force. Five of these prosecutions were based on the same investigation in Kunashak in Chelyabinsk Region, involving a group of men who shared the same set of books among themselves.

In the previous four months (September to December 2014), there were 11 separate cases involving materials banned in Orenburg out of a total of 18. For 2014 as a whole, this figure was 35 cases out of 65. Shopkeepers and stallholders have suffered particularly from the ban on the Orenburg texts, as several titles are popular prayer books such as al-Qahtani's Fortress of a Muslim (see F18News 31 March 2015 http://www.forum18.org/archive.php?article_id=2052). There were no known cases against shopkeepers brought under Article 20.29 in the first four months of 2015.

One community prosecuted, another threatened

Out of the 19 prosecutions in January-April 2015, five involved Jehovah's Witness literature, the rest Islamic texts or videos. Penza, Orenburg, Novgorod, and Sverdlovsk Regions and the Republics of Tatarstan and Yakutia have seen one prosecution each in the first four months of 2015. Two prosecutions took place in Krasnodar Region and three in Perm Region. There were also three prosecutions in Karachay-Cherkessiya and five in Chelyabinsk Region, although these were based on single investigations.

Only one organisation was charged – the Jehovah's Witness community of Cherkessk in the North Caucasian republic of Karachay-Cherkessiya. It received a fine of 50,000 Roubles at Cherkessk City Court on 17 March after Prosecutors and "Anti-extremism" Police, informed by a local resident, confiscated a large quantity of texts from its premises and from members' homes. Judge Oskar Kochkarov also fined two members of the organisation 1,000 Roubles each. In both these cases the confiscated religious texts were ordered to be destroyed.

Prosecutors may use convictions under Article 20.29 as evidence of "extremist" activity and seek to have a religious community dissolved on that basis. If entire communities are banned as "extremist" their former members can then face prosecution if they continue to meet, with the risk of imprisonment. This has been the experience of

Jehovah's Witnesses in Samara, Taganrog, and Abinsk (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046), and a Muslim community in Borovsky village in Tyumen Region (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

On 24 February 2015, Jehovah's Witness Vasily Platon was fined 1,500 Roubles for handing out texts in the street in Tikhoretsk (Krasnodar Region), including "How To Achieve Happiness In Life". The confiscated tests were ordered to be destroyed.

"How To Achieve Happiness In Life" has been banned twice - on 23 December 2013 by Kurgan City Court (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920) and again on 10 July 2014 by Central District Court, Barnaul (see F18News 28 August 2014 http://www.forum18.org/archive.php?article_id=1990).

Tikhoretsk Inter-District Prosecutor's Office later issued Platon's Jehovah's Witness congregation in Tikhoretsk with an official written warning of the "inadmissibility of extremist activity". In a press release of 8 April, the Prosecutor's Office described this as a "preventative measure", and stated that if it is not heeded "the question of liquidating the above organisation may be considered".

Jailed for exercising freedom of religion or belief in public

Forum 18 (01.05.2015) - Baptist pastor Pavel Pilipchuk completed a five-day prison term on 18 April, fellow Council of Churches Baptists told Forum 18 News Service from the Russian city of Orel on 1 May. He was punished by an Orel court for refusing to pay a fine he insists was unjustly imposed for allegedly organising an open-air meeting for worship without informing the city administration beforehand. He had been fined about two weeks' average wages in August 2014 – a fine later doubled for non-payment.

"Half the fine has now been removed from him, as if he had paid it," Baptists told Forum 18. "20,000 Roubles for five days' imprisonment! But the original 20,000 Roubles remains. He'll continue to appeal against this."

Exercising freedom of religion or belief in public spaces continues to attract hostile attention from law enforcement agencies, often leading to administrative prosecutions and five-figure fines. Legal amendments were introduced in October 2014 in an attempt to clarify where religious ceremonies may be freely held and to specify that not all events require prior notification of the authorities (see F18News 2 March 2015 http://www.forum18.org/archive.php?article_id=2044).

Judging by court verdicts from early 2015, however, these changes have as yet had little apparent effect, Forum 18 has found. A total of 13 individuals – nine Jehovah's Witnesses and four Muslims – are known to have been fined since the beginning of 2015 for holding public religious events, Forum 18 notes. Unsuccessful attempts were made to punish three more – two Jehovah's Witnesses and one Protestant.

Hopes unfulfilled

It had also previously been hoped in Russia that the legal requirements for public events under the Code of Administrative Offences' Article 20.2 would be leniently interpreted, after a December 2012 Constitutional Court ruling responding to two complaints from

Jehovah's Witnesses (see F18News 15 August 2013 http://www.forum18.org/archive.php?article_id=1865). But these hopes were not fulfilled as prosecutions and convictions continued (see eg. F18News 2 December 2013 http://www.forum18.org/archive.php?article_id=1902).

Religious communities whose beliefs require them to share their beliefs in public, beyond the confines of a place of worship, are particularly vulnerable to prosecution under Administrative Code Article 20.2. The majority of cases which reach court target Jehovah's Witnesses, although, as Pilipchuk's case shows, Baptists and Evangelical Protestants have also been charged (see F18News 2 March 2015 http://www.forum18.org/archive.php?article_id=2044).

Article 20.2

Administrative Code Article 20.2 is linked to the 2004 Demonstrations Law and punishes the "violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket". Its eight parts cover a variety of "offences", but only Parts 1, 2, and 5 are known by Forum 18 to have been used against people who exercise freedom of religion or belief (see eg. F18News 13 September 2012 http://www.forum18.org/archive.php?article_id=1742).

Between the beginning of 2015 and late April, Forum 18 knows of 10 such cases involving people who exercise freedom of religion or belief (see below).

In June 2012 penalties under Article 20.2 for violating the Demonstrations Law were massively increased (see Forum 18's general Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1722).

Article 20.2 Parts 1 and 5 cover general violations of the "established order" of public events and complement each other, the former focusing on organisers, the latter on other participants. Conviction under Parts 1 and 5 brings a fine of 10,000 to 20,000 Roubles or compulsory labour for up to forty hours. Officials of organisations may also receive a fine of 15,000 to 30,000 Roubles under Part 1, and organisations themselves may be fined 50,000 to 100,000 Roubles.

Part 2 specifically targets the holding of events without formally notifying the authorities in advance. For individuals, this carries a fine of 20,000 to 30,000 Roubles, compulsory labour of up to forty hours, or detention for up to ten days. Officials may be fined 20,000 to 40,000 Roubles, and organisations 70,000 to 100,000 Roubles.

These are substantial fines when compared with the current average wage in Russia (42,136 Roubles per month in December 2014, 30,929 Roubles per month in January 2015) and especially with the average pension (10,029 Roubles per month in 2014). Those prosecuted under Article 20.2 are often elderly Jehovah's Witnesses. Judges sometimes acknowledge this by reducing fines for pensioners.

Penalties incurred under Article 20.2 can present "serious financial difficulties" for pensioners and the poor, Jehovah's Witness spokesperson Ivan Belenko told Forum 18 on 29 April. He added that other Jehovah's Witnesses usually step in to help.

16 defendants in 2015 so far

Of the ten known Article 20.2 cases in the first few months of 2015 against people who exercise freedom of religion or belief, three were brought under Part 1, three under Part 5, and four under Part 2. These involved a total of 16 defendants. Fines were imposed in 7 of the cases, against 13 defendants.

In one case under Article 20.2, Part 2, four Muslim men were convicted in Moscow for organising a march with banners proclaiming "There is only one God and Mohammed is his prophet", without notifying the city authorities. In another case under Part 1, an Evangelical Protestant was acquitted of violating the Demonstrations Law for holding a placard saying "There is a God" with others doing the same less than 50 metres (55 yards) away.

All other known cases involved Jehovah's Witnesses engaging in public ministry with stands of their literature in the street.

Baptist pastor imprisoned

On 13 April, Judge Inna Maltseva at Magistrates' Court No. 2 in the Northern District of Orel sentenced Baptist pastor Pilipchuk to five days' administrative arrest. Earlier that day, he had again refused to pay the fine imposed by the city's Soviet District Court eight months before, maintaining his innocence of the original "offence". After sentencing, Pilipchuk was immediately taken into custody at a police detention centre.

Judge Maltseva had already doubled Pilipchuk's fine to 40,000 Roubles on 22 December 2014 for reasons of non-payment.

A spokeswoman for Magistrates' Court No. 2 told Forum 18 on 29 April that Pilipchuk had still not paid the fine.

Soviet District Court had fined Pilipchuk 20,000 Roubles on 11 August 2014 for allegedly organising an open-air worship service without notifying the authorities. Orel Regional Court rejected his appeal on 29 September 2014 (see F18News 2 March 2015 http://www.forum18.org/archive.php?article_id=2044).

Pilipchuk was charged as responsible for a group of Orel Baptists who marked Palm Sunday (23 March) 2014 by gathering outdoors to sing hymns and hand out Christian literature: "The evangelism went well, people listened attentively, nobody interfered, and the police were not present".

Baptists claim that Pilipchuk was not present at the event and was not responsible for it.

In court, however, witness statements from members of the congregation were disregarded as they were judged to be "interested parties". According to the court verdict, seen by Forum 18, the outdoor meeting for worship presented "the possibility of danger to public order, morality and health, both to the participants of the religious event themselves, and to third parties, which requires public authorities to take measures to ensure public order and the security and peace of citizens". The verdict also indicated that police officers testified that members of the public had called and expressed their "negative reaction" to the event and their intention to prevent it, "including by active intervention".

The verdict was reached despite a 2007 ruling by the European Court of Human Rights (ECtHR) in Strasbourg in a similar case. The ECtHR unanimously ruled that the Russian authorities are obliged to uphold religious communities' right to hold such public meetings, even if there is opposition from some. The case was brought by Protestant Pastor Petr Barankevich of the Christ's Grace Evangelical Church after his Church was banned from meeting for worship in a public park (see F18News 1 August 2007 http://www.forum18.org/archive.php?article_id=1001).

The telephone at the Orel regional Prosecutor's Office chancellery (responsible for the documentation of cases) went unanswered whenever Forum 18 called on 28 and 29 April.

"One of the main forms of expression of the right of believers"

The authorities have also attempted to prosecute Hare Krishna adherents for alleged violations under Article 20.2. Such attempts have so far proved unsuccessful, Mikhail Frolov, a lawyer for the Hare Krishna community in Moscow, told Forum 18 on 30 April. These include a case brought under Part 1 in Novosibirsk in 2013, which resulted in a 2,500 Rouble fine for allegedly not agreeing the route of a procession with the city administration – the ruling was later overturned in a higher court.

Hare Krishna communities' principal problem lies in the refusal of local authorities to allow religious processions to go ahead in the first place, Frolov told Forum 18. Such events have been banned on the grounds that they were to be held at a prohibited site or would obstruct pedestrian traffic (see F18News 26 July 2010 http://www.forum18.org/archive.php?article_id=1469). Frolov complained that such refusals are made "under false pretences".

Public processions with chanting constitute "one of the main forms of expression of the right of believers to act in accordance with their beliefs and the right to disseminate them" and are "a very ancient tradition", Frolov explained to Forum 18.

Pickets

As seen from the court verdicts from early 2015, police and prosecutors consistently interpret Jehovah's Witness literature stands as pickets, defined as "public expression of opinion by .. one or more people, using posters, banners and other means of visual agitation". Under the Demonstrations Law, group pickets require prior notification of the authorities while individual pickets do not. Individual pickets may not be nearer to each other than 50 metres. All organisers of pickets must carry distinguishing signs declaring themselves as the organisers.

Because of such an interpretation, prosecutors could bring cases against Jehovah's Witnesses M. Churkina and Yu. Svetlakova for holding a "group" picket without notification, when they set up an information stand in a pedestrian alleyway in Rostov-on-Don. They each received a fine of 20,000 Roubles.

As evident from their arguments in court, Jehovah's Witnesses themselves do not see their activities as picketing and it therefore did not occur to them to notify authorities, ensure 50 metres distance between participants, or identify themselves as organisers.

There is a fundamental difference in the way the public exercise of freedom of religion or belief is seen by those who exercise this human right and the way law enforcement agencies see this. Regarding Pilipchuk's case on 14 April, the Baptists insisted that "Christian songs and conversations with people cannot be classified as rallies, pickets, marches and demonstrations".

The court verdicts also indicate judges' inconsistent interpretation of very similar circumstances. This results in some defendants being acquitted for actions which were punished in other courts.

People exercising their freedom of religion or belief can easily fall foul of vague legal requirements they may not even know they should be aware of.

State Duma adopts amendments to religion law

Another change in Russian law on freedom of conscience forebodes reregistration of charters of religious organizations

Portal-credo.ru

(29.04.2015)

<http://www2.stetson.edu/~psteeves/relnews/150429a.html> - A bill "On introducing changes into the federal law 'On freedom of conscience and religious associations' and various legislative acts of the Russian federation" was adopted in April of this year by the Russian parliament and awaits the signature of the Russian president, a Portal-credo.ru correspondent reports. One of the provisions of the law prescribes the effective reregistration of all religious organizations of the country in an extremely short period of time—by 1 January 2016.

The law sets out in the new version of point 1 of article 8 of the existing law of the RF on freedom of conscience: "A religious organization is considered to be a voluntary association of citizens of the Russian federation and other persons who are continuously and legally resident on the territory of the Russian federation, that is constituted for the purposes of joint confession and dissemination of faith and registered by a procedure established by law in the capacity of a legal entity [juridical person]. Issues of the participation by founders and other legal or individual persons in the activity of religious organizations are determined by the charter and/or internal regulation of religious organizations. The founder (founders) of a religious organizations may fulfill the function of a body of the religious organization or members of a collegial body of the religious organization in accordance with a procedure established by the charter and internal regulations of the religious organization."

In order to exempt religious organizations from requirements of civil and labor legislation, the authors of the law introduced into it another two new provisions: "The procedure for forming bodies of a religious organization and their competence, the procedure for adopting decisions by these bodies, and the relationship between a religious organization and persons who are members of its bodies are determined by the charter and internal regulations of the religious organization;" and "With regard to religious organizations, the provisions of point 5, article 50 and article 531 of the Civil Code of the Russian federation do not apply."

Article 131 is introduced into the Civil Code of RF: "Reorganization of a religious organization," according to which "a religious organizations may not be transformed into a legal entity of a different legal organizational form."

Also, there appears in the Civil Code of RF a provision exempting religious organizations from the purview of a whole series of rules of the code: "Provisions of the present code apply to religious organizations if something different has not been established by the law on freedom of conscience and religious associations and by other laws."

The law provides for introducing relevant changes into existing charters of religious organizations, after which they have the right "to submit an application for injecting information about themselves into the Uniform State Register of Legal Entities within the period before 1 January 2016."

The following provision is inserted into the Russian federal law "On noncommercial organizations": "Founders and participants (members) of public and religious organizations (associations) do not have the right to the ownership of property

transferred by them to the organization, including members' fees. Founders and participants (members) of public and religious organizations (associations) are not responsible for the obligations of said organizations (associations) and said organizations (associations) are not responsible for the obligations of their founders and participants (members)." (tr. by PDS, posted 30 April 2015)

Proposed law makes churches "foreign agents"

According to draft law which russian government introduced to state дума, rptsmp may be called "foreign agent"

Portal-credo.ru (28.04.2015) <http://www2.stetson.edu/~psteeves/relnews/150428d.html>
- The Russian government has worked out and introduced into the State Duma a draft law about religious organizations that receive foreign financing. In essence, such organizations, including the Russian Orthodox Church of the Moscow patriarchate [RPTsMP], will be equated with foreign agents: they await special inspections from the Ministry of Justice, "Politsovet" reports on 28 April. The document was developed by the Russian Ministry of Justice.

"The draft law proposes to differentiate the subjects of inspections of the activity of religious organizations, strengthening the right of the Russian Ministry of Justice and its territorial agencies to conduct inspections of the financial and economic activity of religious organizations in cases where they receive foreign financing and where their activity contains indications of extremism (terrorism) or other violations of the legislation of the Russian federation," the government reports.

"The draft law establishes the obligation of religious organizations who have received financial resources and other property from foreign and international organizations, foreign citizens, and persons without citizenship to present to the Ministry of Justice and its territorial agencies a formalized accounting of their activity, personal membership of administrative bodies, and information about foreign financing," the Russian cabinet of ministers adds.

In other words, religious organizations with foreign financing in essence will be subject to requirements that are established for foreign agents. They must regularly give account before the authorities about their activity.

The RPTsMP inevitably falls under the purview of the new law, since it has a large number of foreign parishes that receive foreign financing. In 2012, when the original law on foreign agents was introduced into the State Duma, religious organizations were specifically excluded from it, so that RPTsMP did not receive this dubious status. (tr. by PDS, posted 30 April 2015)

Two Mormon missionaries detained near St. Petersburg

Interfax (20.04.2015) - Two Mormon missionaries have been detained in Russia's Leningrad region for illegal entry into a frontier area, the regional border guard administration said.

The missionaries were detained on Thursday evening in the village of Lebyazhye, Lomonosov District, where they had "conducted proselytization activities," the administration said in a statement.

"The offenders turned out to be two nationals of the United States who were born in 1995 and 1996. They said that they belonged to the Church of Jesus Christ of Latter-day Saints [informally called the Mormon Church], and that they had been conducting proselytization activities in the frontier zone, disseminating literature," the statement said.

Both men spoke good Russian and were non-aggressive, it said.

"Both offenders were given a warning, after which they were expelled from the frontier zone," the statement said.

Lebyazhye is the deployment site of an Interior Forces brigade and borders the town of Sosnovy Bor, where the Leningrad Nuclear Power Plant is situated.

Jehovah's Witnesses congregation may be closed for evangelistic tracts

Jehovah's Witnesses fined in Krasnodar Territory

SOVA Center for News and Analysis (08.04.2015) - A member of a congregation of Jehovah's Witnesses was fined on the basis of article 20.29 of the Code of Administrative Violations of Law in April 2015 in Tikhoretsk of Krasnodar territory.

On 8 April 2015 it was reported that a member of the city's community of Jehovah's Witnesses was fined on the basis of article 20.29 of the Code of Administrative Violations of Law (distribution of extremist materials) in Tikhoretsk of Krasnodar territory. The size of the fine was not reported.

The violation of law was deemed to be the distribution of Witnesses' literature: books and brochures "How to achieve happiness," "Government, free from corruption," "What is necessary to know about God and his intention," "How to develop close relations with God," and "On what can people place hope," which are included in the federal list of extremist materials.

We remind you that we consider persecution of Jehovah's Witnesses and banning their texts for extremism to be illegal and we consider them as religious discrimination. (tr. by PDS, posted 11 April 2015)

Putin signs order amending freedom of conscience law

Russian religious organizations prohibited from turning into different legal entities

RIA Novosti (06.04.2015) - Russian President Vladimir Putin signed a law, which prohibits the transforming of religious organizations into legal entities [persons at law] of a different legal organizational form.

As was clarified on the Kremlin website, the document introduces changes into the federal law "On freedom of conscience and religious associations" and certain legislative acts of the RF. "The reorganization of a religious organization is accomplished on the grounds and in the procedure that are provided by civil legislation. A religious organization cannot be converted into a legal entity of a different legal organizational form," the text of the law says.

In addition, the document clarifies the meaning of the concept "religious organization" and the nature of the property relationships between religious organizations and their founders. In particular, it says that a religious organization may be created by citizens of the RF or other persons who are living permanently and legally on the territory of Russia.

The information for legal state administration says that the federal law clarifies "the procedure for the legislative regulation, by civil legislation and legislation on freedom of conscience, freedom of religious confession, and religious associations, of relations with the participation of religious organizations of the procedures for creation, legal status, and activity of religious organizations."

It also establishes that religious organizations of Crimea and Sevastopol, which in the spring of last year became a part of the Russian federation, within the period up to 1 January 2016 "may submit their founding documents in accordance with legislation of the Russian federation and apply for introduction of information about them into the Uniform State Register of Legal Entities." (tr. by PDS, posted 6 April 2015)

DOCUMENT: ON INTRODUCTION OF CHANGES INTO FEDERAL LAW "ON FREEDOM OF CONSCIENCE AND RELIGIOUS ASSOCIATIONS" AND OTHER LEGISLATIVE ACTS OF THE RUSSIAN FEDERATION

Adopted by State Duma 27 March 2015
Approved by Federation Council 1 April 2015

Article 1

To introduce into the federal law of 26 September 1997 "On freedom of conscience and religious associations" the following changes:

1. To add to article 1 the words "including specifics of their legal civil status:

2. To article 8

a) point 1 to read as follows"

1. A religious organization is defined as a voluntary association of citizens of the Russian federation and other persons, permanently and legally residing on the territory of the Russian federation, formed for the purposes of joint confession and dissemination of faith and registered in the procedure established by law as a legal entity [judicial person]

Issues of the participation of founders and other judicial and physical persons in the activity of religious organizations are decided by the charter and/or internal resolutions of religious organizations. The founder (founders) of a religious organization may fulfill functions of a body of the religious organization or members of a collegial body of the

religious organization in a procedure established by the charter and internal resolutions of a religious organization”

b) to add to point 8.1 the following contents:

“8.1. The procedure for formation of bodies of a religious organization and their competence, the procedure for making decisions by these bodies, and the relationship between the religious organization and persons who are members of its bodies are determined by the charter and internal resolutions of a religious organization.”;

c) to add to point 10 the following contents:

“10. The provisions of point 5 article 50 and article 53.1 of the Civil Code of the Russian federation do not apply to religious organizations.”;

d) to add to article 9, point 5 the following contents:

“5. The decision on the establishment of a religious organization includes information about the establishment of the religious organization, confirmation of its charter, and the election (appointment) of bodies of the religious organization.”;

4) to add to article 13.1 the following contents:

“Article 13.1 Reorganization of a religious organization is accomplished on the bases and in the procedure provided by civil legislation. A religious organization may not be reorganized into a legal entity of a different legal organizational form.”

Article 2

To introduce into the first part of the Civil Code of the Russian federation the following changes:

1) to remove from point 4, article 49, the words “in accordance with”

2) point 2, article 123.26 to read as follows:

“2. The legal civil status of religious organizations is determined by the present code and the law on freedom of conscience and religious associations. The provisions of the present code apply to religious organizations if something different is not provided by the law on freedom of conscience and religious associations and by other laws.

Religious organizations operate in accordance with their charters and internal resolutions that do not violate law.

The procedure for the formation of bodies of a religious organization and their competence, the procedure for adopting decisions by these bodies, and the relations between a religious organization and persons who are members of its bodies are determined in accordance with the law on freedom of conscience and religious associations and by the charter and internal resolutions of the religious organization.”

Article 3

To add to point 1 article 19 of the federal law of 30 November 1994 “On activation of the first part of the Civil Code of the Russian federation” the following paragraph:

“Legal entities that are religious organizations indicated in the first paragraph of the present point may submit their founding documents in accordance with legislation of the

Russian federation and make application for including of information about them in the Uniform State Register of Legal Entities within the period until 1 January 2016."

Article 4

Point 2 of article 6 of federal law of 12 January 1996 "On noncommercial organizations" to read as follows:

"2. Founders, participants (members) of public and religious organizations (associations) do not have rights of ownership of property transferred by them to these organizations, including members' contributions.

Founders and participants (members) of public and religious organizations (associations) are not obligated by requirements of such organizations (associations), and the indicated organizations (associations) are not responsible for obligations of their founders and participants (members)."

Article 5

The present federal law takes effect on the day of its official publication.

President of the Russian federation, V. Putin

Moscow, Kremlin
6 April 2015

(tr. by PDS, posted 7 April 2015)

65 known "extremist" religious literature cases in 2014

Forum 18 (31.03.2015) - A total of 65 individuals and religious communities are known to have been brought to court in 2014 across Russia for possession of religious literature which does not appear to incite violence or hatred, Forum 18 News Service has found in an analysis of court records. Of these, 56 ended up with punishments. The cases were brought under Code of Administrative Offences Article 20.29, and all the cases related to the alleged possession of Muslim or Jehovah's Witness literature. In 16 cases, courts ordered the confiscated religious literature destroyed.

Article 20.29

Article 20.29 of the Administrative Code punishes "the mass distribution of extremist materials included in the published Federal List of Extremist Materials, as well as their production or storage for mass distribution". Once a court – even a low-level court - has ruled a text "extremist" and the verdict has come into force, the ruling must be communicated within three days to the Justice Ministry, which maintains the Federal List. The item will then be added to the List within a further 30 days, banning its distribution throughout Russia.

Possession of a banned text renders the possessor liable to criminal prosecution (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Courts continue to rule Muslim and Jehovah's Witness literature "extremist", opening the

way for more prosecutions for their possession or "mass distribution". Despite the term "mass distribution", prosecutors have often brought charges even if only one copy of a text is discovered. No state agency has answered Forum 18's questions on whether it is right that people should be punished for their possession and whether such prosecutions are a sensible use of police and prosecutors' time (see F18News 20 March 2015 http://www.forum18.org/archive.php?article_id=2049).

Individuals found guilty under Article 20.29 may be fined 1,000 to 3,000 Roubles (currently about 140 to 420 Norwegian Kroner, 16 to 50 Euros, or 17 to 52 US Dollars) or up to 15 days' detention. Officials of an organisation may be fined 2,000 to 5,000 Roubles (about 280 to 700 Norwegian Kroner, 32 to 80 Euros, or 44 to 86 US Dollars). Organisations may be fined 50,000 to 100,000 Roubles (about 6,960 to 13,930 Norwegian Kroner, 800 to 1,600 Euros, or 860 to 1,720 US Dollars) or have their operations suspended for up to 90 days. The "extremist" material itself is confiscated and may be destroyed.

In 16 of the 65 known 2014 cases, courts ordered the religious literature to be destroyed. Muslims, Jehovah's Witnesses and human rights defenders have condemned such court-ordered religious literature destruction (see eg. F18News 28 August 2014 http://www.forum18.org/archive.php?article_id=1990).

These 65 literature-related "extremism" cases are part of a wider pattern of investigations and prosecutions of people exercising their freedom of religion or belief, such as prosecutions of some communities exercising freedom of religion or belief in public without state permission (see eg. F18News 2 March 2015 http://www.forum18.org/archive.php?article_id=2044).

Similarly, Muslims and Jehovah's Witnesses who meet to study religious texts in private and pray may be detained for months, prosecuted, and either fined or jailed under the Criminal Code (see eg. F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

Many other individuals were prosecuted under Administrative Code Article 20.29 for material that did appear to be violent or racist.

2014 prosecutions

Of the 65 known Article 20.29 prosecutions in 2014 for religious literature, 59 resulted in conviction in the first instance, four in acquittal, and two in the charges being dropped. Three convictions were overturned on appeal. Even in cases of acquittal or successful appeal, defendants are forced to spend time, energy and money to counter the charges against them, Forum 18 notes.

Fifty-five of the 65 known cases were brought in relation to Islamic literature or videos, 35 of them involving texts banned by Lenin District Court in Orenburg in 2012, the largest "extremism" ruling in Russia so far. The ban on 50 of the 68 texts banned in Orenburg was overturned on appeal on 27 February (see F18News 20 March 2015 http://www.forum18.org/archive.php?article_id=2049). The remaining 10 cases in 2014 known to Forum 18 involved Jehovah's Witness literature.

In 2014 judges ordered the religious books to be destroyed in 16 cases, several of which involved multiple items. In a further 20 cases, confiscation was ordered. The fate of materials in other court proceedings is unclear in the written verdicts.

Nine registered religious organisations with legal status faced charges under Article 20.29 in 2014. Seven of these were mosque communities, while two were Jehovah's Witness

communities. Of the 56 individuals charged, 14 were shopkeepers or stallholders accused of selling "extremist" material.

Examples of Article 20.29 cases during 2014 include:

- the Mufti of a Mosque in Saransk fined 5,000 Roubles for possession of one copy of Turkish theologian Said Nursi's "Guidebook for Women", during an inspection by a District Prosecutor who did not produce a search warrant as the law requires. Mosque staff think the book was planted, and Mufti Zyaki Aizatullin stated that the first time he had seen it was during the inspection. An appeal against the fine was rejected in March 2014 (see F18News 1 May 2014 http://www.forum18.org/archive.php?article_id=1953);

- Jehovah's Witness Aleksandr Yevdoshenko fined 2,000 Roubles in Krasnoyarsk after a man from the Rodina political party's "Committee for Rehabilitating Victims of Sects" (a party previously banned from elections for inciting racial hatred) claimed to have been given an "extremist" booklet at a religious meeting in May 2014. Jehovah's Witnesses state that no "available evidence" exists that the Rodina activist who brought the complaint to police was present (see F18News 8 September 2014 http://www.forum18.org/archive.php?article_id=1994);

- Ramazan mosque in the Urals city of Yekaterinburg fined 50,000 Roubles – equivalent to nine months' official minimum wage – for possessing religious literature which does not appear to incite violence or hatred. The mosque's imam Albert Bayazitov was formally warned about the inadmissibility of "extremist" activity. A court rejected the appeal against the fine in December 2014 (see F18News 22 January 2015 http://www.forum18.org/archive.php?article_id=2031);

- and five shopkeepers or stallholders prosecuted for offering Islamic or Jehovah's Witness texts for sale (see F18News 22 January 2015 http://www.forum18.org/archive.php?article_id=2031).

The Russian authorities began similar prosecutions in Crimea soon after it was annexed from Ukraine in 2014 (see Forum 18's Crimea religious freedom survey http://www.forum18.org/archive.php?article_id=2051).

How prosecutions start

The majority of known 2014 cases listed below arose from raids or inspections carried out by law enforcement officials, usually with the aim of "checking compliance with anti-extremism legislation", according to court verdicts. In a few cases against Jehovah's Witnesses, prosecutors brought charges after an individual handed in a text to the police or security services after receiving it in the street or at a meeting.

Further consequences

Prosecutors may then use convictions under Article 20.29 as evidence of "extremist" activity and seek to have a religious community dissolved on that basis. If entire communities are banned as "extremist" their former members face prosecution with the risk of being jailed if they continue to meet together. This has been the experience of Jehovah's Witnesses in Samara, Taganrog, and Abinsk (see eg. F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046), and a Muslim community in Borovsky village in Tyumen Region (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

More literature, website and video bans, but one partially overturned

Forum 18 (20.03.2015) - A Russian court's 2012 ban of 65 Islamic books, one issue of the Muslim journal *Novie Grani* (New Boundaries), and two short articles as allegedly "extremist", which subsequently led to many fines, has been partially overturned by an appeal court in Orenburg. The verdict means that individuals, booksellers, and Muslim religious communities should no longer be prosecuted for "mass distribution of extremist material" for possessing copies of 50 of the formerly banned texts. However, 18 of the 68 texts in the original ruling remain banned.

Texts relating to religion or belief - and other topics - continue to be declared "extremist" by low-level courts across Russia, thereby becoming prohibited from distribution within the country. The text is then added to the Justice Ministry's Federal List of Extremist Materials, banning its distribution throughout Russia. Possession of a banned text renders the possessor liable to criminal prosecution. Banned texts include a sermon given in 1900 by Metropolitan Andrey Sheptytsky, a candidate for sainthood in the Catholic Church who at the risk of his own life saved Jews from the Holocaust. Officials have refused to tell Forum 18 why the sermon was ruled "extremist" (see F18News 25 November 2013 http://www.forum18.org/archive.php?article_id=1899).

Courts continue to rule Islamic and Jehovah's Witness literature "extremist", opening the way for yet more prosecutions for their possession or distribution under Article 20.29 ("Production or mass distribution of extremist materials") of the Code of Administrative Offences. This can lead to the banning of entire communities and the prosecution of their former members with the risk of being jailed if they continue to meet together. This has been the experience of Jehovah's Witnesses in Samara, Taganrog, and Abinsk (see eg. F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046), and a Muslim community in Borovsky village in Tyumen Region (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

"Mass distribution" ?

Despite the term "mass distribution", prosecutors have often brought charges even if only one copy of a text is discovered. Court decisions usually order "extremist" materials to be confiscated and often destroyed (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Forum 18 wrote to the Justice Ministry (2 September 2014 and again on 22 January 2015), the General Prosecutor's Office (17 March 2015), and the Human Rights Ombudsperson's Office (17 March 2015), pointing out that many texts on the Justice Ministry's Federal List of Extremist Materials are not banned in other countries and asking whether it is right that people should be punished for their possession and whether such prosecutions are a sensible use of police and prosecutors' time. The Justice Ministry replied on 22 January 2015, advising Forum 18 to contact the General Prosecutor.

No other reply to the question has been received from any state agency.

Orenburg ban partially overturned

After repeated delays since June 2012, repeated "expert analysis", and the destruction of their own evidence by law enforcement agencies, on 27 February 2015 Orenburg Regional Court overturned a widely condemned "extremism" ban on 50 texts from a total of 65 Islamic books, one issue of the Muslim journal *Novie Grani* (New Boundaries), and two short articles. However, 18 Islamic books from the 68 texts continue to be deemed "extremist" and prohibited from distribution. Lawyers are preparing further appeals. No written verdict is yet available.

Orenburg's Lenin District Court banned the publications as "extremist" in March 2012 in a hearing lasting only 20 minutes. The decision remains the biggest single known banning of religious literature by a Russian court. However, the banning decision only became public in June 2012 - after the period for appeals had passed. The overt attempt to ban the texts began in February 2010, when the FSB security service commissioned an "expert analysis" of the texts (see F18News 19 June 2012 http://www.forum18.org/archive.php?article_id=1713).

All the texts had been confiscated during raids in March 2009 on several Orenburg homes, including that of Asylzhan Kelmukhambetov who was in June 2011 sentenced to 18 months' imprisonment. After months in a prison hospital, this prisoner of conscience was freed in January 2012 (see F18News 20 January 2012 http://www.forum18.org/Archive.php?article_id=1658).

Although the Regional Court accepted five appeals by authors and publishers, the delay meant that the District Court ruling could come into force in the meantime. This led to numerous prosecutions across Russia for distribution of the banned texts under Administrative Code Article 20.29 (see F18News 22 January 2015 http://www.forum18.org/archive.php?article_id=2031).

The appeal process was further delayed in 2013 when 26 of the books in the case were destroyed, leaving experts with no material to examine (see F18News 15 July 2013 http://www.forum18.org/archive.php?article_id=1858).

When will the 50 texts be taken off the Federal List?

Judge Kira Annenkova's February 2015 decision came into force immediately. This means any attempt to prosecute individuals or organisations under Administrative Code Article 20.29 for distribution of any of the 50 texts would now be illegal, appeal lawyer Nurzhigit Dolubayev told Forum 18 on 13 March.

The 50 unbanned titles are at present still on the Federal List of Extremist Materials, despite their reprieve. Paperwork for the case is still being processed and the verdict would be communicated to the Justice Ministry in up to two weeks' time, a spokeswoman for the Civil Cases Department of Orenburg Regional Court told Forum 18 on 17 March.

On the day of the verdict (27 February) lawyers in the case thought the entire process of removing the 50 texts from the Federal List could take up to two months, Muslim news website ansar.ru reported.

Many of the 50 texts also appear on the Federal List in different editions, having been banned by other courts. For example, the 2008 "Ummah" edition of Azerbaijani scholar Elmir Kuliyeu's "The Path to the Koran" is no longer deemed "extremist". But its 2001 edition, published by Abilov, Zeylanov, and Sons and banned by Kuibyshev District Court in Omsk in July 2012, remains on the Federal List. Like the Orenburg ban, the Omsk ban was also at the initiative of the FSB security service (see F18News 30 July 2012 http://www.forum18.org/archive.php?article_id=1726). Other works by Kuliyeu have also been banned as allegedly "extremist" (see F18News 27 September 2013 http://www.forum18.org/archive.php?article_id=1879).

A precedent?

"Just as it was possible to call the banning of 68 texts a precedent for Russia, we can probably call the overturning of the ban on 50 books a precedent too", lawyer Timur Zaripov told ansar.ru on 27 February.

Nurzhigit Dolubayev, who represented publisher Aslambek Ezhayev, told Forum 18 on 13 March that it was "shameful" for the court not to overturn the ban on his client's books. Ezhayev and other lawyers for authors and publishers whose books remain banned now have six months to submit a cassational appeal to Orenburg Regional Court.

Clarification of ban on sayings of Mohammed – Tatarstan

On 5 February, with the termination of appeal hearings at Tatarstan's Supreme Court, it became clear that a controversial ban on an online collection of hadith (sayings of the prophet Mohammed) applies only to a Google Translate rendering of the text in Russian, and not to any other translation.

Apastovo District Court had on 9 October 2014 ruled "extremist" the 52nd Book of the Sahih-al Bukhari. This is a 9th century collection of hadiths (sayings) of the Islamic prophet Muhammad, which Sunni Muslims regard as the most authentic compilation and second only to the Koran itself in terms of importance and authenticity. The Apastovo District prosecutor initiated the case "in the interests of the Russian Federation" after finding the text online on an American website (in Russian) during monitoring of the internet for "extremist" material (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

Under Article 15.1 of the Information Technologies and Protection of Information Law, entire domain names, IP addresses, and specific webpages can be banned. They are then added to the Unified Register of Banned Sites, maintained by the Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor). Once a ruling has come into force, the court communicates its decision to Roskomnadzor, which then informs the hosting provider. Within 24 hours, the hosting provider gives notice that the site owner must remove the webpage within a further 24 hours or access to the site will be restricted. If this action is not taken, the IP address (as well as the domain name and website address) will be included in the registry. Site owners, hosting providers, network operators and telecoms providers may appeal against court decisions within three months. If action is taken to remove the banned information, the website or page is removed from the registry within three days.

Judge Elvira Nigmatzyanova's decision quotes the material the prosecutor and judge found objectionable, but makes no reference to historical context, textual interpretation by Muslim scholars, or any legally-provable effects on people's behaviour (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

"Randomly selected phrases taken out of context"

Muslims in Russia reacted to the ban with alarm and several appeals were filed against the ruling. These caused Apastovo District Court and prosecutors to state unequivocally that the text ruled "extremist" consisted of "randomly selected phrases taken out of context, [which] dramatically distort the true meaning of the source", according to a statement by the Republic Prosecutor, and that all printed translations may continue to be freely used and distributed.

Ravil Tugushev, one of the appeal lawyers, suspected from the start that the banned text was an inaccurate machine translation. He explained on Facebook on 8 February that the appeals did not assume that an official translation of Bukhari had been deemed "extremist", but that that site which hosted the material was "not related to Islam or Muslims" and that the translation was "automatic and distorted".

He added, "We really appealed against the violations which in our view the first court committed in its decision, and the appeals were filed so that similar violations would not

occur in the future". These violations, Tugushev told Forum 18, included the fact that not a single representative of a Muslim organisation was invited to or even informed of the court hearing, no expert analysis of the text was carried out, and no comparison made with the original Arabic or with other translations.

On 5 February 2015, Tatarstan's Prosecutor's Office released a statement clarifying its "official position" on the al-Bukhari hadith. It acknowledged "the indisputable religious, scientific and historical authority of Imam al-Bukhari for all Muslims". It stresses that "none of the available printed translations of Hadith of Imam al-Bukhari is prohibited from distribution in the Russian Federation" and may be freely used by the Muslim community, in both the Tatar and Russian languages.

A spokesman for Tatarstan's Prosecutor's Office emphasised to Forum 18 on 17 March that the District Court ruling applies only to the automatic Google Translate version of the text.

It was not clear from the original verdict that possession of other translations of the text would remain unaffected, Forum 18 notes. Although the Prosecutor's Office spokesman was keen to stress that the concept of precedent does not exist in Russian law, "extremism" rulings on one version or edition of a text are frequently cited as evidence in attempts by prosecutors to have other versions banned.

Despite the cessation of appeal proceedings, Tugushev has cautiously welcomed the outcome of the case. "In some ways, it is [a positive result]", he said on Facebook on 7 February, "especially considering the comments of the prosecutors, who confirmed that nobody is calling into question the official translations of Sahih al-Bukhari". He remarked, "I hope in the future this never happens".

The way quotations were used as evidence by prosecutors in the District Court hearing highlights the problems which can be posed by religious texts from particular times and places, which can contain views opposed to present-day understandings of the rights of others, gender equality, freedom of religion or belief and other human rights (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

Ban on biography of 7th century caliph, Kurgan region

The recent ban on Ali Mohammed al-Salabi's "Abu Bakr al-Siddiq: the first righteous caliph" provides another example of prosecutors evaluating a text in isolation from its historical context. Kurgan Regional and Petukhovo District Prosecutors brought the suit "in defence of the rights, freedom, and legal interests of an unspecified group of people". Judge Irina Mokina of Petukhovo District Court upheld the suit in a ruling of 16 December 2014. There was no appeal, and the decision entered legal force on 20 January 2015.

The FSB security service discovered a copy of the book during an inspection of a train in Kurgan Region at a border crossing with Kazakhstan. Prosecutors sent it for "linguistic analysis", which concluded that it contained "information aimed at inciting hatred and animosity towards people who do not profess Islam, and towards Muslims who depart from the principles of strict monotheism", as well as "information aimed at justifying suicidal terrorism and armed struggle (jihad) in the path of Allah under the guise of religious ideology". This kind of language is frequently used by prosecutors in attempts to ban Islamic literature and prosecute those who possess such texts (see eg. F18News 28 February 2013 http://www.forum18.org/archive.php?article_id=1808).

There is no further explanation in the verdict, seen by Forum 18, of how exactly the book may be considered "extremist". A spokesman for Petukhovo District Prosecutor's Office would not elaborate on this when Forum 18 telephoned on 18 March. He said that requests for information could be sent in writing to the Regional Prosecutor. Forum 18

sent an email before the end of the Kurgan working day on 18 March, asking exactly what was found objectionable in the book, but has received no response.

Abu Bakr al-Siddiq was the prophet Mohammed's father-in-law and immediate successor as leader of the early Muslims in Arabia. He engaged in holy war (presented in the text as both positive and obligatory) with surrounding non-Muslim peoples and advocated harsh punishments for apostates and for a group of Yemeni women who celebrated the death of Mohammed (cutting off their hands). Al-Salabi, a Libyan Islamic scholar and politician, also portrays him as "gentle and generous with conquered peoples", giving them the freedom to choose their own religion. He describes Abu Bakr's example as providing "nourishment for the soul and crucial life lessons for each and every Muslim".

More Jehovah's Witness texts banned – and community forced to pay for "expertise"

Belgorod's October District Court ruled two further Jehovah's Witness brochures "extremist" on 4 March. Judge Viktoriya Yampolskaya agreed that "The Son Will Reveal The Father" contained "propaganda of exclusivity and calls for inciting religious hatred", while "Was life created?" was found to include references to the "Book For All", a Jehovah's Witness text already banned by Rostov Regional Court in 2009.

Allegations (often unsupported by evidence) by officials of "propaganda of exclusivity" and "calls for inciting religious hatred" have long been used to justify banning texts (see eg. F18News 14 July 2008 http://www.forum18.org/archive.php?article_id=1159).

The judge decided that a third brochure, "Is Your Food Dangerous?", was not "extremist".

The court also ordered the Administrative Centre of Jehovah's Witnesses in Russia to pay 15,000 Roubles to cover the cost of "expert analysis" of the texts, which was carried out by Belgorod State University. Jehovah's Witness chair Aleksandr Filin requested further analysis and testimony from members of the Jehovah's Witnesses themselves, but the court refused, he told local news website belpressa.ru on 5 March.

Jehovah's Witnesses have appealed against the ruling to Belgorod Regional Court, Jehovah's Witness spokesman Ivan Belenko told Forum 18 on 13 March.

A spokeswoman for Belgorod City Prosecutor's Office directed Forum 18 to their Press Service, but this number went unanswered whenever Forum 18 called on 19 March.

Jehovah's Witness website ban

Jehovah's Witnesses are challenging the block on their main international website – www.jw.org. The site was ruled "extremist" and banned on 2 December 2014 by Russia's Supreme Court. Jehovah's Witnesses submitted a supervisory appeal in early February, spokesman Belenko told Forum 18.

The Jehovah's Witnesses main international site had been blocked by Tver's Central District Court in August 2013 after FSB investigators found it to contain seven items from the Federal List. But Jehovah's Witnesses successfully appealed against the ban at Tver Regional Court in January 2014 (see F18News 27 January 2014 http://www.forum18.org/archive.php?article_id=1920). But on 2 December 2014 the Supreme Court upheld the prosecutors' appeal against the January judgment (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

The Supreme Court notified the site's American owners (The Watch Tower Society) of the hearing, but only in Russian, Jehovah's Witness spokesman Belenko told Forum 18. By

the time the letter had been translated, the hearing had passed without Jehovah's Witness involvement and the decision had already come into force. "There was no letter from the Supreme Court to the local Witness administration, for some reason," he commented.

The website was added to the Unified Register of Banned Sites on 26 January 2015 and within Russia is now inaccessible in all languages, not only Russian, Forum 18 notes. The Unified Register is maintained by the Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor).

Muslims who read theologian Said Nursi's works are, like Jehovah's Witnesses, a major target of the authorities for alleged "extremism". The principal Russian-language resource for the study of Nursi's works, www.nurru.com, was added to the Unified Register on 11 July 2014 as the result of a 9 April court decision (see F18News 28 August 2014 http://www.forum18.org/archive.php?article_id=1990).

Blocking starting in 2010

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 an 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 (see F18News 7 September 2010 http://www.forum18.org/Archive.php?article_id=1485).

Prosecutors in a variety of Russian regions then gained court decisions ordering local internet companies to block access to several Jehovah's Witness websites in both Russian and English, after investigations by the FSB security service (see F18News 2 December 2011 http://www.forum18.org/Archive.php?article_id=1642).

Since April 2010 Jehovah's Witnesses have not been able to import copies of their two main printed magazines, Watchtower and Awake! after a Roskomnadzor decision (see F18News 27 July 2010 http://www.forum18.org/Archive.php?article_id=1470). Attempts ending in February 2012 to challenge this ban have failed (see F18News 21 March 2012 http://www.forum18.org/Archive.php?article_id=1682).

"Extremist" Russian Orthodox video

On 17 February 2015, Judges Rimma Sudakova, Yury Samylov and Lyudmila Ogudina of Vladimir Regional Court upheld an "extremism" ruling against a video showing the attempted seizure by bailiffs of saints' relics from a parish of the Russian Orthodox Autonomous Church (ROAC) in October 2012.

The video is critical of the Moscow Patriarchate (from which the ROAC separated in the early 1990s) and the far-right Liberal Democratic Party (LDPR) of Vladimir Zhirinovskiy and posted on Russian religious news website portal-credo.ru in January 2013 by the site's editor Aleksandr Soldatov. It was described by prosecutors as having a "hostile, aggressive character" On 21 November 2014 October District Court declare the video "extremist". The Moscow Helsinki Group submitted an appeal to Vladimir Regional Court, originally due to heard on 18 December (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

In comments to portal-credo.ru on 19 February 2015 after the appeal hearing, Aleksandr Verkhovskiy of Moscow's SOVA Center for Information and Analysis noted that "in the overwhelming majority of cases of the banning of material, there is no criminal prosecution of the author, distributor, or editor".

Sakhalin "theatre of sheer absurdity"

Sakhalin prosecutors' attempt to have a Koranic commentary banned as "extremist" is now on hold while the text undergoes further "expert analysis", Forum 18 has learned.

Judge Natalya Perchenko ordered the repeat analysis at a hearing on 28 January, and the case remains adjourned, according to lawyer Tugushev, who is not involved but is following the case. When Forum 18 called the civil cases department of Yuzhno-Sakhalinsk City Court on 19 March and asked when proceedings would resume, the phone was immediately put down. In comments on his blog on 31 January, Tugushev called the case "a theatre of sheer absurdity".

The initial examination of the book, which consists of selected verses from the Koran with accompanying comments, was performed by Yelena Korolyova, a linguistic analyst at the Sakhalin police Expert Criminology Centre. In her report of 14 April 2014, seen by Forum 18, she claimed that the book contains statements promoting the superiority of a particular group of people on the basis of religion (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

Nafigulla Ashirov, Mufti of Asiatic Russia, lodged an objection to the court (which Forum 18 has seen) expressing concern that the "extremism" case was based on verses from the Koran and asking that the prosecutors' suit be refused. He points out that the statements of monotheism highlighted in Korolyova's analysis are similar to certain Biblical verses, and that all Russia's so-called "traditional religions" claim an inherent superiority of their beliefs over those of other faiths. Ashirov on 26 October had described the case as "complete insanity" (see F18News 3 December 2014 http://www.forum18.org/archive.php?article_id=2020).

The freedom to make claims about the relative merits or demerits of religious or non-religious views is a central part of the internationally-recognised right to freedom of religion or belief. However, Russian prosecutors frequently view exercising the freedom to make these claims as grounds for prosecution (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

The "16 Jehovah's Witnesses case" in Taganrog: new hearing

Sova-center.ru <http://www.sova-center.ru/religion/news/extremism/counter-extremism/2015/03/d31461/> - In the beginning of March 2015, a second hearing of the "16 Jehovah's case" was open in Taganrog.

On 3rd March 2015 in Taganrogsk, the Court opened a new trial called "the 16 people case" - 16 Jehovah's Witnesses were convicted under Art. 282.2, Parts 1 and 2 of the Criminal Code (organization of an extremist group and participation therein) for continuing the activities of their community in Taganrog.

Yuri Baklushin, Alexander Skvortsov, Alexey Koptev and Nikolai Trotsyuk were sentenced under Art. 282.2, Part 1 of the Criminal Code (organization of an extremist group), Andrei Goncharov, Oksana Goncharova, Tatyana Kravchenko, Vladislav Kruglikov, Sergei Trotsyuk, Roman Voloshchuk, Vladimir Moiseenko, Vyacheslav Schekalev, Karen Minasyan, Ksenia Gorbunova, Kirill Chetverikov, Vladimir Kozhukhov were sentenced under Art. 282.2 part 2 of the Criminal Code (participation in an extremist group). Those

sentenced under Art. 282.2, Part 1, were also charged under Art. 150, Part 4 (involving minors in criminal activities).

All the defendants pleaded not guilty. A number of them were told that charges under Art. 282.2 of the Criminal Code can be dropped due to the statute of limitations, but they refused to dismiss the case on non-rehabilitating grounds, insisting on acquittal.

According to investigators, the defendants "acting for extremist purposes" resumed and continued the activities of their community in Taganrog, "knowing" that it was banned as extremist on 11th September, 2009 by the Rostov Regional Court and closed down. They would thus hold meetings and study religious literature there. We believe that the decision of the Rostov Regional Court is unlawful.

Translation Russian-English by Irina Loutfoullina (Human Rights Without Frontiers)

Muslim first known victim of lengthened "extremism" prison terms

Forum 18 (06.03.2015) - A court in the Volga city of Ulyanovsk has imposed a jail sentence for involvement in "Nurdzhular", a banned organisation whose alleged existence is strongly denied by Muslims who study the works of late Turkish theologian Said Nursi. Two other defendants received suspended sentences. An ongoing court case against the alleged leaders of an alleged "Nurdzhular women's cell" in the Siberian city of Krasnoyarsk is still beset by delays, reaching its 14th adjourned hearing on 4 March. A Muslim in the city told Forum 18 on 4 March that further "extremism" proceedings are expected against three men arrested in early 2014.

Meanwhile, 16 members of the Jehovah's Witness community in Taganrog in southern European Russia – banned as "extremist" in 2009 – have faced multiple delays in their re-trial for alleged "extremism" offences at Taganrog City Court.

Ulyanovsk jail sentence

For the first time since September 2013, a Muslim who reads Said Nursi's works has received a jail sentence for the "organisation of extremist activity". The 31-year-old Bagir Kazikhanov was found guilty under Criminal Code Article 282.2, Part 1, at Lenin District Court in Ulyanovsk on 25 February, according to the court website. Judge Natalya Damayeva sentenced him to three and half years' imprisonment.

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") is punishable with a fine of at least 300,000 Roubles (currently about 38,190 Norwegian Kroner, 4,480 Euros, or 4,930 US Dollars) or imprisonment of up to six years.

Such an outcome had been expected, a fellow Muslim in Krasnoyarsk remarked to Forum 18 on 5 March, as there had been "rumours that [the prosecution] would request that the judge impose jail sentences".

Kazikhanov's fellow defendants, 26-year-old Stepan Kudryashov and 25-year-old Aleksandr Melentyev, were convicted of the lesser offence under Criminal Code Article 282.2, Part 2 of: "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". They received suspended sentences of two years and one year and eight months respectively.

All three sentences will be reduced by the amount of time the defendants have already spent in custody and under house arrest. The men are all preparing to appeal, a fellow Muslim told Forum 18 on 4 March.

Whereabouts of fourth defendant unknown

The whereabouts of 26-year-old Farkhad Allakhverdiyev, the fourth man charged under Article 282.2, Part 2, are still unknown. His name is on the Interior Ministry "Wanted Database", Forum 18 notes. As a result, prosecutors have been obliged to open a separate case against him.

September 2013 St Petersburg prison sentence

Shirazi Bekirov was in September 2013 sentenced in St Petersburg to six months in an open-regime prison. He was the 14th Muslim in Russia known to have received a criminal sentence for reading Nursi's works, many of which have been banned in Russia as "extremist". Bekirov and other Muslims who met others to read Nursi's works – whether or not they were convicted of any "crime" – appear on a Russian government "list of terrorists and extremists (current)" (see F18News 6 September 2013 http://www.forum18.org/archive.php?article_id=1872).

Criminal Code Article 282.2 Parts 1 and 2 have been the usual choice of prosecutors seeking to punish Muslim readers of Nursi's works for exercising their freedom of religion or belief. Punishments under this Article were last increased in February 2014 (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927), having been earlier increased in December 2011 (see F18News 10 January 2012 http://www.forum18.org/archive.php?article_id=1653).

"A group with a positive perception of death" ?

The Ulyanovsk defendants "formed a group with a positive perception of death, combined with a willingness to self-sacrifice in the interests of doctrine and violation of the territorial integrity of the state", a 26 February statement on the Ulyanovsk Regional Prosecutor's Office website claimed.

A spokeswoman for Lenin District Prosecutor's Office, which handled the case, directed Forum 18 to Senior Assistant Prosecutor Vasily Zima at the Regional Prosecutor's Office. His telephone went unanswered whenever Forum 18 called on 5 and 6 March.

Ulyanovsk sentences

Judge Damayeva ruled that Kazikhanov, previously under house arrest, was to be detained immediately after the trial and kept in police custody until the decision comes into force. With his three-and-a-half-year term, to be served in a general-regime correctional colony, he becomes the first known person to be sentenced under the lengthened Criminal Code Article 282.2, Part 1 terms of imprisonment brought in by changes in February 2014.

Other changes to "extremism"-related Articles of the Criminal Code brought in at the same time make it easier for the state to obtain legal permission for surveillance techniques such as phone tapping (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

Despite avoiding imprisonment, Kudryashov and Melentyev will remain on probation for

long periods – Kudryashov for two years (reduced by time spent in custody before the trial), Melentyev for one year and 10 months - despite a sentence of one year and eight months, but also reduced by the length of his pre-trial detention.

During this time, they cannot leave the city of Ulyanovsk or change their places of residence without informing the state authorities responsible for monitoring those with suspended sentences. Until the court decision comes into force, both remain under travel restrictions.

Apart from Kudryashov's and Melentyev's mobile phones, which are to be returned to them, all confiscated belongings (including books and computer equipment) will remain in police custody until Allahverdiyev has been found and tried.

Ordered to set up a "cell" ?

Judge Damayeva agreed with the prosecution that Kazikhanov came to Ulyanovsk on the instructions of the "steering centre of Nurdzhular" in order to set up a "cell" in the city. He ran regular Islamic study sessions in rented flats between 2012 and 2014, which investigators alleged were in fact "conspiratorial gatherings" which "with the goal of involving new members in Nurdzhular, promoted the ideas of the association".

These ideas allegedly included the creation of a worldwide Islamic state (caliphate), the establishment of sharia law, and the incitement of inter-confessional hatred and enmity. The meetings involved at least 10 other people who studied Islam using Nursi's works.

Russia's Supreme Court banned "the international religious organisation Nurdzhular" as "extremist" in April 2008. Muslims in Russia deny the alleged organisation exists (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Nursi's books, according to the verdict, promoted "the creation of a theocratic Islamic state" and "a gradual transformation of the personality and a change in worldview".

Very similar language in supposedly "expert" analyses was seen in a February 2010 "psycholinguistic expert analysis" by a subsequently ordained Russian Orthodox layman used to ban Islamic books (see F18News 19 June 2012 http://www.forum18.org/archive.php?article_id=1713) and a May June 2013 "psycho-linguistic examination" in May-July 2013 as part of an "extremism" investigation (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

The prosecution claimed that Kudryashov and Melentyev, "pursuing with [Kazikhanov] a single criminal intent", were active in recruiting others to the "cell".

Kudryashov and Melentyev, who are friends from school and university, admitted reading Nursi's books but denied being members of "Nurdzhular", being involved in any "agitation", or even showing Nursi's texts to anyone else. They said that Kazikhanov never spoke of "Nurdzhular" and did not control their meetings; they simply prayed together, discussed religion, and went to the cinema and football matches.

Kudryashov also insisted he had no knowledge of "Nurdzhular" and had never received any instructions or money from abroad. He maintained that the books he read "do not kindle discord on the basis of religion or nationality and do not contain calls for the overthrow of the existing order and the establishment of a new Islamic state".

Defendants to pay for part of investigation against them

The judge also ruled that the defendants must bear the cost of the "expert" analysis

carried out on materials seized from their homes, a total of 430,000 Roubles (56,000 Norwegian Kroner, 6,500 Euros or 7,200 US Dollars). Kudryashov and Melentyev are to pay 140,000 Roubles each; Kazikhanov, 150,000 Roubles.

Ulyanovsk police sent a large quantity of books, pamphlets, compact discs and electronic equipment confiscated from all four men to Nizhny Novgorod State University's Centre for Historical and Cultural Anthropology for "expert analysis". The analysis was carried out by Fyodor Dorofeyev (history of religion), Yevgeny Volkov (sociology), and Yekaterina Koltunova (linguistics).

From the 25 February verdict and the details of the analysis by the "experts", also seen by Forum 18, it appears that simply meeting for study and discussion of Nursi's works, even using editions which have not been prohibited and placed on the Justice Ministry's Federal List of Extremist Materials, is sufficient for Muslims to be accused of engaging in "extremist" activity. Jehovah's Witnesses also face the same kind of risk of prosecution (see eg. F18News 28 February 2013

http://www.forum18.org/archive.php?article_id=1808).

In the case of these four Muslim men, this happened despite Dorofeyev of Kazan University's conclusion that there had been no conspiracy aimed at sowing religious or societal discord. Knowledge of Nursi's Turkish associates and Islamic life in Turkey or even speaking the Turkish language are also grounds for suspicion (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017).

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

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

Burden of criminal proceedings

Even before judges come to a verdict, charges of involvement in "extremist" activity can have a significant impact on the life of the accused. According to the police file on the case, seen by Forum 18, Kazikhanov, Kudryashov, and Melentyev were all held in pre-trial detention and kept under house arrest and travel restrictions for varying periods of time in the run-up to court proceedings (see F18News 29 January 2015 http://www.forum18.org/archive.php?article_id=2033).

According to Russian law, people under house arrest are not allowed to leave their registered places of residence except for medical reasons, to communicate with anybody involved in the case except lawyers and investigators, to send or receive post, or to use the telephone or internet except under certain conditions.

Kazikhanov, Kudryashov, Melentyev, and Allakhverdiyev all appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorists and extremists" whose assets banks are obliged to freeze.

Krasnoyarsk "women's cell"

The criminal trial in Krasnoyarsk of Yelena Gerasimova and Tatyana Guzenko, accused of running a "Nurdzhular women's cell", is being further delayed as Judge Svetlana Vladimirtseva is still examining the materials of the case.

The case under Article 282.2, Part 1, finally got underway with a preliminary hearing at Soviet District Court on 27 November 2014, having been passed around the Krasnoyarsk court system for the previous six months (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017). All 14 hearings since then, the

latest on 3 March, have been adjourned. The next is scheduled to take place on 1 April, according to the court website.

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

Krasnoyarsk Regional Prosecutor's Office alleged in a press release on 29 May 2014 that the accused ran an alleged "cell" of more than 10 women, and fostered contacts with "Nurdzhular" members in Naberezhnyye Chelny. Muslims in that city have denied this allegation to Forum 18.

So far, Gerasimova and Guzenko's names have not been added to the Rosfinmonitoring list of "terrorists and extremists".

Another Krasnoyarsk "extremism" trial imminent?

Meanwhile, in another set of "extremism" proceedings against Muslim readers of Nursi's works in Krasnoyarsk, investigators are attempting to limit the time allowed for the defence to familiarise themselves with the case materials, a fellow Muslim told Forum 18 from the city on 4 March 2015.

Investigators have tried three times to have this period of examination curtailed, but have been refused by Soviet District Court. The district court's third refusal has, however, been overturned by Krasnoyarsk Regional Court, and the defence expects another attempt to bring court proceedings forward. It is unknown when hearings will begin.

The Siberian Federal District Investigative Committee's investigation of 35-year-old Andrei Dedkov 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") and 32-year-old Aleksei Kuzmenko and 18-year-old Ismat Agdzhayev 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") has been underway since January 2014 (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

The FSB security service detained the three men and several other Muslims at Krasnoyarsk's Cathedral Mosque and in a hypermarket car park. Officers confiscated copies of Nursi's Risale-i Nur (Messages of Light) collection, computer equipment, and mobile phones during searches of their homes (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

While the FSB officers showed "no brutality" during these searches, a Krasnoyarsk Muslim who spoke to Forum 18 in February 2014 stated that the FSB "put pressure" on one witness, who created a group on social network Vkontakte which quoted Nursi, to testify that Dedkov directed him to do so (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

Dedkov, alongside three other Krasnoyarsk Muslims, was charged with involvement in "Nurdzhular" on a previous occasion – this case was dropped when the two-year deadline expired in March 2012 (see F18News 5 March 2012).

http://www.forum18.org/archive.php?article_id=1675).

Dedkov, Kuzmenko and Azerbaijani-born Agdzhayev all appear on the Rosfinmonitoring list of "terrorists and extremists". The names of Dedkov's three fellow defendants from his previous case do not.

Taganrog Jehovah's Witness re-trial

The re-trial of 16 Jehovah's Witnesses charged with "continuing the activities of an extremist organisation" after their community was dissolved has been delayed for the sixth time at Taganrog City Court. After a preliminary hearing on 12 January 2015, hearings under Judge Aleksei Vasyutchenko were due to begin on 22 January. However, they were then delayed to 5 February (see F18News 5 January 2015 http://www.forum18.org/archive.php?article_id=2033).

Hearings have since been adjourned because of a defendant's illness or for unexplained "other reasons", most recently for the eighth time on 6 March, according to the court website.

The telephone of Judge Vasyutchenko's office went unanswered each time Forum 18 called to ask about progress in the case on 5 and 6 March.

Four of the 16 were convicted 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 150, Part 4 ("Involving a minor in the commission of a crime"). Another three were convicted under Criminal Code 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"), while the rest were acquitted. The "crime" of those convicted was to continue to meet together for prayer and Bible study (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

The 2009 liquidation of the Taganrog Jehovah's Witness community as allegedly "extremist" was used to justify banning all Jehovah's Witness activity in the city, a ban subsequently upheld by the Supreme Court (see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385).

After the August 2014 convictions of those convicted of meeting together in Taganrog for prayer and Bible study, they appealed to Rostov Regional Court (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017). At the Rostov appeal hearings on 11 and 12 December 2014, both convictions and acquittals were overturned and the case sent back for re-examination.

Supposedly free to meet - in reality charged

When a registered religious organisation is liquidated, it loses its status as a legal entity and associated rights, such as the ability to own or rent property, employ staff and hold a bank account. An unregistered community should legally be able to continue to operate as a religious group, which does not require registration, and meet privately for worship and study (see F18News 14 April 2005 http://www.forum18.org/archive.php?article_id=543).

This did not prevent prosecutors charging the Taganrog Jehovah's Witnesses for continuing to meet for prayer and Bible study. Despite the suspension or waiving of the punishments, the seven who were convicted of this "crime" would still have criminal

records were the ruling to come into force, and would be unable to change their places of work, study or residence without notifying the authorities. They would also have to show that they had "corrected" their behaviour.

All 16 defendants in the original trial appealed against the verdict, including those who were acquitted. Rostov Regional Prosecutor's Office also submitted an appeal, but has repeatedly refused to discuss the case with Forum 18.

Both the Taganrog and Samara Jehovah's Witness communities appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorist and extremist" organisations and the list of banned "extremist" organisations on the Justice Ministry website.

Abinsk community liquidated as "extremist"

A third Jehovah's Witness community, in the town of Abinsk, was ruled "extremist" and liquidated by Krasnodar Regional Court on 4 March. The regional prosecutor's attempt to have the organisation dissolved resulted from the conviction of two of its members for distribution of "extremist literature" after an official warning had been issued. The community now plans to appeal to Russia's Supreme Court.

Following a similar pattern to the cases in Taganrog and Samara, the regional prosecutor's suit came after a Jehovah's Witness was fined (in October 2013, according to the Abinsk District Court website) for handing out the organisation's texts among local residents. The community was also given a formal warning about the inadmissibility of "extremist activity", but allegedly continued to distribute prohibited literature. The liquidation proceedings stemmed from a police raid on the community's rented premises in January 2014, which uncovered "extremist" books in a locked box (see F18News 22 January 2015 http://www.forum18.org/archive.php?article_id=2031).

The community's property, comprising a house on 800 square metres of land (about a fifth of an acre) in the south of Abinsk, will be forfeit to the state if the ruling comes into force, according to the Caucasian Knot news website.

Community members Igor Soroka and Albert Belikov received fines of 3,000 Roubles each in December 2012 and October 2013 respectively for handing out Jehovah's Witness brochures, according to written verdicts seen by Forum 18. The defence in the dissolution case argued that the two men were no longer members of the Abinsk community at the time of their convictions, but this was dismissed by the judge.

Court in Krasnodar dissolves Jehovah's Witnesses congregation

Krasnodar Territorial Court rules local congregation of Jehovah's Witnesses "extremist"

Portal-credo (04.03.2015) - On 4 March, a Krasnodar territorial court granted the lawsuit of the prosecutor of the territory for finding the local religious organization of Jehovah's Witnesses in the city of Abinsk extremist and liquidating it, Interfax reports.

"To recognize as extremist, to liquidate, and to remove from the Uniform State Register of Legal Entities the local religious organization of Jehovah's Witnesses of the city of Abinsk. To transfer to state ownership the property of the organization—a parcel of land of 800 square meters, and a residence of 67 square meters on Engels Street," reads the result section of the judge's decision.

The basis for the prosecutor's suit, in accordance with article 7 of the federal law "On combating extremist activity," were incidents of the distribution by members of the local religious organization of the publications "Humanity in search of God," and "What does the Bible really teach?" as well as "The Bible: God's word or man's?" that are included in the federal list of extremist materials.

Thus, according to information from the prosecutor's office, in 2010 one of the founders of the organization, Igor Soroka, was held administratively responsible (fine) for mass distribution of prohibited literature. In addition, in 2012 another founder, Albert Belikov, again distributed books included in the list of extremist materials and he also was fined.

The Abinsk prosecutor delivered a warning to the religious organization regarding the impermissibility of extremist activity, which the Jehovah's Witnesses did not challenge in court.

Attorneys representing the interests of the Jehovah's Witnesses called the court's decision illegal and unreasonable and a violation of the constitutional rights of believers. In connection with this, they intend to file an appeal in the Supreme Court of Russia in the near future.

As evidence, the defense presented to the court minutes concerning the removal of I. Soroka and A. Belikov from the committee (administrative body) and general meeting of members of the local religious organization. Therefore, the attorneys maintained, at the time of the commission of the violation of law, they were not then members of the organization, and they distributed the literature solely on their own initiative.

The local religious organization of Jehovah's Witnesses of the city of Abinsk was registered in November 1999. At the present time, there are 11 members of the organization. Around 200 believers professing the religious doctrine reside in the city of Abinsk. (tr. by PDS, posted 5 March 2015)

Prosecutions for public evangelism and public meetings for worship

Forum 18 (02.03.2015) - Communities who exercise freedom of religion or belief in public without state permission may find their members facing five-figure Rouble fines if they do not inform the local authorities in advance, Forum 18 News Service notes. This is despite a Russian Constitutional Court ruling removing the requirement to notify the authorities in many cases. Many activities in many places may draw the attention of law enforcement. In Sochi, for example, a Protestant community leader is challenging a fine imposed for holding prayers in a rented café. A Baptist preacher in Smolensk will soon appeal against his conviction for handing out religious literature in a public park. Another Baptist in Orel has been fined for organising outdoor hymn singing in a children's playground.

Failure to notify the authorities may result in charges under Part 2 of Article 20.2 ("Violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession, or picket") of the Code of Administrative Offences. This may result in fines of 20,000 to 30,000 Roubles (about 2,470 to 3,700 Norwegian Kroner, 290 to 430 Euros, or 320 to 480 US Dollars) for individuals, 20,000 to 40,000 Roubles (about 2,470 to 4,950 Norwegian Kroner, 290 to 575 Euros, or 320 to 640 US Dollars) for an organisation's officials, and 70,000 to 200,000 Roubles (about 8,670 to

24,700 Norwegian Kroner, 1,005 to 2,900 Euros, or 1,125 to 3,200 US Dollars) for organisations themselves.

Legal background

The public exercise of freedom of religion or belief is mainly governed by the 1997 Religion Law and the 2004 Demonstrations Law. The Demonstrations Law lists sites where religious and other events are never permitted, including on railways, in border zones, near gas pipelines and outside the President's residence. Article 16 of the Religion Law outlines those places where "services, rites, and other ceremonies" are allowed without restriction and without any requirement to inform the authorities.

In other cases, organisers may have to notify the authorities of the event. The authorities must then ensure that the event goes ahead peacefully. This does not constitute seeking permission – the authorities can only stop an event proceeding if:

- a) the notification comes from a person without the right to provide it;
- or b) the event is planned for a prohibited location.

Otherwise, the authorities may only point out organisational shortcomings to be eliminated and warn of the possibility of court proceedings in the case of any legal violations.

However, this has not stopped mainly Protestants and Jehovah's Witnesses – who often do not have their own permanent buildings - from being fined or threatened with fines for organising or conducting meetings for worship which has not been specifically approved by the local authorities. Local police and prosecutor's offices have insisted that such permission is required, and bring cases under Administrative Code Article 20.2 ("Violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket"). The legality of these prosecutions under the Constitution and the Religion Law has been challenged, but prosecutions have still been successful (see F18News 28 October 2011 http://www.forum18.org/archive.php?article_id=1631).

Recent amendments

However, October 2014 changes to Article 16 of the Religion Law have further clarified the types of place in which worship activities are allowed without prior notification. They should make it impossible to bring charges under Article 20.2, Part 2, if a meeting for worship or ceremony is carried out in premises or on land rented by a religious association for this purpose, Inna Zagrebina of Moscow's Guild of Experts on Religion and Law commented to the SOVA Center for Information and Analysis on 24 November 2014.

It is possible that this amendment may have a positive effect on cases currently before the courts, such as that of a Sochi Protestant leader fined for holding prayers in a rented café (see below). However, the new Criminal Code Article 212.1 ("Repeated infringement of the established procedure for organising or conducting a gathering, meeting, demonstration, procession, or picket") may have a chilling effect (see below).

Article 16 has been expanded to state:

"In other cases, public worship services and other religious rites and ceremonies (including prayer and religious assemblies) carried out in public places, in conditions which require the adoption of measures to ensure public order and the security of the participants of religious rites and ceremonies, as well as those of other citizens, are carried out in the manner prescribed for rallies, marches and demonstrations".

This incorporates a 2012 Constitutional Court judgement, which states that prior notification is not required when safety measures are not necessary - the main ostensible purpose of the authorities being notified. The ruling followed prosecution – not for safety reasons - of two Jehovah's Witnesses in Belgorod Region for meeting for worship without state approval (see F18News 3 January 2013 http://www.forum18.org/archive.php?article_id=1787).

Poorly defined

But the situation remains poorly defined. The Religion Law's Article 16 still refers only to "worship services and other religious rites and ceremonies", and not to other activities such as the distribution of literature. For instance, as Zagrebina of the Guild of Experts on Religion and Law points out, "evangelisation carried out in the courtyards of house, parks, and open squares does not fall under Article 16", and so believers themselves will have to determine whether the conditions of their "event" will require public health or security measures when deciding whether to notify the authorities.

Public space where it is not clear whether the public exercise of freedom of religion or belief is freely permitted and the prohibited remain unspecified. Forum 18 notes – based on Article 20.2 cases brought in 2014 - that these include rented cafés, cinemas, houses of culture, the street, a playground and a public square. In one case a prosecution was brought for a meeting in a private home.

So it is still unclear how far the amendments will enable the public exercise of freedom of religion or belief. Aleksandr Verkhovsky, Director of the SOVA Centre, commented that "it's still an issue" for groups such as the Baptists and Jehovah's Witnesses "while some things will move more smoothly now". However, "law enforcement still has a wide choice for interpretation" of the law, he noted to Forum 18 on 25 February.

This lack of clear definition feeds into a further problem – that of misapplication of the law by law enforcement officials who interpret the requirement for prior notification as a requirement for permission from the authorities. In two of the cases outlined below, law enforcement officials demanded to see "permission" for the events to be held, despite permission not being a legal requirement.

Related cases have reached the European Court of Human Rights in Strasbourg. In 2007 the Court unanimously ruled that it was not lawful for Russia to ban a church from meeting for worship in a public park, and that the authorities should uphold their right to meet in public (see F18News 1 August 2007 http://www.forum18.org/archive.php?article_id=1001).

New criminal offence

Although no related criminal charges have yet been brought in cases of religious events, Russian believers fear that it is now a possibility. A new Article 212.1 ("Repeated infringement of the established procedure for organising or conducting a gathering, meeting, demonstration, procession, or picket") was added to the Criminal Code on 21 July 2014. This makes repeated violations of any part of Administrative Code Article 20.2 a criminal offence. Those convicted face:

a fine of 600,000 to 1 million Roubles (about 74,260 to 123,785 Norwegian Kroner, 8,620 to 14,380 Euros, or 9,650 to 16,000 US Dollars) or the equivalent of two to three years' salary;

or compulsory work for up to 480 hours;
or correctional labour for one to two years;

or forced/hard labour for up to five years;
or up to five years' imprisonment.

"Repeated violations" are defined as more than two in a period of 180 days. Three people have so far been prosecuted under this article for political protests.

The Protestant prayer group whose leader was fined for holding a Bible study session in a Sochi café (see below) fears prosecution under the new Criminal Code Article 212.1 if they continue to meet. They have therefore stopped meeting, their lawyer Aleksandr Popkov told Forum 18 on 14 February.

Article 212.1 could be used against the exercise of freedom of religion or belief, Verkhovsky of the SOVA Centre agreed. But he thinks the authorities will seek to avoid this. "Political protesters will go first", he thought.

Forum 18 asked the office of the Ombudsperson for Human Rights on 26 February whether it thought the exercise of freedom of religion or belief would be prosecuted under Article 212.1, and if it thought this would have a negative effect on freedom of religion or belief. No reply to these questions had been received by the end of 2 March, but a reply was promised after 4 March.

23 known cases in 2014

Twenty three cases are known to have been brought against religious communities or individuals under Article 20.2, Part 2 in 2014. Five were related to the same incident in Barnaul. All related to incidents which occurred before the amendments to the Religion Law came into force on 22 October 2014.

Eleven cases ended in acquittals, frequently as the result of the judge applying the Constitutional Court ruling of December 2012. Several cases ended in convictions in very similar circumstances, suggesting that the Constitutional Court ruling is being inconsistently applied across the country.

The 23 cases primarily involved Jehovah's Witnesses (12 cases), but also unregistered Baptists (2 cases), Evangelical Protestants (1 case), and Buddhists (1 case). The affiliation of the rest is unknown, although the language of the verdicts suggests they were Protestants.

The FSB, police and prosecutors go to a Sochi Bible study

On 28 September 2014 a regular Bible study session in a Sochi café was being run by Aleksei Kolyasnikov for his unregistered "Society of Christians", to pray and read the scriptures on Sunday afternoons. That day, however, they were joined by newcomers who later revealed themselves to be FSB security service officers. Prosecutor's office officials and officers from the local police "Anti-Extremism" Department were also present.

A letter of 26 August 2014 shows that the FSB security service initiated the case (see below).

"After the law enforcement officers entered the café, they asked to attend the meeting", Pastor Kolyasnikov told Forum 18 on 18 February 2015. "We allowed them. After the meeting, they introduced themselves and began to take testimony from the people there. Some of them tried to discourage members from going to our meetings. The officials also took a statement from me there and then. They did not say anything about an administrative charge. Later, one of the officers called and invited me to the Prosecutor's Office, and there he explained to me my 'administrative offence'."

Kolyasnikov told the sovsekretno.ru news website on 15 December that "The prosecutor kept asking: 'Did you receive permission or not?' I said: 'Perhaps notification should have been sent?' No, permission. I went specially to the administration to ask – they said notification was not necessary".

"I cannot name any violations in this case"

Tatyana Katanidi of the Sochi mayor's office confirmed to the Caucasian Knot news website that "the café is indoors and notification is not required. I cannot name any violations in this case in the way of notifying the administration".

Kolyasnikov was fined 30,000 Roubles (now about 3,700 Norwegian Kroner, 430 Euros, or 480 US Dollars) by Judge Nikolai Volkov at Magistrates' Court No. 99 on 10 October 2014. On appeal to Khostinsky District Court on 2 December, this decision was overturned by Judge Grigory Leoshik, who ruled that magistrates did not have the authority to deal with such matters and sent the case for re-examination. The same Judge Leoshik reinstated the fine (the largest possible for an individual) on 12 December.

"The consequences are quite serious"

On 28 January 2015, Krasnodar Regional Court upheld the earlier fine. Lawyers Aleksandr Popkov and Vladimir Ryakhovsky tried to have the ruling overturned. "Nobody listened to us there. As usual," Popkov complained to Forum 18 on 14 February.

He continued: "The consequences are quite serious. The pastor and his flock are afraid that persecution will continue. If they repeatedly commit such an 'offence', then Kolyasnikov could face criminal charges and up to five years' imprisonment" under Article 212.1 of the Criminal Code. He also pointed out that the case sets a "dangerous" precedent" for Protestants elsewhere in Russia, as so many of them pray in rented premises.

Pastor Kolyasnikov told Forum 18 that his group is no longer meeting as before, but that they have joined a registered community in Sochi which has its own building for worship.

FSB behind case

A letter of 26 August 2014, seen by Forum 18, shows that the FSB security service initiated the case against Kolyasnikov. General Aleksandr Rodionov, head of the Sochi FSB, wrote to Mark Bolshedvorsky, regional First Deputy Prosecutor/Sochi City Prosecutor, expressing concern over the "evangelism" being carried out among Bel Canto's customers, "the principal focus of which is to bring people to the Christian faith". A spokeswoman refused to explain why the case was instigated when Forum 18 telephoned the city Prosecutor's Office on 26 February, saying that all information requests must be submitted by fax or post.

FSB General Rodionov linked Kolyasnikov to regime change in Ukraine, "based on the ideology of pro-Western Protestant religious movements with financial support from NATO and EU countries, which present the threat of formation in Russia of so-called 'anti-Russian (antirossiyskiy) hotbeds' of social and ideological tension". Pastor Kolyasnikov adamantly denies this allegation.

General Rodionov alleged that Ukrainian evangelical leader Vladimir Muntyan visited Kolyasnikov in May 2014 to discuss a business partnership in construction. Muntyan organises large public services in Ukraine and is active in the media. According to Rodionov, Muntyan could carry out "indoctrination of adepts and new arrivals based on the principles of destructive activity inherent in non-traditional occult structures such as

satanism".

Pastor Kolyasnikov denied to Forum 18 on 25 February that he is in any way acquainted with Muntyan: "I've never had any personal connections or business relationship with him".

General Rodionov asked the prosecutor for an inspection of the café as he alleged Kolyasnikov was contravening the Religion Law by preaching there during operating hours without agreement, "violating the interests of visitors, who become unwilling participants". Pastor Kolyasnikov notes that the café was closed for the meeting, with a notice posted on the door and a group member on guard outside, and nobody else was present. He allowed the plain-clothes officers to enter because "our group does nothing unlawful and is open to all".

Appeals being prepared to Constitutional Court and ECtHR

Pastor Kolyasnikov remains positive: "We think these are temporary difficulties we're experiencing. We hope it will all soon change for the better". He told Forum 18 on 25 February that appeals are being prepared both to the Constitutional Court and the European Court of Human Rights (ECtHR), and that they "hope for a just resolution". The Pastor's lawyer Popkov notes that proceedings at the ECtHR could take four to six years.

First telephone calls, then prosecution

At Orel's Soviet District Court on 11 August 2014, Baptist presbyter Pavel Pilipchuk was found guilty by Judge Tatyana Mikheyeva of organising an open-air worship service without notification, and fined 20,000 Roubles (now about 2,470 Norwegian Kroner, 290 Euros, or 320 US Dollars). His appeal to Orel Regional Court was rejected on 29 September. Because he did not pay the fine, it was doubled to 40,000 Roubles by Judge Inna Maltseva at Magistrates' Court No. 2, Northern District, on 22 December. A Baptist spokeswoman told Forum 18 from Orel on 24 February 2015 that Pilipchuk has still not paid.

Pilipchuk was charged as responsible for a group of Baptists who marked Palm Sunday (23 March) 2014 by gathering outdoors to sing hymns and hand out literature to passers-by, an event which passed off without incident. "The evangelism went well, people listened attentively, nobody interfered, and the police were not present", a Baptist statement of 31 December 2014 noted.

In June 2014, the community received several telephone calls from people apparently "seeking God and wishing to attend services", but principally interested in who led the congregation.

Pilipchuk was later charged with organising the event while failing to inform the authorities. Baptists state he was not present and not responsible. In court, however, congregation members were deemed "interested parties" and their testimony disregarded.

Police officers testified that members of the public had called and expressed their "negative reaction" to the event and their intention to prevent it, "including by active intervention", the original district court verdict, seen by Forum 18, states.

"The possibility of danger"?

According to the appeal court verdict, seen by Forum 18, the outdoor service presented "the possibility of danger to public order, morality and health, both to the participants of

the religious event themselves, and to third parties, which requires public authorities to take measures to ensure public order and the security and peace of citizens".

Appeal judge Lyubov Safronova continued: "The demonstration of religious beliefs is capable of inducing negative emotions in people who follow another religion or none, and of creating obstacles to the normal operation of transport and public or non-governmental organizations". She ruled that the location of the event (in a playground between residential buildings, near a school and a kindergarten) and the alleged disapproval of citizens meant public safety measures were necessary.

Pilipchuk argued in his appeal that the conviction contravened the Constitutional Court's ruling of 5 December 2012 (see F18News 3 January 2013 http://www.forum18.org/archive.php?article_id=1787). Judge Safronova dismissed this, claiming that the location of the outdoor service and the possibility of public objection meant that notification should have taken place.

A spokeswoman for Orel Regional Prosecutor's Office directed Forum 18 to the Prosecutor's Office Chancellery, who did not answer their telephone whenever Forum 18 called on 19 and 20 February.

Fine overturned

However, another Baptist leader has had his fine of 20,000 Roubles (now about 2,470 Norwegian Kroner, 290 Euros, or 320 US Dollars) overturned at Smolensk Regional Court. Viktor Pechkurov was convicted on 22 January of distributing literature in the street without notification, an activity interpreted by Judge Konstantin Kiselyov of Smolensk's Lenin District Court as "picketing".

But Pechkurov was acquitted by Judge Olga Ivanova on 24 February. No written verdict has yet been released.

The Baptist community of Smolensk regularly distributes literature as part of a "mobile Christian library service" in the city's Blonye Garden every Saturday, according to a 28 January Baptist statement. On 25 October 2014, Pechkurov and three other church members – Valentina Brezgunova, Irina Matveyeva, and Valentina Lysenko – set up their table of books, "in such a way as not to interfere with traffic or pedestrians".

The Baptists were asked to show their "permission" by police who had received a call telling them to check on the "sectarians" in the park. On being unable to provide it, all four were detained and interrogated for three hours.

According to the Lenin District Court verdict, seen by Forum 18, Judge Kiselyov deemed Pechkurov's actions to constitute a "picket". Pickets by only one person do not require prior notification but Pechkurov's actions involved a group, for which Judge Kiselyov claimed notice must be given no later than three days before the event. The Judge dismissed Pechkurov's argument in court that the handing out of religious literature could not be interpreted as a "public event".

A spokeswoman for Lenin District Prosecutor's Office, which handled the case, told Forum 18 on 19 February that all requests for information must be submitted in writing. Forum 18 sent an email at noon on 19 February asking why the Baptists' activities were considered dangerous or problematic. No reply has been received.

Muslim first known victim of lengthened "extremism" prison terms

Forum 18 (06.03.2015) - A court in the Volga city of Ulyanovsk has imposed a jail sentence for involvement in "Nurdzhular", a banned organisation whose alleged existence is strongly denied by Muslims who study the works of late Turkish theologian Said Nursi. Two other defendants received suspended sentences. An ongoing court case against the alleged leaders of an alleged "Nurdzhular women's cell" in the Siberian city of Krasnoyarsk is still beset by delays, reaching its 14th adjourned hearing on 4 March. A Muslim in the city told Forum 18 on 4 March that further "extremism" proceedings are expected against three men arrested in early 2014.

Meanwhile, 16 members of the Jehovah's Witness community in Taganrog in southern European Russia – banned as "extremist" in 2009 – have faced multiple delays in their re-trial for alleged "extremism" offences at Taganrog City Court.

Ulyanovsk jail sentence

For the first time since September 2013, a Muslim who reads Said Nursi's works has received a jail sentence for the "organisation of extremist activity". The 31-year-old Bagir Kazikhanov was found guilty under Criminal Code Article 282.2, Part 1, at Lenin District Court in Ulyanovsk on 25 February, according to the court website. Judge Natalya Damayeva sentenced him to three and half years' imprisonment.

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") is punishable with a fine of at least 300,000 Roubles (currently about 38,190 Norwegian Kroner, 4,480 Euros, or 4,930 US Dollars) or imprisonment of up to six years.

Such an outcome had been expected, a fellow Muslim in Krasnoyarsk remarked to Forum 18 on 5 March, as there had been "rumours that [the prosecution] would request that the judge impose jail sentences".

Kazikhanov's fellow defendants, 26-year-old Stepan Kudryashov and 25-year-old Aleksandr Melentyev, were convicted of the lesser offence under Criminal Code Article 282.2, Part 2 of: "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". They received suspended sentences of two years and one year and eight months respectively.

All three sentences will be reduced by the amount of time the defendants have already spent in custody and under house arrest. The men are all preparing to appeal, a fellow Muslim told Forum 18 on 4 March.

Whereabouts of fourth defendant unknown

The whereabouts of 26-year-old Farkhad Allakhverdiyev, the fourth man charged under Article 282.2, Part 2, are still unknown. His name is on the Interior Ministry "Wanted Database", Forum 18 notes. As a result, prosecutors have been obliged to open a separate case against him.

September 2013 St Petersburg prison sentence

Shirazi Bekirov was in September 2013 sentenced in St Petersburg to six months in an

open-regime prison. He was the 14th Muslim in Russia known to have received a criminal sentence for reading Nursi's works, many of which have been banned in Russia as "extremist". Bekirov and other Muslims who met others to read Nursi's works – whether or not they were convicted of any "crime" – appear on a Russian government "list of terrorists and extremists (current)" (see F18News 6 September 2013 http://www.forum18.org/archive.php?article_id=1872).

Criminal Code Article 282.2 Parts 1 and 2 have been the usual choice of prosecutors seeking to punish Muslim readers of Nursi's works for exercising their freedom of religion or belief. Punishments under this Article were last increased in February 2014 (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927), having been earlier increased in December 2011 (see F18News 10 January 2012 http://www.forum18.org/archive.php?article_id=1653).

"A group with a positive perception of death" ?

The Ulyanovsk defendants "formed a group with a positive perception of death, combined with a willingness to self-sacrifice in the interests of doctrine and violation of the territorial integrity of the state", a 26 February statement on the Ulyanovsk Regional Prosecutor's Office website claimed.

A spokeswoman for Lenin District Prosecutor's Office, which handled the case, directed Forum 18 to Senior Assistant Prosecutor Vasily Zima at the Regional Prosecutor's Office. His telephone went unanswered whenever Forum 18 called on 5 and 6 March.

Ulyanovsk sentences

Judge Damayeva ruled that Kazikhanov, previously under house arrest, was to be detained immediately after the trial and kept in police custody until the decision comes into force. With his three-and-a-half-year term, to be served in a general-regime correctional colony, he becomes the first known person to be sentenced under the lengthened Criminal Code Article 282.2, Part 1 terms of imprisonment brought in by changes in February 2014.

Other changes to "extremism"-related Articles of the Criminal Code brought in at the same time make it easier for the state to obtain legal permission for surveillance techniques such as phone tapping (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

Despite avoiding imprisonment, Kudryashov and Melentyev will remain on probation for long periods – Kudryashov for two years (reduced by time spent in custody before the trial), Melentyev for one year and 10 months - despite a sentence of one year and eight months, but also reduced by the length of his pre-trial detention.

During this time, they cannot leave the city of Ulyanovsk or change their places of residence without informing the state authorities responsible for monitoring those with suspended sentences. Until the court decision comes into force, both remain under travel restrictions.

Apart from Kudryashov's and Melentyev's mobile phones, which are to be returned to them, all confiscated belongings (including books and computer equipment) will remain in police custody until Allahverdiyev has been found and tried.

Ordered to set up a "cell" ?

Judge Damayeva agreed with the prosecution that Kazikhanov came to Ulyanovsk on the instructions of the "steering centre of Nurdzhular" in order to set up a "cell" in the city. He ran regular Islamic study sessions in rented flats between 2012 and 2014, which

investigators alleged were in fact "conspiratorial gatherings" which "with the goal of involving new members in Nurdzhular, promoted the ideas of the association".

These ideas allegedly included the creation of a worldwide Islamic state (caliphate), the establishment of sharia law, and the incitement of inter-confessional hatred and enmity. The meetings involved at least 10 other people who studied Islam using Nursi's works.

Russia's Supreme Court banned "the international religious organisation Nurdzhular" as "extremist" in April 2008. Muslims in Russia deny the alleged organisation exists (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Nursi's books, according to the verdict, promoted "the creation of a theocratic Islamic state" and "a gradual transformation of the personality and a change in worldview".

Very similar language in supposedly "expert" analyses was seen in a February 2010 "psycholinguistic expert analysis" by a subsequently ordained Russian Orthodox layman used to ban Islamic books (see F18News 19 June 2012 http://www.forum18.org/archive.php?article_id=1713) and a May-June 2013 "psycholinguistic examination" in May-July 2013 as part of an "extremism" investigation (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

The prosecution claimed that Kudryashov and Melentyev, "pursuing with [Kazikhanov] a single criminal intent", were active in recruiting others to the "cell".

Kudryashov and Melentyev, who are friends from school and university, admitted reading Nursi's books but denied being members of "Nurdzhular", being involved in any "agitation", or even showing Nursi's texts to anyone else. They said that Kazikhanov never spoke of "Nurdzhular" and did not control their meetings; they simply prayed together, discussed religion, and went to the cinema and football matches.

Kudryashov also insisted he had no knowledge of "Nurdzhular" and had never received any instructions or money from abroad. He maintained that the books he read "do not kindle discord on the basis of religion or nationality and do not contain calls for the overthrow of the existing order and the establishment of a new Islamic state".

Defendants to pay for part of investigation against them

The judge also ruled that the defendants must bear the cost of the "expert" analysis carried out on materials seized from their homes, a total of 430,000 Roubles (56,000 Norwegian Kroner, 6,500 Euros or 7,200 US Dollars). Kudryashov and Melentyev are to pay 140,000 Roubles each; Kazikhanov, 150,000 Roubles.

Ulyanovsk police sent a large quantity of books, pamphlets, compact discs and electronic equipment confiscated from all four men to Nizhny Novgorod State University's Centre for Historical and Cultural Anthropology for "expert analysis". The analysis was carried out by Fyodor Dorofeyev (history of religion), Yevgeny Volkov (sociology), and Yekaterina Koltunova (linguistics).

From the 25 February verdict and the details of the analysis by the "experts", also seen by Forum 18, it appears that simply meeting for study and discussion of Nursi's works, even using editions which have not been prohibited and placed on the Justice Ministry's Federal List of Extremist Materials, is sufficient for Muslims to be accused of engaging in "extremist" activity. Jehovah's Witnesses also face the same kind of risk of prosecution (see eg. F18News 28 February 2013 http://www.forum18.org/archive.php?article_id=1808).

In the case of these four Muslim men, this happened despite Dorofeyev of Kazan University's conclusion that there had been no conspiracy aimed at sowing religious or societal discord. Knowledge of Nursi's Turkish associates and Islamic life in Turkey or even speaking the Turkish language are also grounds for suspicion (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017).

If a person has "extremist" material on the Federal List of Extremist Materials, such as Russian translations of Nursi's works, they are liable to face criminal prosecution (see Forum 18's Russia "Extremism" religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Burden of criminal proceedings

Even before judges come to a verdict, charges of involvement in "extremist" activity can have a significant impact on the life of the accused. According to the police file on the case, seen by Forum 18, Kazikhanov, Kudryashov, and Melentyev were all held in pre-trial detention and kept under house arrest and travel restrictions for varying periods of time in the run-up to court proceedings (see F18News 29 January 2015 http://www.forum18.org/archive.php?article_id=2033).

According to Russian law, people under house arrest are not allowed to leave their registered places of residence except for medical reasons, to communicate with anybody involved in the case except lawyers and investigators, to send or receive post, or to use the telephone or internet except under certain conditions.

Kazikhanov, Kudryashov, Melentyev, and Allakhverdiyev all appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorists and extremists" whose assets banks are obliged to freeze.

Krasnoyarsk "women's cell"

The criminal trial in Krasnoyarsk of Yelena Gerasimova and Tatyana Guzenko, accused of running a "Nurdzhular women's cell", is being further delayed as Judge Svetlana Vladimirtseva is still examining the materials of the case.

The case under Article 282.2, Part 1, finally got underway with a preliminary hearing at Soviet District Court on 27 November 2014, having been passed around the Krasnoyarsk court system for the previous six months (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017). All 14 hearings since then, the latest on 3 March, have been adjourned. The next is scheduled to take place on 1 April, according to the court website.

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

Krasnoyarsk Regional Prosecutor's Office alleged in a press release on 29 May 2014 that the accused ran an alleged "cell" of more than 10 women, and fostered contacts with "Nurdzhular" members in Naberezhnyye Chelny. Muslims in that city have denied this allegation to Forum 18.

So far, Gerasimova and Guzenko's names have not been added to the Rosfinmonitoring list of "terrorists and extremists".

Another Krasnoyarsk "extremism" trial imminent?

Meanwhile, in another set of "extremism" proceedings against Muslim readers of Nursi's works in Krasnoyarsk, investigators are attempting to limit the time allowed for the defence to familiarise themselves with the case materials, a fellow Muslim told Forum 18 from the city on 4 March 2015.

Investigators have tried three times to have this period of examination curtailed, but have been refused by Soviet District Court. The district court's third refusal has, however, been overturned by Krasnoyarsk Regional Court, and the defence expects another attempt to bring court proceedings forward. It is unknown when hearings will begin.

The Siberian Federal District Investigative Committee's investigation of 35-year-old Andrei Dedkov 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") and 32-year-old Aleksei Kuzmenko and 18-year-old Ismat Agdzhayev 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") has been underway since January 2014 (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

The FSB security service detained the three men and several other Muslims at Krasnoyarsk's Cathedral Mosque and in a hypermarket car park. Officers confiscated copies of Nursi's Risale-i Nur (Messages of Light) collection, computer equipment, and mobile phones during searches of their homes (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

While the FSB officers showed "no brutality" during these searches, a Krasnoyarsk Muslim who spoke to Forum 18 in February 2014 stated that the FSB "put pressure" on one witness, who created a group on social network Vkontakte which quoted Nursi, to testify that Dedkov directed him to do so (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

Dedkov, alongside three other Krasnoyarsk Muslims, was charged with involvement in "Nurdzhular" on a previous occasion – this case was dropped when the two-year deadline expired in March 2012 (see F18News 5 March 2012 http://www.forum18.org/archive.php?article_id=1675).

Dedkov, Kuzmenko and Azerbaijani-born Agdzhayev all appear on the Rosfinmonitoring list of "terrorists and extremists". The names of Dedkov's three fellow defendants from his previous case do not.

Taganrog Jehovah's Witness re-trial

The re-trial of 16 Jehovah's Witnesses charged with "continuing the activities of an extremist organisation" after their community was dissolved has been delayed for the sixth time at Taganrog City Court. After a preliminary hearing on 12 January 2015, hearings under Judge Aleksei Vasyutchenko were due to begin on 22 January. However, they were then delayed to 5 February (see F18News 5 January 2015 http://www.forum18.org/archive.php?article_id=2033).

Hearings have since been adjourned because of a defendant's illness or for unexplained "other reasons", most recently for the eighth time on 6 March, according to the court website.

The telephone of Judge Vasyutchenko's office went unanswered each time Forum 18 called to ask about progress in the case on 5 and 6 March.

Four of the 16 were convicted 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 150, Part 4 ("Involving a minor in the commission of a crime"). Another three were convicted under Criminal Code 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"), while the rest were acquitted. The "crime" of those convicted was to continue to meet together for prayer and Bible study (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

The 2009 liquidation of the Taganrog Jehovah's Witness community as allegedly "extremist" was used to justify banning all Jehovah's Witness activity in the city, a ban subsequently upheld by the Supreme Court (see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385).

After the August 2014 convictions of those convicted of meeting together in Taganrog for prayer and Bible study, they appealed to Rostov Regional Court (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017). At the Rostov appeal hearings on 11 and 12 December 2014, both convictions and acquittals were overturned and the case sent back for re-examination.

Supposedly free to meet - in reality charged

When a registered religious organisation is liquidated, it loses its status as a legal entity and associated rights, such as the ability to own or rent property, employ staff and hold a bank account. An unregistered community should legally be able to continue to operate as a religious group, which does not require registration, and meet privately for worship and study (see F18News 14 April 2005 http://www.forum18.org/archive.php?article_id=543).

This did not prevent prosecutors charging the Taganrog Jehovah's Witnesses for continuing to meet for prayer and Bible study. Despite the suspension or waiving of the punishments, the seven who were convicted of this "crime" would still have criminal records were the ruling to come into force, and would be unable to change their places of work, study or residence without notifying the authorities. They would also have to show that they had "corrected" their behaviour.

All 16 defendants in the original trial appealed against the verdict, including those who were acquitted. Rostov Regional Prosecutor's Office also submitted an appeal, but has repeatedly refused to discuss the case with Forum 18.

Both the Taganrog and Samara Jehovah's Witness communities appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorist and extremist" organisations and the list of banned "extremist" organisations on the Justice Ministry website.

Abinsk community liquidated as "extremist"

A third Jehovah's Witness community, in the town of Abinsk, was ruled "extremist" and liquidated by Krasnodar Regional Court on 4 March. The regional prosecutor's attempt to have the organisation dissolved resulted from the conviction of two of its members for

distribution of "extremist literature" after an official warning had been issued. The community now plans to appeal to Russia's Supreme Court.

Following a similar pattern to the cases in Taganrog and Samara, the regional prosecutor's suit came after a Jehovah's Witness was fined (in October 2013, according to the Abinsk District Court website) for handing out the organisation's texts among local residents. The community was also given a formal warning about the inadmissibility of "extremist activity", but allegedly continued to distribute prohibited literature. The liquidation proceedings stemmed from a police raid on the community's rented premises in January 2014, which uncovered "extremist" books in a locked box (see F18News 22 January 2015 http://www.forum18.org/archive.php?article_id=2031).

The community's property, comprising a house on 800 square metres of land (about a fifth of an acre) in the south of Abinsk, will be forfeit to the state if the ruling comes into force, according to the Caucasian Knot news website.

Community members Igor Soroka and Albert Belikov received fines of 3,000 Roubles each in December 2012 and October 2013 respectively for handing out Jehovah's Witness brochures, according to written verdicts seen by Forum 18. The defence in the dissolution case argued that the two men were no longer members of the Abinsk community at the time of their convictions, but this was dismissed by the judge.

Three residents of Ulyanovsk were convicted for studying books written by Said Nursi; two of them recieved actual prison term

Sova-center.ru (26.02.2015) - <http://www.sova-center.ru/misuse/news/persecution/2015/02/d31365/> - *In Ulyanovsk, three people were convicted under Art. 282.2 of the Criminal Code for organizing a "Nurdzhular" cell and participating therein.*

On 26th February 2015 the Leninsky District Court of Ulyanovsk found three residents of Ulyanovsk guilty of organizing a "Nurdzhular" cell, banned in Russia, and for participating therein.

Baghir Kazikhanov was sentenced under Art. 282.2, part 1 of the Criminal Code (organization of activities of an extremist group) to three years and six months in an ordinary-regime correctional colony.

Alexander Melentyev was sentenced under Art. 282.2, part 2 of the Criminal Code (participation in an extremist organization) to one year and eight months of imprisonment.

Stepan Kudryashov was sentenced under the same article to two years' probation.

According to investigators, when Kazikhanov returned from his stay abroad, he organized home madrasas in Ulyanovsk and "from January 2012 to April 2014, on the pretext of studying Islam, he would hold meetings to conspire and call for actions aimed to lead to the creation of a worldwide Islamic State (Caliphate)". In addition, he was in contact with other followers of "Nurdzhular" in other regions. Melentyev and Kudryashov recruited new members for the cell (among others, soliciting financial contribution from them) and promoted literature written by Nursi Nursi. According to the prosecutor's office, the accused men "set up groups embracing death, being ready to commit suicide for the

sake of the cause, as well as violate territorial integrity of a State". None of the defendants pleaded guilty.

We believe that persecuting Muslims studying peaceful works of the Turkish theologian Said Nursi is illegal. In addition, there is no such a thing as Nursi followers organization in Russia; thus banning "Nurdzhular" is tantamount to banning a phantom organization. The ban can be explained by false perceptions of "Pan-Turkism propaganda" that Russian authorities have regarding Nursi's work or any other ideas that could, hypothetically, threaten federal unity. So by recognizing a non-existing organization as extreme – officially speaking for "propaganda of personal religion as superior to all others" – law enforcement authorities can now bring before court, under Art. 282.2 of the Criminal Code, those who study Nursi's work. In the past, very few of them were sentenced to prison but with the recent tightening of anti-extremist legislation things have changed and the persecution of harmless religious groups will more and more result in the imprisonment of their members.

Russian – English translation by Irina Loutfoullina (Human Rights Without Frontiers)

The Orenburg Regional Court held the first hearing on the review of the 68 banned religious materials

Sova-center.ru - 26.02.15 - <http://www.sova-center.ru/misuse/news/persecution/2015/02/d31370/> - In Orenburg, the Regional Court is reviewing the 68 materials considered extremist.

On 26th February 2015 the Orenburg Regional Court started examining appeal of the Orenburg Leninsky District Court's decision regarding the ban of 68 religious, Islamic materials.

Twenty books are currently under appeal. The interested party includes representatives of the publishing companies "Novyi Svet" and "Dilya", as well as representatives of two writers, Fethullah Gulen and Shamil Alyatdinov.

After the Leninsky District Court's decision, all materials declared extremist were destroyed, thereby making the appeal much more complicated. The prosecutor's office presented similar materials to the court, but one can seriously doubt the legitimacy of such a quid pro quo.

Lawyers of the interested party referred to the conclusions of the Research Institute of Forensic Science which, on one hand found no sign of extremism in the 68 materials, and on the other revealed serious mistakes in the conclusions of the two experts (Prof. Svetlana Yakovleva from the Russian State University for the Humanities, and Prof. Yuri Maximov from the Moscow Orthodox Theological Academy). The Leninsky District Court's decision was based upon the conclusions of the experts. As a reminder, the Court had asked for the intervention of four different experts: two of them found signs of extremism in all the books, the third found no such signs in any of them and declared that religious literature "requires a specific approach, as it has its own characteristics", and the fourth refused to participate in the analysis of the materials.

In addition, lawyers highlighted the fact that one of the books, "Stories of the Prophets from Adam to Muhammad", was declared extremist material without any analysis from the Court.

Thus, in March 2012, the Leninsky District Court issued a shocking decision to ban 68

different materials at once after only fifteen minutes of deliberation and in the absence of representatives of the interested party and concerned organizations, therefore the Court's judgment was only announced in June that same year. Among the banned materials there are very influential religious works. The Court's decision triggered fierce protests of the Muslim community, and the Russian Council of Muftis had issued special statements. As a result, they managed to appeal the decision, but the Regional Court did not look into the case for two years during which the persecution of believers for distributing the banned literature went on.

We strongly consider the Orenburg Leninsky Court's decision illegal. In our opinion, it represents one of the most shameful examples of abuse in the history of anti-extremist legislation in Russia, and we hope it will be declared invalid. To learn more about our opinion on the matter, please see here: <http://www.sova-center.ru/misuse/news/persecution/2012/06/d24671/>.

Russian – English translation by Irina Loutfoullina (Human Rights Without Frontiers)

Mormons targeted by social hostility

HRWF (02.03.2015) – The Mormon Church in Russia has recently been the target of unusual hostility. In Novosibirsk, there has been opposition to the purchase of a plot of land to build a house of worship. In Saratov, there has been an attempt to close their ward. On television, there has been a program misrepresenting and slandering the Mormon Church. See hereafter a number of reports publicized by the Moscow-based NGO Sova-Center.

In Novosibirsk, members of the "Young Guard" movement held a picket against the construction of a "Mormon temple"

Sova Center (13.02.2015) - <http://www.sova-center.ru/religion/news/community-media/communities-conflicts/2015/02/d31283/> - On February 13th, 2015 in Novosibirsk, a picket was held against the construction of a new building for the Church of Jesus Christ of Latter-day Saints at the intersection of Semya Shamshinih and ul. Pisareva.

The event was held by the members of the "Young Guard" movement known for organizing anti-sectarian events. About 10 people were present at the picket. They held posters saying: "The youth is against the construction of a temple for Mormons in Novosibirsk", "Mormons? Goodbye", "Mormons - not our thing", "Novosibirsk against Mormons", "No to the totalitarian sects" and would shout "Mormons - not our thing".

"We decided to organize the picket after the announcement of Mormons being allowed to purchase land for the construction of their temple", said Ilya Gnatusha, the event organizer.

"They attract people into their sect saying that there will be free English classes, and they clearly state that one must follow orders of the senior members and so on. They have a sharp hierarchical system. Some people working for the US government are Mormons, our youth cannot identify with any of that", he said.

Translation Russian-English by Irina Loutfoullina (Human Rights Without Frontiers)

Saratov Court declared unlawful the prosecutor's attempt to close down a Mormon house of worship

Sova Center (20.02.2015) - <http://www.sova-center.ru/religion/news/harassment/harassment-protection/2015/02/d31335/> - In Saratov, the Court declared unlawful the prosecutor's attempt to prohibit any religious services to be held in the building on the sole basis of violation of fire safety policy.

On 17th February 2015 it became known that the Leninsky District Court of Saratov had defended the representatives of the Church of Jesus Christ of Latter-day Saints from the attacks of the prosecutor's office and declared illegal the ban of "religious activities" in their house of worship on Ordzhonikidze 11a.

On 30th and 31st January 2015 an unannounced visit was carried out in the said building.

The results of the visit lead to a case being filed under administrative proceedings. The main complaint was about the building "not meeting with fire safety standards".

"The claims are mainly about fire safety standards, but preventing people from meeting in the building for their religious services will not solve the problem", said the Court's decision.

Translation Russian-English by Irina Loutfoullina (Human Rights Without Frontiers)

Russian Mormons are outraged by the TV program broadcasted on Channel 5 earlier this month

Sova Center (20.02.2015) - <http://www.sova-center.ru/religion/news/community-media/media-conflicts/2015/02/d31325/> - On 17th February 2015 it became known that Russian representatives of the Church of Jesus Christ of Latter-day Saints (Mormons) have published an open letter in which they expressed their outrage regarding a TV program, "Under the mask of piety", broadcasted on *Channel 5* on February 1, 2015.

During the program "Glavnoe" aired on February 1, 2015 on *Channel 5*, a video called "Under the mask of piety" was broadcasted. In the video, there were numerous statements and comments containing elements of defamation. Because of this, the viewer was exposed to a deliberately misleading information about the Church of Jesus Christ of Latter-day Saints. The truth and the facts about our religious activities were grossly distorted with reference to our allegedly unlawful practices. Therefore, the reputation of the Church and of its members was tarnished", said Vladimir Yegorov in the letter.

Translation Russian-English by Irina Loutfoullina (Human Rights Without Frontiers)

Some one million Jews live in Russia

Interfax (27.02.2015) - Russia's Jewish religious community has some one million members, Alexander Boroda, president of Federation of Jewish Communities of Russia (FJCR), said.

"Some 500,000 of them live in Moscow and the Moscow region," Boroda said at the 6th FJCR congress in Moscow.

According to him, Russia has 180 Jewish communities, over 150 Jewish educational establishments, including two universities and 29 schools, which have over 115,000 students, 43 synagogues, and seventy community centers.

The Moscow Community Center is visited by 50,000 to 70,000 people every year. Some 120,000 people participate in charity programs, which include psychological support for people suffering from cancer, socialization for the old and lonely, assistance for drug addicts, support for convicts and people under investigation, work with children left without parental care and orphans.

Boroda also admitted that the Jewish Museum and Tolerance Center in Moscow has been recognized as the most technological museum in Russia and is among the 12 best museums in the world. It is visited by some 120,000 people every year.

A Muslim community was shut down in Tyumen region for unlawfully banned literature

Sova-Center (24.02.2015) - <http://www.sova-center.ru/misuse/news/persecution/2015/02/d31349/> - In early 2015, it became known that in May 2014, a Muslim community in Tyumen region was shut down because it is considered to be extremist.

In early 2015, after yet another update of the Federal List of Extremist Material (FLEM), it became known that on 6th May 2014, the court had shut down a Muslim community in Tyumen Region because it is considered to be extremist.

The community was shut down after the Court had issued a warning, on 30th May 2013, stating that all extremist activities of the community must cease. The decision was not appealed. The court intervened after the book "*Al-almania (secularism) and its horrible consequences*" of the FLEM (page 550) was found in the mosque. In addition to that, in early 2014, the prosecutor had found "*The book on monotheism*" written by Muhammad ibn Sulayman at-Tamimi (page 2 of the FLEM), as well as the booklet "*Life stories of the messenger of Allah*" from the series "*The religious narratives*" (page 1328 of the FLEM). For these reasons, the prosecutor's office of the Tyumen region had declared that the community "had created conditions for massive spread of extremist material through the prayer hall of the mosque, and, in absence of the appropriate surveillance measures, the community was able to store literature considered as extremist and it was then presented to a certain circle of individuals".

The Court sustained the prosecutor's claims and allowed a full-scale search of the mosque.

We believe that considering the "*Book of monotheism*" extremist is unlawful. "*Life stories of the messenger of Allah*" was considered extremist along with other 68 Muslim publications. The final decision is still under review, and on February 26th the Orenburg Regional Court will hold a meeting regarding this case.

We also believe that prosecution for the spread of this literature is unlawful.

Translation from Russian to English by Irina Loutfoullina (Human Rights Without Frontiers)

ECHR refuses to review Church of Scientology claim against Russia

RAPSI (18.02.2015) - European Court for Human Rights (ECHR) has refused to review an appeal filed by Russian Federation over the ECHR decision in favor of unregistered Church of Scientology over the refusal of St. Petersburg authorities to officially recognize it as a legal entity, says the court ruling made public on Wednesday.

According to the ruling, the application was filed by Church of Scientology in St. Petersburg, which was formed by a group of individuals gathered together for research of Scientology. The first group was formed in St. Petersburg in 1984, which in the late 80's splintered into two organizations, one of which was headed by Galina Shurinova (one of the six applicants).

The present application concerned the refusal of St. Petersburg authorities to acknowledge it as a legal entity. The group applied for registration six times, from March 1995 to August 2003.

The first application was filed by Shurinova with other nine founders of the St. Petersburg Church of Mission of Scientology in March 1995. Upon receiving no answer over the course of two years, Shurinova demanded an explanation from the authorities. Russian Justice Ministry informed her, that the application was transferred to a State Duma committee, to be evaluated by an expert in religious and legal matters. Following lack of response, the application was shelved.

In February 2002, a new registration request was filed, which was rejected in March of the same year, citing discrepancies in required paperwork. Scientologists filed four more registration requests, which were all subsequently turned down under a number of reasons. In the last rejection in August of 2003, the St. Petersburg authorities stated that the documents proving that the group was active for the last 15 years (time period necessary to register a new religious organization), were fraudulent.

The Scientologist turned to a district court in St. Petersburg, which declared the rejections legal in October 2003, and was supported by an appeals court in 2006.

The applicants turned to ECHR in November 2006. Citing article 9 of the European Convention on Human Rights (a right to freedom of thought, conscience and religion), and article 11 Article (the right to freedom of assembly and association), the applicants contested in their opinion unlawful rejections to register the Church of Scientology as a legal entity.

The Russian response confirmed that the rejections were in violation of freedom of religion, pointing out that the decision in the case was based on the Russian law and security reasons. Russia further pointed to similar cases reviewed by the ECHR concerning UK and Austria.

The ECHR upon reviewing the application, ruled in favor of Scientologists, awarding them 7,500 EUR as moral damages compensation.

Russia requested that case be referred to the Grand Chamber the Grand Chamber of ECHR. However, Grand Chamber refused to review an appeal. Therefore the Court ruling came into effect.

Proposed laws on religion reviewed in presidential administration

Council for cooperation with religious associations expresses suggestions on draft laws in State Duma

Interfax-Religiia (18.02.2015) - Draft laws that have been introduced to the State Duma touching on activity of religious organizations were considered in the first session of the Commission on Improvement of Legislation and Jurisprudence of the Council on Cooperation with Religious Associations of the presidential administration of the RF, which was held in the Kremlin.

Representatives of all religious organizations were seriously concerned by the fact that a new edition of the Civil Code of the RF, which has taken effect, provides for a division of legal persons into corporate and unitary entities. Religious organizations are assigned to the unitary class, whose founders are not parties to them and do not acquire in them the rights of membership, a report on the results of the session received by Interfax on Wednesday notes.

"Such a restriction conflicts with internal canonical constitutions of religious associations. Thus it is important that for the second reading of the bill, being prepared by State Duma deputies (A.D. Zhukov, S.A. Gavrilov, E.B. Mizulina, Ya.E. Nilov, S.A. Popov, and others), suggestions be included aimed at removing contradictions of the essential norms of religion and the law "On freedom of conscience and religious associations," the report says.

Also discussed was a draft law by which it is proposed to introduce a notification procedure for the creation of any religious group, to free religious organizations from annual reporting of information about the continuation of their activity, and to eliminate the necessity of proving the 15-year term of existence of a religious group before state registration.

On the instruction of the president of Russia, the Ministry of Justice worked out a draft law dealing with "preparing a special mechanism of supervision of the financial and economic activity of religious organizations and permitting timely discovery and reaction to incidents of religious organizations' involvement in extremist and terrorist activity, as well as other violations of Russian legislation by religious organizations.

Participants in the session focused attention on assuring that the law fulfilling the tasks posed by the head of state not infringe the rights of religious organizations. (tr. by PDS, posted 18 February 2015).

A law was drafted in Stavropol regarding missionary work

Sova-Center (17.02.2015) - <http://www.sova-center.ru/religion/news/authorities/legal-regulation/2015/02/d31300/> - On 13th February, it was announced that the Stavropol Krai authorities intend to regulate preaching and missionary work.

In the past years, the region has witnessed the revival of "nontraditional" religious organizations. "In order to fulfill their own private agenda, troublemakers try, among other means, to pervert the very core of traditional Russian religions and divide our society on the spiritual level", says Alexander Pisarenko, chairman of the Stavropol regional Committee for Nationalities and Cossack Affairs.

The issue regarding a possible opposition to new religions, with "unusual religious opinions", which head office is often located abroad, was discussed at a meeting held at the Stavropol Krai Duma. During the meeting, Pisarenko announced that his committee had proposed a regional draft law on "missionary activities in Stavropol Krai".

According to the draft law, those who wish to preach about their religion must first notify public authorities and register as missionaries. Otherwise, the preachers will face administrative penalties.

Similar laws are already in place in several Russian regions. In December 2014, the Congress of Psovski region Deputies announced their intention to examine a similar draft law.

Translation Russian-English by Irina Loutfoullina (HRWF)

Russian Supreme Court upholds ban on wearing hijab at school

Interfax (11.02.2015) <http://www.interfax-religion.com/?act=news&div=11829> - The Russian Supreme Court has found lawful the requirements set for the appearance of schoolchildren and enforced by a resolution of the government in the Republic of Mordovia, which banned the wearing of the hijab and other religious clothes at education establishments in the region.

The appeal challenging that ban has been rejected, and the resolution of the Mordovia Supreme Court has come into effect, an *Interfax* correspondent reports.

The petitioners who represented the Islamic community of Mordovia asked for the decision of the Mordovia court to be declared unlawful and claimed it violated the freedom of religion.

They also said that the resolution of the Mordovia government contradicted the Law on Education, which proclaimed universal access to education.

A female petitioner claimed that "kerchiefs were torn off from small girls' heads in Saransk schools, the girls were ousted from class assemblies and children and even their parents were subject to disciplinary punishment."

Kerchiefs are permitted in Tatarstan, compulsory in Chechnya and outlawed in Mordovia. "And we are not talking about hijabs, just about filmy kerchiefs," she said.

A representative of the Mordovia government asked the court to turn down the appeal.

The Mordovia court found lawful the requirements set for the appearance of school children, which banned the wearing of religious clothes, including the hijab, at education establishments in the republic last fall.

Head of the Mordovia Central Spiritual Muslim Board Fagim Shafiyev asked the prosecution service to offer a legal opinion on the resolution of the republican government concerning the school wear, which outlawed religious clothing at schools.

The mufti explained his request with "numerous letters from concerned parents".

About 50,000 Tatar Muslims constitute one of the three biggest ethnic groups in Mordovia. The other large ethnic groups are Russians and Mordovins, Shafiyev said. In his words, many female Muslims are wearing kerchiefs to school. There had been complaints about bans on wearing kerchiefs before but those were individual cases.

The Mordovia prosecution service said that the government resolution met federal laws.

The government banned not only hijabs but also mini skirts, jeans, scoop neck shirts, piercings, brightly dyed hair and religious symbols.

Hizb ut-Tahrir: 21 arrests

HRWF (11.02.2015) - On 5th February 2015 FSB officers arrested 21 Muslims suspected of belonging to "Hizb ut-Tahrir" in Ufa, in the surrounding areas and in Chishminsky (Republic of Bashkortostan, also known as Bashkiria). They were charged with organizing and participating in a terrorist organization (Art. 205.5 of the Russian Criminal Code). Four of them got prison terms from 7 to 11 years. "Hizb ut-Tahrir" movement was banned by the Russian High Court on 14th February 2003 because it was accused of aiming to overthrow the government and to establish a caliphate in Russia.

On 4th February 2015, 30 homes were searched and literature pertaining to the organisation was confiscated. It was later used as evidence against the defendants, since "Hizb ut-Tahrir" literature has been added to the *Russian federal list of extremist material*.

Among the detainees was Rustem Latypov, Chief of the Muslim Problems Research Center, who was previously prosecuted under art. 282-2 of the Criminal Code of the Russian Federation for cooperation with "Hizb ut-Tahrir". As a preventive measure the court put him under arrest for 50 days. A criminal case under art. 205.5-2 of the Criminal Code was filed against him on 28th January 2014.

Among other arrested people were Linar Vakhitova, leader of the "For the Rights of Muslims", as well as other public figures: Rustem Galliamov, Ilgiz Gimaletdinov, Rishat Gataullin, Danis Fayzrahmanov, Rafaela Fattakhova, Ruslan Fattakhov, Rinat Nurlygayanov, Radik Akhmetov, Ayrat Ahmetshin, Ramil Davliev, Dinis Timashev, Farid Mustafayev, Oleg Ziangirov, Ruslan Rizvanov and others.

Some of the detainees, according to "Kommersant", have already been tried for participation in the "Hizb ut-Tahrir" movement.

Earlier this year, the Moscow District Military Court opened a criminal case against four activists of "Hizb ut-Tahrir" from Bashkiria: Evgeny Kulagin native of Uzbekistan, Rasim Sataev, Alexei Hamadeevu and Aydar Garif'yanov. They were accused of attempt of seizure of power and indicted under art. 278 of the Criminal Code. The maximum penalty for this article is 20 years imprisonment. Cases against another 34 alleged members of the organisation are under investigation, said the FSB.

Almira Zhukova, a public defender of the Hizb ut-Tahrir activists, denounced the lack of transparency and numerous violations of human rights during the trial, involving false witnesses and the use of some evidence in unsealed bags.

Moscow-based Sova-Center considers that the prosecution of members of "Hizb ut-Tahrir" on the grounds of terrorism as unlawful.

Russian Lutherans stigmatized as 'foreign agents'

HRWF (08.02.2015) – Disturbing news from Russia seem to indicate that not only Russian human rights NGOs are increasingly stigmatized as 'foreign agents' but religious organizations will also be targeted as such. According to a draft law developed by the Ministry of Justice, the government intends to tighten control over the financial and economic activity of religious organizations, in particular if they are recipients of financial aid from abroad. Several recent events, such as the religious cleansing of Crimea since its annexation, show that Putin is exacerbating Russian Orthodox identity and nationalism to strengthen his power and his expansionist political projects.

Provincial governor accuses Russian Lutherans of being foreign agents

Portal-credo.ru (05.02.2015) - The Lutheran Church in Russia is one of the traditional religious confessions. Russian Lutherans have always stood guard for the interests of the state. From 1832 to 1917, according to the Charter of the Evangelical Lutheran Church in Russia, its head was the Russian emperor.

At present there are five Lutheran churches officially registered on Russian territory, which operate in complete conformity to the constitution and legislation of the RF. In Kaluga, the local religious organization of the parish of St. George Evangelical Lutheran Church of the Augsburg Confession is active.

According to reports of a number of federal news media, on 31 January 2015 the governor of Kaluga province, Anatoly Artamonov, made a statement according to which Lutherans of Kaluga province are virtually an enemy force. In particular, while raising the topic of the tightening of legislation pertaining to non-commercial organizations that receive foreign financing, Mr. Artamonov said that today in Russia "there remains a channel through which money flows—the church. The Lutheran Church. This channel must be closed now because it is being exploited vigorously."

The leadership of the Evangelical Lutheran Church of the Augsburg Confession expresses profound concern over such statements of an official who is considered one of the effective governors of Russia.

As the leader of the region, Governor Artamonov should be aware that there is only one local Lutheran religious organization operating on the territory of Kaluga province, which is a member of the centralized Lutheran organization of the Evangelical Lutheran Church of the Augsburg Confession: the parish of St. George. The charters of the centralized ELC and the local parish of St. George on the territory of Kaluga province have passed state registration in the Russian Ministry of Justice and the Ministry of Justice for Kaluga province, and they do not contain points about the possibility of engaging in political activity. No violations of provisions of legislation were discovered in the course of the prosecutor's inspection of 2014.

Those responsible for preparing Governor Artamonov's strange statement did not inform him that the church of Russian Lutherans of ELC is not included in the register of noncommercial organizations that are foreign agents, and it has not been ruled such by a court. Moreover, in accordance with its organizational legal nature as a religious association of citizens, the church by definition does not fall under the purview of the federal law of 20 July 2012 "On introducing changes into individual legislative acts of the Russian federation for regulation of the activity of noncommercial organizations that perform the function of a foreign agent."

Those responsible for the Kaluga governor's speech also did not report to him that the church of Russian Lutherans of the ELC, the only Lutheran structure in Russia, exists exclusively on the finances of Russians and has never had and does not have financing from abroad.

It is sad that the incompetence of some members of the governor's staff has led the leader of a component entity [subject] of the RF who is respected by everybody into such embarrassing errors.

One would like to believe that in the current situation, Governor Artamonov was really tripped up by the incompetence of his subordinates who presented him incorrect information, to put it mildly, that does not correspond to reality. If that is so, it would be appropriate and proper for Governor Artamonov to publicly disavow his words. One would not like to think that all that the governor said is his personal position, because in such a case it will undoubtedly cause harm to the honor, dignity, and formal reputation of the Russian Lutheran Church.

We also consider it necessary to note that such statements may cause harm to the work of maintaining inter-religious peace and harmony, which are needed now as never before by the multinational people of Russia.

Konstantin Andreev, Bishop of the Evangelical Lutheran Church of the Augsburg Confession (tr. by PDS, posted 6 February 2015)

Lutheran pastor from Kaluga: "A rational politician does not have the right to inflame religious strife"

IA Regnum (01.02.2015) - On 30 January, at a Kremlin seminar for governors, speakers of legislative assemblies, and heads of cities, Kaluga Governor Anatoly Artamonov raised the topic of toughening legislation for NCOs that receive foreign financing. In particular, Artamonov reported that "part of the financing flows through the Lutheran Church. It is necessary to close this channel now, because it is being vigorously exploited."

"This statement by Governor Artamonov did not surprise me. For a long time now he has been living in a world of illusions," Pastor Dmitry Martyshenko, the rector of the parish of St. George of the Evangelical Lutheran Church of the Augsburg Confession, said today, 1 February, in conversation with a correspondent of IA REGNUM. He said: "any civil activity in the Kaluga region by Governor Anatoly Artamonov is taken as hostile. Now he has set the Lutheran Church in opposition to Russia. In my view, the governor has accused the Lutheran Church, completely without basis, of financing illegal activity on the territory of our country. I suggest that the hierarchs of the church state again their own weighty word on this matter."

"Within the framework of a criminal case on an accusation of extremism brought against me, by an amazing coincidence I had to take a lie detector test on the governor's birthday. As the result of a seven-month investigation, the case was closed and I received the right to rehabilitation. I suggest that Governor Artamonov should have to undergo such a test, whom I am now unable to consider to be my governor after his

false accusations of the Lutheran Church," Martyshenko said. "And more. After certain incidents connected with the publication of caricatures of the Prophet Muhammad, such irresponsible statement by officials are unacceptable, inasmuch as they undoubtedly lead to a growth of social tension within society. A rational politician does not have the right to use a federal tribune for inflaming religious strife," the Lutheran pastor from Kaluga emphasized. (tr. by PDS, posted 6 February 2015)

Pentecostal leader content with Russian policy

Bishop Konstantin Bendas explains extension of church jurisdiction of ROSKhVE to some congregations of the peninsula

By Andrei Melnikov

NG-Religii (04.02.2015) - At a recent session of the administration of the Russian Associated Union of Christians of Evangelical Faith (Pentecostals) (Rossiiskii Obedinennyi Soiuz Khristian Very Evangelskoi--ROSKhVE) a decision was adopted for the inclusion in the membership of this centralized organization of a number of churches and religious associations. Some of the local religious organizations that officially joined the union represent new Russian regions. In connection with this, a ROSKhVE administration for the republic of Crimea and the city of Sevastopol will be established. Attention is turned to the fact that the association of Pentecostals is just about the only religious congregation that has officially included in its membership some Crimean parishes. We recall that the Moscow patriarchate, for example, left the Crimean dioceses under the jurisdiction of the Kiev metropolia. The executive editor of NG-R, Andrei Melnikov, learned about the significance of the ROSKhVE decision from Bishop Konstantin Bendas, who has been appointed the head of the administration of the union for Crimea and Sevastopol.

--(A.M.) Why was it necessary to unite the Crimean churches of Christians of Evangelical Faith under the aegis of ROSKhVE? After all, the Pentecostal movement does not assume obligatory centralization and for the sake of political expediency would it not be possible to avoid such a demonstrative step?

--(K.B.) There are about 100 congregations of Christians of Evangelical Faith in Crimea and Sevastopol. There has not been nor is there a goal of uniting them under the aegis of ROSKhVE. The step was not demonstrative but necessary, or more accurately, natural. First of all there is a number of congregations who are historically more cooperative with churches on Russian territory, including members of our association who have conducted joint worship services and theological conferences and who have a common educational structure and spiritual advisors. There are not many of them; I think ten to fifteen. Judiciously at the present time the administration of the union decided to incorporate into ROSKhVE only three congregations and other applications are being considered by the Spiritual Council. Some congregations were officially rejected. We are not playing politics and we do not accept formal, fictitious relations.

--By what criteria are congregations accepted into ROSKhVE, and by what are they rejected?

--There are no special criteria for Crimea. There are general principles. First of all is doctrinal or theological unity, in accordance with the confession of the Nicaea-Constantinople Creed and canonical statutes officially adopted by ROSKhVE. We

especially consider the correspondence of the clergy of these congregations to the canonical rules of ordination of clergy of the ROSKhVE. As to specific reasons for refusal, allow me to be silent. I can say that from the moment of the creation of ROSKhVE it has always been easier to leave us than to join our brotherhood. We are very conservative or, I would say, orthodox in following biblical commandments and principles.

--Did the three congregations who were accepted into ROSKhVE, and those whose applications were considered, previously belong to protestant associations of Ukraine?

--Some of the religious organizations were members of centralized structures and some operated autonomously and there are several religious groups who in the event of the adoption of a positive decision will for the first time be registered as religious organizations within the membership of ROSKhVE.

--How did Ukrainian associations react to the ROSKhVE decision to extend its jurisdiction into Crimea?

--In the course of a year I met with heads of several associations of Christians of Evangelical Faith of Ukraine. The majority of them had an absolutely biblical view of the situation. Churches and people must minister, and if in a given political situation this is difficult for clergy of a Ukrainian jurisdiction, then let them operate as Russians. The church must be above politics and any conditions of this world. In the gospel of Luke, chapter 14, we find Christ's question addressed to those Pharisee leaders who wished to ensnare him: "If one of your donkeys or oxen falls into a ditch, then would you not immediately pull him out even on the Sabbath?" Unfortunately I have had occasion to hear some expressions of the type "Don't give in to anybody and it's better to drown." This is not a pastoral position. We do not have the right not to extend a helping hand to our brethren in Crimea.

--How can ROSKhVE respond to the accusations of Russian "sect-fighters" to the effect that the Maidan in Kiev was organized by anti-Russian and pro-American oriented protestants? Such accusations usually are accompanied by references to the religious affiliation of Turchinov.

--Organized? I think that the "comrades" are overestimating the capacities of Ukrainian protestants. And for the accuracy of the investigation, let's clarify the confessional affiliation of all leaders and instigators of the Maidan. I think that protestants remain in the minority.

--So that means that we should not regard the patriotic actions of ROSKhVE with respect to congregations of Crimea as an image-building course against the background of accusations against Ukrainian protestants?

--Patriotic actions? Image-building course? This is the natural ministry of the church. And for me, appointment as the head of the diocesan administration for Crimea and Sevastopol is only obedience and an additional burden upon my already existing responsibilities, which, I hope, with God's help, I will be able to bear worthily.

--How have believers in Crimea taken your appointment? After all, you are Siberian and not a native of the peninsula.

--I cannot speak for all Crimean believers. I have received congratulations from friends and acquaintances. Every time I come to the peninsula I am inspired by the warmth and hospitality of its inhabitants. Strange as it may sound, such hospitality is generally

received in my homeland, in Siberia. In addition, I am accustomed to serve the Lord and his church without regard to person and not expecting thanks or praise from people.

--Final question. On a somewhat different topic. "NG" recently wrote that a draft law is being prepared for monitoring religious organizations that receive money from abroad. Do you think that this will affect protestant organizations? To what extent do they depend on foreign donors? Do you think that this rule violates the principles of the equality of religions in Russia?

--I will begin with the last. I do not think that this in any way violates the principle of the equality of religions. I think that the majority of protestant religious organizations will not be affected. And churches of ROSKhVE will not be affected at all. ROSKhVE does not even have a foreign currency account. As I recall, we opened one twice, but each time we closed it as superfluous. Foreign financing of protestants is a myth. In the 1990s there was humanitarian and financial aid from foreign missionary organizations and individual fraternal churches. We, just like the whole country, needed it. Remember the early 1990s, empty shelves in grocery stores, unfunded orphanages, retirement homes, hospitals. . . .

Today the arriving foreign philanthropist loses all desire to contribute money for Russia as soon as he lands at Sheremetovo airport and sees the number of cars of the representative class pulling up. Russian protestants have learned themselves both to make money and to contribute to social projects. The protestant work ethic is not the construct of Max Weber. Today we are sending missionary teams from Russia to dozens of countries of the world and financing them ourselves. Within Russia we are supporting hundreds of social institutions and projects.

As to the draft law prepared by the Ministry of Justice, I am more bothered by the global expansion of functions of this agency in the sphere of control over the financial and economic activity of religious organizations. To scheduled inspections there may be added countless unscheduled inspections and all kinds of inquiries on artificially created pretexts.

I participated in two conferences on this draft law—inside the Ministry of Justice and within the framework of a session of a commission under the Russian government. I do not wish to offend the professionals who worked on it, but I think that the very approach to resolving the question of preventing extremist and terrorist activity through religious organizations is incorrect. Expansion of authority is unnecessary. It is necessary to improve the efficiency of the work and methods of the "E" center of the Ministry of Internal Affairs and the prosecutor's office and of the Russian Financial Monitoring and other agencies that are already legislatively empowered in this area. (tr. by PDS, posted 4 February 2015)

Vladimir Ryakhovskiy: "The court's decision is completely illegal"

Sova-Center (03.02.2015) - <http://www.sova-center.ru/religion/publications/2015/02/d31197> - Representing the interests of Pastor Alexey Kolyasnikov in court, Vladimir Ryakhovskiy, his lawyer, shared with "SOVA" Center his opinion about the Krasnodar Regional Court's decision on the recognition that a fine for collective reading of the Bible in a café is legal.

For the time being, it is too early to talk about the motives of the court's decision per se, because we do not have its report yet, so we can only speculate on the reasons.

In this case, Pastor Alex Kolyasnikov had a small, unregistered religious group that he runs in accordance with the rights of any religious organisation. With the owner's approval, they meet in a cafe in Sochi to read the Bible together. Thus every Sunday from 10:00 to 13:00 the cafe is closed for the customers, but they are welcome to come in and attend if they wish.

The deputy chief of the regional FSB office wrote a letter to the prosecutor that a religious group reading and interpreting the Bible through using electronic devices instead of a leather cover Bible was a distortion of Christian traditions. He considers these elements to be dangerous. Furthermore, he points out in his letter that, on the basis of available information, the group has a link with some Ukrainian Protestant organisations funded by Western Europe and NATO. What a horror story...

Upon receiving the letter, the Sochi prosecutor sent experts to the cafe. In addition to the prosecutor's experts, there were representatives of the Ministry of Internal Affairs and of the FSB. Once at the cafe, they were told that a religious group gathers there. They attended the worship service and talked with people. They then wrote a report stating that a religious group gathers together without notifying any executive power body.

On this basis, the Sochi prosecutor decided to file criminal charges for violation of the law on "meetings, rallies, demonstrations, marches and pickets." On December 12th 2014 the Khostinsky District Court of Sochi issued a fine according to the 2, Art. 20.2 of the Administrative Code of the Russian Federation on holding public events without filing a notice to the authorities in the prescribed manner.

We appealed the decision - I was not present at the Court of First Instance, I joined later. A new trial was scheduled and on January 28th 2015 the Krasnodar Regional Court upheld the Khostinsky Court's decision.

I believe that the court's decision is completely illegal. According to the law "on freedom of conscience and religious association", religious organisations can freely hold worship services and other related activities in places available to them for the said purposes. These places include not only the property of the organisation but also any space rented for the occasion. Therefore, in such a case, there is no need for any notice, agreement or authorisation. And that's all there is to it.

However, the Khostinsky Court referred to the law "on meetings, rallies and demonstrations" as allowing only single pickets to be held without any notice to the authorities. But how exactly are we supposed to discuss important social issues and take decisions without a collective gathering? We will see what the court and its imagination has to say about it.

We are still waiting for the court's report and will certainly appeal it under careful supervision. First, we will go to the President of the Krasnodar Regional Court, which is most likely useless since the court has already expressed its opinion on the matter, but we still need to do it for the procedure. After that, we will go to the Supreme Court.

If during the trial we hear something about allowing the gathering of one single person, then we will have enough reasons to go straight to the Constitutional Court.

We will fight till the end as this case might set a very dangerous precedent.

Translated by Irina Loutfoullina (Human Rights Without Frontiers)

Russian parliament to get legal crackdown on religious organizations

Even religious organizations may become foreign agents

By Pavel Korobov

Kommersant (03.02.2015) - According to a draft law developed by the Ministry of Justice, the government intends to tighten control over the financial and economic activity of religious organizations. In particular, the subject is recipients of financial aid from abroad. Experts point out that the amendment of legislation is being accomplished within the course of a general tightening of control over nongovernmental organizations. Representatives of confessions that receive financial aid from foreign partners have criticized the initiative.

The draft of amendments to the law "On freedom of conscience and religious associations" and other legislative acts (the laws "On noncommercial organizations" and "On state registration of legal persons and individual entrepreneurs") was developed by the Ministry of Justice to partially change the mechanism of control over the activity of religious organizations. The document was prepared in accordance with an instruction from the president of the RF of 22 May 2014 which ordered the establishment of monitoring of "the receipt of charitable contributions and other financial means and property by religious organizations."

At present, such monitoring is conducted within the framework of the law "On noncommercial organizations" (NCO), which provides for either complete or simplified reporting by NCOs to state agencies. This procedure is also retained in the new document but supplementary requirements are included for religious organizations that are recipients of financial means or property from abroad. An explanatory note emphasizes that the measures being adopted are necessary for discovering and reacting to instances "of involvement in extremist and terrorist activity, as well as other violations of legislation of the RF."

In particular, the Ministry of Justice is granted the right to request from recipients of foreign aid "documents contain an account of activity, of the composition of administrative bodies, and of the purposes for spending money and using other property." At the same time, the inspectors may arrive unexpectedly for unannounced inspections. The occasions for such inspections may include information about the presence in the activity of a religious organization of signs of extremism and terrorism, as well as an order from the president of the RF or requests of the prosecutor's office. Violation of the requirements, that is, repeated failure of a religious organization to provide documents, is grounds for filing a lawsuit in court for the liquidation of the organization.

"Given that the provisions of the law on NCOs, which speaks about foreign agents, have not been extended to religious organizations, the Ministry of Justice decided to allocate control over confessions in a separate document," Roman Lunkin, the president of the Guild for Religion and Law, thinks. "Thereby in the religious milieu their own foreign agents appear, who come under total control."

"The amendment of legislation is being accomplished within the course of a general tightening of control over nongovernmental organizations," agrees Alexander Brod, a member of the presidential Council on Human Rights and director of the Moscow bureau

for human rights. He says that criticism was expressed back at the stage of discussion of the document, which was partially taken into account. "For example, take unannounced inspections," Mr. Brod told Kommersant. "We know that such measures have effectively paralyzed the activity of some NGOs." The expert doubts that the initiative will be able to help in the struggle against extremism in the religious sphere. "Organizations that receive foreign financing and may have signs of extremist activity, as a rule, are not registered. So the amendments may complicate the life of legally operating religious organizations," he thinks.

Representatives of the Russian Orthodox Church state that they do not receive aid from abroad. "Control will affect exclusively those religious organizations that are financed from abroad or conduct extremist activity," Hegumena Kseniia Chernega, the director of the judicial service of the Moscow patriarchate, told Kommersant. She supports the initiative of the justice ministry.

"The law gives additional leverage for pressure on religious organizations and it violates the principle of the separation of religion from the state," Borukh Gorin, the director of the Department for Public Relations of the Federation of Jewish Communities of Russia (FEOR), told Kommersant. "We do not have special concerns since de jure we submit accounts to government agencies," the rabbi explained.

"It is not clear why the Ministry of Justice is being given functions that subdivisions of the MVD, the Investigation Committee, the prosecutor's office, the FSB, the Federal Tax Service, and the Federal Service for Financial Monitoring already have. Besides they are regulated by the laws 'On combating extremist activity' and 'On freedom of conscience,'" wonders Bishop Konstantin Bendas, the first deputy of the ruling bishop of the Russian Associated Union of Christians of Evangelical Faith. In his opinion, "even the most law-abiding organization gets the stigma of suspicion and unreliability simply by virtue of the conduct of an inspection of it, especially with such a pretext of discovering instances of conducting extremist or terrorist activity."

The first deputy chairman of the Council of Muftis of Russia, Rushan Abbasov, points out that one of the reasons for conducting an unannounced inspection of a religious organization by the Ministry of Justice is the arrival from state agencies or bodies of local administration of information about the presence of signs of extremism or terrorism. "What is this? A return to 1937, when everybody could inform on anybody?" Mr. Abbasov wonders. In his opinion, the justice ministry's initiative "can complicate the life of officially registered Muslim societies that are combating radicalism, extremism, and terrorism." The mufti points out that Muslims have partnership programs that are financed by Muslim countries, and he adds: "I hope these programs will not suffer; all our activity is transparent."

According to the president's instruction, the draft law was to be developed before 25 February 2015, after which it will be introduced into the State Duma. "On the whole, we have a positive attitude toward this document," Yaroslav Nilov (LDPR), the chairman of the State Duma Committee on Affairs of Public Associations and Religious Organizations, told Kommersant. "In light of the fact that there are 25 thousand registered religious organizations in Russia, control is necessary, including over where financing is coming from." "It is no secret that there exist attempts at penetration by radical Islam into the sphere of traditional Islam," the deputy gave examples. "There are cases of illegal activities of the leadership of several religious organizations who engage in psychological manipulation of believers to get material resources." (tr. by PDS, posted 4 February 2015)

After raids and pre-trial detention, six Muslims fined

Forum 18 (29.01.2015) - Nineteen months after Russian police and FSB security service raids in the Urals city of Perm and seven arrests, six Muslims were convicted and fined in December 2014, court officials told Forum 18 News Service. All six had spent up to four months in pre-trial detention in 2013.

They were convicted of involvement in "Nurdzhular", a banned organisation which Muslims in Russia deny exists (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Shortly before the Perm verdicts, another Muslim in Rostov-on-Don was found guilty of the same charges and also fined. Two more criminal trials of Muslims who read the works of the late Turkish Muslim theologian Said Nursi are underway in Ulyanovsk and Krasnoyarsk. Meanwhile, the re-trial of 16 members of Taganrog's Jehovah's Witness community – already banned as "extremist" - is due to begin on 5 February.

The two defendants in Krasnoyarsk (who are accused of running an alleged "women's cell"), three of the six found guilty in Perm, the defendant convicted in Rostov, and the alleged leader of a "cell" in Ulyanovsk were all charged 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"). This is punishable with a fine of at least 300,000 Roubles (currently about 33,480 Norwegian Kroner, 3,800 Euros, or 4,300 US Dollars) or imprisonment of up to six years.

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

Known verdicts: Perm

All six defendants, whose trial began in October 2014, were convicted on 22 December 2014 at Magistrates' Court No. 37, in Perm's Sverdlovsk District. Magistrate Aleksandr Gulin found Ertugrul Ergin, Elnur Kerimov, and Aleksei Tashchevnikov guilty of the organisation of "extremist" activities under Article 282.2, Part 1, and fined them each 100,000 Roubles. Ramil Kerimov, Rasul Magomedov, and Azad Tadzhiev were found guilty of participation in an "extremist organisation" under Article 282.2, Part 2, and each fined 30,000 Roubles (about 3,350 Norwegian Kroner, 380 Euros, or 430 US Dollars).

A seventh Muslim who had originally been accused with the other six, Vyacheslav Solovyov, was in June 2014 convicted under Criminal Code Article 282.2 and sentenced to one year's suspended prison sentence (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017)

Ergin is a Turkish citizen. Elnur Kerimov and Ramil Kerimov (who appear to be brothers) and Tadzhiev are Azerbaijani citizens. The other two are Russian citizens.

All six received reduced fines as they had each spent up to three months in pre-trial detention in 2013, court secretary Yekaterina Yoltysheva told Forum 18 on 29 January 2015. She added that the defendants had submitted no appeal by the deadline of 13 January.

Another Muslim from Perm who reads Nursi's works, Vyacheslav Solovyov, was given a one-year suspended prison sentence in June 2014 at Sverdlovsk District Magistrates' Court No. 36 under Criminal Code Article 282.2. The case of the other six accused was passed to Magistrates' Court No. 37, but court officials refused to explain why (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017).

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

Police kept Tashchevnikov, Tadzhiyev, Elnur Kerimov, and Ramil Kerimov in custody for the duration of the investigation, which ran until 19 September 2013, a total of four months, according to records at Perm Regional Court, seen by Forum 18. On 17 June 2013, Sverdlovsk District Court granted the investigators' request for an extension to the custody period. The accused appealed (Tashchevnikov and Elnur Kerimov on multiple occasions) but were unsuccessful, despite their claims that the accusations against them were unfounded and their detention was unfairly isolating them from society.

Known verdicts: Rostov-on-Don

In a single hearing on 3 December 2014, Judge Stanislav Vinokur of Rostov's October District Court found another Muslim who reads Nursi's works guilty of organising "extremist" activity under Article 282.2, Part 1. Gadzhibek Ismailov was sentenced to pay a fine of 130,000 Roubles (about 14,500 Norwegian Kroner, 1,650 Euros, or 1,860 US Dollars).

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

Asked in November 2014 why Ismailov was considered dangerous, a spokeswoman for Rostov Regional Prosecutor's Office told Forum 18: "He organised the study of literature ruled extremist by court decision, and drew in a certain number of people. At his home these people studied the ideas of the spiritual leader of Nurdzhular, an extremist movement" (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017).

Neither the press office nor the department for criminal cases of October District Court would answer Forum 18's questions on 28 January regarding the payment of fine or a possible appeal, saying that all enquiries should be submitted in writing. Forum 18 sent a written request for information in the early afternoon of 28 January but received no reply by the end of the working day in Rostov on 29 January.

Continuing trial: Ulyanovsk

The trial of Bagir Kazikhanov, Stepan Kudryashov, and Aleksandr Melentyev began on 12 January under Judge Natalya Damayeva of Lenin District Court in Ulyanovsk. As of 28 January, it had reached its seventh hearing, according to the court website.

Kazikhanov has been charged under Article 282.2, Part 1, his fellow defendants under Article 282.2, Part 2.

A fourth man, Farkhad Allakhverdiyev, has also been charged under Article 282.2, Part 2, but has not yet been brought to court. Allakhverdiyev's whereabouts are unknown, and prosecutors have therefore been obliged to open a separate case against him, a fellow Nursi reader told Forum 18 on 27 January.

"Hearings are being held every day," the Nursi reader told Forum 18. "They are now questioning the witnesses. Many of the witnesses are changing their testimony in court in favour of the defendants."

Even before judges come to a verdict, charges of involvement in "extremist" activity can have a significant impact on the life of the accused. Kazikhanov, for instance, remains under house arrest, while Melentyev and Kudryashov are under travel restrictions. Between his arrest in Moscow on 9 April 2014 until 26 October 2014, Kazikhanov was held in pre-trial detention.

Kudryashov was also in custody from 9 April to 4 July 2014, according to police records of the case, which Forum 18 has seen. He was then released to house arrest, which in turn lasted until 8 October 2014, when he was placed under travel restrictions. Melentyev was in custody from 9 April to 21 July 2014. This was then commuted to house arrest by Lenin District Court until 21 August, later extended to 21 September. On 19 September 2014, as a result of his cooperation with the investigation, the house arrest was replaced by travel restrictions.

Under Russian law, people under house arrest are not allowed to leave their registered place of residence except for medical reasons, to communicate with anybody involved in the case except lawyers and investigators, to send or receive post, or use the telephone or internet except under certain conditions.

Kazikhanov (originally from Dagestan in Russia's North Caucasus) is accused of having come to Ulyanovsk deliberately to found and lead a "Nurdzhular" cell dedicated to the study of Nursi's works and the dissemination of his ideas. The police document outlining the charges against him, seen by Forum 18, claims that his actions amounted to "the agitation of inter-confessional and inter-ethnic hatred and enmity, with the aim of the Islamification of the state and the region by the direction of the governing centre of Nurdzhular, located in Turkey". Russian Muslims deny this alleged organisation exists (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724)

The police case file asserts that Kudryashov, Melentyev and Allakhverdiyev, meanwhile, "accepted Kazikhanov's proposal to take part in the banned extremist activities of the international religious organisation Nurdzhular in Ulyanovsk, and further, following the same criminal intent, began to pick up people professing Islam for training in the spirit of the goals and values [of Nurdzhular]".

Ulyanovsk Police sent a large quantity of books, pamphlets, compact discs and electronic equipment seized from all four men to Nizhny Novgorod State University's Centre for Historical and Cultural Anthropology for "expert analysis" by Fyodor Dorofeyev (history of religion), Yevgeny Volkov (sociology), and Yekaterina Koltunova (linguistics) (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017).

From the experts' report, seen by Forum 18, it appears that simply meeting for study and discussion of Nursi's works, even using editions which have not been prohibited and placed on the Justice Ministry's Federal List of Extremist Materials, is sufficient reason for Muslims to be accused of engaging in "extremist" activity.

Continuing trial: Krasnoyarsk

The criminal trial in Krasnoyarsk of Yelena Gerasimova and Tatyana Guzenko, accused of running a Nurdzhular "women's cell", is being further delayed as Judge Svetlana Vladimirtseva is still examining the materials of the case, a fellow reader of Nursi's books told Forum 18 on 27 January.

The case under Article 282.2, Part 1 finally got underway with a preliminary hearing at Soviet District Court on 27 November 2014, having been passed around the Krasnoyarsk court system for the previous six months (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017). All four hearings since then, the latest on 28 January, have been postponed. The next is scheduled to take place on 4 February, according to the court website.

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

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

New trial: Taganrog Jehovah's Witnesses

Sixteen Jehovah's Witnesses charged with "continuing the activities of an extremist organisation" after their community was dissolved in 2009 are back on trial after Rostov Regional Court overruled the initial verdicts issued by Taganrog City Court. Four of the 16 were in August 2014 convicted under Criminal Code Article 282.2, Part 1 and Article 150, Part 4 ("Involving a minor in the commission of a crime"). Three of the 16 were convicted under Criminal Code Article 282.2, Part 2. The rest were acquitted. The "crime" of those convicted was to continue to meet together for prayer and Bible study (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

The 2009 liquidation of the Taganrog Jehovah's Witness community as allegedly "extremist" was used to justify banning all Jehovah's Witness activity in the city, a ban subsequently upheld by the Supreme Court (see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385).

The forcible liquidation of the also allegedly "extremist" Jehovah's Witness community in Samara was confirmed in the Supreme Court on 12 November 2014. After the August 2014 convictions of those convicted of meeting together in Taganrog for prayer and Bible study, they appealed to Rostov Regional Court (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017).

At the Rostov appeal hearings on 11 and 12 December 2014, both convictions and acquittals were overturned and the case sent back for re-examination. The first, delayed hearing in the new set of proceedings will take place on 5 February 2015, Natalya Filonenko, assistant to Judge Aleksei Vasyutchenko, told Forum 18 on 29 January.

When a registered religious organisation is liquidated, it loses its status as a legal entity and associated rights, such as the ability to own or rent property, employ staff and hold a bank account. An unregistered community should legally be able to continue to operate as a religious group, which does not require registration, and meet privately for worship and study (see F18News 14 April 2005

http://www.forum18.org/archive.php?article_id=543).

This did not stop Taganrog Jehovah's Witnesses from facing criminal charges for continuing to meet for prayer and Bible study. Despite the suspension or waiving of the punishments, the seven who were convicted of this "crime" would still have criminal records were the ruling to come into force, and would be unable to change their places of work, study or residence without notifying the authorities. They would also have to show that they had "corrected" their behaviour.

All 16 defendants in the original Taganrog trial appealed against the verdict, including those who were acquitted. In response to a written request for information, Taganrog City's Deputy Prosecutor Aleksei Venikov told Forum 18 on 5 September 2014 that Rostov Regional Prosecutor's Office had also submitted an appeal and all further enquiries should be directed there. The Regional Prosecutor's Office, however, repeatedly refused to discuss the case with Forum 18. A written enquiry was sent in the middle of the working day on 28 January 2015, but no reply was received by the end of the working day in Taganrog on 29 January.

The liquidation of a third Jehovah's Witness community, in the town of Abinsk in the southern Krasnodar Region, is also under consideration at Krasnodar Regional Court (see F18News 22 January 2015 http://www.forum18.org/archive.php?article_id=2031).

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

Russian Federation Supreme Court decision sets dangerous precedent for Jehovah's Witnesses

JW.ORG (23.01.2015) - <http://www.jw.org/en/news/legal/by-region/russia/supreme-court-ban-witnesses-samara/> - On November 12, 2014, the Supreme Court of the Russian Federation upheld a lower court ruling that declared the Local Religious Organization (LRO) of Jehovah's Witnesses in Samara to be extremist. The prosecutor's office in Samara initiated its case against the Samara LRO in 2014 after law-enforcement officials searched facilities that the Witnesses rent for religious meetings and "found" a handful of their religious publications that have been banned nationwide. The banned publications had earlier been declared extremist by Russian courts and were posted on the Ministry of Justice's Federal List of Extremist Materials. However, the Witnesses in Samara had already complied with these Russian court decisions and removed the publications from the facilities that they rent for worship.

The Witnesses argued before the lower court and in the Supreme Court that the police conducting the search had planted the banned literature as a pretext to initiate charges. The Witnesses also explained that the European Court of Human Rights is currently examining the legality of earlier Russian court decisions that banned some of their publications. Additionally, the Witnesses argued that even if the Samara prosecutor's allegations were true—that they had stored banned literature—the punishment was disproportionate for such a minor offense. Storing banned literature is an administrative violation punishable with a fine or a temporary suspension of the LRO's activity, not the severe measure of liquidation. However, the Supreme Court dismissed these arguments.

Liquidation of a Legal Entity—One Step Closer to Criminal Prosecution?

The Samara LRO liquidation is following a pattern similar to that of the case in the city of Taganrog, where the Rostov Regional Court liquidated the LRO in 2009 on extremism charges. Subsequently, Taganrog law-enforcement authorities interpreted that decision as a de facto ban on the religious activity of Jehovah's Witnesses in the area. Sixteen Witnesses in Taganrog were criminally charged in 2013 for merely carrying out their religious worship—the same practices that Jehovah's Witnesses perform worldwide, including in Samara. Seven Witnesses were heavily fined; four of them, who are congregation elders, were also given lengthy prison sentences. However, the judge waived the fines because the investigation and trial exceeded the statute of limitations, and he imposed suspended sentences. The Witnesses have appealed these convictions, and on December 12, 2014, the Rostov Regional Court ordered a new trial with a new judge.

The 1,500 of Jehovah's Witnesses living in the Samara region are now at risk of being criminally prosecuted merely for carrying out their worship. Where will it end? Russian authorities are conducting similar investigations of Witness LROs in various parts of the country. How these repressive state actions will affect the nearly 180,000 Witnesses living in Russia remains to be seen. However, the Supreme Court decision sets a dangerous precedent that jeopardizes the freedom of Jehovah's Witnesses and other religious minorities in Russia.

Punishments continue for religious literature

Forum18 (22.01.2015) - Russia's Muslims and Jehovah's Witnesses continue to be targeted by law enforcement operations aimed at combating "extremism". Forum 18 News Service has identified 18 administrative cases in 14 different regions of Russia in the last four months of 2014 in which individuals or organisations were punished for possessing religious literature which does not appear to incite violence or hatred. Of these, 15 concerned Islamic literature or videos, the remaining three Jehovah's Witness texts. One mosque in Yekaterinburg in the Urals was fined 50,000 Roubles, the equivalent of nine months' official minimum wage.

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

Of the 18 known cases between September and December 2014, two each were in the North Caucasian republics of Dagestan and Karachai-Cherkessiya and in Sverdlovsk Region, with one each in the republics of Chechnya, North Ossetia-Alania, and Adygea (all three also in the North Caucasus), the Mari-El Republic, and Altai, Irkutsk, Khabarovsk, Primorye, Omsk, and Penza Regions. Khanty-Mansiysk Autonomous District of Tyumen Region also saw two separate prosecutions, although for a single incident.

Sixteen cases led to convictions and fines, none of which have yet been overturned on appeal. The other two defendants were acquitted. In the last four months of 2014, Forum 18 also found two appeals against rulings issued earlier in 2014.

Forum 18 found 15 convictions under Article 20.29 which took place in the first four months of 2014, of which only two were overturned on appeal. In late April to August 2014, Forum 18 identified 18 such cases in 15 different regions of Russia (see F18News 8 September 2014 http://www.forum18.org/archive.php?article_id=1994).

Russia is also implementing its Extremism Law and such punishments in Crimea, which it annexed in March 2014 (see F18News 29 October 2014 http://www.forum18.org/archive.php?article_id=2010).

Official "inspections", public complaints

Religious literature may be confiscated by police, Prosecutor's Office officials, or the FSB security service during inspections of residential or business premises belonging to religious believers.

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

Russian translations of texts which are not prohibited in other countries and which do not advocate hatred, violence, or the violation of any human right (such as the Risale-i Nur (Messages of Light) collection of the late Turkish theologian Said Nursi) are listed as "extremist" alongside items promoting racism, violence and xenophobia (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1724).

If convicted under Administrative Code Article 20.29 ("Production or distribution of extremist materials"), individuals receive up to 15 days' detention or a fine of 1,000 to 3,000 Roubles (120 to 350 Norwegian Kroner, 15 to 40 Euros or 15 to 45 US Dollars). Fines for people in an official capacity (such as individual entrepreneurs) range from 2,000 to 5,000 Roubles.

Organisations (commercial concerns, religious associations) may be fined 50,000 to 100,000 Roubles (between nine and 18 times the monthly minimum wage as of 1 January 2014). They may also be prohibited from operating for a period of up to 90 days. Court decisions usually order "extremist" materials to be confiscated and often destroyed (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1724).

On 2 September 2014, Forum 18 asked the Justice Ministry in Moscow in writing whether it is right that people should be punished for possession of religious texts which do not incite hatred and which are not banned in other countries, and whether the prosecution of such cases is a sensible use of police and prosecutors' time. Forum 18 had received no reply by 22 January 2015.

Unsuccessful appeal for clemency

After being fined 50,000 Roubles (6,000 Norwegian Kroner, 660 Euros or 770 US Dollars) in October 2014 for possession of "extremist" material in one of its mosques, the Sverdlovsk Regional Spiritual Administration of Muslims attempted to have the sentence overturned on the grounds that its financial situation is difficult and it had not intended to commit an offence.

At the appeal hearing at Sverdlovsk Regional Court on 16 December, however, Judge Tatyana Chirkova upheld the original ruling, "because the violation presents a significant

threat to legally protected interests" and because it was already the lowest possible fine for a religious organisation.

Prosecutors originally took the Administration to court over the discovery, during an "anti-extremism" inspection in July 2014, of 22 titles from the Federal List, including books, brochures, audio recordings and films on DVD. These materials, among which were "Fortress of a Muslim" and "Gardens of the Righteous" (neither of which advocate the violation of any human right), were allegedly kept on open shelves in the imam's office, lecture hall, and other rooms of the Ramazan mosque in Yekaterinburg. Judge Nataliya Nikolenko of the city's Chkalovsk District Court upheld the prosecutor's suit on 22 October 2014.

The Chkalovsk District Prosecutor's Office also issued mosque imam Albert Bayazitov with a formal warning about the inadmissibility of "extremist" activity.

"We overlooked them, we were careless," Mufti Ravil Mamleyev told IslamNews.ru news website on 13 September 2014, after learning that his organisation was to be prosecuted. He added that the various materials had been in the mosque for at least 15 years, and had been bought or given as gifts before the Federal List came into existence.

This case illustrates the practical difficulties "extremism" bans and the Federal List present to religious organisations. Although the List is freely accessible on the Justice Ministry's website, it now runs to over 2,500 items, sometimes does not fully describe the exact edition of published materials, and is only sporadically updated, meaning months may pass between a court's "extremism" ruling and a text's appearance on the List (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1724).

The Sverdlovsk Regional Spiritual Administration has now appointed an imam to monitor the Federal List and court decisions and keep other Muslim clergy in the region updated.

A spokeswoman for the Chkalovsk District Prosecutor's Office told Forum 18 on 21 January that requests for information should be submitted in writing. Forum 18 sent an email before the end of the working day in Yekaterinburg.

Shopkeepers

Shopkeepers or stallholders were the subject of five cases found by Forum 18 (four known to involve Islamic literature, one a Jehovah's Witness text). These took place in Chechnya, Dagestan, Altai Region, and Khanty-Mansiysk Autonomous District of Tyumen Region.

On 4 December 2014, Aleksandr Alyokhin, owner of the Bukinist second-hand bookshop in the city of Biysk (Altai Region), was found guilty of selling a copy of the Jehovah's Witness text "Knowledge that leads to everlasting life" for 20 Roubles. The book was banned in a ruling by Rostov Regional Court in September 2009 (upheld by Russia's Supreme Court in December 2009). This is the only instance of a shopkeeper being fined for possession of Jehovah's Witness literature which Forum 18 found in 2014.

Alyokhin's lawyer claimed that his client had not known the book had been ruled "extremist", according to the written verdict, seen by Forum 18. Nevertheless, Judge Mikhail Yuzhaninov of Biysk City Court fined him 2,000 Roubles.

Prosecutor's Office officials found and bought the incriminating text during an inspection of the shop, part of their "regular monitoring of compliance with the law on combating extremism", according to an 18 December 2014 online press release. They presented the sales receipt in court as evidence of "mass distribution".

The press release also claimed that the book had been kept on the shop's counter, thus affording customers "the opportunity freely to access and become acquainted with the contents of this publication".

On 20 January, a spokeswoman for the city Prosecutor's Office directed Forum 18 to a general enquiries number. This went unanswered on 20 and 21 January.

Offering banned Islamic literature for sale more often leads to prosecution of shopkeepers and stallholders. On 24 December 2014, Satsita Chukuyeva, the proprietor of a shop selling Islamic goods in Grozny (Chechnya) was found guilty of "mass distribution" of several copies of Said Wahf al-Qahtani's "Fortress of a Muslim: an appeal to Allah through prayers". This collection of prayers and greetings for various situations was banned by Lenin District Court, Orenburg, in March 2012. Chukuyeva was fined 1,000 Roubles in a hearing at Grozny's Lenin District Court.

The books were found during an inspection by police, Prosecutor's Office officials, and representatives of the city administration's department for religious and public organisations. This took place as part of a wide-ranging operation checking compliance with "anti-extremism" legislation at Islamic shops in central Grozny and at the city's Berkat market, according to the Caucasian Knot news website.

A press spokeswoman for the Prosecutor's Office of the Chechen Republic directed Forum 18 to the office of Vladimir Batenin, head of the department for monitoring compliance with federal security, "anti-extremism", and anti-terrorism legislation. His telephone went unanswered whenever Forum 18 called on 21 and 22 January.

Hearings to resume in Orenburg case

A total of 11 of the court decisions seen by Forum 18 involved Muslim texts ruled "extremist" at Lenin District Court in Orenburg on 21 March 2012. This ruling covered the largest quantity of religious literature banned in a single court case, prohibiting 68 texts in total and drawing condemnation from Islamic bodies, publishers and human rights groups (see F18News 30 July 2012 http://www.forum18.org/archive.php?article_id=1726).

Several appeals against the decision are still pending. After a delay caused by the destruction of 26 of the prohibited items, the repeat "expert analysis" of the remaining material, ordered in April 2013, was eventually completed in September 2014 and passed to lawyers in the case in January 2015.

According to documents seen by Forum 18, the repeat psychological and linguistic analysis, which runs to more than 250 pages, was carried out by Vladimir Lepsky (Russian Academy of Sciences' Department of the History and Philosophy of Science), Rostislav Prokopishin (Moscow City Psychological-Pedagogical University), Aleksandr Tkhostov (General Psychology Department, Moscow State University), and Yekaterina Palekha (Institute of Philology and Intercultural Communication, Kazan Federal University).

The first hearing in nearly two years will take place at Orenburg Regional Court on 26 February 2015, Nurzhigit Dolubayev, the Orenburg-based lawyer for one of the publishers trying to overturn the ban, told Forum 18 on 21 January.

Acquittals and appeals

Forum 18 found two acquittals in the last four months of 2014. On 24 October 2014 at

Zelenchuk District Court in Karachai-Cherkessiya, Judge Oksana Shcherbina halted proceedings against R. Chipchikov "in the absence of an offence".

An FSB security service "anti-extremism operation" had found a copy of "Fortress of a Muslim" in Chipchikov's house in the village of Storozhevaya. Prosecutors accused Chipchikov of passing it to friends, relatives, and fellow attendees of the mosque. According to the written verdict, seen by Forum 18, the judge ruled that minor discrepancies between the seized copy of the book and the description on the Federal List meant there was "no indisputable evidence of an offence", and ordered that the book be returned to Chipchikov.

Although in most cases involving a single copy of a banned text, the single copy is enough to convict the defendant, Judge Aleksey Solovyov ruled otherwise on 22 October 2014 at Solnechny District Court in Khabarovsk Region.

Defendant A. Gorbach did not dispute passing Jehovah's Witness texts to two other people, but denied distributing "extremist" literature. Among the materials law enforcement officials seized from Gorbach's flat, only one title, "What does God demand from us?" (banned by Gorno-Altai City Court, Altai Republic, October 2009) is on the Federal List. The judge considered that in Gorbach's actions, the "mass nature of the distribution of extremist materials" was not evident. He ordered the single prohibited book to be destroyed, and the rest returned to Gorbach.

Long-term effects

In Samara and Taganrog, Jehovah's Witness communities have suffered enforced dissolution as "extremist" organisations, the court decisions driven by their convictions for "mass distribution" of extremist literature in March 2014 and September 2009 respectively (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017).

Another Jehovah's Witness community is in danger of dissolution in the town of Abinsk in Krasnodar Region. Following a similar pattern to the cases in Taganrog and Samara, the regional prosecutor's suit came after a Witness was fined (in October 2013, according to the Abinsk District Court website) for handing out the organisation's texts among local residents. The community was also given a formal warning about the inadmissibility of "extremist activity", but allegedly continued to distribute prohibited literature.

Krasnodar Regional Court is now considering whether to liquidate the Abinsk Jehovah's Witness community as an "extremist" organisation. According to the court website, the next hearing is to take place on 23 January.

Russia's Supreme Court upheld the decision to liquidate the Samara community on 12 November 2014. Samara Regional Court originally ordered the dissolution in a ruling of 29 May 2014.

The liquidation proceedings stemmed from a police raid on the community's rented premises in January 2014, which uncovered "extremist" books in a locked box. The city's Soviet District Court imposed a fine of 50,000 Roubles. After an unsuccessful attempt on 17 April to have the verdict overturned, the Jehovah's Witnesses appealed again on 14 July, but this did not stave off the attempt by prosecutors to have the community declared "extremist" and liquidated in the meantime. The July appeal itself was also unsuccessful (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

These cases illustrate the danger that prosecutions under Article 20.29 ("Production or distribution of extremist materials") can pose to religious communities, not only bringing

heavy financial penalties but also providing ammunition for future cases against them which may result in their enforced dissolution.
