

**RUSSIA:
WIDE-RANGING CRACKDOWN ON RELIGIONS**

**OSCE High-Level Conference on Tolerance and Non-Discrimination
(Kazakhstan, Astana, 29-30 June 2010)**

EXECUTIVE SUMMARY

Russia is violating the Helsinki Accords and other OSCE standards regarding the right to freedom of religion.

The gravest threat to religious freedom in Russia is the federal government's escalating use of the 2002 Extremism Law to combat "religious extremism." And this comes against an established pattern of local government obstruction of religious minority communities.

The Extremism Law was justified by the need to combat terrorism after 9/11, but the federal government has increasingly used it to target "religious extremism" and it has led to a wide-ranging crackdown on religious literature certain "experts" deem "extremist."

The turning point in this drive against "religious extremism" came in 2007, when two previously unsuccessful attempts to ban Islamic literature were finally successful. The Federal List of Extremist Materials was also started this same year. And while the Justice Ministry compiles the Federal List of Extremist Materials, local authorities can instigate these cases and any low-level court can rule a religious work "extremist," and this work is then automatically added to the list and banned throughout the Russian Federation.

The Justice Ministry then reconstituted its Expert Religious Studies Council and gave it wide-ranging powers to investigate the activity, doctrines, literature and worship of religious organizations, and then recommend measures. Fears by religious minorities were then exacerbated by the Justice Minister's appointments to the Council:

- Aleksandr Dvorkin, Russia's most prominent "anti-cultist," was appointed to head the Expert Religious Studies Council. Dvorkin heads the St. Irenaeus of Lyons Religious Studies Research Centre. Forum 18 reports the Centre's website lists numerous "sects and cults," of which the most familiar and

established in Russia include: charismatic Protestants (termed "neo-Pentecostals" by Dvorkin and his supporters), Hare Krishna devotees, Jehovah's Witnesses, Mormons and the New Apostolic Church. Forum 18 also reports that among Dvorkin's many attacks on such groups is his conclusion to a paper on "Neo-Pentecostalism in Russia," delivered at an April 2001 conference on "Totalitarian Sects – Threat of the 21st Century" in Nizhny Novgorod. He describes the faith of charismatic Protestants as, "a crude magical-occult system with elements of psychological manipulation... an anti-Biblical teaching furthering the personal enrichment of its pastors and the dissemination of false teachings originating in pagan cults." And in an interview shortly after his new appointment broadcast on Radonezh, a Moscow-based Orthodox radio station, he accused Adventists of using deception.

- Also known as the Russian Association of Centres for the Study of Religion and Sects, Dvorkin's Centre has branches in over a dozen Russian cities, some of which are missionary departments of Orthodox dioceses. Forum 18 reports the Saratov branch is headed by Aleksandr Kuzmin, Kuzmin's Saratov Centre issued an open letter to Saratov residents condemning "Feel the Force of Change," a campaign promoting Christian social activism organized by local Protestant Churches. The letter attacks one participant in particular, Word of Life Pentecostal Church, as "a horribly destructive sect. In Russia there were cases of beatings and murder of children in this sect in the guise of exorcism." Kuzmin is also the author of a leaflet, which was declared extremist by a Siberian court, linking Hare Krishna devotees with murder and child abuse.
- Forum 18 reports another new Council appointee, Yevgeny Mukhtarov heads the Yaroslavl branch of Dvorkin's Association. Its website lists Adventists, Baha'is, Baptists and the Salvation Army among "non-traditional cults" in Yaroslavl Region.
- Forum 18 reports another appointee has urged Muslims to burn Islamic books banned as extremist – even as prominent Muslim leaders press for a review of such rulings.

Forum 18 reported on the unprecedented outcry provoked by these appointments:

- Andrei Sebentsov, head of the Russian government's Department for Relations with Religious Associations, remarked to Portal-Credo religious-affairs website that the appointments of Aleksandr Dvorkin – "not a religious-studies scholar and de facto representing the interests of the Russian Orthodox Church

- (Moscow Patriarchate)" – and his assistant were "a very strange fact which could have far-reaching consequences."
- The Union of Old Believer Theologians, a group not directly threatened, voiced strong opposition, viewing the developments as "a direct threat to the constitutional rights of the citizens of Russia to freedom of confession [which] could serve as a dangerous catalyst for inter-confessional strife, a prologue to the beginning of struggle against religious dissent, oppression of believers, the restoration of religious censorship and inquisition." The Old Believers called for the removal of some Council members, and even suggested that the best course of action would be the complete abolition of the Council. "Otherwise, the religious life of Russia will always depend upon the subjective opinion of whichever people have ended up on this body."
 - Roman Lunkin, who heads the Institute of Religion and Law at the Slavic Centre, called the Council's formation "a declaration of war" to religious associations other than the Moscow Patriarchate, "at the very least, an inquisition." He subsequently published an open letter to Minister Konovalov – intended as a petition – calling for Dvorkin, Aleksandr Kuzmin, Yevgeny Mukhtarov, Fr Lev Semenov and Andrei Vasilchenko to be removed from the Council. Lunkin also reported that Igor Yablokov, who heads the faculty of Religious Philosophy and Religious Studies at Moscow State University and is the only previous Council member, vowed at its first meeting that he would not attend in future as it did not bear "even the remotest resemblance to a meeting of scholars."
 - The head of the Baptist Union, Yuri Sipko maintained that the changes to the Council sought to reduce religious freedom to a level at which "everything is controlled and subordinate to a single ideology and freedom itself is banned... this only underscores the helplessness of our state authorities, who, instead of following constitutional principles of freedom - including religious freedom – constantly feel the urge to curb these freedoms."
 - Pentecostal Bishop Sergei Ryakhovsky remarked that the appointment of Dvorkin – "a thoroughly odious personality in Russian religious circles" – was "a huge provocation by the Justice Ministry." He later told the Protestant TBN television channel that he expected "very unpleasant actions" from the new Council and urged Konovalov to resign. In response, Council vice-chair Silantyev suggested that Ryakhovsky should not make "rash offensive statements." The Council was "not created to flatter the gaze of the US State Department," he continued, maintaining that Council recommendations would instead be taken seriously by major government organs.

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

Forum 18 also reported that Russia's Ombudsman for Human Rights, Vladimir Lukin, warned, "It is very important that we do not allow interference in the convictions and beliefs of millions of citizens on the poorly grounded, unproven pretext of fighting against extremism, as this really could provoke wide-scale violations of their right to freedom of belief."

Sure enough, the Federal List of Extremist Materials expands every few months:

- At the end of August 2008, it contained 255 named items.
- As of March 15, 2010, the Federal List runs to 573 items.

And a wide-ranging crackdown on religions has begun.

The latest target is Scientology:

- The Surgut City Court of Khanty-Mansi rendered a decision on March 26, 2010, finding that 29 Scientology religious books, lectures and brochures should be labeled as "extremist." This decision occurred after an *ex parte* hearing that did not include any party representing the Church of Scientology. Nobody associated with the Church was allowed to intervene as a party or was even given notice of the hearing. Further, the Court refused to give any Scientology organization or parishioners the means to challenge the seizure and prove that the books were not "extremist", in accordance with fundamental principles of international law which guarantee equality of arms and equal justice in adversary proceedings.
- This decision thus contravenes every element of fundamental due process under international human rights treaties Russia has signed and ratified, as well as the Rule of Law. Further, it threatens to lead to the suppression of Scientology Scriptures throughout Russia and raises the specter of liquidation proceedings and possible criminal investigations and prosecutions against religious organizations and Scientology parishioners, simply for reading and using Scientology Scriptures.
- This decision comes after two recent Scientology victories at the European Court of Human Rights (ECHR):

- First, in April 2007, in Case of Church of Scientology Moscow v. Russia (Application no. 18147/02), the ECHR overturned the Moscow City government's refusal to register the Church of Scientology of Moscow as a religious organization. The Court found that Russia had violated the rights of the Church of Scientology under Article 11, the right to freedom of association, “read in the light of Article 9”, the right to freedom of religion, when it refused to re-register the Church of Scientology Moscow.
- Second, in October 2009, in Case of Kimlya and Others v. Russia (Applications nos. 76836/01 and 32782/03), the ECHR overturned the refusals to register Scientology Churches in Surgut and Nizhnekamsk as religious organizations. The Court found that Russia had violated the rights of the applicants under ECHR Article 9 in the light of Article 11. Further, the Court found that "the restricted status afforded to religious groups under the Religion Act did not allow members of such a group to enjoy effectively their right to freedom of religion, rendering such a right illusory and theoretical rather than practical and effective, as required by the Convention”.
- On March 16, 2010, over 25 police and government officials entered the Management Center of Scientology to conduct what is called a “pre-investigation” on the charge of extremism. The next day, officials entered the Church of Scientology of Moscow and seized additional Scriptural materials.

Before this, Muslims and Jehovah’s Witnesses were the main targets. Here are highlights from Forum 18 reports listed below:

- Russian customs officials, Prosecutor's Office officials and FSB security service officers are continuing to seize works by Turkish Muslim theologian Said Nursi, most recently in Siberia and Bashkortostan... Russian translations of many of Nursi's works have been banned in Russia, as they have been placed on the Federal List of Extremist Materials. Yet local state officials in Tatarstan maintained to Forum 18 that federal accusations against a Tatar-Turkish lycee in the regional capital Kazan that it was linked with "religious extremism" were unfounded. Tatarstan's senior religious affairs official Renat Valiullin also told Forum 18 that the Moscow court decision banning Nursi translations was taken "without any strong expert analysis."
- Readers of the late Turkish Muslim theologian Said Nursi are noting an upsurge in state scrutiny, with raids by the police and FSB security service on

dozens of homes in the North Caucasus republic of Dagestan and Siberian city of Krasnoyarsk in the past two months.

- For the first time in Russia to Forum 18 News Service's knowledge, formal criminal charges have been brought against four readers of the works of the late Turkish Muslim theologian Said Nursi. The four – Aleksei Gerasimov, Fizuli Askarov, Yevgeny Petry and Andrei Dedkov – are accused of violating Article 282.2 Part 1 of the Criminal Code ("organising activity by a banned religious or other association"). Roman Gavrusik's account describes how, after 11pm on 16 February, a masked and armed group burst into a Krasnoyarsk flat where he and other Nursi readers were meeting. Later taken to the local FSB headquarters, an interrogator threatened Gavrusik with detention, a four-year prison term and harm to his family if he did not admit to leading "some sect": "He also said he had killed people like me in Chechnya."
- Russia's Supreme Court upheld a ban on 34 Jehovah's Witness titles as extremist on 8 December 2009. The Supreme Court of the Siberian republic of Altai upheld a similar ban on a further 18 items of Jehovah's Witness literature on 27 January.
- Just weeks after Russia's Supreme Court outlawed their literature as extremist, Jehovah's Witnesses are encountering at least ten times the level of state harassment across the country as before the ban, their press secretary has estimated to Forum 18 News Service.
- The latest additions to the Federal List of Extremist Materials – posted on the Justice Ministry website on 1 March – include all 34 of the Jehovah's Witness publications declared "extremist" by Rostov-on-Don Regional Court in September 2009, which was upheld by Russia's Supreme Court on 8 December 2009. These are the first Jehovah's Witness titles to be added to the Federal List.
- In what appears to be the first police sweep on Jehovah's Witness homes in post-Soviet Russia, three flats in the town of Tambov south-east of Moscow were raided on the morning of 17 March, Forum 18 News Service has learnt. At one, the six-hour search prevented the children – one of them an 8-year-old girl – from going to school, Jehovah's Witness press secretary Grigory Martynov told Forum 18 from St Petersburg on 19 March. Investigator Igor Avdeyev said the case is over the "fact of distribution by Jehovah's Witnesses of extremist material", but "at present it is not against specific individuals."
- The September 2009 Rostov-on-Don decision also dissolved the local Jehovah's Witness organisation in Taganrog... bailiffs evicted Jehovah's Witnesses from and sealed the Taganrog organisation's Kingdom Hall – confiscated by the

- Rostov-on-Don ruling – on 1 March. Numbering up to 800 and previously using the Hall in groups of up to 100, according to Jehovah's Witness press secretary Martynov, the congregation is now being refused rented premises throughout Taganrog due to the ban, Zhenkov told Forum 18.
- In what Jehovah's Witnesses say is the first official order in post-Soviet Russia to confiscate and destroy their literature, Magistrate Sergei Bondarev of Tuapse District (Krasnodar Region) has fined Sevak Mesropyan and Artem Zograbyan a total of 3,000 Roubles (604 Norwegian Kroner, 76 Euros or 102 US Dollars) for "production and distribution of extremist material" (Article 20.29 of the Administrative Violations Code). Viewed by Forum 18, Bondarev's 12 March rulings note that when the pair were stopped by police while driving through the settlement of Messazhai on the morning of 11 March, "material of an extremist nature" was discovered in the boot of Mesropyan's car. Mesropyan argued that he did not know the 71 items of literature he was carrying – copies of the book "Come Be My Follower", according to Jehovah's Witness press secretary Grigory Martynov – had been declared extremist, while Zograbyan denied personal connection with the literature. The magistrate rejected their arguments, however, and ordered the literature be "confiscated and destroyed".

But the recent crackdown on religions has been wide-ranging. Here are highlights from Forum 18 reports listed below:

- ...a raid on a Pentecostal service at a private house... The disruption of Word of God Church's Christmas service in the town of Argayash involved local police and district officials from the Emergencies and Youth departments.
- A Pentecostal Bible Centre in Chuvashia was dissolved for unlicensed educational activity in August 2007 and has subsequently sent an appeal to the ECHR.
- In the Siberian republic of Khakassia, Glorification Pentecostal Church was forced to demolish its prayer hall in June 2007.
- The secondary school attached to Glorification Pentecostal Church in Abakan (Khakassia Republic) was closed this year due to fire safety violations which the church disputes.
- In January 2008, FSB officers broke up an Embassy of God Bible School graduation ceremony in Tolyatti (Samara Region), claiming that the church requires a licence for educational activity.

- In another case, a small Methodist church in Belgorod Region was dissolved by court order in February 2008 for failing to file a report about its annual activities on time.
- In March 2008, Smolensk Regional Court dissolved Smolensk United Methodist Church for running a Sunday school – which has only four pupils – for not having an education licence. Quashing Smolensk Regional Court's verdict in a landmark 10 June 2008 ruling, Russia's Supreme Court determined that a licence is required for educational activity if "accompanied by confirmation that the student has attained levels of education prescribed by the state."
- A yeshiva (Jewish school) which the Moscow city authorities announced in March 2008 would be dissolved, for not having an educational licence, now hopes that it will legally be able to continue its activity as "teaching".
- In June 2008, a Moscow district public prosecutor issued an extremism warning to a local Baptist pastor without specifying its grounds for doing so.
- A total of 56 major religious organisations spanning confessions broadly considered mainstream in Russia were earmarked for court liquidation because the Justice Ministry claims not to have received their accounts... Old Believer, Armenian Apostolic, Catholic, Protestant, Nestorian, Muslim and Buddhist organisations are among those on the list.
- Police in the town of Kaluga south-west of the Russian capital Moscow raided the Sunday morning service of St George's Lutheran congregation. Pastor Martyshenko told Forum 18 that eleven police officers armed with automatic weapons and accompanied by police dogs burst into the service, looking for alleged "extremist literature." "Our explanations that the Bible and books of the [Lutheran] Augsburg Confession have nothing to do with extremist literature didn't seem to convince them," he told Forum 18 from Kaluga on 12 March. Pastor Martyshenko of the Evangelical Lutheran Church of the Augsburg Confession in Russia told Forum 18 that when the armed officers burst in, they blocked the church doors to prevent anyone leaving or entering. Pastor Martyshenko said the police checked the only literature present at the church – Bibles and hymnbooks – as they hunted for the alleged extremist literature.
- Two Baptist congregations in the regional centre of Lipetsk (approximately 400km south-east of Moscow) have lost their legal status and a third has lost its rented prayer house. "There's been nothing like this in Lipetsk for 20 years," Vladimir Boyev, pastor of one of the congregations, exclaimed to Forum 18 News Service. "They're taking the last of what we have!" The state's methods may not be those of the Soviet period, when religious believers could end up

in prison, Pastor Boyev admitted. "But they have found a different way – a bureaucratic way – to put our Church in a terrible position," he pointed out to Forum 18. "We are defenceless!"

- Two Baptist preachers in Russia's Baltic Sea exclave of Kaliningrad have been fined after their community "sang psalms and spoke about Christ" in the street...
- In the wake of a September Justice Ministry list of 22 religious organisations whose liquidation the Ministry has sought through the courts, the seminary attached to the Emmanuel Pentecostal Church in Solntsevo on the outskirts of Moscow has voiced concern. According to the Justice Ministry's 29 October 2008 suit to dissolve Emmanuel's seminary, it is breaking the law by operating without an education licence.

Conclusion

Religious organizations have been the target of systematic religious repression and discrimination by Russian authorities in contravention of OSCE Accords and international human rights law which Russia is obliged to follow.