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Orthodox bishop attacks Mormons

Portal-Credo (28.12.2012) - Answers by Metropolitan of Voronezh and Blarisoglebsk Sergei of RPTsMP to readers' questions were published on 28 December in the weekly "AiF--Chernozemie" in its last issue of the past year. As the editorial commentary notes, "for a whole month the editorial offices of AiF--Chernozemie have been receiving telephone calls and letters. We posed the most interesting of them to the metropolitan."

The writer of one of the questions was interested in "the church's attitude" toward Mormons. The bishop began his answer to him simply: "I will say directly—it is a totalitarian sect." Metropolitan Sergei said "members of the organization lead a rather closed way of life" and "they enter into conflict with Russian legislation."

Detailing his statement, Sergei declared that Mormons "practice polygamy" while they officially call themselves the Church of Jesus Christ of Latter-Day Saints. Then the head of

the diocese stated that he does not advise multiplying the ranks "of this sect" and he urged treating it critically.

He said "all sects offer a very short path to God, without spiritual labor and good works." Metropolitan Sergei maintains that "sects say it is enough to believe and you will be saved by faith and you can conduct any lifestyle."

At present, the Church of Jesus Christ of Latter-Day Saints is the main denomination among various branches of the religious movement that has as its source the teachings of Joseph Smith (1805-1844). Smith wrote the Book of Mormon, which Mormons are convinced is a revelation, Portal-credo.ru recalls.

Back in the nineteenth century the Church of Jesus Christ of Latter-Day Saints changed its attitude toward polygamy, acknowledging that the only form of marriage permitted to its adherents is monogamy. This decision was made by the leadership of the religious community in the region of the Great Salt Lake in order to permit normalization of relations of the new for the time American church with the federal government of USA, which subsequently led to the creation of the separate state of Utah, most of whose population at the time was Mormon settlers and local Indians. Originally, for doctrinal reasons, Mormons viewed Indians as objects of their evangelism; according to Joseph Smith's teaching, Indians were descendents of ancient Hebrews who resettled on the American continent back in Old Testament times.

Polygamy continues to be practiced by only the extremist varieties of Mormons, who have no adherents inside Russia. From time to time polygamist Mormons, who are not organizationally associated with the Church of Jesus Christ of Latter-Day Saints, have become figures in criminal cases taken up by American courts. (tr. by PDS, posted 5 January 2013)

More than year of harassment of Chuvash Jehovah's Witnesses

Portal Credo (27.12.2012) - On 6 December 2012 a criminal case against ten Jehovah's Witnesses was closed because of lack of evidence of a crime. They were granted the right to rehabilitation and compensation for damages associated with criminal prosecution.

Who was affected by the criminal prosecution for faith in Chuvashia, and how?

A massive operation against Jehovah's Witnesses was conducted on 7 September 2011 in the cities of Cheboksary, Kanash, Novocheboksarsk, and Ivanovo. Almost simultaneously, eleven searches in homes and houses of worship of Jehovah's Witnesses were conducted. Worship services were interrupted. Law enforcement officers armed with clubs and firearms, working in groups of up to eleven persons, used force to break into buildings, block exits, and shove believers, including minors, into police vehicles. Personal searches of people attending services were conducted, followed by confiscation of religious literature belonging to them. During the searches in residences also seized were computers, other personal items, and cash. Believers also were subjected to involuntary photographing and finger printing. Some believers were detained for two days.

On 8 September 2011 two other searches were conducted in Cheboksary in residences of the Jehovah's Witnesses V. Goncharov and R. Yalandaev. During the searches, the believers'

religious literature, computers, and other personal items were seized.

On 19 September 2011, a search was conducted in the apartment of Jehovah's Witness R. Vasilev in Cheboksary. Nothing was confiscated during the search.

On 22 September 2011, a search in the apartment of Jehovah's Witness N. Nesterova was conducted in Cheboksary. A computer processor was confiscated.

On 10 February 2012, searches were conducted one after the other in the apartments of Jehovah's Witnesses F. Bobrova and M. Ermakov in the city of Alatyry.

On 6 March 2012 a search was conducted in the home of Jehovah's Witness A. Martynov in the village of Pervomaisk. During the search, no "extremist materials" were found and nothing was confiscated.

On 16 March 2012, during three searches in Jehovah's Witnesses' apartments of the Laborin family, Yu. Demidova, and 71-year-old I. Korneva in Novocheboksarsk, all religious literature including Bibles was confiscated.

On 26 July 2012, Jehovah's Witnesses Igor Efimov, Andrei Martynov, Aleksei Nikolaev, and Andrei Nikolaev were arrested in the cities of Alatyry, Novocheboksarsk, and Cheboksary. Two were arrested at home, a third at his workplace, and a fourth in the office of the investigator to which he had been summoned.

On 30 July 2012 two of the four believers (Andrei Nikolaev and Andrei Martynov) were released after five days of incarceration in a detention cell.

On 10 September 2012 the Supreme Court of the Chuvash republic released two Jehovah's Witnesses, Aleksei Nikolaev and Igor Efimov, who had been unjustly held in detention for 46 days.

On 6 December 2012 a criminal case was closed because of lack of evidence of a crime.

Information: Just a bit fewer than 1,000 Jehovah's Witnesses live in Chuvashia, and worship services of this religion in the republic are attended by more than 2,000 persons. There are Jehovah's Witnesses religious groups in Alatyry, Vurnary, Kanash, Novocheboksarsk, Cheboksary, and Shumerlya. (tr. by PDS, posted 5 January 2013)

Religious radicals in Tatarstan urge their coreligionists not to celebrate the New Year

Interfax (28.12.2012) - Radical Muslims have launched a campaign against celebrating the New Year at the streets of Kazan.

Interfax - They consider harmful not only the tradition of celebrating the New Year on the night from December 31 to January 1, but also everything accompanying the celebration: the Father Frost, the Snow Maid and parties, the *Nezavisimaya Gazeta* daily reports.

Radical Tatar nationalists also share anti-New Year propaganda and urge to spend

December 31 as an ordinary day: not to drink vodka as Russians do and better earn money driving home drunk kaferr (unfaithful), who celebrate "their dirty feast."

Opponents of one of the country's main secular feasts are inspired by Caucasus preachers, in particular, Abu Umar Sasitlinsky - "Doctor of the Shariah Studies" and one of the most popular Salafi preachers in Dagestan. Abu Umar's video where he compares people celebrating the New Year to monkeys is available free in one the most popular groups in a social net that unites radical Muslims of Kazan.

According to the head of the Volga Center on Regional and Ethnic-Religious Studies of the Russian Strategic Research Institute Rais Suleimanov, Islamists strive to change usual for Tatars calendar life.

"Eventually, we face the situation when Islamists place announcements in the city saying that the New Year is a shirk (which means manifestation of polytheism) and in the Net extremists urge not to decorate Christmas trees. There are precedents when directors-Muslims in some companies demand that their subordinates, including non-Muslims, should not decorate their office desks with New Year symbols," the expert writes.

Why is Falun Gong literature banned?

Forum 18 News Service (14.12.2012) - Russian Falun Gong practitioners submitted a complaint to the European Court of Human Rights (ECtHR) in Strasbourg in May 2012 after their core spiritual text was ruled "extremist", Mikhail Sinitsyn, Falun Gong practitioner and lawyer, told Forum 18 News Service from the southern city of Krasnodar on 27 November. "We thought our case was so obvious that we could rely on our own courts, but it turned out not to be a legal issue but a political one."

Falun Gong is an Eastern spiritual practice popular in China since the early 1990s. The Chinese authorities at first regarded it positively, but the movement's growing influence led to a harsh Chinese state crackdown on practitioners from 1999. Once material is on the Russian Federal List of Extremist Materials, which can happen after a single local lower court decision, it is banned throughout Russia and its possessors are liable to criminal prosecution.

As with repeated refusals to grant a visa to the Dalai Lama, Russia's restrictions on Falun Gong appear to be aimed at pleasing China.

Falun Gong practitioners' attempts to prevent their material from being ruled "extremist" in Russia have much in common with those of Hare Krishna devotees, Jehovah's Witnesses, Muslims and even ardent secularists and the Pussy Riot group, Forum 18 notes.

Supreme Court

On 4 July Russia's Supreme Court refused to consider at supervisory level a complaint over the ban on Falun Gong literature brought by practitioner Sergei Alekhin, the Court's website confirms. Consideration of a supporting complaint from Russia's Human Rights Ombudsperson Vladimir Lukin was likewise rejected on 5 July. The telephone of Mikhail Odintsov, the official in the Human Rights Ombudsperson's office dealing with freedom of conscience issues, went unanswered on 13 December.

One final legal remedy exists within Russia, a spokesperson at the Supreme Court told Forum 18 on 10 December. "They can of course complain to the Vice-chair of the Supreme Court, but they have missed the deadline and would have to get it restored." The spokesperson declined to discuss details of the case, adding that media enquiries for information about it should be submitted to the Court by the ordinary postal service only.

Sinitsyn, however, explained to Forum 18 that the Falun Gong practitioners earlier decided not to pursue their case further within Russia as legal grounds were already sufficient to turn to the European Court.

Four banned texts

The European Court complaint – yet to be allocated an application number – follows an almost four-year legal battle in Russia. Practitioners turned to the ECtHR once their April 2012 Russian cassation appeal failed to overturn a local ruling upholding the addition of four Falun Gong texts to the Federal List of Extremist Materials, Sinitsyn told Forum 18.

The four titles are on the Federal List at Nos. 296-299. All were ruled "extremist" by Krasnodar's Pervomaisky District Court on 27 October 2011 and confirmed as such by Krasnodar Regional Court on 22 December 2011. The four are Russian translations of "Zhuan Falun" by Falun Gong founder Li Hongzhi, "Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China" by David Matas and David Kilgour, "Falun Dafa Around the World" and "Global Human Rights Torch Relay".

"Zhuan Falun" is a core text for Falun Gong practitioners. Dated January 2006, it consists of nine lectures in which Li Hongzhi emphasises that Truth, Compassion and Endurance are essential qualities for spiritual progress: "We can only advise people (..) to value virtues, do good deeds, and be kind. One should conduct oneself this way in everything and under all circumstances."

The text states that successful practice may generate paranormal abilities such as clairvoyance and levitation, but Li adds that these abilities must not be used negatively: "Nobody is allowed to casually undermine the state of our ordinary human society." Violence and even animosity are rejected: "People compete with, deceive, and harm each other for a little personal gain. All of these mentalities must be given up."

The authors of "Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China", David Matas and David Kilgour, are respectively a Canadian human rights lawyer and a former member of Canada's parliament. Their July 2006 report investigates whether Chinese state representatives have harvested organs for transplant operations from live Falun Gong practitioners, "killing the practitioners in the process".

Noting that China rejects this allegation, Matas and Kilgour conclude that credible circumstantial - if not direct - evidence exists to support it. This includes a large and unexplained increase in organ transplants in China in the 2000-05 period since mass detentions of Falun Gong practitioners began; confirmation of the practice by personnel at 13 hospitals and detention centres across China when telephoned during 2006 by callers posing as interested in acquiring organs; and waiting times for organs in 2006 being a few weeks in China rather than several years in Canada, "suggesting a large bank of 'living' donors".

"Falun Dafa Around the World" is a newspaper still produced by Falun Gong in Ukraine. As the Federal List of Extremist Materials does not specify an edition or article, Forum 18 is unable to identify the particular text ruled extremist.

The web version of "Global Human Rights Torch Relay" is a short text announcing an international torch relay in the run-up to the 2008 Beijing Olympics to highlight human rights abuses in China.

First trial

The Russian Supreme Court's July 2012 refusals to consider complaints about the addition of the four Falun Gong texts to the Federal List of Extremist Materials relate to Pervomaisky District Court's October 2011 ruling.

However, the titles were first ruled "extremist" by Pervomaisky District Court on 26 August 2008. The case was brought by Krasnodar Regional Public Prosecutor's Office due to their distribution "by unidentified persons" in a Krasnodar public park, according to the verdict seen by Forum 18. The extremism ruling relies upon two "expert analyses" commissioned by the Court, which have been seen by Forum 18.

British baroness extremist?

According to the 20 June 2008 "analysis" by philologist Alla Bogomaz, the texts contain statements "arousing enmity and dislike" towards non-adherents of Falun Gong and "proclaiming superiority and exclusivity" of Falun Gong members over them. Bogomaz primarily sees this in Li's description of non-Falun Gong practitioners as "ordinary" people, as in: "Because of contamination from the powerful current or big dye vat of ordinary human society, the things that people consider correct are, actually, often wrong."

The context of such statements is omitted, however; in this case, clarification of what most "ordinary" people consider correct: "Doesn't everyone want to live a good life? Desiring a good life may (..) lead to bullying and harming others."

Bogomaz also concludes that "Global Human Rights Torch Relay" contains "incitement of hostile acts against the Chinese authorities". This, she identifies, is a statement by Baroness Caroline Cox, a member of the British House of Lords: "Through calling for a boycott of the Beijing Olympics, we can put an end to the persecution soon, and safeguard the Olympic spirit and human dignity."

Buddhist symbol = Nazi symbol?

Bogomaz acknowledges Li Hongzhi's explanation in "Zhuan Falun" that the swastika is a traditional Buddhist symbol, and that Falun Gong's use of it has nothing to do with Nazi symbolism. (Forum 18 further notes that Falun Gong's symbol points in the opposite direction to the Nazi symbol). The issue is examined because propaganda or public display of Nazi symbolism, including symbols sufficiently similar to be so identified, is one of the 2002 Extremism Law's definitions of extremism (Article 1).

Pervomaisky District Court was partially persuaded to determine the texts "extremist" by the conclusion of psychologist Albina Rogoza's 30 June 2008 "expert analysis". This claimed that citizens could confuse Falun Gong's symbol with the Nazi swastika if they do not have

"special knowledge in the spheres of religion, history, culture and art", and are not familiarised beforehand with the accompanying Falun Gong texts.

Expert source tried to ban Harry Potter as "extremist"

On commissioning their analyses, Krasnodar Public Prosecutor's Office supplied both Bogomaz and Rogoza with Tamara Kvitkovskaya's 2008 brochure "Falun Gong - Cult of Hatred". Kvitkovskaya is an Orthodox activist who has repeatedly appealed to prosecutors to ban material as "extremist". This includes such material as JK Rowling's "Harry Potter and the Chamber of Secrets" (unsuccessfully) and Aleksandr Savko's graphic artwork depicting Mickey Mouse in the role of Jesus in the New Testament scene of the Sermon on the Mount (successfully), Nezavisimaya Gazeta newspaper reported in July 2012. Savko's Mickey Mouse work is No. 1271 on the Federal List of Extremist Materials.

The web version of "Falun Gong - Cult of Hatred" identifies Kvitkovskaya as editor. Its authors are Mikhail Kuznetsov and Igor Ponkin, long-time lobbyists for aims shared by the Russian Orthodox Church, particularly restrictions on "sects". The pair were recently prominent on the side of the prosecution in the trial of three members of feminist art collective Pussy Riot. In "Falun Gong – Cult of Hatred" Kuznetsov and Ponkin argue that Falun Gong is an "extremist sect" that should be banned.

Elements of their criticism are echoed in Bogomaz's "expert analysis" – including the conclusion and out-of-context supporting quotation cited above, claiming that Falun Gong members view themselves as superior to non-members.

First appeal

No Falun Gong representatives were invited to the 2008 trial where Bogomaz and Rogoza's analyses secured a ban. "It turned out that the literature was the accused, and the literature can't defend itself," Moscow-based Falun Gong practitioner Juliana Kim remarked to Forum 18 on 15 November.

Noticing in January 2009 that the four texts had been added to the Federal List of Extremist Materials in December 2008, Falun Gong practitioners asked Pervomaisky District Court to restore the possibility of appeal against its August 2008 extremism ruling. They succeeded in securing the right of appeal on 4 March 2009, and won a rare victory against an extremism ruling on 28 April 2009, when their appeal was granted by Krasnodar Regional Court. Seen by Forum 18, the Regional Court's verdict struck down that of Pervomaisky District Court as "premature and unfounded" for relying upon "one-sided expert conclusions". The verdict also ordered a retrial.

State pressure for a ban continued, however. Even after the Regional Court ruling and despite repeated requests from Falun Gong representatives, the four texts were never removed from the Federal List of Extremist Materials, Sinitsyn told Forum 18. In a 9 June 2009 response seen by Forum 18, the Justice Ministry maintained it could not remove the titles from the List until it had received "a final court decision that has entered legal force" - even though the 28 April 2009 Regional Court decision entered legal force on the same day it was issued.

Second trial

Despite the Regional Court's rejection of Bogomaz and Rogoza's analyses as "unfounded" and "one-sided", Pervomaisky District Court once again ruled the four Falun Gong texts "extremist" on 27 October 2011 because they "complemented rather than contradicted" its newly commissioned analysis. Krasnodar Regional Public Prosecutor's Office was again permitted to select "experts" for the analysis despite objections from Sinitsyn, whose suggestions of alternative names were rejected as biased.

The "experts" this time were philosopher Sergei Astapov and psychologist Sergei Shipshin, who produced the "analysis" that resulted in 34 Jehovah's Witness publications being ruled "extremist" by Rostov-on-Don Regional Court on 11 September 2009. That analysis considered "extremist" statements such as "True Christians do not venerate icons, crosses or statues" and "Many common festivals are linked to false religion. One of them is Christmas", as well as a quotation from Leo Tolstoy.

Seen by Forum 18, Pervomaisky District Court's October 2011 ruling cites the key findings in Astapov and Shipshin's 30 September 2011 "analysis" of the Falun Gong texts. According to Astapov, "Zhuan Falun" contains "statements expressing a negative evaluation, hostile attitude towards concrete religious groups and religious-philosophical trends". No examples are given, however.

According to Shipshin, "Zhuan Falun" makes possible "a restructuring of the reader's picture of the world", "lowers the criticality of perception of the information received by using a large amount of incomprehensible and ambiguous non-traditional concepts" and "makes various schools of qigong ("tsigun" in Russian), Buddhism and other Eastern religions the object of criticism and stigmatisation (labelling)." No examples are given.

Astapov and Shipshin both maintain that the swastika symbol in "Zhuan Falun" is sufficiently similar to Nazi symbolism to be identified with it.

Forum 18 notes that "Zhuan Falun" frequently criticises some practitioners of qi gong and Daoism for using spiritual powers for material gain. The work claims Falun Gong to be a more advanced method of self-improvement than Buddhism, but does not call for any form of harm to people who do not practise Falun Gong. The strictly voluntary nature of Falun Gong practice is also emphasised: "Here, we teach everyone to follow the righteous way (..) to let you become enlightened on your own. (..) Nobody will force you or make you practice."

An expert's view

Declining to discuss the specific Falun Gong case with Forum 18 on 13 December, Sergei Shipshin said he was unfamiliar with the final court decision. "I do not follow whether or why they add texts to the List [of Extremist Materials]."

According to its website, the Southern Regional Centre for Court Expert Analysis where he works is a state institution belonging to the Justice Ministry. However, "we are independent experts", Shipshin insisted to Forum 18. "We bear no relation to the court, the investigators or the Public Prosecutor's Office". He also maintained that there was no particular reason why he was chosen to conduct analysis: "There are very many such experts – a different government expert or a non-government expert could have done it."

During the criminal trial of Jehovah's Witness Aleksandr Kalistratov on "extremism" charges, a contract for a "judicial expert analysis" revealed that it had been prepared by the

Prosecutor's Office without informing the court. The contract also made it clear that if the conclusions of "expert analysis" are "undesirable for the Prosecutor's Office", it will retain the right to seek a further analysis or choose new "experts".

Shipshin also stressed that experts do not determine whether or not a text is "extremist". "The court decides that, we fulfil quite different tasks, for example, whether these texts can form negative attitudes towards certain groups of people on the basis of their religion, race, nationality or social group."□ Asked whether it was possible to determine whether a text could influence a person's psyche in this way, he maintained it was possible "in certain cases".

Shipshin then pointed out that an expert's conclusion is "just one of many pieces of evidence in a case, not every conclusion lies at the foundation of a court's decision".□ When Forum 18 pointed out that in this - and many other - "extremism" cases court decisions do rely solely upon expert analyses, Shipshin again responded that he was unfamiliar with the particular court decision.

Another "expert", Aleksey Gorbатов, similarly told Forum 18 that he "can't be an expert on every single faith" when asked about his role in providing an "expert analysis" during an attempt to ban the most important text for Hare Krishna devotees, the Bhagavad-Gita As it Is.

Second appeal

While noting Falun Gong practitioners' objections that Astapov and Shipshin's conclusions regarding the swastika were provisional, Krasnodar Regional Court rejected their appeal on 22 December 2011. Failure to overturn this decision in early 2012 led to the appeal to the European Court.

Extraordinarily, the Regional Court ruling directly contradicts its own, 28 April 2009 decision in Falun Gong's favour, Forum 18 notes. Whereas the first decision rejected Bogomaz and Rogoza's analyses as "unfounded" and "one-sided", the second ruling supports Astapov and Shipshin's conclusions precisely because they "confirm the conclusions" offered by Bogomaz and Rogoza.

Russia's anti-Mormon campaign

An influential young pro-Kremlin politician is trying to get the Latter-day Saints banned from the country.

The Daily Beast (11.12.2012) - Yekaterina Steniakina is one of Russia's young politicians, the leader of the influential pro-Kremlin movement called the Youth Guards. She has dyed blonde hair and a forceful voice, and she's determined to change many things about the present state of her country starting with the Mormons.

Ms Steniakina is leading the charge to change Russia's legislation and ban Mormon missionaries from the nation. Though the number of Mormons living inside the country is small around 400 foreign missionaries and 21,000 registered members at last count they are a relatively visible presence in Russia's larger cities. The missionaries hand out the Book of

Mormon to those who might be interested, give free English lessons, and spend three hours a day cleaning public places or helping people around their homes.

Ms Steniakina, who says the Latter-day Saints are a "totalitarian cult" sent by the FBI and the CIA "to fool and covert" unwitting Russians, is making her anti-Mormon campaign her top priority for the next political season.

Specifically, she's agitating to add language that would ban "the West [from converting] our citizens into non-traditional religions" ie anything other than Orthodox Christianity, Islam, Judaism and Buddhism. She already has a seat in Moscow's city hall, and she is certain Russia's president Vladimir Putin will back her push, if it makes it all the way to the Duma.

It may not be such a hard sell. Last autumn, Mr Putin called on police to monitor "totalitarian sects" supposedly threatening Russia's internal security. At a meeting at his Novo-Ogarevo residence last October, he also hinted that religious groups might have less-than-holy motives for attracting members. "This is not just a hunt for souls," he intoned. "This is a hunt for people's property." Mr Putin's words set off a brief spate of right-wing hate demonstrations against Mormon missionaries. Three days after Mr Putin's speech, the youth wing of the ruling United Russia party sent hecklers to parade in the streets with placards proclaiming "Mormons, goodbye!" and "CIA hacks!" (The church complained to Russian prosecutors that the Youth Guards were violating freedom-of-religion laws, but a spokesman said the investigation has gone nowhere.). Ms Steniakina has also been known to tote around a large mock-up of an airline ticket one way from Moscow to Washington outside the church's headquarters in the capital.

Ms Steniakina's campaign is the first official attack on Mormons in the church's entire two-decade-long presence in Russia. Once, in the late 1990s, the church's followers were accused of being spies in some regional papers, but the furour quickly died down. Moscow's Latter-day Saints (LDS) leaders say they're not particularly surprised by the protests there are plenty of vocal critics back home in America, even in the LDS stronghold of Salt Lake City. They tend to see the backlash as part of a growing anti-American sentiment in Russia. "I think this is part of the general attack on American-funded NGOs we became victims of an anti-foreign-agent campaign," says Andrei Filimonov, the church's spokesman in Russia.

For her part, Ms Steniakina insists, "they do not deny their money is from the CIA or the FBI. Who else are they but foreign agents?" ("Of course we are neither agents nor spies," says Mr Filimonov. "We never speak to people about politics, our religion forbids that.").

In Ms Steniakina's zeal to oust the Mormons, she said she spent "a long time" studying the history of the LDS in Russia, and that she even sent one of her young colleagues to scout out the church's centre in Moscow. She also consulted with an official at the Russian Orthodox Church Alexander Dvorkin, who is responsible for "anti-cult activity" and says he confirmed to her that the Mormons were indeed a threat. (On his website and in a recent book, Dvorkin has called the Mormon church a "totalitarian sect" but says that "only a court can decide to disband it." LDS officials seem resigned to the fact that they're viewed with suspicion in Russia. "We offer our help to kindergartens or schools, but their directors say, 'No, thank you, we do not need any help from a sect,'" Mr Filimonov says.

He added that it's been an uphill battle winning new members in Russia, and said that the lack of credible information about the LDS mission was to blame for the church's stagnant membership figures in Russia over the past decade. Russian newspapers, he said, would only publish announcements of church meetings in exchange for money, which is not a practice the church engages in.

Rumours about the church are relatively common. Ms Steniakina repeats many of them, including the charge that the LDS has been inflating its membership numbers. "We heard that, in the 1990s, Mormons paid for access to the names of deceased people and baptized some of them so maybe most of their 21,000 activists are actually dead souls," she says.

A member of the church's administration in Moscow, Marina Kharlamova, clarified the practice: "Indeed, I can baptize members of my deceased family to unite my family, so all members are together," she says. "But we also believe that, for instance, my deceased grandmother, who is in heaven, has the right to decide whether she wants or does not want to join our church." Ms Steniakina says that, if her proposed legislation succeeds, she does not know where believers would go once she kicks the "American sect" out of Russia. But that's really not her problem. "It is time," she says, "for American Mormons to pack up their bags and leave."

China-led restrictions on Falun Gong

Forum 18 News Service (10.12.2012) -Russia has stepped up pressure on followers of the Chinese spiritual practice of Falun Gong in recent years, Forum 18 News Service notes, using literature bans, deportations and close surveillance to limit their activity. As with Moscow's long-standing refusal to allow a pastoral visit by the Dalai Lama to Russia's Buddhists, this seems intended to please Beijing.

Falun Gong is an Eastern spiritual practice popularised in China since the early 1990s by its founder, Li Hongzhi. It follows in the tradition of qi gong, a combination of meditative exercise and natural therapy widely and uncontroversially practised in China for fitness and health. Li's variant adds a strong moral-spiritual component, however; all thoughts and actions must harmonise with the universal principles of Truth, Compassion and Endurance. Although distinct from Buddhism, Falun Gong has that faith's same goal of spiritual enlightenment.

While the Chinese authorities long regarded Falun Gong positively, they launched a harsh state crackdown on practitioners from 1999.

Beijing has since claimed Falun Gong to be "an out-and-out evil cult" that "concocts a whole set of lies and heretical fallacies to deceive people", in the terms of a November 2003 statement issued by the Chinese Embassy in Australia.

Falun Gong practitioners maintain their movement's growing influence in fact led to the crackdown in China. "The Chinese Communist Party couldn't tolerate any other formations or leaders being popular," Moscow-based practitioner Juliana Kim told Forum 18 on 15 November. "Their ideology is built on struggle, the search for enemies – and here the enemy is yourself, your passions and weaknesses."

Who follows Falun Gong in Russia?

Kim's Moscow group includes a wide variety of ages and ethnicities, she told Forum 18. She herself is an ethnic Korean, native speaker of Russian who was raised in Uzbekistan, a destination for Koreans deported from the Russian Far East by Stalin in 1937.

Kim encountered Falun Gong eight years ago after becoming interested in Eastern mysticism through writers such as Helen Blavatsky and Nikolai Roerich, popular in Russia. The practice suited her because "I wanted to stay boss, and you don't have to be a member, donate money or follow rules," she told Forum 18. Initially anxious about falling into a "sect", she was "cautious until satisfied that practitioners aren't fixated or zombified."

Chinese pressure

Falun Gong practitioners in Russia believe they are harassed in order to satisfy Beijing. "Not wishing to quarrel with China, our government violates our Constitution, and our rights are violated," 59-year-old Yuri from Abakan (Khakassia republic, southern Siberia) commented to the website forum of Novaya Gazeta newspaper on 18 December 2011.

There is some evidence of this. Seen by Forum 18, on 9 September 2005 the Media Registration and Licensing Department within Russia's Culture Ministry rejected an application to register Falun Gong Today newspaper due to Article 8 of the 2001 China-Russia treaty "On Neighbourly Relations, Friendship and Co-operation". This provision bars signatories from "allowing the creation or activity on their territory of organisations or groups that harm the sovereignty, security or territorial integrity" of the other.

Buddhists affected

The same treaty – or China's position – have been repeatedly cited by Russia's Foreign Ministry as grounds for rejecting Buddhists' annual requests for a pastoral visit by the Dalai Lama of Tibet. This is despite Buddhism's informal status in Russia as a supposedly privileged "traditional" religion, Forum 18 notes.

Again refusing a visit in 2012, Deputy Head of the Foreign Ministry's Asia Department, Georgy Zinoviev, explained that the Dalai Lama's March 2011 announcement of his withdrawal from politics "has not led to any progress", while his more constructive dialogue with China's leadership "would allow His Holiness to make a trip to our country in the foreseeable future," the Russian-language website Save Tibet reported on 26 September.

Zinoviev refused to elaborate further on his late September letter to Russia's Buddhist organisations. "I set out everything I could in the letter to them," he told Forum 18 from the Foreign Ministry on 10 December. "If you have any further questions, you must send an official enquiry."

"I live in Russia, not China," monk Tenzin Chinba of the Association of Tuvan Buddhists told the website in response. "When a vital question for Russian Buddhists is being decided, why is it proposed that the 'negative evaluations' of the Chinese People's Republic should guide us?"

The Dalai Lama visited the Russian republic of Kalmykia for one day in 2004, but has not visited Russia's other traditionally Buddhist regions – Buryatia and Tuva – for 20 years.

Restrictions

Russia's Falun Gong practitioners admit they do not suffer severe restrictions as in China. "The fuss raised in Europe is holding the Russian authorities back," believes practitioner Juliana Kim. Specifying Falun Gong and the Jehovah's Witnesses, a 14 February 2012 European Parliament resolution expressed "deep concern about the misuse of anti-extremism legislation" against civil society organisations and religious minorities, as well as "the improper banning of their materials on grounds of extremism" (Resolution RC-B7-0052/2012, Point K.14).

Yet Moscow's comparatively relaxed attitude could also be due to the small number of active Falun Gong practitioners in Russia, Forum 18 notes. According to Kim, approximately 50 people attend weekly public meetings in Moscow, with other significant groups found in St Petersburg, Krasnodar, Rostov-on-Don and Irkutsk. Up to 400 gather for an annual conference near Moscow, she added. Approximately 20 people attend regular meetings of the Krasnodar group, its chair Mikhail Sinistyn told Forum 18 from that southern city on 27 November.

Literature ban

Falun Gong practitioners are under pressure, however. The harshest restriction is the inclusion of their core spiritual text "Zhuan Falun" on the Federal List of Extremist Materials (see forthcoming F18News article).

"It's like the Bible for Christians," Falun Gong practitioner Mikhail Sinitsyn explained to Forum 18. "We can't share it with others by publishing or distributing it. Naturally this decision also puts limitations on those who are interested and would like to practise."

A lawyer, Sinitsyn noted that people should be able to keep a single copy for personal use. Yet a single copy of "Zhuan Falun" was confiscated on 27 July 2012, when police detained four Falun Gong practitioners in the Pacific port of Vladivostok, the Falun Dafa Information Centre reported on 31 July. According to Juliana Kim, the interrogators were mainly concerned about whether the practitioners intended to demonstrate at or disrupt September's APEC (Asia-Pacific Economic Co-operation) summit, held in Vladivostok and with senior Chinese officials participating.

Falun Gong practitioners have removed "Zhuan Falun" from their Russian website to avoid its closure, Sinitsyn told Forum 18. While the title is still featured on foreign-hosted domains, he did not know how far Russian regions have succeeded in implementing restrictions on accessing them. On 6 June 2011 Samara's Industrial District Court ordered five internet providers on its territory to limit access to a website – redacted in the text of the ruling seen by Forum 18 – that featured "Zhuan Falun".

Similar court orders have targeted other religious literature controversially ruled extremist. Since early 2011, websites featuring writings by Said Nursi, an Islamic theologian from Turkey, have been blocked in Krasnoyarsk and Lipetsk regions. Since late 2011, access to Jehovah's Witness websites has been blocked by courts in Buryatia, Chuvashia and Mari El republics, Altai and Transbaikalian krais, Belgorod, Ivanovo, Kemerovo, Krasnodar and Lipetsk regions.

Surveillance

Despite the ban on "Zhuan Falun", Falun Gong practitioners are able to meet regularly to read and discuss the movement's literature. The Moscow group gathers at weekends at

premises belonging to a university whose administrators know its identity, Juliana Kim told Forum 18. Mikhail Sinitsyn said his Krasnodar group is small enough to meet in private homes.

Sinitsyn spoke to Forum 18 shortly after returning from a talk with officials of Krasnodar region's "E Centre", the section of the Department for Interior Affairs that deals with extremism. Falun Gong practitioners in the nearby cities of Novorossiisk and Korenovsk had been summoned for similar meetings at the same time, he noted. Yet while unusual, Sinitsyn did not find this troubling. Newly appointed officials "just wanted to know who we are," he explained to Forum 18.

During his conversation with them, they acknowledged that they do not view Falun Gong as a threat to society, Sinitsyn added, "but it seems there is some kind of pressure from above."

As with the recent detentions in Vladivostok, state harassment is more likely if the authorities expect Falun Gong practitioners to stage a public event critical of China's religion policy, according to Juliana Kim.

In September 2012 Russian blogger and Falun Gong practitioner "Analitik" reported that an organiser of this year's Falun Gong conference was telephoned by the FSB security police and asked to provide a list of participants, which the organiser refused to do. "Of course, this is rather strange – after all, the FSB have known us for 15 years (..) and nothing has happened in all that time to justify their concern in any way. They must just really love us."

Deportations

While that conference went ahead as planned from 15-18 September near Moscow, Kim told Forum 18 that two Ukrainian Falun Gong practitioners were barred from Russia when they tried to attend the event. Travelling by overnight bus from the Ukrainian capital, Kiev, Yevgeny Brug was removed at the border, while Alla Lavrinenko was detained for 24 hours at Moscow's Domodedovo Airport before being sent on a flight back to the Crimean city of Simferopol.

Brug did not receive any kind of document or explanation as to why he was being refused entry to Russia, he told Forum 18 from Kiev on 4 December. "They just said you're denied entry to the Russian Federation." Nor did he receive a stamp in his passport indicating that he had been barred.

In fact, Brug has not received any official confirmation on any of the several occasions he has been denied entry to Russia in the past six years, he told Forum 18 (he has also been admitted several times in the same period). The first refusal was in 2007, when Brug was already inside Russia and arrived at a Moscow railway station on his way to the annual Falun Gong conference. Stopped by police and informed that he was in the country illegally, he was ordered to leave, he told Forum 18.

Brug's post-conference plans to marry a Russian citizen (also a Falun Gong practitioner) in her hometown of Nizhny Novgorod had to be delayed and the location changed to Kiev, he added.

Brug is certain his Falun Gong connection is behind the travel ban. While living in Moscow in 2006, he was detained when reporting on a Falun Gong demonstration outside the Chinese Embassy and when attempting to take a train to St Petersburg with other Falun Gong practitioners before the G8 Summit, he told Forum 18. Police took his passport details on both occasions.

Like fellow Ukrainian citizen Brug, Alla Lavrinenko did not receive official confirmation on being refused entry to Russia on 13 September. Border guards at Moscow's Domodedovo Airport said she was on "a list of people refused entry" but added that they did not know why, she told Forum 18 on 4 December. When Lavrinenko asked for written confirmation of this, border guards refused, telling her that she would receive a full explanation from a Russian state representative as soon as she landed back in Simferopol. "But there was no Russian state representative in Simferopol Airport," she remarked to Forum 18.

On later telephoning the Russian Consulate in Simferopol, she was told they had nothing to do with the incident, she said, and advised to contact Domodedovo's Border Guard Service.

"Where did you get this number?" a representative of Domodedovo's Border Guard Service demanded as soon as Forum 18 explained that confirmation of the deportation of a female Ukrainian citizen was the reason for calling on 4 December. "All questions to the press service of the FSB!" he instructed, before ending the call.

A spokesperson at the FSB's press service told Forum 18 on 6 December that questions are only accepted in writing. By email the same day, Forum 18 asked for confirmation of Lavrinenko's deportation – and the grounds for it, if confirmed.

In early June 2009, a Moldovan Falun Gong practitioner whose passport details had been taken by FSB officers at the 2007 Moscow conference was also denied entry to Russia and returned to the Moldovan capital, Chisinau. "I didn't believe at the time that they would include us in their entry black list," the practitioner told Forum 18 soon after the entry denial. "In Moscow airport they put no stamp in my [Moldovan] passport, they simply drew up a document which they would not give me."

According to Juliana Kim, Russia's Falun Gong practitioners did not experience obstruction until 2007, when OMON riot police cordoned off the Moscow conference "as if we were extremists, terrorists". While heavy-handed restrictions are still rare, she pointed out that the public stigma of such actions is damaging in Russia as well as China. "For years under the communists people have been taught that if the state persecutes someone, there's a reason for it."

Religious survey

Mir No 18 (353) 2012 - The majority of Russians trust the Church and the Patriarch. 73% of people in Russia believe that presently the Russian Orthodox Church is playing a positive role in the public life, and only 2% of people disagree with them, according to the study carried out by the sociologists of the Foundation "Public Opinion" (FPO). 64% of Russians express their trust toward the Russian Church and 56% to Patriarch Cyril. 8% of respondents don't trust the Church and the Patriarch.

68% of respondents reported that they consider themselves to be Orthodox, 6% were Muslims, 1% of respondents belonged to other Christian denominations, while 20% did not consider themselves to be believers. 44% of respondents admitted that "as far as possible, they comply with certain requirements of the Church", 5% follow the church rules "strictly and faithfully", and 18% do not observe such rules at all.

Surrounded by Mormons

The other Russia (06.11.2012) - Not long ago, Vladimir Putin dropped a few words about the need to perfect control over totalitarian sects. This happened at a meeting with representatives from the Samarskaya region. One of those present complained to the president that these sects have broken loose entirely and that something needed to be done about them. Putin agreed that it was a problem and promised to deal with it on the federal level – stipulating, incidentally, that it was a subtle matter, since it dealt with freedom of religion.

The Public Chamber took up the president's remarks. A list had to be drawn up immediately of the ringleaders of these sects and turned over to the security services. At the same time, dubious religious organizations needed to be checked for signs of totalitarianism.

And Young Guard, which brings together all of United Russia's young supporters, decided not to waste any time and went straight to work. And now in Moscow and other Russian cities we already have pickets against Mormons, telling them to go back to their historical homeland in the US. Especially since they're not only a totalitarian sect, but also CIA agents. What is it that's behind this surge in the war on the "sectarian threat?"

This war didn't start yesterday. After the demise of the atheistic regime in Russia, missionaries and evangelicals of every imaginable persuasion poured in from all over the world. The Russian Orthodox Church, which has always insisted on its special position in the country, did not like this. Neither did this boundless pluralism suit the state, which wanted to bring order to the religious sphere in one fell swoop. As a result, Orthodox Christianity, Islam, Buddhism, and Judaism were officially declared to be traditional religions, and the rest were asked to stand aside.

That might've been all, but the Russian Orthodox Church thought that was too little. To try and win over people's souls by strictly religious means is a long, laborious process. It's much easier just to declare your competitors to be enemies of society and call on the government for help. So now we have this concept of "totalitarian sects." This has turned out to be quite a boon. For believers, a sect is a mob of heretics; for secularists, it's a group of intolerable fanatics. It's true that the word also has a scientific meaning used by religious sociologists. But this meaning is entirely destroyed with the added epithet of "totalitarian." As a result, it has become a label that can be thrown at competitors to accuse them of antisocial behavior.

This label is used widely by the anti-sect battle squads formed in the depths of the Russian Orthodox Church. It's easy to slap onto practically any religion or confession, since it was never scientifically specific.

As far as I can recall, the only things have been declared totalitarian sects are new religious movements and Protestant denominations that had success with their missionary efforts and formed competition for the Russian Orthodox Church.

Of all non-titular faiths, Catholics have managed to avoid this fate. But who knows – if it wasn't for the warm relationship between the Russian patriarch and the Vatican, maybe the Pope would also turn out to be the leader of a totalitarian sect.

This state of affairs suits the security agencies quite well. They don't need to break their skulls over who's a threat to society and who's not. They'll always have the list of "usual suspects" drawn up by the Orthodox anti-sect fighters. Among all those distinguished is also the well-staffed expert council on the Judicial Ministry. But what good does all this do for society?

We all know well that religion is not always a blessing. Sometimes it's a risky entity, and not only because religious radicalism is on the rise all over the world, Russia no exception. What are totalitarian sects most commonly accused of? That their charismatic leaders subjugate their disciples and twist them into knots. That is to say, they don't so much help them find God as draw them into a blind faith in the leaders themselves. But there's no reason to believe that misuse of spiritual authority and turning it into cruel authoritarianism is a problem that only comes from new religions. It's a common misfortune that not even the most respectable religions can guarantee against.

But when eloquent preachers pontificate about the coming end of the world and frighten the public, then it's not remotely important which religion is spreading the panic. The damage is the same.

Or take child-rearing. Sectarians, as a rule, are accused of crippling children, robbing them of joys of youth. But if we remember the orphanages of several certain Orthodox monasteries, such as **Bogolyubsky**, then it becomes clear that these foster children don't exactly have it any better. The children of devout believers run into identical problems, and they have nothing to do with what exactly their parents believe in. Neither are there confessional boundaries when it comes to the abuse of property. Those victims can be from any religion. What needs to be determined is whether they gave their property to a religious organization voluntarily or were forced into it by dishonest tricksters.

Law enforcement agencies should address these problems by relying on our civil and criminal codes. Making lists of leaders of nontraditional religious organizations and checking them for secret signs of totalitarianism isn't going to help. More likely, it's going to be a hindrance, since it replaces a concrete war against violations of the law with a war on ideologies. Aside from the fact that they'd be undercutting the principle of citizen equality before the law, regardless of religious conviction. However, this is the path that the authorities prefer to take. Sure, there isn't much benefit to society from any of this, but there is to the government, and it's not insignificant.

The fact of the matter is that a timely witch hunt is a tried and true method of drawing public attention away from urgent political and economic problems that the Kremlin doesn't have the strength to fix. A few words tossed around by the president at a meeting in Novo-Ogaryovo elicited an immediate response from the Public Chamber. And the loyal Young Guards are already striking against a totalitarian sect whose roots extend across the ocean. The fact that a Mormon has a decent chance of becoming president of the United States underlines the significance of the threat. The enemy is great and terrible – it's obvious why nothing in this country works out.

Translation by theotherrussia.org.

<http://www.theotherrussia.org/2012/11/08/surrounded-by-mormons/>

Authorities in Taganrog attempt to force Jehovah's Witnesses to renounce their faith

Criminal case against 17 believers

Office of General Counsel for JW (30.09.2012) - In the first case of its kind in modern Russia, on 31 May 2012 seventeen Jehovah's Witnesses in Taganrog were charged with organizing and participating in criminal activity merely for practicing their faith.

The alleged criminal activity was captured with video recordings—communal prayers and Bible readings of Jehovah's Witnesses are the basis for the criminal case. Secret service officials installed audio and video recording equipment in the rented facilities where Jehovah's Witnesses openly meet for worship. The result of the covert surveillance was reports from the Acting Chief of the FSB Directorate of Russia for the Rostov Region, S. V. Khitushko, and Senior Agent of the Police Department, Center for Conteracting Extremism, V. N. Barkov, to the Police Headquarters of the Russian Ministry of Internal Affairs for the South Federal Circuit.

Development of the Criminal Case

A ruling to initiate a criminal case against unidentified persons on the basis of Article 282.2(1) of the Criminal Code of the Russian Federation (organizing the activity of an extremist organization) was rendered on 5 August 2011. It was signed by the Deputy Chief of the Investigative Section of the Headquarters of the Ministry of Internal Affairs of Russia for the South Federal Circuit, V. V. Pustynnikov.

This investigation follows the decision of the Rostov Regional Court dated 11 September 2009 to liquidate the Local Taganrog Religious Organization of Jehovah's Witnesses as an extremist organization and to declare as extremist materials 34 of their religious publications. (Provided in supplement.) On 1 March 2010, their place of worship in Taganrog was confiscated. On 6 July 2011 the newspaper *Rossiyskaya Gazeta* included the Local Taganrog Religious Organization of Jehovah's Witnesses on the official "List of organizations and entities against which there is information concerning their affiliation with extremist activity and terrorism." (Provided in supplement.) The Rostov Regional Court decision of 11 September 2009 is currently part of a pending application before the European Court of Human Rights (ECHR).

On 25 August 2011, mass searches of 19 homes of Jehovah's Witnesses in Taganrog were conducted. Most of those whose homes were searched have no connection to the dissolved legal entity, but simply profess the religion of Jehovah's Witnesses. The authorities seized Bibles, other non-prohibited religious literature, video and audio discs, computers, personal photographs, and notes. The searches commenced at 6:00 a.m. and lasted between 8 to 11 hours. The home of Ivan and Anna Kumshats, aged 81 and 80, was searched. Anna is confined to a wheelchair. After the intrusion by the task force, Anna, traumatized by the events, could not even get out of bed.

A group of five investigators for especially important cases, along with FSB officers interrogated believers in an attempt to compile a list of all residents of Taganrog who are Jehovah's Witnesses. On 31 May 2012, seventeen residents of Taganrog, all Jehovah's Witnesses, received bills of indictment, signed by the Investigator for Especially Important Cases I. N. Bondarenko.

Indictments for Criminal Activity

Four men were accused of organizing a criminal community because they serve as congregation elders, conducting peaceful religious services. (See supplement for the Bill of Indictment of one congregation elder.) The remaining thirteen, including three women, were accused of participating in the activity of a criminal community—actually, attending religious services. This is the first attempt in several decades to hold someone criminally accountable for exercising their constitutional “right to profess individually or together with others any religion . . . to freely choose, possess, and disseminate religious and other views and act according to them” under Article 28 of the Constitution of the Russian Federation.

The authorities justify this action using the 11 September 2009 decision of the Rostov Regional Court. By means of criminal prosecutions, the authorities of the Rostov Region are attempting to force Jehovah’s

Witnesses to cease their activities and thereby renounce their faith. However, the Constitution of the Russian Federation declares that no one may be forced to reject his convictions.

According to the ruling of Inspector I. N. Bondarenko, all of the accused denied promoting the activity of the banned legal entity in Taganrog but said they “simply profess the religion of Jehovah’s Witnesses.”

The charges against the Taganrog believers are similar to those heard during proceedings against the Moscow Community of Jehovah’s Witnesses. The “criminal activity of the organized, extremist, criminal group”—according to the Taganrog ruling—is the same as charges already evaluated by the European Court of Human Rights (ECHR) in the case *Jehovah’s Witnesses of Moscow v Russia*, no. 302/02, 10 June 2010. Each charge against the Witnesses was refuted in the ECHR judgment. The judgment clearly stated that Russia was guilty of violating the Witnesses’ rights to freedom of religion and freedom of association under Articles 9 and 11 of the European Convention on Human Rights.—See supplement for summary of the ECHR judgment.

At the time of handing out the ruling to indict the 17 believers from Taganrog, Investigator I.N. Bondarenko, with no explanation, *dismissed the attorneys that the believers themselves had chosen* and that were rendering the believers legal aid during the investigative stage. Instead of those attorneys, *public defenders were appointed for 15 of the 17 accused, against the wishes of the accused themselves*. These actions of the investigative group are being appealed.

The criminal case against the 17 believers is expected to go to trial in the near future.

Jehovah’s Witnesses in Russia in 9/2009 - 5/2012: 1372 incidents, 1278 arrests, 136 searches, 17religious services disrupted

HRWF (12.11.2012) - Between 11 September 2009 and 12 May 2012 there have been 1,372 incidents where the rights of individual believers have been violated. Law enforcement officials have detained 1,278 believers, carried out 136 searches of homes and houses of worship, and disrupted 17 religious services. Individual citizens opposed to Jehovah’s Witnesses have committed 111 acts of violence against at least 208 Jehovah’s Witnesses and committed 85 acts of vandalism against their places of worship. The authorities have done little or nothing to prevent or to punish these criminal acts.

An initiative with broad implications was launched when the Russian Federation (RF) Prosecutor General's Office began misapplying the 2006 revised Law on Counteracting Extremist Activity and using it to repress the religious activities of Jehovah's Witnesses. As a result, a number of "extremism" cases have been initiated against Jehovah's Witnesses in various regions of Russia. The harassment of Jehovah's Witnesses is increasing dramatically since February 2009, as a result of an earlier directive from the RF Prosecutor General's Office ordering all regional prosecutors' offices to carry out investigations on their religious activities. The Ministry of Interior, the Federal Security Service (FSB), the Ministry of Justice, local police, and other governmental agencies were also instructed to assist with these investigations.

There are nearly 165,000 Jehovah's Witnesses in the Russian Federation, and approximately 2,500 congregations and groups. Jehovah's Witnesses have registered 407 local religious organizations in 72 regions throughout the Russian Federation.

'A totalitarian sect:' Youth group wants to kick Mormons out of Russia

Radio Free Europe (31.10.2012) - A pro-Kremlin youth organization in Russia has called for a ban on Mormons, whom it accused of pursuing "questionable activities" on behalf of "anti-Russian interests."

The Young Guard movement says it will hold a demonstration on November 1 outside the Moscow headquarters of the Church of Jesus Christ of Latter-Day Saints (LDS), the formal name of the Mormon Church.

It plans to present the LDS with a giant airplane ticket marked "Moscow-Washington" to show that Mormons "and their organization" should return to home to where they came from.

Similar protests are also scheduled outside Mormon missions in other cities, such as St. Petersburg, Samara, Novosibirsk, and Vladivostok.

The Young Guard defended the move on its website, describing the U.S.-based Mormon Church as a "totalitarian sect" whose missionaries seek to gather Russian intelligence and genealogical records.

Last week, President Vladimir Putin warned his fellow countrymen to be wary of the dangers posed by groups involved in "totalitarian activities" in Russia. He said such groups were now "growing like mushrooms" in the country.

Young Guard claimed that Mormon proselytizers had direct contact with the U.S. military while also ominously pointing out that "a certain proportion of young Mormons returning to the United States after missionary work...enter the service of the CIA and FBI."

For good measure, the Young Guards also warned that polygamy and pedophilia were a "widespread practice" in the Church of Latter-Day Saints.

The group also noted that Mitt Romney, the U.S. Republican presidential candidate, is a Mormon, and accused him of holding anti-Russian beliefs.

The Young Guard demonstrations are being held at a time when many foreign nongovernmental organizations are coming under increasing pressure in Russia because of a new legislation that brands them as "foreign agents."

There are believed to be more than 20,000 practicing Mormons in Russia, and the LDS opened its first official diocese or "stake" in Moscow in June 2011.

Russia Caucasus: Imam shot dead in Derbent, Dagestan

Attackers have shot dead an imam and two of his male relations, as they drove to a mosque in the Russian North Caucasus region of Dagestan.

BBC News (30.10.2012) - They were shot on their way to morning prayers, close to the imam's home in the Caspian Sea town of Derbent, law enforcement sources told reporters.

The cleric was named as Kalimulla Ibragimov, 49, who is said to have delivered sermons calling for peace.

Islamists have been blamed for attacks on moderate Muslims in the region.

Dagestan, a mainly Muslim region, has been gripped by an Islamist insurgency since 1999, when militants backed by fighters from neighbouring Chechnya launched an offensive against Russian control.

Three imams have been shot dead in the region since March, the Russian news website utro.ru reports.

Mr Ibragimov is said by Russian media to have been a "Salafist", a term used for Islamic radicals. Nonetheless, according to utro.ru, he "often gave sermons and made appeals for peace and Muslim unity".

The two other victims of the shooting, which occurred at around 06:30 (02:30 GMT), have been identified variously as Mr Ibragimov's sons, or one of his sons and his father. The killers escaped.

Pussy Riot member takes case to European Court

Voice of America (19.10.2012) - The only freed member of the anti-Kremlin all-female punk band Pussy Riot has filed a complaint with the European Court of Human Rights.

Yekaterina Samutsevich's lawyer, Irina Khrunova, said on Friday the complaint accuses Russia of violating Samutsevich's right to free speech and illegally detaining her during her six months in jail.

Khrunova says prison authorities deprived Samutsevich of food, liquids and sleep.

Last week, a Russian appeals court freed Samutsevich but upheld the two-year jail sentences of two other members of the band for an unsanctioned protest at a Moscow cathedral.

A judge suspended Samutsevich's sentence, saying guards threw her out of the cathedral before she could take part in the performance.

All three members were convicted in August of hooliganism motivated by religious hatred. They have argued their impromptu performance was political in nature and not an attack on religion.

The trio was arrested on the altar of Russia's most prominent Orthodox cathedral in January, after they called on the Virgin Mary to deliver them from Russian President Vladimir Putin.

Russian Prime Minister Dmitry Medvedev has said he thought the punishment was very strict. But Putin has said the court ruling was correct.

Russia head scarf ban: Putin opposes headscarves at Russian school

By Vladimir Isachenkov

Huffington Post (18.10.2012) - President Vladimir Putin spoke out Thursday against the wearing of headscarves in Russian schools in his first public comment on a potentially explosive issue.

Putin's statement follows a recent incident in Russia's southern region of Stavropol during which a school principal forbade girls from Muslim families from wearing headscarves to class. Their parents protested and the principal said she was threatened.

Asked to comment on the issue, Putin clearly voiced his opposition to headscarves at schools, saying that Russia is a secular state and must create equal conditions for all its citizens.

At the same time, Putin sought to calm passions raised by the dispute, saying that authorities must show a due respect to followers of all religions.

"We have a secular state, and we must proceed from that," Putin said at a meeting with supporters.

Other countries also have faced debate over the issue.

This month, police in Azerbaijan clashed with citizens protesting a ban on the wearing of headscarves in the mainly Muslim ex-Soviet nation's secondary schools.

In Europe, France and Belgium have banned the wearing of headscarves or face-covering Islamic veils in public, as have some towns in Spain and elsewhere.

Putin said Russia should learn from the decisions of such countries. "We must have a look at how such issues are solved by our neighbors in European countries, and all will become clear," he said.

An estimated 20 million of Russia's 143 million people are Muslims, and they make up the majority of the population in many regions, including the oil-rich province of Tatarstan and Bashkortostan, as well as Chechnya and neighboring provinces in the volatile North Caucasus.

Putin said that with Russian Orthodox believers making up a majority, any departure from secular rules in public life could eventually lead to the infringement on the rights of followers of other religions. "It would be better if all people feel equal," he added.

If the dispute over headscarves escalates in Russia, it could fuel tensions between the federal government and Chechnya and other Muslim-dominated provinces.

Chechnya's Kremlin-backed leader, Ramzan Kadyrov, has imposed a tight Islamic dress code on females. Girls and women are strongly advised to wear headscarves in public.

Kadyrov's feared black-clad security forces have used paintball guns, threats and insults against those failing to obey.

The Kremlin has relied on Kadyrov, the ruthless Chechen strongman leader, to stabilize the region after two separatist wars since 1994 and turned a blind eye to his campaign for enforcing Islamic rules as well as massive rights abuses.

Putin said Thursday that one possible way out of the headscarves dispute would be the introduction of school uniforms.

"The crime he is being accused of does not envisage the existence of victims"

Forum 18 (10.10.2012) - Russia has begun two separate criminal trials, on "extremism"-related charges, of Muslims who read the works of the late Turkish Muslim theologian Said Nursi, Forum 18 News Service notes. The trial of a man began in the southern Urals city of Orenburg on 24 September, with the sixth hearing due on 22 October, the Magistrate's Court told Forum 18. The trial of three women began in Chelyabinsk east of the Urals on 3 October and is due to resume on 26 November. Also, the criminal trial of a Jehovah's Witness in the southern Astrakhan Region has been adjourned.

Orenburg trial underway – eventually

The trial of Ramil Latypov began at Judicial Unit No.1 of Orenburg's Lenin District under Magistrate Igor Zherebyatev on 24 September, the Judicial Unit told Forum 18 on 10 October. Further hearings followed in late September and early October. The trial is due to resume on 22 October. He is being tried under Criminal Code Article 282.2, Part 1. Appearing in court for the prosecution is Aleksandr Koryakin, senior aide to Lenin District Prosecutor.

The case against the 25-year-old Latypov was launched in 2010, a year after he with other Muslim readers of Nursi's works was raided by Orenburg's Organised Crime Police and the FSB security service.

The case has been repeatedly transferred from one court to another after questions over the location of where his alleged "crimes" took place.

The case then arrived at Lenin District's Judicial Unit No. 4 on 11 September. However, the case was then handed to Magistrate Zherybyatev at Judicial Unit No. 1, as the Magistrate at Judicial Unit No. 4 is on leave.

"The crime he is being accused of does not envisage the existence of victims"

Yelena Akimova, spokesperson for Lenin District Prosecutor's Office, told Forum 18 from Orenburg on 10 October that she was unable to comment on the case as it is now in court. However, she vigorously refuted suggestions that Latypov is being punished for exercising his freedom of religion or belief.

Asked who had been the victims of Latypov's alleged "extremist" activity, Akimova said there had been no victims, and none were appearing at the trial. "The crime he is being accused of does not envisage the existence of victims," she told Forum 18. Asked to explain how a crime can be a crime if there are no victims, she responded: "I can't give you a commentary on the criminal law of the Russian Federation."

Chelyabinsk trial begins

The criminal trial of three Muslim women who read Nursi's works – Farida Ulmaskulova, Gulnaz Valeyeva and Venera Yuldasheva – began under Judge Lyubov Borzova at Chelyabinsk's Lenin District Court on 3 October. The trial is due to resume on 26 November, the Court website notes.

The three women are being tried under Criminal Code Article 282.2, Part 2 and Article 282, Part 1.

"Their lawyer twice appealed for the case to be returned for a re-examination because of the many violations by the investigation," local Muslims told Forum 18. "In particular, the so-called 'expert analysis' was done by people far from the theme of Islam and religion in general." The first request was rejected, but the second request to adjourn the hearing was accepted. "The prosecutor was obliged to agree."

The case was launched after raids in August 2011 – during the Muslim holy month of Ramadan – on a summer home in a village in Kurgan Region where Ulmaskulova was teaching Islam to seven girls. Almost simultaneously, Ulmaskulova's and Valeyeva's homes in Chelyabinsk were raided. Religious books and other items were also confiscated.

Trial to continue

The only Jehovah's Witness currently on trial on criminal charges is Yelena Grigoryeva. Her trial under Article 282, Part 1 began under Judge Aleksandr Shalaev at Akhtubinsk District Court in the southern Astrakhan Region on 28 February in a case that was launched in early 2011. On 25 April 2012 the Court ruled that another "expert analysis" of religious literature confiscated from her was needed.

The expert analysis was commissioned at the most recent hearing in the case, on 30 August, the court website notes. It gives no date for the resumption of the trial. However, Jehovah's Witnesses told Forum 18 they expect a resumption in late October or early November.

Long investigations, lengthy trials, but.

Despite long investigations and often lengthy trials – many of which involve the FSB security service and Police Anti-Extremism Centres – few cases on "extremism"-related charges against people exercising their freedom of religion or belief end with convictions, and even fewer with prison terms.

"Extremism"-related trials of 18 Muslim readers of Nursi's works and Jehovah's Witnesses are known to have been completed:

- Five (all Muslim readers of Nursi's works) ended with prison terms;
- Five (all Muslim readers of Nursi's works) ended with suspended sentences;
- Two (both Jehovah's Witnesses) ended with community service orders;
- Two (both Jehovah's Witnesses) ended in acquittals;
- and the trial of four (all Muslim readers of Nursi's works) ran out of time before any verdict was reached.

In the second of the two acquittals, Prosecutors failed to overturn the acquittal of Jehovah's Witness Maksim Kalinin. On 10 October, Mari-El Supreme Court dismissed the prosecutor's appeal and upheld the not-guilty verdict handed down by Yoshkar-Ola City Court on 20 July.

However, trials and investigations against Muslims and Jehovah's Witnesses for exercising their freedom of religion or belief continue.

Prosecutors frequently use the Code of Administrative Offences to punish people exercising freedom of religion or belief on "extremism"-related charges. But just as prosecutors face difficulties securing criminal prosecutions of people exercising freedom of religion or belief under the controversial Extremism Law, they also appear to face similar difficulties securing prosecutions under the Code of Administrative Offences.

Freed after 45 days

However, in Chuvashia in the central part of European Russia, Jehovah's Witnesses Igor Yefimov and Aleksei Nikolaev were freed from pre-trial detention on 10 September on the instruction of Chuvashia's Supreme Court. "Remarkably, even the Prosecutors appearing in court backed their release, as the investigation did not present enough proof supporting such a harsh detention measure," Jehovah's Witnesses told Forum 18 on 10 September.

But Yefimov and Nikolaev are two of five local Jehovah's Witnesses who still face "extremism" criminal charges. The five had been detained on 26 July together with two other local Jehovah's Witnesses. All face criminal prosecution under Criminal Code Article 282, Part 2 (c); Article 282.1, Part 1; and Article 282.1, Part 2.

The investigation against the five is being led by Aleksandr Sotnikov, Investigator for Especially Important Cases. "The investigation is continuing, evidence is being collected," he told Forum 18 from Cheboksary on 10 October. He declined to discuss whether there had

been any victims of the five Jehovah's Witnesses' activity. He said he was unable to say when the investigation is likely to be complete. Asked why the investigation had sought the continued pre-trial detention of two of Yefimov and Aleksei Nikolaev, Sotnikov said he was very busy and put the phone down.

Criminal Code Articles

Article 282, Part 1 ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or through the media") carries a maximum punishment of two years' imprisonment.

Article 282, Part 2 (c) ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity conducted by an organised group") carries a maximum punishment of five years' imprisonment.

Article 282.1, Part 1 ("Creation or leadership of an extremist organisation") carries a maximum punishment of four years' imprisonment.

Article 282.1, Part 2 ("Participation in an extremist organisation") carries a maximum punishment of two 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") carries a maximum punishment of three years' imprisonment.

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") carries a maximum punishment of two years' imprisonment.

New rules on religion and military

Russian government has determined how clergy will "dodge" military service

By Eva Merkacheva

Moskovskii komsomolets (09.10.2012) - Young people of draft age have ceased to be refused clerical ordination because beginning 2013 priests will not be taken into the army. The government of RF recently approved the rules for granting deferment. According to these rules, the lists of those who should not bear arms must be drawn up three months in advance. That is, RPTs, the Chief Rabbinate of Russia, and other confessions are not able to do that before the autumn draft. MK discovered how priests, rabbis, and imams will "avoid" service.

"In February 2008 members of the clergy lost the right to deferment from the army," explained the deputy chairman of synodal Department for Relations with the Armed Forces of the Moscow patriarchate, Archpriest Sergii Privalov. "And a way out was found right away: they stopped ordaining as clergy people of draft age."

The Russian Orthodox Church admits that there were exceptions, of course. And if a young

man became a priest on the eve of the draft (by someone's negligence or other reasons), the bishops worked out an agreement with local draft boards and sometimes even by direct contact with the Ministry of Defense. But in July 2012, the president, by his own ukase, established the right to deferment for members of the clergy.

"Religious organizations must request deferment for their ministers three months before the start of the regular draft of citizens into military service," explained the staff of the White House. "This requires sending an official letter to the government of RF. To the request for granting deferment is attached a list of clergy. This includes not only surname, name, and patronymic and year and place of birth, but also education, clerical rank, position, and place of ministry. In all, 150 clergy will receive deferment each year. This quota is divided among the confessions. The final decision is made by the Commission on Matters of Religious Associations of the Russian government."

If a priest was given a deferment, he will be required each year (until reaching 27 years of age) in September to "register" with the military commissariat. He will be required to present a certificate confirming his ecclesiastical rank and the position that he occupies. Incidentally, for imams it must be more complicated as their activity is seen more as social work.

Curiously, students in ecclesiastical seminaries will, as before, be drafted into the army out of any classification. Some in the church generally believe that service in the army will do them good.

"After the Great Patriotic War, people who became priests were those who returned from the front," says Sergii Privalov. "Among them were people who had used weapons against the enemy and had wounded and killed them. But the church made the wise decision and they received leniency for ordination to the priesthood. As regards current draftees, by law they cannot be sent to 'hot spots' (mercenaries fight there). But the question of the use of weapons still is critical, say, during guard duty. So it would be better if priests in the army will serve strictly as pastors."

The government of the Russian federation also approved the rules for special training for army chaplains who engage in spiritual nurture of troops. In the future there will be about 300. They will be required to study the military code and to know many other details of military science. They also are forbidden to forcibly engage soldiers and officers in religious ceremonies in the army.

Article 20.29 causes 60-day community ban, fines, and bookshop closure

Forum 18 (11.10.2012) - In parallel with attempts by prosecutors to punish religious believers on "extremism"-related criminal charges, prosecutors often try to punish individuals, religious communities and bookshops under Article 20.29 of Russia's Code of Administrative Offences, Forum 18 News Service has found. Jehovah's Witnesses told Forum 18 their members and communities have faced 56 such prosecutions since the beginning of 2010, although fewer than a third end with a conviction. Muslims – particularly those who read the works of the late Turkish Muslim theologian Said Nursi - have also faced such prosecutions.

A court in Primorsky Region banned a Jehovah's Witness community for 60 days under Article 20.29, while a bookshop in Tolyatti was given a massive fine simply for having two copies of Muslim books which have controversially been banned as "extremist". Verdicts seen by Forum 18 often order confiscated religious literature which has been banned to be destroyed.

Jehovah's Witnesses and readers of Nursi's works are particular targets of anti-"extremism" raids and prosecutions. Numerous Jehovah's Witness publications and works by Nursi are among more than 100 bona fide religious publications banned through the courts and placed on the Justice Ministry's Federal List of Extremist Materials. Russia's Supreme Court has banned Nurdzhular, an organisation which Nursi readers insist does not exist.

After discovering "banned" religious literature, prosecutors can choose whether to use criminal or administrative charges. Three criminal trials of Nursi readers and a Jehovah's Witness on "extremism"-related charges are known to be underway, with further individuals facing criminal investigation.

Administrative charges

Article 20.29 was added to the Code of Administrative Offences in July 2007. The Article punishes "Production or distribution of extremist materials" with a fine of up to 3,000 Roubles (about three weeks' official minimum wage) or up to 15 days' detention for individuals and the confiscation of the materials. Organisations can be punished with a fine of between 50,000 and 100,000 Roubles or a ban of up to 90 days, as well as confiscation of the materials.

Jehovah's Witnesses told Forum 18 that the 56 such prosecutions since 2010 occurred in 26 of Russia's 83 regions, with the most – six cases – in Primorsky Territory in the Far East. A total of 36 attempts to prosecute their adherents occurred in 2010, of which ten resulted in convictions. In 2011 attempted prosecutions fell to 11, of which just two resulted in convictions. Between January and 10 October 2012, prosecutors launched nine such cases, of which five resulted in convictions, two have been halted and two are currently underway.

It remains unknown how many Muslims have faced such prosecutions.

Blagoveshchensk fine

On 1 October, a Magistrate in Blagoveshchensk in Amur Region found Denis Manuilin, a 33-year-old convert to Islam, guilty under Article 20.29, Amurskaya Pravda noted on 4 October, citing information from the police and the regional FSB security service. He was given the maximum fine for individuals of 3,000 Roubles.

Describing Manuilin as a "religious fanatic" and a member of Nurdzhular, the report said the police and FSB had discovered "banned literature" in his Blagoveshchensk flat. "Attending the namaz [prayers], he got to know people and invited them to his home 'to study Islam in greater depth'," the newspaper quotes an unnamed police officer as saying. Coming to the attention of the police, officers raided his rented flat in September.

Salsk fine

On 13 September, Magistrate Valentin Fomenko found local Muslim Eldar Bakhtiyarov guilty under Article 20.29 at Judicial Unit No. 6 of Salsk District of Rostov-on-Don Region. He fined him 3,000 Roubles, plus confiscation of the book on the Federal List that led to the prosecution, according to the verdict seen by Forum 18.

The verdict reveals that the regional branch of the FSB security service passed on information about Bakhtiyarov to the prosecutor's office, which then raided his home. One copy of a banned book was discovered, which he had used to teach Islam. Bakhtiyarov told the court that he did not know the book was banned and on the Federal List.

Sergei Zadoyan, Salsk's Deputy Prosecutor, told Forum 18 on 10 October that he was not familiar with Bakhtiyarov's case in detail. However, he identified the "extremist" book Bakhtiyarov had been punished for using as "Introduction to Islam". Two books of this title were among more than 65 Muslim publications banned by Orenburg's Lenin District Court on 21 March and added to the Federal List on 12 July.

Tolyatti bookshop fine

Not only individuals but companies have been prosecuted. On 12 September, Judge Yelena Nikonova of Avtozavodsky District Court in Samara Region's city of Tolyatti found the Katyusha company guilty under Article 20.29, the court website notes. Katyusha was fined 50,000 Roubles, the minimum fine under the Article for legal entities.

On 3 October, Katyusha lodged an appeal against the verdict. The appeal is due to be heard on 23 October at Samara Regional Court, Avtozavodsky Court officials told Forum 18 on 11 October.

Oksana Porzova of Tolyatti Prosecutor's Office said that one of her colleagues, together with officials of Samara Regional Police's Anti-Extremism Centre conducted a joint inspection on 15 August as to whether the Chakona bookshop run by Katyusha had on sale books on the Federal List. She said officers had discovered that two books by the Istanbul-based Naqshbandi Sufi teacher Osman Nuri Topbas were on sale. "The sales assistant offered them for sale," she told Forum 18 on 11 October.

The two were among fourteen of Topbas' books included in the more than 65 publications banned by Orenburg's Lenin District Court in March and added to the Federal List in July.

Porzova defended the inspection, insisting it had been part of inspections of all local bookshops. Asked whether inspecting bookshops is a good use of prosecutors' time, given other serious crimes which have doubtless taken place in the town, she responded: "The law requires this. The books have been banned and are on the Federal List, so they have to be seized. That's all."

Vladimir Polyakov, spokesperson for Samara Regional Police, told Forum 18 on 11 October that he was unable to comment immediately on the case. Asked if such a fine was appropriate for two copies of books on the Federal List, he responded: "If I cross a road when there is a red light just once, is it not a crime? A car might have to swerve and could kill someone." Asked whether such inspections are a good use of time for officers of the Anti-Extremism Centre and whether the Region has dangerous extremists who might be more of a priority, he repeatedly declined to answer.

Primorsky fine

Among five Jehovah's Witnesses prosecuted under Article 20.29 in Primorsky Territory in 2012 was Olga Shishkina. The verdict - seen by Forum 18 - reveals that police raided her home on 25 April and discovered eleven Jehovah's Witness books on the Federal List. The case was launched against her the following day.

Shkotovsky District Judicial Unit No. 97 fined Shishkina 2,000 Roubles on 25 June and ordered the "extremist" literature to be confiscated. Shkotovsky District Court rejected her appeal on 10 August, according to the verdict. She argued in her appeal that simply owning the books did not prove that she intended to distribute them.

The raid came a day after Jehovah's Witness elder Yuri Vasilchenko was fined 3,000 Roubles under the same Article in the nearby town of Spassk-Dalny.

60-day ban

The Jehovah's Witness community in Dalnerechensk in Primorsky Region was closed down for 60 days after it was convicted under Article 20.29. Judge Yelena Chuprova of Dalnerechensk District Court handed down the punishment on 15 May, the court website notes. The case was launched after a 27 April search of the community's place of worship uncovered 16 copies of various Jehovah's Witness works on the Federal List.

The community's leader Vyacheslav Medvedev challenged the ruling on behalf of the community, claiming that he had not been read his rights before signing a statement. However, Judge Yana Kudrina of Primorsky Regional Court rejected the community's appeal on 28 June, according to the verdict seen by Forum 18.

Bookshop temporarily closed

The Islamic Goods shop in Mozdok in North Ossetia run by Shirvani Ismailov was ordered temporarily closed after a 100-minute joint inspection by prosecutors, officers of the FSB security service and the Police Anti-Extremism Centre led to eight Muslim books being seized.

On 16 April, Judge Yelena Bondarenko of Mozdok District Court found the shop guilty under Article 20.29 and suspended its operation for a limited period, the verdict seen by Forum 18 reveals. As only one of the seized books was on the Federal List, the court ordered the other seven to be returned. The verdict ordered the one book to be "confiscated", but did not say whether it was to be destroyed.

The verdict as published has the title of the banned book removed, so the exact nature of its content is unclear. However, were the book to have called for serious crime it would probably have led to a criminal prosecution.

Ismailov told the court he did not know the book was on the Federal List. He said that as he has a family with five children to support, he did not have the money to pay a fine.

Another bookshop – case closed

By contrast, attempts to prosecute the Bukva bookshop in the Primorsky District of St Petersburg under Article 20.29 failed on technical grounds, according to the verdict seen by Forum 18. A 23 November 2011 inspection found a book on the Muslim Prophet Muhammed from the Moscow Muslim publishers Umma to be on sale while being on the Federal List.

However, on 22 February 2012 Judge Yekaterina Bogdanova of Primorsky District Court ruled that the case had to be dismissed because doubt over who owned the bookshop had led to attempts to prosecute the wrong company. The verdict – seen by Forum 18 – does not indicate what happened to the confiscated book.

Overtured

Jehovah's Witnesses have had some success overturning Article 20.29 fines, though not court-ordered confiscation and destruction of confiscated literature. Judge Aleksandr Kartashov of Tver Regional Court on 18 October 2011 overturned a fine of 1,000 Roubles on Jehovah's Witness Lyubov Belimova handed down by a local Magistrate in December 2010, according to the verdict seen by Forum 18.

Judge Kartashov found that distributing 38 copies of "Watchtower", "Awake!" and other Jehovah's Witness publications which were on the Federal List did not constitute a violation of Article 20.29 as Belimova had given them only to individuals to read, not with the intention that they should distribute them "massively". However, he upheld the decision to "confiscate and destroy" the 38 publications.

No more mosques for Moscow?

Forum 18 News Service (26.09.2012) - Moscow's latest U-turn on permission for a new mosque highlights the increasingly volatile situation of the fast-growing Muslim community in the Russian capital, Forum 18 News Service notes. The city's failure to back the property rights of minority faiths is already well known to Hare Krishna devotees and Protestants.

"There are hundreds of Orthodox churches, and we're just asking for the number of mosques to be raised from four to 10 at least – that would be just," Gulnur Gaziyeva, press secretary to the Council of Muftis of Russia, told Forum 18 on 20 September. "Muslims are historic residents of this territory and have equal civil rights."

Obstruction of new mosques is a violation of human rights, agreed Maksim Shevchenko, a television journalist focusing on Islamic issues and until recently a member of the Public Chamber's Commission on Interethnic Relations and Freedom of Conscience, a government advisory body. Moscow needs 20 or 30 new mosques, he estimated to Forum 18 on 19 September. "As long as believers acquire land legally, they should be able to build houses of worship on it, regardless of what religion they follow."

Vice-chair of Moscow's Department for Relations with Religious Organisations, Anton Ignatenko apologised to Forum 18 on 21 September that he was currently not authorised to comment on this issue.

Territorial division

Officials have long promoted mosque construction in regions whose titular ethnicities are traditionally viewed as Muslim, such as Dagestan and Tatarstan, regardless of how many of their inhabitants practise Islam. But Muslims are often barred from building in regions of Russia considered ethnically Russian, even if their communities have a long history there. In many such areas, a recent surge in the Muslim population due to labour migration both from within Russia and ex-Soviet Central Asia means that the need for mosques is now acute.

Three official Sunni mosques currently function in Moscow. The fourth, main mosque on Prospekt Mira is under reconstruction; according to Gaziyeva, a temporary prayer hall at the site accommodates 1,500 worshippers. In August this year, the city authorities provided three additional open-air sites at Luzhniki Stadium, Sokolniki Park and in Southern Butovo District for the end-of-Ramadan festival Eid-ul-Fitr (locally known as Uraza-bairam). Yet Moscow police reported that over half of the 170,000 faithful attending came to Prospekt Mira.

In recent years, crowds at major Muslim festivals such as Eid-ul-Fitr have grown so enormous that police close numerous streets around the main mosque site – including Prospekt Mira itself, a major road – for the duration of worship.

Walking through these streets as worshippers removed paper prayer mats from every available space at the close of this year's ceremony, Forum 18 observed almost all to be young and male, often with traditional head-coverings and T-shirt slogans indicating origins in Central Asia or the North Caucasus.

By contrast, police recorded only 105,000 attending Eid-ul-Fitr prayers across the whole of Tatarstan republic, regarded as one of Russia's Islamic centres. Unlike Moscow, they had access to 1,124 mosques.

Gulf with Orthodox

In Moscow, numbers attending major Muslim festivals are nearing those for major Orthodox festivals. City police reported 186,000 attending this year's Orthodox Easter services in the Russian capital's nearly 300 churches and monasteries. Unlike mosque construction, however, plans to build a further 200 Orthodox churches in Soviet-planned suburbs - where few worship facilities exist - are enthusiastically promoted by senior state officials.

On 22 November 2011, Moscow City Government announced its approval of this project and the allocation of 200 corresponding land plots to the Russian Orthodox Church. Praising the scheme's progress at a December 2011 fundraising concert, Vice-mayor Aleksandr Gorbenko called it "pleasing to God", Interfax reported.

First Deputy Mayor of Moscow until late 2011, Vladimir Resin is a top adviser on construction to both Moscow Mayor Sergei Sobyanin and Patriarch Kirill of the Russian Orthodox Church. Resin – also a member of the State Duma's Land and Construction Committee - called on Muscovites in February 2012 to donate whatever they could towards construction of the 200 new churches, Interfax reported.

Moscow City Government's website described the plans in March 2012 as "the greatest joint construction project between the Church and City Hall since the reconstruction of the Cathedral of Christ the Saviour". It includes buildings for missionary work as well as churches, the website noted.

Heated protests

Senior officials' enthusiasm for the 200 new Orthodox churches continues despite strong popular opposition in some Moscow districts. The same week that demonstrators chanted, "We don't need a church!" in Kronshtadtsky Bulvar neighbourhood, Resin argued for 600 instead of 200 more churches in an April 2012 interview with official government newspaper Rossiiskaya Gazeta.

When encountering similar public opposition to mosques, officials are reluctant to back Muslims' property rights, however. Moscow government's Committee for Ensuring the Realisation of Investment Projects in Construction announced the allocation of two land plots to Muslim organisations for new mosques on 6 September 2012.

Just two weeks later on 20 September, the city authorities cancelled permission for one of the mosques "due to the objections of a portion of residents", Interfax reported. The previous evening, some 2,000 demonstrators had gathered in Mitino District, one of the proposed mosque locations. Arguing Moscow to be "a fundamentally Russian city", some maintained that a mosque would bring bloody animal sacrifice, crime and conflict, IslamNews reported on 20 September. Airing this footage, a 20 September report on national Channel 1 TV evening news featured the chair of Mitino District Assembly, Igor Kononov, admitting that the demonstration "gave us information and food for understanding the opinion of residents". It also showed Vladimir Goverdovsky, prefect of Moscow's North-western Administrative District, announcing the cancellation of the mosque site in Mitino and "the future selection of other land plots taking into account the opinion of residents".

Yet Gaziyeva, Council of Muftis press secretary, maintains that such popular opposition is largely artificially created. Of four people detained at the demonstration, she noted, only one was a local resident. "All the others were just representatives of organisations and had nothing to do with residency there - there's the same proportion among the demonstrators." In September 2010, she added, similar action prevented the construction of a mosque in Moscow's Tekstilshchiki District, where a land plot and building plan had earlier been approved.

Asked how the Moscow authorities react to mosque proposals, Gaziyeva would tell Forum 18 only that Muslims have been working with them "very closely" since 1991 to get more mosques built, "and we're counting on their understanding". She acknowledged, however, that currently no building projects are being pursued other than the reconstruction of the main mosque at Prospekt Mira.

Protestants, Krishna devotees squeezed

Disfavoured faiths have long battled for their property rights in the Russian capital. Legally, the state – which still controls most land – may allocate a plot to a religious organisation in order to build a house of worship. Under Article 30.3 of the 2001 Land Code such a plot is given for use free of charge during construction (*bezvozmezdnoe srochnoe polzovanie*). Once the building has been declared fit for use (*prinyato v ekspluatatsiyu*), the land beneath it becomes the religious organisation's private property (Article 36).

In practice, however, the process depends upon the continued goodwill and co-operation of the authorities, as the very different outcomes for different faiths demonstrate.

Moscow City Government gave the green light for Holy Trinity Pentecostal Church to receive land and building rights in compensation for the loss of its late Soviet-era premises to city planning back in 1992. In the years since, however, the authorities have refused to support the Pentecostals' building plans, culminating in the state's 6 September 2012 bulldozing of the Church's "temporary" structure as unlawful.

Even those who retain their worship property after similarly long battles suffer significant losses of material and other resources.

In April 2012 Emmanuel Pentecostal Church was finally granted the rights to use land beneath a former workers' club it purchased in Solntsevo District in 2002, the church's administrator Bakur Azaryan told Forum 18 on 25 September. This means Emmanuel's 1,000-strong congregation may legally use the building for worship. Azaryan added, however, that they have still not been offered a viable alternative to land allocated in Moscow's Vernadsky Prospekt District in 1996 but later withdrawn. "We're still fighting (..) we spent a lot of money on that project."

After all relevant departments approved Emmanuel's construction plan for the land plot, Vernadsky Prospekt District Assembly rejected it in November 2000 citing public opposition, even though the church subsequently gathered over 6,000 signatures of support from 10,000 of the district's households.

The Society of Krishna Consciousness hopes to begin building a temple on its land plot next year, six years after its allocation by the Moscow authorities in 2007, Society representative Radkha Damodar told Forum 18 on 19 September.

Like Holy Trinity Pentecostal Church, the community lost its late Soviet-era premises – where it had a long-term rental agreement – due to city planning. With the building's final demolition in 2004, the Krishna devotees were allocated a nearby land plot for construction, but in October 2005 Moscow City Government suddenly withdrew its permission following strong criticism from the Russian Orthodox Church.

Even if built, however, Moscow's new Krishna temple will be at the city's northern limits and a 20-minute bus ride from the nearest metro station, Radkha Damodar acknowledged. The community's original premises were 25km closer to the city centre and only 50 metres from the nearest metro.

State Duma weighs law protecting religious sentiment

Russia Today (25.09.2012) - As many countries face public unrest over alleged insults to religious sentiments by the authors of the controversial video 'Innocence of Muslims,' the Russian Lower House took the first move to outlaw insults to religions.

The State Duma approved a special address 'On protection of the religious feelings of the citizens of Russia,' which was submitted jointly by all four parliamentary parties.

When MP Yaroslav Nilov of the LDPR party, the head of the Lower House's Legislative Committee, presented the document, he cited a number of "sacrilegious, outrageous, obscurantist situations and events" that took place in 2012.

Among these, the parliamentarian listed "the situation with Pussy Riot," the desecration of icons, Nazi and Satanist graffiti painted on churches and synagogues and the assassination of two Muslim clerics in Russia's internal republics of Tatarstan and Dagestan.

At least two churches were destroyed in the Russian Federation in 2012: The burnt Orthodox Church in Krasnodar and the razed Pentecostal Church in Moscow, Nilov said. The MP argued that a campaign of cross-cutting was especially worrying, as bounty lists were published on the Internet for various acts of sacrilege.

He argued that Russia was facing a campaign aimed at destabilizing the country, and called for the Lower House to take urgent measures to curb the growing problem.

Dmitry Sablin of the parliamentary majority United Russia supported the proposal, and said that the address would strengthen the church, which he called "an inseparable part of our people's culture." The statement demonstrated that Russian society is united in its support of traditional values, he said.

"We want to stress the fact that those who cut crosses and defile the holy places do not express the position of the part of the society that is at least slightly significant," Sablin said.

United Russia MP Sergey Zheleznyak, Deputy Chair of the State Duma, claimed that it was necessary to institute specific punishments for insulting believers on the Internet, especially on blogs and social networks.

"We have to increase the efficiency of legal practice in order to duly block the unlawful information in the information networks," he said. "I think that the courts must be allowed to consider such cases in a fast mode to prevent the spreading of the illegal and dangerous content."

But well-known political scientist Dmitry Oreshkin argued that the document allows the government to punish any criticism of religion, and likened officials who supported the initiative to Soviet-era apparatchiks.

"There is a group of people in power who switched from one ideological service (to the bright Communist future) to another – to the service to the Russian Orthodox Church," Oreshkin said. Passage of such legislation will spark a deeper crisis, as it lays the foundation for conflicts between Russia's many different religions and denominations, he said.

So far, the profile committee of the Lower House suggested administrative offenses for insulting believers' feelings, punishable by fines of 100,000 to 200,000 rubles (\$3,000 to \$6,000). Russia already considers vandalism, the defiling of graves and inflicting damage to cultural objects to be criminal offenses; these articles of the code do not cover damages to feelings or sentiments, however, only damage to material objects.

Raised penalties for demonstrations extended to worship

Forum 18 (13.09.2012) - For the first time since Russia massively increased the administrative penalties for violating its Demonstrations Law this June, a religious leader has been fined at the new, higher level for conducting religious worship without state approval,

Forum 18 News Service has learnt. Police have also accused Pastor Vasily Romanyuk of holding an "unapproved meeting" after he led Sunday worship at the ruins of his Moscow church, bulldozed by the authorities on 6 September. In connection with Eid-ul-Fitr holiday prayer this August, Muslims in some localities similarly report government insistence that public worship not at designated religious sites requires advance clearance.

The Pentecostal pastor heavily fined, Aleksandr Kravchenko, insisted in court that advance notification is not legally required for religious events, but the Maikop (Adygea republic) magistrate who punished him brushed aside his argument.

The 2004 Demonstrations Law indeed states that "religious rites and ceremonies" come under the 1997 Religion Law (Article 1.2). While the 1997 Law in turn states that "public worship services, other religious rites and ceremonies" are regulated by legislation on demonstrations, this is only if they take place outside designated religious buildings and sites such as cemeteries, places of pilgrimage and private residences (Article 16.2). Crucially, the list also includes "places made available to religious organisations for these [worship] purposes" - which should cover privately rented premises.

Since 2009, however, Forum 18 has noted a rise in cases when religious leaders are prosecuted for holding worship at privately rented premises without notifying the authorities in advance. Some judges and magistrates throw out such cases, but about half of prosecutions reported are successful. Usually affected are Jehovah's Witnesses and Protestants; more recently also Hare Krishna devotees have been raided by police in response to complaints about "people in strange clothes".

In localities where officials are hostile to these faiths, advance notification of religious worship at rented premises is not simply a formality. Religious believers there report that pressure on landlords follows once the state learns of their rental agreements, leading to their termination.

Raid and fine

In the North Caucasus republic of Adygea, police raided the 15 July, Sunday morning service of Revival Pentecostal Church at a hall it has rented for over two years in the capital, Maikop. Aleksandr Kravchenko, an assistant pastor who was leading the service, asked the police to wait until worship was over, which they did. Officers then inspected the building, checked the identity documents of all present and questioned some about the community's beliefs and religious literature.

They then drew up a record – seen by Forum 18 - of a violation by Pastor Kravchenko of Article 20.2, Part 1 of the Code of Administrative Violations.

This article punishes violations of "the established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket", which are set out in the 2004 Demonstrations Law. In June, corresponding fines were increased by at least 10-fold, up to a maximum of 20,000 Roubles for individuals.

Magistrate Aslan Khotko of Maikop's Judicial Unit No. 2 found Pastor Kravchenko guilty on 28 August, according to the verdict seen by Forum 18. He was fined 10,000 Roubles (1,800 Norwegian Kroner, 250 Euros or 320 US Dollars). While the minimum penalty available, this is a significant sum in Adygea. Before June, the equivalent fine of 1,000 Roubles already amounted to nearly a week's official minimum wage.

On 5 September Pastor Kravchenko lodged an appeal with Maikop City Court, Revival Church's senior pastor Leonid Dolmatov informed Forum 18 on 13 September. He also noted that as of the end of August, the owners increased sharply the rental on the hall so that the church could no longer afford it. "No one said this was connected, but .." he told Forum 18.

"Manifestation of extremism"?

The raid on Revival Pentecostal Church had been authorised on 13 July by Adygea's deputy interior minister and police chief, Muradin Brantov. According to his order seen by Forum 18, a prayer room where "unapproved religious meetings" are held had been set up in a trade pavilion in Maikop: "According to the given information, the religious meetings are being held in an inappropriate venue and without appropriate notification of the local authorities."

Also on 13 July, the head of Adygea police's Anti-Extremism Centre, Andrei Chernikov, checked with the head of Maikop city administration, Mikhail Chernichenko, that Revival Pentecostal Church had not notified the authorities of any public religious event in 2012. Chernikov's action was part of "co-operation to counter manifestations of extremism" under the 2002 Extremism Law, according to the exchange of letters seen by Forum 18.

The duty officer at Adygea police's Anti-Extremism Centre refused to put Forum 18 through to Chernikov on 7 September. The officer added that he is "not authorised to answer any questions".

Prayer room closed

Also in Adygea, the republic's FSB security service announced on 14 August that, following its "operational measures", prosecutors had ordered closed a Sufi prayer room in the village of Novaya Adygea, Regnum news agency reported. The FSB said the prayer room was set up by a Dagestani man and posed a threat due to "non-acceptance by the local population of the separate holding of religious rites by people from Dagestan adhering to the Sufi Islamic movement, which is not traditional for our region".

The FSB lamented the local authorities' failure to act. It also warned that allowing the Sufi prayer room to function would encourage other religious communities to create similar prayer rooms.

No officer of the Adygea FSB was prepared to explain why the prayer room had to be closed. "We don't comment on our activity," the duty officer – who would not give his name – told Forum 18 from Maikop on 13 September.

Fine for service by bulldozed church?

On 9 September, just three days after the authorities in eastern Moscow destroyed his Holy Trinity Pentecostal Church, Pastor Vasily Romanyuk was questioned by police after he led Sunday morning worship among its ruins. Invited to the police station rather than detained, no formal protocol of an administrative offence was drawn up nor was any reference made to the Administrative Code, he told Forum 18 on 13 September. "I was just asked the question – why did I conduct an unapproved meeting?"

Like Pastor Kravchenko, Pastor Romanyuk answered by insisting that he had led a religious service – characterised by prayers, preaching and hymns – which does not require legal sanction. He believes the police will now wait to see what the response is from their superiors and the media before deciding on whether to pursue prosecution.

In 1992 Moscow city government gave the green light for Holy Trinity Church to receive land and building rights in compensation for the loss of its late Soviet-era premises to city planning. In the years since, the authorities have refused to support the Pentecostals' building plans, however, culminating in the 6 September destruction of the Church's "temporary" structure as unlawful.

A 7 September statement on the website of the prefecture of Moscow's Eastern Administrative District defends its demolition of the church by focusing on the legal technicalities of the case. "The site was built upon without documentation or architects' approval, and the [land] rental agreement became void when it expired," the statement maintains.

The statement does not mention that Holy Trinity did everything legally possible to comply with the necessary bureaucratic demands for construction, however. Nor does it acknowledge the state's long-standing obligation to provide proper compensation to the Pentecostals for the loss of their original church.

Eid-ul-Fitr

Increased numbers of faithful at major festivals mean that many Muslim communities have to rent outside premises for worship. In doing so for this year's end-of-Ramadan Eid-ul-Fitr festival (locally known as Uraza-bairam), several also report government insistence that public worship not in designated religious buildings requires advance clearance under the 2004 Demonstrations Law.

Two days before the 19 August festival, the municipal authorities in Maloyaroslavets (Kaluga Region), 120 kms (75 miles) southwest of Moscow, warned the town's Muslim community that its plans for Eid-ul-Fitr prayers would break the 2004 Law, the community's imam, Rinat Batkayev, told Forum 18 from Maloyaroslavets on 11 September.

Even though the Muslims' rental agreement to use premises at a local technical instrument factory was entirely private, he said, the municipal authorities insisted they should have been notified of the arrangement between 10 and 15 days in advance, as is stipulated for public demonstrations by the 2004 Law (Article 7.1). Batkayev was therefore forced to cancel the agreement with the factory.

Legal professionals stress that "holiday prayer - Salat ul Eid - cannot be evaluated as a public event (meeting, assembly), for it is an integral part of the activity of a religious organisation, fixed by its statute and protected by law," the Muslim Spiritual Board of European Russia protested in a 20 August statement on the troubles of its affiliate Maloyaroslavets community.

As a community member offered use of his private house at the last minute, the Maloyaroslavets Muslims were nevertheless able to gather for Eid-ul-Fitr without obstruction, Batkayev told Forum 18. Rented premises where the community normally meets for Friday prayers are sufficient for the approximately 50 regular worshippers, but not for the hundreds who now attend large festivals, he added.

Kaluga regional Public Prosecutor's Office is currently investigating the legality of the Maloyaroslavets authorities' warning, a spokesperson at its press department told Forum 18 on 12 September. She estimated the investigation would be complete within two weeks and promised to provide Forum 18 with the result as soon as it became available.

"We don't have to"

Seven time zones east on Russia's Pacific island of Sakhalin, the Muslim community in the main city of Yuzhno-Sakhalinsk also had to conform its Eid-ul-Fitr worship to the regulations for political demonstrations. "But we shouldn't have to – these are private premises, a private agreement," the community's imam Abdulmalik Mirzoyev told Forum 18 from Yuzhno-Sakhalinsk on 11 September, "and according to the law, we don't have to, actually."

As the Muslims did not wish conflict, Mirzoyev explained to Forum 18, they decided not to insist that worship is not subject to regulations on public demonstrations. Prayers went ahead unobstructed on the premises of a former factory once the community provided the Yuzhno-Sakhalinsk authorities with a copy of the landlord's permission and a plan of where worshippers would be situated, he said.

Sakhalin's Muslim community uses the very same premises for ordinary Friday prayers, but has never been asked to clear this with the city authorities. Mirzoyev laughed when Forum 18 asked why. "This is Russia!" he replied.

One month in prison, another to follow

Forum 18 (30.08.2012) - A court in the Chuvash Republic, on the River Volga west of Kazan, has ordered two Jehovah's Witnesses arrested on 26 July to remain in pre-trial detention until 25 and 26 September. "This is the first time in contemporary Russia that a court has ordered any of our people to be held in detention simply because they are Jehovah's Witnesses," spokesperson Grigory Martynov told Forum 18 News Service from the Jehovah's Witness headquarters near St Petersburg on 29 August. The two – Igor Yefimov and Aleksei Nikolaev – are among five local Jehovah's Witnesses facing criminal prosecution on "extremism"-related charges. No date for any trial has yet been set.

In Chelyabinsk east of the Urals, three local Muslim women are due to go on trial on 6 September on "extremism"-related criminal charges, the court told Forum 18. The case had been opened against them in August 2011. The three read the works of the late Turkish Muslim theologian Said Nursi.

Jehovah's Witnesses and readers of Nursi's works are particular targets of anti-"extremism" raids and prosecutions. Nurdzhular – a movement which Nursi readers insist does not exist – was banned by Russia's Supreme Court in 2008. The Jehovah's Witness community in Taganrog was banned in 2009 as "extremist". Numerous Jehovah's Witness publications and works by Nursi are among more than 100 bona fide religious publications banned through the courts and placed on the Justice Ministry's Federal List of Extremist Materials.

Long investigations

Despite long investigations and often lengthy trials – many of which involve the FSB security service and Police Anti-Extremism Centres – few cases against religious believers on "extremism"-related charges end up with convictions, and even fewer with prison terms.

Of 18 Nursi readers and Jehovah's Witnesses whose "extremism"-related trials are known to have been completed, five (all Nursi readers) ended with prison terms, five (all Nursi readers) ended with suspended sentences, two (both Jehovah's Witnesses) ended with community service orders, two (both Jehovah's Witnesses) ended in acquittals, while the

trial of four (all Nursi readers) ran out of time before any verdict was reached. However, trials and investigations against others continue.

Officials are sometimes reluctant to defend their actions to Forum 18 in "extremism"-related cases against religious communities.

Pre-trial detention

Yefimov and Aleksei Nikolaev were among four Jehovah's Witnesses detained in Chuvashia as part of a criminal investigation on 26 July. The four were detained for 48 hours, which was extended until 30 July. While Yefimov and Aleksei Nikolaev were then ordered held in continuing detention, different judges rejected similar moves to have Andrei Nikolaev (not apparently related) and Andrei Martynov – as well as another community member Oleg Marchenko - held in pre-trial detention.

In separate hearings under different judges on 10 August, Chuvashia's Supreme Court in the regional capital Cheboksary rejected the prosecutor's appeals against the decisions not to hold the three men in pre-trial detention, the court website notes.

On 9 August the Supreme Court overturned the lower court decision approving the prosecutor's request to have Yefimov and Aleksei Nikolaev held in pre-trial detention. The Supreme Court ordered the lower court to hear the requests again, the court website notes.

However, on 23 August Judge Tatyana Stolyarenko of Cheboksary's Moscow District Court upheld the detention of Yefimov, ordering that he be held in detention until 26 September. The following day, Judge Bela Kapitonova of the same court upheld Aleksei Nikolaev's detention, ordering that he be held until 25 September.

"Especially Important Cases"

All five Jehovah's Witnesses - including Yefimov and Aleksei Nikolaev - are facing prosecution under Criminal Code Article 282, Part 2, Point C; Article 282.1, Part 1; and Article 282.1, Part 2. The case against them is being led by Aleksandr Sotnikov, Investigator of Especially Important Cases at the Department for Investigating Especially Important Cases of the Chuvash Investigation Committee.

Asked whether the streets of Cheboksary were safer now that the two Jehovah's Witness "extremism" suspects had been detained in pre-trial detention, Investigator Sotnikov refused to respond, merely insisting that the court had taken the decision to imprison them. He told Forum 18 on 29 August that he was unable to say when the trial would begin, noting that the investigation is "still underway". He refused to answer any further questions and put the phone down.

Called back, his colleague said Sotnikov had just left. The colleague – who did not identify himself – refused to tell Forum 18 how important local Jehovah's Witnesses are in the range of "especially important cases" the Department is currently handling.

He "never hated anyone"

Yefimov's wife Marina says she is still in shock that her husband has been imprisoned. "We've been married twenty years," she told Forum 18 from their home in Novocheboksarsk on 30 August. "He's a good man who has never hated anyone. The accusation that he created an extremist group is absurd."

Marina Yefimova said her husband, who marked his 46th birthday on 14 August, is suffering in the pre-trial investigation prison. "Everyone smokes and he has a bad heart," she complained to Forum 18. She said she has only been able to see him four times since his 26 July arrest, only at court hearings. She said she could apply to visit him in prison. "But you need the investigator's permission for this. I haven't asked as I don't want to have to see him in those conditions. I had hoped he would be freed."

She worries that the case could drag on for months or years "and all this time he could be held in detention".

Yefimova pointed out that 39-year-old Aleksei Nikolaev's parents are also suffering. "Aleksei is not married, and his parents are elderly. They're in shock that their son can be taken for no reason."

Trial imminent

Three Muslim women are due to go on trial under Judge Lyubov Borzova at Chelyabinsk's Lenin District Court on 6 September, the court chancellery for criminal cases told Forum 18 on 30 August. The three – Farida Ulmaskulova, Gulnaz Valeyeva and Venera Yuldasheva – all read Said Nursi's works. They are being tried under Criminal Code Article 282.2, Part 2 and Article 282, Part 1. The case appears on the court website with the note "closed information", without the names of the defendants and without the Criminal Code Articles being listed.

Ulmaskulova said she had been summoned to court that day to be given the notice of trial, she told Forum 18 from Chelyabinsk on 30 August. "I don't know how long the trial will last or how it will proceed," she said. "I have never been on trial before."

The case was prepared by Chelyabinsk Regional Prosecutor's Office. The three women have not been held in pre-trial detention, but have had to sign statements that they would not leave town and would behave well. Yuldasheva also had to sign a statement not to reveal details of the case, friends of the women told Forum 18.

"We're not extremists"

The case was launched after raids in August 2011 – during the Muslim holy month of Ramadan – on a summer home in a village in Kurgan Region where Ulmaskulova was teaching Islam to seven girls. Almost simultaneously, Ulmaskulova's and Valeyeva's homes in Chelyabinsk were raided. Religious books and other items were confiscated.

A 3 August statement on the Regional Prosecutor's Office website accused the women "under the guise of studying the basics of Islam, Arabic and Turkish" of organising lessons in rented flats in Chelyabinsk and Kurgan Region between 2009 and 2011. "In reality they familiarised parishioners with extremist literature from the collected works Risale-i Nur ["Messages of Light"] by Said Nursi, drawing the population into the activity of a banned religious association, forming a positive acceptance of death and a readiness to self-sacrifice in the name of the interests of the teaching. In addition, during lectures two of the accused publicly called citizens to enmity and hatred on the basis of ethnicity and attitude to religion."

The Prosecutor's Office said the "criminal activity of the members of the extremist organisation" had been "unmasked and halted" by the Regional Police's Anti-Extremism Centre.

Ulmaskulova vigorously rejects the Prosecutor's Office accusations. "We did nothing of that," she insisted to Forum 18. "We're not extremists – indeed, we're against extremism and against violence. Islam bans the killing of oneself or others." She also complained that the books and telephones confiscated in the 2011 raids have still not been returned.

Ulmaskulova said they had been represented by the Izhevsk-based human rights lawyer Rustem Valiullin. However, he drowned while swimming in a river in June. Their new lawyer is Tamara Gurova.

Transferred yet again

Meanwhile, the forthcoming criminal trial of an Orenburg-based Muslim Ramil Latypov has been transferred yet again, this time to a Magistrate at Judicial Unit No. 4 in the city's Lenin District, an official of Lenin District Court told Forum 18 on 30 August.

The 25-year-old Latypov is a reader of Nursi's works. The case against him was launched in 2010, a year after he with other Nursi readers was raided by Orenburg's Organised Crime Police and the FSB security service.

Latypov is facing trial under either Article 282.1, Part 1 or Article 282.2, Part 1. The trial had been expected to begin in June, but the case has been transferred from one local court to another.

On 22 August, Judge Viktor Afanaskin of Orenburg's Lenin District Court upheld the prosecutor's suit for the case not to be heard at the city's Central District Judicial Unit No. 5. Instead, the case was handed to Lenin District's Judicial Unit No. 4. Officials of Judicial Unit No. 4 told Forum 18 on 30 August that the case has not yet arrived there. They said the transfer decision goes into force ten days after its adoption, and would not expect any case to arrive until after then.

Extremism articles

Criminal Code Article 282, Part 1 ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or through the media") carries a maximum punishment of two years' imprisonment.

Article 282, Part 2, Point C ("incitement of ethnic, racial or religious hatred by an organised group") carries a maximum punishment of five years' imprisonment.

Article 282.1, Part 1 ("creation or leadership of an extremist organisation") carries a maximum punishment of four years' imprisonment.

Article 282.1, Part 2 ("participation in an extremist organisation") carries a maximum punishment of two 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") carries a maximum punishment of three years' imprisonment.

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") carries a maximum punishment of two years' imprisonment.

First Russian public TV channel for Muslims goes live

RT (20.08.2012) - The first public TV channel for Muslims, broadcasting 24/7 in the Russian language, has been launched in the country. The challenge is to raise awareness and understanding of Islamic religious traditions and Muslim culture.

The opening of the channel in eight Russian regions coincides with the major religious holiday celebration of Uraza Bayram, marking the end of the holy month of Ramadan. The programs are broadcast in Russia's North Caucasus, and the Republics of Bashkortostan and Tatarstan.

"Al RTV is not state-funded, it's an answer to hopes and needs of the believers, our country's Muslims," Deputy Chairman of the Russian Muslim's Religious Directorate for European Regions, Damir Mukhetdinov told Voice of Russia radio. The channel will be funded primarily with support of the private sector.

Mukhetdinov explained the founders of the channel are three ethnic Muslims, who wish to promote Islam across the country.

"As far as I know, all the leading Islamic states of the Persian Gulf, Iran and Turkey, have expressed a huge interest in our project. I wouldn't be surprised if as soon as our foreign Muslim brothers see that the channel features a positive outlook and is not serving the interests of separate Islamic groups or movements but has a humanistic and educating angle, there will be no problems with financing whatsoever," Damir Mukhetdinov added.

It's hoped that once "Al RTV" proves a success the channel will expand and open more offices in the other regions and republics of Russia where over a million Muslims live.

More "extremist" books to be banned?

By Felix Corley

Forum 18 News Service (01.08.2012) - In two separate cases the FSB security service in Kostroma Region, north-east of the capital Moscow, and Prosecutors in Primorskiy Territory, on the Pacific west of Sakhalin Island, have confiscated religious literature, Forum 18 News Service has learned. In Primorskiye the Jehovah's Witness who had the literature has been fined, but it is not clear whether the Muslim in Kostroma will be fined. In both cases the literature has been sent for "expert analysis" to see if it should be declared "extremist" and banned throughout Russia.

"Voluntary" handover In Kostroma?

Kostroma Region FSB security service announced on 26 July that it had conducted "warning/prophylactic measures among individuals inclined towards carrying out crimes of extremist orientation". It said that as a result of such measures, a woman living in Kostroma had "voluntarily" given a hundred books and booklets by Muslim theologian Said Nursi in

Russian, Turkish and English to the FSB. It said four of the items are on the Federal List after being banned by a court. "The rest of the literature will be sent for special investigation of whether the texts contain signs of extremism," the FSB stated.

A spokesperson for Kostroma Region FSB, Yelena Shilova, declined to answer specific questions about the operation. "We can't unveil details of operational work," she told Forum 18 from Kostroma on 27 July. She declined to say when the measures had taken place or to identify the woman or say what would happen to her.

Asked the type of crimes such individuals were "inclined" to conduct, Shilova responded: "They were not planning explosions or murders." She declined to reveal how the FSB security service had identified those "inclined towards" carrying out "extremist" crimes.

Asked whether the woman had been frightened into handing over the books, Shilova responded: "We didn't say she was afraid." Shilova refused to explain why the books not found to be on the Federal List had not been immediately returned to her, nor to explain what will happen to those that are on the list.

Kostroma FSB's January seizures

It remains unclear if this is the same incident, or a related incident, to one reported by Kostroma Region FSB on 19 January. It announced then that it had confiscated 480 copies of publications by Nursi in Russian, English, Turkish, Arabic and Tatar from a female resident of Kostroma. It said 98 copies of 15 different publications were already on the Federal List. It added that copies of the 57 other different publications were being sent for investigation.

Muslim readers of Nursi's works told Forum 18 that in the winter of 2011-2, officials who refused to say which agency they were from repeatedly visited a resident of Kostroma asking her to hand over the key of a flat she was looking after. When they extracted the key from her they immediately seized all the literature they could find. "The woman was very afraid," Muslim readers of Nursi's works told Forum 18. "But if officials had had a search warrant, they wouldn't have forced her to open up the flat - they'd just have forced their way in. It's very convenient to be able to talk of 'voluntarily' handing books over."

Extensive Federal List of banned books

More than 1,300 individual works have been declared "extremist" by courts in different parts of Russia and placed on the Federal List of Extremist Materials. In many cases the rationale for bans is highly questionable, as the List for example includes works that argue for peace and respect for human rights. Analysis by "experts" arbitrarily chosen by the FSB or Prosecutors is the first step before works are taken to a local court for a banning decision. If it agrees that a work is "extremist", the court informs the Justice Ministry in Moscow which then adds the work to the Federal List. Distributing or storing the work with the intention of distribution then becomes a crime throughout all of Russia.

Prosecutors and the FSB have actively targeted works by the late Turkish Muslim theologian Said Nursi and Jehovah's Witness publications, and have attempted but failed to ban a key text for the Hare Krishna devotees. A court in Orenburg banned 5 Muslim texts in a 20 minute hearing, which has sparked protests and appeals from across Russia. These are due to be heard for the first time on 6 August.

Primorskiy confiscation, "analysis", and fine

Meanwhile, in the town of Spassk-Dalny in Primorskiy Territory, Jehovah's Witness publications have been sent for "psychological/linguistic analysis" to see if they should be banned, an aide to local prosecutor Roman Prokudin stated on 1 July. He said that the results would determine whether prosecutors will bring a banning suit to court. Prokudin made the remarks in a statement sent to local news website gorodok-su.ru.

The works sent for "analysis" were among religious literature confiscated from the head of the town's Jehovah's Witness community Yuri Vasilchenko. Other confiscated works were already on the Federal List.

On 24 April, a Magistrate at Judicial Unit No. 59 in Spassk-Dalny found Vasilchenko guilty of "Production or distribution of extremist materials" under the Code of Administrative Offences Article 20.29, the Judicial Unit website notes. He was fined 3,000 Roubles (about 560 Norwegian Kroner, 75 Euros, or 95 US Dollars).

The telephone of Yelena Telegina, senior aide at Primorskiy Regional Prosecutor's Office in Vladivostok went unanswered when Forum 18 called on 31 July. Reached the same day, the telephone of the Prosecutor's Office in Spassk-Dalny was switched to a fax machine.
Negative statements

Prosecutors issued press releases on 1 July asserting Vasilchenko's guilt in "storing religious literature recognised as extremist with the aim of its mass distribution". His role as head of the local Jehovah's Witness community was stressed. Local Prosecutor's Office official Prokudin repeated such comments in a 30 July press release on the Primorskiy Territory Prosecutor's Office website. Similar comments asserting the danger of Jehovah's Witnesses were made by officials after the 4 May conviction and fine under Article 20.29 Shmavon Bagdasaryan in Bashkortostan in the Urals.

Both the Primorskiy press statements note that "the Prosecutor issued a warning to the chair of the committee of the Jehovah's Witness religious organisation of the town of Spassk-Dalny [Vasilchenko] on the basis of Article 7 of the Anti-Extremism Law of the unacceptability of carrying out extremist activity".

Jehovah's Witnesses have frequently complained to Forum 18 that local officials often make statements, widely picked up in the local and national media, which give a negative impression of groups and people exercising the right to religious freedom.

For example, on 30 July at the opening of criminal cases against 10 Jehovah's Witnesses in Chuvashia, the Investigation Committee claimed that the ten were: "suspects, positioning themselves as supporters of the Jehovah's Witness organisation, follow the aim of spreading their world views which are based on the rejection and critique of traditional cultural, moral and religious values" with the aim of inciting hatred and discord between themselves and "those professing other religions".

Jehovah's Witnesses charged with extremism in Central Russia

RIA NOVOSTI (30.07.2012) - Authorities in the Russian Central Republic of Chuvashia opened a criminal case against ten Jehovah's Witnesses for "establishing an extremist community," the local investigation department said.

According to investigators, the church opened a branch in Cheboksary, the capital of the republic, as well as in the towns of Novocheboksarsk, Kanash and Alaty, where its members "distributed among the local residents banned printed materials...containing propaganda of exclusivity and the superiority of Jehovah's Witnesses over followers of other religions."

Jehovah's Witnesses, known in the West for persistent door-to-door evangelism, now faces charges of instigating religious hatred and humiliating human's dignity.

The Jehovah's Witnesses, which has some seven million followers worldwide and 300,000 in Russia, have already been banned in a number of Russian regions and in some former Soviet republics.

In May, similar charges were lodged against the group in the Russia's Urals city of Orenburg.

Moscow's branch of the Jehovah's Witnesses was dissolved by district court ruling in 2004, but in 2010 the European Court of Human Rights declared the decision illegal.

Russia shocked by twin attacks on Islamic clerics

By Roman Kruchinin

AFP (19.07.2012) - The Islamic leader of Russia's main Muslim region of Tatarstan was wounded Thursday and another cleric killed in rare attacks in an oil-rich republic often praised for its religious tolerance.

The Mufti of Tatarstan, Ildus Faizov, was wounded in a car explosion while his former deputy, Valiulla Yakupov, was shot dead in the strikes an hour apart as Muslims prepared to begin observing Ramadan at sundown.

Investigators opened a murder case while the region's leader linked the attacks in Tatarstan's main city of Kazan to the clerics' work to promote moderate Islam.

"Our leaders have followed the policy of traditional Islam. It is clear that there are other movements, and what happened today is a clear challenge," said the president of Tatarstan, Rustam Minnikhanov, pledging a firm response to radicals.

"Our position should be tougher," he said in comments released by his office.

Russia's top Muslim cleric Ravil Gainutdin said that those behind the attacks were seeking to place a bomb under the foundation of "peace and order of the entire Russian Federation."

"I have to admit that a wave of violence has come to the Volga region too," he said.

The oil-producing region on the Volga River is touted by authorities as an example of peaceful coexistence of Muslims and Christians, in contrast to the troubled North Caucasus, where the Kremlin fought two wars against separatists in the past 20 years.

But over the past few years officials have sounded the alarm about radical Islam spreading to a region where secessionist sentiments ran high following the Soviet breakup.

Yakupov, 48, was shot on the porch of his apartment block and died from his wounds in his car.

Faizov was wounded when his vehicle exploded in another part of the city, the Investigative Committee said.

"The Toyota Land Cruiser with the Mufti of Tatarstan inside, Ildus Faizov, was blown up," it said.

"He was thrown out of the car by the force of the blast. He has been hospitalised with wounds of varying severity."

Television showed flames and smoke bursting out of Faizov's black vehicle, which regional police said he was driving.

Faizov, 49, has mounted a crackdown on extremists among the Muslim clergy of the republic of four million inhabitants.

He has said the main threat comes from followers of radical forms of Islam, Salafism and Wahhabism, whose ideology is now preached in some of the mosques in Tatarstan.

"The Salafis and Wahhabis constitute a very great danger. There are no moderates among them. They all finish one day by taking up arms," Faizov said in an interview with AFP last year shortly after his election.

Yakupov headed the education department of the Muslim Spiritual Directorate of Tatarstan at the time of his death, but until recently was Faizov's first deputy.

In May, the Kazan Week website listed him as Tatarstan's second most influential Muslim, calling him the "strategist behind Faizov's policy of rooting out religious extremism."

Russia fears that the radical Islam of the North Caucasus whose rebels are calling for the creation of an Islamic state could spread to its other historically Muslim regions.

Militant leader Doku Umarov last year warned that his fighters were on a mission to "free the lands of our brothers," referring to Russian regions with large Muslim populations.

In November 2010, three Islamists were killed in Tatarstan in a rare armed clash with police.

Around half of Tatarstan's population is Muslim, but in Kazan few women wear headscarves and a huge mosque stands beside an Orthodox cathedral.

"The Salafis, the Islamic radicals have been active in Tatarstan for the past two years," said Alexei Malashenko, an analyst with the Carnegie Moscow Centre. "This violent flare-up was expected."

Venice Commission opinion on Russian extremism law

Comment of Human Rights Without Frontiers

HRWF (21.06.2012) - On June 20, 2012, the Council of Europe's advisory body of experts on legislation, the European Commission for Democracy through Law, better known as the Venice Commission, published its Opinion on the Russian Federation Federal Law on Combating Extremist Activity ("the Extremism Law") as to whether the Law, as applied, violates international human rights standards.^[1]

In the first section, the Venice Commission notes why the Chair of the Council of Europe's Parliamentary Assembly's Monitoring Committee requested the Venice Commission to review the law:

"7. The broad interpretation of the notion of "extremism" by the enforcement authorities, the increasing application of the Law in recent years and the pressure it exerts on various circles within civil society, as well as alleged human rights violations reported in this connection have raised concerns and drawn criticism both in Russia and on the international level."

Definitions

The Venice Commission notes that the definitions in Article 1 of the Extremism Law, viz. "extremism," "extremist activity," "extremist organization" and "extremist materials" are too broad, lack clarity and invite arbitrary application through different interpretations in contravention of international human rights standards.

In addition, while the definition of "extremism" provided by the Shanghai Convention, as well as the definitions of "terrorism" and "separatism", all require violence as an essential element, certain of the activities defined as "extremist" in the Extremism Law does not require an element of violence.^[2]

Extremism Law Article 1.1 point 4: "propaganda of the exceptional nature, superiority or deficiency of persons on the basis of their social, racial, ethnic, religious or linguistic affiliation or attitude to religion"

The Venice Commission analyzes this section of the Law and determines that if it must be limited to advocacy of violence, otherwise the Law would infringe on the rights to freedom of religion and freedom of expression guaranteed by Articles 9 and 10 of the European Human Rights Convention.

"38. In the view of the Venice Commission, to proclaim as extremist any religious teaching or proselytizing activity aimed at proving that a certain worldview is a superior explanation of the universe, may affect the freedom of conscience or religion of many persons and could easily be abused in an effort to suppress a certain church thereby affecting not only the freedom of conscience or religion but also the freedom of association. The ECtHR protects proselytism and the freedom of the members of any religious community or church to "try to convince "other people through "teachings". The freedom of conscience and religion is of an intimate nature and is

therefore subject to fewer possible limitations in comparison to other human rights: only manifestations of this freedom can be limited, but not the teachings themselves.

39. It therefore appears that under the extremist activity in point 4, not only religious extremism involving violence but also the protected expressions of freedom of conscience and religion may lead to the application of preventive and corrective measures. This seems to be confirmed by worrying reports of extensive scrutiny measures of religious literature having led, in recent years, to the qualification of numerous religious texts as "extremist material" (see below point (b)).

40. In the Commission's view, the authorities should review the definition under article 1.1 point 4 so as to ensure/provide additional guarantees that peaceful conduct aiming to convince other people to adhere to a specific religion or conception of life, as well as related teachings, in the absence of any direct intent or purpose of inciting enmity or strife¹⁹, are not seen as extremist activities and therefore not unduly included in the scope of anti-extremism measures."

Extremism Law Article 1.1 point 5: "violation of human and civil rights and freedoms and lawful interests in connection with a person's social, racial, ethnic, religious or linguistic affiliation or attitude to religion"

Likewise, the Venice Commission finds that such activity may not be deemed "extremist" consistent with international human rights standards if there is no element of violence.

"41. Extremist activity under point 5 brings together a collection of criteria, the combination of which may or may not be required before establishing that the Law applies to them. Clarification is required of what is intended here. If violating rights and freedoms "in connection with a personal's social, racial, ethnic, religious or linguistic affiliation or attitude to religion", in the absence of any *violent* element is an extremist activity, it is clearly a too broad category."

Extremism Law Article 1.1 point 10: "public calls inciting the carrying out of the aforementioned actions or mass dissemination of knowingly extremist material, and likewise the production or storage thereof with the aim of mass dissemination"

The Commission finds that the same deficiencies - overbroad and vague definitions not fused to the concept of violence - also exist in this section of the Extremism Law.

"42. Similarly, under point 10 incitement to extremist activity is in itself an extremist activity. This provision is problematic to the extent that certain of the activities listed, as pointed out above, should not fall into the category of extremist activities at all."

Judicial Proceedings Regarding "Extremist Documents"

The Commission also finds that the manner in which information is determined to be "extremist" in judicial proceedings offends human rights standards as there is no clear definition, standards and criteria regarding how documents are categorized as "extremist", inviting arbitrary decisions and abuse.

"48. According to Article 13 of the Law, information materials shall be declared as extremist by court decision, on the basis of a submission by the prosecutor or in

proceedings in a corresponding administrative infringement, civil or criminal case. The relevant court decision shall be sent to the federal state registration authority, with a view to the inclusion of the material at issue in a Federal List of Extremist Materials, which is made public on the internet and in the media.

49. Considering the broad and rather imprecise definition of "extremist documents" (Article 1.3), the Venice Commission is concerned about the absence of any criteria and any indication in the Law on how documents may be classified as extremist and believes that this has the potential to open the way to arbitrariness and abuse. The Commission is aware from official sources, that the court decision is systematically based on prior expert review of the material under consideration and may be appealed against in court. It nonetheless considers that, in the absence of clear criteria in the Law, too wide a margin of appreciation and subjectivity is left both in terms of the assessment of the material and in relation to the corresponding judicial procedure. According to non-governmental sources, the Federal List of Extremist Materials has in recent years led to the adoption, in the Russian Federation, of disproportionate anti-extremist measures. Information on how this list is composed and amended would be necessary for the Commission to comment fully."

Venice Commission Conclusions

In its Conclusions, the Venice Commission summarizes the main shortcomings of the Extremism Law which violate international human rights standards: broad and vague definitions that are not fused with the concept of violence and therefore invite abuse and arbitrary application; arbitrary procedures and harsh sanctions that offend the right to freedom of religion or belief and freedom of expression; and the lack of a precise, proportionate and consistent approach required by the European Convention on Human Rights. The Commission calls for adequate amendments of the Law to remedy all these shortcomings:

"74. However, the manner in which this aim is pursued in the Extremism Law is problematic. In the Commission's view, the Extremism Law, on account of its broad and imprecise wording, particularly insofar as the "basic notions" defined by the Law - such as the definition of "extremism", "extremist actions", "extremist organizations" or "extremist materials" - are concerned, gives too wide discretion in its interpretation and application, thus leading to arbitrariness.

75. In the view of the Venice Commission, the activities defined by the Law as extremist and enabling the authorities to issue preventive and corrective measures do not all contain an element of violence and are not all defined with sufficient precision to allow an individual to regulate his or her conduct or the activities of an organization so as to avoid the application of such measures. Where definitions are lacking the necessary precision, a law such as the Extremism Law dealing with very sensitive rights and carrying potential dangers to individuals and NGOs can be interpreted in harmful ways. The assurances of the authorities that the negative effects would be avoided thanks to the guidelines of the Supreme Court, the interpretation of the Russian Institute for Legislation and Comparative Law or good faith are not sufficient to satisfy the relevant international requirements.

76. The specific instruments that the Law provides for in order to counter extremism - the written warnings and notices - and the related punitive measures (liquidation and/or ban on the activities of public religious or other organizations, closure of media outlets) raise problems in the light of the freedom of association and the

freedom of expression as protected by the ECHR and need to be adequately amended.

77. The Venice Commission recalls that it is of crucial importance that, in a law such as the Extremism Law, which has the capacity of imposing severe restrictions on fundamental freedoms, a consistent and proportionate approach that avoids all arbitrariness be taken. As such, the Extremism Law has the capacity of imposing disproportionate restrictions of fundamental rights and freedoms as enshrined in the European Convention on Human Rights (in particular Articles 6, 9, 10 and 11) and infringe the principles of legality, necessity and proportionality. In the light of the above comments, the Venice Commission recommends that this fundamental shortcoming be addressed in relation to each of the definitions and instruments provided by the Law in order to bring them in line with the European Convention on Human Rights."

The Extremism Law Violates International Standards

International and legal standards mandate that religious minorities be treated fairly and without discrimination in the same way as other religions. Yet, Russia has contravened these standards through misapplication of the Extremism Law to censor religious materials, to arrest and detain believers for reading or disseminating Scriptures and to liquidate and close down places of worship for targeted religious faiths.

The arbitrary application of the Extremism Law by Russian authorities against religious literature of, for example, Scientologists, Jehovah's Witnesses, devotees of Hare Krishna, Falun Gong practitioners and readers of the Muslim philosopher Said Nursi amounts to religious censorship and suppression in contravention of Articles 9 and 10 of the European Convention on Human Rights and Articles 18 and 19 of the Covenant on Civil and Political Rights (ICCPR).

The Venice Commission findings and recommendations are consistent with other international human rights opinions regarding the Extremism Law. In its Concluding Observations Report Regarding Russia's Compliance with the ICCPR, the Human Rights Committee expressed concern regarding the way the Law was being enforced and made the following recommendation regarding the Extremism Law in 2009:

[T]he State party should revise the Federal Law on Combating Extremist Activity with a view to making the definition of "extremist activity" more precise so as to exclude any possibility of arbitrary application...Moreover, in determining whether written material constitutes "extremist literature", the State party should take all measures to ensure the independence of experts upon whose opinion court decisions are based and guarantee the right of the defendant to counter-expertise by an alternative expert.^[31]

Russia should heed these findings and recommendations and 1) amend the Extremism Law accordingly; and 2) cease and desist filing arbitrary actions to label non-violent materials "Extremist" and subject organizations and individuals to harsh sanctions for possession and distribution of such materials.

An attempt to revive total ideological control

By Felix Corley

"Forum 18 News Service," (19.06.2012) - Moscow, Russia - The Moscow-based Council of Muftis, one of Russia's leading Islamic bodies, is seeking to have overturned the mass banning in one court case of 65 Islamic books plus a number of articles, Forum 18 News Service has learned. The Council condemned such bans as "an attempt to revive total ideological control". The publications were banned as "extremist" in a 20-minute hearing in a court in Orenburg in the Urals on 21 March, the biggest single known banning of religious literature by a Russian court. However, this only became known in mid-June when copies of the court ruling were shown to exhibitors at a Muslim book fair in Tatarstan's capital Kazan.

Court cases continue as prosecutors seek to ban other religious literature, including many Jehovah's Witness works. Courts continue to order internet providers to block access to Islamic and Jehovah's Witness websites.

Meanwhile, a Judge at the same Orenburg court which banned the 65 Muslim books has transferred the criminal case against local Muslim Ramil Latypov to a lower court. Latypov - a reader of the works of the late Turkish Muslim theologian Said Nursi - is facing trial 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"). Like so many such "extremism"-related prosecutions, the case was initiated by the FSB security service.

Judge Aleksandr Artamonov of the city's Lenin District Court ruled on 8 June that the case against Latypov should be transferred to a Magistrate at Lenin District's Judicial Unit No. 10, the Judge's assistant told Forum 18 from the court on 19 June. She refused to say why the Judge had transferred the case to another court. The secretary at the Judicial Unit told Forum 18 the same day that the case has not yet arrived. The chancellery of Lenin District Court told Forum 18 that now the 8 June decision has entered into legal force, the case will be transferred soon.

Two year preparation to ban Islamic books

Moves to ban the 65 Islamic books began in Orenburg on 5 February 2010, when FSB investigator Semyon Dunaev commissioned an "expert analysis" of 76 Islamic books confiscated from local Muslims the previous year.

Dunaev assigned the analysis to Yury Maksimov, then a Russian Orthodox layman who taught at Moscow Orthodox Spiritual Academy. Maksimov began work on the analysis the following day (Orenburg and Moscow are a little over two hours' flying time away). He completed it on 26 February 2010, according to the text seen by Forum 18. Less than three months after completing the analysis, Maksimov was ordained a Russian Orthodox deacon, the Academy's website notes.

In his analysis, Maksimov maintained that the books belonged to the Nurdzhular movement (which had been banned by Russia's Supreme Court in April 2008); that they argue for the

"exclusivity" of Islam and Muslims, and preach a negative attitude to non-believers and refusal to accept a secular state, and "acceptance of violent methods to achieve their goals"; and that many of them contain views typical of the Nurdzhular movement.

Muslims who read the works of Said Nursi insist that no such movement as Nurdzhular exists.

All 76 books had been confiscated during raids in March 2009 on several Orenburg homes, including that of Asylzhan Kelmukhambetov, the March 2012 court decision – seen by Forum 18 - notes. Kelmukhambetov – a reader of Nursi's works - was eventually sentenced in June 2011 under Criminal Code Article 282.2, Part 1 to 18 months' imprisonment. After months in a prison hospital, he was freed in January 2012.

A "psycholinguistic expert analysis", also completed on 26 February 2010, concluded that the books "are directed towards the gradual transformation of the personality of the reader, a change in the worldview in accordance with the ideology of the teaching, the formation of new life values, convictions and stereotypes of conduct". The books aimed to change the reader's convictions "on an irrational basis".

Court ban

Once the criminal conviction of Kelmukhambetov was completed and the verdict in the final appeal in his case entered into legal force in January 2012, the Prosecutor of Orenburg's Lenin District brought a suit to court on 15 February to ban 68 of the 76 confiscated Islamic books. The court hearing took place under Judge Aleksandr Nuzhdin at Lenin District Court on 21 March, the court website notes. The hearing began at 10.30 am and was completed 20 minutes later. The written decision was issued on 26 March.

Supporting the suit in court was Deputy District Prosecutor Yelena Akimova, with Oksana Borodai representing the Regional Justice Department as a third party in the case.

Citing the various analyses that the confiscated books belonged to the "extremist international religious organisation Nurdzhular", the verdict notes that "the court has no reason not to trust the conclusion of the specialists, who had been warned of the criminal liability for giving deliberately false conclusions".

The Judge ruled that 65 named books, plus an unspecified number of articles, are "extremist". A total of 14 of the books are by an Istanbul-based Naqshbandi Sufi teacher Osman Nuri Topbas. A further ten are by Fethullah Gulen, a US-based Turkish imam who heads his own Islamic movement. A further three are by Nursi. Among the others are one by Shamil Alyautdinov, a prolific author and imam of Moscow's Memorial Mosque who was banned from visiting Kazakhstan to promote his books in 2011.

Judge Nuzhdin ordered that the decision be communicated to the Justice Ministry in Moscow so that the works can be included on the Federal List of Extremist Materials.

The decision notes that the court did not have to rule on the confiscation of the books, as the verdict in the Kelmukhambetov case had already ruled that the books – as evidence in that case – had been ordered destroyed once that verdict had entered into force.

Muslims and Jehovah's Witnesses have in the past expressed concern and outrage that courts have ordered their confiscated religious literature to be destroyed.

No-one appealed

Lenin District Court chancellery told Forum 18 on 19 June that no-one had appealed against the 21 March decision and that it had entered into legal force on 27 April. The official – who did not give her name – was unsure whether anyone could appeal against the decision, as the only parties to the case were the Prosecutor's Office and the Regional Justice Department, both of which supported the decision. She said Judge Nuzhdin and his team were away on a planned holiday until early July. She was unable to explain why the court website's record of the case, unlike with other cases, gives no details as to what it was about or who the parties were.

The duty officer at Orenburg Region FSB refused to put Forum 18 through to Investigator Dunaev, who had been involved in the moves to ban the books. "We don't give out the numbers of our employees," he told Forum 18 on 19 June. He declined to offer anyone else who could explain why the FSB had been involved.

Borodai of the Regional Justice Department refused to discuss her involvement in the case. "I am not authorised to speak about this," she told Forum 18 from Orenburg on 19 June. Her boss – who did not give her name – said the Department had taken part in the case as a third party. "We always take part in such cases in case we have questions," she told Forum 18 the same day. She denied that the ban on the religious books represented censorship, but insisted that it was the Prosecutor and the Court which took the decision. She said she was aware of the Council of Muftis protest against the decision.

"Fulfilling my public duty as a citizen"

Fr Georgy Maksimov (his clerical name) claimed that he was unaware of the Orenburg court decision which followed his February 2010 analysis. But he insisted his analysis had not been coloured by his own religious views. "I wasn't a priest when I completed this expert analysis," he told Forum 18 from Moscow on 19 June. "But having my own views does not prevent me from fulfilling my public duty as a citizen. I have qualifications in religious studies and conducted this expert analysis in this capacity."

Asked whether he was not uncomfortable that Islamic books have now been banned in the wake of an analysis by a member of the Russian Orthodox Church, Maksimov responded: "You had better ask those who commissioned the analysis. Besides, the court took the decision."

"An attempt to revive total ideological control"

On 18 June, soon after learning of the March court ban on the 65 books from those at the Islamic book fair in Kazan who had been given a copy of the court decision, the Council of Muftis issued a sharply-worded statement on its website. It noted with surprise that so many books "by literally every Muslim publisher in Russia" had been banned in one decision. It complained that "not one author, translator or publisher" had been invited to the court to respond to the accusations.

The Council labelled the ban on religious works as "an attempt to revive total ideological control" and a "worrying signal" for all in Russia. It pointed out that this was not the first time it had criticised court-imposed bans on Muslim literature. "But unfortunately the situation has not improved since our earlier protests," it lamented.

While supporting state moves to ban genuinely extremist works, the Council of Muftis complained that decisions were often taken based on "expert analyses" which were not "objective, well-founded, multi-faceted and complete".

Damir Mukhetdinov, first deputy chair of the Spiritual Directorate of Muslims of European Russia, told Forum 18 that the organisation has already spoken to the Presidential Administration of its concerns at the court decision. "We are already deciding on our next steps and preparing documents for an appeal," he told Forum 18 from Moscow on 19 June.

Asked if the Council of Muftis or the Spiritual Directorate was able to lodge an appeal in Orenburg, Mukhetdinov responded: "The mechanism must be at a more serious level, in Moscow." He noted that when attempts were made to ban works by the head of the Directorate, Mufti Ravil Gainutdin, the Mufti had approached Russia's General Prosecutor and the ban was "re-examined".

Mukhetdinov – who is a member of the Public Chamber, an advisory body for the political leadership – repeated his concerns in a blog post on the Public Chamber's website on 19 June.

He noted the 13 June Public Chamber hearing on whether "anti-extremist expert analyses" of and court bans on religious literature were appropriate. Concerns had been expressed that local courts were imposing bans on religious books which then became mandatory for the entire country. Some felt that such decisions – if they were to be taken – should be taken at a much higher level.

"I consider it appropriate to secure in law the provision that it is impossible for the Extremism Law to apply to books representing the basis for the religious teaching of registered religious organisations," Public Chamber member and lawyer, Yelena Lukyanova, told the hearing.

Ever-expanding Federal List

The Justice Ministry's Federal List – established in 2007 – includes dozens of religious works in its more than a thousand entries. As of 19 June, 68 Jehovah's Witness publications and 19 of the works of Nursi in Russian translations, as well as works related to the Chinese spiritual movement Falun Gong, are among those to have been declared to be "extremist", banned by local courts and placed on the Federal List. Anyone distributing works on the Federal List or storing them with the intention of distributing them is liable to criminal prosecution.

After widespread protests by human rights defenders in Russia and by Hindus and the government in India, a Tomsk court in March finally rejected the prosecutor's suit to declare "extremist" and ban *The Bhagavad-Gita As It Is*, a Hare Krishna commentary on the Bhagavad-Gita.

It generally takes several months before works banned by a local court are added to the Federal List. However, a number of works banned by local courts have not been added to the List, including some Jehovah's Witness publications.

Court cases continue elsewhere in Russia to ban further Jehovah's Witness publications as "extremist". Prosecutors are seeking to ban Bearing Thorough Witness About God's Kingdom through Uspensky District Court in Krasnodar Region.

A 2 May court-ordered expert analysis by Krasnodar Laboratory of Judicial Expert Analysis – seen by Forum 18 – found no incitement of hatred or denigration of others in the text. Prosecutors were dissatisfied by the findings. At their request Judge Olga Izrailova, who is hearing the case, agreed on 6 June to send the book for a further analysis to the Southern Regional Centre of Judicial Expert Analysis, Jehovah's Witnesses told Forum 18.

Criminal prosecutions

Possession of literature on the Federal List – often discovered in Police, Prosecutor's Office and FSB raids on religious believers, especially Nursi readers and Jehovah's Witnesses – renders individuals liable to criminal prosecution.

The trials of 15 religious believers on "extremism"-related criminal charges are known to have been completed, these being 14 Muslim readers of Nursi's works and one Jehovah's Witness. Despite many of the investigations and trials lasting several years and the insistence of prosecutors that the individuals are dangerous, only 10 of the religious believers (all Nursi readers) eventually ended up being convicted. Of these, five received prison sentences and five received suspended prison sentences. The one Jehovah's Witness was ultimately acquitted. The trial of the remaining four Nursi readers lapsed as they had not been convicted within the required two-year period. Criminal trials of four Jehovah's Witnesses are underway, while several Nursi readers in addition to Latypov in Orenburg are expecting trials.

On occasion, prosecutors have also brought cases against individuals under Article 20.29 of the Code of Administrative Violations ("Production or distribution of extremist materials"). Penalties range from a fine to up to 15 days' detention.

As a result of "operational, investigative measures", the FSB security service raided a garage where Jehovah's Witness Shmavon Bagdasaryan works close to a military unit in Bashkortostan in the Urals. Claiming that he was distributing banned Jehovah's Witness publications among military personnel, prosecutors brought a case to Judicial Unit No. 3 of Bashkortostan's Chismy District. On 4 May, Magistrate Ildar Nugaev found him guilty of distributing literature on the Federal List and fined him 1,000 Roubles (183 Norwegian Kroner, 24 Euros or 31 US Dollars), according to the verdict seen by Forum 18. Bagdasaryan has appealed against the fine.

Jehovah's Witnesses expressed concern to Forum 18 of the FSB's wide distribution of news of the case. The FSB stressed that Bagdasaryan had been born in Georgia (though he is a Russian citizen), hinting that a foreigner's association with military personnel was suspicious. Jehovah's Witnesses also complained that only two of nine Jehovah's Witnesses who had come to support Bagdasaryan were allowed into the courtroom. They also noted that the FSB had threatened to force Bagdasaryan's business to close and to obstruct the acquisition by his wife of Russian citizenship.

More websites banned

Prosecutors in many parts of Russia have gone to court to order internet companies to block access to religious websites, particularly Jehovah's Witness and Muslim websites.

Judge Maksim Mokhovoi of Krasnodar's Lenin District Court ruled on 19 April that local internet company Megafon must block access to several websites deemed to be carrying "extremist" material, the court website notes. Among the websites was Jehovah's Witness website jw-russia.org.

The case had been lodged by prosecutors in Rostov-on-Don, who argued that the Jehovah's Witness website was used by members of the Taganrog Jehovah's Witness community, which has been banned as "extremist" and liquidated in September 2009. The decision was upheld by Russia's Supreme Court in December 2009.

After an attempt by Russia's Deputy General Prosecutor Ivan Semchishin launched in 2010 and various court hearings in Moscow's Tushino District Court and the City Court to block the islamindex.ru website, the registry "voluntarily" acceded to the demands and the case was closed on 6 April 2012, Krasnodar Region Prosecutor's Office noted on its website on 18 June.

Many long extremism trials, few convictions

By Felix Corley

Forum 18 News Service (10.06.2012) - As criminal trials of religious believers on "extremism"-related charges continue across Russia, the latest criminal case to reach court is of an Orenburg-based Muslim Ramil Latypov. His case has been assigned to Judge Aleksandr Artamonov at Orenburg's Lenin District Court, and a date for the trial to begin is to be set soon, the Judge's assistant told Forum 18 News Service from Orenburg on 5 June. Like many other "extremism"-related prosecutions, this was initiated by Russia's Federal Security Service (FSB), the regional Prosecutor's Office told Forum 18.

Latypov is a reader of the works of the late Turkish Muslim theologian Said Nursi. More than 20 Muslim readers of Nursi's works have faced criminal cases across Russia in recent years.

Four Jehovah's Witnesses are on trial facing criminal charges of inciting hatred, charges which they all reject. Jehovah's Witnesses are also highly concerned about an "extremism"-related criminal investigation against seventeen local members in Taganrog in southern European Russia (see below).

The trials of 15 religious believers on "extremism"-related criminal charges are known to have been completed, these being 14 Muslim readers of Nursi's works and one Jehovah's Witness. Despite many of the investigations and trials lasting several years and the insistence of prosecutors that the individuals are dangerous, only 10 of the religious believers (all Nursi readers) eventually ended up being convicted. Of these, five received prison sentences and five received suspended prison sentences. The one Jehovah's Witness was ultimately acquitted. The trial of the remaining four Nursi readers lapsed as they had not been convicted within the required two-year period.

Criminal sanctions

Muslims who read Nursi's works generally face charges under Criminal Code Article 282.2. Article 282.2, Part 1 punishes "Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity".

Article 282.2, Part 2 punishes "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".

The maximum punishment under Part 1 of Article 282.2 is three years' imprisonment, and under Part 2 of the Article two years' imprisonment.

Jehovah's Witnesses the authorities have chosen to bring to criminal trial have generally faced charges under Criminal Code Article 282, Part 1 ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or through the media"). The maximum punishment under this Article is two years' Imprisonment.

Latest prosecution

The 25-year-old Nursi reader Latypov faces charges under Criminal Code Article 282.2, Part 1. The case was launched in 2010, Orenburg Regional Prosecutor's Office noted in a statement on its website on 21 May (though the statement did not identify Latypov by name). It said the indictment had been signed off on 16 May by Deputy Regional Prosecutor Aleksei Volkov and handed to Orenburg's Lenin District Court two days later.

Latypov is accused of having participated in "illegal" meetings between April 2008 and March 2009 of the Nurdzhular movement, "the aim of whose activity is the creation of a worldwide Islamic state or caliphate", the Prosecutor's Office alleged.

The case against Latypov was launched in 2010, a year after a similar case was launched against fellow Orenburg Muslim and Nursi reader Asylzhan Kelmukhambetov. Latypov was among those taken to Orenburg's Organised Crime Police after they, together with the FSB security service, raided Muslims in university accommodation in the city in March 2009.

Kelmukhambetov was eventually sentenced in June 2011 to 18 months' imprisonment. After months in a prison hospital, he was freed in January 2012.

Latypov hid from the "investigation authorities", the Prosecutor's Office said. Since they located him, he has been required to sign a pledge not to leave Orenburg Region, Olga Anikeyevna of the Regional Prosecutor's Office told Forum 18 from Orenburg on 24 May. She said the case had been investigated by the FSB security service, but refused to say who the investigator in the case had been or give any other information about the case.

The Orenburg Region FSB refused to explain why it investigated and brought to court a criminal case against Latypov. "We give no commentary by telephone," the duty officer told Forum 18 on 24 May. The press officer also refused to answer any questions by telephone. Forum 18 submitted written questions the same day but, as of the end of the working day in Orenburg on 6 June, had received no response.

Imprisoned religious believers

The five convicted religious believers known to have received prison terms in recent years on "extremism"-related charges are all Muslims who read Nursi's works:

1. Asylzhan Kelmukhambetov; Orenburg; Article 282.2, Part 1; arrested 28 June 2011; convicted 28 June 2011; 18 months' imprisonment; freed 19 January 2012.
2. Rashid Abdulov; Ulyanovsk; Article 282.2, Part 1 and Article 282, Part 2 (c); arrested 20 January 2011; convicted 7 September 2011; one-year's compulsory work; freed 7 September 2011.
3. Elshan Gasanov; Nizhny Novgorod; Article 282.2, Part 1; arrested (date unknown); convicted 11 October 2011; one year's imprisonment; freed (date Unknown) .
4. Alesker Safarov; Nizhny Novgorod; Article 282.2, Part 2; arrested (date unknown); convicted 11 October 2011; eight months' imprisonment in an open-type prison; freed (date unknown).
5. Renat Khayarov; Nizhny Novgorod; Article 282.2, Part 2; arrested (date unknown); convicted 11 October 2011; eight months' imprisonment in an open-type prison; freed (date unknown).

Suspended sentences for religious believers

The five convicted religious believers known to have received suspended prison terms in recent years on "extremism"-related charges are all Muslims who read Nursi's works:

1. Ilham Islamlı; Nizhny Novgorod; Article 282, Part 1; arrested 18 June 2010; convicted 18 August 2010; ten months' detention, suspended for one year; freed 18 August 2010.
2. Ziyavdin Dapayev; Makhachkala; Article 282.2, Part 2 (originally Article 282.2, Part 1); not arrested; convicted 18 May 2011; three-year prison sentence, suspended for two years.
3. Nazim Akhmedov; Nizhny Novgorod; Article 282.2, Part 2; convicted 11 October 2011; eight month prison term, suspended for one year.
4. Ramil Kerimov; Nizhny Novgorod; Article 282.2, Part 2; convicted 11 October 2011; eight month prison term, suspended for one year .
5. Igor Kuznetsov; Nizhny Novgorod; Article 282.2, Part 2; convicted 11 October 2011; eight month prison term, suspended for one year.

Acquitted religious believer

The only completed criminal case against a Jehovah's Witness - under Article 282, Part 1 - eventually ended with his acquittal. Aleksandr Kalistratov faced an initial trial in Russia's Altai Republic starting in October 2010 (after being under investigation from December 2009), a first acquittal in April 2011, an appeal against the acquittal by Prosecutors, a new trial from June 2011 convicting him in November 2011, and an appeal against the conviction leading to his ultimate acquittal in January 2012.

Trial ends with no conviction

Four religious believers - all Nursi readers tried together in Krasnoyarsk - had their cases dropped on 24 February 2012 as the court failed to convict them within the required two-year period, The four are :

1. Aleksei Gerasimov; tried under Article 282.2, Part 2.
2. Fizuli Askarov; tried under Article 282.2, Part 2.
3. Yevgeny Petry; tried under Article 282.2, Part 1.
4. Andrei Dedkov; tried under Article 282.2, Part 1.

Detained during failed extradition bid

In addition, Bobirjon Tukhtamurodov was imprisoned in Russia following an extradition request from his native Uzbekistan. He had requested refugee status in Russia, but courts in Novosibirsk ordered his extradition. On 26 April 2011, the Supreme Court upheld the lower court's decision to cancel the order to extradite him back to Uzbekistan.

Jehovah's Witness criminal trials continue

Trials of four Jehovah's Witnesses continue under Criminal Code Article 282, Part 1 in three different courts.

The criminal trial of married couple, Andrei and Lyutsiya Raitin continues at Chita District Court, in Siberia. The trial began with a preliminary hearing on 22 December 2011. There had been a further 25 hearings by 31 May, the Court website notes, and the trial is due to continue on the morning of 25 June.

The defence has twice petitioned to have Judge Vera Popova removed from the case, complaining that she is biased, Jehovah's Witnesses told Forum 18. Although some evidence was collected without observing legal procedures, the Judge has rejected defence petitions to have it excluded from the case.

The criminal trial of Yelena Grigoryeva held its latest hearing on 25 April at Akhtubinsk District Court in the southern Astrakhan Region. The case was begun in early 2011 and, after five different investigators had worked on it, was presented to the Court in February 2012. The first hearing took place on 28 February, with further hearings over many days in March and April.

The Court has now ruled that a new "expert analysis" of Jehovah's Witness literature should be sought, the court website notes. An earlier "expert analysis" of Jehovah's Witness literature in her case conducted by Alfia Istileyeva for the prosecution in December 2011, which forms an integral part of the prosecution case, appears to have been plagiarised.

A 9 April 2012 analysis of Istileyeva's work conducted by Andrei Smirnov at the request of the defence showed large sections to have been copied from various other works, including "anti-sect" websites. The defence sought on 24 April to have this earlier "expert analysis" rejected, but Judge Aleksandr Shalaev rejected this, Jehovah's Witnesses complained to Forum 18.

Forum 18 asked Istileyeva in writing on 14 May whether she had engaged in plagiarism in the "expert analysis" or not. Despite resending the questions several times, Forum 18 had received no response by the end of the working day in European Russia on 6 June.

On 27 April the Court ruled to lift the restrictions on Grigoryeva's freedom of movement. Although she is now able to leave Astrakhan Region if she wishes to, she still needs to be ready at any time to return to court.

The criminal trial of Maksim Kalinin continues in the Republic of Mari-El, north-west of Kazan, at the regional capital of Yoshkar-Ola's City Court.

The trial began on 25 January with the most recent hearing on 30 May.

Kalinin's trial is due to resume on 8 June, with a verdict expected on 1 July, Jehovah's Witnesses told Forum 18.

Sought for possible criminal trial

Two Muslims from Ulyanovsk who read Nursi's works are known to be being sought for possible criminal trial:

1. Ayrat Akhtyamov - an indictment under Criminal Code Article 282.2, Part 1 and Article 282, Part 2 (c) was drawn up in Ulyanovsk on 10 June 2011.
2. Ilkham Khisanutdinov - an indictment under Criminal Code Article 282.2, Part 1 and Article 282, Part 2 (c) was drawn up in Ulyanovsk on 10 June 2011.

Criminal investigations

Six Muslims who read Nursi's works are known to be under investigation under the Criminal Code.

Two Muslim readers of Nursi's works in the Siberian city of Novosibirsk, Ilham Merazhov and Kamil Odilov, are being investigated under Article 282.2, Part 1. The cases follow raids on their homes in October 2011.

Kaliningrad-based Nursi reader Amir Abuev is facing an FSB security service-instigated criminal case under Article 282.2, Part 1 following an 11 February raid on his home. The FSB investigator is seeking to have an enforced psychiatric examination.

Investigators in Chelyabinsk east of the Urals are continuing to investigate three local Muslim readers of Nursi's works. At least two of the three, Farida Ulmaskulova and Gulnaz Valeyeva, are being questioned as suspects under Criminal Code Article 282.2, Part 2. The cases followed raids in August 2011.

Criminal investigations

Numerous criminal investigations against Jehovah's Witnesses on "extremism"-related charges are underway across Russia. Most are being investigated under Criminal Code Article 282, as is the case in Orenburg, where many Jehovah's Witness homes and places of worship were raided on 4 May.

However, Jehovah's Witnesses expressed great concern about the criminal charges against 17 named members of their community in Taganrog. This is the first case where Jehovah's Witnesses are being accused under Criminal Code Article 282.2. Case documents reveal the involvement of the FSB security service and the police's Anti-Extremism Centre in preparing the basis for at least some of the accusations.

The Taganrog Jehovah's Witness community was liquidated as "extremist" by Rostov-on-Don Regional Court in September 2009. The decision was upheld by Russia's Supreme Court in December 2009.

On 31 May, Senior Investigator for Especially Important Cases Ivan Bondarenko issued separate charges against each of the 17, according to case documents seen by Forum 18. The 17 were summoned to Bondarenko to be informed of this the same day.

The telephones of Investigator Bondarenko went unanswered each time Forum 18 called on 5 and 6 June.

"I fear this will be a major, long-running case," Grigory Martynov, Jehovah's Witness spokesperson, told Forum 18 from St Petersburg on 5 June.

"They're accusing ordinary members of the community - and throwing a lot of resources at the case."

Blogger investigated

In Murmansk, Maksim Yefimov is being investigated under Criminal Code Article 282, Part 1, in a case launched by the local Investigation Committee on 5 April. He is accused of incitement to hatred or enmity against Orthodox believers after a critical article about the local Orthodox Church on a website .

Extremist organisations?

Russia's Supreme Court banned Nurdzhular in April 2008, but Nursi readers deny that any such organisation exists (see F18News 29 May 2008). However, only the Jehovah's Witness community in Taganrog has been declared "extremist" and banned, not the Jehovah's Witness community as a whole.

As of 6 June, 68 Jehovah's Witness publications and 19 of the works of Nursi in Russian translations are among those to have been declared to be "extremist" and banned by local courts. These works have then been placed on the Justice Ministry's Federal List of Extremist Materials. Anyone distributing works on the Federal List or storing them with the intention of distributing them is liable to criminal prosecution.

In June 2011, Russia's Supreme Court made it clear that cases under "extremism"-related Articles of the Criminal Code should be very carefully and narrowly framed. But this has not stopped cases against Muslim readers of Nursi's works and Jehovah's Witnesses.

Police raid and charge "people in strange clothes"

Forum 18 (29.05.2012) - Police in Russia on 22 May raided an evening lecture for Izhevsk's Hare Krishna community, Forum 18 News Service has learned. "They were conducting a public event of the Hare Krishna Society – such events must be approved," police Captain Larisa Ignatyeva told Forum 18 from Izhevsk, capital of the Udmurt Republic in the Urals, on 25 May.

The lecture in a rented hall was on the Srimad Bhagavatam, also known as the Bhagavad-Gita, a Hindu scriptural text that is very important for Hare Krishna devotees. "I am governed by the law and I believe I did well." Captain Ignatyeva stated. Following her action a local Hare Krishna leader is now facing charges under Part 1 of the Code of Administrative Offences' Article 20.2 ("Violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession, or picket") for failing to inform the authorities in advance of the meeting.

Article 20.2 imposes fines for organising or taking part in an unauthorised gathering, meeting, demonstration, procession or picket. The fines it imposes are currently small, up to the equivalent of two weeks' official minimum wage. But a controversial draft Law has been introduced, following public protests against the election of President Vladimir Putin, which may massively increase such fines. The draft has passed its first reading in Russia's State Duma, and may pass through all Duma stages in June (see below).

The text of The Bhagavad-Gita As It Is, a Hare Krishna commentary on the Bhagavad-Gita, has itself attracted official attempts to have it declared extremist and placed on the Federal List of Extremist Materials. This would have made anyone distributing them or storing them with the intention of distributing them liable to criminal prosecution, but these attempts were rejected by a court in the Siberian city of Tomsk on 21 March. Tomsk Regional Prosecutor Vasily Voikin told RIA-Novosti news agency on 29 May that he had finally decided not to challenge this decision.

Izhevsk lecture raided

The lecture Izhevsk's Hare Krishna community had arranged was being held in the rented hall of the city's 2nd Children's Polyclinic. The lecture was part of a programme of events involving a visiting Hare Krishna leader from the Urals community, Shikshashtaka prabhu.

Police Captain Ignatyeva, together with a police Lieutenant Colonel and two men in civilian clothes, arrived and stopped the meeting, Hare Krishna lawyer Mikhail Frolov told Forum 18 from Moscow on 25 May. One of the men in civilian clothes recorded the lecture on video. They then began to question Shikshashtaka prabhu, who was giving the lecture. They then allowed the lecture to continue while they began questioning the organiser. Captain Ignatyeva then drew up the record of an "offence" under Article 20.2, which has been seen by Forum 18.

Captain Ignatyeva told Forum 18 all four were police officers. She said the video was made to confirm the fact of the "illegal" meeting.

She insisted that the Hare Krishna community was holding not a communal event but a public event. She maintained that the authorities need to be informed. "They can't meet for such purposes in a polyclinic."

"People in strange clothes"

Asked whether – as in many similar raids – the FSB security service had been involved, Captain Ignatyeva said "No". She told Forum 18 that local residents "with small children" had complained to the police that they had seen "people in strange clothes" in the Polyclinic. Asked if the Hare Krishna devotees had disturbed the work of the Clinic or caused any disruption or harm to any of the clinic users, she said they had not.

Captain Ignatyeva said the administrative case against the local leader had been handed to a Magistrate at Judicial Unit No. 7, of Izhevsk's Oktyabr District.

Hare Krishna lawyer Frolov insisted to Forum 18 that no requirement exists under the Religion Law to inform the local authorities of such religious events. He stressed that Izhevsk's Hare Krishna community maintains good relations with the local authorities. Unlike in some other places in Russia, he noted, Hare Krishna devotees have not been prevented by Izhevsk's authorities from processing through the streets.

Outdoor public religious activity, such as processions, by Jehovah's Witnesses, Hare Krishna devotees and Protestants has in some cases resulted in harassment by the police and repeated bans.

Raids leading to charges under Article 20.2

Jehovah's Witnesses have also experienced raids leading to charges under Article 20.2. About 14 raids or visits to their meetings in rented venues for religious purposes across Russia are known to have taken place in 2012, spokesperson Grigory Martynov told Forum 18 from St Petersburg on 25 May. Eleven administrative cases under Article 20.2 have been launched, although only three had concluded with a conviction by 25 May, he added.

Protestants have, like Jehovah's Witnesses, also frequently faced raids on meetings in rented venues and Article 20.2 cases in recent years, including in 2011. However, no such cases are known to have occurred in 2012, Nikolai Semyonov, a lawyer with the Moscow-based Slavic Centre for Law and Justice, and Inna Zagrebina of the Moscow-based Guild of Experts on Religion and Law separately told Forum 18 from Moscow.

Article 20.2

Procedures for gatherings, meetings, demonstrations, processions and pickets are set out in the 2004 Demonstrations Law. Administrative Code Article 20.2, which is linked to the Demonstrations Law, punishes "violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession, or picket".

Article 20.2, Part 1, which punishes organising such an unauthorised meeting, carries a fine of 1,000 to 2,000 Roubles.

Article 20.2, Part 2, which punishes carrying out such an unauthorised meeting, carries a fine on organisers of 1,000 to 2,000 Roubles, and on participants of 500 to 1,000 Roubles.

Religious leaders have often faced Article 20.2 charges after police, FSB security service and Prosecutor's Office raids on religious meetings in rented venues. Legal specialists have told Forum 18 that Article 20.2 does not apply to religious meetings, and is in these cases being used in ways that break Russia's Constitution. This has led to such administrative cases being cancelled on appeal.

"Extremism"-related raids

In addition to raids on meetings for religious worship in rented venues, the FSB security service, ordinary police and Prosecutor's Office officials often raid private homes (including when religious meetings are underway) to gather "evidence" in "extremism"-related criminal cases. Muslims who read the works of the late Turkish Muslim theologian Said Nursi and Jehovah's Witnesses are particularly targeted.

In one recent example of such raids, at least 16 such raids were launched early on 4 May on Jehovah's Witness homes and places of worship in five towns in Orenburg Region. And following an 11 February raid on the Kaliningrad home of Muslim Nursi reader Amir Abuev, he is still facing an FSB-instigated criminal case and attempts to have him psychiatrically examined.

Unlike The Bhagavad-Gita As It Is, 68 Jehovah's Witness publications and 19 of the works of Nursi in Russian translations are among those to have been declared to be "extremist" and banned by local courts. These works have then been placed on the Federal List.

Bashkortostan raid

Such "extremism"-related raids continue. Prosecutor's Office officials and FSB security service raided a Jehovah's Witness meeting in the town of Uchaly in Bashkortostan in the southern Urals on 5 May. Officials waited until the end of the meeting before questioning the approximately 14 people who had gathered for the meeting in a rented venue. Some were questioned for up to three hours about why they were holding the meeting, Jehovah's Witnesses complained to Forum 18. Not only the hall but the home of Stanislav Marchishen, the head of the local Jehovah's Witness community, was searched without a warrant.

On 14 May, a record of an "offence" was drawn up (seen by Forum 18), detailing the FSB and Prosecutor's Office raid. It accused Marchishen of violating Administrative Code Article 20.2, Part 1. Marchishen wrote on the document that the case violated his constitutional rights and that he refused to give any testimony. The case was due to be heard by a Magistrate on 28 May, but has been postponed until 4 June.

Police and FSB raid in Kaliningrad

On 5 April, police including officers from the local Anti-Extremism Centre with FSB security service officers raided a Jehovah's Witness meeting in the city of Kaliningrad, the capital of the Russian Baltic exclave. The meeting was to commemorate the Memorial of Christ's Death, the most important Jehovah's Witness event of the year. Officers forced at least some of those present to write statements.

A record of an "offence" – organising an event without notifying the local authorities – was drawn up against Oleg Moiseenkov under Article 20.2, Part 1. Jehovah's Witnesses insisted to Forum 18 that Moiseenkov was not the organiser of the event.

The case was due to be heard by Magistrate Tatyana Kholonina at Judicial Unit No. 2 of Kaliningrad's Moscow District on 15 May. However, at Moiseenkov's lawyer's request it was postponed. The hearing is now due on 5 June, the Judicial Unit's website notes.

Dobryanka raid

Jehovah's Witnesses in the town of Dobryanka in Perm Region of the Urals were also raided on 5 April as they were marking the Memorial of Christ's Death, Jehovah's Witnesses told Forum 18. The community had rented the local Cultural and Sports Centre, which it had occasionally rented in the past. The Prosecutor's Office said it was conducting a "check-up" of the activity of the Jehovah's Witness Administrative Centre in St Petersburg (which leads Jehovah's Witness activity in Russia) at the instigation of Perm Regional Police's Anti-Extremism Centre.

On 17 April, Dobryanka's acting Prosecutor, Yuri Sarapultsev, lodged an administrative case under Article 20.2, Part 1 against local Jehovah's Witness Andrei Kuznetsov, who had organised the rental of the Cultural and Sports Centre. Kuznetsov was accused of not informing the authorities of the event. The case was handed first to the Magistrate at Dobryanka's Judicial Unit No. 57 then, as she was absent, to Judicial Unit No. 58. The case is due to be heard on 1 June.

Acting Prosecutor Sarapultsev refused to discuss why officials needed to "check up" on a religious community's meeting for worship. "I have no information on any raid," he claimed to Forum 18 from Dobryanka on 28 May. He claimed not to know about the administrative case he had launched against Kuznetsov. "All will be examined in court, including the legality of the check-up," he eventually said, before putting the phone down.

Two raids in Smolensk Region, but Article 20.2 cases thrown out

On 17 and 18 March, police arrived at the rented Culture Hall in Roslavl in Smolensk Region on both days of a two-day Jehovah's Witness event being held there, attended by about 700 people. On both days officers drew up a record of an "offence" under Article 20.2, Part 1 against local Jehovah's Witness Leonid Belyaev, Jehovah's Witnesses told Forum 18. He insisted that the event constituted a religious service for which notification is not required.

On 10 May a Magistrate in Smolensk threw out both the cases as no offence under Article 20.2 had been committed, according to the verdicts seen by Forum 18.

However, the Prosecutor has appealed against the verdicts. The appeals are due to be heard at Smolensk's Zadneprovsky District Court, though no date has yet been set.

Raids without Article 20.2 cases

Raids often take place on Jehovah's Witness religious services without the launching of cases under Article 20.2.

On 16 February, more than 10 police officers surrounded premises where more than 30 Jehovah's Witnesses were meeting for worship in the town of Elabuga in Tatarstan, Jehovah's Witnesses told Forum 18. After the meeting, police spent several hours taking down the names and personal details of those present "which was accompanied by insults to the religious feelings of the believers", Jehovah's Witnesses stated. After a thorough search of the premises, all religious literature was confiscated.

Several Jehovah's Witnesses were then taken to a police station for further questioning. Their bags were searched and they were photographed. One of those detained was threatened with having drugs planted on him, as well as being "stripped naked for a search", Jehovah's Witnesses told Forum 18.

On 23 February in the town of Novotroitsk in Orenburg Region, three officials interrupted a Jehovah's Witness religious meeting in a rented venue. One was a police officer, another the Deputy Mayor with responsibility for social issues. The third did not identify herself. After questioning those present they called for further police.

Five officers then arrived and Jehovah's Witnesses had to halt their service. Police confiscated the March 2012 issue of Jehovah's Witness magazine Awake! containing a front-cover story entitled "Why are people so angry?". Four Jehovah's Witnesses had to remain behind to answer questions and write statements about the community's activity.

Fines overturned

Those punished under Article 20.2 for organising religious meetings without notifying the authorities often have their fines overturned on appeal, Forum 18 notes. However, Jehovah's Witnesses pointed out that achieving this entails stress and preparation time for those who should never be brought to court in the first place.

For example, on 16 April, after three earlier scheduled appeal hearings were postponed, Judge Anatoli Mokrushin at Perm's Ordzhonikidze District Court overturned a fine of 1,000 Roubles handed down earlier to local Jehovah's Witness Aleksandr Solovyev, according to the verdict seen by Forum 18. He had been fined on 14 February by Magistrate Natalya Giniatullina for organising regular worship in the Pushkin Culture House.

The case had been launched under Article 20.2, Part 1 after the local Police Anti-Extremism Centre had passed to the Ordzhonikidze District Prosecutor's Office a report and video materials of the community's two-hour long meeting for religious worship on 21 November 2011. The community had been meeting there twice a week since 1 January 2010 without incident.

The authorities had earlier sought to prosecute Solovyev – also at the instigation of the Police Anti-Extremism Centre – for organising a local Jehovah's Witness congress on 30 April 2011. On 17 June 2011 an administrative case under Article 20.2 had been launched. However, prosecutors did not bring the case to court within the prescribed time limit and so it was closed.

In an earlier case, fellow Jehovah's Witness Eduard Zavalinich succeeded in overturning the fine of 1,000 Roubles imposed on him by a Magistrate in Kaliningrad Region on 18 August 2011 under Article 20.2, Part 1. On 5 October 2011, Polesk District Court upheld his appeal, according to the verdict seen by Forum 18. The case had been launched after a Jehovah's Witness congress had been broken up in the village of Saranskoe on 8 July 2011.

ECtHR challenges

On 20 May 2011, Jehovah's Witnesses lodged a joint case to the European Court of Human Rights (ECtHR) challenging fines for meeting for worship in five separate instances. The case is entitled Aleksandr Nabokikh and Others v. Russia (Application No. 19428/11). Nabokikh was fined 1,500 Roubles (362 Norwegian Kroner, 48 Euros, or 66 US Dollars) for organising a three-day meeting in a village in Kirov Region in July 2010.

The ECtHR has not yet ruled on whether the case is admissible.

Massive proposed fine increases

Following public protests against the election of President Putin, a controversial draft Law to increase massively fines for violations of the Demonstrations Law was introduced into the lower house of Russia's parliament, the State Duma, on 10 May. The draft Law was proposed by eight deputies and was considered in the Duma's Constitutional Law and State Building Committee. It received its first reading in the full Duma on 22 May and passed with 236 votes in favour, 207 votes against, and one abstention. The Law's supporters hope that it may receive its final third reading in June, before being sent to the upper chamber, the Federation Council, for approval. If approved it would then be sent to the President for signature.

The draft Law would – if adopted in its current form – increase fines under Article 20.2. Fines under Part 1 for organising an unauthorised gathering, meeting, demonstration, procession or picket are currently 1,000 to 2,000 Roubles. (1,000 Roubles, which is almost one week's official minimum wage, is equivalent to 187 Norwegian Kroner, 25 Euros, or 30 US Dollars.) They are proposed to increase to between 10,000 Roubles (1,870 Norwegian Kroner, 250 Euros, or 300 US Dollars) and 1,000,000 Roubles (187,000 Norwegian Kroner, 25,000 Euros, or 30,000 US Dollars). There would also be a new possible punishment of up to 200 hours community service.

Fines would also increase under Article 20.2, Part 2 for organisers who carry out an unauthorised gathering, meeting, demonstration, procession or picket. These currently the same as under Part 1, and the increases proposed are the same as the increases proposed for Part 1.

Participants in an unauthorised gathering, meeting, demonstration, procession or picket face punishment under Article 20.2, Part 2, with a current fine of between 500 and 1,000 Roubles. It is proposed that fines increase to between 1,000 and 900,000 Roubles (168,100 Norwegian Kroner, 22,340 Euros, or 28,000 US Dollars). An alternative proposed punishment is up to 200 hours community service.

Zagrebina of the Guild of Experts on Religion and Law noted that the increased punishments are directed mainly at organisers of political demonstrations. "But religious believers will be caught up too – mainly Jehovah's Witnesses, but in some localities possibly Protestants too," she told Forum 18 on 29 May. "I believe the draft Law will be adopted quickly, but not with such heavy fines. The fines will probably be up to about 15,000 Roubles [2,800 Norwegian Kroner, 375 Euros, or 470 US Dollars]."

Hare Krishna community lawyer Frolov expressed particular concern about the impact of these amendments, if adopted. "These proposals to increase punishments will create bigger problems for all religious organisations", he told Forum 18, "as public religious events – by their very nature peaceful and non-political – are under the Religion Law held under the terms of the Demonstrations Law." He points out that any violations of the procedures for organising religious events face exactly the same penalties as for organising street demonstrations, even though the possibility of danger to the public around such religious events is "incomparably lower".

Semyonov of the Slavic Centre for Law and Justice also thought that, if adopted, this draft Law would cause problems for some religious communities. Yet he thinks the chances of it being adopted remain low. "They've tried this several times before," he told Forum 18 on 28 May.

Freedom of conscience in Russia: Restrictions and challenges in 2011

See the full text of this exceptional report at <http://www.sova-center.ru/en/religion/publications/2012/04/d24196/>

By Olga Sibireva
Edited by Alexander Verkhovsky

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Legal regulations concerning religious organizations

Problems relating to places of worship : Problems with the construction of religious buildings : Problems relating to existing religious buildings

Preferential treatment accorded certain religious organizations by the authorities Other examples of discrimination and unwarranted interference : The liquidation of religious organizations and denial of registration : Discrimination against 'non-traditional' religious organizations : Other cases

Insufficient protection from defamation and attacks.

SOVA Center (16.04.2012) - SOVA Center for Information and Analysis presents its sixth annual report on the freedom of conscience in the Russian Federation.

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

Rather than repeating earlier developments in extensive detail, we provide here only necessary updates on events analyzed in the previous year's report. Our aim is not to exhaustively describe all developments in the sphere of public religion in 2011; generally events mentioned here serve to illustrate trends that we have observed.

Problems and cases connected with the misuse of anti-extremism legislation are discussed in a separate report specifically focused on this topic, which will soon be available on our website.

The current report does not reflect the religious situation in the armed forces or the education system, nor does it address the situation in the North Caucasus.

Summary

2011 saw the further development of trends noted in the previous annual report.

Bureaucratic discrimination against religious organizations continued. Pressure was applied, first and foremost, to 'non-traditional' organizations, primarily Jehovah's Witnesses – against whom a persecution campaign was continued throughout 2011 – and several strands of Islam. The unjust application of anti-extremism legislation became one of the most dangerous means of discriminating against particular groups, but this topic falls outside the remit of the current report.

More widespread problems with registration and the construction of religious buildings have also remained an issue. Levels of religious tolerance, as before, leave much to be desired. However, there has been no notable deterioration in these areas.

The government's rapprochement with significant religious organizations – above all the Russian Orthodox Church – continued. In addition to the continuing financial support of church initiatives from the state budget, and the approval of religious organizations' property claims, a departure from the principle of secularity was increasingly noticeable in official rhetoric: over the course of the year President Medvedev referred to the relationship between the church and the state as a 'symphony' several times in public speeches.

Institutional religious presence in the public arena increased. A decision was taken to make the pilot course on the fundamentals of religion and on ethics compulsory. Even in the army, where the introduction of the institution of military chaplains was clearly being impeded at officer level, a document providing guidelines to regulate their activity appeared: the commander of troops in the central military district signed an order 'On regulating the activity of organs for work with religious believers in the military', and we also saw the first priests employed by the military.

The number of anticlerical incidents increased, provoked by local conflicts with religious organizations (most often connected with the construction of houses of worship) and by a broader dissatisfaction over the preferential treatment accorded to religious organizations. Protesters increasingly resorted to lawsuits to assert their position.

At the same time, our forecast that there would be a fairly sharp increase in the number of conflicts, provoked by the law on the transfer of property designed for religious purposes to religious organizations coming into force, was not fulfilled. In comparison with 2010 the number of conflicts has not risen significantly. Evidently the current law has not substantially changed the situation around the transfer of property – as before, in many cases the scale of the transfer depends on the position of the local authorities and the persistence of representatives of religious organizations.

We are at a loss to predict how legislative activity will develop in the immediate future. However, given that LDPR (Liberal'no-demokraticheskaiia partiia Rossii, Liberal Democratic Party of Russia) member Aleksei Ostrovskii replaced United Russia (Edinaia Rossiia) member Sergei Popov as head of the Committee for Public and Religious Organizations in the new State Duma which began work at the end of December 2011, we are not optimistic.

Regional targeting of religious "sects"

By Felix Corley,

Forum 18 News Service (04.04.2012) - A series of local laws, instructions and court decisions across Russia aim to restrict the rights of religious communities the local authorities do not like, Forum 18 News Service has found. A new regional law has been adopted in Kostroma Region north-east of Moscow banning and punishing "propaganda of religious sects among minors". Other official orders and letters banned rental of municipal property in the northern Arkhangelsk Region to Jehovah's Witnesses or warned heads of educational institutions in the Republic of Bashkortostan in the Urals of the dangers of "destructive religions", such as Protestants and Jehovah's Witnesses. These were withdrawn only after the intervention of Vladimir Lukin, Russia's Human Rights Ombudsperson.

Such official dislike – often couched in vague terminology – of religious communities that function perfectly legally comes as the Russian authorities are using anti-"extremism" laws to target specific religious communities. Individuals can face criminal prosecution, while prosecutors also attempt to ban through the courts publications of those communities. The main victims have been Jehovah's Witnesses and Muslims who read the works of the late Turkish Muslim theologian Said Nursi. Prosecutors also tried – but have so far failed – to ban a leading Hare Krishna book.

Kostroma law

Amendments to Kostroma's regional law on Guarantees of the Rights of the Child and the Regional Code of Administrative Violations ban and punish "propaganda of religious sects among minors". The laws were adopted by the Regional Duma on 2 February, signed by Governor Igor Slyunyaev on 15 February and published on 17 February in the legislative supplement to the region's official newspaper Severnaya Pravda. The amendments – which also included a ban on "propaganda" of homosexuality and paedophilia among minors – came into force ten days after their official publication.

The new Article 19.4 of the Guarantee of the Rights of the Child Law bans the "propaganda of religious sects among minors". The new punishment for such "propaganda" comes in Article 20.3 of the Code. This prescribes a punishment of 5,000 Roubles (977 Norwegian Kroner, 130 Euros or 170 US Dollars) on individuals, 50,000 Roubles on officials and 100,000 on legal entities.

Defending the amendments

Tatyana Telezhkina, chair of the Regional Duma's Labour, Social Policy and Health Committee which prepared the amendments, said the Governor's administration initiated the moves. "The Prosecutor's Office, the Justice Department and Regional deputies all approved this law and the governor signed it," she told Forum 18 from Kostroma on 3 April.

Telezhkina dismissed suggestions that the provision was vaguely worded. She defended the ban on "propaganda of religious sects among minors", claiming that it only covered those who "drag young people into a religious sect not allowed by law". Although she admitted that no such incidents have been reported in 2012, she insisted the law was necessary as a warning to those who might wish to do so.

Asked who such "religious sects" are, she responded: "Baptists, no not them, I don't know, Jehovah's Witnesses, those that are not official, maybe I'm not very well informed on this issue. Those that are functioning illegally." She rejected suggestions that "religious sect" is pejorative and not a term defined in Russian law.

Telezhkina, who volunteered to Forum 18 that she is Russian Orthodox, insisted that Russian Orthodox priests would "certainly not" be eligible for punishment under these amendments. She was unable to explain why they might be treated differently to members of other religious communities.

A number of Regional Administrative Violations Codes include punishments for unauthorised "missionary activity", often reflecting provisions in regional laws. Such punishments appear to be only rarely used.

Kostroma "misunderstandings"

Various religious leaders – including Protestants and Hare Krishna devotees - told Forum 18 that in Kostroma Region, officials often dislike or "misunderstand" their communities, but said officials have taken no strong measures to restrict their activity.

One Pentecostal pastor pointed to a "check-up" on the fire safety measures in the church in a small town away from Kostroma, during which all the church's books used for teaching children were examined. "Officials behaved correctly," the pastor told Forum 18.

Bashkortostan warning of "destructive" religious communities

On 25 October 2011, the then Deputy Education Minister Artur Surin of the Republic of Bashkortostan wrote to all educational establishments and administrators warning that "one of the significant threats to security at present is the activity of foreign religious organisations of destructive orientation", according to the text published on the Religion and Law website. Surin declared that this information had been passed to him in August 2008 by the FSB security service, which had undertaken an analysis as part of their anti-extremism activity.

The FSB's list of about 100 such foreign religious organisations included various Protestant Churches (named are Baptists, Seventh-day Adventists and Pentecostals), as well as the Jehovah's Witnesses and the Church of Jesus Christ of Latter-day Saints (commonly known as Mormons). It warned that the activity of such organisations is strong among young people.

Surin ordered educational officials to counter such "destructive ideologies", calling meetings of staff and parents.

Roza Zainasheva, who had prepared the letter on behalf of Surin, insisted that he took responsibility as he had signed it. "I merely wrote what the FSB wanted," she told Forum 18 on 1 December 2011 from the regional capital Ufa. She admitted that the FSB's information was already three years old by the time she prepared the letter. She declined to send Forum 18 a copy of the FSB's letter.

Malva Gilmutdinova, head of the Education and Further Education Department, similarly declined to pass on the FSB's letter. "We don't have the right to do that," she told Forum 18 the same day. "It was a letter to the minister, not to the public or you." She denied that Surin's letter represented incitement against any religious communities and insisted it was merely "recommendatory".

"We have four traditional religious organisations here," she added, "including Islam and the Russian Orthodox Church." Asked who had given them the status of traditional, she responded: "I did."

Both said Surin was not available. He died on 1 April 2012.

Human Rights Ombudsperson intervenes

After many complaints from religious organisations, Russia's Human Rights Ombudsperson Lukin wrote to Russia's General Prosecutor Yuri Chaika declaring that Surin's letter violated the Constitution, the Religion Law and the Anti-Extremism Law. In the letter, published on the Ombudsperson's website on 19 January 2012, he pointed out that the named religious organisations are local, not foreign, and are registered in the Russian Federation.

Lukin rejected attempts to characterise any religious communities as "non-traditional" or "destructive", insisting that the Constitution establishes the equality of all religious communities. He rejected the accusations against these religious organisations as "unfounded" and called for such accusations to stop. Lukin asked General Prosecutor Chaika to investigate the legality of Surin's letter.

In his response on behalf of Chaika, also published on 19 January, Russia's Deputy General Prosecutor Viktor Grin defended the Deputy Minister's warnings as part of the required task of countering extremism. However, he admitted that including the list of named religious organisations "in the context of the letter could serve as the basis for the possible interpretation" that these organisations are linked to breaking up families, "infringing on the personality of individuals" and harming national security.

Grin told Lukin that Bashkortostan's Education Ministry had withdrawn Surin's letter on 29 December 2011 and announced this through its press service. Forum 18 could find no record of any announcement of this on the Ministry's website. The 29 December letter to all educational establishments - signed by Education Minister Alfiz Gayazov and seen by Forum 18 - contains just one line and merely withdraws Surin's letter and an October 2008 letter with no explanation.

"Not great freedom" in Bashkortostan

Pyotr Zhuk, the Baptist Union's senior presbyter for Bashkortostan, said that he too had complained about Surin's letter and had been officially informed in a 16 January letter that it had been withdrawn. "However, such views are not just those of one official – many think like that," he told Forum 18 on 4 April. He complained that officials and ordinary people describe Baptists as "sectarians". "Our church members aren't afraid, but it is unpleasant to hear this constantly."

Zhuk said a church member had told him that earlier in 2012, one of their children studying in the 11th class of an Ufa school (aged about 18) had been present when a visiting official had given a talk against "dangerous sects". "Other children knew the child is a Baptist and began making fun of the child."

Pastor Vladimir Silchuk, who leads a Pentecostal congregation in Ufa, said he observed no direct impact from Surin's letter, which he said is the latest in a series of similar official letters. However, he points out that state officials can create obstructions to religious activity at any time. "We face resistance to our activities, mainly from the Russian Orthodox Church but also from state officials," he told Forum 18 from Ufa on 4 April. "Large-scale events are not possible, as we would be obstructed from renting state-owned facilities like stadiums, cinemas or houses of culture." He said local Pentecostal congregations have not tried to rent such facilities for some years, as in the past events due to be held in a local stadium were cancelled at the last minute after alleged telephone bomb threats.

Pastor Silchuk also pointed to visits from Justice Department, Prosecutor's Office or other officials looking for "even the slightest violation", which can result in official warnings. "Such visits are not as frequent as, say, ten years ago," he added, "but you can't say we have great freedom here."

Jehovah's Witnesses meeting in a rented House of Culture in Ufa on 2 December 2011 were visited by two plain-clothes officials, Jehovah's Witnesses told Forum 18. One turned out to be from the Prosecutor's Office. He insisted that the elder, Ildar Shaimukhametov,

immediately leave the meeting to answer questions. The official wanted to know about what they study at the meetings, how many people attend and whether the authorities had been informed. Shaimukhametov was forced to write down all his contact details.

A Mormon leader in Ufa told Forum 18 that they face no problems with the authorities and had detected no impact of Surin's letter. However, the leader noted that they do not conduct any activity in educational establishments.

Kurgan retracts anti-Baptist allegations

The first deputy director of the Health Department of Kurgan Region, Sergei Zhukov, wrote on 24 February to heads of all health institutions in the Region. The letter – reproduced on the website of the Moscow-based Slavic Centre for Law and Justice – warns them that Baptist leaders intend to "use the technology of hidden influence on the psychic state of citizens to increase the number of parishioners through the involvement of specialist doctors in the area of psychology and psychiatry".

Zhukov ordered health leaders to warn their senior staff of "the undesirability of co-operation of doctors in the specified specialities with Baptist churches". He ordered them to inform the Department of any such contacts with such churches.

Igor Maksakov, the Baptist Union leader for Chelyabinsk and Kurgan Regions, described Zhukov's letter on 27 March as "incompetence". He said it violates the Religion Law and "even incites religious hatred and enmity".

After protests from Baptists, the Slavic Centre and others, Zhukov issued a clarification on 30 March, also published on the Slavic Centre website. He said he was mistaken in naming the Baptists when he meant two organisations – the Way to Overcome and Transformation of Russia – which undertake "pseudo-rehabilitation of people with alcohol and drug dependency". The second of these organisations has been banned by Russia's Supreme Court.

Arkhangelsk rental ban

Attempts by the local authorities in the northern Arkhangelsk Region to ban Jehovah's Witnesses from renting publicly-owned property were finally overturned in December 2011 after the intervention of Ombudsperson Lukin, according to correspondence posted on the Ombudsperson's website.

Arkhangelsk Region's Regional Policy Minister Aleksandr Belyaev had issued an order in June 2010, with a follow-up letter on 15 September 2011, instructing managers of municipally-owned property not to rent to Jehovah's Witnesses. Belyaev cited as justification information he had received from Arkhangelsk Regional FSB security service.

Lukin wrote to the Regional FSB, which claimed to him that "no recommendations on the unacceptability of allowing the convoking of a Jehovah's Witness congress had been sent to the government of Arkhangelsk Region".

Lukin wrote to Belyaev on 11 November 2011 warning that he therefore blamed the regional administration – and the Regional Policy Ministry in particular – for the "illegal" ban on such rentals. The Ombudsperson noted that his ban violated the Constitution – as the Jehovah's Witnesses function legally – and the rights of individuals guaranteed in the Constitution and

the Religion Law. He added that Article 15, Part 3 of Russia's Constitution specifies that laws and legal acts restricting individuals' rights are only valid if published.

Lukin stressed that religious organisations need no permission to hold meetings, adding that no law prevents municipal property being rented to religious organisations. "Current legislation contains no ban on concluding such [rental] agreements with religious organisations," he told Belyaev. Lukin warned him that those obstructing religious activity face prosecution under Criminal Code Article 148 and Code of Administrative Violations Article 5.26.

Lukin instructed Belyaev that any Jehovah's Witness attempts to rent municipal property should not be obstructed.

In his 30 November 2011 response, Belyaev told Lukin that his views on the approach to the Jehovah's Witnesses had been noted. He added that an announcement has gone out that "if representatives of the given religious organisation appeal to them to rent premises, the legal activity of registered religious organisations is not to be obstructed".

Arkhangelsk's state-backed "sect-hunting"

Arkhangelsk Regional authorities have long proposed measures to counter the activity of "totalitarian sects and destructive cults". The Regional Coordinating Council for Law and Order – with the participation of Deputy Governor Roman Balashov, as well as officials of the FSB security service, police, Federal Migration Service and Prosecutor's Office and Russian Orthodox Bishop Daniil (Dorovskikh) of Arkhangelsk and Kholmogorsk – discussed measures to further this at an 18 July 2011 meeting, the regional governor's press service announced. The meeting resolved to prevent "sectarians" from preaching, particularly in hospitals, schools and other educational establishments.

On 20 October 2011, as a result of a Coordinating Council decision, the first meeting took place of a Working Group for Countering Destructive Religious Cults, chaired by Deputy Governor Balashov. Regional ministers and officials took part. "Our task is – together with the Russian Orthodox Church – to warn citizens of the existence of destructive religious cults, teach people to distinguish those who are substitutes for active confessions, and not to allow propaganda of extremist ideas," Balashov told the meeting. Television programmes and talks in schools and colleges were among the proposals adopted.

A 14 November 2011 meeting of the Working Group, similarly chaired by Balashov, was also attended by Bishop Daniil and Aleksandr Dvorkin, a Russian Orthodox layman who leads an "anti-sect" centre. At a post-meeting press conference attended by all three, of which the regional governor's press service provided a transcript, Deputy Governor Balashov gave as his "subjective view" that among the "dangerous sects" that needed countering are Jehovah's Witnesses, Hare Krishna devotees and "neo-Pentecostals".

Churches can't be governed by Scripture?

Two local prosecutors have separately questioned the content of the statutes of two registered Baptist congregations. On 2 February, Nikolai Zyatchin, the then acting prosecutor of Bezenchuk District, wrote to the local House of the Gospel Baptist Church warning that its statute lists among the church's governing documents "Holy Scripture". The warning – posted on the Slavic Centre website – claimed that a religious organisation can only be governed by its statute. Zyatchin also objected to a provision of the statute that all

church members "must support the work of the Church materially". He claimed that this violated the ban on religious organisations' forcibly extracting individuals' property.

Also in Samara Region, Aleksandr Bobkov, Prosecutor of Borskoe District, warned the local Christ the Saviour Baptist congregation on 13 February that its statute was not in accordance with the law. He complained that among the church's governing documents was "Holy Scripture", which he claimed "contradicted the law". He said no religious work could serve as the foundation for an organisation's activity. He ordered that the statute be brought into line with the law, according to the warning, reproduced on the Slavic Centre website.

Slavic Centre lawyer Sergei Chugunov vigorously objected to both warnings, speaking of the "absurdity of the latest complaints of Prosecutor's Offices to Baptist Church statutes".

Both Bobkov and Rashid Nurizyanov, an aide to Zyatchin's successor as acting prosecutor, confirmed to Forum 18 separately on 4 April the two protests. However, both cited internal rules that prohibited them from speaking to the media. Samara Regional Prosecutor's Office press department declined to comment by telephone and asked for Forum 18's questions in writing.

"They broke the law and have to answer before the courts"

By Felix Corley

Forum 18 News Service (28.03.12) - Two criminal investigations on "extremism"-related charges are underway against a total of fifteen named Jehovah's Witnesses and an unspecified number of "unidentified" persons in the southern Russian town of Taganrog, according to case documents seen by Forum 18 News Service. These are the largest criminal cases against Jehovah's Witnesses launched in Russia since 1991, Jehovah's Witnesses complained to Forum 18. One of those being investigated is just 17 years old. Investigator Vitaly Pustynnikov, refused to discuss the two criminal cases he had launched, insisting they contained "investigative secrets". However, he defended the cases. "I'm not saying these people are dangerous," he told Forum 18 from Rostov-on-Don on 28 March. "But they broke the law and have to answer before the courts."

Investigator Pustynnikov appeared to be shocked that Forum 18 had seen documentation in the cases. "Where did you get it from?" he asked. "No-one gave those being investigated the right to make the accusations public."

Pustynnikov's boss, Vitaly Shevchenko, head of the Investigative Section of the Police of the Southern Federal Region, equally defended the investigations. "It is not a question as to whether or not these individuals are dangerous," he told Forum 18 from Rostov-on-Don on 22 March. "It's a question of observing the law of the Russian Federation."

Investigator Pustynnikov said the cases are now with his Investigative Section as a whole, but refused to say how the investigations are likely to proceed or when any cases might reach court. Jehovah's Witnesses told Forum 18 they do not believe the cases will reach court soon. They point out that many criminal investigations against individual Jehovah's Witnesses can last months or years.

"The FSB does nothing"

The case documents reveal the involvement of the FSB security service in preparing the basis for at least one of the two cases. However, an officer at the Rostov-on-Don Regional FSB familiar with the cases insisted that enquiries should be directed to the Taganrog branch. "The FSB does nothing – it is the court that decides," the officer – who would not give his name - told Forum 18 on 28 March.

Officers of the FSB in Taganrog told Forum 18 that its Deputy Head, Sergei Khitushko, had travelled to Rostov-on-Don on business on 28 March and was therefore unavailable. Khitushko had signed the report for the Investigator detailing alleged "crimes" by the Jehovah's Witnesses in the first of the two cases.

However, another Taganrog FSB officer – who would not give his name, but said he was familiar with the two criminal cases – insisted that other officers in addition to Khitushko had worked on preparing material. After he specified that the FSB counters "terrorism and extremism", the officer refused to specify to which category he believes Jehovah's Witnesses belong. He too stressed to Forum 18 on 28 March that the courts rather than the FSB would decide on the Jehovah's Witnesses' guilt.

"It is nonsense to say the Jehovah's Witnesses are persecuted here," the FSB officer told Forum 18. "Go out on the streets of Taganrog and you can see them distributing literature." He refused to respond when Forum 18 pointed out that the case documents talk about the "illegal" distribution of Jehovah's Witness literature in Taganrog.

The telephone of Viktor Barkov of the Police's Anti-Extremism Centre in Rostov-on-Don went unanswered each time Forum 18 called on 28 March. His reports of alleged "crimes" by the Jehovah's Witnesses formed the bases for both cases. Barkov's boss, Aleksandr Grishanov, told Forum 18 on 28 March that he knew nothing about the two cases.

"Extremism"-related charges follow community's liquidation

All the Jehovah's Witnesses are being investigated under Article 282.2 of the Criminal Code ("Organisation of the activity of an extremist organisation"). Penalties for those convicted – which were slightly amended in December 2011 - include fines or imprisonment of up to three years, with possible further restrictions.

The Taganrog Jehovah's Witness community was liquidated as "extremist" by Rostov-on-Don Regional Court in September 2009. The decision was upheld by Russia's Supreme Court in December 2009.

The community was officially liquidated on 27 January 2010. The building was confiscated from the community and remains sealed more than two years later.

Forum 18 notes that Jehovah's Witnesses the authorities have chosen to bring to criminal trial in Russia have generally faced charges under Criminal Code Article 282, Part 1 ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or through the media"). However, as the Taganrog community has been specifically liquidated as "extremist", this has allowed the Investigator to launch criminal cases under Criminal Code Article 282.2, which carries higher possible penalties.

Raids

Ever since the main Taganrog community was liquidated, police have continued to investigate local Jehovah's Witnesses. During spring and summer of 2011, one officer, "feigning interest in the Bible", infiltrated a meeting and filmed it using a hidden video camera, Jehovah's Witnesses told Forum 18.

Since raids began in the early morning of 25 August 2011, at least twelve have taken place on Jehovah's Witness homes in Taganrog and nearby villages, Jehovah's Witnesses told Forum 18.

In the village of Matveyev-Kurgan the home of an elderly couple, Ivan and Anna Kumshatsky, was raided, despite the fact that the couple are over 70 and Anna Kumshatskaya is a registered invalid in a wheelchair.

The police seized religious literature regardless of whether it is on the Federal List of Extremist Materials or not, as well as computers, electronic storage media and congregation records.

A total of 68 Jehovah's Witness publications have already been banned by local courts and placed on the Federal List, making anyone distributing them or storing them with the intention of distributing them liable to criminal prosecution.

First criminal case

The first of the two criminal cases began after two separate "reports of a crime" were filed on 2 August 2011 by Barkov of the Police's Anti-Extremism Centre and by Khitushko, then acting head of the Taganrog FSB security service. They claimed that "unknown persons" had begun activity by Taganrog's Jehovah's Witness community, which had been banned through the courts.

On 5 August 2011, three weeks before the raids started, the first criminal case was launched, according to the document signed by Investigator Pustyannikov, seen by Forum 18. They are being investigated 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").

The document notes that from April 2010, Jehovah's Witnesses rented a building for weekly meetings "at which those present were encouraged to refuse medical treatment to those in life-threatening or dangerous conditions, to the use of psychological methods which infringe on the personality, rights and freedoms of citizens, to the breaking up of families and family relations on the basis of religious convictions, to the refusal by citizens to carry out their civil obligations established by law, including to conduct service in the army, as well as to attract underage children into the activity of the organisation and to conduct other actions violating the Constitution of the Russian Federation".

Forum 18 notes that military service is not compulsory for young men, as Russian law provides for a civilian alternative service, which Jehovah's Witnesses freely choose. Jehovah's Witnesses pointed out that many of these other accusations are vaguely worded.

The document adds that "unknown" Jehovah's Witnesses also collected membership contributions and donations at the meetings, and distributed "jehovist" literature.

The document concluded that these actions constituted an offence under Article 282.2, Part 1, and launched the investigation against "unknown" Jehovah's Witnesses.

Later, four local Jehovah's Witnesses were named as suspects in this criminal case. Among them is the former head of the liquidated organisation, Nikolai Trotsyuk. One of those being investigated left Rostov-on-Don Region before he was officially informed he is a suspect. The other three – including Trotsyuk – have had to sign a pledge not to leave the area and have been questioned in the case.

On 12 August 2011, according to court documents seen by Forum 18, Investigator Pustyannikov gained the permission of a judge to search the Taganrog home of one of the four suspects, Aleksei Koptev, and his wife Lyubov, both of whom are in their sixties. The court agreed that "banned 'jehovist' literature", as well as membership lists of the liquidated community "of significance to the case" could well be found there. The same judge upheld a similar appeal to search Trotsyuk's home in Taganrog.

Second criminal case

Eleven separate "reports of a crime" were filed on 2 February 2012 by the same Barkov of the Police's Anti-Extremism Centre relating to eleven Taganrog Jehovah's Witnesses. Two days later, the criminal case was launched against eleven named Taganrog Jehovah's Witnesses, eight men and three women: Sergei Trotsyuk, Andrei Goncharov, Vladimir Moyseenko, Roman Voloshchuk, Vyacheslav Shchekalev, Oksana Goncharova, Kseniya Gorbunova, Tatyana Kravchenko, Karen Minasyan, Kirill Kravchenko and Vladislav Kruglikov (who is 17). Also under investigation with them are other "unidentified persons".

All are being investigated 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").

The document – seen by Forum 18 – claims that the suspects were intent on reviving the activity of the liquidated and banned religious organisation. It said they held meetings of its eleven subsidiary congregations, where a number of the suspects "propagandised for the exclusivity and superiority" of their faith "at the cost of denigrating other religions".

Some of the suspects were identified as having handed microphones to those asking questions in question-and-answer sessions, others as having delivered "pre-prepared sermons" on orders from the leadership of the banned Taganrog community. Others counted money collected from those present.

All this, Investigator Pustyannikov contends, constitutes a crime under Article 282.2, Part 2.

Several of the suspects have already been questioned in the investigation, Jehovah's Witnesses told Forum 18.

Strasbourg appeal

Taganrog's Jehovah's Witness community lodged an appeal to the European Court of Human Rights in Strasbourg on 1 June 2010, complaining about the Supreme Court's upholding of the liquidation of their community (Application No. 32401/10).

The Court has not yet ruled on whether the case is admissible.

Muslims face same charges

Muslims who read the works of the late Turkish Muslim theologian Said Nursi face "extremism"-related charges and trials on the same Criminal Code Article 282.2. A total of 19 of Nursi's works are now on the Federal List.

One criminal investigation now underway is against Kaliningrad resident Amir Abuev. The FSB Investigator is seeking to have him forcibly detained in a psychiatric facility for a psychiatric evaluation, after he refused to undergo one voluntarily.

Four Jehovah's Witness criminal trials continue

"Extremism"-related criminal trials of four other Jehovah's Witnesses continue under Criminal Code Article 282, Part 1.

The criminal trial of Yelena Grigoryeva held its latest hearing on 28 March at Akhtubinsk District Court in the southern Astrakhan Region, the court website notes. Her trial began on 28 February, with further hearings throughout March.

The criminal trial of Maksim Kalinin continues in the Republic of Mari-El, north-west of Kazan, at the regional capital of Yoshkar-Ola's City Court. The trial began on 25 January with further hearings in February and March, though Forum 18 could find no record of the case on the court website.

The criminal trial of married couple, Andrei and Lyutsiya Raitin continues at Chita District Court, in Siberia. The trial began with a preliminary hearing on 22 December 2011.

Psychiatric examination, lawyer gagged, car tampering

By Felix Corley

Forum 18 News Service (26.03.12) - Russia's FSB security service is seeking through a court to have a Muslim being investigated on "extremism"-related charges forcibly detained in a psychiatric facility for a psychiatric evaluation, after he refused to undergo one voluntarily, Forum 18 News Service has learned. Amir Abuev, a Muslim resident of the Baltic exclave of Kaliningrad, had criminal charges lodged against him in February the day before a raid on his home, and he has been forced to sign a statement that he will not leave the city.

"They're trying to prove he is mad, but he is a perfectly sane individual," his Moscow-based lawyer Sergei Sychev told Forum 18 from the Russian capital on 23 March. On 19 March, FSB investigator Lieutenant Artyom Voychenko ordered Abuev's local lawyer to sign an order banning them from discussing the case publicly until the investigation is completed. Voychenko has several times refused adamantly to discuss any aspect of the case with Forum 18.

The 31-year-old Abuev, who prefers the first name Amin, denies any wrongdoing. He is a reader of the works of the late Turkish Muslim theologian Said Nursi.

Car tampered with

On the evening of 5 March, the same day that the Regional Court rejected an appeal from the FSB to hold him in pre-trial detention, Abuev was leaving his flat with his lawyer Sychev and went to his car parked among about twenty others outside his block. He was just about to start the engine when Sychev noticed that the exhaust pipe had been plugged to a depth of about 60 cms (24 inches) with what appeared to have been construction foam which hardens when it dries.

"Only his car was targeted of all the others, so I doubt it was random vandalism," Sychev told Forum 18. He fears that had Abuev turned on the engine, the two of them could have been harmed.

Abuev lodged a report with the Prosecutor's Office immediately, Sychev added. However, he said the Prosecutor's Office appears to have done nothing to investigate the tampering with the car.

Raid, criminal case

On the evening of 11 February, Abuev's flat was raided by the FSB security service as he and seven friends were preparing to start the namaz (prayers). Books, a computer and mobile phones were confiscated after an eight-hour search. Participants were questioned all night, while Abuev was detained for about 48 hours. A criminal case was launched against Abuev on 10 February, though this was not made public until 14 February, after the raid.

The FSB told the local media that Abuev belongs to the Nurdzhular movement, which was banned as "extremist" by Russia's Supreme Court in April 2008. Like other Nursi readers, Abuev denies that this movement exists.

Abuev is charged with breaking 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"). The FSB sought to have Abuev held in pre-trial detention but, on 13 February, Kaliningrad's Central District Court rejected the request. The FSB was then forced to release him.

However, the FSB challenged the rejection of its request, but Kaliningrad Regional Court rejected the FSB's appeal on 5 March.

Psychiatric evaluation sought

FSB Investigator Voychenko telephoned Abuev on 16 March to summon him for further questioning on 19 March and to tell him that he would be forced to undergo a psychiatric evaluation within the next week. He did not explain why this was necessary, Abuev told Forum 18. On 19 March, Abuev adamantly refused to undergo a psychiatric evaluation voluntarily, insisting he is mentally healthy.

Inspector Voychenko refused to explain to Forum 18 why he is seeking a psychiatric evaluation and when he will lodge a suit to court.

Abuev's lawyer Sychev points out that generally it is the defence in a case which seeks a psychiatric evaluation, not the prosecutor.

In addition to Jehovah's Witnesses, who can recall no similar prosecutors' attempts to force their followers to undergo psychiatric evaluations, in no other current or recent criminal prosecutions of Muslims who read Nursi's works – to Forum 18's knowledge - have similar such attempts been made.

The last known such case came in December 2005 in Tatarstan. Five women in a Nursi study group were summoned for questioning by the republican FSB in Kazan. Told that the procedure would take 15 minutes, they were subjected to a five-hour interrogation by local psychiatrists and psychologists.

Abuev's Moscow-based lawyer Sychev, as well as Moscow-based human rights defender Yelena Ryabinina, fear that if Abuev is detained in a closed psychiatric facility for such an evaluation, he will be at the mercy of the authorities.

Ryabinina notes that Abuev has never been on the psychiatric register, has never sought psychiatric treatment, is not on the drug users' register, has never sought drug treatment and has never suffered head injuries. "Moreover, he successfully completed his military service, which itself testifies to his psychological health," Ryabinina added. "Abuev has reason to fear for his life if he is detained in a psychiatric hospital."

However, local Ombudsperson Nikitin dismisses such fears. "Psychiatric abuse here in Russia happened a long time ago," he insisted to Forum 18. "Such fears are unfounded."

Jehovah's Witness spokesperson Grigory Martynov told Forum 18 that, despite numerous criminal cases on "extremism"-related charges against individual Jehovah's Witnesses, he does not recall any attempts to conduct forced psychiatric assessments of them.

Lawyer gagging order

On 19 March, FSB Investigator Voychenko obliged Abuev's local lawyer to sign a statement not to make public any details of the case while the investigation is underway. Such a procedure is permitted under Article 49, Part 5 of the Code of Criminal Procedure in cases which "contain information representing a state secret" and to which the lawyer "does not have appropriate access".

Abuev's Moscow-based lawyer Sychev told Forum 18 he has not been in Kaliningrad since early March and has not been required to sign such a pledge. "But I believe they'll try to do this to me too," he said. "If they do I'll lodge a challenge."

Forum 18 has been unable to find out the nature of the "state secret" the case allegedly contains, as Inspector Voychenko refuses to discuss the case.

Ombudsperson Nikitin insisted that such gagging orders are normal in cases involving the FSB.

Continuing "extremism cases"

Meanwhile, the criminal trial of 44-year-old Jehovah's Witness Yelena Grigoryeva is due to resume tomorrow afternoon (27 March) at Akhtubinsk District Court in the southern Astrakhan Region, the court website notes. Her trial on "extremism"-related charges began on 28 February.

Two criminal investigations on the same "extremism"-related charges are also underway against at least 15 Jehovah's Witnesses in the southern Russian town of Taganrog. These are the largest criminal cases against Jehovah's Witnesses launched in Russia since 1991, Jehovah's Witnesses complained to Forum 18. One of those being investigated is just 17 years old.

Ombudsperson appeal

Abuev appealed to Kaliningrad Regional Ombudsperson Vladimir Nikitin over the way the case against him is being prepared and insisting he is innocent of any wrongdoing, Nikitin told Forum 18 on 26 March. He said on 20 March, within a day or two of receiving Abuev's appeal, he wrote to Kaliningrad Region's Prosecutor, Aleksei Samsonov, asking him to check whether the FSB security service had adequate reasons for launching the criminal case and whether the case is being investigated in accordance with the law.

Abuev's friends fear that the blocking of his car's exhaust pipe – which he and his lawyer Sychev discovered on 5 March – may have been an attempt to harm him. They point out that he is under surveillance wherever he goes in the city. However, Nikitin insists that fears for his life are "exaggerated". "I believe his life is not in danger," he told Forum 18.

An official of the Regional Prosecutor's Office told Forum 18 on 26 March that Nikitin's appeal had been registered earlier that day and assigned to Yelena Nikolenko of that office for investigation.

Nevertheless, Nikitin defended the FSB security service. "The FSB has very qualified, professional employees," he insisted, "who conduct investigations at a very high level."

"Expert examination" of confiscated books

On 27 January – even before the raid on Abuev's home – the Kaliningrad FSB requested an "expert examination" of the Russian translation of one book by Nursi, Slova (Words), a copy of which was seized the following month in the raid on Abuev's flat. The book was sent to Kazan University, where it was assigned to Rafis Zakirov, a lecturer in Eastern Studies and also an employee of the Interregional Expertise Centre, which is headed by Vadim Kozlov.

Zakirov said he had completed his 20-page religious-studies expert analysis in February at Kozlov's request and in response to the Kaliningrad FSB's commission. "I found that the book belongs to the Nurdzhular movement and is an ideological source for this stream of Islam," he told Forum 18 from Kazan on 19 March.

Asked whether he believes Nurdzhular exists, Zakirov responded: "How can it not exist? It does. But I was not asked the question of whether or not the organisation exists, nor whether the book is extremist. A court must determine this."

Zakirov insisted he could not have refused to conduct the "expert examination" as he works for the Expertise Centre. He said he had conducted a similar "expert examination" on other books by Nursi in 2005 at the request of Tatarstan FSB. He declined to say how much he earned on the latest examination, maintaining that it was "a lot less" than 50,000 Roubles, the amount paid to those who have examined Jehovah's Witness works. The costs for the analysis are borne by Kaliningrad FSB.

On 6 March, three and a half weeks after the raid, a further 21 of Nursi's books confiscated from Abuev were sent for "expert examination", again to Kazan University. Kozlov told

Forum 18 on 26 March that the books have been assigned to psychologists and religious studies specialists, though he refused to name them or say how much Kaliningrad FSB are due to pay for the expert analysis. He said his Expertise Centre aims to complete the analysis by early June.

Kozlov insisted Nursi's books represent a danger for Russia. "There are many risks of extremism connected with religious literature in this country," he told Forum 18, "including from Nursi's books. If there weren't a danger, they would not have been banned and placed on the Federal List of Extremist Materials."

Federal List censorship covers Labour Camp in Udmurtia

A total of 19 of Nursi's works are now on the Federal List, as well as 68 Jehovah's Witness publications. Anyone distributing works on the Federal List or storing them with the intention of distributing them is liable to criminal prosecution.

In the southern part of the western Ural Mountains "several leaders" of Corrective Labour Colony IK-7 in the village of Azino in Udmurtia are likely to face unspecified "disciplinary responsibility", Udmurt Republic Prosecutor's Office declared on its website on 23 March. Prosecutors checking the Library of the residential zone of the Camp found three banned works by Nursi. They were banned by Moscow's Koptevo District Court as "extremist" in May 2007. Moscow City Court and Russia's Supreme Court upheld the Koptevo Court decision later in 2007.

Prosecutor's Offices across Russia routinely search public and institutional libraries to ensure that works on the Federal List are not available to the public. Internal government documents have revealed that moves against Jehovah's Witnesses and Muslim readers of Nursi's works are co-ordinated at a high state level. Both Jehovah's Witnesses and Nursi readers have been targeted in ways that suggest that their believers and communities are closely watched by the police and FSB security service - both within and outside their communities. One Russian Orthodox Church diocese has been involved in this, and private employers and public libraries have also been ordered to co-operate in the campaign.

Forum 18 was unable to reach the head of the Labour Camp, Sergei Vetluzhskikh, or any other official prepared to discuss the issue. The Duty Officer said on 26 March that no senior officers were present.

Still waiting for Strasbourg

A case against the Koptevo District Court decision was lodged in December 2007 with the European Court of Human Rights in Strasbourg (Application No. 1413/08).

However, despite correspondence between the Court and the Russian government, no admissibility decision has yet been taken.

"I've never encountered the practice of destroying religious literature before"

By Felix Corley

Forum 18 News Service (21.03.12) - Patimat Dadayeva, the Judge in Russia's North Caucasian republic of Dagestan who ordered up to seventy copies of fifteen different books by the late Turkish Muslim theologian Said Nursi destroyed, refuses to say why she ordered their destruction or how it will be carried out. "There's a special procedure for this, but I don't have to explain it to you," she told Forum 18 News Service from Makhachkala's Lenin District Court on 21 March, two days after handing down her decision. She refused to say why she refused to order other Islamic books seized from local Muslim Ziyavdin Dapayev to be returned. "This is blasphemy," Dapayev's lawyer Murtazali Barkayev told Forum 18. "I've never encountered the practice of destroying religious literature in Russia before."

Meanwhile, prosecutors in the Siberian city of Tomsk have today (21 March) failed in their appeal against an earlier court decision rejecting their suit to have the book *The Bhagavad-gita As It Is* declared extremist.

Further moves are underway elsewhere to restrict access to religious literature the authorities dislike. Courts in several places in Russia are seeking a ban on named Jehovah's Witness publications, as prosecutors and their appointed "experts" insist they contain "extremist" sentiments.

"Extremism" accusations

Numerous lower court decisions have found – on highly questionable grounds – that Russian translations of the Islamic theological works of Nursi and Jehovah's Witness publications are "extremist" and so placed them on the Justice Ministry's Federal List of Extremist Materials.

Anyone distributing works on the Federal List or storing them with the intention of distributing them is liable to criminal prosecution.

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

Prosecutions of individuals on "extremism"-related criminal charges have become common. Prosecutors have launched a criminal case against a group of Jehovah's Witnesses in Taganrog, where their community has already been declared illegal. And in Kaliningrad, the FSB security service prosecutor is seeking to force local Muslim Amir Abuev to undergo a compulsory psychiatric examination, which has worried him and his.

Dagestan book-destruction decision

Nursi reader Dapayev has been seeking through the courts to recover Islamic literature confiscated from him. On 19 March, Judge Dadayeva of Lenin District Court ruled that about seventy copies of fifteen different titles by Nursi which are on the Federal List should be destroyed, Dapayev told Forum 18 from Makhachkala on 20 March. She ruled that 945 copies of books which are not on the Federal List – which Dapayev was hoping would be returned – are to be retained in the case files.

"I'm in shock at the decision," Dapayev told Forum 18. "At the initial discussion on 15 March, the judge had indicated that those which are not on the Federal List will be returned." He insisted he will do all he can to try to prevent the books by Nursi from being destroyed. "So far the judge has only given the decision verbally. As soon as we get the written verdict we have ten days to lodge an appeal to Dagestan's Supreme Court," he told Forum 18. "I intend to do so."

Barkayev, Dapayev's lawyer, told Forum 18 the judge did not indicate how the books are to be destroyed. He added that he does not know where the 945 books will be stored either.

Judge Dadayeva insisted that the approximately seventy books "will not be destroyed immediately", pointing out that her decision has not yet entered into force. "Nothing will happen until after the Supreme Court has ruled," she added.

Dapayev is currently serving a three-year suspended sentence on "extremism"-related charges. An earlier court had ruled in 2011 that all the books confiscated from him should be destroyed. However, another judge at Lenin District Court ruled in September 2011 that the books should be instead handed to Dagestan's Muslim Board "for a decision on the question of the destruction of the banned books and pamphlets". An aide to Russia's Human Rights Ombudsperson described the decision to Forum 18 as "incomprehensible" and the proposed destruction of the books as "sacrilege".

How are books destroyed?

Execution of court judgments in Russia is the responsibility of the Federal Service of Court Bailiffs, which is responsible to the Justice Ministry. Forum 18 was unable to find on its website laws or other regulations explaining how the destruction of literature ordered by a court is carried out.

Forum 18 asked the Justice Ministry and the Federal Service in Moscow separately in writing on 21 March to explain whether such literature is burnt, simply thrown into rubbish bins or destroyed in other ways. As of the end of the working day on 21 March it had received no response.

Tomsk appeal victory for Hare Krishna community

Human rights defenders and Russia's Hare Krishna community have welcomed the 21 March decision by Tomsk Regional Court to reject prosecutors' appeal against the lower court decision to have the third Russian edition of The Bhagavad-gita As It Is declared extremist. The work – a translation of and commentary on the ancient Sanskrit text by Swami Prabhupada, founder of the International Society for Krishna Consciousness – is a fundamental text for the Hare Krishna community. They feared that if the work was declared "extremist", bans on their communities might follow.

In December 2011, amid widespread Indian outrage, Russia's Ambassador to India Aleksandr Kadakin described those seeking to ban the work as "madmen". On 28 December 2011, Tomsk's Lenin District Court rejected the prosecutor's suit.

The prosecutors' appeal against the December 2011 ruling was heard on 20 and 21 March by a panel of three judges led by Larisa Shkolyar at Tomsk Regional Court. Yelena Selezneva from the Regional Prosecutor's Office insisted to the court that all the "expert analyses" from Kemerovo and Tomsk "without exception" consider that the book contains extremist statements, local observer Nikolai Karpitsky, who attended the hearing, noted.

Marina Osipova of the Tomsk City Prosecutor's Office insisted to the Court that not the Bhagavad-gita per se but Swami Prabhupada's comments were under question. Karpitsky dismissed such claims – previously made by Russia's Foreign Ministry and General Prosecutor's Office – as "an attempt to misinform those present".

The ruling rejecting the prosecutors' appeal was met by applause in the court, Russia's Hare Krishna community declared. "I believe the decision is just and sensible," their lawyer Aleksandr Shakhov noted after the hearing. "I applaud both the Tomsk District and Regional Courts."

Will Tomsk prosecutors appeal?

Officials of Tomsk City Prosecutor's Office refused to put Forum 18 through on 21 March to its head, Viktor Fedotov, to Osipova who had led the case in both hearings, or anyone else.

Tomsk Regional Prosecutor's Office will decide whether to appeal against the latest decision only once the Regional Court has issued its full decision in writing, spokesperson Svetlana Krinskaya told Forum 18 from the Prosecutor's Office after the court hearing had concluded.

Krinskaya declined to comment on how the FSB – which did the preparatory work for the suit to be lodged – will react and whether it will instruct prosecutors on any next move. She also declined to comment on Ambassador Kadakin's characterisation of those seeking to ban The Bhagavad-gita As It Is as "madmen". "We work exclusively within the terms of the law," she insisted to Forum 18.

The telephone went unanswered at the Tomsk Regional FSB's press office. Forum 18 was thus unable to ask why it had intervened in the way local newspaper Tomskaya Nedelya had covered the case.

On 16 March, the paper ran an article by local journalist Zinaida Kunitsyna entitled "How did Tomsk become the centre of a worldwide scandal?", criticising the case to ban the book. The same issue of the paper also ran an anonymous commentary defending the case which was billed as "the Viewpoint of the Law Enforcement Agencies".

Tomskaya Nedelya's editor, Nikolai Grigoryev, told Forum 18 on 20 March that before the issue was published, Rustam Kamarov of the FSB press office had telephoned and visited his office to warn the paper not to run Kunitsyna's article. In discussion, Grigoryev insisted that they would run the article, but agreed to publish the view of the FSB alongside. "We did what we thought was reasonable," Grigoryev told Forum 18. "We ran one article in favour of the case and one against. They can't now complain as their viewpoint was heard."

More of Nursi's works placed on Federal List

March saw four more Russian translations of Nursi's works added to the Federal List, according to the Justice Ministry website. A book with a section of the Risale-i Nur (Messages of Light), which was declared extremist by Judge Natalya Kryukova of Central District Court of Krasnoyarsk on 29 December 2011, was added on 11 March. Three which had been declared extremist by Soviet District Court in Krasnoyarsk on 6 July 2011 were added on 16 March. These additions bring to 19 the number of Nursi's works now on the Federal List.

The July 2011 Krasnoyarsk decision followed a suit from the regional FSB, the Prosecutor's Office website declared on 8 July 2011. The December 2011 Krasnoyarsk decision was unknown to readers of the works of Nursi until the banned book appeared on the Federal List, one reader told Forum 18 on 12 March.

Banning moves continue

Moves continue to ban further Jehovah's Witness texts. On 24 January the Prosecutor in the village of Pristen in Kursk Region lodged a suit at Pristen District Court to have five texts ruled extremist. One of them – What Happens to Us When We Die? – had already been ruled not "extremist" at Rostov Regional Court in 2009, Jehovah's Witnesses told Forum 18.

The case began under Judge Yuri Starodubov, with the latest hearing on 14 March. The case is due to resume on 29 March, the court told Forum 18 on 21 March. A spokesperson for the Regional Court system told Ria-Novosti that the case is likely to last a month.

During court hearings, the prosecutor cited "expert analyses" by local scholars declaring a quotation in the booklet from the Spanish philosopher Miguel de Unamuno "extremist". Jehovah's Witnesses presented to the court expert analyses declaring that the booklet contained no extremist sentiments. The prosecutor asked for an adjournment.

"The situation has arisen where a decision by one Russian court to defend the rights of believers to use specific theological literature does not mean that another court will not ban them from doing so," Jehovah's Witnesses complained. One of their lawyers, Sergei Palagin, added: "It happens that if a Prosecutor's Office loses a case in one court it can almost endlessly appeal with the same demands to any of hundreds of other district courts in Russia. This renders pointless the defence of rights, illusory the adversarial essence of the judicial process, as well as facilitating legal nihilism in society and arbitrary action by officials."

FSB-initiated case

Like so many "extremism"-related cases, the Pristen case seems to originate with the FSB security service. On 2 June 2011 Mikhail Shishov, head of the Kursk FSB, ordered religious-studies and literary assessments from scholars at Kursk State University, according to the assessments seen by Forum 18.

Pristen District Prosecutor Artur Ivanov told Forum 18 on 21 March that the local FSB had received a report that literature was being distributed and conducted a check-up for "unsanctioned literature". He refused to explain what this term means or how the "check-up" was carried out.

Ivanov said the FSB then sought religious-studies and literary assessments from scholars at Kursk State University, which declared that the works contain calls to religious hatred and enmity and refusal for individuals to perform their civil obligations. He refused to specify what these were. Ivanov said he was familiar with the content of the Jehovah's Witness works. Asked if he was offended or frightened by their content if, as he contended, they contain calls to religious hatred and enmity, he repeatedly refused to say.

Both the duty officer and press officer Vladimir Kryshchtopov at Kursk Regional FSB told Forum 18 on 21 March that they were not familiar with the hunt for "unsanctioned" religious literature in Pristen District, nor the "expert assessments" the FSB had sought on the Jehovah's Witness publications. The press officer also declined to say how often such hunts for "unsanctioned" religious literature take place in the Region.

Tver court case

In Tver's Central District Court, Judge Yelena Kadochnikova is hearing a suit brought by local prosecutors to ban a further Jehovah's Witness publication, Learn From the Great Teacher.

Prosecutors initially sought to ban two works, but this was later reduced to one, Jehovah's Witnesses told Forum 18.

Prosecutors sought an assessment from a "specialist", Olga Vlasova, a lecturer in the Russian Language Department of Tver State University. She found that the book contains extremist material. "Parents are blackmailed by being told that without this book their children are in danger," she declared.

Jehovah's Witnesses note that teachers from the same Department have given earlier negative assessments of their publications.

"What is frightening is that in the present situation, any graduate of a philological faculty could present their own 'assessment', however prejudiced," said Igor Dmitriev, who is defending the Jehovah's Witness case in court, "and the Prosecutor's Office, without trying to investigate, could demand the inclusion of a work in the Federal List of Extremist Materials."

"Extremist" ruling overturned – but still on Federal List

Meanwhile, Jehovah's Witnesses have succeeded in overturning a court decision finding two of their booklets "extremist". On 15 February, a panel of judges chaired by Aleksandr Yemelyanov at Kemerovo Regional Court overturned the earlier decision and sent the prosecutor's suit for a new hearing, the court website noted.

The two booklets had been ruled "extremist" by Judge Natalya Ufimtseva at Kemerovo's Zavodsky District Court on 30 May 2011. Jehovah's Witnesses only found out about the case when the two booklets appeared on the Federal List on 18 July 2011. "Neither the Prosecutor's Office, nor the Court considered it necessary to bring the publisher into the case," their lawyer Vitaly Kuznetsov complained, "as if the Constitution did not exist in Russia guaranteeing everyone the right of equality before the law and the courts."

Despite the February 2012 ruling, the two brochures remain among the 68 Jehovah's Witness items on the Federal List as of 20 March.

Websites blocked, magazine imports banned

Prosecutors in a variety of Russian regions have gained court decisions ordering local internet companies to block access to several Jehovah's Witness websites in both Russian and English.

In an early February decision in Chita, a court blocked access to the jw-russia.org website not because it contains publications on the Federal List, but because it has a link to the watchtower.org website which does, Jehovah's Witnesses complained to Forum 18.

Jehovah's Witnesses also lamented that since April 2010, they have not been able to import into Russia copies of their two main magazines, Watchtower and Awake!. The ban follows a 2010 decision by the Roskomnadzor state agency.

Jehovah's Witnesses tried to challenge the decision through the Higher Arbitration Court in Moscow. The Court website records decisions in November 2010, February, June and October 2011 and February 2012. Despite these repeated hearings, Jehovah's Witnesses have been unable to overturn the April 2010 ban.

The Church and the election

Michael Bourdeaux

The Times (20.03.2012) - "The choice of the majority of people is obvious; this is a display of wisdom, seriousness and true care for the country... Our people are not senseless cattle as some might like to present it". These less than elegant words (as published in English) were part of Fr Vsevolod Chaplin's verdict on the recent election of Vladimir Putin as the next President of Russia. The chief spokesman for the Moscow Patriarchate, who heads the department on Church and Society Relations, continued his reflection on the recent Russian election in the same vein. "People understand the historic chance given to Russia and how easily it may be missed under the influence of puppet masters who do not wish well to the country."

Such sentiments are insulting to genuine friends of Russia, who know that the real deception in the presidential election on March 4 was the suppression of more plausible candidates who were illegally prevented from standing, rather than electoral fraud as such on the day. They are in despair at the paranoia, whether of the Kremlin or the Church leadership. When the recent anti-Putin demonstrations broke out in Moscow after the earlier Duma elections, one government spokesman attributed their inspiration to Hillary Clinton. The church leadership, the Moscow Patriarchate, for a time withdrew to a neutral position, apparently hedging its bets, just in case the demonstrators eventually predominated. The Patriarchate has "form" in such sensitive issues, memorably holding back in judgment at the time of the failed coup of August 1991 until the outcome was certain. If Mikhail Gorbachev had been ousted then, it is certain that the Russian Orthodox Church would have welcomed a return to the "stability" of the old hard-line communist order.

One should not make the mistake of supposing that Fr Chaplin, and Patriarch Kirill, whose spokesman he is, are fully representative of church opinion throughout Russia. Neither did the Patriarchate openly advise its adherents to vote for Putin in the election. However, the announcement immediately afterwards makes it clear where the Patriarch's allegiance is: pro-Putin, pro-"stability", anti anything resembling a demonstration in favour of democracy or a claim that the election was rigged.

The refusal of the Church to take any line other than endorsing state policy goes way back into history. The word for it, frequently used Orthodox Church circles, is "symphony". At times this may be beneficial for society, but a musical symphony is built on the very idea of contrast. Historically this confronted the Russian Church with an insurmountable problem: the Bolsheviks' adoption of state atheism and the breaking of the power of the Church after the 1917 Revolution. Despite this, Metropolitan Sergi (head of the Church after the death of Patriarch Tikhon in 1925) declared the Church's undying loyalty to the state in 1927, a pronouncement which has never repealed and which has coloured attitudes ever since. In more recent history this has led to the endorsement, for example, of Putin's murderous suppression of the Chechen revolt in the North Caucasus in 2001.

However, in Patriarch Kirill's powerful sermons he is deeply impressive when he reassesses history. The very names of the martyrs under communism were suppressed for decades, but on 17 December last year he touched the chord of patriotism in its best sense: "Let us never forget the heroism of the new martyrs and confessors of Russia. And if anyone should forget, let him come here to Bogorodsk, now Noginsk, and bow to the relics of the pastor of

this church, stabbed, but buried alive into a grave, for doing nothing other than proclaiming God's truth. And perhaps before these remains, these relics, his conscience will cry out and his heart will be pierced, for what more can be said or done to convince someone of the rightness of God's truth?"

A key event in the run-up to the presidential election took place in the Danilov Monastery, the administrative centre of the Moscow Patriarchate, on February 8. Patriarch Kirill invited leaders of other denominations and religions to meet Putin. According to Sergei Filatov, a notable commentator on church affairs, "Putin promised significantly to increase financial support for the restoration of church buildings, to allow priests on school premises, to introduce the teaching of theology into universities and to allocate state financial support for social and educational projects. In reply, the Patriarch expressed his complete support for Putin". No one would wish to criticise these laudable aims, but the whole episode illustrates just how strongly the Patriarch was in fact supporting Putin in the run-up to the election.

At the same time, some clergy spoke out to express views at variance with the church leadership. Referring to the demonstrations in Pushkin Square after the Duma elections of last December and commenting on the widespread corruption in society, Archpriest Alexei Uminsky, who hosts a popular TV programme presenting the Orthodox faith, said, "People of the most varied convictions are now gathering on the square, but they are united by one thing, their unwillingness to live like this any longer. The same thing is happening right now in the Church". He went on to cite the case of a priest who died of heart attack while fighting to preserve church property from Kremlin-backed development plans. He claimed that no church leader had raised his voice in support of the priest. A lay historian, Andrei Zubov, who has written on church-state relations, said, after the December elections, "The Church is building approximately the same kind of authoritarian system as has been built by today's regime."

Russia has now fully entered into the world of tweeting and blogging, so suppression of dissent is impossible. Independent voices, not least in the Church, are likely to express themselves more and more forcefully, especially on the outcome of the March 4 election.

Criminal prosecution of Jehovah's Witnesses reaches another level

JW Official Website (12.03.2012) — In an escalation of their attempts to criminalize the activity of Jehovah's Witnesses, Russian authorities have opened two new criminal cases under Article 282.2 (1) and (2) of the Criminal Code of the Russian Federation, which penalizes those organizing or participating in the activities of an extremist organization. The charges carry a hefty fine and imprisonment for up to three years.

The two new criminal cases involve fifteen of Jehovah's Witnesses, including families with children. Some have received written orders not to leave the city. The investigation began in April 2011 after a police officer, feigning interest in the Bible, infiltrated a peaceful religious meeting of Jehovah's Witnesses and filmed the gathering using a hidden video camera. As a result, 19 homes of the Witnesses were searched in August 2011, and criminal charges quickly followed.

Such prosecution is nothing new and appears to intensify unjust and hostile actions against the Witnesses. In December 2009, the Supreme Court of the Russian Federation dismissed

an appeal of the Taganrog Witnesses, and their legal entity was liquidated. Viktor Zhenkov, an attorney representing the Taganrog Congregation of Jehovah's Witnesses, remarked: "The liquidation of their legal entity does not abolish the constitutional right of Jehovah's Witnesses to freedom of religion. The teachings and practices of Jehovah's Witnesses are still lawful throughout Russia, including Taganrog. In addition, an appeal contesting the liquidation is pending before the European Court, which has consistently condemned Russia for violating Jehovah's Witnesses' right to freedom of religion."

Orthodox Church sides with Russian cities banning 'Homosexual Propaganda'

By Stoyan Zaimov

The Christian Post (13.03.2013) - Gay minorities in Russia claim they are being unfairly targeted after a law was signed last week that seeks to punish anyone "making public actions among minors for the propaganda of homosexuality, lesbianism, bisexuality or transgenderism (LGBT)," and which the Orthodox Church supports.

Homosexuality became legal in Russia in 1993, but society at large has remained unaccepting of alternative lifestyles. A 2010 poll by the independent Levada Center in Moscow found that 74 percent of Russian citizens regard homosexuality as a result of bad moral choices, or think of it as a "disease," while only 15 percent describe it as just another sexual orientation that "has the same right to existence" as heterosexual lifestyles.

Now, anyone deemed to be influencing minors to be more accepting of homosexuality faces up to a \$16,000 fine, after St. Petersburg Gov. Georgy Poltavchenko signed the bill into law last week along with the regions of Ryazan, Archangelsk, and Kostroma.

The Russian Orthodox Church, the largest religious denomination in the country, has spoken up in favor of the bill, and called upon the lower house of parliament to pass a national version of that law, the Guardian reported.

"The determination displayed by representatives of sexual minorities and their desire to continue rallying outside children's establishments indicate the timeliness of this regional law, which should, without delay, be given federal status," declared Hieromonk Dmitri Pershin, the Orthodox Church's representative on youth issues.

Not surprisingly, the new legislation has been firmly opposed by Russian LGBT groups, who say the law is designed to validate widespread public hostility toward gay people, and will seek to undo any civil rights progress that had occurred in the country over the last few years.

"No legal experts seem able to explain how this law would be applied in practice," said Polina Savchenko, general manager of Coming Out, a St. Petersburg LGBT group. "There is a fear that it will be used as an instrument to prevent any kind of activity the state doesn't approve of. The language of the law is so vague that it could apply to any kind of public discourse, any discussion of gay issues, in almost any venue. I mean, how can you be sure that minors won't access the Internet, or read mass media discussions?"

"We already live in a very homophobic environment, and this law just pushes us back in time. In the minds of people, it makes discrimination against gay people appear to be legal again," Savchenko added.

Nikolai Alexeyev, considered Russia's most outspoken gay rights activist, warned that he would launch a protest campaign to get the law repealed. At the same time, it is likely the law will make it even more difficult for gay pride parades and demonstrations to be staged in Russian cities that impose this law, as such gatherings are already banned on a regular basis.

Church officials insisted, however, that the primary purpose behind the law is to protect youths from being influenced by the homosexual lifestyle.

"The church is not the initiator of [these laws], but many believers have been waiting for such legislation to appear," explained Vsevolod Chaplin, head of the Moscow Patriarchate's department of cooperation with society. "The propaganda of [homosexual lifestyles] should not take place where minors can feel its influence; the same is true about heterosexual lechery.... Public manifestations of this way of life are unacceptable for the majority of society. It is our duty to secure our children against it. That have no right to promote their way of life."

One "extremism" criminal trial ends, others continue

By Felix Corley

Forum 18 News Service

After two years of investigation and trial hearings, Russian prosecutors and the courts have run out of time in their attempt to convict on "extremism"-related charges four Muslims from the Siberian city of Krasnoyarsk. Their "offence" was to read the works of the late Turkish Muslim theologian Said Nursi. Forum 18 News Service notes that the four were the first Muslim readers of Nursi's works known to have faced criminal cases in Russia. However, criminal cases on similar charges continue against other Nursi readers elsewhere in Russia, as well as against Jehovah's Witnesses. The criminal trial of Jehovah's Witness Yelena Grigoryeva began on 28 February in the southern Astrakhan Region, while other criminal trials continue, Jehovah's Witnesses told Forum 18.

A criminal case has been launched against Nursi reader Amir Abuev, in Russia's Baltic exclave of Kaliningrad, after an FSB security service raid on his flat on 11 February. He is facing charges 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").

Numerous lower court decisions have found – on highly questionable grounds – that Russian translations of the Islamic theological works of Nursi and Jehovah's Witness publications are "extremist" and so placed them on the Justice Ministry's Federal List of Extremist Materials. Anyone distributing works on the Federal List or storing them with the intention of distributing them is liable to criminal prosecution.

Case closed after two years

The case against the four Nursi readers in Krasnoyarsk – Aleksei Gerasimov, Fizuli Askarov, Yevgeny Petry and Andrei Dedkov – had its final hearing on 24 February at Judicial Unit No. 80 in the city's Soviet District, the court website notes. Magistrate Natalya Yermolenko told the Prosecutor and the defendants that the case was being closed because the two-year deadline for completing the case had run out.

Article 78 of the Criminal Code sets a two-year deadline for convicting individuals for crimes of "minor gravity".

Dedkov and Petry were being tried under Criminal Code Article 282.2, Part 1 ("Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity"). Gerasimov and Askarov 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"). The cases were launched after February 2010 raids. After an investigation by the FSB lasting 16 months and 27 days, according to case documents seen by Forum 18, the trial began on 31 August 2011.

Article 282.2, which was changed in December 2011 to add a forced labour punishment possibility, is the usual choice of prosecutors seeking to punish Muslim readers of Nursi's works.

Still under surveillance

Dedkov and Petry cautiously welcomed the closure of the cases, though both stressed that the decision has not been issued yet in writing. Both said that although this case is now closed, a new case could be launched at any time.

In a similar "extremism" case, Jehovah's Witness Aleksandr Kalistratov faced an initial trial starting in October 2010 (after being under investigation from December 2009), a first acquittal in April 2011, an appeal against the acquittal by Prosecutors, a new trial from June 2011 convicting him in November 2011, and an appeal against the conviction leading to his latest acquittal in January 2012.

"Under the law, we are innocent," Dedkov told Forum 18 from Krasnoyarsk on 29 February. He pointed to the time the interrogations and court hearings have taken as the case has progressed over two years, but says he does not regret the loss of his time. "Time is important to me, but I don't complain."

Petry told Forum 18 the same day that he and his friends are still under surveillance and have their phone calls monitored. Dedkov noted that many of "our books" (Russian translations of Nursi's works) are still banned.

State agencies, including the FSB security service, have for some years been conducting hidden surveillance of both Jehovah's Witnesses and Muslim readers of Nursi's works.

Internal government documents have revealed that moves against Jehovah's Witnesses and Muslim readers of Nursi's works are co-ordinated at a high state level. Both Jehovah's

Witnesses and Nursi readers have been targeted in ways that suggest that their believers and communities are closely watched by the police and FSB security service – from both within and outside their communities. One Russian Orthodox Church diocese has been involved in this, and private employers and public libraries have also been ordered to co-operate in the campaign.

Akhtubinsk criminal trial begins

The criminal trial of 44-year-old Jehovah's Witness Yelena Grigoryeva began on 28 February under Judge Aleksandr Shalaev at Akhtubinsk District Court in the southern Astrakhan Region, the court website noted. Like Muslim readers of Nursi's works Dedkov and Petry, she too is being tried under Criminal Code Article 282, Part 1 ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or through the media"). Further hearings took place on 29 February and 1 March.

Article 282, which was slightly changed to increase punishments in December 2011, is the usual choice of prosecutors seeking to punish Jehovah's Witnesses exercising their freedom of religion or belief.

The court website notes that the case was due to begin on 17 February, the same day Grigoryeva's two lawyers were given access to the documents in the case. However, they successfully appealed to have time to consider the materials.

Grigoryeva was accused of sharing her beliefs with people living in the Akhtubinsk District, as well as distributing printed material which is on the Federal List of Extremist Materials. The case was begun in early 2011 and was set to reach court on 25 January 2012. However, delays have been caused by the Investigation committee having appointed five investigators in succession to lead the case.

Chita criminal trial continues

The criminal trial of Jehovah's Witness married couple, Andrei and Lyutsiya Raitin also continued under Judge Vera Popova at Chita District Court, in Siberia, on 27, 28 and 29 February, according to the court website. Like Grigoryeva, they are charged with breaking Criminal Code Article 282, Part 1.

At the 27 February hearing, FSB security service officer Dmitry Dogadin and Investigator Anatoly Tskhai both admitted that the cases themselves broke legal procedures. They both admitted that the case had been prepared for court with "serious violations" of the Criminal Procedure Code, Jehovah's Witnesses told Forum 18.

"Crucial" questioning for defence stopped

At the 28 February hearing, the Raitins' lawyers tried to question defence witnesses as to whether they believed the Raitins intended to spread "enmity and hatred". However, Jehovah's Witnesses told Forum 18 on 1 March that the Judge stopped this line of questioning as "not relevant" to the case. "Prosecutors also supported this move, vigorously objecting to such questioning." Jehovah's Witnesses point out that establishing this is a "crucial factor in establishing whether or not a crime had taken place". They complained that Prosecutors were more interested in the structure and activity of the local Jehovah's Witness community.

Jehovah's Witnesses described the way the Judge is conducting the case as "a crude violation of the right to a just judicial hearing on the basis of the adversarial principle and the equality of the parties".

The Raitins' trial began with an initial hearing on 22 December 2011. Seven further hearings had taken place by the end of February 2012. The case was launched after the FSB security service claimed the Raitins had distributed 16 named Jehovah's Witness texts in 2010, knowing that they had been banned and placed on the Federal List. The Raitins deny the charges.

Yoshkar-Ola criminal trial continues

The criminal trial of Jehovah's Witness Maksim Kalinin – initially only a suspect - has continued under Judge Sergei Makarov in the Republic of Mari-El, north-west of Kazan, at the regional capital of Yoshkar-Ola's City Court. The trial began on 25 January with further hearings in February, the Judge's Assistant told Forum 18 on 1 March. She said the trial is due to resume on 21 March. She could not explain why the case did not appear to be listed on the court website. Like Muslim readers of Nursi's works Dedkov and Petry, Grigoryeva, the Raitins, and other Jehovah's Witnesses, Kalinin is being prosecuted under Criminal Code Article 282, Part 1. The case against Kalinin followed a year and a half long investigation.

At the 25 January 2012 hearing, the court rejected Kalinin's lawyer's attempt to have the case sent back to the Prosecutors. During the 8 February hearing, seven fellow members of Kalinin's community testified that they had never seen him incite enmity against others, Jehovah's Witnesses told Forum 18. At the 13 February hearing, a further five community members were questioned. The court rejected the Jehovah's Witness motion to allow the hearings to be video-recorded.

Friederike Behr, the Researcher on the Russian Federation for the human rights organisation Amnesty International, has closely followed Kalinin's case. "Amnesty International does not consider publications of Jehovah's Witnesses to incite hatred. Nevertheless, I tried to be as open to all sides in this case as possible. I read through the records of previous court hearings and attended two days at the court in Mari El," she told Forum 18 from Yoshkar-Ola on 29 February. "During these days, I did not hear any substantial or convincing evidence that Maksim Kalinin has committed the acts he is charged with - that is the distribution of banned literature."

FSB surveillance

The investigation followed August 2010 raids on private homes, and a Jehovah's Witness worship service in Yoshkar-Ola at which Kalinin was present. Amongst the evidence is FSB security service surveillance "using a hidden camera in his home without his knowledge", as well as FSB tapping of telephone calls made by seven other Jehovah's Witnesses, according to court documents.

Kaliningrad Muslim "extremist"?

By Felix Corley

Forum 18 News Service (01.03.12) - Amir Abuev, a resident of Russia's Baltic exclave of Kaliningrad, became the latest Muslim to face a criminal case on "extremism"-related charges after an 11 February FSB security service raid on his flat where local Muslims had gathered to pray the namaz (prayers). Participants told Forum 18 News Service they were questioned all night, while Abuev – a reader of the works of the late Turkish Muslim theologian Said Nursi - was detained for about 48 hours. Abuev's friends expressed concern that he – like other Muslims who read Nursi's works – could be imprisoned on "fabricated charges". FSB officers told the media Abuev belongs to the banned Nurdzhular movement. Like other Muslims who read Nursi's works, Abuev denied to Forum 18 that such a movement exists.

The FSB security service investigator leading the case, Lieutenant Artyom Voychenko, admitted that he had taken part in the 11 February raid, but added: "It wasn't only me." However, he declined to discuss the case. "I won't give you any information," he told Forum 18 from Kaliningrad on 29 February. "You should address our leadership and they will give out information if they consider it necessary."

The duty officer at the Kaliningrad Region FSB refused to comment on 15 February, referring Forum 18 to its Press Service. The same day a Press Service officer, who gave his name only as Aleksandr, refused to discuss Abuev's case by telephone, asking Forum 18 to send its questions in writing. Despite asking in writing on 15 February why the FSB security service appears to believe Abuev and his friends are dangerous, and whether gathering for religious purposes in a private home is illegal, Forum 18 had not received a response by the end of the working day on 29 February.

Many Muslims who read the works of Said Nursi have faced criminal cases in Russia in recent years. Four had their criminal case closed on 24 February at a court in the Siberian city of Krasnoyarsk as the deadline of two years for completing a case had run out.

Meanwhile, criminal cases on "extremism"-related charges continue against Jehovah's Witnesses. On 27 February, the prosecution completed its case in the trial of a Jehovah's Witness husband and wife, Andrei and Lyutsiya Raitin, in the Siberian city of Chita.

Kaliningrad FSB security service raid

The 31-year-old Amir Abuev, who prefers the first name Amin, was born in Khasavyurt in Dagestan in Russia's North Caucasus. He studied in the town's madrassa (Islamic religious school). He came to Kaliningrad Region during his military service in 1999, and settled there again in 2005.

Trouble began for Abuev on the evening of 11 February, while he and seven fellow Muslims had gathered in his Kaliningrad flat to pray the night namaz (prayers). At about 8.30 pm, as prayers were about to start, there was a knock on the door and "suspecting nothing" the guests opened the door. "Then an armed and masked group of 12 to 15 people stormed in, knocking Amin off his feet," his friends told Forum 18. Abuev was in shock, his friends noted, and initially thought his flat had been attacked by bandits. "Learning that these were FSB security service officers, he even calmed down a little."

The intruders behaved "extremely crudely", the Muslims complained, shouting at them to lie on the floor and addressing Abuev "as if he were a terrorist". FSB officers then called in FSB investigator Voychenko and the official witnesses.

They handcuffed Abuev while they conducted an eight-hour search, which lasted until 5 am the following morning. "All this time, Amin and his guests repeatedly asked if they – even one by one – could pray four farzes of the night namaz. But in reply the guardians of order clutched their weapons and issued threats."

The FSB security service officers seized all Abuev's literature, several hundred books, as well as his laptop computer and two mobile phones. Only several days later did the FSB hand over a list of confiscated items. "This should have been presented on the spot, but they used the fact that I didn't know the law," Abuev told Forum 18 on 28 February.

Such unlawful confiscations have also happened in other raids against Nursi readers and Jehovah's Witnesses.

All those present were then taken to the FSB headquarters in Kaliningrad and interrogated individually, one of them told Forum 18. All but Abuev were freed at 7 am. Abuev told Forum 18 that while in detention he was questioned by FSB officers.

Another of those present also had his home searched in his absence at the same time. "I allowed my wife to let them in as they threatened to break down the door," the Muslim told Forum 18. "There they seized a lot of literature from my library and took my wife's computer."

Court refuses detention request

At 4 pm on 13 February, two days after the raid, Abuev was taken to Kaliningrad's Central District Court as the FSB security service sought an order to have him held in pre-trial detention. However, Judge Lyudmila Sagy rejected the FSB request, the Judge's Assistant Valeriya Permilovskaya told Forum 18 from the court on 1 March. She declined to discuss the reasoning behind the decision, adding that the Judge would not be able to discuss this either.

"The court was presented with no evidence that I would run away or put pressure on other witnesses", Abuev told Forum 18. "The investigator was shocked – he wanted me detained."

After the hearing he was returned to the FSB station, where questioning continued. He was released that evening, about 48 hours after the FSB launched the raid on his flat.

Abuev said FSB investigator Voychenko summoned him again for questioning on 16 February. Once there, he was required to sign a statement that he would not leave Kaliningrad. Abuev said it is unclear how long the investigation will last and when any case might be brought to trial.

Was Abuev dismissed as Deputy Imam?

Abuev told Forum 18 he had been Deputy Imam and Deputy Head of the Department for Links with Social Organisations of the Kaliningrad Muslim Organisation, until the community dismissed him at the time of the raid. He added that it was the FSB which told him that he had been dismissed.

"Controversy has emerged over the building of a mosque in Kaliningrad and perhaps the leadership didn't want my case to interfere," Abuev told Forum 18. "But community members were surprised at the decision. They wish to defend me."

However, the head of the Kaliningrad Muslim Organisation, Irshad Khisanov, insisted to Forum 18 that Abuev had not held the formal position of Deputy Imam. "He led prayers when the Imam was away, but any educated man who knows the prayers and the Koran could do so," he told Forum 18 from Kaliningrad on 1 March. He said no state agencies had contacted him about Abuev.

Khisanov added that some years ago the Organisation intended to create a Department for Links with Social Organisations. But this department had never been set up.

Khisanov insisted that Abuev's activity "doesn't affect our organisation". He added that he had heard that Abuev read Nursi's works, "but we study the Koran. Our organisation follows what is allowed in the country where we live, not what is forbidden."

"His flat is always open to all"

Abuev's friends note his long-standing connections with the local Muslim community, saying "his flat is always open to all", and Muslims often gather there to pray the namaz together. They insist he retains cordial relations with people of other faiths and has visited churches at priests' invitations. They said he met Patriarch Kirill of the Russian Orthodox Church during one of his visits to Kaliningrad Region, giving him copies of Nursi's books and a biography of him.

FSB charges

The Kaliningrad Region FSB security service told local news agencies on 14 February that a case had been launched against Abuev, 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").

Article 282.2, which was changed in December 2011 to add a forced labour punishment possibility, is the usual choice of prosecutors seeking to punish Muslim readers of Nursi's works exercising their freedom of religion or belief.

The FSB told news agencies that it had confiscated "a large quantity" of religious books in Russian and Turkish – including some on the Federal List of Extremist Materials – as well as religious DVDs "with agitational recordings". FSB officers accused Abuev of knowingly being a member of the "Nurdzhular" movement which had been banned by Russia's Supreme Court in April 2008. Nursi readers deny that this mov.

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

The FSB security service did not name Abuev, but identified him as a Dagestan-born local resident. "The group he led undertook attempts to distribute in the Region, including in educational establishments and prisons, the ideas of fundamentalist Islam in the interpretation of Said Nursi, the chief Turkish ideologist of this movement," the FSB told local news agencies.

"Extremist" ?

Kaliningrad's Muslim community wrote to Moscow City Court in May 2007 after the capital's Koptevo District Court had ruled the Russian translation of Nursi's collection Risale-i Nur (Messages of Light) "extremist". The community called on the Court to adopt a "just decision". However, it upheld the ban.

The ban on Russian translations of Nursi's works – originally imposed in May 2007- relies solely upon analysis of the work by psychologists and linguists of the Russian Academy of Sciences. Russia's Ombudsman for Human Rights, Vladimir Lukin, and a wide range of Russia's Muslim leaders and scholars condemned the ban.

Prior to the ban, on 9 August 2001 Talgat Tadzhuiddin signed a statement on behalf of the Central Muslim Spiritual Board of Russia. The statement said Nursi's collection Risale-i Nur "represents exclusively scholarly commentaries on the Koran, serving knowledge of the revelation of the Supreme Creator". It added that the works "are far from religious extremism and fanaticism".

Numerous lower court decisions have found – on highly questionable grounds – that Russian translations of the Islamic theological works of Said Nursi and Jehovah's Witness publications are "extremist" and so placed them on the Justice Ministry's Federal List of Extremist Materials. Anyone distributing works on the list or storing them with the intention of distributing them is liable to criminal prosecution.

Such lower court literature decisions are of great help to officials seeking to prosecute Jehovah's Witnesses and Muslim readers of Nursi's works for exercising their freedom of religion or belief. A total of 68 Jehovah's Witness publications, as well as 15 Russian translations of Nursi's works, have already been ruled "extremist".

An attempt to find a key Hare Krishna book, the Bhagavad-Gita As It Is, "extremist" failed in court in Tomsk in December 2011. However, Tomsk Prosecutors have challenged this ruling, and their appeal is due to begin at Tomsk Regional Court on the afternoon of 20 March 2012, the court website notes.

Numerous criminal cases

Since the ban numerous Muslims who read Nursi's work have faced criminal prosecution in recent years on accusations that they belong to an "extremist" organisation. Jehovah's Witnesses have also faced criminal prosecution in recent years on accusations that they distribute "extremist" religious literature

One such Nursi reader, Asylzhan Kelmukhambetov, was freed from prison in Orenburg on appeal on 19 January after serving seven months of his 18-month prison term.

Russian authorities employ covert surveillance methods to initiate criminal case

By Maksim Kalinin

JW Official Website (15.02.2012) - Using old-style Soviet tactics, Russian special forces entered the home of Maksim Kalinin, one of Jehovah's Witnesses, and covertly installed

audio and video surveillance equipment. On January 25, 2012, Mr. Kalinin will be tried for his religious beliefs.

"In 2010 officers recorded his everyday conversations and then, by twisting the meanings, gave them an extremist slant," stated Kalinin's attorney, Yegiazar Chernikov. He continued: "The accusations are all the more absurd because any expression of hatred or enmity is in complete contradiction to the personality of Mr. Kalinin, who is a peaceable and courteous person, a fact confirmed by all of the witnesses questioned during the investigation period." Mr. Kalinin was officially charged on January 17, 2011.

It is noteworthy that the charges filed against Mr. Kalinin under Article 282(1) of the Criminal Code of the Russian Federation (Incitement to Hatred and Enmity) are based on the dubious conclusions of linguistics "experts" from Kemerovo State University. Attempts are presently underway to bring specialists from Kemerovo University to justice for knowingly giving false testimony in similar cases.

Putin: Compulsory religion classes must engage students

RIA Novosti (08.02.12) - Moscow, Russia - Prime Minister Vladimir Putin came out in favor of robust religion and secular ethics classes in Russian schools, saying they should be taught by theology specialists or priests.

Banned during the Soviet era, religion classes returned to middle schools in selected Russian regions in 2009. Last year Deputy Prime Minister Alexander Zhukov proposed making them compulsory as of September 2012.

The classes conform with the Constitution's stipulation that Russia remain a secular state and are consistent with Putin's commitment, reaffirmed last December, to preserving and strengthening the secular character of the Russian state, a point the government has been keen to uphold given the multi-cultural makeup of the population.

Students may choose to study the history of one of the four traditional religions - Orthodox Christianity, Islam, Judaism and Buddhism - or more general courses on "basics of world religious cultures" or "basics of secular ethics."

Putin said the lessons must not turn into pro forma exercises. "They should be taught by well-trained people, either by theology teachers or priests," Putin said at a meeting with representatives of traditional confessions in Russia on Wednesday.

The premier said that the pilot program of religious classes in 2009-2011 received a favorable response. The courses involved half a million children, 20,000 teachers and 30,000 schools across the country.

The prime minister also said that religious educational establishments must have the same rights as public schools, including rent issues, access to state budget means and teachers' wages.

In addition Putin, who is running in the March 4 presidential election, said there must be no preconditions for governmental interference in religious activities.

"We do not intend to interfere in the activities of religious organizations. The state will not do this under any circumstances. That also goes for the self-organization within our religious communities," Putin said.

Archbishop Ilarion of Volokolamsk, the head of the Moscow Patriarchy's foreign church relations, told Putin about the persecution of Christians abroad, particularly in Iraq, Egypt, Pakistan and India, and asked the premier to make the issue a Russian foreign policy priority if he wins the presidency.

Prisoner of conscience freed but not exonerated

By Felix Corley

Forum 18 News Service (20.01.12) - Seven months after being imprisoned, Asylzhan Kelmukhambetov was freed on 19 January at the end of his second appeal against his 18-month prison term, his lawyer Raulya Rogacheva and family members told Forum 18 News Service from Orenburg. However, Rogacheva complains her client has not been exonerated. A Muslim who reads the works of the late Turkish theologian Said Nursi, Kelmukhambetov had been imprisoned on "extremism"-related charges which he rejected. The Regional Court has changed his punishment from imprisonment into a fine, which he is not required to pay. Meanwhile, elsewhere in Russia cases continue on "extremism"-related criminal charges against other Muslims who read Nursi's works and Jehovah's Witnesses.

On 19 January, three judges led by Judge Svetlana Chernova at Orenburg Regional Court rejected Kelmukhambetov's appeal to have his conviction overturned. However, they reduced his punishment to a fine of 100,000 Roubles (18,918 Norwegian Kroner, 2,470 Euros or 3,190 US Dollars), Rogacheva told Forum 18. She said her client did not have to pay the fine because of recent amendments to the Criminal Code.

"Of course I am happy that my client has been freed," Rogacheva told Forum 18, "but I don't agree with the verdict as Asylzhan has not been exonerated." She said she will continue to challenge Kelmukhambetov's conviction when she gets the written verdict, which generally takes a week to issue. She plans to lodge a supervisory appeal to the Presidium of Orenburg Regional Court.

Kelmukhambetov was not present in court on 19 January, but participated in the proceedings by video link from Orenburg's Investigation Prison No. 1, where he has been held since his imprisonment. He was freed at 8 pm and returned to his wife and two children at his Orenburg home.

"He was a lot thinner after all the months in prison," one of his relatives told Forum 18 from the city on 20 January. "He spent much of his imprisonment in the Investigation Prison in the hospital because of his diabetes." The relative added that prison warders had failed to respond to his request to be served halal food in line with his religious diet.

Kelmukhambetov's lawyer, Rogacheva, had earlier complained to Forum 18 about the state of his health in the prison hospital. She complained particularly that although her client does not smoke, he was being held with others "who smoke constantly" and that he was denied halal food.

Jailed for reading books with students in a private home

The 42 year-old prisoner of conscience became the first Muslim reader of Nursi's works in Russia to receive a criminal sentence of imprisonment, having been accused of running a "home medrasah [Islamic college]" for 15 local students in a private home between 2008 and 2009.

Kelmukhambetov was sentenced in June 2011 to 18 months' imprisonment, after a trial lasting nearly a year, 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"). His first appeal to Orenburg's Lenin District Court was rejected later in 2011.

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

The FSB security service told Forum 18 that "this man attracted young people to read books and he taught from these books". Asked why reading and studying religious books was a crime, an FSB spokesperson insisted this was because many of Nursi's works had been ruled extremist by the courts and placed on the Federal List of Extremist Materials.

The Federal List

Numerous lower court decisions have found – on highly questionable grounds – that Russian translations of the Islamic theological works of Said Nursi and Jehovah's Witness publications are "extremist" and so placed them on the Justice Ministry's Federal List of Extremist Materials. Once materials are on the Federal List, it is then illegal to distribute or store them for distribution.

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

"Incitement" trials continue

Meanwhile, the criminal trial of Jehovah's Witness Maksim Kalinin under Judge Sergei Makarov at Yoshkar-Ola City Court in the Republic of Mari-El has now been set to begin on 25 January, the court told Forum 18 on 20 January.

Like many Jehovah's Witnesses, Kalinin is being prosecuted under Criminal Code Article 282, Part 1 ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of .. attitude to religion, .. conducted publicly or through the media"). The case against Kalinin followed August 2010 raids on private homes and a Jehovah's Witness worship service in Yoshkar-Ola at which he was present. Evidence rests on FSB security service surveillance "using a hidden camera in his home without his knowledge".

Also due to resume on 23 January is the criminal trial of a Jehovah's Witness married couple, Andrei and Lyutsiya Raitin. They face the same charges at their trial in the Siberian city of Chita.

However, Prosecutors in Akhtubinsk in the southern Astrakhan Region appear to be having further difficulties preparing the case under Article 282, Part 1 against local Jehovah's Witness Yelena Grigoryeva. The Investigation Committee has rejected the case prepared by the previous investigator Aleksandr Glushchenko, and handed it to a new investigator Boris Fomenkov, Jehovah's Witnesses told Forum 18 on 20 January. Fomenkov is now the fifth investigator in the case, which was begun in early 2011. It had appeared that it was close to being presented to court.

Investigator Fomenkov refused to discuss anything with Forum 18 on 20 January.

Raids by Police

Meanwhile, officials continue to raid Jehovah's Witness meetings and private homes across Russia. Two police officers in the village of Tyazhinsky in Kemerovo Region visited the homes of two female Jehovah's Witnesses on 17 January, fellow Jehovah's Witnesses told Forum 18. Having taken their identity documents, the officers forced them to go to the police station, where they were photographed and subjected to personal questions. The officers threatened to search their homes and drive them out of the village.

Jehovah's Witnesses in Cheboksary, the capital of the Chuvash Republic, have faced what they believe to be a second recent attempt to conduct surveillance on their religious meetings. On 15 January, they noticed that a man who had recently begun to attend meetings was filming with a concealed camera, Jehovah's Witnesses told Forum 18. A different man who had come along earlier pretending to be interested in learning more about the Bible turned out to be a police employee, they added.

Jehovah's Witness meetings in Cheboksary and in other towns in Chuvashia were subjected to coordinated raids by the ordinary police, officers from the regional police Anti-Extremism Centre, and OMON special police in September 2011.

On 15 December 2011, the Jehovah's Witness weekly service in a rented hall in Naberezhnyye Chelny in Tatarstan was raided by five men in civilian clothes. The men claimed they were there to conduct an identity check. One of them – Jehovah's Witnesses told Forum 18 they identified him later as Police Captain Ilsur Salakhutdinov – went onto the stage and demanded to see the identity document of the leader of the service. When those present complained that the men were interrupting their service, the men summoned police reinforcements and continued to check the identity documents and copy down the identities of those present.

The police then ordered three Jehovah's Witnesses to accompany them to the police station. However, they refused as the police presented no written order or reason. "In the hearing of everyone, the police called them 'clowns' and forcibly put them in a car," Jehovah's Witnesses told Forum 18. At the police station officers photographed and fingerprinted the three men without explaining why they were doing so.

Hidden surveillance, co-ordinated targeting

State agencies, including the FSB security service, have for some years been conducting hidden surveillance of both Jehovah's Witnesses and Muslim readers of Nursi's works.

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

Raid by prosecutors

Similarly, Prosecutor's Office officials in Ufa raided the weekly Jehovah's Witness meeting on 2 December 2011, held in a rented hall at a house of culture. Two men in civilian clothes, one of whom identified himself as Aleksei Petrov, senior aide to the prosecutor of the city's October District. Citing anonymous reports of a meeting in the building, he summoned the leader of the Jehovah's Witness service. One Jehovah's Witness Ildar Shaimukhametov asked the officials to wait until the end of the service, but Petrov indicated this was not possible. "We're at work," he told them.

Shaimukhametov had to miss the service as he was forced to answer the questions put to him, Jehovah's Witnesses complained. Questions included what literature the Jehovah's Witnesses were studying during the meeting, how many people were present and whether the authorities had been informed about the meeting. The officials wrote down Shaimukhametov's personal details, including his address and telephone number. "The believers were surprised at the visit and the questions posed, as the Law on Meetings does not cover such events," Jehovah's Witnesses told Forum 18.

On 20 January Forum 18 reached a man at the October District Prosecutor's Office who initially identified himself as Petrov. However, when Forum 18 began to ask about the December 2011 raid, the man said that Petrov was out of the office and would be back later. When Forum 18 called back, the phone line had been switched to a fax machine.

Right to meet without notification upheld

A magistrate in Udmurtia has upheld the rights of a local Jehovah's Witness community to meet for worship without notifying the authorities first. On 24 November 2011, Nadezhda Chesnokova, the Magistrate at Judicial Unit No. 4 in the town of Glazov rejected attempts to prosecute community leader Dmitry Semenov under Article 20.2, Part 1 of the Code of Administrative Violations, according to the verdict seen by Forum 18.

Article 20.2 punishes "violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket". Fines under this Article were increased 100-fold in 2007.

Article 20.2, Part 1, which punishes organising such an unsanctioned meeting, carries a fine of 1,000 to 2,000 Roubles. (1,000 Roubles, nearly one week's official minimum wage, is equivalent to 189 Norwegian Kroner, 25 Euros, or 32 US Dollars.)

Article 20.2, Part 2, which punishes carrying out such an unsanctioned meeting, carries a fine on organisers of 1,000 to 2,000 Roubles, and on participants of 500 to 1,000 Roubles.

The case against Semenov was instigated by the local FSB security service and the Prosecutor's Office, Jehovah's Witnesses told Forum 18. However, Magistrate Chesnokova ruled that "the event held was a form of religious worship by a religious organisation conducted in the form of a meeting which does not demand notifying the local authority".

An increasing number of people are being fined or threatened with fines under Article 20.2 for organising or conducting meetings for religious worship which has not been specifically approved by the local authorities. Such fines were imposed in 2011 on, among others, Baptist, Seventh-day Adventist and Jehovah's Witness leaders.

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

Some lawyers - such as Irina Zagrebina of the Moscow-based Guild of Experts on Religion and Law - argue that punishing meetings for religious worship in private homes or in rented accommodation is a misuse of the Article. She points to Russia's Constitution, which guarantees in Article 28 the right to meet with others to profess a religion, as well as provisions of the 1997 Religion Law.

Orthodox Church activity lagging

Only 1% of Orthodox Russians participate actively in parish life

Portal-credo.ru (11.01.2012) - During an all-Russian survey by the "Sreda" research service, Russians were asked: "Please tell us whether you participate in parish life," "Orthodoxy and the World" reports. The question was posed only to respondents who identified themselves as Orthodox.

Almost half (44%) of Orthodox Russians questioned do not participate and do not want to participate in parish life. Only one percent of those questioned do participate actively.

Women more often than men take part in the life of a parish. The greatest involvement in parish life is displayed by residents of the Central District of Russia and by Muscovites. White-collar workers and respondents aged 55 to 64 years are somewhat more likely than average to participate in parish life.

A bit fewer than a third of Orthodox respondents (28%) would like to participate in parish life but for some reason they are not able to. Most often these include residents of small cities with population between 50,000 and 250,000, parents of two children, retirees and respondents who think of themselves as happy. They also include respondents who support the "A Just Russia" party (32%) and who have a high opinion of the patriarch's activity (18%).

Those who do not want to participate in parish life are more often people older than 65 years (27%), residents of large cities with the exception of Moscow (29%), single-child

families (26%) and respondents who have health problems. (tr. by PDS, posted 12 January 2012)

New "anti-record" attendance at Christmas services in Moscow

Portal-credo.ru (07.01.2012) - On the order of 90 thousand Muscovites participated in Christmas worship services in churches of the capital on the night of 6-7 January, RIA Novosti was told by a representative of the press service of the State Directorate of the Ministry of Internal Affairs.

"Around 90 thousand persons participated in night-time holiday services. They attended 282 Moscow churches," the agency's source said.

As previously reported, during the celebration of the Nativity of Christ 8,500 police officers and internal security troops and militiamen provided security for churches of Moscow.

Despite Patriarch Kirill's proclaimed goal of building 600 new churches in Moscow, the attendance at already existing churches has fallen every year. The previous "anti-record" was established last year when 105 thousand persons attended Christmas services in Moscow. This was substantially less than the number who attended Moscow mosques for the Kurban-Bayram holy day this year, a Portal-credo.ru correspondent notes. (tr. by PDS, posted 12 January 2012).

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

By Felix Corley

Forum 18 News (10.01.2012) - The criminal trial in Russia's Siberian city of Chita of a Jehovah's Witness married couple, Andrei and Lyutsiya Raitin, on charges of spreading "enmity and hatred" is due to resume on 23 January. Jehovah's Witnesses dismiss the accusations against the Raitins as "baseless". They pointed out to Forum 18 News Service that the same day the trial began - 22 December 2011 - fellow Jehovah's Witness Aleksandr Kalistratov was finally acquitted on exactly the same charges at Altai Republic Supreme Court, also in Siberia. Unless the Public Prosecutor challenges the decision, Kalistratov's acquittal brings to an end prosecutors' repeated attempts to imprison him on charges which were launched in 2010. Elsewhere in Russia, other criminal cases are continuing against individuals for exercising their freedom of religion or belief.

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

Article 282 "inciting hatred" criminal charges

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

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

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

or of the level of pay or other income of the convicted person for a period of between one and two years,

or the deprivation of the right to engage in specific duties or to engage in a specific activity for a period of up to three years,

or compulsory labour for a period of up to 360 hours [previously up to 180 hours],

or corrective labour for a period of up to one year,

or forced labour for a period of up to two years [a new provision],

or deprivation of freedom for the same period".

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

Article 282.2 "extremism" criminal charges

Also slightly amended under the December 2011 Law were the punishments under Criminal Code Article 282.2 ("Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity").

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

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

Numerous lower court decisions have found – on highly questionable grounds – that Russian translations of the Islamic theological works of Said Nursi and Jehovah's Witness publications are "extremist" and so placed them on the Justice Ministry's Federal List of Extremist Materials. Once materials are on the Federal List, it is then illegal to distribute or store them for distribution.

Such lower court decisions are of great help to officials seeking to prosecute Jehovah's Witnesses and Muslim readers of the works of Said Nursi for exercising their freedom of religion or belief. A total of 68 Jehovah's Witness publications, as well as 15 Russian translations of Nursi's works, have already been ruled "extremist" However, a recent

attempt to find a key Hare Krishna book, the Bhagavad-Gita As It Is, "extremist" failed in court in Tomsk.

Chita trial begins

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

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

The Raitins' trial began under Judge Vera Popova at Chita District Court on 22 December 2011, and continued the following day, Jehovah's Witnesses told Forum 18. At the initial hearing on 10 October 2011, Judge Popova returned the case to prosecutors as it had been prepared "with violations", the court website noted. A new case was then prepared.

"We never – even in our thoughts – incited hatred!" Andrei Raitin noted. "As Jehovah's Witness, my wife and I respect people of any religious faith and culture." He described the accusation as "invented". "I regard this case in essence as an attack on our religion."

Yoshkar-Ola case handed to court

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

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

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

Astrakhan case to reach court soon?

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

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

The latest accusation – seen by Forum 18 – claims Grigoryeva "basing herself on the ideas of inciting religious hatred and enmity, as well as of propaganda of the exclusivity and superiority of people on the basis of their [attitude] to religion, having the criminal intention to commit actions directed at the public incitement of hatred and enmity, as well as the propaganda of exclusivity and superiority of people on the basis of their attitude to religion, committed from 2009 to February 2010 a crime of minor gravity against the foundations of the constitutional order and the security of the state".

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

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

Glushchenko refused to tell Forum 18 on 10 January if the Prosecutor's Office has approved the accusation and handed it to court for a possible trial. Similarly, the woman who answered the phone at Akhtubinsk District Prosecutor's office the same day declined to discuss whether the Prosecutor has already or is likely to approve the case for court.

Jehovah's Witnesses describe the prosecution accusations as "unfounded". "I fundamentally disagree with the accusations levelled against me," Grigoryeva declared, "as I firmly believe in the benefits of applying biblical principles."

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

Raid reveals "criminal" case

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

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

Kalistratov's court experiences

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

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

Gorno-Altansk acquittal, appeal, new trial, appeal

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

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

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

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

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

Kalistratov a "victim"

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

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

Odintsov took the opportunity in court in December 2011 to refer to the case then underway in Tomsk to find the book the Bhagavad-Gita As It Is "extremist". He pointed out that the "pseudo-experts" of the same Kemerovo State University – which had found some Jehovah's Witness publications "extremist" in an earlier Gorno-Altai case which was used to help prosecute Kalistratov – had turned to "other Scriptures" which were "sacred to the followers of Hare Krishna Vaishnavas". He described their "expert analysis" of the Bhagavad-Gita As It Is as "absurd".

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

Has "madness" of banning religious publications been stopped?

By Felix Corley

Forum 18 News (05.01.2012) - A court in the Siberian city of Tomsk has rejected the Prosecutor's Office suit to have the Russian translation of the Bhagavad-Gita As It Is – a key book for Hare Krishna devotees – declared "extremist" and banned throughout Russia. However, it is not yet known if prosecutors will appeal against the ruling. Before the court issued its 28 December 2011 decision, Russia's Ambassador to India Aleksandr Kadakin described those who initiated the case as "madmen" and insisted "this madness should be stopped". However, moves to ban religious works on similar grounds continue, including in Krasnodar Region, Forum 18 News Service notes.

Also in December, Altai Republic Supreme Court overturned the criminal conviction by a lower court of Jehovah's Witness Aleksandr Kalistratov.

Kalistratov had been found guilty on "extremism"-related charges in Gorno-Altai on 3 November 2011 after a second trial.

However, Forum 18 notes that attempts continue to prosecute more religious believers on "extremism"-related accusations.

Bans and censorship

The attempted ban on the Bhagavad-Gita As It Is would have been the first time a work of the Hare Krishna community had been declared "extremist". A total of 68 Jehovah's Witness publications, as well as 15 Russian translations of the works of the late Turkish Muslim theologian Said Nursi, have already been ruled "extremist" and placed on the Federal List of Extremist Materials, making it illegal to distribute or store them for distribution. Other works on the Federal List include the Russian translation of Adolf Hitler's book Mein Kampf.

In November 2011, the state authorities stepped up blocking of Jehovah's Witness websites, while questions remain about why a private company in Penza, NSS, suddenly broke off a

contract with the Hare Krishna community to distribute sms messages. Despite promises to do so, NSS staff had not answered Forum 18's questions by 5 January as to whether the company had decided itself to cancel the contract or whether this had been ordered by a court or a state agency.

Hare Krishna book "not extremist"

On 28 December 2011, Judge Galina Butenko of Tomsk's Lenin District Court rejected the prosecutor's suit to have the third Russian edition of the Bhagavad-Gita As It Is ruled extremist. "During the [28 December] court session," the court website noted the following day, "the decision part of the ruling was announced. The basis of the refusal to satisfy the suit will be set out in the reasoned part of the court ruling, which will be prepared on 2 January 2012. Participants in the case will be able to receive a copy of the court ruling in final form on 10 January 2012."

Because of the New Year and Christmas holidays in Russia, Forum 18 was unable to reach the office of Tomsk Prosecutor Viktor Fedotov, who brought the suit. However, on 29 December 2011 an unnamed official of the Regional Prosecutor's Office told Interfax-Religion that as the basis on which the court had rejected the suit is not yet known, it was unable to say if it would appeal. Only once the full ruling had been issued on or after 10 January would it be possible to say, the official added.

Welcoming the court ruling was Yuri Pleshakov of Moscow's Hare Krishna community, who has closely followed the case. "We are likely to see the full ruling only after the country wakes up after the holidays on 10 January," he told Forum 18 from Moscow on 4 January. "Although it is not clear on what basis the court reached its decision, we welcome it. We're pleased that this attempt to harm the rights of religious believers failed."

Pleshakov insisted that his community regards the attempt to ban the book as a "mistake" by officials. "I hope the authorities will learn their lesson and that the case can now be forgotten."

Similarly insisting that the authorities need to learn their lesson from the court outcome was Russia's Ombudsperson for Human Rights Vladimir Lukin, who took a close interest in proceedings. He told Interfax-Religion on 29 December 2011 that the whole case was an "unpleasant story" and described the Prosecutor's suit as "very strange". "The struggle with terrorism is a struggle with real terrorist planning and creation of groups, and not with the interpretation of ancient holy books, of whatever faith they might belong to," he added.

Controversy

The attempt to ban the Bhagavad-Gita As it Is aroused great controversy in Russia and internationally. The book is a Russian edition of a translation by Swami Prabhupada, founder of the International Society for Krishna Consciousness. An "expert analysis" completed in October 2010 by three academics at Tomsk State University at the request of FSB security service officer Dmitry Velikotsky found that the book "contains signs of incitement of religious hatred and humiliation of an individual based on gender, race, ethnicity, language, origin or attitude to religion".

Fedotov, Tomsk's Prosecutor, asked Lenin District Court to find the book extremist and send its ruling to the federal authorities in Moscow, so that it could be included in the Federal List of Extremist Materials and banned throughout Russia.

The case began at Lenin District Court on 12 August 2011, but was suspended after the fourth hearing on 30 August when the Court controversially ordered a new "expert analysis" by three "specialists" of Kemerovo State University. This "psychological/religious studies/linguistic expert analysis" – for which the authors were paid from state funds - was presented to the court on 15 December, its website notes.

At the 19 December 2011 hearing, it became known that one of the Kemerovo "experts" had not found evidence of extremism in the book, though the two others said they had.

Tomsk regional Ombudsperson for Human Rights Nelli Krechetova asked for a statement to be included in the record. Stressing that she was not simply defending the interests of the local Hare Krishna community but of the rights to freedom of religion or belief guaranteed in Russia's Constitution, she condemned the case as "absurd". She said holy books of the world religions should not be subject to court hearings as to whether they are "extremist".

"Secondly, a possible ban on a book and subsequently a ban on the religious activity of those who honour it violate citizens' rights to freedom of conscience and belief and freedom of speech." Krechetova pointed out that no extremist activity initiated by this book had been seen in Russia.

Russia's Ombudsperson Lukin also requested that his representative be allowed to participate, which was granted. The case was then adjourned until 28 December.

The final 28 December 2011 hearing was brief. Judge Butenko rejected the prosecution move to change the formulation of the accusation, and rejected the defence move to commission a new "expert analysis". After withdrawing for half-an-hour, she returned to announce that she was rejecting the prosecution suit.

Handling Indian outrage

The case aroused fierce condemnation in India, with senior politicians raising the issue with their Russian counterparts.

Kadakin, Russia's Ambassador in New Delhi, was especially outspoken, describing the attempts to ban the book as "sad". In a 20 December English-language statement posted on the Russian Embassy website, he claimed Russia respected the scriptures of all faiths and described it as "categorically inadmissible when any holy scripture is taken to the courts". "It is not normal either when religious books are sent for examination to ignorant people," he added. "Their academic scrutiny should be done at scientists' fora, congresses, seminars, etc but not in courts." He even described those seeking to ban the work in Tomsk as "madmen".

Ambassador Kadakin went further in an interview with the Indian English-language television station CNN-IBN broadcast the same day. He welcomed the outrage expressed in the Indian Parliament and said that "our two governments should not allow such things to happen". He also welcomed pressure from Human Rights Ombudsperson Lukin, though he claimed that Russian courts are independent. He repeated his earlier description of those initiating the case as "madmen", adding that "this madness should be stopped".

The transcript and a link to the video of the interview were posted to the Russian Embassy website. However, Forum 18 could find no Russian-language text of Ambassador Kadakin's comments on the website.

On 20 December, Russian Embassy Senior Counsellor Sergei Karmalito told the Indian ANI television channel that it was "very regrettable" that the "local controversy in the city of Tomsk" had reached the court. He denied that the court had been intending to ban the book. "You can't ban any sacred text," he claimed (although that would have been the case had the book been declared "extremist").

However, in a 22 December Foreign Ministry briefing in Moscow, of which a transcript was posted on the Ministry website, spokesperson Aleksandr Lukashovich claimed that the Tomsk case was directed not at the Bhagavad-Gita as such. He said it was directed at Swami Prabhupada's commentaries to his translation of it "which were considered to fall under the scope of Article 13 of Russia's Federal Law on Countering Extremist Activity".

Lukashovich then added that the case was also directed at Swami Prabhupada's "inadequate" translation of the original text, "the double translation of which suffers from distortions of meaning". He gave no evidence for his claims of any "distortions", nor did he explain why it was the role of the Foreign Ministry to determine whether a translation of a religious book is accurate or not.

Who inspired banning attempt?

While the Lenin District Court proceedings made clear that the FSB security service had initiated the 2010 "expert analysis" of the Bhagavad-Gita As It Is, regional FSB officials insisted to Forum 18 in August 2011 that it had played "no role" in the case and that the Prosecutor's Office had been behind the suit. The Tomsk Prosecutor's Office refused to tell Forum 18 in August 2011 who had decided to initiate the case.

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

In an analysis posted on his Livejournal blog on 2 January, Nikolai Karpitsky carefully reviewed all the evidence of possible initiators of the Tomsk case. Karpitsky - a philosophy lecturer at Siberian State Medical University in Tomsk, who is himself Russian Orthodox - took a close interest in the case on the side of the defence and attended hearings.

Karpitsky argues that despite evidence of FSB involvement, it is unlikely its officers would have initiated the case "unless they had an order from elsewhere". He also discounts the idea that the three Tomsk University "experts" who conducted the initial 2010 analysis were behind it, given their surprise that it would be used in court to try to ban the book and their renunciation of their analysis in court. He also rejects the idea that other academics could have been behind it.

Karpitsky notes that an order or team could have come from Moscow to oversee the case, but can find no evidence of this. He points out that the FSB security service kept secret the case between October 2010 and June 2011. He argues that had the FSB been following a secret instruction from Moscow to prepare the case for court it would not have allowed Maksim Stepanenko, the head of the Tomsk Russian Orthodox Diocese's Missionary Centre, to launch an attack on the book on 29 June 2011, one day before the prosecution case was handed to Lenin District Court. Stepanenko's extensive attack on quotes from the work closely paralleled the 2010 "expert analysis" which was not yet available to the court.

Karpitsky describes Stepanenko as "the remaining possibility" as the initiator of the case.

Stepanenko rejected such suggestions, attacking Karpitsky's analysis which he appeared to have read. "I didn't know there would be a court case about the book when I published my article," he told Forum18 from Tomsk on 5 January. He denied that he had any contacts with the FSB or the Prosecutor's Office. While welcoming the attempt to ban the book, he insisted he had learnt of the case from materials published on the internet by the Hare Krishna community. Stepanenko had put the phone down before Forum 18 could ask if he had access to the 2010 analysis before he published his June 2011 article.

Karpitsky also questioned why so much tax-payers' money had been devoted to the case to ban a religious work.

Jehovah's Witness ban case continues

Meanwhile, the suit to ban as "extremist" the Russian translation of "Bearing Thorough Witness About God's Kingdom", which is about the Acts of the Apostles, is due to continue at Uspensky District Court of Krasnodar Region in southern European Russia on 16 January, the court website notes.

The suit was brought by District Prosecutor Aleksei Yaroshenko, while the Krasnodar Region Justice Department is also a party to the case. Judge Olga Izrailova began hearing the suit on 25 November 2011.

In further hearings on 19 and 27 December, the judge rejected the Jehovah's Witness appeal to gain a further expert analysis of the book, while the case was again postponed because the Prosecutor's Office failed to provide necessary documentation.

Jehovah's Witnesses note that the book was the subject of an "expert analysis" by three academics from Kemerovo in May 2009, who found no elements of extremism in it. The same experts found many other Jehovah's Witness works to be "extremist" and this formed one of the bases for prosecuting Kalistratov in Gorno-Altai.
