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RUSSIA: Incoherence persists in counter-"extremism" policy

By Geraldine Fagan, Forum 18

As the Russian state continues its campaign to brand as "extremist" readers of Islamic theologian Said Nursi and Jehovah's Witnesses, Forum 18 News Service has found strikingly different levels of support for the campaign among law enforcement and other officials - even in the same locality. In Siberia's Krasnoyarsk Region, criminal cases have been brought against Nursi readers and courts have ruled his books "extremist". Yet when Forum 18 suggested that Nursi texts had been banned without foundation, the region's religious affairs official replied: "Something needs to be done about this, we agree." After a local court found four Jehovah's Witness texts "extremist", two of the findings were overturned on appeal. Prosecutors dropped four further cases, even though all eight cases were "as alike as peas in a pod", a local Jehovah's Witness involved in the hearings told Forum 18.

The Russian state's counter-"extremism" campaign against Jehovah's Witnesses and readers of Islamic theologian Said Nursi could not have spread widely without some federal backing, Forum 18 News Service notes. But on the ground, the campaign is not supported uniformly. On recent visits to Krasnoyarsk Region and neighbouring Khakassia Republic in Siberia, Forum 18 found strikingly different views of such "extremists" among non-law enforcement officials and their law enforcement colleagues even in the same locality.

In Krasnoyarsk, law enforcement agents continue to target Muslims suspected of reading Nursi's works. Raids on flats in the city on this year's 8 August Islamic festival of Eid-ul-Fitr resulted in a criminal "extremism" case against a 48-year-old woman. A resident of one of the raided flats, Aleksei Gerasimov, was among four local Muslims tried in connection with reading Nursi's works until prosecutors ran out of time and dropped the case in early 2012 (see F18News 5 March 2012 http://www.forum18.org/archive.php?article_id=1675).

As of 25 October, 41 Russian translations of Nursi's works and a biography of the theologian have been ruled "extremist" and added to the Federal List of Extremist Materials. Items on the List are banned from distribution nationwide, and those caught distributing them are liable to criminal prosecution (see Forum 18's "extremism" Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1724).

Law enforcement officials in Krasnoyarsk have declined to discuss their counter-"extremism" activity with Forum 18 (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

Breaking Kremlin silence

The banning of numerous religious works as "extremist" became a widely-debated topic following a 17 September Novorossiisk court ruling banning as "extremist" a widely-used Russian translation of the Koran by Azerbaijani scholar Elmir Kuliyev. Several appeals against the finding have been lodged (see F18News 1 October 2013 http://www.forum18.org/archive.php?article_id=1881).

President Vladimir Putin broke the Kremlin's long silence on the ruling of much Islamic literature "extremist" by criticising this practice during a 22 October meeting with senior Muslim leaders in Ufa (Bashkortostan Republic). "The state has had to apply restrictive measures on such literature, which in fact has been far from always successful, often even the reverse," Putin declared in remarks posted on the Kremlin website the same day. "Bans work poorly, or have the opposite effect than intended."

Such sentiments have previously been rare in an official context. Unusually also for the Russian media, a 21 August article in the Krasnoyarsk edition of Moskovsky Komsomolets newspaper questioned whether the campaign against "Nurdzhular" – a banned "extremist" organisation to which law enforcement agents routinely assume Nursi readers belong – is justified.

Muslim readers of Nursi's works deny such an organisation exists, and Forum 18 has found no connection between the few concrete (and unconvincing) reasons offered by Russian courts for banning Nursi literature as "extremist" - such as the theologian's reference to non-Muslims as "empty-talkers" - and the broader state allegations regarding "Nurdzhular" (see F18News 5 March 2013 http://www.forum18.org/archive.php?article_id=1811).

"Preventative strike"

Published in the Krasnoyarsk edition of Moskovsky Komsomolets on 11 September in response to the 21 August article, an interview with the head of the Investigation Department of Krasnoyarsk Regional FSB security service defended prosecution of "Nurdzhular" members, even in the absence of evidence linking them to violence. "If they had actually committed terrorist attacks, you could write with a clear conscience that the FSB is working poorly," Vladimir Ruban maintained. "We are trying to take a preventative strike to avoid a greater disaster."

Krasnoyarsk Region's official dealing with religious affairs, Rashit Rafikov, avoided criticising the law enforcement agencies directly when he spoke to Forum 18 in the city on 20 September. Once Forum 18 suggested that Nursi texts had been banned without foundation, he replied: "Something needs to be done about this, we agree, but while this issue hasn't been resolved at federal level, we can't influence anything here."

Yet Rafikov accepts the existence of "Nurdzhular", and went on to suggest it had links with Islamic militancy. Again, however, his main concern about Muslims who read Nursi's works when pressed by Forum 18 turned out to be minor: "Why do these people study only Nursi and no other theologians, the question arises – what's going on? These people organise their group, they don't go to the communal mosque, don't mix with other Muslims."

Aleksei Gerasimov - accused of involvement in "Nurdzhular" until prosecutors closed the case for lack of time – was indignant at the idea that he might somehow differ from other Muslims. Meeting Forum 18 on 17 September, he insisted that he attends the city's only mosque, and praised the region's mufti, Gayaz Fatkullin, as "a very reasonable person".

Not sufficient reasons to ban

Mufti Gayaz Fatkullin of Krasnoyarsk Region noted that Krasnoyarsk courts had ruled Nursi texts "extremist". "I don't think there are sufficient reasons to ban this literature," he remarked to Forum 18 in Krasnoyarsk on 18 September. "It isn't banned anywhere in the world." He also pointed out that "Turkey has officially said that the organisation 'Nurdzhular' does not exist" (see F18News 28 January 2010 http://www.forum18.org/archive.php?article_id=1400).

Three district courts in Krasnoyarsk ruled eight Nursi texts "extremist" between September 2010 and January 2013 (see F18News 15 July 2013 http://www.forum18.org/archive.php?article_id=1858).

Mufti Fatkullin stressed to Forum 18, however, that, "even if a court makes a wrong decision, I abide by it." In his view, such local court rulings occur because "Our people aren't sufficiently educated in the regions, about religion, religious culture, institutions, texts; they invite specialists who are far from religion – linguists, philosophers, but not [specialists] on religious texts."

Mufti Fatkullin's community enjoys generally positive relations with the local authorities. According to the August 2013 issue of its ProIslam newspaper, guests among the 15,000 worshippers at Krasnoyarsk's mosque on Eid-ul-Fitr included Rashit Rafikov, the regional religious affairs official, and the chair of Krasnoyarsk Regional Parliament, Aleksandr Uss. Russian Orthodox Metropolitan Panteleimon (Kutovoi) of Krasnoyarsk and Achinsk and local Roman Catholic dean Fr Antoni Badura also attended.

Aleksei Gerasimov was also at the mosque for the Eid-ul-Fitr festival on 8 August. His wife Yelena Gerasimova was preparing to celebrate with other Muslim women and their young children when law enforcement agents raided their apartment the same day (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888). "They came looking for extremists and open the door to find kids in party dresses!" Gerasimov quipped.

The behaviour of state officials carrying out such raids indicates to the Gerasimovs that they are simply carrying out orders. Aleksei Gerasimov recalled having to explain to one police interrogator during his case why he refused to place Nursi's works on the floor: "He said, 'It's just paper'. I said, 'Is a letter from your mother just paper?' Once he understood, he let me put them on his gun."

Some ban cases dropped

Krasnoyarsk law enforcement and other officials have even more varied views of Jehovah's Witnesses.

In early 2013 the city's Soviet District Court pursued bans on eight Jehovah's Witness texts in eight separate cases. One text – "What Does the Bible Really Teach?" - was ruled "extremist" on 14 February and is now at No. 2034 on the Federal List of Extremist Materials. Another - "Will You Follow Jehovah's Loving Guidance?" - was also ruled "extremist" on 24 January but has not yet been added to the Federal List.

Similar 22 and 31 January rulings against two more texts - "Natural Disasters: Punishment from God?" and "Life Without Suffering – When?" - were successfully appealed, according to Jehovah's Witnesses (see F18News 27 March 2013 http://www.forum18.org/archive.php?article_id=1818).

All eight cases were "as alike as peas in a pod", Sergei Zapletin, a local Jehovah's Witness who participated in the four cases that

came to court, told Forum 18 in Krasnoyarsk on 19 September. Despite this, he added, the final four cases were dropped during February-April 2013 as Soviet District Public Prosecutor's Office, which filed them, failed to send any representative to court.

Jehovah's Witnesses mounted an active defence in the initial four cases, noted Zapletin, submitting numerous procedural complaints. In the case of "What Does the Bible Really Teach?" these included a 7 February submission pointing out that the Parliamentary Assembly of the Council of Europe (PACE) had – in a resolution voted for by Russia – called upon the Russian authorities to "refrain from applying the law on extremist activities against all religious communities, especially Jehovah's Witnesses" (PACE Resolution 1896 (2012), paragraph 25.31, adopted 2 October 2012).

In the same case, Jehovah's Witnesses protested on 11 February 2013 that the only evidence for the text being distributed on the territory of Soviet District was the word of an FSB security service official.

Seen by Forum 18, these complaints did not prevent the court from issuing its 14 February ruling against "What Does the Bible Really Teach?" - also seen by Forum 18. "Some state representatives vote for us, others rule against us," local Jehovah's Witness Sergei Tolstonozhenko, also meeting Forum 18 on 19 September, joked as he contrasted the actions of the PACE Russian delegation and Soviet District Court.

Zapletin believes the remaining cases were dropped as they were proving complicated: "Judges are very busy. When they saw we were submitting many procedural complaints, they lost interest," he told Forum 18.

Unable to rent from state

Apart from the "extremism" charges against Jehovah's Witness literature, Tolstonozhenko reports little obstruction in Krasnoyarsk. Since 2008 the congregation has been unable to rent state-owned stadiums for their annual congresses attended by up to 4,000 Jehovah's Witnesses. However, they are able to rent privately owned venues, Tolstonozhenko told Forum 18, including for ordinary worship services.

The only incidents of state obstruction in Krasnoyarsk Region among many hundreds in Russia reported by Jehovah's Witnesses since early 2009 occurred in February-April 2010, when police briefly detained two preachers in the village of Aginskoe and interrogated another in the village of Krasnokamensk. In these cases, police were summoned by a local Russian Orthodox priest. In the city of Krasnoyarsk, police also visited four Jehovah's Witness worship services during the same period (see F18News 25 March 2010 http://www.forum18.org/archive.php?article_id=1426).

In one case, a charge of "organising or conducting a public event without notification" under the Code of Administrative Offences' Article 20.2 ("Violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession, or picket") resulted in a fine of 1,000 Roubles (then about 200 Norwegian Kroner, 25 Euros or 35 US Dollars), Tolstonozhenko told Forum 18. Like the Gerasimovs, his impression is that law enforcement agents are "fulfilling orders. They generally behave reasonably."

"All religious organisations are equal before law"

Krasnoyarsk Region's religious affairs official had a far more positive view of Jehovah's Witnesses than his law enforcement colleagues, Forum 18 found. Reminded that Jehovah's Witnesses are treated as "extremists" in many Russian regions due to the bans on their literature, Rashit Rafikov remarked, "We've never had that and never will. The law is the law - let the responsible [state] organ deal with the texts. But if this is somehow transferred onto an individual or organisation – no, they are all officially registered."

According to January 2012 official figures provided by Rafikov, 16 Jehovah's Witness organisations are registered in Krasnoyarsk Region.

While they are not in close co-operation with the state authorities, Jehovah's Witnesses get involved in annual voluntary clean-up sessions in Krasnoyarsk city, Rafikov stressed to Forum 18.

He also noted that the state supports local Krishna devotees to distribute free vegetarian breakfasts and lunches, an initiative that he praised: "We gave them a plot of land where they grow vegetables." This attitude is in stark contrast to the state's treatment of Krishna devotees in Tomsk Region, where a Public Prosecutor narrowly failed to ban as "extremist" the Russian translation of "The Bhagavad-gita As It Is", a key text for Krishna devotees (see F18News 21 March 2012 http://www.forum18.org/archive.php?article_id=1682).

In Khakassia Republic, a region neighbouring Krasnoyarsk Region, Forum 18 found the republic's religious affairs official, Boris Kicheyev, expressing a similarly tolerant attitude towards Jehovah's Witnesses. While perplexed that they refuse to participate in elections or the republic's consultative council for religious organisations, he stressed that they are legally registered: "We don't hinder their activity – all religious organisations are equal before the law."

Jehovah's Witnesses have not reported any incidents of state obstruction in Khakassia since the start of the "extremism" campaign against them in 2009.

Jehovah's Witnesses "dangerous totalitarian sect"

This is while non-law enforcement agencies in numerous other Russian regions regard Jehovah's Witnesses as a threat. In a 5 August 2013 circular to local district and municipal heads seen by Forum 18, for example, Vitaly Shikov, head of the Internal Policy Department for Chelyabinsk Region, warned that Jehovah's Witnesses had recently become more active there.

Also seen by Forum 18, a 30 August 2013 letter to municipal heads from Anatoly Vekshin, assistant governor of Murmansk Region, warned that while registered, Jehovah's Witnesses are "a dangerous totalitarian sect whose teaching (..) is capable of harming the personality and health of the adept and his family, as well as traditional national spirituality and state interests."

For Jehovah's Witnesses, the country is thus now a patchwork of different policies. The movement's website , for example, is blocked in Siberia's Buryatia Republic but accessible in Krasnoyarsk (see F18News 27 September 2013 http://www.forum18.org/archive.php?article_id=1879).

For Jehovah's Witness spokesperson Grigory Martynov, the most absurd example of this comes when entering Taganrog District (Rostov Region), where the local Jehovah's Witness congregation is banned as "extremist" and 16 of its members are currently on trial for involvement in it (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

"Outside that territory, you can be a practising Jehovah's Witness, but on it, you're a criminal 'extremist'," Martynov remarked to Forum 18 in Moscow on 10 October. "But it's still Russia!" (END)

For more background, see Forum 18's surveys of the general state of religious freedom in Russia at http://www.forum18.org/Archive.php?article_id=1722, and of the dramatic decline in religious freedom related to Russia's Extremism Law at http://www.forum18.org/Archive.php?article_id=1724.

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <http://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation, is at F18News 19 July 2010 http://www.forum18.org/Archive.php?article_id=1468.

A personal commentary by Irina Budkina, Editor of the <http://www.samstar.ucoz.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, is at F18News 26 May 2005 http://www.forum18.org/Archive.php?article_id=570.

More reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Russia is available at <http://education.nationalgeographic.com/mapping/outline-map/?map=Russia>.

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