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RUSSIA: Pentecostal and Muslim organisations dissolved

By Geraldine Fagan, Forum 18 (<https://www.forum18.org>)

Among the commonest reasons for religious organisations losing legal status is unlicensed educational activity, or the late submission of a tax return, Viktor Korolev, the official in charge of religious organisations at the Federal Registration Service has told Forum 18 News Service. Liquidated organisations known to Forum 18 include both Pentecostal and Muslim organisations. An official who heads the department responsible for registration at a regional branch of the Federal Registration Service, Rumiya Bagautdinova, told Forum 18 that religious organisations must provide information about their activity every year. Check-ups take place every two years at most, she said. Two such check-ups of the now liquidated Bible Centre in Novocheboksarsk took place in April. They involved the Public Prosecutor's Office, local police and the FSB security service. "Their first question," Fyodor Matlash told Forum 18 "was whether we were publishing extremist literature! We explained that we don't publish literature of any kind; we don't have the equipment." Particularly since the Federal Registration Service was allocated wider monitoring powers, religious communities have complained of a marked increase in state scrutiny and bureaucracy.

Religious organisations' loss of legal status for unlicensed educational activity or the late submission of a tax return is fully justified under Russian law, the official in charge of religious organisations at the Federal Registration Service has insisted to Forum 18 News Service. Viktor Korolev confirmed on 13 November that these are among the commonest reasons for the removal of religious organisations from the Single State Register of Legal Personalities. Stressing that all confessions were affected, he was unable to provide statistics, however.

In the Volga republic of Chuvashia, three Pentecostal religious organisations have been liquidated in recent years, the head of the Non-commercial Organisations Registration Department at the regional branch of the Federal Registration Service told Forum 18 from the capital, Cheboksary, on 13 November. The remaining approximately 200 religious organisations in Chuvashia are currently operating in line with the law, said Rumiya Bagautdinova. "But tomorrow they might not be."

In the latest case, according to Bagautdinova, the Novocheboksarsk-based Bible Centre was liquidated by court order. She was unable to say why, however, as her department has yet to receive the court's verdict. The Cheboksary-based Disciples of Jesus Christ Church was removed from the Single State Register of Legal Personalities on 12 January 2007 for failing to submit a tax return, she said. The Alatyr-based Grace Church was also liquidated by court order on 30 September 2004 for "non-religious activity incompatible with its charter", Bagautdinova told Forum 18, but declined to specify further.

Like Korolev, Bagautdinova defended her department's treatment of religious organisations as law-based. According to the 1997 Religion Law, she pointed out, religious organisations must provide the state organ which registered them with information about their activity every year (Article 8, Part 9). The registering organ must in turn check to see that religious organisations are operating in line with their registered charter or statutes (Article 25, Part 2). In practice check-ups take place every two years at most, she said. "If religious organisations give us information about their activity annually and are abiding by the law's demands then they won't be checked that often. But if we don't hear anything from them for years then we'll check up. We have to know if an organisation still exists."

Liquidation of the Bible Centre will mean the scaling back of its teaching activity, Assistant Pastor Fyodor Matlash of its associated Pentecostal church told Forum 18 on 10 November: "We can invite people from other cities to our homes in a private capacity, but we can't have lengthy courses." The Bible Centre, registered as a local religious organisation in 2000, was liquidated by Chuvashia's Supreme Court on 3 August, with the verdict being upheld by Russia's Supreme Court on 16 October, said Matlash. The court cases followed two check-ups in April by representatives of Novocheboksarsk Public Prosecutor's Office, local police and the FSB security service, he continued. "Their first question was whether we were publishing extremist literature! We explained that we don't publish literature of any kind; we don't have the equipment."

Bible study courses with participants from various Russian towns happened to be on in the church's building at the time of the April check-ups, Matlash told Forum 18. "The state representatives saw this and said it was unlicensed – and so illegal – educational activity. We told them that it wasn't that, just discussion about the Holy Scriptures and communal prayer." The state authorities rejected this argument, however, pointing to participation in the Bible Centre by people from outside Novocheboksarsk, the presence of a timetable and the issue of diplomas.

The 50-strong Novocheboksarsk Pentecostal church was founded in 1968. Like others affiliated to the Pentecostal union headed by Soviet prisoner-of-conscience Ivan Fedotov, it rejects state registration on principle. "It is our conviction that, while any organisation can be liquidated and even has a point in its charter for that eventuality, the Church of Jesus Christ must not be liquidated," Assistant Pastor Matlash explained to Forum 18. "If it is registered then it also falls under a form of control or pressure from the state authorities. But God directs the Church."

Like his own church, Fedotov congregations commonly register a parallel mission with the state so that they can freely conduct activity requiring legal personality status, said Matlash: "That's OK." As a result, he said, churches in the union are not obstructed for allegedly illegal religious activity in the same way as those affiliated to the Baptist Council of Churches, which similarly rejects state registration in the former Soviet Union on theological grounds (see F18News 31 May 2006 http://www.forum18.org/Archive.php?article_id=791).

The liquidation of the Bible Centre is "a dangerous precedent – they could shut down any local religious organisation for having a Sunday school," religious rights lawyer Vladimir Ryakhovsky of the Moscow-based Slavic Centre for Law and Justice remarked to Forum 18 on 8 November. The case is to his knowledge the first in which a local religious organisation – rather than a religious educational institution – has been targeted for allegedly unlawful educational activity. But since the Bible Centre is not an educational institution, Ryakhovsky disputes the legality of dissolving it for not having a licence as stipulated by the 1992 Education Law. "The age of the participants was the only difference between the Bible Centre and its Sunday school."

Forum 18 has been unable to reach the other two Pentecostal churches dissolved in Chuvashia.

A branch of the Saifulla Kadi Islamic University was also recently dissolved by the Supreme Court of Dagestan, Kaflan Khanbabayev of the North Caucasus republic's Council for Religious Affairs confirmed to Forum 18 on 13 November. Based in the town of Buinaksk, the university itself is licensed, he said, but a procuracy check-up revealed that its branch in the republic's capital, Makhachkala, is not. Maintaining that the university operated both as a local religious organisation and an educational institution, Khanbabayev insisted that branches of educational institutions must have separate educational licences. Another nine branches attached to Dagestan's 13 Islamic institutions of higher education were warned about not being licensed as part of the same check-up, he said.

Khanbabayev also maintained that the republic's 94 madrassahs conduct educational activity in the same way as secondary schools and so will soon require licences, but that its approximately 100 maktab, which he likened to Sunday schools, do not. He insisted that the Dagestani authorities have no wish to close down religious educational institutions: "We are giving them time to get licences – there is no conflict."

A spokesman at the Muslim Spiritual Directorate of Dagestan was unaware that the Makhachkala branch of the Saifulla Kadi University had been dissolved when contacted by Forum 18. The university is associated with the Spiritual Directorate, he confirmed on 12 November. A Buinaksk number he provided for the university went unanswered on 12 and 13 November.

Confusion persists over what type of religious educational activity requires a state licence. Viktor Korolev, the Federal Registration Service official, drew a distinction between religious educational (obrazovatel'naya) activity as conducted by a licensed religious educational institution, and teaching (obucheniye) of the basics of a religion, which does not require any special registration under the 1997 Religion Law. Hallmarks of educational (obrazovatel'naya) activity include paid teaching staff, special premises, the selection of students, constant activity, courses lasting at least three years and a final attestation of achievement, he explained. Teaching (obucheniye) of the basics of a religion could still involve organised courses, he acknowledged.

A Baptist church in Balashov (Saratov Region), with a congregation of about 150, lost its legal personality status this year for failing to submit a tax return on time. However, although in "a dangerous situation," it is currently "not being touched" by the authorities, its pastor, Anatoli Chuikov, told Forum 18 on 8 November. While the church – founded in 1890 – is still able to meet for worship, he said, "we can't acquire property or draw up documents to build." Good relations with the local state authorities mean that there has been no attempt to confiscate the church's building, a former Molokan [indigenous Russian Bible-based group] prayer house, said Pastor Chuikov. A prayer house documented as built by the Balashov Baptists in 1908 was transferred to the Russian Orthodox Church in 1947, he added. "But we're not demanding it back."

The Balashov church suspects that the unflinching way that the tax authorities deprived it of its legal personality status was "because we are a 'non-traditional' religious organisation." According to Pastor Chuikov, tax officials were "very cold and disdainful" towards the church and failed to give the statutory three months' warning before removing it from the Single State Register of Legal Personalities. The Slavic Centre for Law and Justice is currently preparing a legal defence for the Balashov church.

Confirming that a religious organisation should receive three months' warning before being withdrawn from the Single State Register of Legal Personalities, Viktor Korolev, the Federal Registration Service official, told Forum 18 that such a removal is possible for failing to submit a tax return in the course of a year under Article 21, Part 1 of the 2001 Law on the State Registration of Legal Personalities and Individual Proprietors. "The religious organisation then no longer exists as a legal personality," he remarked.

"But it isn't liquidation – that can only happen by court order."

A charismatic Bible college in the Pacific region of Primorsky Krai was shut down in 2003 (see F18News 21 April 2003 http://www.forum18.org/Archive.php?article_id=35). The secondary school attached to Glorification Pentecostal Church in Abakan (Khakassia Republic) was closed this year due to fire safety violations which the church disputes (see F18News 8 February 2007 http://www.forum18.org/Archive.php?article_id=908).

Particularly since the Federal Registration Service was allocated wider monitoring powers in 2004, religious communities complain of a marked increase in state scrutiny and bureaucracy. In the traditionally Buddhist Russian republic of Tuva, for example, the local authorities tried to dissolve a Pentecostal church in 2005 because it failed to notify them of a change of address and because a visit by its pastor to a neighbouring church was not covered by its registered charter activity (see F18News 18 July 2005 http://www.forum18.org/Archive.php?article_id=609) (END)

For a personal commentary by an Old Believer about continuing denial of equality to Russia's religious minorities see F18News http://www.forum18.org/Archive.php?article_id=570

For more background see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=947

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>

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