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RUSSIA: "The fantasy of the special services"?

By Felix Corley, Forum 18 (<https://www.forum18.org>)

Readers of the works of the late Turkish Muslim theologian Said Nursi claim prosecutors planted "evidence" of how to make explosives during a raid on a flat in Chelyabinsk where Muslim women meet to pray. Two Nursi readers – one of whom was running a summer school for local girls also raided - now face criminal prosecution. Nursi readers described to Forum 18 News Service claims that they were running schools for future suicide martyrs as "the fantasy of the special services". The Department for Especially Important Cases refused to discuss with Forum 18 why prosecutors had made accusations that the two women were preparing suicide bombers as if they were fact if the investigation has not been concluded. Meanwhile, the criminal case against four Nursi readers in the Siberian city of Krasnoyarsk has finally reached court after a 17-month investigation, with the preliminary hearing today (31 August). Only one of the four has been allowed to use his own lawyer. In the long-running trial of Jehovah's Witness Aleksandr Kalistratov, prosecutors have called as prosecution witnesses two Russian Orthodox, neither of whom personally knows Kalistratov.

After a 17-month investigation, the preliminary court hearing in the case against four readers of the works of the late Turkish Muslim theologian Said Nursi took place today (31 August) in the Siberian city of Krasnoyarsk, Forum 18 News Service has learnt. The case resumes on 14 September. The four are facing extremism-related charges, which they reject. Two more Nursi readers in Chelyabinsk just east of the Ural Mountains are facing criminal charges after police raided a summer school for local children in early August. Fellow Nursi readers have described to Forum 18 prosecutors' charges that the women were running schools for future suicide martyrs as "the fantasy of the special services". Meanwhile, the tenth hearing in the second trial of Jehovah's Witness Aleksandr Kalistratov on charges of inciting hatred is due in the Siberian town of Gorno-Altaysk on 12 September. Prosecutors have brought in as prosecution witnesses two Russian Orthodox, neither of whom personally knows Kalistratov but who object to his faith.

The four Krasnoyarsk and two Chelyabinsk Nursi readers are accused of promoting Nurdzhular, an alleged organisation which Nursi readers insist does not exist. It was declared illegal by Russia's Supreme Court in April 2008. Since then prosecutors have tried to show that it is organised and dangerous.

In June, Russia's Supreme Court made clear that cases under "extremism"-related Articles of the Criminal Code should be very carefully and narrowly framed (see F18News 19 July 2011 http://www.forum18.org/Archive.php?article_id=1594).

Jehovah's Witnesses and Nursi readers are particular targets of "extremism"-related criminal prosecutions, as works they frequently read (such as many of those by Nursi) have been banned by various courts. They have been placed on Russia's Federal List of Extremist Materials maintained by the Justice Ministry. Anyone distributing works on the list or storing them with the intention of distributing them is liable to criminal prosecution (see eg. F18News 21 June 2011 http://www.forum18.org/Archive.php?article_id=1582).

But in a new development, prosecutors in Tomsk are seeking through the courts to have the Russian translation of the most important work for Hare Krishna devotees – The Bhagavad-Gita As It Is by Swami Prabhupada, the founder of the International Society for Krishna Consciousness - declared "extremist" and placed on the Federal List (see F18News 10 October 2011 http://www.forum18.org/Archive.php?article_id=1623).

Meanwhile raids continue, including coordinated raids on 25 August on at least 19 homes of members of the Jehovah's Witness community in Taganrog. A criminal case was then opened against unnamed community members (see F18News 12 September 2011 http://www.forum18.org/Archive.php?article_id=1612).

Krasnoyarsk case reaches court

The preliminary hearing in the case of the four Nursi readers from the Siberian city of Krasnoyarsk – Andrei Dedkov, Yevgeni Petry, Aleksey Gerasimov and Fizuli Askarov - took place in the afternoon of 31 August under Magistrate Natalya Yermolenko at Judicial Unit No. 80 in the city's Soviet District, the court website noted.

According to the indictment – seen by Forum 18 – the four were conducting organised activity on behalf of Nurdzhular, including through study groups of Nursi's writings.

Dedkov and Petry are facing charges 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"), which carries punishment of up to three years' imprisonment.

Gerasimov and Askarov are facing charges 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"), which carries punishment of up to two years' imprisonment.

The indictment was prepared by Major A. Kurbatov, Deputy Head of the Investigation Department of the Krasnoyarsk Region FSB. It records that the investigation lasted 16 months and 27 days.

The cases – which were launched after February 2010 raids - had been completed in April 2011, but the Prosecutor's Office sent them back to FSB investigators because they were incomplete (see F18News 19 July 2011 http://www.forum18.org/Archive.php?article_id=1594).

Dedkov told Forum 18 after the preliminary hearing that the prosecution has only made available about half the materials in the case. "The Magistrate behaved correctly and gave two weeks for us to get and review the rest of the materials," he said. The trial is due to begin on 14 September. The four have not been arrested, but have been required to sign statements that they will not leave the city.

Why can't defendants choose their own lawyers?

However, Dedkov complained that prosecutors had insisted that their lawyer, Yevgeny Kolobaev, could only represent one of the accused, not all four. "We are all very satisfied with his work, and want him to represent us," he told Forum 18. "But they are only allowing him to represent Petry." He said prosecutors claimed that the four had disagreements among themselves over their lawyer. "This is just not true."

He said Askarov and Gerasimov had rejected the services of the court-appointed lawyer.

Dedkov insisted that all four are innocent of any wrongdoing. "We can't understand why they are trying to prosecute us." He said the case is mainly being led by the FSB security service.

Forum 18 was unable to reach Magistrate Yermolenko on 31 August to find out why she had not allowed the defendants to use their own lawyer, as it was the end of the working day in Krasnoyarsk.

Aznalino Nursi raid

On 8 August, a summer home in the village of Aznalino in Safakuleev District of Kurgan Region owned by Nursi reader Farida Ulmaskulova was raided. The village is about 90 minutes drive from Chelyabinsk, from where the raid was organised. Ulmaskulova was teaching seven girls between the ages of 11 and 17 the principles of Islam and reading the Koran, using a course devised by the Chelyabinsk Spiritual Union of Muslims.

"These children were children of her friends – she took them in at the request of their mothers," fellow Nursi readers told Forum 18. "She was preparing them for the children's Olympiad in Ufa in Bashkiria, where children compete over reading the Koran and on questions on the bases of Islam." However, the children were unable to take part in the Olympiad because of the lack of space on buses.

Ulmaskulova's friends say she not only taught the girls religion, but took them with the help of neighbours to swim in a local lake. "The children had a rounded summer holiday."

More than 20 officers from both Kurgan and Chelyabinsk Regions arrived in four cars in the early afternoon of 8 August. The search record seen by Forum 18 reveals that the search lasted three hours and forty minutes. Officers confiscated all the printed and handwritten texts they could find. They detained everyone, taking all the children and Ulmaskulova, separating her from the children despite her insistent requests.

Officers called the girls' fathers in the evening and handed them back. Officers warned them that their children were being prepared as "martyrs" and that they were being taught from "banned books", despite the fact that Ulmaskulova was using course books devised by the local Muslim Board.

Ulmaskulova (who like the children was fasting during Ramadan) felt ill when the officers arrived and collapsed. Despite this, officers continued the search and took her in that state to be interrogated at the City Prosecutor's Office in Chelyabinsk without

providing any medical attention. Ulmaskulova's daughter Fatima Bayrangulova (who lives with her in Chelyabinsk and who had also been detained) more than once asked officers to call an ambulance. But one officer responded: "Call one, but not here." Ulmaskulova was not freed until 8.30 pm.

Chelyabinsk raids

Two homes in Chelyabinsk were also raided on 8 August, including Ulmaskulova's Chelyabinsk home. According to case documents seen by Forum 18, officers began a search of Ulmaskulova's home ten minutes after the search in Aznalino began. Two armed officers, one investigator and several other officers and the two required witnesses arrived, soon followed by two more who filmed the search. Books, some 200 DVDs and Bayrangulova's old passport were among items confiscated.

Officers refused to allow Bayrangulova to go to the kitchen for a drink of water when she felt ill. At 6 pm, when the four-hour search was over, Bayrangulova and a guest were detained. Officers refused to hand her a copy of the search record, releasing it only a week later after her insistent demands.

Also raided on 8 August was the Chelyabinsk flat where Gulnaz Valeyeva is currently living. Local Muslim women use the flat for prayers. "If there are daughters in the family, the parents try to ensure that the daughters go only rarely to the mosque so that they don't meet unrelated men, even by chance. That's why the women often meet in this flat."

However, fellow Nursi readers express particular alarm about the search of Valeyeva's home. "Officers planted the recipe for preparing explosives. An operational officer looked through the papers and the checked notebooks and put them on his left. Then another came up and began to look through the same pile which had already been examined. There were about eight notebooks and, as if by chance, found these plans – he didn't know they had already been examined."

The court permission for the search of Valeyeva's flat – seen by Forum 18 – was given on 4 August by Judge Nikolai Maksimkin of Chelyabinsk's Central District Court. The search was ordered as part of a criminal case under Article 282.2, Part 2. The case is led by Pavel Derkho of the Department for Especially Important Cases of the Chelyabinsk Region Investigation Committee.

The court permission claimed that the investigation had established that in Valeyeva's flat, "persons the investigation has not identified have taken part in the activity of the Nurdzhular religious association by means of studying the bases of Islam, and the Arabic and Turkish languages, as well as printed materials banned in the territory of the Russian Federation whose essence is directed at the carrying out of extremist activity on the territory of the Russian Federation".

Lies?

Investigators told the local media that they had prevented the formation of suicide bombers. They said the Nursi readers had been preparing suicide vests and had recipes for manufacturing the explosive ammonal. They implied that the "evidence" for their claims had been found at the home where the summer camp was underway, although this was not the case.

"The danger is that [Nurdzhular's] followers, creating educational establishments, form in the population a positive attitude to death and a feeling of self-sacrifice," the head of the Centre for Countering Extremism of the Chelyabinsk Regional Police, Sergei Spiridonov, told regional television on 17 August.

He said 525 religious books had been confiscated. "The quantity of confiscated literature speaks of the well organised programme of study," Spiridonov claimed. "At the same time during searches in the conspiratorial flats a timetable of lessons was found for this organisation for 2012, demonstrating its serious intentions."

Fellow Nursi readers complained to Forum 18 of what they insist are "lies". They point out that officials have made similar accusations of wrongdoing in recent years through the media.

Yuri Vlasov, Head of the Department for Especially Important Cases of the Chelyabinsk Region Investigation Committee and Derkho's boss, told Forum 18 on 31 August that the investigation of the case is underway. He refused to discuss why prosecutors had made specific accusations as if they were fact if the investigation has not been concluded. "Neither I nor Derkho can give any information or commentary on the case."

Forum 18 was unable to reach anyone on 31 August at the Centre for Countering Extremism of the Chelyabinsk Regional Police.

Second Kalistratov trial continues

Meanwhile, the second criminal trial of Jehovah's Witness Aleksandr Kalistratov is continuing in the Siberian town of Gorno-Altai. His retrial began under Judge Marina Kulikova at Gorno-Altai City Court on 22 June, the court website notes. He is being prosecuted for the second time under Article 282, Part 1 of the Criminal Code ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"). Specifically, he is again accused of giving away two copies of "What Does

God Require of Us?" without knowing it had been banned, charges he denies.

Kalistratov, who turned 35 in July, has been a Jehovah's Witness since 1994. He became the first Jehovah's Witness to face criminal trial in post-Soviet Russia in connection with his religious activity. But after six months in court he was acquitted in April at his first trial. This was overturned after prosecutors appealed and the case was sent for a second trial (see F18News 19 July 2011 http://www.forum18.org/Archive.php?article_id=1594).

Jehovah's Witnesses expressed surprise that Prosecutor Bulat Yaimov has called to court as "witnesses" two people associated with the Russian Orthodox Church, neither of whom personally knows Kalistratov. At the 16 August hearing, the Orthodox priest Fr Georgy Balakin appeared as a prosecution witness (as he had done at the first trial). But the court cut off his testimony as the priest said he could not say anything personally about Kalistratov. At the most recent hearing on 19 August, Oleg Zaev of the "anti-cult" centre of St Irinaeus of Lyon (which is headed in Moscow by Aleksandr Dvorkin) testified for two and a half hours, expressing his views on Jehovah's Witnesses and their beliefs.

According to the court website, nine hearings have already taken place in Kalistratov's latest trial, with the case due to resume on 12 September. (END)

For more background, see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1196.

Analysis of the background to Russian policy on "religious extremism" is available in two articles: - 'How the battle with "religious extremism" began' (F18News 27 April 2009 http://www.forum18.org/Archive.php?article_id=1287 - and - 'The battle with "religious extremism" - a return to past methods?' (F18News 28 April 2009 http://www.forum18.org/Archive.php?article_id=1288).

A personal commentary by Irina Budkina, Editor of the <http://www.samstar.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.

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.

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/education/mapping/outline-map/?map=Russia>.

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