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RUSSIA: Regional targeting of religious "sects"

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

New amendments in Kostroma Region ban and punish "propaganda of religious sects among minors". An official order in Arkhangelsk Region banned Jehovah's Witnesses from renting municipally-owned property. A deputy Education Minister in Bashkortostan warned educational leaders – using FSB security service information – against "destructive religions", such as Protestants and Jehovah's Witnesses. The Health Department of Kurgan Region warned health institutions 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". Although many of these official texts – seen by Forum 18 News Service – were subsequently revoked, religious communities say they reflect the attitudes of many local officials. "Such views are not just those of one official – many think like that," the regional Baptist presbyter in Bashkortostan told Forum 18.

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 These were withdrawn only after the intervention of Vladimir Lukin, Russia's Human Rights Ombudsperson.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 (see F18News 28 March 2012 http://www.forum18.org/Archive.php?article_id=1685).

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 (see F18News 24 March 2011 http://www.forum18.org/Archive.php?article_id=1555).

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 (LDS Church, commonly known as the 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.

An LDS Church 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. (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.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.

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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