

## **RUSSIA: A new "Inquisition"**

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The appointment of renowned "anti-cultists" and controversial scholars of Islam to a Russian government body allocated sweeping powers to investigate religious organisations may prove the heaviest blow to religious freedom in a decade. The newly-reconstituted Expert Council for Conducting State Religious-Studies Expert Analysis attached to the Justice Ministry now has wide-ranging powers to investigate the activity, doctrines, leadership decisions, literature and worship of any registered religious organisation and recommend action to the Ministry. If the Council is given free rein, it is likely to recommend harsh measures against certain religious organisations. However, the full impact of the body is not yet clear.

So far, those in Russia seeking to restrict certain religious minorities through the state apparatus have mainly done so by proposing laws. Even if successful – as in part with the 1997 Religion Law – restrictions depend upon the state's willingness to implement laws in the way their lobbyists hoped. Now, for the first time on the federal level since the end of the Soviet period, such people have been directly appointed to a state religious-affairs body.

Justice Minister Aleksandr Konovalov rebuffed criticism of the Council as "incompetent and improper" and "unacceptable pressure on the mechanism of partnership taking shape between state and society," the Russian news agency Interfax reported on 21 April. He insisted his Ministry had created the Council in strict conformity with current laws, that adequate control mechanisms would limit its competency and that its decisions were only recommendatory.

Since Konovalov's appointment in May 2008 – days after President Dmitry Medvedev took office - the Justice Ministry has stepped up administrative pressure on non-Orthodox centralised religious organisations. Konovalov, who previously studied theology at St Tikhon's Orthodox University in Moscow, has a strong personal loyalty to the Russian Orthodox Church (Moscow Patriarchate). He has maintained publicly that state officials should remain distant from their personal preferences, however.

### ***New powers for the Expert Council***

The changes to the Expert Council for Conducting State Religious-Studies Expert Analysis are the result of two Justice Ministry orders: No. 61, signed 3 March 2009, creates the Council's almost entirely new membership (all but one of the 24 members was new). No. 53, signed 18 February 2009, gives the Council apparently limitless scope for investigating a registered religious organisation. The only stipulated aim of its 3 June 1998 predecessor was evaluation of whether a community was indeed religious and functioning in line with its registration application.

In addition to open-ended "other questions which may arise" while conducting expert analysis or monitoring an already-registered religious organisation (Appendix 1, Article 4), the Council may now investigate other aspects of its activity. These are: a religious organisation's founding documents and leadership decisions; information concerning its doctrinal principles and corresponding practice; forms and methods of activity, worship services and other rites; internal documents reflecting its

institutional structure; the religious literature, printed, audio and video material a religious organisation produces or distributes (Appendix 1, Article 3).

The Council now has the right to demand and receive documents necessary for such analysis from state bodies and any organisation (Appendix 2, Article 6). The Justice Ministry is to treat the Council's conclusions as recommendations (Appendix 1, Article 15).

The 1998 government decree made clear that such analysis could take place only when religious communities seek state registration. While it must still be commissioned by the Justice Ministry, it is now possible when the Ministry "monitors a religious organisation's conformity with its aims and activity as set out in its registered statutes", i.e. at any time. Analysis may also take place in other specific circumstances: if a religious organisation makes changes to its registered statutes; to check whether its activity corresponds with its registered statutes; if a member of the organisation is convicted of extremism; if materials it produces or distributes are ruled extremist (Appendix 1, Article 7).

An only recently exercised function, the 1997 Religion Law stipulates that the government organ which registers a religious organisation – now the Justice Ministry – is authorised to monitor compliance of its aims and activity with its registered statutes. (Article 25, Part 2)

Under a July 2008 law introducing minor amendments to numerous laws - including the 1997 Law - power to determine the procedure for conducting state religious-studies expert analysis was switched from the government to "the authorised federal organ of executive power".

The Expert Council first met in its newly-reconstituted state on 3 April and unanimously elected Aleksandr Dvorkin - Russia's most prominent "anti-cult" activist – as chair. Days later, he was interviewed about how it would operate by another new member, religious-affairs journalist Aleksandr Shchipkov, on Radonezh, a Moscow-based Orthodox radio station.

"For a long time we've been saying that very many organisations got the status of religious organisations in the reckless nineties, but in fact are either not religious or are not doing the activity stipulated in their statutes," remarked Dvorkin. Such organisations are engaged in political and commercial activity, making extremist statements and "persistent proselytism", he maintained. Now empowered to examine a registered organisation's compliance with its own statutes, the Expert Council will be passed citizens' complaints about religious organisations at the Justice Ministry's discretion, Dvorkin suggested, and will scrutinise their activity on receipt of sufficient material.

During the Radonezh interview, Dvorkin and Shchipkov agreed that as the Council's work is unpaid, they will continue in their previous employment.

### ***Bible Society to be again investigated?***

At the Council's 3 April meeting, Dvorkin named the Russian Bible Society as one

organisation for possible investigation, its executive director, Anatoli Rudenko, told Forum 18. The Society was subject to a Justice Ministry check-up of its documentation in October 2008, mainly on suspicion that it does not exhibit the characteristics of a religious organisation. After the Society complained, however, the Ministry confirmed in writing that the check-up had uncovered no grounds for corrective action.

The Bible Society has not experienced any problems since the 3 April Council meeting, Rudenko told Forum 18, and stressed that a Council investigation requires a commission from the Ministry, "but there isn't one".

### *Are Expert Council members impartial?*

Aleksandr Dvorkin heads the St Irenaeus of Lyons Religious-Studies Research Centre, which is also a missionary faculty department of St Tikhon's Orthodox University in Moscow. The Centre's website lists numerous "sects and cults", of which the most familiar and established in Russia include: charismatic Protestants (termed "neo-Pentecostals" by Dvorkin and his supporters), Hare Krishna devotees, Jehovah's Witnesses, Mormons and the New Apostolic Church.

Among Dvorkin's many attacks on such groups is his conclusion to a paper on "Neo-Pentecostalism in Russia", delivered at an April 2001 conference on "Totalitarian Sects – Threat of the 21st Century" in Nizhny Novgorod. He describes the faith of charismatic Protestants as, "a crude magical-occult system with elements of psychological manipulation (..) an anti-Biblical teaching furthering the personal enrichment of its pastors and the dissemination of false teachings originating in pagan cults."

As soon as Moscow's Golovinsky District Court pronounced its verdict banning the Jehovah's Witnesses' Moscow organisation in May 2004, Forum 18 observed Dvorkin warmly congratulate the Public Prosecutor's Office representative who had pressed for the ban.

Also known as the Russian Association of Centres for the Study of Religion and Sects, Dvorkin's Centre has branches in over a dozen Russian cities, some of which are missionary departments of Orthodox dioceses. The Saratov branch is headed by another new Council member, Aleksandr Kuzmin.

On 26 March 2009 Khabarovsk Central Municipal Court ruled a leaflet authored by Kuzmin extremist material. The leaflet alleged that "Krishnaites are involved in the drugs and arms trade in Russia and abroad. Krishnaites are prepared to murder on religious grounds (..) beatings and rapes of teenagers in closed children's homes are attributed to Krishnaites."

On 5 May Kuzmin's Saratov Centre issued an open letter – still on its website – to Saratov residents condemning "Feel the Force of Change", a campaign promoting Christian social activism organised by local Protestant Churches. The letter attacks one participant in particular, Word of Life Pentecostal Church, as "a horribly destructive sect. In Russia there were cases of beatings and murder of children in this sect in the guise of exorcism."

Another new Council member, Yevgeny Mukhtarov heads the Yaroslavl branch of Dvorkin's Association. In addition to groups identified by Dvorkin, its website lists Adventists, Baha'is, Baptists and the Salvation Army among "non-traditional cults" in Yaroslavl Region.

Other new Council members whose impartiality is particularly in doubt include Orthodox priest Fr Lev Semenov, who teaches at Dvorkin's Centre, and Vladimir Belov, who heads the Centre of Orthodox Culture and Religious Anthropology at Saratov University.

The Council's two vice-chairs, Roman Silantyev and Valiulla Yakupov - who were elected at its first meeting on 3 April - are of concern to many Russian Muslims. Silantyev's book on Islam in modern Russia treats followers of the moderate Turkish theologian, Said Nursi, as dangerous extremists. Nursi's books have already been banned through the courts as "extremist" and included on the Federal List of Extremist Materials. Anyone who then distributes them is liable to be fined. (Jehovah's Witnesses too have faced investigations after their literature has been examined on allegations of "extremism".)

At a hearing in Russia's Public Chamber on 3 March which questioned bans on Islamic literature - including Nursi's works - Silantyev countered that the state authorities were working in the right direction. He also remarked, "Let's ban all books published in Saudi Arabia, everyone knows that Russia has bad relations with the USA, so we should ban books from countries that are in the American orbit."

### ***Widespread opposition to the Council***

The appointment of renowned "anti-cultists" and controversial scholars of Islam to the Expert Council provoked an unprecedented outcry from many religious representatives and human rights defenders.

Particularly striking opposition came from the Union of Old Believer Theologians, a group not directly threatened. The developments are "a direct threat to the constitutional rights of the citizens of Russia to freedom of confession [which] could serve as a dangerous catalyst for inter-confessional strife, a prologue to the beginning of struggle against religious dissent, oppression of believers, the restoration of religious censorship and inquisition," they state.

The Old Believers also go further than simply calling for the removal of some Council members; they suggest that the best course of action would be the complete abolition of the Council. "Otherwise, the religious life of Russia will always depend upon the subjective opinion of whichever people have ended up on this body," they argue. "Questions of the existence of religious associations should be regulated by relevant civil law, without the interference of any 'councils' 'committees' or 'departments'."

However, the Russian Orthodox Church has expressed support for the Council. Fr Vsevolod Chaplin, who heads the Moscow Patriarchate's Department for Relations between Church and Society, has defended the new Council, claiming that it obviously now contains "specialists at a serious level, active, well-known in society."

### ***Will the authorities reconsider the Council's members and powers?***

If the unprecedented indignation expressed by many leaders of Russia's religious communities – Adventist, Baptist, Muslim, Old Believer and Pentecostal – and human rights defenders is heeded by the authorities, the protests may put a check on the Council's activity.

The developments around the Council caused "a big shock" within the Presidential Administration, "as they have been trying to follow a balanced policy there, pressing for peace and co-existence between confessions," Maksim Shevchenko, a member of the Public Chamber's Commission on International Relations and Freedom of Conscience and well-known television journalist, told Forum 18. The initiative for the Council's re-organisation originated with Justice Minister Konovalov, he believes.

The state's position is not unanimously supportive of the Council. Andrei Sebentsov, head of the Russian government's Department for Relations with Religious Associations, remarked to Portal-Credo religious-affairs website on 9 April that the appointments of Aleksandr Dvorkin – "not a religious-studies scholar and de facto representing the interests of the Russian Orthodox Church (Moscow Patriarchate)" - and Silantyev were "a very strange fact which could have far-reaching consequences."

So far there has been no public move by a state representative to counter the changes to the Council. Shevchenko told Forum 18 that his Commission currently has no hearing planned to press the issue. "I can only suggest things to them - but we are following the situation closely," he remarked. "As a Russian citizen, I don't want this kind of justice."

### ***Justice Ministry leaves questions about the Council unanswered***

Forum 18 submitted written questions about the Council to the Justice Ministry on 22 May. These included: approximately how many commissions the Ministry intended to give the newly re-established body per year; whether the Ministry will automatically accept its conclusions and, if not, who will decide; whether the Council's new members have the right to make statements on behalf of the Ministry; whether Aleksandr Kuzmin will be excluded from the Council as the author of a leaflet ruled extremist by a court in the Russian Far East; whether the work is paid and whether Council members hold the status of government officials or private specialists; whether the two orders appointing new members to the Council and expanding its powers were the initiative of Minister Konovalov or the result of consultation with another state organ; and, perhaps most importantly, why the Council exists at all. However, the Ministry failed to respond to Forum 18's questions. (END)

*For more background, see Forum 18's Russia religious freedom survey at [http://www.forum18.org/Archive.php?article\\_id=1196](http://www.forum18.org/Archive.php?article_id=1196).*

*Forum 18's 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>.*