

26 May 2009

RUSSIA: A new "Inquisition"

By Geraldine Fagan, Forum 18

The powers of the Russian Justice Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis were considerably widened in February 2009, allowing it to investigate the activity, doctrines, leadership decisions, literature and worship of any registered religious organisation and recommend action to the Ministry. The subsequent appointment of renowned "anti-cultists" and controversial scholars of Islam to the Council – and the choice of prominent "anti-cultist" Aleksandr Dvorkin as its chair - have led a wide range of religious representatives to liken the Council to a new "inquisition", Forum 18 News Service notes. If the Council is given free rein, it is likely to recommend harsh measures against certain religious organisations. At the Council's first meeting, Dvorkin named the Russian Bible Society as a possible target for investigation, but its executive director told Forum 18 no action has followed. Forum 18 asked the Justice Ministry how many commissions it is likely to give the Council each year, whether the Ministry will automatically accept its conclusions and, if not, who will decide. However, the Ministry has so far failed to respond.

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, Forum 18 News Service notes. 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. Two months after the Council's initial meeting, however, the full impact of the body is not yet clear.

So far, those 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.

The Expert Council attached to the Justice Ministry - whose Minister Aleksandr Konovalov signed the instructions responsible for its re-organisation - first met in its newly-reconstituted state on 3 April.

Forum 18 submitted written questions about the way the Council will operate to the Ministry before the start of the working day 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. However, the Ministry failed to respond to Forum 18's questions by the middle of the working day in Moscow on 26 May.

If the Council is given free rein, it is likely to recommend harsh measures against certain religious organisations. One appointee is the author of a leaflet linking Hare Krishna devotees with murder and child abuse that was recently declared extremist by a court in the Russian Far East. Another has urged Muslims to burn Islamic books banned as extremist – even as prominent Muslim leaders press for a review of such rulings (see F18News 27 May 2009 http://www.forum18.org/Archive.php?article_id=1300).

If heard, one check on the Council's activity may be the unprecedented outcry the development has provoked from a range of Russia's religious representatives – Seventh-day Adventist, Baptist, Muslim, Old Believer and Pentecostal – and religious-freedom defenders. Some have likened the body to a new "inquisition" (see F18News 2 June 2009 http://www.forum18.org/Archive.php?article_id=1303).

What will the Council do?

Days after the Council's 3 April meeting which unanimously voted him chair, Aleksandr Dvorkin - Russia's most prominent "anti-cult" activist – was interviewed about how it would operate by another new member, religious-affairs journalist Aleksandr Shchipkov, on Radonezh, a Moscow-based Orthodox radio station.

The fears of many Russian religious communities and human rights defenders have been exacerbated by the appointment to the Council of Dvorkin, Shchipkov, and figures such as Aleksandr Kuzmin, who has written that Hare Krishna devotees "are prepared to

murder on religious grounds" (see F18News 27 May 2009 http://www.forum18.org/Archive.php?article_id=1300).

"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. Whether the work is paid and whether Council members hold the status of government officials or private specialists were among Forum 18's unanswered questions to the Justice Ministry.

Bible Society 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 on 20 May. 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.

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 (see F18News 12 November 2008 http://www.forum18.org/Archive.php?article_id=1216).

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". Dvorkin has attacked many other religious groups in the past, but never the Society, its executive director pointed out. This leads Rudenko to suspect that opposition originates elsewhere and is not ideological, but instead seeks to usurp the Society's property in a typical act of Russian "reiderstvo", or commercial raiding.

In a 27 April open letter, Rudenko expresses his gratitude to Justice Minister Konovalov that the Bible Society was reportedly chosen as a target at the first meeting of the "so-called" Expert Council. "I interpret that as the highest possible evaluation of our labours (...) all the more prestigious because it coincides fully with the evaluation of the Russian Bible Society's labours in distributing the Word of God in Russia and the world expressed recently on behalf of Patriarch Kirill." In a 20 February 2009 letter, Bishop Mark of Yegoryevsk informs Rudenko on behalf of the patriarch: "I highly evaluate the labours of the Russian Bible Society in distributing the Word of God in Russia and the world. I am convinced that fruitful co-operation between the Russian Church and the Society will develop further."

Re-established in 1990, the Russian Bible Society is a non-denominational Christian organisation publishing and distributing Bibles in the Russian-language Synodal version, a nineteenth-century translation widely used not only by Protestants but also Russian Orthodox for reading and study outside church services (which are in Church Slavonic). Rudenko reminded Forum 18 that, while the Society was initially founded in 1813 under the patronage of Tsar Alexander I, Tsar Nicholas I forced it to cease operations in 1826 and transferred its property – then worth some two million roubles - to the Holy Synod of the Russian Orthodox Church.

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 (see F18News 27 May 2009 http://www.forum18.org/Archive.php?article_id=1300).

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".

Growing campaign against "religious extremism"

The reconstitution of the Expert Council came against a growing official battle with "religious extremism" which has been underway for the past five years. Alongside genuinely extremist works, many Muslim writings which do not appear to advocate violence have also been added to 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" (see F18News 28 April 2009 http://www.forum18.org/Archive.php?article_id=1288). (END)

For 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, see F18News 26 May 2005 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=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).

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://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY