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RUSSIA: City administration considered liquidation of religious community "necessary"

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

Intensive work by the city administration over many years against the Jehovah's Witness community in Gorno-Altai in southern Siberia was revealed by city official Irina Moshkareva in the criminal trial of local Jehovah's Witness leader Aleksandr Kalistratov. Despite a lack of written complaints against the organisation, administrative or criminal convictions or any official warnings to the Jehovah's Witness community, she told the court that she had prepared a January 2008 appeal from Mayor Viktor Oblogin to Altai Republic Supreme Court calling for the activity of the community to be halted and its organisation to be liquidated, a transcript of the hearing seen by Forum 18 News Service reveals. Asked by Kalistratov's defence why the move to halt the community's activity had been initiated, Moshkareva responded: "Because our leadership considered it necessary." No official was prepared to explain to Forum 18 why such a move – which the Altai Republic Supreme Court rejected – was initiated, and why officials then used Russia's 2002 Extremism Law to pursue the same aim.

Testimony by a city official at the ongoing criminal trial of Jehovah's Witness Aleksandr Kalistratov in southern Siberia has revealed the way different officials and agencies in Altai Republic worked together over some years to try to find ways to halt the activity of local Jehovah's Witnesses, before finding an effective mechanism in Russia's 2002 Extremism Law. Moves involved the city administration - including Mayor Viktor Oblogin - the Prosecutor's Office, Altai Republic Supreme Court and a university lecturer who provided an expert analysis of Jehovah's Witness literature. The official insisted that a request to liquidate the Jehovah's Witness community in Gorno-Altai, the republic's capital, came because the city administration "considered it necessary". However, Forum 18's investigations could not determine conclusively who initiated these attempts.

Amid a continuing Russia-wide state campaign against the Jehovah's Witnesses, Kalistratov – who has led the Gorno-Altai community since December 1998 – has become the first of their members to face criminal trial for sharing beliefs in post-Soviet Russia. Launched under Article 282, Part 1 of the Criminal Code ("Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"), his trial began at Gorno-Altai City Court on 20 October, with repeated hearings since then (see F18News 30 November 2010 http://www.forum18.org/Archive.php?article_id=1515).

Local Jehovah's Witnesses fear that if Kalistratov is convicted, the liquidation of their religious organisation – which officials have long been seeking - will be easier.

Irina Moshkareva was a city administration official responsible for links with public – including religious - organisations between October 2003 and May 2009, when she went on maternity leave. In often rather unspecific testimony to the court on the afternoon of 15 November - of which Forum 18 has seen a transcript of a recording made by Jehovah's Witnesses and listened to the key extract - she reveals that she was intensively involved in work against local Jehovah's Witnesses between 2006 and May 2009.

Moshkareva told the court that 37 local people had signed a letter in a January 2007 issue of a local newspaper against the building of a Jehovah's Witness Kingdom Hall.

Among other complaints about individual Jehovah's Witnesses, she said a set of grandparents had complained in writing in 2006 and 2007 about the way their daughter and son-in-law were bringing up their grandchildren as Jehovah's Witnesses. (In his own testimony to the court on 16 November 2010, the grandfather protested indignantly that his grandchildren "don't eat blood sausage".) In January 2008 the city administration sent materials on this case to the Prosecutor's Office, but Moshkareva told the court she was not aware of the results of any investigation it might have completed.

However, Moshkareva admitted there had been no written complaints against the local Jehovah's Witness organisation, despite her urging. Nor had administrative or criminal prosecutions against community members occurred.

Liquidation appeal, despite lack of official warnings

Despite this - and without there being any official warnings to the Jehovah's Witness community - Moshkareva said she had

prepared a 9 January 2008 appeal from Mayor Oblogin to Altai Republic Supreme Court calling for the activity of the local Jehovah's Witness community to be halted and its organisation to be liquidated.

"We were governed by Article 26, Part 3, Point 1 of the Civil Procedural Code and Article 14 of the Federal [1997 Religion] Law, on banning and liquidating in response to incidents of violation of public order, actions directed at carrying out extremist activity, causing harm to the morality and health of citizens, infringement of the person, rights and freedoms of citizens, discouraging citizens from carrying out civil obligations enshrined in law, violation of the norms of the [1993] Constitution, and inciting hatred or enmity, as well as the humiliation of human dignity, as punishable under Article 282 of the 1996 Criminal Code," she told the court.

Altai Republic Supreme Court rejected Mayor Oblogin's application against the Jehovah's Witnesses on 18 January 2008, Marina Aleksina, deputy chair of the Court, told Forum 18 from Gorno-Altai on 1 December 2010. She said the appeal was returned to the mayor on 25 January 2008 and refused to give Forum 18 a copy of it.

Moshkareva also told Gorno-Altai City Court that in the wake of this failed approach to the Supreme Court, the city administration sent its appeal to the Prosecutor's Office. While maintaining there was "no particular difference", she stressed that the request had been to halt the activity of the Jehovah's Witnesses, not to liquidate (although the Supreme Court confirmed to Forum 18 that the appeal had included liquidation).

Liquidation is "necessary"

Asked by Kalistratov's defence why the move to halt the community's activity had been initiated, Moshkareva responded: "Because our leadership considered it necessary." She further explained: "On the basis of these written and oral appeals and on the basis of some knowledge which we already had of the activity of the given organisation and reports we received." Asked whom she had in mind by the city administration's "leadership", she replied: "With us, all appeals are signed by the mayor of the city."

Asked by one defence lawyer whether she had warned Kalistratov that the city administration was seeking the liquidation of his Jehovah's Witness organisation, Moshkareva responded: "In principle, we certainly aren't obliged to warn [of this]." Nor, she said, was any attempt made to discuss complaints with Kalistratov or seek his response.

Views on Jehovah's Witnesses "were naturally mostly negative"

Moshkareva also revealed that between 2006 and May 2009 she had worked closely with Vladimir Bedarev, the assistant to Gorno-Altai Prosecutor Viktor Ponosov. She passed him large quantities of Jehovah's Witness literature that she had acquired by various channels - including directly from the community - and copies that local people had handed in to the city administration. She admitted that she had done so at the verbal request of Bedarev and a female Prosecutor's Office official whom she did not name.

Moshkareva also spoke of her co-operation with Yuliya Khvastunova, a lecturer at Gorno-Altai State University who had written on the local religious situation. The lecturer had handed her Jehovah's Witness literature in late 2007 and early 2008 and verbally "given her views" about it, which "were naturally mostly negative". She said Khvastunova had offered to co-operate "if such questions arise". She indicated that Khvastunova had believed that Jehovah's Witness activity should be halted or restricted.

Among Khvastunova's academic interests, noted on her page on the State University website, are "non-traditional teachings and cults", on which she has completed a textbook. Also listed among her work is a 2006 talk: "Mutual relations of the church and the state on the policy of countering destructive sects in the Russian Federation".

Although Moshkareva told the court she had not asked Khvastunova to produce a written assessment of Jehovah's Witness literature and that no such official assessment was produced for the city administration, Khvastunova did produce such an expert analysis with colleague Margarita Dolgovykh for the Prosecutor's Office on 18 December 2008.

The analysis, together with a further analysis produced by three experts at Kemerovo State University on 4 May 2009 - both seen by Forum 18 - were used in the case against Kalistratov. (The nearly 25,000-word December 2008 analysis states that it was completed within four days.) They were also used in the case that banned 18 Jehovah's Witness publications as "extremist" on 1 October 2009 - like Kalistratov's, heard by Gorno-Altai City Court. Altai Republic Supreme Court upheld this ban on 27 January 2010 (see F18News 28 January 2010 http://www.forum18.org/Archive.php?article_id=1400).

Forum 18 notes that by later in 2009, Altai Republic Supreme Court was taking less of a risk in banning the Jehovah's Witness literature than it would have been in taking up Mayor Oblogin's January 2008 request to move against their Gorno-Altai community, as Russia's Supreme Court had already upheld a similar ban on literature determined extremist by Rostov-on-Don Regional Court (see F18News 8 December 2009 http://www.forum18.org/Archive.php?article_id=1385).

Not involved?

Khvastunova, the lecturer, denied having any "special role" in Kalistratov's case and insisted she had not been present at any court

session. Speaking to Forum 18 from Gorno-Altai on 30 November, she said she has never conducted any official expert analysis of Jehovah's Witness literature. On hearing that Forum 18 has seen her December 2008 analysis, however, she conceded that she had conducted an analysis of "a small number" of their publications in 2008 at the request of the city prosecutor: "He asked the university, and I and a colleague were chosen." She angrily refused to say if she had been paid for the lengthy analysis.

Khvastunova told Forum 18 she had chaired Altai Republic Justice Department's Expert Commission for Conducting Religious Expert Analyses only since spring 2010. "There's been only one meeting of it, and all it did was discuss how the Commission should be structured. It didn't discuss the Jehovah's Witnesses."

Khvastunova also told Forum 18 she "couldn't recall" having told Moshkareva that she wanted to see Jehovah's Witness activity halted or restricted, describing that as "rubbish". She said reading reports of her alleged remarks in the press had made her angry.

She denied to Forum 18 that she was a fan of the work of widely known Russian "anti-cult" activist Aleksandr Dvorkin. She claimed rather to advocate a "secular" approach.

No answers from city administration or Prosecutor's Office

No official was prepared to give Forum 18 a telephone number for Moshkareva. Vladimir Ilinykh, chief of Gorno-Altai's administration, told Forum 18 on 29 November that although she remains the administration's employee while on leave, he was unable to pass on contact details. Asked whether it is right that city officials gather material on a religious community and pass it on to the Prosecutor's Office, he responded: "That's a very difficult question." He did not answer it.

Mayor Oblogin's secretary told Forum 18 on 29 November that he was on a work trip. On both 30 November and 1 December she said he was on leave. One of Oblogin's deputies, Ezher Tatin, told Forum 18 on 30 November that he covers only economic issues and referred Forum 18 to another deputy, Yury Nechaev, who covers social issues. However, after Forum 18 explained that it was seeking more information about moves over some years by the mayor and other city administration officials to halt Jehovah's Witness activity in the town, Nechaev said "I am not informed on this" and put the phone down.

Cheine Yezeneva, Moshkareva's successor and press spokesperson for the city administration, insisted to Forum 18 on 29 November that in more than a year since she has held the post, she has not been aware of any moves by the administration against Jehovah's Witnesses.

Forum 18 sent a written request to the city administration on 29 November for a copy of Mayor Oblogin's January 2008 appeal to Altai Republic Supreme Court to liquidate the Jehovah's Witness community, but despite follow-up calls had no response by the end of the working day in Gorno-Altai on 1 December.

Larisa Shestak, spokesperson for Altai Republic Prosecutor's Office, told Forum 18 on 30 November that Bedarev – the Gorno-Altai Prosecutor's Office official supposed to have worked closely with Moshkareva - died in autumn 2010. Shestak said he had worked directly for City Prosecutor Ponosov, who has now retired. However, she added that Prosecutor's Office officials cannot comment on the situation while the case against Kalistratov continues.

Forum 18 was thus unable to ask her whether the initiative to bring cases against the Jehovah's Witness community and its leader had come from Mayor Oblogin, city administration official Moshkareva, university lecturer Khvastunova or Orthodox clergy such as Fr Georgy Balakin, head of Barnaul diocese's Gorno-Altai deanery, who told Forum 18 on 30 November that the City Prosecutor had invited him to be a prosecution witness at Kalistratov's trial (see F18News 30 November 2010 http://www.forum18.org/Archive.php?article_id=1515). (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://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>.

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