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CRIMEA: Madrassahs closed – for one year or for ever?

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

As the 2015-6 academic year begins, at least five of Crimea's madrassahs (Islamic colleges) have been forced to remain closed, Forum 18 News Service has learned. One of those unable to re-open was the madrassah in Kolchugino, dramatically raided by armed security forces in June 2014. Also forced to remain closed are four of the five madrassahs run by the Crimean Muftiate. "Of course the Muftiate wants all five of the madrassahs to function so that children can get appropriate religious education," the Muftiate told Forum 18. "But we hope we will be able to re-open them for religious education in September 2016 for the next academic year." Valentina Boiko of Crimea's Education Ministry told Forum 18 that no religious organisations of any faith have sought the licences they require under Russian law to run religious education colleges. Although licences are not compulsory until September 2016, she refused to say why the madrassahs cannot function in the 2015-6 academic year. Boiko also claimed that "all religious education must have a licence", even in Sunday schools, otherwise it would be illegal.

Only one of five madrassahs (Islamic colleges) under the jurisdiction of the Crimean Muftiate have been able to re-open for the 2015-6 academic year, which began on 1 September, the Muftiate told Forum 18 News Service from the Crimean capital Simferopol on 16 September. In addition, the madrassah in Kolchugino – dramatically raided by armed police and security forces in June 2014 – has also been forced to close.

An official of Crimea's Education Ministry maintains that all religious education – even for children once a week around the time of meetings for worship – requires a licence from the Ministry. "All religious education must have a licence – otherwise it is against the law," Valentina Boiko, head of the Education Ministry's Department for Supervision and Control in the Sphere of Education, insisted to Forum 18 from Simferopol on 16 September.

Meanwhile, eight Baptists have failed to overturn on appeal large fines for holding an open-air religious event in a village in central Crimea. Two of the eight Jehovah's Witnesses stopped by police for offering religious literature to passers-by on the streets of Simferopol were fined in early September. By contrast, at least four of the others were acquitted of any wrongdoing in court (see below).

Another individual – an imam – has been fined for religious literature seized during a raid which the Russian authorities deem to be "extremist" (see below).

Compulsory licences demanded despite being not yet required

Boiko of Crimea's Education Ministry told Forum 18 that no religious community of any faith had sought or gained a licence to conduct educational activity. "Let them come to us," she told Forum 18. "We've written to the Chief Mufti and to the Orthodox Church this week asking them urgently to submit applications for licences. A licence for religious education is obligatory. Otherwise law-enforcement could bring people to responsibility." She did not explain why she had written only to two religious communities.

Asked why she had asked these religious communities to submit applications urgently, Boiko stressed that such licences take 45 days to process. She then noted that under Crimea's "transition period", licences for educational institutions do not apply in Crimea until 1 September 2016. Asked why madrassahs cannot operate in the 2015-6 academic year if licences are not compulsory, Boiko did not respond.

All religious education requires licence?

Boiko vigorously defended her contention that all religious education - even weekly classes for children around the time of meetings for worship (such as a Sunday school in an individual religious community) - will require a licence from her Ministry.

Article 5, Part 5 of Russia's Religion Law states that religious communities have the right to educate and train their own adherents in accordance with their own internal procedures. "Studying a religion and religious training does not represent religious education," the Article states.

"Groups like Sunday schools do not need an educational licence," Inna Zagrebina, a lawyer with an interest in religious freedom cases, told Forum 18 from Moscow on 16 September. "This is required only of institutions of professional education, like universities, seminaries and colleges."

Forum 18 was unable to discuss this further with Boiko, as she had put the phone down. Subsequent calls to her telephone went unanswered.

Aleksandr Selevko, head of the Religious Affairs Department at Crimea's Culture Ministry in Simferopol, declined to discuss the issue of the enforced closure of madrassahs and what forms of religious education require a state education licence. "You should ask the Education Ministry," he told Forum 18 from Simferopol on 16 September.

Kolchugino Madrassah closed

The Madrassah in the village of Kolchugino (Bulganak in Crimean Tatar), some 20 kms (12 miles) west of Simferopol, has been forced to close. It had been unable to obtain the necessary licence to continue its education, the former director Seiran Arifov told Crimean news agency QHA on 7 September.

"We have been trying to resolve this issue since New Year," Arifov told QHA, "but so far without success." He said he and his colleagues want to gain the necessary re-registration to allow it to resume its educational work, "as children need the attention, teaching and education in accordance with Muslim traditions".

The Madrassah – which at one point worked with the Muftiate – used to teach teenage boys how to recite the Koran in Arabic. The boys – who lived at the Madrassah – also attended a local school for their general education. However, the Muftiate told Forum 18 that the Kolchugino Madrassah is not part of it.

Igor Grigoryev, head of Kolchugino village administration, claimed that he did not know the madrassah in his village had been closed. "No-one has appealed to me," he told Forum 18 on 16 September. He said the madrassah had been functioning for five or six years.

The Kolchugino Madrassah was raided on 24 June 2014, one of the first institutions to be raided following Russia's annexation of Crimea in March 2014. About 30 armed Russian security agency officers – some of them masked – who conducted the raid were from Russia's FSB security service, OMON riot police, ordinary police, and Berkut (security units originally formed under Ukrainian Interior Ministry jurisdiction). Officers broke glass on windows and doors to gain entry to the building, where 13 teenage boys and two teachers were asleep. Madrassah officials were questioned and a book, computers and phones were seized (see F18News 26 June 2014 http://www.forum18.org/archive.php?article_id=1972).

Muftiate's one functioning madrassah

The Haji Ihsan Azov Madrassah of Islamic Studies - which was founded by the Muftiate in 1998 – is based in the village of Maiskoe in Dzhankoi District of northern Crimea. It currently teaches about 100 teenage boys and girls in separate sections. Children live at the Madrassah during their three-year course of study on Islam and general education.

The Madrassah was re-registered by Russia's Justice Ministry in Moscow on 25 August 2015, according to the registration record seen by Forum 18. The Muftiate (Spiritual Administration of Muslims of Crimea and Sevastopol) is listed as the founder and Dzhaher Dzhaparov as the director.

While the Azov Madrassah has received state recognition as a religious organisation, the other four madrassahs are still "in the process of re-registration", the Muftiate told Forum 18. At present they are being used only for Sunday schools for school age children.

"Of course the Muftiate wants all five of the madrassahs to function so that children can get appropriate religious education," the Muftiate told Forum 18. "The academic year has already started this month, so for the other four we cannot do anything now. But we hope we will be able to re-open them for religious education in September 2016 for the next academic year."

Fines for outdoor religious meeting upheld

Eight of nine Council of Churches Baptists from Saki fined for conducting an outdoor religious meeting in the village of Maryanovka in Krasnogvardeiskoe District of central Crimea on 10 May have lost their appeals at Crimea's Supreme Court.

The eight were found guilty in hearings at Krasnogvardeiskoe District Court between 19 May and 24 June of violating Administrative Code Article 20.2. This punishes "violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket".

The leader, Sergey Shokha, was fined 20,000 Russian Roubles. This represents about six weeks' average local wage, according to Crimean residents. The others - Anatoly Gerasimenko, Semyon Vinnikov, his brother Denis Vinnikov, Mark Dombrovsky, Yelena Kuskova, Galina Romanovich and Kristina Matafonova - were each fined 10,000 Russian Roubles (see F18News 24 June 2015 http://www.forum18.org/archive.php?article_id=2075).

In separate hearings between 16 July and 25 August, judges at Crimea's Supreme Court rejected all eight appeals, according to court records.

The Baptists had travelled from their home town of Saki and conducted an outdoor religious meeting in Maryanovka. District Police detained "and subjected them to protracted interrogation", fellow Baptists complained. "Then records of an offence were drawn up against them, they were fingerprinted and photographed, and their vehicle, literature and equipment were examined" (see F18News 2 June 2015 http://www.forum18.org/archive.php?article_id=2068).

Council of Churches Baptists have a policy of civil disobedience, refusing to pay fines imposed to punish them for exercising the right to freedom of religion or belief.

Acquitted for outdoor literature distribution

By contrast, at least four of the eight Jehovah's Witnesses stopped by police as they offered religious literature to passers-by on the streets of Simferopol on 2 July were acquitted in court, according to court records. Two more were given heavy fines, though.

Police stopped the Jehovah's Witnesses as they were offering religious literature from mobile stands, according to court decisions seen by Forum 18. Officers claimed they were violating Russia's June 2004 Demonstrations Law. They drew up records of an offence under Administrative Code Article 20.2, Part 1. The cases were then passed to court.

At separate hearings on 30 July in front of Judge Aleksei Tikhopoi at Simferopol's Kiev District Court, representatives for both O. Shchelokova and E. Lyskova (in her absence) insisted that their right to offer religious literature is protected by the Russian Constitution and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Shchelokova's lawyer told the Judge in her case that "during the religious activity, no slogans or calls of any kind were made, no agitation, propaganda or imposition of any religious views or ideas was conducted, banned religious literature was not distributed, no financial collections to support a religious organisation were undertaken, and no loudspeakers were used. The activity of her client did not form a danger to those around, and did not create a real threat of harm to the object being protected."

In choosing to acquit Shchelokova and Lyskova of any wrongdoing, Judge Tikhopoi specifically acknowledged individuals' right to freedom of religion or belief laid out in Article 9 of the European Convention.

Similarly, Judge Zoya Karalash of Simferopol's Central District Court acquitted S. Gladkova and N. Kalinova of any wrongdoing in separate hearings on 3 September, according to the decisions issued the following day and seen by Forum 18.

However, on 7 September Judge Vasili Zlotnikov of Simferopol's Zheleznodorozhny District Court found Valentina Markova guilty and fined her 10,000 Roubles, about three weeks' average local wage. The following day the same Judge found Svetlana Donskova guilty and fined her the same amount.

The other two Jehovah's Witness cases have not yet been heard, Forum 18 understands.

Raid during worship

On the morning of 4 July, police raided the meeting for worship of New Generation Protestant Church, church members complained to Forum 18. The church rents the Kosmos Cinema in Simferopol each Saturday and about 40 church members were present when the police arrived.

"Police accused us of extremism, took passport details of all those present and took three of our congregation to the police station," one church member told Forum 18 on 1 September. "They were held for several hours, questioned and had to write statements. Police also took their passports." They were then ordered to return to the police station on 6 July, where they were threatened with being taken to court and fined. Police threatened those who were not Russian citizens with deportation.

New Generation has tried to gain recognition as a religious group, a category that simply requires notification and does not confer legal status. "But officials wrote back that we still need permission each time we meet. We told them we just hold an internal meeting for our own members."

The Church continues to meet for worship and no church member has been fined. "But fewer people have attended our services since the raid," the church member lamented to Forum 18.

Another fine for religious literature

On 30 July, officials raided the Mosque in the village of Rodnikovoe in Simferopol District, about 10 kms (6 miles) north-west of Crimea's capital. They searched the Mosque in the presence of two official witnesses, confiscating 21 religious books and magazines which are on the Russian Justice Ministry's Federal List of Extremist Materials.

The works seized include seven copies of the book "The Principles of Islam", as well as two books by the late Turkish Muslim theologian Said Nursi.

Officials drew up a record of an offence against Arsen Said-Abdulla, who has been Imam of the Mosque since 1999. They accused him of violating Administrative Code Article 20.29. This punishes "Production or distribution of extremist materials" recorded on the Federal List with, for individuals, a fine or imprisonment of up to 15 days and confiscation of the banned literature.

The case was handed to Simferopol District Court where, on 14 August, Judge Lyubov Rodkina found Imam Said-Abdulla guilty. She fined him 2,000 Russian Roubles. She also ordered the religious books to be confiscated "as federal property", according to the court decision seen by Forum 18.

In court, Imam Said-Abdulla denied any wrongdoing. He told the court that as the person responsible for the mosque he periodically examines the literature that it contains. "He did not know where the given books and magazines had come from and, in his view, it is possible that one of the mosque visitors had brought them," the court decision notes. "He likewise did not know that the given books are banned." The imam added that the seven copies of the book "The Principles of Islam" had been in the mosque since the time that Crimea had been part of Ukraine.

Imam Said-Abdulla did not appeal against the court decision, which came into force on 31 August.

Since Russia's annexation of Crimea, Police and Prosecutor's Office officials have frequently raided mosques, madrassahs, bookshops, libraries and Jehovah's Witness Kingdom Halls in the hunt for religious literature which Russian courts have declared "extremist" (see Forum 18's religious freedom survey of Crimea http://www.forum18.org/archive.php?article_id=2051).

Appeal rejected

Ruslan Saitvaliyev, mufti of the Tavrida Muftiate (a smaller Muftiate and rival to the Crimean Muftiate), was fined 3,000 Russian Roubles (about a week's average local wages) under Administrative Code Article 20.29 at Simferopol's Kiev District Court on 26 May.

Mufti Saitvaliyev's fine followed a 19 May raid on an independent mosque in Kamenka on the north-eastern edge of the Crimean capital during which "extremist" religious literature was seized. Muslims complained at the time that officers had violated the law by searching every room in the mosque at once without allowing mosque representatives to have their own witnesses present (see F18News 24 June 2015 http://www.forum18.org/archive.php?article_id=2075).

Mufti Saitvaliyev appealed to Crimea's Supreme Court. But on 2 July, Judge Natalya Mostovenko upheld the punishment, according to court records. (END)

Reports on freedom of thought, conscience and belief in Crimea can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=86>.

For more background information see Forum 18's religious freedom survey of Crimea at http://www.forum18.org/archive.php?article_id=2051.

Reports and analyses on freedom of thought, conscience and belief in Russia within its internationally-recognised territory can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

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

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY