

UNREGISTERED RELIGIOUS GROUPS IN RUSSIA

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED NINTH CONGRESS

FIRST SESSION

APRIL 14, 2005

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APRIL 14, 2005

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The hearing was held at 11:31 a.m. in room 2200, Rayburn House Office Building, Washington, DC, Hon. Christopher H. Smith, Co-Chairman, presiding.

Commissioners present: Hon. Christopher H. Smith, Co-Chairman, Commission on Security and Cooperation in Europe; Hon. Joseph R. Pitts, Commissioner, Commission on Security and Cooperation in Europe; and Hon. Mike McIntyre, Commissioner, Commission on Security and Cooperation in Europe.

Witnesses present: Hon. John V. Hanford III, Ambassador-at-Large for International Religious Freedom, U.S. Department of State; Larry Uzzell, President, International Religious Freedom Watch; Paul Goble, Senior Research Associate, Eurocollege—University of Tartu, Estonia; Andrew Okhotin, Member, Independent Christian Baptists; Boris Perchatkin, President, American-Russian Relief Committee; and Sergei Cherpanov, Deputy Chairman, Presiding Committee, Administrative Center of Jehovah's Witnesses—Russia.

HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. SMITH. The hearing will come to order.

And I want to begin by expressing my apologies for being late. Congressman Joe Pitts, Congressman Pence, and I were summoned to a meeting over with the House leadership that just broke up. So I do want to apologize for having you here for so long.

I do want to welcome our very distinguished Ambassador, Ambassador Hanford and, before going into my opening statement, just say how grateful I and other Commissioners are for the tremendous work that you're doing, Mr. Ambassador.

The Helsinki Commission, as well as my subcommittee, the Subcommittee on Africa, Global Human Rights and International Operations, which has as a primary part of its jurisdiction and portfolio religious persecution and religious tolerance, recognize that you are a leader in the world on religious freedom.

And we do thank you for your tireless efforts on behalf of the persecuted churches, the Uighurs, the Muslims, the Buddhists, the Falun Gong. Anyone who is oppressed anywhere in the world, you have been a great leader. Thank you so much.

I also want to acknowledge Father Gleb Yakunin, who I first met in the push for religious freedom in the Russian church.

Father Gleb, thank you for being here.

I remember long hours spent in his apartment, me and members of the Commission and members of the staff, and Father Gleb is a great friend of religious freedom as well.

In convening this, I would like to just point out that on February 18, along with Chairman Brownback, we wrote the Governor of a region near Moscow expressing our serious concerns about problems faced by the Baptist church in that area. Their troubles began in August 2004 when the congregation erected a tent to host a religious meeting. Their story is indicative of problems experienced by various other religious communities across the vast Russian Federation.

What we're trying to do, something that has been an ongoing concern of this Commission, is to ensure that Russia, as an OSCE participating State, upholds the fundamental right of religious freedom to which they have agreed to. The Universal Declaration on Human Rights and the Helsinki Final Act and all of the follow-on declarations have always had an accord that religious freedom be preserved and protected.

Let me just point out to my colleagues that after—again, talking about the Baptists—after the tent was up, local authorities demanded the tent be removed from private property in contravention of the Russian law on religion.

When the Baptists did not comply, the Governor reportedly deployed some 200 law enforcement personnel, including police, FSB, riot police and officers of the organized crime squad. Wearing camouflage, helmets, and gas masks and carrying machine guns, this small army cordoned off the field and forcibly removed the tent.

When, undaunted, the Baptists met anyway, authorities established checkpoints and refused entry into the region to Russian citizens without local residence registration, shut off the water and the power, and attempted to intimidate worshipers by checking identity papers and recording names.

This excessive use of force was shocking and more appropriate for dealing with terrorists, not peaceful Baptists.

Tragically, just 3 weeks after these troubling events, a Baptist house church was torched by arson. Instead of receiving condolences and assistance from local authorities, the congregation was threatened. They were told the authorities will seek a court order to bulldoze it to the ground if the Baptists persist in rebuilding their lost prayer house.

And I would just point out, parenthetically, bulldozing churches is reminiscent of Nicolae Ceausescu in Romania. Ambassador Hanford would remember the terrible church desecrations and bulldozings that occurred during his tyrannical rule. I remember standing on a church that had been leveled by a bulldozer in Bucharest, Buni Cocar's church that had been bulldozed, and it was such a desecration of a house of God.

I would point out that this incident is not unique to a single village. There are numerous examples of non-Orthodox religious communities being harassed by local officials or assaulted by vandals

or both without any intervention by federation authorities to ensure respect for the rights of religious believers.

For example, the problems faced by unregistered Pentecostals throughout Russia often mirror those of unregistered Baptists.

The Jehovah's Witnesses in Moscow have also had to fight for basic religious freedoms. The international community was stunned by the June 2004 de-registration and banning of the Jehovah's Witnesses' Moscow branch, as many believed such actions had passed with another era.

I am also very concerned with how this decision will be interpreted at the local level, as other regions may copycat this approach to ban other non-Orthodox religious groups.

There is also growing concern about the free practice of Islam in Russia today, as Islam practiced outside the control of the government-approved Muslim bodies is increasingly repressed by secular authorities.

Because of these concerns, I'm very happy with the body of experts gathered here today. Much needs to be done to protect religious freedom for all, as protection not only varies from region to region, but even from village to village.

I'd like to recognize Mr. McIntyre, good friend and colleague and fellow Commissioner.

**HON. MIKE MCINTYRE, COMMISSIONER, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Mr. MCINTYRE. Thank you, Mr. Chairman. And I'll be brief in the interests of time. I know we've got some votes coming up shortly.

Let me just say, religious freedom is at the very core of human dignity and human rights. And we have enjoyed new and positive relationships with Russia, but we are concerned, obviously, about this very personal issue, which also becomes a very public issue in terms of the expression of religious freedom.

So I'm pleased that we're having this hearing today, Mr. Chairman. I'm also pleased that we have friends from the Commission on International Religious Freedom here with us, and I'm very pleased our first person to testify, Ambassador Hanford, who I know does an excellent job.

And we look forward to hearing your testimony.

Amb. HANFORD. Thank you very much.

Mr. SMITH. We will now welcome John Hanford, Ambassador-at-Large for International Religious Freedom. The U.S. and persecuted believers around the world, as I said in the opening, are very fortunate to have this dedicated public servant who works tirelessly to ensure that all peoples may enjoy their religious liberty.

John's hard work and the work of his staff is paying off. And I credit him with moving the State Department to designate Saudi Arabia, Vietnam, and Eritrea as "Countries of Particular Concern," a decision that just a few years ago, especially in the case of Saudi Arabia and Vietnam, would have been unthinkable.

No stranger to the Congress, John worked on the staff of Senator Richard Lugar from 1987 to 2002 and was intimately involved with the drafting of the International Religious Freedom Act of 1998.

John has served as Ambassador-at-Large since May 2002. He holds a B.A. from the University of North Carolina and a Master's of Divinity from Gordon-Conwell Theological Seminary.
Ambassador Hanford?

**HON. JOHN V. HANFORD III, AMBASSADOR-AT-LARGE
FOR INTERNATIONAL RELIGIOUS FREEDOM,
U.S. DEPARTMENT OF STATE**

Amb. HANFORD. Thank you, Chairman Smith. And thank you for being such a champion for religious freedom all over the world, as is, of course, Congressman Pitts, who's coming in right now.

And I want to also mention in the case of Commissioner McIntyre that he's a fellow University of North Carolina grad. We were there at the same time. We're both in a very good mood these days, after the basketball championship. And his two sons have had the wisdom to go back. And one of them had the extraordinary wisdom to marry a gal from my hometown.

Mr. MCINTYRE. Thank you, sir. We're very excited about that.

Amb. HANFORD. I welcome the opportunity to be here today to discuss the problems experienced by unregistered religious groups in Russia.

It's my hope that today's hearing will draw attention to the plight of unregistered religious groups and that by working together we can improve the treatment of these communities throughout the country.

I'm going to give some brief remarks here, but let me ask, if I may, that my entire statement be placed in the record.

Mr. SMITH. Without objection, it will be made a part of the record.

Amb. HANFORD. First I want to say that we take the state of religious freedom in Russia with the utmost seriousness. The U.S. Government's democracy and human rights strategy in Russia is to promote awareness of and respect for the entire range of human rights, including freedom of religion.

Since passage of the International Religious Freedom Act in 1998, we've made important strides in advocating for religious freedom as a part of our foreign policy.

President Bush has worked to strengthen this commitment, stating in his national security strategy that the U.S. Government will take special efforts to promote freedom of religion and conscience and defend it from encroachment by repressive governments.

My office closely follows religious freedom developments in Russia. We're in touch regulatory with religious and human rights groups. Embassy Moscow has two political officers dedicated to promoting human rights and religious freedom. And with assistance from the Consulates General in St. Petersburg, Yekaterinburg, and Vladivostok, they investigate reports of incidents and stay in close contact with religious groups and human rights advocates.

Our Ambassador and our senior officials regularly raise our concerns about the rights of religious minorities with Russian leaders.

Russia's constitution recognizes freedom of religion, and the Russian Government generally respects this right in practice. However, the 1997 Law on Freedom of Conscience and on Religious Associa-

tions and its amendments have had the practical effect of restricting religious freedom for a few groups and organizations.

The law imposes restrictive registration requirements that prevent new and minority faith groups from gaining legal status. Nearly 1,000 faith groups were unable to meet the registration requirements and were dissolved and prohibited from conducting activities.

In Russia, people are free to belong to the state-favored organizations: the Russian Orthodox Church, under the auspices of the Moscow patriarch; Judaism; Islam; and Buddhism.

Although the majority of Russians feel free to worship, many religious minorities encounter restrictions and harassment, including some of those that are registered. We've received reports of difficulties experienced by Old Believers, members of the Autocephalous Orthodox Church, Roman Catholics, unregistered Baptists, Pentecostals, Jehovah's Witnesses, and independent Muslims.

You will hear today from representatives of some of these groups who will confirm their difficulties.

Many in this room represent groups and organizations with whom I worked when I served on the staff of Senator Lugar. In 1997, Senator Lugar led an effort in both Houses of Congress to dissuade the Russian Government from passing the 1997 law on Freedom of Conscience and on Religious Associations.

And, Mr. Chairman, I remember that you were prominently involved in that effort, as was the leadership of both the Senate and the House, on both the Republican and Democratic sides of the aisle. And all told, we had 169 Senators and Members of Congress who joined in that appeal to Boris Yeltsin to veto the 1997 law.

And initially Yeltsin did, in fact, veto the law. But later he settled for a compromise that really was no compromise at all, and that's why we find ourselves where we are today.

The portrait of religious freedom in Russia today would not be balanced, however, if we did not mention some positive developments. Despite the increase in difficulties for some minority religious groups over the past 4 years, Federal authorities have sometimes reprimanded discriminatory actions by local officials.

Federal officials have provided instructions to regional officials, including a publication on the rights of foreign religious workers.

To its credit, the Government of Russia maintains a human rights ombudsman's office, albeit a weak one, which has a division devoted to religious freedom complaints.

Minority religious groups sometimes benefit from a less strict implementation of the Federal law on religion. For example, some representative offices of foreign religious organizations have opened and not formally registered with state authorities. Others have affiliated with an existing registered organization.

None of these foreign offices, however, are allowed to conduct religious activities.

Let me take this opportunity to cite two specific instances of recent positive developments concerning religious groups on whose behalf we have advocated.

Although previously the Russian Federal Security Service harassed the Family of God Pentecostal community, that harassment ended last year and the group was allowed to re-register.

In addition, we note that the Vanino Baptist Church in Khabarovsk was allowed to re-register last summer. Dan Pollard, the church's pastor, who has been trying to return to Russia since he was banned in 1999, was recently told by the Russian Consulate in Seattle that his name was removed from the blacklist. We will watch with interest and concern as these developments continue to unfold.

Mr. Chairman, let me now turn to the problems faced by several minority religions in Russia that have both experienced registration difficulties and have also been subject, as you were alluding to earlier, to violence, abuse or harassment.

Prominent among these groups are the unregistered Baptists, the Old Believers, Pentecostals, and certain independent Muslim groups.

Unregistered Baptists, in their case, in most instances, they are opposed on principle to cooperating with the Russian Government, and they fear contacts with the U.S. Government could further complicate their situation.

During the past 2 years, there have been an estimated 10 arson attacks on unregistered Baptist churches. In September of last year, an unregistered Baptist church was burned down in Lyubuchany in what was ruled an arson. No one has been arrested, though eyewitnesses saw law enforcement officials in the area just before the fire. Local officials tried unsuccessfully to prevent the rebuilding of a new church, and the building is nearing completion.

Embassy Moscow has raised our concerns about the arson with the Russian Government. We continue to urge the Russian Government that the perpetrators be brought to justice and that adequate protection be provided so that unregistered Baptist churches are not attacked.

Mr. Chairman, I thank you and your colleagues for the letter you wrote to the acting head of administration of Chekhov oblast. You raised this issue with Russian authorities, and that may provide them with additional protection.

Old Believers are Orthodox Christians who did not join the Russian Orthodox Church in cooperating or officially registering with the Soviet regime. In general, they do not experience direct harassment from the Russian Government. Nevertheless, they sometimes face difficulties in property restitution.

There are currently two active church restitution cases under way, in Samara and St. Petersburg, and in the Samara case there have been some positive developments.

Some Pentecostal communities have also refused to register because of conviction. Others have been offered and refused the opportunity to join other registered central organizations, such as Protestant unions.

Pentecostals have experienced arson against their churches as well, with no actions taken by law enforcement.

African-born Pentecostals in Moscow have suffered as victims of religious and racial prejudice.

Many local Muslim groups were unable to register as local organizations when the 1997 religious registration law went into effect. We also have reports of Muslims in some regions protesting the fre-

quency with which they have been stopped and asked for identity papers.

The security service has continued to treat the leadership of some minority religions and in particular some Muslims as security threats and conducted campaigns of harassment against them.

Now I'd like to turn my attention briefly to several religious organizations and groups that have experienced political interference and adverse rulings by local courts.

While the Russian legal system has made strides since Soviet times, further progress is needed in achieving judicial independence. I will briefly review the problems faced by the Jehovah's Witnesses, Salvation Army, the Church of Scientology, and the Mormons.

In June 2004, a Moscow district court banned all organized activity of the city's 10,000 Jehovah's Witnesses on the grounds that they posed a threat to society. The Jehovah's Witnesses have also faced difficulties in other Russian communities when they have attempted to rent buildings and contract for services.

Anti-cult organizations and the Russian Orthodox Church are attempting to initiate legal action to close the Jehovah's Witnesses' administrative center in St. Petersburg.

The Salvation Army is currently fighting a legal battle in Russian courts to defend its right to exist. In 2001, local authorities brought the Moscow branch of the Salvation Army to court to liquidate it. With the assistance of a lawyer from the Slavic Center for Law and Justice, the Salvation Army continues to try to re-register in the Moscow oblast while it operates under its old registration. The organization has brought its case before the European Court of Human Rights.

The Church of Scientology is also defending its right to exist in court. Moscow authorities refuse to register the local organization and use the 1997 law to try to liquidate Scientologists.

In a series of court cases over the past 8 years, there have been findings in favor of the church, though in each case the Procuracy has appealed the decision, usually successfully.

These successful appeals led the Scientologists in the fall of 2004 to file suit in the European Court of Human Rights against the Moscow liquidation order.

In St. Petersburg, the Scientologists have been denied registration and threatened with liquidation.

The Church of Latter Day Saints have experienced mixed results in their registration attempts. To date, they've successfully used the court system to register approximately 50 local organizations.

Mr. Chairman, let me conclude by thanking you again for holding this important hearing. Your activism and advocacy on religious freedom and human rights over the years have been incredibly impressive. And all of us who labor on religious freedom issues are indebted to you for your leadership.

We welcome your suggestions to work together to improve the treatment of minority religious groups throughout Russia. And we, of course, would be happy to work with the Helsinki Commission to establish communication with the appropriate Russian parliamentary committees to encourage dialogue to address our religious freedom concerns.

As Secretary Rice has pledged, we will continue to talk about religious freedom when we visit other countries not because we, quote, “believe we should use religion as a weapon, but because it is very often a basis for compassion and decency in a society.” “It is essential,” she goes on to say, “to the proper functioning of democracy.”

In Russia today, we see restrictions of religious freedom, and this directly relates to the lack of a properly functioning democracy in that country.

So, Mr. Chairman, thank you again for highlighting the situation of minority religious groups in Russia, and I’m happy to take your questions.

Mr. SMITH. Thank you very much, Mr. Ambassador. And thank you for comments and statements.

Let me just ask you—Larry Uzzell, who will be testifying momentarily, from International Religious Freedom Watch—is a great champion of human rights and religious freedom. He writes in his testimony, “The U.S. Government should be making it clear that it cannot have a full-fledged partnership with the Russian Government as long as that government is trampling on the religious freedom of its own citizens.”

While Russia may not at present rise to the level of a CPC country, it’s an open question whether or not they should. If harassment is not being directed by the Federal Government but local jurisdictions and local political bodies are repressing religious freedom, then there is a collective responsibility. The Federal Government, or in this case the local government of Moscow, needs to be taking a much more proactive approach, particularly as it relates to their own constitution.

How do you respond to that? You mentioned the two political officers at Embassy Moscow for whom their portfolio is religious freedom and they are very activist-oriented. And I know that our consulates are raising it as well. But how often do they get out to these areas where the churches are being repressed?

I’m also considering reforms to IRFA—as you will recall, I was author of the Trafficking Victims Protection Act. One of the additions we made when we did an expansion in 2003 was to establish a watch list, because we found there were a number of countries that really didn’t quite make it to the point of tier three—egregious violator of trafficking—but they did a few things, a flurry of activity right before the review period was over and then went right back to business as usual, or close to it.

Would a watch list be helpful with the International Religious Freedom Act as a reform so that we put people on notice, “You’re in an enhanced scrutiny stage”?

Amb. HANFORD. Right. Well, first, you and I, I know, are in agreement that our government should use the entire range of our diplomatic tools to be pressing the Government of Russia.

And, yes, our human rights officers and others at our embassy move vigorously around the country to check out the problems on the ground. They stay in close touch with the various religious groups. They maintain close relations there. And if ever we discover there’s a group they haven’t done that with, let us know and

we'll let them know. And we want to make sure they've build those ties.

Often, behind the scenes, diplomacy is most effective with Russia. And, yet, we need to be pressing them in international fora. Trips by Members of Congress are very, very helpful, and we encourage that.

And I've been involved in the past in having Presidents raise these issues directly with the heads of state of Russia. And I would think that will continue to occur, as well.

So I think all of those levers need to be utilized fully.

Things could be worse in Russia, but they're not where they ought to be, and we need to nip this problem in the bud as best we can.

On the watch list question, I am continuing to take your suggestion very seriously and am polling people, so to speak, both in my office and elsewhere on this, and I'm getting mixed opinions on it.

Of course, the U.S. Commission on International Religious Freedom keeps a watch list, which I think serves a valuable purpose. It puts countries on notice—it gets their attention. They start complaining to us about that, which is a good thing. It gets us even more of an opportunity to share why the Commission might be putting them on the watch list.

Whether the State Department should have a watch list, as well, I'm not sure in my mind yet how I feel about that.

We have been very, very busy on the CPC countries, with our small staff, vigorously pursuing diplomacy with the designees there to try to get changes. And that's where our work has been focused.

But we can continue talking about this in the future.

Mr. SMITH. We have about 3 minutes before the vote is over. Let me ask you a question. I'll leave the record open, and then we'll go into a brief recess until Joe Pitts or I get back to reconvene it.

But the question is this: One, do you have enough staff, do you have enough resources to do the job?

And when it comes to priority with our relationship with Russia, are religious persecution issues raised? We know that President Bush is going to meet with Putin very shortly. Will he be raising these concerns? Will it be on his list of action items when he meets with Putin?

And I know that you personally—and I can't thank you enough—are tireless in your efforts, but it does help when the President and when Secretary Rice, everyone else, take your information and resources and elevate it to that level.

Amb. HANFORD. All right. Well, that's an important——

Mr. SMITH. If you could put that on the record, and I'll——

Amb. HANFORD. OK, good. OK.

Mr. SMITH. Answer it, please.

Amb. HANFORD. I sure will.

Well, it's an important part of our mission to be looking for opportunities to place religious freedom issues on the President's agenda and his talking points whenever he's having those kind of meetings, and we pursue these opportunities vigorously.

And I know in the past these are the sort of issues that have been regularly raised. This issue of religious freedom is very dear to the heart of the President. You can tell that when you meet with

him. It's something that just flows from the heart that he's very natural about.

I've had the experience of running into him in a more informal setting in the White House and having come up and pursue me to tell me about the latest head of state he's raised religious freedom with.

And it's clear, in just the early weeks of Secretary Rice's time at the State Department, that she's made statements about religious freedom, that this is also a very high priority for her. And her comments to me have suggested that as well.

So I think this is something that we have reason to feel will continue.

Mr. THAMES. [H. Knox Thames, Counsel, Commission on Security and Cooperation in Europe.] Thank you, Ambassador.

We'll now take a brief recess.

[Recess.]

**HON. JOSEPH R. PITTS, COMMISSIONER, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Mr. PITTS. Ladies and gentlemen, if we can reconvene, please.

First of all, I would thank you for putting up with our schedule here. The Chairman asked me to continue the hearing. I tried to make it back before he left but couldn't quite make it. We're in a series of votes.

First of all, I'd like to thank Ambassador Hanford for his testimony.

And I would like to say that if any members or staff have questions, please submit them in writing, and we'll get them to Ambassador Hanford so he can address them.

We'll now convene the second panel. And on our second panel it's my pleasure to introduce Larry Uzzell, who's a tireless advocate for religious liberty around the world.

Larry is President of International Religious Freedom Watch, an independent research center which conducts in-depth analysis with regards to freedom of conscience in totalitarian or authoritarian countries. And he has visited Turkmenistan, Uzbekistan, Chechnya, and many other places in the former Soviet Union to report on state policies toward religion.

Larry was nominated for the Pulitzer Prize for his articles on the enactment and enforcement of Russia's 1997 law restoring state control over religious life. And he's conducted many guest lectures, briefings for policymakers at the U.S. State Department, the Commission on International Religious Freedom, the Congress, the Helsinki Commission, and elsewhere.

Second, Paul Goble, who has also testified before this Commission, is a Senior Research Associate at the Eurocollege of the University of Tartu in Estonia. Prior to assuming that position in 2004, Mr. Goble worked in a variety of positions in the U.S. Government and U.S. international broadcasting, specializing on ethnic and religious minorities in the countries of the former Soviet Union.

And he trained at Miami University and the University of Chicago. He's the editor of four volumes on ethnic and religious issues of the Soviet states.

I'm particularly pleased to recognize Andrew Okhotin, who was born in Uzbekistan in 1975 in a family of a Baptist minister. His father was imprisoned by the Soviet authorities for his religious activities from 1984 through 1987 in a starvation prison. In 1989 his family immigrated to the United States.

In 1998, following the arrest of a Baptist preacher in Turkmenistan, Andrew dedicated himself to full-time advocacy for the pastor's release and currently serves as a youth pastor in Southwick Baptist Church in Westfield, MA.

He continues to direct the advocacy work at the Russian Evangelistic Ministries. He holds a B.A. in Economics from U.C.-Berkeley, a Master's in Religion and Human Rights from Harvard and is a 2007 J.D. candidate at the University of Connecticut as well.

Boris Perchatkin is President of the American-Russian Relief Committee in Washington, a former Soviet prisoner of conscience, and a leader in the struggle of unregistered Pentecostal believers to immigrate from the Soviet Union.

Mr. Perchatkin arrived in the United States in 1987, and his organization continues to monitor the status of religious liberty in the former Soviet Union with a particular focus on unregistered evangelical and Pentecostal faiths.

Finally, Sergei Cherpanov is currently serving at the Administrative Center of Jehovah's Witnesses in Russia as the Deputy Chairman of the Presiding Committee.

He has been a full-time minister of Jehovah's Witnesses since March 1993. From 1996 to 2000 he supervised the translation department, where he organized technical and linguistic support translation teams involving some 34 languages spoken throughout the Russian Federation and other countries of the former Soviet Union.

Since 2000 has served as a member of the Russia branch committee. In 2000 he was appointed overseer of the legal department, where he served until 2004 when he was appointed as primary overseer.

Welcome to you.

And at this point, Mr. Uzzell, if you will begin your testimony.

**LARRY UZZELL, PRESIDENT, INTERNATIONAL RELIGIOUS
FREEDOM WATCH**

Mr. UZZELL. Thank you very much, Commissioner Pitts. It's a great pleasure and privilege to be back before this Commission. I've been here many times, both formally and informally. But I can say in all honesty, of all the times that I have provided information and analysis to the Commission, today is the occasion that gives me the most personal satisfaction.

Just by holding today's hearing, sir, you and your colleagues are helping to correct what I think is a serious imbalance in U.S. Government coverage of religious repression in Russia.

This is the first time since the fall of the Soviet Union that you've focused specifically on the plight of the unregistered groups in Russia. And it's the first time, to my knowledge, that you've invited testimony from a representative of the unregistered Baptists.

And I think this is really crucial, to show that the U.S. Government cares not only about those groups that have well-organized

lobbies in Washington and partnerships with American missionaries but for the poorest and weakest in Russia.

With your permission, I will ask that my full text be inserted into the record.

Mr. PITTS. Without objection.

Mr. UZZELL. I also have an article that I wrote for "World" magazine that I brought with me. If that could be entered into the record as well. And then I will shorten my remarks.

Last week I phoned a couple of pastors in Moscow among the unregistered Baptists and asked them if either they or their fellow pastors had had any contact from the U.S. Government with regard to the persecution that they have been enduring lately. They said, no, they had not had any contacts whatsoever.

I realize this is delicate. There are times when members of persecuted minority faiths would prefer not to be contacted directly by the government. But it varies from one community to another, it varies from one person to another.

I think, on balance, the U.S. Government has not made as much of a proactive effort as it should have to reach out to these people. This is something that I hope my friend, Andrew Okhotin, can address in more detail.

I think perhaps even more telling is just the texts of the last four reports of the State Department on religious freedom in Russia.

The last four annual reports cumulatively have had a total of five references to the True Orthodox Church, the Orthodox who were underground during the Soviet years, or one of those underground Orthodox groups; seven references to the Old Believers, whose history in Russia goes back to the 17th century and who are perhaps the most uniquely Russian form of Christianity; and only six references to the unregistered Baptists.

I compare that with 65 references to the Mormons over the last 4 years, who are less numerous than the unregistered Baptists and, I think the Mormons themselves would agree, less oppressed than the unregistered Baptists.

Now, I want to stress that I don't think the Mormons are mentioned too much. If I were writing these reports myself, there's not a single mention of the Mormons that I would omit. The problem, rather, is that certain other groups which don't have the same media savvy, don't have the same inside-the-beltway presence are mentioned too little.

And I think that's something that we really need to go out of our way to correct. It's not just a matter of justice but even more than you might think a matter of perception within Russia.

I constantly run into Russian journalists, Russian religious leaders, Russian Government officials who sincerely believe—this is not just propaganda—they sincerely believe that American missionaries are in Russia as part of a concerted plot of U.S. cultural and political imperialism.

They're mirror-imaging the social and political structure of their own country. These people, when I talk to them, they act as if the CIA station chief in Moscow and the McDonald's executive in Moscow and the Baptist missionary in Moscow and the New York Times bureau chief in Moscow and myself, as if all of us got together once a week to plot our common strategy.

And they link that with considerable erudition sometimes to the unfortunate history of West European missionaries in the 19th century when missionaries really, honestly, one has to say, were often agents of French or British imperialism.

One Russian scholar, Nikolai Trofimchuk, has written an entire book on that theme which is widely circulated among the government officials who make decisions about how to treat minority religions and foreign missionaries in Russia.

If we want to prove that that paranoid argument is wrong, then we should be going out of our way to speak up for the Old Believers, the unregistered Baptists and these other groups that don't normally have a very loud voice in Washington.

It is our duty as Americans to show that we are committed to religious freedom as an objective principle, to the rule of law for everyone, not just for our fellow citizens and that we should be giving top priority to defending the poor and the weak.

Thank you.

Mr. PITTS. Thank you.

Mr. Goble?

**PAUL GOBLE, SENIOR RESEARCH ASSOCIATE,
EUROCOLLEGE—UNIVERSITY OF TARTU, ESTONIA**

Mr. GOBLE. Commissioner, thank you. It's a great pleasure and honor to have the chance to speak to this group again.

I am especially pleased to be asked to talk about a group that is perhaps the most neglected among the religious communities of the Russian Federation, namely that country's more than 20 million Muslims.

Most people are not aware at the present time Muslims not only are the fastest-growing community in the Russian Federation but that the city of Moscow is the largest Muslim city in Europe.

And that will continue to evolve. Therefore our failure up to now to pay attention to Islam as a religious question and not just an ethnic one I think is very serious.

I was asked to speak rather late in the day so I have a very short statement, and I will read it because that way I will go off on the least number of tangents.

The Russian Government's requirement that all Muslim groups register with the state is contributing to the repression of many of those that do and the radicalization of the many more that do not.

To be sure, this situation, which reflects both the nature of Islam, Moscow's more general approach toward Muslims, is different in kind and not just in degree from the situation confronting other faiths in that country.

But it serves as a useful reminder that it is important to consider the content and consequences of Russian Government registration requirements and not just the ability or inability of a particular congregation to gain that registration.

At the present time, there are roughly 8,500 Muslim religious communities in the Russian Federation. Only just over 3,000 of them are currently registered with the authorities either in Moscow or the regions. The others either have chosen not to apply for such registration or, much more rarely, have been turned down by officials in Moscow or in the regions.

Let me just stress here, the policy of Moscow as opposed to the policy of the regions is not between a central government committed to good things and regional governments committed to bad things, but you have a mixed picture in both cases. You have some people in Moscow who really do believe in religious freedom and many more there who do not, and in the regions the reverse is also to be found. It is a mistake to counter-preface a central government committed to religious freedom with regional authorities who are committed to its suppression.

On the one hand, the situation reflects the relatively recent appearance of these groups. More than 95 percent of the 8,500 Muslim groups now in operation in the Russian Federation have appeared only since 1990. Consequently, many of them are not in a position to meet all the requirements for registration that the Russian authorities impose.

And on the other hand, this pattern is the product of the complicated interrelationship between Islam and the Russian state over the past 250 years, a relationship in which the government has repeatedly attempted to control its Muslim citizens by imposing a set of bureaucratic hierarchies and procedures which are utterly foreign to the fundamentally nonclerical Islamic faith.

As the Russian empire expanded into Muslim regions in the 17th and 18th centuries, desirous governments struggled to regulate Islam by the establishment of a set of institutions that came to be known as Muslim spiritual directorates. These bodies, which continued to exist in Soviet times, have no basis in Islamic theology. Islam does not have a clergy, as often as people say to the contrary.

As a result, Islam and the Russian empire and then the Soviet Union remained divided between these tiny official structures. These links to and reliance on the state inevitably deprived them of the authority that the faithful might be expected to extend to natural leaders in their communities on the one hand, and on the other, a much broader, formal set of beliefs and practices among the country's large Muslim population.

Because the latter stood outside the official hierarchies and thus were illegal from the point of view of the Soviet state, those who took part in them were inevitably doing something inherently political, and that politicization has led to radicalization.

Muslims in the Russian Federation as well as many Soviet, post-Soviet, and Western analysts have described this division as one between a typically deracinated and security police-controlled official Islam and a popular or more radical, underground Islam on the other.

Many Muslims expected that with the fall of Soviet power, that division would disappear and that Muslims would be allowed to organize themselves as they had before the Russian state imposed the MSD system.

That has not happened. Instead, Muslim leaders have organized ever more Muslim spiritual directorates—there are now 60, more than 60 in the Russian Federation—and sought to sell themselves to the Russian state as the guardians of traditional Russian Islam in exchange for both official recognition and increasingly for state financing of their activities.

At the same time, and especially since September 11, Russian President Vladimir Putin has sought, in the name of fighting terrorism, to use Muslim spiritual directorates and the registration process to impose greater control over the Muslim communities in the Russian Federation.

Indeed, we know that the percentage of FSB officers working in Muslim spiritual directorates is probably higher than even in the central offices of the Patriarchate, except in the office of external relations, where it is 100 percent.

Often, this Putin policy has taken the form of insisting that Muslim groups register and subordinate themselves to one of the pro-government Muslim spiritual directorates controlled by the police or face the use of police powers of the state against them.

The reality is that the Russian state is routinely and frequently, on a daily basis, imposing these requirements on Muslim communities. It is not true that there are only a few reports of this. Indeed, in the Muslim communities of the Middle Volga, as well as in the North Caucasus, people say that the last part of Friday services at the mosque is to show your identification card to the policeman who will be at the door.

And that is, in fact, a reality that is something that Mr. Putin has supported, as have many of the Governors. This is not something that is being done by rogues locally.

The widely reported misbehavior of officials, both in the Middle Volga, which is the more traditionally calm area, and the North Caucasus has prompted many groups which had registered to try to seek to exit from that registration process as the only way to avoid being penetrated by the police.

But instead of gaining greater control over the Muslim communities that it seeks, both Moscow and the regional governments, by their latest actions, have only further undermined the authorities of the MSDs, showing a large number of them to be little more than the handmaidens of the authorities. And Moscow has radicalized opinion among unregistered Muslim groups, many of whose members now accept the arguments of those, including both mullahs trained abroad and missionaries from Middle Eastern countries, that both the Russian Government and its MSD allies are enemies of Islam.

The situation has now moved toward a vicious circle in which official repression of Islam has leaned to ever more radicalization. And that in turn is being invoked by officials to justify even harsher actions.

Is there any way out? Can we in the West make a positive contribution? I think the answer to both of these questions is potentially, yes, there is a way out.

The Russian state needs to move from a politically defined registration system to one in which religious groups will provide information about themselves on an informational basis. And the only thing they will have to offer is to agree to obey the laws of their country that govern all social organizations.

That is something—the idea that religion should be treated fundamentally different than all others and more restrictive is a unique contribution of the Putin regime. And we in the West can make a contribution to this by insisting on the inclusion, not only

of representative of official Muslim spiritual directorates which is what normally happens, but also unofficial Muslim groups, unregistered and unofficial, wherever there are international meetings about religious and human rights such as the upcoming session in Cordoba.

In the current environment, one in which many in Russia and elsewhere justify anti-Islamic attitudes and actions by pointing to Muslim involvement in terrorism, neither of these steps will be easy, either here or in the Russian Federation.

But both are necessary if we are to avoid a situation in which the further alienation of the Muslim community of the Russian Federation from both their government and the West will inevitably lead to the rise of dangerously radical Islamic group there which, within 20 years, will have close to a majority of the population of the Russian Federation.

Consequently, what we do today with respect to registration of Islamic communities, the way they are treated by the Russian state, will have important foreign policy consequences for the United States, not just in the next 2 years but critically in 2030 and beyond.

Thank you, sir.

Mr. PITTS. Thank you.

Mr. Chairman, I'll turn it over to you.

Mr. SMITH. Mr. Okhotin?

**ANDREW OKHOTIN, MEMBER,
INDEPENDENT CHRISTIAN BAPTISTS**

Mr. OKHOTIN. I'm thankful for the opportunity to be here today.

Before I begin, I just wanted to express my special thanks and appreciation for the continued involvement in this work. Some comments have been made about how, perhaps, these things are coming to the attention of the House on this level somewhat late, as we see more persecution taking place.

I just wanted to express thanks to those who have maintained attention during these past years and were involved in the plight of Baptist minister Sergei Oshkov and ensured his early release from prison and then ensured that certain egregious violations, that they would not worse than they were when they did take place, that they would receive attention. And I just wanted to thank Congressman Pitts and Congressman Smith for your attention to this.

A few comments that I would like to make right from the beginning is Ambassador Hanford said something about the reluctance of the independent Baptists in making contacts with the U.S. Embassy officials. And I just wanted to clarify that to make sure that that comment is understood in the context.

That contact with representatives of foreign governments is a delicate issue in Russia. That issue I did talk about with one official in the U.S. Embassy, and I said that as far as the independent Baptists in Russia are concerned, they do make contacts with journalists, including Western journalists, because those are perceived to be neutral.

Given not-too-distant past history in Russia, where the independent Baptists were always labeled and accused of being spies

for the West, of being American spies, and given the very uncertain climate of religious liberty in Russia today and not knowing where that is going to lead, so there is some issue as to having very explicit contacts with U.S. officials in Russia. That definitely is the case.

And there are channels for communication when information is released, if it comes out here. And that's one of the reasons I'm here, for instance, is because, being a U.S. citizen, I can speak on behalf of the independent Baptists of Russia without necessarily making any one of them vulnerable and, at the same time, share the information that is publicly available but making sure that that information gets to the people who might be able to do something with it that would benefit the people in Russia, the Baptists and the public in general.

Also, one other thing that I need to say is that as far as the attention of the U.S. Embassy in Russia is concerned, I hear that there were two political officers whose primary responsibility is to monitor religious liberty over the past—I would say over the past 10 years. I received the first phone call last week about issues pertaining to potential problems happening to Baptists in Russia.

And that sort of highlights—I know that there are probably other contacts within Russia, but yet that does highlight the amount of attention that group is receiving, despite the fact that it's perhaps the largest Baptist denomination in Russia, numerically speaking. And so that needs to be mentioned.

Also, one other detail, and that would bring me into what I want us to talk about today. There was no—the bombing of the church in Tula, that was a very significant development which, for whatever reason, went almost unnoticed as far as the reaction outside the independent Baptist church.

There were many petitions that flowed from Baptist churches within Russia and outside, and yet there was not much official condemnation of the attack that took place.

Some of the details of this, I think, need to be identified to put things in perspective, to recognize what actually took place on that night.

The event which took place on the night of January 13 in 2004, the bomb went off at 4 o'clock in the morning. It went off on the morning of the gathering of the church's council the following morning.

The key members of that council were planning to spend the night. They were planning to be spending the night inside the sanctuary. And they had a late-night meeting, which lasted after midnight.

About 3 o'clock in the morning, someone suggested that they move to an adjacent building and spend the night there. They moved at approximately 3 o'clock, and at 4 o'clock the bomb went off. And practically speaking, if they had stayed in the building, the leadership of the independent Baptists would have been assassinated.

And there were two watchmen and one other person who stayed behind in the building. At approximately 4 o'clock, they heard broken glass and went to investigate what it was.

And then minutes after the explosion took place, shortly thereafter, when the fire trucks—and you can see this on the pictures here on the display—the collapsing of 52 of the enforced concrete slabs separating the basement area and the first floor of the sanctuary.

When the fire trucks and the police and the FSB, when they came, along with the media, the FSB men were disseminating the scenario that this was an explosion of a natural gas pipe. They said there must have been a leak of the natural gas that caused the explosion.

The people who came from the natural gas company measured the residue in the area. And they said, “We’re not finding any residue of natural gas. This was not caused by natural gas. This was caused by another explosive agent, not natural gas.”

As far as the evidence of the bomb, the area was sealed off until the FSB went in and kept people out and they could do whatever they felt appropriate. And after they left, there was not any other evidence left.

That was the first direct attack against—this church symbolizes the place where national congresses of independent Baptists take place every 4 years. This is where it takes place. This is the largest place. It also is the birth place of Enid Zarkiniki of the independent Baptist movement in Russia, which originated in 1961.

When compelled by the government, the church decided to refuse registration, which was given to them on condition that they not raise children, not raise teenagers as Christians, that they do not baptize people under the age of 30, that they do not preach on certain doctrines of the gospel. For instance, they could not preach about the second coming of Christ because, in their view, that might cause anxiety with people, and a number of restrictions which were essential to Christian faith. And so, the church went underground. But that is the area where the movement began.

We have suffered, as independent Baptists, we have suffered through the Soviet time, numerous arrests. Our ministers have spent more than 5,000 years in total in prison over that period of time, with the last prisoner leaving prison in the 1987–88 period, my father being among the 200 pastors who were released at that time.

Since then, the Baptists have enjoyed time of relative peace and freedom, relative freedom, religious freedom, and were able to engage in evangelism, which was something special to any church, without much restriction coming from the state.

And yet, starting in 1997 and then with much acceleration under Putin, religious liberty was gradually being eroded, and eroded not so much on the local level as far as following directives coming from the center, coming from Moscow.

And especially, if you were to look today, for instance, and compare the opportunities that existed or just evaluate religious freedom in terms of whether or not the persons could conduct public preaching events, say, in 1997 and today, you’d find that back then that was permissible, today it is not. Back then, you could rent a facility for religious purposes. Today the independent Baptists would not be able to rent a facility.

Back then, they would be able to rent a facility, for instance, to have a church to hold church in. Today, a prime example of that, for instance, is the church in Moscow, which was after 7 years of meeting in the rented facility expelled from the place in central Moscow. They found another place, were expelled from there. And the owner said, "Well, the FSB men came and they said we cannot continue your rent. You have to leave."

And one of the reasons that is used is because, well, these are, quote, unquote, "public facilities," and they cannot be allowed for religious use. In Russia, given its state of economy, there are not any private facilities that could accommodate churches of size.

But yet, we, as independent Baptists, we have tolerated this gradual erosion of religious liberties, trying to make good of what we had, until 2004 came, when this was the first direct attack against the facility and against leadership, directly against the leadership of the church, potentially assassinating the leadership of the church.

And it was incredibly significant and highly symbolic that it took place. The church made every effort to rebuild that sanctuary and not to retreat from its position of independence vis-a-vis the state, of maintaining an independent stance vis-a-vis the state.

The two pictures on the bottom you see there are the church as it is taped. Within a year the sanctuary was rebuilt, the church was rebuilt. And exactly a year from the day of the explosion a missionary conference took place, hosting 700 or so missionaries in that sanctuary. And it was a principled stance for the church not to retreat in response to that attack.

Within 7 months from the events in Tula, we have the events in Lyubuchany, which you, Mr. Chairman, spoke about. And I thought looking at the pictures would give a better idea of the events that took place.

I brought with me today a letter that came from the prosecutor's office for the Moscow district. And they tried to explain the rationale behind their actions in Lyubuchany. What they're trying to do is they're trying to say that based on the law on freedom of conscience, they do not recognize independent Baptists as a religious organization. And because of that, they should not give them the right to gather.

Instead, they want us to comply with the law of regulating political rallies. Well, our church will never grow to be recognized as a political organization, because we're not; we're a church. And if they do not recognize us as one, we do not want to be recognized as a political organization, then they mentioned the law on stopping extremist activity in this letter. So they term independent Baptist as an extremist organization which has a radical statement to be made. And in here mentioned that extremist activity is prosecuted as a criminal offense under the Russian legislation. Since when is the Baptist church recognized as an extremist organization in Russia?

And they conclude with the words that what their soldiers, what their FSB, the police was doing there was protecting the public, protecting the citizens. And you can see the children, you can see mothers, you can see everyone else gathered there peacefully. And who were they trying to protect by preventing people from coming

to attend essentially a rally which I had attended in the past? I've been to those rallies, and it is a purely religious gathering where people come to pray, to worship, to sing hymns, to hear sermons.

And they've held this rally here for a number of years, since 1991. The government is well aware of the nature of these rallies, and yet they now are trying to characterize as extremist and take action against them.

So these are the events which are highly significant in terms of development. In Russia there's a tactic in the military which is known as intelligence by direct attack. So you attack them, then by judging by response you figure out what forces are there. And the way we view attacks against Tula and Lyubuchany is as the equivalent of that.

They had struck at the independent Baptists twice in 2004. And they're carefully waiting to see what will be the response—response from within the church, whether the church will cave in, and the response from the international community.

Following the events in Lyubuchany, as you had said, they burned down the church 3 weeks later. And I need to make mention of this, is that the next court hearing is scheduled for April 18, which is 4 days from today. And it might be worthwhile if a letter were sent within 4 days of the court hearing to determine the status of the church to ensure it gets finished, to ensure that is not (inaudible).

And so these are just some of the comments.

And one more point that I wanted to make is there were certain statements made earlier today about the various declarations of human rights and upholding human rights. Declarations based on one level, but then there are also obligations, which Russia did find and which Russia should observe.

And I believe that if it is not held accountable within Russia—and there are very few, practically nonexistent—there are no, with some exception, institutions that can hold the government accountable for its treatment of citizens, then it is the responsibility of international organizations and other governments to remind Russia of its international obligations in respect to religious liberties and treatment of its citizens.

And those, as Larry Uzzell said, who are weak, who are poor, who may not have the representation and who often cases are not heard, were not heard, and yet to ensure that that those groups are protected as well.

Thank you.

Mr. SMITH. Thank you so very much.

Before we go to Mr. Perchatkin, let me just say the one thing that I'm planning on doing, as a result of this hearing and the input from all of you, is a resolution on religious freedom in Russia and to bring specific focus to these kinds of atrocities that have been committed.

So this hearing will have an action item, at least one, as a direct result of it. So I do thank you for that testimony.

Mr. Perchatkin?

INTERPRETER for Mr. Perchatkin. To save a little bit of time because he reads a little bit slow, I'll just go ahead and read what's going on right now.

**BORIS PERCHATKIN, PRESIDENT,
AMERICAN-RUSSIAN RELIEF COMMITTEE**

Mr. PERCHATKIN [through interpreter]. Dear ladies and gentlemen, the American-Russian Relief Center requests that you take notice of the condition of former nonregistered Pentecostal churches in Russia.

To be able to understand the situation of nonregistered Pentecostals in Russia, it is important to know their recent past.

Mr. SMITH. Mr. Perchatkin? If we could, we have about 7 minutes remaining on the clock for this, and then there will be an immediate vote right thereafter, and then we could all come back.

So that Mr. Pitts and Mr. McIntyre and others can hear your testimony, as well as myself, I'd like to suspend again. And I apologize for the interruption, but we'll come right back.

We stand in recess.

[Recess.]

Mr. THAMES. I've spoken with Mr. Smith's office, and unfortunately he's been tied up on the floor and will not be able to come back.

There's another hearing that's coming into this room at 2, and we've been asked to vacate as close to 1:30 as possible. So under these unique circumstances, I've been directed to reconvene the hearing.

And so, at this point, I'll ask Mr. Perchatkin to give his statement. And then we'll go on to Mr. Cherpanov.

Thank you.

Mr. PERCHATKIN [through interpreter]. Dear ladies and gentlemen, the American-Russian Relief Center requests that you take notice of the condition of former nonregistered Pentecostal churches in Russia.

To be able to understand the situation of nonregistered Pentecostals in Russia, it is important to note their recent past. Pentecostals in Russia began in the beginning of last century from an American missionary by the name of Voronaev. This gave a good reason for the Soviet agencies to proclaim Pentecostals as American agents.

Pentecostals were forbidden to register their churches in 1927. And this law was in force until the fall of USSR.

There's a good reason to affirm that Pentecostals in USSR were prosecuted, since it is hard to find a family in Russia that has not been repressed in any way. For example, my grandfather was shot to death. My grandmother and her family was exiled. My father did not return from the camp. Mother was sentenced three times. My wife was sentenced twice, and I was sentenced twice.

If my family did not immigrate to the United States, I cannot imagine what would have happened to my family and me. This type of family biography is not rare in Pentecostal families.

But this is not all. In the 1970s, Soviet agencies opened up a new program of spiritual prosecution. This meant that Pentecostal children were not allowed to attend schools. The plan was to make Christians absolutely ignorant, thus having them drawn away and isolate themselves from the community.

Captain of KGB, Klimenov, in 1977, in the city of Nahodka, proclaimed, "You were not allowed to learn in schools in 1970s, and now you think that to learn is a sin. And this is our job."

Besides, the community cultivated a notion that Pentecostals are retarded, illiterate section—a sect which brings human sacrifices and which organizes religious sexual organizations.

Each sectarian is an enemy to the population. This is the way several generations were brought up.

Because of their illiteracy, Pentecostals knew nothing about the legislative or executive agencies. They did not have journalists. And they did not have access to the agency. They were only taught to preach and not defend themselves. This kind of action toward the Pentecostals was not only persecution but also even a sort of entertaining for the community.

Now, it is difficult to see who actually sanctions the prosecution. The common hatred in Russia's inheritance of the past, it is either the communist nationalism or the tolerance of government agencies.

Either way, this does not change the situation. Churches are being burned down. Church properties are being robbed. Criminal files against Christians. And children are being taken away from their parents.

Here are some examples in the past few months. In the end of 2004 and the beginning of 2005, what is known to our organization is as follows:

Church in the city of Podalsk has been burned twice. A church in Buretia has been robbed and burned. The church in Oshkar Ola was burned. The church in Bratsk, in Irkutskaya region, was burned.

The church in Novokuznetsk has been confiscated. A trial is being held whether the church should be confiscated in 2005. The church was bought in 1997. Ilya Bontseev is the pastor of the church.

The church in Izhevsk was burned. The bottle with the solution that was used to burn that church was found.

And the fact that churches are not allowed to register is nothing compared to the fact that churches are not allowed to be built. The church in the town Nekrasivoe was robbed and burned in December 2004. Boris Sinebabnev, a bishop of the 97 nonregistered churches in the Voronezhskaya region. Two years ago, they purchased a piece of land to build a church. On April 12, 2005, the land was confiscated and no money was returned to them.

In the city of Lisky on September 2004, 11 criminal cases were filed against Pentecostals for preaching the gospel. Eleven people were beat up and falsely accused for attacking the policemen. But when the USA got involved in this matter, the process was quickly stopped.

Authorities in Lisky refused to allow Pentecostals to build churches. Russia is driving us down to a point where we will have to start an underground church, says Sinebabnev, thus forcing them to gather in congregational members' houses in secret. But if they are discovered, they would have to pay a fine. Sinebabnev says there is anywhere between 800 to 1,000 nonregistered church-

es across Russia. There are up to 50,000 members of Pentecostal congregations throughout the regions where he serves as bishop.

There are also many nonregistered Pentecostal churches of which no one knows about that gather and preach the gospel in congregation members' houses. There are barely any churches in Russia. A church cannot be built, because it will get burned as soon as it gets built.

The letter below is a testimony of a Christian Pentecostal group called Little Israel in Siberia. When a group of Russian people which called themselves "Little Israel" moved to Yakutin, Ustmansk district, in the year of 1996, they found a job at a government company as lumbermen in the forest.

The police took all of their passports and documents away from them for registration, so people of Little Israel did not even suspect that something was not right.

They were getting very little pay for their job for the first 2 years and none at the third year. They were literally turned into slaves. They were fooled. "We fell into the hands of the Russian mafia," they said.

The third year of their life in Yakutin was extremely difficult, because of nothing to eat and nothing warm to wear during winter. During summer, they picked berries and mushrooms.

When they went to the head of the company to ask if they could have their documents back, they were told that they should then skirt across Russia.

Because of no help from the head of the company, they decided to go to the neighborhood in the town called Voldan, to the administrative building and ask for their documents. The sheriff told them that in that situation if they want to have all of their documents returned to them, then police will close their church and take off the registration, even though neither church has not been registered.

Police also arose a criminal file against the whole group of Russians for beating up a 12-year-old boy. Vitaly Kozar, the pastor of the Christian group, says that this in fact was a true incident which happened 2 years ago in one family. But police should only deal with the one family alone and not the whole congregation.

Unfortunately, all were deprived their rights as parents, and all children were taken away and divided among several orphanages. All parents were taken to prison. Vitaly Kozar was sentenced to 10 years of imprisonment.

Boris Perchatkin talked with Shpakovskiy, who is the advocate of Kozar, and tried to find out everything else that was happening to the Russian group. Shpakovskiy tried to pretend that he does not remember anything but later said that Kozar did not even touch that 12-year-old boy that he is fingered. He had nothing to do with beating up the boy and he disapproved of the beating. So he is truly not guilty.

And the real reason why he's in prison is because of his religious beliefs. Russian authorities continue to pursue Christian groups Little Israel in Siberia. In the spring of 1999, the pastor of the congregation, Vitaly Kozar, was sentenced to imprisonment for 10 years.

Deacon Aleksander Vasilev was sentenced for 5 years of imprisonment.

During imprisonment, both pastor and deacon got sick with tuberculosis. Thirty-eight children were taken away from their parents, and the rest of the congregation were banished to Taksimo, in the Muyskiy region of the Buryatia Republic.

Children, as mentioned before, were divided among several orphan agencies. Any communication between children and parents is forbidden. Some children were given away to other families. The only parents who were able to keep their children were those who agreed to leave the congregation and to witness fraud against the pastor and the deacon.

At the current time in the congregation of Little Israel, there are only 23 members left. And I have the list of those names here. I'm not going to read them, but I'll just go ahead and continue—

Mr. SMITH. Without objection, That will be made part of the record.

Mr. PERCHATKIN [through interpreter]. No. 1 would be Kozar, Vitaly, born in 1930, father of the pastor, after 3 months of imprisonment was taken under convoy to the building for the disabled.

No. 2, Kozar, Lidia, born in 1923, mother of the pastor; No. 3, Kozar, Vitaly, born in 1955, pastor, is currently in prison; Kozar, Natalya, born in 1954, was in prison for 3 months. Nikitenok Vera, born in 1946; Nikitenok, Yelena, born in 1973.

Mr. SMITH. No, I have them right here. And we'll put this into the record. [Off-mike.]

Mr. PERCHATKIN [through interpreter]. And children of the members of the congregation are currently in an orphanage in Aldan. Part is in army. Five children live with other families. Some information about the members of Little Israel and about Pastor Vitaly Kozar may be found out from the advocate Shpakovskiy.

He assured that all of the process and materials are falsified. The congregation underwent persecution because of their religious beliefs.

Before everything that has occurred in Aldan, the congregation consisted of 75 members. But after police began taking children away, many people left the congregation.

Now, our addresses and telephone number of the prison where Vitaly Kozar is at the current time. And there was the number where you can reach him.

I will just leave the number and the address here. The telephone number is 411-5-4059. And the address is Russia, Yakost 611023 Mushara Maroka.

And Alexander Vasilev can be reached on Sundays from 7 in the morning, Moscow time. His telephone number is 40-0204. The telephone number of the advocate Shpakovskiy in Aldan is 411-4534-324.

Mr. SMITH. Mr. Perchatkin, thank you very much for your testimony.

And I would like now to turn to Mr. Cherpanov for your testimony.

**SERGEI CHERPANOV, DEPUTY CHAIRMAN, PRESIDING
COMMITTEE, ADMINISTRATIVE CENTER OF JEHOVAH'S
WITNESSES—RUSSIA**

Mr. CHERPANOV. I'd like to take this opportunity, Mr. Chairman, to thank the members of the U.S. Commission on Security and Cooperation in Europe for allowing me to testify on behalf of 140,000 Jehovah's Witnesses in Russia.

Jehovah's Witnesses desire to worship freely, as do other recognized religions in Russia. However, after the banning decision in Moscow, we have strong reason to believe that steps are being taken to ban our activity throughout Russia and in particular to attack the Administrative Center of Jehovah's Witnesses in St. Petersburg.

The truth is that the ban is having a negative impact on the worship of Jehovah's Witnesses in other republics of the former Soviet Union as well. During the Moscow trial and in other court cases throughout Russia, the persecution has turned slander into a legal argument.

False statements have also been spread about Jehovah's Witnesses to incite religious intolerance.

Herein, I would like to share with you some information about the situation facing Jehovah's Witnesses in Russia.

After the Moscow courts banned the activity of Jehovah's Witnesses in Moscow in June 2004, the anti-cult organizations, which provided much of the so-called evidence in the case, filed an application with the Russian prosecutor general. The application requested that widespread criminal investigations be initiated into the activities of the religious communities in all the regions of the Russian Federation, with the goal to ban their activity.

The prosecutor in the Moscow case, Tatiana Kondratyeva, declared at one point during the trial that the court decision to ban Jehovah's Witnesses in Moscow would be the basis for further banning decisions on religious communities of Jehovah's Witnesses.

Thus, Jehovah's Witnesses in Moscow now face major problems with holding their weekly religious meetings. Only one building in Moscow, obtained in 1995 by our administrative center, is still in use for religious meetings. It was inadequate for the over 11,000 Jehovah's Witnesses in Moscow.

The Moscow City Committee for Culture has ordered the management of all meeting rooms, sport facilities and conference halls not to sign rental agreements with Jehovah's Witnesses. As a result, almost all the rental agreements for holding weekly religious meetings that had expired prior to the banning decision have been canceled, including many occasions where a congregation had been holding meetings for many years.

In several cases, the decision of the Golovinsky district court banning the activity of Jehovah's Witnesses was given as the reason for canceling the agreements.

As a result of this, many Jehovah's Witnesses have been forced to travel many miles to places outside of Moscow for worship, gathering in small groups and private homes for a meeting, or forested section of a park, as they did when under ban, during the Soviet era.

In addition, Jehovah's Witnesses regularly encounter problems with holding their larger religious assemblies.

For example, in Moscow on November 14 and 20, 2004, assemblies for over 4,000 invited delegates were scheduled to be held in the Izmailovo Sports and Performance Complex, where such gatherings have previously been held for 10 years.

However, the local chief of the police, Major General Dubenskiy, canceled the religious assemblies and declared that the events of Jehovah's Witnesses could not be held in the complex because they were a banned sect.

Jehovah's Witnesses are regularly facing similar problems in other parts of Russia.

For instance, on July 24, 2004, an assembly in Yekaterinburg was interrupted by 25 young men. The men ran onto the field while the stadium management turned up music so loudly that it was impossible to continue the program. The police simply stood by watching.

On August 6, 2004, when 1,600 delegates arrived at the Voskhod Sports Complex in Chelyabinsk for a 3-day assembly, they found all the entrances to the stadium were locked. Police officers stood guard both outside and inside the stadium to prevent access. The stadium director refused to meet the convention organizers.

While sharing their faith with others, Jehovah's Witnesses in Moscow are now regularly detained and questioned by the police. For instance, just 3 weeks ago, on March 26, 2005, 60-year-old Tatiana Safonova and another Witness were arrested and held behind bars for 2 hours in the Kotlovka police department.

Police officers ordered them not to preach in the area. When releasing them, police failed to provide them with any documents confirming the reason for their arrest and detention.

National newspapers and major Russian television stations continue to spread negative information, inciting aggressive behavior toward the Witnesses. As a result, there have been several incidents of assault of Jehovah's Witnesses in Moscow.

However, in many cases the law enforcement agencies have failed to take any action whatsoever against the perpetrators of these attacks.

In the city of Nalchik, a slanderous leaflet entitled "Danger—Jehovah's Witnesses" was widely distributed. As a result there have been attacks on Jehovah's Witnesses and their literature, including two arson attacks on November 23, 2004, and February 20, 2005, where large amounts of literature were destroyed and serious damage was sustained to the premises rented for meeting purposes and for storing literature.

On April 7, 2004, the Russian ministry for culture informed the St. Petersburg Customs Office that all printed matter of Jehovah's Witnesses no longer qualifies for exemption from value-added tax. Prior to this, for several consecutive years, the ministry for culture had recognized the religious literature of Jehovah's Witnesses as covered by the Florence Agreement of 1950, and thus was exempt from this tax.

Therefore, in 2004, Jehovah's Witnesses paid \$771,000 U.S. in value-added tax in order to import their religious literature. Separately, companies that had previously assisted with audio and

video production for Jehovah's Witnesses refused to do further business.

In conclusion, local tax authorities are currently carrying out audits of the Administrative Center of Jehovah's Witnesses in St. Petersburg. The St. Petersburg prosecutor's office has initiated investigations against the administrative center based on complaints lodged by anti-cult organizations. However, such actions present a warning sign, since the prosecution of Jehovah's Witnesses in Moscow began the same way, with similar investigations by law enforcement agencies.

It is our hope that the European Court of Human Rights considers the application of the Moscow community of Jehovah's Witnesses promptly. If the court makes a clear statement condemning the violations of the rights and freedoms taking place in Moscow and in other parts of Russia, the situation will improve with regard to rights of all religion minorities.

Once again, Mr. Chairman, I would like to thank the Commission on Security and Cooperation in Europe for allowing me to testify about the current situation facing Jehovah's Witnesses in Russia.

Mr. SMITH. Thanks very much, Mr. Cherpanov.

And thank you all for your excellent testimonies.

As I indicated earlier, we will be following up with a resolution on Russia. And I think the testimony that you all have presented gives us an enormous amount of ammunition to bring to the Russian authorities, to let them know that we're very, very displeased and very deeply concerned about this deterioration of religious freedom.

When you mentioned, Mr. Cherpanov, about "promptly," I think it was December 2001 that you brought that action at the European Court of Human Rights in Strasbourg. And I know justice moves slowly and judicial processes are very slow, but 2001 December and still nothing.

And I would ask you very briefly, because we do have a hearing coming in here at 2 o'clock and so we'll have to be out in about 10 minutes or so.

If you could, what are the prospects? Are they going to take up this?

Then let me ask Mr. Uzzell—and I thank you again for your tremendous work for many years at the Keston Institute. You have been a great leader of religious freedom throughout the European theater, including Russia—especially Russia and the former Soviet Union.

If you could, what other levers and tools are we not using that we should be using?

I was very distressed to hear one of our witnesses say that despite the fact that we have two people dedicated to this portfolio of religious freedom at Embassy Moscow, that only recently—you, I think mentioned it, Mr. Okhotin, that you just got a call a week ago. So that's not encouraging at all. And you might want to speak to that.

As a matter of fact, very briefly, has there been any prosecutions as a result of that?

Nothing.

Does the Kremlin give persecution in your view overt or tacit approval? Because we keep hearing it's happening out there. It's not a Moscow-driven policy.

Mr. OKHOTIN. When a group of believers came to the man who was in charge of this operation, who refused to identify himself, from the FSB, and they said, "You do realize there will be complaining to the Kremlin about these violations, because you're violating the Russian Constitution." And the man just laughed it off and said, "Do you really think we'd be doing this without approval from the Presidential administration?"

Mr. SMITH. How telling.

Mr. UZZELL. Thank you. I'm delighted, Congressman Smith, to hear about the resolution you plan to put forward. That is exactly the kind of step that's needed.

Simply to tell the truth, especially with the unregistered Baptists and their equivalents in other denominations, such as the True Orthodox, who were underground during the Soviet years. These denominations have an importance beyond themselves.

I think of Dietrich Bonhoeffer, the great Lutheran pastor who was murdered by the Nazis just a few days before the liberation of Berlin. He's honored by all Germans today.

And I don't want to make invidious comparisons between denominations, but both denominations behaved the way St. Paul would have behaved if he had been alive in the Soviet Union. He'd say, "We must obey God rather than men. We don't make any compromises."

Those people should be honored today by everybody. They should be heroes to all Russians. But instead we're seeing the opposite tendency.

In the Russian school curriculum, authors like Evgenia Ginzburg, who was imprisoned in the gulag during the Soviet years and whose works were coming back into use in the 1990's and being assigned to Russian schoolchildren, they're now being squeezed out of the Russian curriculum. We're seeing exactly the opposite of what one would hope to see in a free society.

In answer to your specific question, I think it's disappointing that so often documents from the U.S. Government are uncritical of Putin personally. The State Department reports seem to go out of their way to avoid talking about President Putin except in neutral or positive terms, even when they're criticizing other things that the Putin administration is clearly responsible—I mean, the increasingly centralized vertical power that they're setting up.

I would mention the World Trade Organization, Russia's aspirations for membership in the World Trade Organization. I believe in linkage, to quote President Reagan. I think there should be clear, concrete penalties for violations of human rights. The Russian Government should be denied things that it wants if it's going to continue to trample on the rights of its own people.

And then, finally, let me endorse the proposal of a watching brief, of setting up another category in between CPC and doing nothing, so that certain governments can be specifically alerted that especially close attention is being paid to them because of their past abuses in these areas.

Thank you so much.

Just one final comment, if I may. I was giving a talk to a bunch of university students a year ago, complaining about some of the things I've complained about today.

One very bright student said to me, "Well, Mr. Uzzell, aren't you being kind of utopian? Doesn't a Congressman, the way our system works, the way it's supposed to work, isn't a Congressman going to pay more attention to the Roman Catholics and the Mormons and the groups that are well-organized, that make a difference to his own congressional district? Isn't it naive to expect him to pay attention to these obscure religions in Russia that nobody ever heard of?"

And I said, "Well, it isn't necessary that every one of 435 Congressmen pay attention. What's necessary is that the chairman of the Human Rights Committee pay attention." And while it's possible to be utopian, it's also possible to be overly cynical.

And I'm more grateful than I can possibly express that people in leadership positions in this body are paying attention to these issues. So thank you very much.

Mr. CHERPANOV. Well, thank you for raising these issues with the officials.

As to the European Court, they have a deadline of April 28th, Russia Government, to answer the questions posed by the European Court, but I think they will ask for an extension. In my opinion, if they would like to do something promptly, they could have answered already. But, well, we'll wait and then we'll comment on them, see how it turns.

But European Court decisions, they were effectual in Russia because by Supreme Court decision they enforced in Russian legislation. So it remains to be seen.

Mr. SMITH. Thank you, Mr. Cherpanov. Justice delayed certainly is justice denied.

I do want to thank our distinguished panelists. We will be submitting some additional questions to you, and if you could get back to us for the record.

And I again apologize for all those intervening votes. Democracy is messy, and this is one example of it.

I'd like to just make note that Pastor Nikitin is here with us today, and I thank you for being here. Pastor Nikitin is the President of the Association of Christian Churches in Russia, which has a membership of 300 churches throughout Russia. Pastor Nikitin and the ACCR are playing a major part in expanding Christian television throughout Russia.

So thank you for joining us today.

Again, I thank you for your testimony, your incisive remarks that you have provided to the Commission. We will use it. It'll become the gist of a more robust response on our part, and hopefully the executive branch as well.

The hearing is adjourned.

[Whereupon, the hearing adjourned at 1:49 p.m.]

APPENDICES

PREPARED STATEMENT OF HON. SAM BROWNBACK, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Today's hearing is particularly timely as the President prepares for meetings with Russian President Vladimir Putin in Moscow, in early May. More and more people are asking the question: Is religious freedom evaporating in Russia? There are certainly indications that selected minority religious communities are facing increasing difficulty in freely practicing their faith. While in most instances these problems arise at the local level, the Government of Russia has done little to stop these violations of OSCE commitments.

The reality is that unregistered religious communities throughout the country struggle regularly to enjoy their religious freedoms, as the right is not consistently protected for thousands of Russian citizens who belong to such groups. Meanwhile, the trends are not moving in the right direction.

Indeed, reports coming from religious communities lead me to believe that the situation is certainly not improving. Last week, as Chairman of the Helsinki Commission, I convened a hearing on the efforts of the Chabad community and the U.S. Government to recover the "Schneerson Collection" of sacred and irreplaceable Jewish books and manuscripts from the Russian Government. That hearing reinforced my belief that Russia has no rightful claim to these books and no desire to return them, thereby preventing the Chabad community from benefiting from the wisdom contained in these texts.

Another troubling development was the deregistration and banning of the Jehovah's Witnesses in Moscow last June, a culmination of over seven years of litigation. Banning does more than deregister a group and void its legal status—a group is actually prohibited from meeting collectively. The June ban technically applies to the 10,000 Jehovah's Witnesses meeting in the Moscow region. However, the ruling creates a dangerous precedent for other regions and other minority communities.

Baptists, Pentecostals and Muslims all face similar threats. For instance, in February of this year I, along with Co-Chairman Smith, wrote the governor of a region near Moscow concerning the troubling events surrounding an unregistered Baptist congregation. Authorities forcibly prevented this small Baptist church from holding an outside worship service, sending in police to take down the tent that was erected on private property. Later, when their house church was burned down by arsonists, local authorities did not vigorously investigate the crime, but rather threatened to bulldoze any attempt to rebuild their place of worship.

These local instances are alarming, but trouble may be brewing at the federal level. One ominous decision was the creation this month of a new agency, the Federal Registration Service. Its director stated the Service should work to get rid of "dead soul" NGOs. One wonders if religious groups will be targeted by what is, in effect, a deregistration commission?

Religious freedom is truly a sacred human right. President Bush boldly made human rights and liberty the cornerstone of his foreign policy. He said, "America's influence is considerable, and we will use it confidently in freedom's cause." As Secretary of State Rice visits Moscow early next week to prepare for the President's trip there in early May, I urge the administration to ensure that the issues discussed at today's hearing are raised with the Russian leadership.

**PREPARED STATEMENT OF HON. BENJAMIN L. CARDIN,
RANKING MEMBER, COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**

Thank you, Mr. Chairman, for convening this hearing today on a subject that is essential to the OSCE process. It is vitally important to examine the situation facing religious minorities in the OSCE today because treatment of religious minorities is part of that mosaic that constitutes a country's human rights record toward its citizens.

Human rights are not just something that the State Department talks about in its Country Reports. Human rights count. As we have seen of late, governments ignore human rights at their peril, especially when the citizenry (to use the language of the original Helsinki Accords) "know their rights and act upon them," and rise up to evict repressive governments and governors.

With regard to religious liberty in Russia, it is truly a mixed picture. Religious freedom is generally protected at the federal level, for example, in terms of law and a reasonably benign attitude by the executive branch. But the federal level is not where religious liberty is played out on a daily basis. Many unregistered religious groups throughout the Russian Federation must regularly overcome obstacles and discrimination at the local level to practice their faith freely. These communities face difficulties ranging from acts of violence to arbitrary prohibitions on public gatherings. One issue that the Commission has followed closely is that of an unregistered Baptists congregation in a region near Moscow. For reasons that remain unclear, local officials prevented them from meeting on private property, vandals burned their house church to the ground, and authorities have threatened legal action if the facility is rebuilt. This is only of several incidents where unregistered churches have mysteriously fallen victim to fire.

In a decision that was truly chilling in terms of its logic, the Jehovah's Witnesses organization of the city of Moscow was deregistered by a city court in March 2004. Now, every time adherents of that community exercise their fundamental right to meet collectively, they place themselves in legal jeopardy. Moreover, local Russian officials appear to be using the Moscow decision to place roadblocks in the way of public convocations of Jehovah's Witnesses in other regions of the country.

Mr. Chairman, these are two examples of repressive actions against unregistered or "deregistered" religious groups in Russia today. From a broader perspective, let me read one passage from the State Department 2004 country report on Russia:

"Conditions deteriorated somewhat for minority religious faiths—Some federal agencies and many local authorities continued to restrict the rights of various religious minorities. There were indications that the security services increasingly treated the leadership of some minority religious groups as security threats."

In the 108th Congress I introduced legislation, HR 1224, co-sponsored by Commissioner Pitts and others, which would graduate Russia from our Jackson-Vanik requirements and extend normal trade relations. In our legislation we noted that the Russian Federation had: committed itself to ensuring the freedom of religion;

engaged in efforts to combat ethnic and religious intolerance; and continued to reconstitute religious property. The legislation also urged the Russian Federation to ensure that “its national, regional, and local laws, regulations, practices, and policies fully, and in conformity with the standards of the OSCE—safeguard religious liberty throughout the Russian Federation, including by ensuring that the registration of religious groups, visa and immigration requirements, and other laws, regulations, and practices are not used to interfere with the activities or internal affairs of minority religious communities.”

Today, Mr. Chairman, I have serious reservations about whether the Russian Federation is meeting the standards we have set out in our legislation to graduate them from Jackson Vanik and extend normal trade relations.

I look forward to an update on these issues from Ambassador Hanford, and an informative discussion by all of our witnesses today.

**PREPARED STATEMENT OF HON. JOHN V. HANFORD III,
AMBASSADOR-AT-LARGE FOR INTERNATIONAL RELIGIOUS
FREEDOM, U.S. DEPARTMENT OF STATE**

Thank you, Chairman Smith, distinguished Members of the Helsinki Commission, ladies and gentlemen. I welcome the opportunity to be here today to discuss the problems experienced by unregistered religious groups in Russia. It is my hope that today's hearing will draw attention to the plight of unregistered religious groups in Russia and that by working together we can improve the treatment of these communities throughout the country. Russia has seen disturbing trends in this regard, as it has more generally with democratic development. We take the state of religious freedom in Russia with the utmost seriousness. The United States Government's democracy and human rights strategy in Russia is to promote awareness of and respect for the entire range of human rights, including freedom of religion.

Today, some of the greatest threats both to our national security and to international peace justify their violence in religious terms. Our work, in advocating societies based on respect for human rights, including religious freedom, offers a compelling alternative. Nations that respect religious freedom rarely pose a security threat to their neighbors. Nations that affirm religious liberty also lay a cornerstone of democracy and the rule of law. For these reasons alone, promoting religious freedom is as much in our national interests as it is our national ideal. Since passage of the International Religious Freedom Act in 1998, we have made important strides in advocating for religious freedom as part of our foreign policy. President Bush has strengthened this commitment, stating in his National Security Strategy that the U.S. Government will "take special efforts to promote freedom of religion and conscience and defend it from encroachment by repressive governments." Secretary Rice recently stated, "(A) part of my responsibility, both to my own country and in helping with others, is to recognize that it is freedom of religious conscience, freedom of religious conviction that is really the core value of democracy." She also said that "the right to individual conscience is the key to democracy," adding that "people will never be truly free if this most personal of decisions is imposed upon them."

RELIGIOUS FREEDOM IN RUSSIA TODAY

My office closely follows religious freedom developments in Russia. We are in touch regularly with religious and human rights groups. Embassy Moscow has two political officers dedicated to promoting human rights and religious freedom. They follow events in this huge country, which spans twelve time zones, with the assistance of the Consulates General in St. Petersburg, Yekaterinburg, and Vladivostok. They investigate reports of incidents and stay in close regular contact with religious groups and human rights advocates. Our Ambassador, Consulates General and our senior officials raise our concerns about the rights of religious minorities with Russian leaders on an ongoing basis.

Russia's constitution recognizes freedom of religion, and the Russian Government generally respects this right in practice. Unfortu-

nately, however, the 1997 law on Freedom of Conscience and On Religious Associations and its amendments have had the practical effect of restricting religious freedom for a few groups and organizations. The law imposes restrictive registration requirements that prevent new and minority faith groups from gaining legal status. Nearly one thousand faith groups were unable to meet the registration requirements and were dissolved and prohibited from conducting any activities. This registration requirement for religious organizations also exists in many neighboring Eurasian countries.

In Russia, people are free to belong to the state-favored organizations, which include Russian Orthodox Christianity under the auspices of the Moscow Patriarch, Judaism, Islam, and Buddhism. These religions were mentioned in the 1997 law on religion as constituting part of Russia's "historical heritage." Although the majority of Russians feel free to worship, many religious minorities have encountered restrictions and harassment, including some of those that are registered. We have received reports of difficulties experienced by (or privileges denied to) Old Believers, members of the Autocephalous Orthodox Church, Roman Catholics, unregistered Baptists, Pentecostals, Jehovah's Witnesses, and Muslim mosques that cannot get approval from one of the two sanctioning Councils of Muftis. You will hear today from representatives of some of these groups, who will confirm their difficulties.

Many in this room represent groups and organizations with whom I worked when I served on the staff of Senator Lugar. In 1997, Senator Lugar led an effort in both houses of Congress to dissuade the Russian Government from passing the 1997 law on Freedom of Conscience and On Religious Associations. Mr. Chairman, I remember that you were prominently involved in that effort, as was the leadership in both the Senate and the House and on both the Republican and Democrat sides of the aisle. In all, 169 Senators and Members of Congress joined in this appeal to President Yeltsin to veto the 1997 law. Initially, Yeltsin did, in fact, veto the law, but later he settled for a compromise that was really no compromise at all—and that is why we find ourselves where we do today.

The 1997 law noted the "special contribution of Orthodoxy to the history of Russia and to the establishment and development of Russia's spirituality and culture." As Secretary Rice noted, "In the United States, we separate church and state. But not every democracy separates church and state.—(T)he real key is that people have to be able to choose this most personal of commitments. They have to be able to choose to worship in any way that they wish." I regret to say that in Russia today the statutory registration requirements have been used in some cases to restrict religious freedom.

SOME POSITIVE DEVELOPMENTS

The portrait of religious freedom in Russia today would not be balanced, however, if we did not mention some positive developments. Despite the increase in difficulties for some minority religious groups over the past four years, federal authorities have sometimes reprimanded discriminatory actions by local officials. Federal officials have provided information to regional officials, in-

cluding a publication on the rights of foreign religious workers, which has been used to instruct local officials unfamiliar with federal law. To its credit, the Government of Russia maintains a human rights ombudsman office, albeit a weak one, which has a division devoted to religious freedom complaints. Like his predecessor, the current Ombudsman, Vladimir Lukin, has criticized the law on religion, recommending changes to bring the law into line with Russia's Constitution.

The Presidential Administration continues to work towards consistent and strict application of federal laws. At the same time, minority religious groups sometimes benefit from a less-strict implementation of the federal law on religion. For example, some representative offices of foreign religious organizations have opened and not formally registered with state authorities. Others have affiliated with an existing registered organization. None of these foreign offices, however, were allowed to conduct religious activities and, even if affiliated with an already registered organization, they do not have the same status as a religious organization.

Let me take this opportunity to cite two specific instances of recent positive developments concerning religious groups on whose behalf we have advocated. Although previously the Russian Federal Security Service harassed the Family of God Pentecostal Community, that harassment ended last year and the group was allowed to re-register. In addition, we note the Vanino Baptist Church in Khabarovsk was allowed to re-register last summer. Dan Pollard, the church's pastor, who has been trying to return to Russia since he was banned in 1999, was recently told by the Russian Consulate in Seattle that his name was removed from the blacklist. We will watch with interest and concern as these developments continue to unfold.

GROUPS THAT HAVE BEEN SUBJECT TO HARASSMENT, ABUSE OR VIOLENCE

As you well know, Mr. Chairman, minority religious communities in Russia face many challenges and problems. Since I have been asked to speak today specifically about the problems faced by unregistered groups in Russia, I will confine my comments to those groups.

Let me now turn to the problems faced by several minority religions in Russia that have both experienced registration difficulties and have also been subject to violence, abuse or harassment. Prominent among these groups are the unregistered Baptists, the Old Believers, Pentecostals, and certain independent Muslim groups. Many of the members of these groups experience fear and intimidation in their local communities.

Much of the ill-treatment experienced by minority religious groups stems from the actions of regional and local government officials. At the same time, some minority religious groups and human rights advocates point to the atmosphere created by actions of the federal Prosecutor General's office, which has encouraged local officials and organizations to take legal actions against some minority religions and to publish and distribute materials that are patently biased against some minority religious groups, such as Jehovah's Witnesses, Mormons, and others. The FSB has pressured

landlords to break contracts, has pressured the tax services to investigate religious groups for evidence of criminal activity, and reportedly has influenced the Ministry of Justice to deny registration or re-registration to some groups.

When violence does occur against minority religious groups, sometimes local officials fail to arrest those responsible, dismissing the attacks as "hooliganism." Convictions for vandalism or attacks against minority religious groups are exceedingly rare. The climate of prejudice against minority religious groups often is spurred by statements by religious leaders of traditional faiths. For example, a number of anti-sect conferences have been held around the country at which representatives of the Russian Orthodox Church have suggested banning different minority faiths. One leader of another traditional faith suggested that the Government define which religious organizations are sects and then adopt a law to prohibit sect activities.

Let me now turn to several of the groups that have faced violence and harassment.

Unregistered Baptists: During the past two years, several unregistered Baptist groups have experienced varying degrees of intimidation and violence. In most instances, unregistered Baptists are those that are opposed on principle to registering or cooperating with the Russian Government, and they fear that contacts with representatives of the U.S. Government could further complicate their situation. The unregistered Baptists are sometimes called the "separated Baptists," which stems from their split from the Union of Evangelical Christians-Baptists in Russia in 1961.

There have been an estimated 10 arson attacks on unregistered Baptist churches in the past two years. In September of last year an unregistered Baptist church was burned down in Lyubuchany in what was ruled an arson. No one has been arrested, though eyewitnesses saw law enforcement officials in the area just before the fire. The arson followed an incident in which about 80 local law enforcement and FSB officers with police dogs tried to intimidate several thousand Baptists convening from across Central Russia for their annual assembly. Local officials tried to interfere in the rebuilding of a new church by filing suit to block the rebuilding, but a February court hearing was cancelled, and the building is nearing completion.

Embassy Moscow has raised our concerns about the arson attack with the Russian Government. The Embassy emphasized that while it was true that the unregistered Baptists had not provided authorities with advance notice of their meeting, as required by law, this can in no way be an excuse for abuse or arson. We continue to urge the Russian Government that the perpetrators be brought to justice and that adequate protection be provided so that unregistered Baptist churches are not attacked. Mr. Chairman, I want to thank you and your colleagues for the letter that you wrote to Mr. Chibeskov, the Acting Head of Administration of Chekhov Oblast, who oversees the area in which the destroyed church is located. Your raising this issue with Russian authorities serves to focus attention on the group and may provide them some additional protection.

Old Believers: Old Believers are Orthodox Christians who did not join the Russian Orthodox Church in cooperating or officially registering with the Soviet regime. In general, they do not experience direct harassment or repression by the Russian Government. Two leaders of the largest branch of the Old Believers have told our embassy that registration has not been a problem for them. Nevertheless, due to the consequences of their separation from the Moscow Patriarchate, they face difficulties in property restitution from churches seized during the Soviet era. While requests for restitution have sometimes been granted, local officials are usually slow to respond to these requests. There are currently two active church restitution cases underway in Samara and St. Petersburg. In the Samara case, there have been positive developments. Post reports that the Russian Orthodox Church bishop for Samara said he was not opposed to return of the church to the Old Believers. As a result, the Old Believers are cautiously optimistic that this case will be resolved.

Embassy Moscow reports that representatives from the largest branch of Old Believers in Samara indicated that churches in their branch are not having difficulties with registration. They said they were told their historic church will be returned to them.

Pentecostals: Some Pentecostal communities also have refused to register out of philosophical convictions. Others have been offered and refused the opportunity to join other registered central organizations, such as Protestant unions, which would entitle the Pentecostals to register without waiting for 15 years. Pentecostals have experienced arson against their churches as well, with no actions taken by law enforcement. Fires were set against Pentecostal churches or prayer centers last year in Moscow Oblast, Chekhov, Balashikha, Tula, Pipetsk, and Nizhniy Tagil.

African-born Pentecostals in Moscow have suffered both as victims of religious and racial prejudice. In 2001 one African pastor was beaten, and his church burned. The congregation continued to meet in private apartments for worship, but the members were forced to disband in 2003 as the violence and threats continued. Other African non-Orthodox congregations have also experienced vandalism, threats and violence based on the double prejudice against race and religion.

Independent Muslims: Many local Muslim groups were unable to register as local organizations when the 1997 religious registration law went into effect. Many groups found the paperwork involved to be beyond their resources, and not worth the extra effort, since they were already meeting in a regular place of worship. An official spokesperson for the two Councils of Muftis claimed that all Muslim groups that sought to register as local organizations were able to do so. Some 3,537 Muslim organizations were registered with the Ministry of Justice as of mid-last year. New statistics are not yet available, but we note that at least 121 of these registrations took place in 2003 and 2004. The spokesperson asserted that registration was not needed for religious activity per se, so many regional Muslim organizations continue to operate without registration.

We have reports of Muslims in some regions protesting the frequency with which they have been stopped and asked for identity

papers. Government officials express concern about extremist groups such as Hizb-ut-Tahrir and groups of foreign Muslims in the North Caucasus that may be potential terrorists. The security service (FSB) has continued to treat the leadership of some minority religions, and in particular some Muslims, as security threats, conducting campaigns of harassment against them.

GROUPS EXPERIENCING POLITICAL INTERFERENCE AND COURT CHALLENGES

Now I would like to turn my attention briefly to several religious organizations and groups that have experienced political interference and adverse rulings by local courts. While the Russian legal system has made strides since Soviet times, further progress is needed in achieving judicial independence. I will briefly review the problems faced by the Jehovah's Witnesses, the Salvation Army, the Church of Scientology and the Mormons.

Jehovah's Witnesses: In June 2004, a Moscow district court banned all organized activity of the city's 10,000 Jehovah's Witnesses on the grounds that they posed a threat to society. Reports indicate that this local ban has inflamed passions against the approximately 133,000 Jehovah's Witnesses throughout Russia. The Jehovah's Witnesses have appealed the ban with the European Court of Human Rights, and proceedings are underway.

The Jehovah's Witnesses have faced difficulties in other Russian communities as well. Reports indicate that they have confronted obstacles when attempting to rent buildings, have had contracts voided, and have faced other attempts to disrupt and/or liquidate them. Jehovah's Witnesses report that anti-cult organizations and the Russian Orthodox Church are attempting to initiate legal action to close the Jehovah's Witnesses Administrative Center in St. Petersburg. In addition, the Federal Security Services (FSB), the Prosecutor General, and other official agencies have campaigned against the Jehovah's Witnesses. The Prosecutor General's office provided legal guidance to local Ministries of Justice on how to bring a case against them.

The Jehovah's Witnesses have also been the subject of harsh criticism. The Russian press and some Russian textbooks refer to the Jehovah's Witnesses as a "sect," and in one unfortunate comparison, the Governor of Stavropol Kray, which has been attacked by Chechen separatists, compared Jehovah's Witnesses to Wahhabis.

The Salvation Army: The Salvation Army is currently fighting a legal battle in Russian courts to defend its right to exist. Local authorities used the registration requirement of the 1997 law on religion to bring the Moscow branch of the Salvation Army before the Taganskiy District Court of Moscow in 2001. That court ruled to liquidate the organization, and the Moscow City Court upheld the decision. In February 2002, the case went before the Constitutional Court, which ruled that the Moscow City Court should not have liquidated the local branch because the organization had made many good faith efforts to re-register.

In April 2003, the Constitutional Court found unconstitutional a ruling of a Moscow district court that had ordered the liquidation of the Salvation Army's organization in Moscow on the grounds

that it was a “militarized” organization. Local officials, however, have not complied with the Constitutional Court decision.

With the assistance of a lawyer from the Slavic Center for Law and Justice, the Salvation Army continues to try to re-register in Moscow Oblast, while it operates under its old registration. The organization is working through the European Court for Human Rights (ECHR), which ruled last year that the Salvation Army’s complaint was admissible on the grounds that it had not been allowed to re-register.

There has not yet been a hearing on the merits in the case before the ECHR. The Salvation Army offered the Government terms for an amicable settlement in the ECHR case, and the Government has not yet responded. Despite the favorable court rulings, Moscow authorities have not permitted the Salvation Army to re-register, although the group continues to operate based on documents filed under an earlier statute.

The Church of Scientology: The Church of Scientology is another church defending its right to exist in the court system. The Moscow authorities refused to register the local organization and used the 1997 law in an attempt to liquidate the Scientologists. In a series of court cases over the past eight years, there have been a number of findings in favor of the church. In each of these favorable rulings, however, the Procuracy has appealed the decision, usually successfully. These successful appeals led the Scientologists, in the fall of 2004, to file suit in the ECHR against the Moscow liquidation order. The ECHR agreed the appeal was admissible and agreed to consider the case on its merits.

In St. Petersburg, the Scientologists have been denied registration and threatened with liquidation. Authorities have interfered with Scientology centers in a number of localities. The Supreme Court ruled that a liquidation case against the Khabarovsk center be re-tried. In Bashkortostan in March of 2003, the Supreme Court banned the local center, but the center remains open pending appeals to the Supreme Court and the ECHR. The ECHR ruled last year that the case was admissible. In total, three Scientology cases are now before the ECHR.

The Church of Latter-day Saints (Mormons): The Mormons have experienced mixed results in their registration attempts. To date they have successfully used the court system to register approximately 50 local religious organizations. In one case in September 2003, the church was finally registered in Chelyabinsk despite being turned down 12 times previously by the Department of Justice over five years. However, since 1998, the Church of Latter-day Saints has not been able to register in Kazan, Tartarstan.

CONCLUSION

Mr. Chairman, let me conclude by thanking you again for holding this important hearing. Your activism and advocacy on issues of religious freedom and human rights over the years have been very impressive, and all of us who labor on religious freedom issues are indebted to you for your leadership.

We welcome your suggestions to work together to improve the treatment of minority religious groups throughout Russia. We would be happy to work with the Helsinki Commission to establish

communication with the appropriate Russian parliamentary committees to encourage dialogue to address our religious freedom concerns.

As Secretary Rice has pledged, we will continue to talk about religious freedom with other countries, not because we “believe we should use religion as a weapon” against others, but “because it is very often a basis for compassion and decency in a society; it is essential to the proper functioning of democracy.” In Russia today, we see restrictions on religious freedom, and this directly relates to the lack of a properly functioning democracy.

Mr. Chairman, thank you again for highlighting the situation of minority religious groups in Russia by holding these hearings. I will be happy to take your questions.

**PREPARED STATEMENT OF LARRY UZZELL, PRESIDENT,
INTERNATIONAL RELIGIOUS FREEDOM WATCH**

Of all the many times that I have given testimony and informal briefings to this Commission, today's hearing gives me the most satisfaction. I believe that this is the first time since the fall of the Soviet Union that a Capitol Hill hearing has focused specifically on the unregistered religious bodies in Russia. It's especially welcome that you are including testimony from a representative of Russia's unregistered Baptists. Simply by holding today's hearing you are helping to correct a serious imbalance in the U.S. government's work on religious freedom in Russia.

One of the defining moments in the campaign for international religious freedom in Washington came in the 1996, when the U.S. ambassador to China was asked about persecution of China's unregistered house churches. It turned out that despite his briefings from the State Department he didn't know what a "house church" was. That episode dramatically revealed one of the blank spots in State Department thinking that so many of the people in this room have worked to correct.

Unfortunately, too many Americans still don't realize that Russia has unregistered house churches of its own. Russian Baptists, in particular, are divided between the registered and the unregistered, each with hundreds of local congregations. The unregistered Baptists or "initsiativniki" split off from the registered Union of Evangelical Christians-Baptists in 1961 after the leaders of that group agreed to make certain concessions under pressure from the Soviet regime. For example, the registered Baptists agreed to cut back on missionary activities, to discourage baptisms of anyone under age 30, and to stop teaching religion to children. Many Baptists found these concessions to be morally unacceptable. They formed an "initsiativnaya gruppa" or "initiative group," which ultimately became a separate denomination—now known as the Council of Churches of Evangelical Christians-Baptists, represented here today by Andrew Okhotin. As a matter of principle, these "initsiativniki" still refuse even to apply for state registration in Russia.

Let me stress that I am here today to speak out for the unregistered Baptists, not to denounce the registered Baptists. We Americans who have never lived under a totalitarian regime should be charitable in judging Russians who faced pressures that we can barely imagine. The registered Baptists often saw themselves as trying their best to practice their faith in a tragic situation, even if they made compromises that they now regret. As defenders of religious freedom, we should be committed to defending both the registered and the unregistered Baptists from oppression. But that's precisely the problem. The U.S. government does not give the unregistered Baptists nearly as much attention as it should, just as it does not give nearly enough attention to the Old Believers, the True Orthodox Church, or other indigenous Russian religions that do not have well-organized lobbies in Washington or partnerships with well-connected American denominations.

Last week I phoned two leaders of the unregistered Baptists in Russia—including the pastor whose congregation was harassed and whose house church in Lyubuchany, just south of Moscow, was

torched last fall under extremely suspicious circumstances. I asked if anyone from the U.S. Embassy, or from any other part of the U.S. government, had contacted them or any of their fellow pastors to find out more about their situation. The answer was No.

Recently I reviewed the State Department's last four annual reports on international religious freedom. Over those four years, the section on Russia has included a cumulative total of 6 references to the unregistered Baptists, 7 to the Old Believers, and 5 to the True Orthodox Church. On the other hand it has included a cumulative 65 references to the Mormons—who are far less numerous in Russia than the unregistered Baptists, and clearly less oppressed. The 2004 report was more balanced than those of previous years, but still had as many references to the Mormons as to the other three groups combined.

Let me stress that I do not think that religions new to Russia, such as the Mormons, are getting too much attention from Washington's human-rights advocates. As a journalist I have never found the Mormons' claims of repression in Russia to be inaccurate; if I were writing the State Department report I would not omit any of its passages about the Mormons. The problem is that the report gives too little attention to religious bodies that do not have well-funded, media-savvy offices in places like Washington or close links with western denominations that do have such offices. It also fails to go beyond listing individual abuses, to analyze adequately the forces at work in those abuses; all too often the report catalogues the trees but misses the forest.

One example of this weakness is the State Department's flawed discussion of Russia's 1997 law which restored state control over religious life. Its latest annual report on religious freedom states twice that the 1997 law discriminates against religions that are "new to the country." That is true, but it is not the whole truth or even the most important part of the truth. Key provisions of the 1997 law target not only religions new to Russia such as the Mormons or Hare Krishnas, but also certain religions that are deeply rooted in Russian history. For example, if the law's notorious 15-year rule were strictly enforced it would deny major elements of religious freedom to Old Believer and underground Orthodox Christian groups that have traditions going back for centuries in Russia, but were not registered under the Soviet regime. (For more detail on this, see the excellent statement by Geraldine Fagan of the Forum 18 News Service which she provided in writing for today's hearing record. You can also learn more about these and related issues from the Web site of my own organization, www.irfw.org.)

The 15-year rule was diabolically clever in that it drew a base line in the early 1980s, making that base line the standard for distinguishing between religions today. By adopting that standard the 1997 law artificially favored those religious bodies that were on good terms with the Soviet regime 15 years earlier—which of course was before the Gorbachev reforms—and artificially disfavored those that were on bad terms with that regime. Despite all the conservative, patriotic rhetoric that accompanied the law's enactment, calling for the defense of Russia's unique spiritual traditions against novel imports from abroad, in large measure what the law really did was to revive Soviet standards of church-state

relations—the standards of an explicitly atheist, totalitarian state. What the drafters and defenders of the 1997 law really fear is not novel religions, but heroic religions that refuse to collaborate with tyrants. That is why they favor not just some religions over others, but some factions over others within the same religion.

The State Department's weaknesses in discussing these issues are even more important than you might think. It's not just a matter of failing to speak up for the underdog, failing to defend the weakest of the oppressed as well as those with the strongest legal and public-relations machines. In today's Russia there is a widespread perception that American rhetoric about human rights is simply a hypocritical cover for American cultural and political imperialism. You would be amazed at how many Russian scholars and government officials are knowledgeable about the history of European missionaries in the 19th century, especially about those missionaries' roles in British and French colonialism, and at how they see today's American missionaries as a direct extension of that history. A few years ago an influential Moscow specialist on religious studies, Nikolai Trofimchuk, wrote an entire book on that theme, called *Expansion*. Among other things he argued that American Protestant missionaries are in Russia's Far East as agents of a U.S. government plot to seize control of that region and transfer it from Russian to American sovereignty. That may seem like nonsense to you and me, but Trofimchuk's work has been widely circulated among Russian federal and provincial bureaucrats specializing in church-state relations. Perhaps it is no accident that American missionaries in the Far East seem to have had more difficulties with visas and the like than those in any other part of Russia.

The easiest way to prove that Trofimchuk is wrong is to do what the U.S. government should be doing anyway. Washington should be going out of its way to monitor and speak out against threats to those faiths that are totally indigenous, not Russian branches of American denominations. We Americans should be making it clear that our goal is genuine rule of law with enforceable rights for all faiths in Russia, not just for those that have large numbers of adherents in America or joint programs with American missionary organizations. In recent years the State Department reports have paid far more attention than in the 1990s to the repression of Muslims in Russia; they need to show similar progress in their coverage of the less well-known Christian minorities.

During the last five years I have had two experiences which I hope never to have again. In the summer of 2000 I visited the ruins of what had been a Seventh-Day Adventist church in the capital of Turkmenistan before the city authorities sent in bulldozers to tear it down in broad daylight. In September 2004 I visited the ruins of the unregistered Baptists' house church in Lyubuchany, just a few days after it too had been destroyed. The Baptist church was not demolished so brazenly as the Adventist one, but the local government has since revealed its hand by trying to forbid the Baptists to rebuild their own church on their own property. This is the sort of thing that was supposed to end with the collapse of Soviet rule—the deliberate destruction of places of worship, whether openly or under cover of darkness. But it hasn't ended, and Vladimir Putin's Kremlin has shown no visible interest in making sure that

it ends. Another defect in the latest State Department report on religious freedom is that it seems to go out of its way to avoid criticizing Putin: All the specific references to him are either neutral or positive.

But with Putin centralizing so much more power in his own hands, he now has less room to dodge responsibility. Both by word and deed, the U.S. government should be making it clear that it cannot have a full-fledged partnership with the Russian government as long as that government is trampling on the religious freedom of its own citizens—even, perhaps especially, those citizens whose denominations are poor and weak.

[WORLD, November 6, 2004]

DIVIDE AND CONQUER

RUSSIA: BAPTISTS IN POOR VILLAGES ARE THE LATEST VICTIMS IN A NATIONWIDE STRATEGY TO AMPLIFY STATE CONTROL OVER RELIGION

By Larry Uzzell

IN THE GRINDINGLY POOR VILLAGE of Lyubuchany, Russian Baptists are patiently rebuilding a house church that was deliberately burned down last month. The arsonists escaped, but evidence suggests that they were connected with Russia's secret police. Earlier this year a house church of the same denomination in Tula, 60 miles farther south of Moscow, fell victim to a similar attack. Strikingly, both congregations have hosted major regional or national conferences for co-religionists from across Russia.

The timing of the Tula attack was especially suspicious. In January the house church there was about to host two gatherings: a meeting of about 70 of the denominations pastors from places as remote as Kazakstan, then a conference on evangelization for some 400 rank-and-file Baptists from various towns. Some of these visitors had already arrived, and were sleeping next door when an explosion devastated the house church's interior between 3:00 and 4:00 a.m. on Jan. 13. The explosion warped the brick walls and nearly collapsed the roof. Two church members were hospitalized.

Pastor Aleksandr Lakhtikov told the Forum 18 News Service that the firemen who responded to the blast were accompanied by an official from the FSB secret police. Local officials and the state-controlled media quickly announced that the explosion had been caused by a natural-gas leak. But the pastor noted that municipal gas inspectors who visited the site about five hours after the explosion found no trace of domestic gas. Such traces usually linger for days after an accident.

One might think that this was just vandalism by petty criminals—but two well-targeted acts of vandalism within one year, against two different congregations seem unlikely.

The Sept. torching of the Baptist house church in Lyubuchany was more directly linked to state harassment. Yelena Kareyeva, a member of the congregation, told International Religious Freedom Watch when we visited last month that just three days before the

fire her son had seen two suspicious-looking men loitering in the adjacent forest. Her son recognized one of them: In August he had taken part in a massive police operation against a gathering hosted by the congregation for several thousand Baptists from all over central Russia.

As many as 200 servicemen from various security agencies, including the local police and the FSB, showed up to disrupt that open-air gathering. They even brought along laborers to remove the Baptists' tents and pews, and plainclothes personnel to film them. As pastor Nikolai Dudenkov told International Religious Freedom Watch, they came "prepared as if for a terrorist attack"—with machine guns, helmets, and gas masks. They brandished an official decree barring "unsanctioned gatherings of a religious nature"—even though this gathering was on privately owned land with the landlord's consent. They set up roadblocks to keep outsiders from arriving by car.

The Baptists nevertheless persisted in exercising their constitutional right to preach and worship on private property; many of them traveled the last few miles on foot. The police in turn persisted in trying to intimidate the worshippers checking identity papers and recording names. One plainclothes official said "Do you think that all of this is taking place without the consent of the president's administration?"

Just three weeks later the Lyubuchany house church was burned down. The local Baptists believe that the government agent seen reconnoitering the site a few days earlier helped to plan it.

Lyubuchany and Tula Baptists are especially vulnerable to a state-sponsored strategy of intimidation that plays into larger goals of restoring Kremlin control to everyday life. For the last decade the Russian government has followed "divide and rule" tactics of discriminating not just between religions but between factions within a single religion: Russia now has favored and disfavored Jews, favored and disfavored Orthodox Christians, and so on. Among the Baptists the disfavored group is the unregistered Union of Baptist Churches, which split from the larger Union of Evangelical Christians-Baptists in 1961 after the latter agreed to compromise with the Soviet regime on issues such as a ban on teaching religion to children. Precisely because they chose a principled stance, following the apostles' example to "obey God rather than men," the unregistered Baptists still endure extra hardships under Russia's current rulers.

Sadly, the unregistered Baptists' history makes them unattractive to many Western-based missionary organizations. Lacking good political connections, they are not nearly as useful as the mainstream Baptists in hosting foreign visitors and smoothing out legal difficulties and local access. Many American Protestants do not even know that they exist—or that lately their hardships have been growing.

Since the mid-1990s the unregistered Baptists have faced difficulties in exercising the free-speech rights supposedly guaranteed by Russia's 1993 constitution; for example, in distributing religious tracts in public. Until recently they were able to feel secure when meeting for prayer on their own property. Now even those overall prospects look increasingly grim. Though Vladimir Putin likes to

invoke Christian imagery, especially when meeting with naive Western politicians, his first loyalty is to the secret police to which he continues to give more powers. His administration has little love for independent-minded religious minorities who refuse to function as extensions of the state.

**STATEMENT SUBMITTED FOR THE RECORD BY FORUM 18
NEWS SERVICE—<http://www.forum18.org>**

In its submission to a 14 April hearing in Washington of the US Commission on Security and Cooperation in Europe on unregistered religious groups in Russia, Forum 18 News Service looks at how Russia's controversial 1997 religion law divides religious communities into two categories, restricting the rights of those with the unregistered status of "group". By requiring independent religious groups seeking registration to have existed for 15 years, the law effectively forced new individual religious communities to join older unions, often a burdensome and expensive formality and not an option for some communities. Registration can be denied on arbitrary grounds, as for example with 39 of Stavropol region's 47 mosques. Denied registration, Belgorod's Catholic parish cannot reclaim its historical church. Communities that choose not to register can function freely, but only if they remain inconspicuous, Forum 18 has found. Council of Churches Baptists—who reject registration on principle—are often denied the possibility to rent property for services and fined for holding evangelistic campaigns.

UNREGISTERED RELIGIOUS GROUPS IN RUSSIA

[By Geraldine Fagan]

Despite its claim to uphold a constitutional guarantee of equality before the law for religious associations (obyedineniya), Russia's 1997 religion law divides them into organisations (organizatsii) and groups (gruppy).

A religious group has significantly fewer legal rights than a religious organisation. Defined as operating without state registration, it has the right to worship at premises provided by its own members (that is, not held as the property of or rented by the group in an official capacity) and teach its existing followers. It does not enjoy the following rights: 1) to request deferment from military service for its clergy; 2) to create educational institutions or to give extra-curriculum religious instruction to children in state schools; 3) to invite foreign citizens for professional purposes or to have a representative body of a foreign religious organisation attached to it; 4) to conduct religious rites in hospitals, prisons, children's and old people's homes; 5) to produce, acquire, export, import and distribute religious literature, printed, audio and video material and other articles of religious significance, or to create organs of mass media

While state registration is not compulsory, a religious group wishing to register and so obtain the full legal personality status of a religious organisation must either prove 15 years' existence in its locality or affiliation to a central religious organisation of the same creed. (A central religious organisation is made up of at least three local religious organisations.)

This categorisation of religious associations has had a negative impact upon religious freedom, although far less than originally feared. In the immediate wake of the law's adoption, hundreds of Protestant communities founded since the abolition of Soviet restrictions enrolled into centralised Protestant unions as the only protection against the reduction of legal rights under the 15-year

“probationary period”. Some have told Forum 18 that the unions concerned have allowed them to retain *de facto* independence. Others, however, resent having had to jettison theological opposition to hierarchical structures, as well as the sometimes considerable membership fees levied by such unions.

The main reason for the much-reduced impact of the 15-year rule is that successive constitutional court rulings in 1999, 2000 and 2002 determined that it did not have retroactive force. Consequently, its limitation of legal rights now applies to the far narrower category of religious communities who either: 1) were founded or sought initial registration after the adoption of the 1997 law and are not in a position to join a centralised religious organisation; or 2) reject state registration on principle.

In time, though, the impact of this 15-year rule can only increase as new groups are founded.

Forum 18 has encountered few instances of either category. However, in an example of the first, the True Orthodox parish of St Elijah in the republic of Chuvashiya was denied initial registration in late 2003. While a local court noted the group’s claim that it “existed in private flats from 25 March 1988 because their confession was persecuted under the communist regime,” it concluded that “confirmation by organs of local government of the existence of a religious group for no fewer than 15 years is possible only after 15 years has elapsed from the moment when they inform [the authorities] of the creation of the group.” The authorities thus deemed the 15-year period to have begun when the parish first formally contacted them in spring 2003. Due to the issue of disputed apostolic legitimacy, the community has no Orthodox central religious organisation which it could join as an alternative.

While other True Orthodox and some Old Believer groups are unregistered because they reject all contact with the state on theological grounds, they are able to function unimpeded because they are inconspicuous. Baptist communities belonging to the Council of Churches, however, who similarly refuse to register on principle, routinely report fines and property confiscation when they stage evangelisation campaigns, even though the 1997 law does not state explicitly that a religious group may not preach in public. In early 2003 a large Moscow congregation belonging to the Council of Churches had a long-running rental contract cancelled on the grounds that it did not hold state registration, even though the official commentary to the 1997 law specifies that an individual member may rent worship premises on behalf of a group.

Sometimes religious groups are denied the full rights of a legal personality despite being affiliated to central religious organisations. While affiliated to the Spiritual Directorate of Muslims of Karachai-Cherkessia and Stavropol Region, for example, 39 out of 47 Muslim communities in Stavropol region have not been granted state registration. One, a Pyatigorsk mosque visited by Forum 18, was five times asked for additional information in its registration application rather than issued an outright refusal against which it could mount a legal challenge. Founded in 2000 and affiliated to a federal Pentecostal union, Victory Chapel Church in Yuzhno-Sakhalinsk has been refused registration four times since 2001 and was obstructed from holding and advertising

public evangelisation events in 2003 on the grounds that it was a religious group.

Absence of legal personality status has proved an impediment to claiming historical places of worship confiscated by the Soviet state. Denied registration—despite being part of the Catholic Church in Russia—the Catholic parish in Belgorod has been unable to claim a small former Catholic church in the city centre, which has meanwhile been transferred to the local Orthodox diocese. While often elderly Old Believer communities have found the 1997 law's bureaucratic registration requirements an impediment, the Russian Orthodox Church (Moscow Patriarchate) has had no difficulty in registering its parishes and has successfully claimed some Old Believer historical church property as a result.

On the other hand, many religious groups have chosen their unregistered status as it avoids potentially intrusive and bureaucratic contact with the state. As described above, a group's rights are not usually restricted—despite the letter of the law—unless it is conspicuous. Access to prisons, for example, normally depends more upon personal relations with the institution's administration rather than whether a religious community is registered. State registration is not in itself a guarantee of full rights in any case, as disfavoured religious organisations may be obstructed, for example, by being denied permission to acquire land or build. Another indication of a lack of systematic application of the 1997 law is that, while the 2004 ban of the Moscow Jehovah's Witness community should mean a complete prohibition of its activity, it has by and large been allowed to function as a religious group.

The head of a government working group drafting proposed amendments to the 1997 law, Andrei Sebentsov believes that the 15-year rule is a violation of the Russian constitution and should be removed. One of the law's major lobbyists, Metropolitan Kirill (Gundyayev) of the Russian Orthodox Church (Moscow Patriarchate) last year publicly rejected this call, insisting that society must be allowed 15 years to see whether or not a religious group was harmful: "This is not the time or the place to experiment upon our people." It remains unclear which argument will prevail. In this context it should be noted that the 1997 law still gives religious groups a key space to operate because it allows home worship and does not make registration compulsory, unlike in Belarus, where the current religion law was also successfully lobbied for by the Russian Orthodox Church (Moscow Patriarchate).

For more background see Forum 18's Russia religious freedom survey at <http://www.forum18.org/Archive.php?article—id=509>

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To: US Commission on Security and Cooperation in Europe.

04-12-2005

Dear ladies and gentleman!

The American Russian Relief Center requests that you take notice of the condition of former non-registered Pentecostal Churches in Russia.

To be able to understand the situation of non-registered Pentecostals in Russia, it is important to know their recent past. Pentecostals in Russia began in the beginning of last century from an American Missionary by the name of Voronaev. This gave a good reason for the Soviet agencies to proclaim Pentecostals as American agents. Pentecostals were forbidden to register their churches in 1927 and this law was in force until the fall of SSSR. There is a good reason to affirm that Pentecostals in SSSR were prosecuted, since it is hard to find a family in Russia that has not been repressed in any way. For example my family: my grandfather was shot to death, my grandmother and her family was exiled. My father did not return from the camp, mother was sentenced three times, my wife was sentenced twice, and I was sentenced twice. If my family did not immigrate to the United States, I cannot imagine what would have happened to my family and me. This type of family biography is not rare in Pentecostal families. But this is not all; in 1970ies, Soviet agencies opened up a new program of spiritual prosecution. This meant that Pentecostal children were not allowed to attend schools. The plan was to make Christians absolutely ignorant, thus having them drawn away and isolate themselves from the community. Captain of KGB Klimenov, in 1977, in the city of Nahodka proclaimed "You were not allowed to learn in schools in seventies, and now you think that to learn is a sin – and this is our job".

Besides, the community cultivated a notion that Pentecostals are a retarded, illiterate sect. A sect which brings human sacrifices, and which organizes religious sexual organizations. Each sectarian is an enemy to the population. This is the way several generations were brought up.

Because of their illiteracy, Pentecostals knew nothing about the legislative or executive agencies. They do not have journalists and they do not have access to any agency. They were only taught to preach and not defend themselves. This kind of attitude toward the Pentecostals was not only a prosecution but also even a sort of entertaining for the community. Now it is difficult to see who actually sanctions the prosecution. The common hatred –is Russia's inheritance of the past, it is either the communist-nationalism, or the tolerance of Government agencies. Either way, this does

not change the situation: Churches are being burned down; church properties are being robbed. Criminal files are against Christians, and children are being taken away from their parents. Here are some examples:

In the past few months, in the end of 2004 and in the beginning of 2005, what is known to our organization is as follows:

- The church in the city Podalsk has been burned twice
- The church in Buretia has been robbed and burned
- The church in Oshkar Ola was burned
- The church in Bratsk in Erskutskaya region was burned
- The church in Novokuznetsk is being confiscated, a trial a being held weather the church should be confiscated (2005); the church was bought in 1997. Ilya Bontseev is the pastor of this church.
- The church in Izhevsk was burned. The bottle with the solution that was used to burn that church was found.
- The fact that churches are not allowed to register is nothing compared to the fact that churches are not allowed to be built.
- The church in a town Nekrasivoe was robbed and burned in December of 2004
- Boris Sinebabnev is the Bishop of the 97 non-registered churches in the Voronezhskaya region. Two years ago they purchased a piece of land to build a church. On April 12, 2005, the land was confiscated and no money was returned to them. In the Lisky city on September 2004, eleven criminal cases were filed against Pentecostals for preaching the Gospel. Eleven people were beat up and falsely accused for attacking the policemen, but when the USA got involved in this matter, the process was quickly stopped. Authorities in the Lisky city refuse to allow Pentecostals to build churches. "Russia is driving us down to a point where we will have to start an underground church"- says Sinebabnev; thus forcing them to gather in the Congregation members' houses in secret. But if they are discovered they would have to pay a fine. Sinebabnev says that there is anywhere between 800 to 1,000 non-registered churches across Russia. There is up to 50,000 members of Pentecostal Congregations through out the regions where he bishops. There are also many non-registered Pentecostal churches of which no one knows about that gather and preach Gospel in the Congregation members' houses.
- There are barely any churches in Russia. A church cannot be built because it will get burned as soon as it gets built.

The letter below is a testimony of a Christian Pentecostal group called " Little Israel", in Siberia.

When a group of Russian people which call themselves "Little Israel" moved to Yakutin, Ustmansk district in the year of 1996, they found a job at a government company as lumbermen in a forest. Police took all of their passports and documents

away from them for registration, so the people of "Little Israel" did not even suspect that something was not right.

They were getting very little pay for their job for the first two years and none at all the third year. They were literally turned into slaves. They were fooled, "We fell into the hands of the Russian Mafia" -they said. The third year of their life in Ekutin was extremely difficult, because of nothing to eat and nothing warm to wear during winter. During summer they picked berries and mushrooms. When they went to the head of the company to ask if they could have their documents back, they were told that they should then scatter across Russia. Because of no help from the head of the company, they decided to go to a neighboring town called Voldan to the Administrative building and ask for their documents. The Sheriff there told them that in their situation, if they want to have all of their documents returned to them then police will close their church and take off the registration (even though their church has not been registered).

Police also arose a criminal file against the whole group of Russians for beating up a 12-year old boy. Vitaly Kozar, the pastor of the Christian group says that this in fact was a true incident, which happened two years ago in one family, but police should only deal with that one family alone and not the whole congregation. Unfortunately all were derived of their rights as parents and all children were taken away and divided among several orphanages. All parents were taken to prison. Vitaly Kozar was sentenced to ten years of imprisonment.

Boris Perchatkin talked with Shpakovskiy, who is the advocate of Kozar and tried to find out everything else that was happening to the Russian group. Shpakovskiy tried to pretend that he does not remember anything, but later said that Kozar did not even touch that 12-year old boy with his finger, had nothing to do with the beating up of the boy, and disapproved of the beating, so he is truly not guilty. And the real reason why he is in prison is because of his religious beliefs.

Russian authorities are continuing to pursue the Christian group, "Little Israel" in Siberia.

In the spring of 1999, the pastor of the congregation Vitaly Kozar was sentenced to imprisonment for ten years; deacon Alexander Vasilev was sentenced for five years of imprisonment.

During imprisonment both pastor and deacon got sick with tuberculosis.

Thirty-eight children were taken away from their parents and the rest of the congregation were banished to Taksimo, in the Muyskiy region of the Buryatia Republic. Children, as mentioned before were divided among several orphanages.

Any communication between children and parents is forbidden. Some children were given away to other families. The only parents who were able to keep their children were those who agreed to leave the congregation and to witness fraud against the pastor and the deacon.

At the current time in the congregation "Little Israel" there is only 23 members left:

1. Kozar Vitaly, born in 1930, father of the pastor. After three months of imprisonment was taken (under convoy) to the building for disabled.

2. Kozar Lidia, born in 1923, mother of the pastor.
3. Kozar Vitaly born in 1955, pastor, is currently imprisoned.
4. Kozar Natalya, born in 1954 was in prison for three months.
5. Nikitenok Vera, born in 1946.
6. Nikitenok Yelena, born in 1973. After being deprived of her parenting right, her daughter Maria was taken away from her into an orphanage, where she died.
7. Galkov Nikolay, born in 1948 and his wife,
8. Galkov Tuyana (Svetlana), born in 1966. The couple was deprived of their parenting rights. They have four children: Nikolay, Ivan, Liudmila and Irina, who were all taken away from them to orphanages. After the tragedy, in Aldan, the couple had a baby girl, Nadya, who currently lives with them.
9. Alexandrova Klavdia, born in 1958, was deprived of her parenting rights. Her daughter Katya lives with grandmother.
10. Vasilev Alexander, born in 1962, the deacon of the congregation. Has already been in prison for five years.
11. Vasilev Svetlana, born in 1970, wife of deacon. The couple was deprived their rights as parents, and their two children were taken away from them. Children are currently in an orphanage.
12. Shaldurova-Zhalsanova Segeg, born in 1962 was deprived of her parenting rights. Her six children were taken away from her and put in an orphanage. Three of her children: Zhargal, Sayana and Victor are still in an orphanage.
13. Zhalsanova Rita, born in 1982 was in an orphanage. When she became of age, she came back to the congregation.
14. Zhalsanova Marina, born in 1980 came back to congregation.
15. Zholsanov Bato, was in an orphanage until 18-years old and then was taken to the army.
16. Zholsanov Bagir, born in 2000.
17. (Could not understand the name in the writing) was deprived her parenting rights. Her children Kostya and Alia live with grandmother.
18. Child, Pavel, five years old.
19. Davidova Olga, born in 1972.
20. Davidova-Kolomina Tatyana, born in 1976. Was deprived of her parenting right. Her son Ilya lives with grandmother. Daughter Kseniya-current place of living-unknown.
21. Ruslan, five years old.
22. Dulova Maria, born in 1976.
23. Simus Uriy, born in 1980.

Nine children of the members of the congregation are currently in an orphanage in Aldan, Bato is in army. Five children live with other families.

Some information about the members of "Little Israel" and about Pastor Vitaly Kozar may be found out from the advocate Shpakovskiy. He assures that all of the process materials are falsified. The congregation underwent persecution because of the religious beliefs. Before everything that has occurred in Aldan, the congregation consisted of 75 members. But after police began taking children away, many people left the congregation.

Known are the address and the telephone number of the prison where Vitaly Kozar is at the current time. The telephone number is 411-5-40-59, and the address is: Russia, Россия Якутск 611023 Большая Мароха, уч. АД 40/5п.20

Alexander Vasilev can be reached on Sundays, from seven in the morning, Moscow time. His telephone number is: 40-02-04.

The telephone number of the advocate, Shpakovskiy in Aldan is 411-45-34-324.

Sincerely,

Boris Perchatkin
President of ARRC



ПРОКУРАТУРА
РОССИЙСКОЙ ФЕДЕРАЦИИ

ПРОКУРАТУРА
МОСКОВСКОЙ ОБЛАСТИ

Малый Кисельный пер., д. 3
г. Москва, Россия
ГСП-6, 107996

05.03.05 № 24-2001-04

На № _____ от _____

3900 Astoria St., Sacramento,
CA 95838, U.S.A.

The international Union of Churches
of Evangelical Christian Baptists

(для сообщения иным заинтересованным лицам)

Прокуратурой Московской области рассмотрено Ваше обращение о нарушениях прав евангелистских христиан-баптистов в п. Любучаны Чеховского района Московской области.

Установлено, что в Чеховскую городскую прокуратуру 18.08.04 поступило сообщение о незаконном возведении строения на территории земельного участка в п. Любучаны, предоставленного Чеканову В.А. под крестьянское фермерское хозяйство и о возможном проведении на указанном участке в период с 20 по 22 августа 2004 г. публичного мероприятия – массового собрания участников религиозной группы организации «Международное братство Совета Церквей».

Конституцией Российской Федерации гарантируется свобода совести и свобода вероисповедания. Одновременно, федеральными законами закреплен определенный порядок отправления религиозных обрядов, массовых собраний, демонстраций, митингов и шествий.

В соответствии со ст. 16 Федерального закона «О свободе совести и о религиозных объединениях» богослужения и другие религиозные обряды и церемонии беспрепятственно совершаются в культовых зданиях и сооружениях и на относящихся к ним территориях, в иных местах, предоставленных религиозным организациям для этих целей, в местах паломничества, в учреждениях и на предприятиях религиозных организаций, на кладбищах и в крематориях, а также в жилых помещениях.

В иных случаях публичные богослужения, другие религиозные обряды и церемонии осуществляются в порядке, установленном для проведения митингов, шествий и демонстраций.

Проверкой установлено, что земельный участок предоставлен Чеканову для ведения крестьянского фермерского хозяйства и при этом не предполагалось использование его для массового богослужения.

ав

053257 *

Таким образом, 21.08.04 на земельном участке Чеканова В.А. в нарушение указанного федерального закона собралось около 5 тысяч человек без предварительного уведомления органов местного самоуправления.

В нарушение требований ст.ст. 4, 5 и 7 Федерального закона «О собраниях, митингах, демонстрациях и шествиях» соответствующего письменного обращения со стороны Чеканова В.А. и других лиц в органы местного самоуправления Чеховского района не поступало. В соответствии со ст. 6 этого закона организатор публичного мероприятия не вправе проводить его, если уведомление о проведении публичного мероприятия не было подано в срок либо если органом местного самоуправления не было согласовано место и время проведения публичного мероприятия. Ст. 16 указанного закона устанавливает, что основанием для прекращения публичного мероприятия является нарушение требований настоящего Федерального закона, касающихся проведения публичного мероприятия.

В соответствии со ст. 16 Федерального закона «О противодействии экстремистской деятельности» при проведении собраний, митингов, демонстраций, шествий и пикетирования не допускается осуществление экстремистской деятельности. Организаторы массовых акций несут ответственность, предусмотренную уголовным законодательством, за несоблюдение установленных законодательством Российской Федерации требований, касающихся порядка проведения массовых акций.

Учитывая, что организаторами проведения массового публичного мероприятия были нарушены нормы действующего законодательства Российской Федерации, регулирующего порядок проведения публичных мероприятий, религиозных обрядов и церемоний, согласно ст. 17 Федерального закона «О собраниях, митингах, демонстрациях и шествиях» оно подлежало прекращению. Информация о нарушении требований федерального законодательства и недопустимости проведения несанкционированного публичного мероприятия Чеховского городского прокуратурой 19.08.04 была направлена владельцу земельного участка, на котором оно планировалось, Чеканову В.А., а 20.08.04 главе администрации Любучанского сельского округа. Решений о запрете проведения массового богослужения силовыми методами администраций Чеховского района, ОВД района и иными силовыми структурами – не принималось.

Тем не менее, 21.08.04 на земельном участке Чеканова В.А. религиозной группой Международного Союза Церквей Евангелистский Христиан Баптистов (МСЦ ЕХБ) было проведено массовое богослужение.

Данное мероприятие носило массовый характер и большое скопление людей образовалось на неподготовленной для подобного мероприятия территории в небольшом поселке, не рассчитанном для одновременного принятия такого количества людей. Учитывая также, что мероприятие проводилось без уведомления органов местного самоуправления и не было санкционировано, при этом могли иметь место какие-либо непредвиденные обстоятельства, террористические акты или провокации, в соответствии со ст.ст. 12, 14 и 17

Федерального закона «О собраниях, митингах, демонстрациях и шествиях», было принято решение о направлении в п. Любучаны сотрудников правоохранительных органов, которые обеспечивали контроль за проведением мероприятия и безопасность присутствующих граждан.

По информации ОВД Чеховского района и отделения ФСБ РФ в г.Чехове, никаких принудительных мер к участникам богослужения не применялось, к административной ответственности никто привлечен не был и не задерживался. Обращений и заявлений о неправомерности действий сотрудников правоохранительных органов или о причинении кому-либо физического вреда в дежурные части указанных организаций не поступало. Жалоб от Чеканова В.А. о причинении ему материального вреда также не поступало.

Согласно данным Главного управления министерства юстиции РФ по Московской области религиозная организация МСЦ ЕХБ в установленном законом порядке не регистрировалась, в том числе как международная религиозная организация, что является грубым нарушением норм законодательства.

По факту поджога дома по адресу: пос. Любучаны, ул. Новая, 38, принадлежащего верующему Карееву С.В., в ОВД Чеховского района 22.09.04 возбуждено и расследуется уголовное дело по признакам преступления, предусмотренного ч. 2 ст. 167 УК РФ. Расследование контролируется Чеховской городской прокуратурой.

Начальник отдела
по надзору за соблюдением
федерального законодательства,
прав и свобод граждан



С.А. Рязанцева

MINISTRY OF INTERNAL AFFAIRS OF RUSSIA
POLICE HEADQUARTERS OF THE OF THE CITY OF MOSCOW
POLICE DEPARTMENT OF THE
Eastern Administrative
Circuit of the City of Moscow

105264, Moscow, 5 Parkovaya street, 38/13

November 18, 2004 № 0-2 / 2211

Chairman of the Presiding
Committee of the Religious
Organization Administrative
Center of Jehovah's Witnesses in
Russia
V. M. Kalinin *[sic]*

Answer to the letter received.

The Honorable Vasily Mikhaylovich!

We inform you that we have considered your letter sent to us regarding the reason for the prohibition on the holding of religious services of the religious organization Administrative Center of Jehovah's Witnesses in Russia on November 14 and 20, 2004, at the building of the non-commercial [partnership] Universal Sports and Performance Complex of the Russian State University of Physical Education, located at 2-1 Sirenevy Boulevard, Moscow.

At the present time it does not seem possible to engage additional forces in order to ensure public order and the safety of citizens during the holding of your events by virtue of the circumstances that have developed in connection with the conducting of anti-terrorist actions in the circuit and the conducting of a considerably large number of mass actions planned earlier.

At the same time we inform you that in harmony with legislation, the ensuring of public order on the basis of a contract is entrusted to the police security subdivisions, however, due to the fact that this subdivision is understaffed and must fulfill their obligations set out in other contracts, I consider the engaging of this subdivision inexpedient.

Moreover, considering that the premises where you are planning to hold your events are located in an area where there is a mass accumulation of citizens, it is necessary to suspend the functioning of the markets while your events are being held. You should address the Prefecture of the Eastern Administrative Circuit of the City of Moscow for resolution of the matter of closing the markets.

[Department] Chief

[signature]

Ye. I. Dubensky

Executor: P. V. Kulikov (tel. 166-59-33)

Prosecutor's Office of the Russian Federation

Chairman of the Administrative
Center of Jehovah's Witnesses

**PROSECUTOR'S OFFICE
KURORTNY DISTRICT
St Petersburg**

V. M. Kalin

197701, St Petersburg, g. Sestroretsk,
ul. Volodarskogo, d. 7/9
Tel./fax 437-10-91

30 March 2005 No. 10-195C-05

The Prosecutor's Office of Kurortny District, Saint Petersburg, has considered your request, which it received from the city prosecutor, to inform you of the reasons, grounds for and results of the prosecutor's investigation into the activity of the Administrative Center.

From the request, it would appear that at present the prosecutor's office of Saint Petersburg is considering the legality of the activity of the Russian Administrative Center of the Jehovahists in the village of Solnechnoye.

Such an investigation is not at present being carried out by the Kurortny District prosecutor's office. In November and December 2004, in accordance with the assignment given by the city prosecutor's office, the district prosecutor's office carried out an investigation following the application of the organization "The Committee for Salvation of Youth", which it received from the Russian Federation Prosecutor General's office. In accordance with the assignment, detailed information was sent to the city prosecutor's office.

Kurortny District Prosecutor
Saint Petersburg

Junior Justice Counselor

(signature)

A. D. Kiselyov

IN THE EUROPEAN COURT OF HUMAN RIGHTS

Application No: 302/02

JEHOVAH'S WITNESSES OF MOSCOW v. RUSSIA
-v-
RUSSIAN FEDERATION

WITNESS STATEMENT OF: MAZUR

Name: Evgeniy Leonidovich

Address: Building 82-b, Apartment 4, Gorkogo str. Yuzhno-Sakhalinsk, Russia

Date of Birth: 18.02.1974

Occupation: forwarding specialist

1 I make this statement in support of the above numbered Application to the Court. Insofar as the matters contained in it are within my personal knowledge they are true. Insofar as they are matters of which I have become aware they are true to the best of my knowledge, information and belief.

2 On 26 March 2004 Golovinskoy District Court ruled to liquidate the Moscow Community of Jehovah's Witnesses and to impose a ban on their activity. Soon after that, on local Sakhalin's TV the message of the following contents was made: "On Wednesday 31 March 2004, a meeting took place between Bishop Daniel and the heads of the Sakhalin Region Police Department. The hall was full of all the departmental heads of the police department, including and the chief."

3 On this meeting, As I authentically know, the bishop Daniel (Head of Yuzhno-Sakhalinskaya and Kuril'skaya Eparchy of Moscow Patriarchy of Russian Orthodox Church), among other things, said the following: "And now I want to inform you of a joyful event, they've banned the sect of Jehovah's Witnesses in Moscow. It is an incredibly harmful sect, dressed in the camouflage of Christians. Jehovah's Witnesses go from apartment to apartment and collect information. They pass on the information to the USA, more specifically to the CIA. And in evidence of the fact that they work for American espionage, as soon as they were banned in Moscow, the U.S. State Department expressed concern. So what's the connection, the State Department and some religious sect? Well, the reaction was immediate. That was because one of their instruments for exerting influence on our nation has been destroyed. It's an agreeable event that our State system is being restored and the healing process of our nation is beginning. That makes us happy. And this is also good because this noxious sect also has roots right here with us. It collects all kinds of information and sends it over the border. So, I think that events will develop similarly here between us and this sect."

Dated the 11th day of August 2004

Signed



**COMMISSION ON
SECURITY AND COOPERATION
IN EUROPE**

234 FORD HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6460
(202) 225-1901
FAX: (202) 226-4199
www.csce.gov

February 18, 2005

Mr. Anatoly Ivanovich Chibeskov
Acting Head of Administration
Sovietskaya Ploshchad, d. 3
142300 Chekov
Russian Federation

Dear Mr. Chibeskov:

As Members of the United States Congress, we write to express our concerns regarding violence against the International Union of Baptist Churches in Lyubuchany, Chekhov region and governmental efforts to prevent the reconstruction of their worship facility. The U.S. Commission on Security and Cooperation in Europe is responsible for monitoring human rights in the participating States of the Organization for Security and Cooperation in Europe, including the Russian Federation.

The Baptist congregation in Lyubuchany began to encounter difficulties when it erected a tent and sought to conduct religious services on the private property in August 2004. When the community resisted pressure from the local administration to remove the tent, approximately 200 armed law enforcement personnel reportedly cordoned off the field and forcibly removed the tent. When the Baptists continued to meet at the site, authorities established checkpoints and refused entry into the region to Russian citizens without local residence registration, shut off the water and power, and intimidated worshippers who did arrive by checking identity papers and recording names. Just three weeks after these troubling events, the Lyubuchany Baptist house church was torched by arsonists.

We are particularly alarmed by reports that government officials are now suing the Baptists in Chekov District Court to prevent them from rebuilding their church. Recent statements attributed to local authorities are troubling – i.e., if the Baptists rebuild their facility, the authorities would seek a court order to bulldoze it to the ground. We urge your administration to vigorously investigate the arson case and to fully prosecute the perpetrators, rather than the victims, and work to facilitate the rebuilding process.

Mr. Anatoly Ivanovich Chibeskov
February 18, 2005
Page 2

The actions that have occurred in Lyubuchany are troubling. We ask that you take steps to right these wrongs, so that all individuals in the Chekhov region may fully enjoy their rights to freely profess and practice their faith as stipulated by the Russian Constitution and international agreements to which the Russian Federation is a signatory.

Sincerely,



Sam Brownback, U.S.S.
Chairman



Christopher H. Smith, M.C.
Co-Chairman

cc: Hon. Alexander Vershbow, Ambassador of the United States to the Russian Federation
Hon. Yuri V. Ushakov, Ambassador of the Russian Federation to the United States

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Неофициальный Перевод

18 февраля 2005

Г. Анатолию Ивановичу Чибескову
И.О. главы администрации
Советская площадь, д. 3
142300 Чеков
Российская Федерация

Уважаемый Господин Чивесков!

Мы, члены конгресса Соединенных Штатов, пишем, чтобы выразить наше беспокойство по поводу инцидентов насилия которым подвергается Международный Союз Церквей Баптистов в Любучанах, Чеховской области, и попытки со стороны властей предотвратить реконструкцию его молитвенного дома. Американская Комиссия по Безопасности и Сотрудничеству в Европе ответственна за мониторинг соблюдения прав человека в странах-участницах Организации по безопасности и сотрудничеству в Европе, куда и входит Российская Федерация.

Баптистская община в Любучанах начала сталкиваться с трудностями, когда она воздвинула палатку и принялась провести богослужение на частной территории в августе 2004. Когда община не поддалась давлению со стороны местной администрации, направленному на снос палатки, сообщается, что приблизительно 200 вооруженных лиц из правоохранительных органов отгородили поле и насильственно снесли палатку. Когда Баптисты продолжали собираться на вышеупомянутой территории, власти установили контрольно-пропускные пункты и не пускали в район российских граждан без местной прописки, отключали водоснабжение и электричество, и запугивали молящихся которые прибывали, проверяя личные документы и записывая имена и фамилии. Всего за три недели после этих тревожных событий, молитвенный дом Баптистов Любучан пал жертвой поджигателей.

Мы особенно встревожены сообщениями, что представители властей уже предъявили иск Баптистам в окружном суде Чекова с тем, чтобы не позволить Баптистам построить занова молитвенный дом. Недавние утверждения приписанные местным властям вызывают беспокойство - то есть, если бы Баптисты построят свое здание, власти намерены искать судебную санкцию позволяющую им ровнять его с землей бульдозером.

Г. Анатолай Иванович Чайбесков
18 февраля 2005
2-ая страница

То, что произошло в Любучанах вызывает беспокойство. Мы просим, чтобы Вы предприняли меры на исправление несправедливости с тем, чтобы все люди в Чеховской области могли бы в полной мере пользоваться своими правами свободно исповедовать и отправлять свою веру как предусмотрено в соответствии с российской Конституцией и международными соглашениями, к которым Российская Федерация присоединилась.

Искренне,

Сэм Броунбак, Сенатор США.
Председатель

Кристофер Х. Смит, Член конгресса США
Сопредседатель

копия: Г. Александру Вершбоу, послу Соединенных Штатов в Российской
Федерации
Г. Юрию В. Ушакову, послу Российской Федерации в Соединенных
Штатах

**COMMISSION ON
SECURITY AND COOPERATION
IN EUROPE**

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May 3, 2005

The Honorable Viktor Vasilievich Balakin
Mayor
City of Izhevsk
Udmurtskaya Republic
Russian Federation

Dear Mayor Balakin:

As Members of the United States Congress and the Commission on Security and Cooperation in Europe, we write to express our serious concerns regarding the recent police raid on the Cause of Faith Church in Izhevsk (Pervomaisky District, Yastrebovsky pereulok 12 and 14, and ulitsa K. Marx 70a.).

On April 14, reportedly twenty masked and plain clothes police officers raided the church, using excessive force and refusing to produce a search warrant. The police detained and searched about 70 persons, including pastors, worshippers and participants in a seminar, calling them "sectarians" and "prostitutes." Forty-six were subsequently detained in a single cell at the police station for roughly five hours. All were fingerprinted and photographed, while some were pressured to sign witness statements. One individual was reportedly struck for refusing to answer questions.

In response to the believers' question, "what have we done wrong?" the police answered that they were searching for the murderer of a homeless man in the neighborhood. However, the police questioned the detainees solely about matters of the church. The police inquired about internal church operations, the level of the pastors' salaries, the budget of the church, and whether they received monies from outside Russia.

By treating worshippers of this peaceful church like wanton criminals, the police raid as reported raises serious concerns. Instead of offering an apology for their conduct, the Udmurtia Interior Ministry Department has apparently threatened to bring charges against any individual spreading information about police actions.

Mr. Mayor, as you undoubtedly know, the Udmurtskaya Republic and the city of Izhevsk have heretofore enjoyed a positive reputation in terms of rights enjoyed by religious believers and religious communities. The events described above are deeply troubling. We ask that you

take immediate steps to investigate these reports of police misconduct and prosecute any police officials who violated Russian law or those international agreements to which the Russian Federation is a signatory.

Sincerely,



Senator Sam Brownback, U.S.S.
Chairman



Christopher H. Smith, M.C.
Co-Chairman

cc: Viktor Aleksandrovich Lapkovsky, Head of Administration, Pervomaisky Raion
Boris Sarnayev, Public Prosecutor, Udmurtia Autonomous Republic
Alexander Vershbow, Ambassador of the United States to the Russian Federation
The Hon. Yuri Ushakov, Ambassador of the Russian Federation to the United States

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3-ого мая 2005 г.

Г-ну Виктору Васильевичу Балакину
Главе городской администрации
г. Ижевск
Урдмуртская Республика
Российская Федерация

Уважаемый Виктор Васильевич!

Мы, депутаты Конгресса США и члены Комиссии по безопасности и сотрудничеству в Европе, настоящим письмом выражаем глубокую озабоченность по поводу милицмейской операции, которая проводилась недавно на территории молитвенного дома «Дело Веры» в городе Ижевск (Первомайский район, (пер. Ястребовский, д. 12 и д. 14, ул. К. Маркса, д. 70).

Согласно дошедшей до нас информации, 14-ого апреля этого года двадцать сотрудников правоохранительных органов в масках и в гражданской одежде устроили облаву на молитвенный дом, применяя чрезмерную силу и отказываясь предъявить судебную санкцию на операцию. Милиционеры в течение получаса задержали и обыскали около семидесяти человек. В это число входят и пастыри, и молящиеся, и студенты-участники проходившего в тот момент семинара. Нападавшие называли их «сектантами» и «проститутками».

Вслед за этим сорок шесть из задержанных были доставлены в отделение милиции и примерно пять часов помещены в одну имевшуюся там камеру. Со всех были сняты отпечатки пальцев и сделаны их фотографии. Некоторых уговаривали подписывать незаполненные листы протоколов допроса. Сообщается, что один из прихожан был избит за то, что он отказался отвечать на вопросы.

На вопрос верующих, - чем мы провинились? - представители правопорядка ответили, что милиция разыскивала человека, убившего бомжа вблизи от молитвенного дома. Однако, при допросе задержанным были заданы лишь вопросы, относящиеся к церкви. Милиция интересовалась внутренними церковными порядками: месячным укладом пастырей, церковным бюджетом и получает ли церковь деньги из- за рубежа.

Обращаясь с членами этой мирной религиозной общины как с отъявленными преступниками, милиция допустила серьезное злоупотребление своими должностными обязанностями. Вместо того, чтобы извиниться за свое поведение, мы информированы о

том , что Министерство Внутренних Дел угрожает отправить под суд «любого человека, распространяющего информацию о неподобающем поведении милиции».

Господин Мэр, Вам несомненно известно, что Удмуртская Республика и город Ижевск до сих пор пользовались репутацией благосклонного отношения к религиозным организациям и верующим. Нас очень беспокоят вышеописанные события. Мы обращаемся к Вам с просьбой немедленно предпринять расследование этих сообщений о должностных преступлениях со стороны милиции и в судебном порядке наказать представителей правоохранительных органов, нарушивших российскую законность и международные соглашения, к которым присоединилась Российская Федерация.

С искренним уважением,



СЭМ БРАУНБЕК
Сенатор США
Председатель КБСЕ



КРИСТОФЕР Х. СМИТ
Депутат Конгресса США
Со-председатель КБСЕ

Копия: Г-ну Лапковскому, В.А., главе администрации Первомайского района
Г-ну Сарнаеву, Б.С., ген. прокурору Удмуртской Республики
Г-ну Вершбоу, А., Послу США в Российской Федерации
Г-ну Ушакову, Ю., послу Российской Федерации в США

109TH CONGRESS
1ST SESSION

H. CON. RES. 190

Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2005

Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. CARDIN, Mr. PITTS, and Mr. MCINTYRE) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

Whereas the Russian Federation is a participating State of the Organization for Security and Cooperation in Europe (OSCE) and has freely committed to fully respect the rights of individuals, whether alone or in community with others, to profess and practice religion or belief;

Whereas the Russian Federation specifically committed in the 1989 Vienna Concluding Document to “take effective measures to prevent and eliminate discrimination against

individuals or communities on the grounds of religion or belief” and to “grant upon their request to communities of believers, practicing or prepared to practice their faith within the constitutional framework of their States, recognition of the status provided for them in the respective countries”;

Whereas Article 28 of the Constitution of the Russian Federation declares “everyone shall be guaranteed the right to freedom of conscience, to freedom of religious worship, including the right to profess, individually or jointly with others, any religion” and Article 8 of the 1997 Law on Freedom of Conscience and Religious Associations provides for registration for religious communities as “religious organizations,” if they have at least 10 members and have operated within the Russian Federation with legal status for at least 15 years;

Whereas registration is critical for religious groups to fully enjoy their religious freedoms, as many rights and privileges afforded to religious communities in the Russian Federation are contingent on obtaining registration;

Whereas many religious groups refuse to seek registration on theological or other grounds, while other communities have been unjustly denied registration or had their registration improperly terminated by local authorities;

Whereas many of the unregistered communities in the Russian Federation today were never registered under the Soviet system because they refused to collaborate with that government’s anti-religious policies and they are now experiencing renewed discrimination and repression from the authorities;

Whereas over the past 2 years there have been an estimated ten arson attacks on unregistered Protestant churches, with little or no effective response by law enforcement officials to bring the perpetrators to justice;

Whereas in some areas of the Russian Federation law enforcement personnel have carried out violent actions against believers from unregistered communities peacefully practicing their faith; and

Whereas the United States has sought to protect the fundamental and inalienable human right to seek, know, and serve God according to the dictates of one's own conscience, in accordance with the international agreements committing nations to respect individual freedom of thought, conscience, and belief: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That it is the sense of the Congress that the
 3 United States should—

4 (1) urge the Russian Federation to ensure full
 5 protection of freedoms for all religious communities
 6 without distinction, whether registered and unregis-
 7 tered, and end the harassment of unregistered reli-
 8 gious groups by the security apparatus and other
 9 government agencies;

10 (2) urge the Russian Federation to ensure that
 11 law enforcement officials vigorously investigate acts
 12 of violence against unregistered religious commu-
 13 nities, as well as make certain that authorities are
 14 not complicit in such attacks;

1 (3) continue to raise concerns with the Govern-
2 ment of the Russian Federation over violations of re-
3 ligious freedom, including those against unregistered
4 religious communities, especially indigenous denomi-
5 nations not well known in the United States;

6 (4) ensure that United States Embassy officials
7 engage local officials throughout the Russian Fed-
8 eration, especially when violations of freedom of reli-
9 gion occur, and undertake outreach activities to edu-
10 cate local officials about the rights of unregistered
11 religious communities;

12 (5) urge both the Personal Representative of
13 the OSCE Chair-in-Office on Combating Racism,
14 Xenophobia and Discrimination, also focusing on In-
15 tolerance and Discrimination against Christians and
16 Members of Other Religions, and the United Nations
17 Special Rapporteur on Freedom of Religion or Belief
18 to visit the Russian Federation and raise with fed-
19 eral and local officials concerns about the free prac-
20 tice of unregistered religious communities; and

21 (6) urge the Council of Europe and its member
22 countries to raise with Russian Federation officials
23 issues relating to freedom of religion, especially in

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- 1 light of the Russian Federation's responsibilities as
- 2 President of the Council in 2006.

○

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