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PRESS CONFERENCE

**“Nationwide Action in Support of
Freedom of Religion”**

Transcript

Participants:

- 1. Lev Semyonovich Levinson (expert, Institute of Human Rights)**
- 2. Aleksey Yuryevich Nazarychev (representative of the Administrative Center of Jehovah’s Witnesses in Russia)**
- 3. Yaroslav Pavlovich Sivulsky (member of the Presiding Committee of the Administrative Center of Jehovah’s Witnesses in Russia)**

Natalya Aleksandrovna Yakovleva (Director of the Independent Press Center): First we will have Lev Semyonovich Levinson, an expert from the Institute of Human Rights. Please.

L. S. Levinson: Good morning, ladies and gentlemen! On the way to the conference I saw people in the metro who were sitting and reading a small pamphlet that Jehovah’s Witnesses are distributing throughout Russia today. Their goal is to distribute 12 million copies, and it seems that they really are distributing them, since grown people are sitting and reading it, and they are reading it attentively.

The reason for this is quite important: this religious community (which is hardly a new one, since it has existed since the end of the 19th century) has recently been the object of rather harsh persecution by the state.

We would not have to gather here, if this was a matter of everyday hostility of the press, in connection with certain prejudices regarding such religious groups (after all, the press is free to comment on anything, as it sees fit); or if an Orthodox or other group were continuing to picket Jehovah’s Witnesses’ halls, where they conduct their meetings. That is all normal in a democratic society and it happens everywhere in the world. We are not going to engage here in apologetics regarding the teachings of Jehovah’s Witnesses. But it is a serious occasion, because this time what is taking place is persecution by the *state*. And it is persecution in the guise of the battle with extremism, which makes it all quite unsavory. At the end of this past year, the Supreme Court of Russia and, at the beginning of this year, the Supreme Court of the Altay Republic rendered two decisions that have entered into legal force declaring religious literature of Jehovah’s Witnesses “extremist materials,” which, according to the Law on Counteracting Extremist Activity, means that, essentially, *the organization* is declared extremist. Because unfortunately, what the law says is that it is enough to declare one or another publication, one or another item of literature, right down to the sign on the fence, “extremist”—regardless of where it is, regardless of which region—and it becomes “extremist” throughout all of Russia.

Those who are accused of extremism today, among the older generation of believers, have already been accused of similar, but differently worded “crimes” and have been subjected to persecution under Stalin, under Khrushchev, and under Brezhnev. But now, on the basis of the Russian Law on the Rehabilitation of Victims of Political Repression, and the 1996 Presidential Decree, essentially a kind of conditional “act of repentance” has been made by the state: all religious confessions that were persecuted during the Soviet period were declared by President Yeltsin’s decree to be rehabilitated. And everything that they lost was to be returned to them. Jehovah’s Witnesses did not have any particular property under the Soviet Union, but their good name was returned to them. They were recognized and registered, and they continued their activity. But what had been proclaimed to be a “fanatical anti-Soviet sect,” those who under Stalin for a time achieved the status of “enemies of the people,” who in Fascist Germany were imprisoned in camps for their

refusal to participate in military action or to accept military service, and who now carry in their pocket the certificate of a rehabilitated victim of political repression—with the same certificate, in the same country that expressed its repentance—these people are today being subjected to utterly groundless persecution. That is the first thing.

The second thing is the thing that, somewhat indirectly, has moved us, a rather large group of legal rights advocates, to come to the defense of Jehovah's Witnesses—I remember that we sent an open statement to the President and to the Prosecutor General—it is that, apart from our evaluation of these judicial decisions, the fact is that Jehovah's Witnesses, from 2004 until the present, have persevered in performing Russian alternative civilian service. For me, as a man who has been working on this problem for 20 years now, and who, during the five years before the law was adopted, led the working group, this is especially important. For me, this was a victory, a real victory, because until recently, when the term of service was shortened, this was the longest-standing "punitive" term for alternative civilian service in the world, amounting to 42 months—designed "to teach them a lesson." (We could not overturn the position of the Ministry of Defense.) We could not convince ordinary people to accept this kind of service—those who do not belong to any religion, who under the Constitution also have the right to ACS on the basis of their convictions. Only Jehovah's Witnesses, without any convincing, went by the hundreds and thousands to serve this term of almost four years, and the vast majority of them have worked conscientiously, primarily in the social sphere for meager wages—as hospital attendants and janitors, in the most difficult departments of hospitals. All of this has become another factor motivating us to come to their defense. And today, at the conference, a statement has been handed out that was issued two to three weeks ago, and it is signed basically by two groups of human rights advocates. One group is the representatives of the "Memorial" [Human Rights Center], led by the Chairman of "Memorial International," Arseny Borisovich Raginsky, because this is their topic; these are the people they defend [that is, former prisoners—*trnsl.*]. "Memorial" members in regional divisions virtually throughout the country signed it. And the second group is the "Soldiers' Mothers Committee," because they have been working in recent years with Jehovah's Witnesses; and we—those who have been working in Russia more than the state agencies to promote ACS—consider it our duty to stand up for Jehovah's Witnesses at this difficult time.

It makes sense to say a few words about the absence of legal grounds for this persecution.

Essentially, this is a distorted interpretation of anti-extremism legislation. It was altogether a great mistake, at the time, to adopt the article on inciting enmity in its present form and, even more so, the revision of 2003 (in which I, unfortunately, was also involved), when incitement of enmity toward some incomprehensible social groups made its appearance. As a result, any disapproving statement toward anyone may go unnoticed (we know that the large religious groups express themselves [and how!] towards their smaller brothers, and no one, of course, accuses them of extremism, and God forbid that they should) or, on the contrary—not even a "disapproving" statement, but simply statements comparing other denominations, in the texts of Jehovah's Witnesses—may be interpreted as extremist. Or even if, when not speaking about Orthodoxy, somewhere in a somewhat critical context, a Catholic priest, or some specific action of his, is mentioned. Somewhere one teaching is contrasted with others. But after all, this is normal. Not one Christian, Islamic or Jewish group promotes other religions or praises them, even within Christianity or Islam. The complaint is not against activity, it is against the texts. There are virtually no other complaints. The literature is being declared extremist for an "unfriendly attitude" toward these churches, on the basis of expert studies that could be applied to anything whatsoever, often unfairly written and taken out of context.

And it is really quite humorous that, according to the Taganrog decision, which was upheld by the Supreme Court of Russia, and which banned the activity of the Taganrog Community, Jehovah's Witnesses are blamed for advocating refusal of military service.

First of all, there is no such direct advocacy; there is a certain preference for civilian service. Second, this is an absolute constitutional right, stipulated in the Constitution (Article 59, part 3) on the basis of conviction, in particular, religious conviction. But the Supreme Court is acting as though it does not know this. Somehow it's like a joke...

And the result of all of this today is that throughout the whole country, almost every day, there are detentions of believers who are preaching on the streets with literature. The entire police force—it seems to me that it is first and foremost in the regional centers and small cities—is armed with lists of extremist literature. They confiscate the literature from believers regardless of whether or not the magazines the Witnesses are distributing are on the list. What is interesting is that, for the time being, this is not happening in Moscow or in St. Petersburg, as far as I know. It's happening in the rural areas, so that in case of anything, they can dismiss it as the arbitrariness of local law enforcement. And if they get away with it there—and that cannot be ruled out—we will see the same thing happening in Moscow.

N. A. Yakovleva: The next on the list is Aleksey Yuryevich Nazarychev, a representative of the religious organization the Administrative Center of Jehovah's Witnesses in Russia.

A. Yu. Nazarychev: First, a few words about the campaign itself. About 12 million pamphlets with the title *Could It Happen Again? A Question for the Citizens of Russia* are being distributed. Distribution began this morning in Chukotka [the easternmost point in Siberia, near Alaska—*trnsl.*] and is continuing now in the western parts of the country, all the way to Kaliningrad. We planned a one-time, three-day action, but it seems that it is going even faster than that, since we have just begun to receive reports that in many places, in Moscow in particular, most of these pamphlets have already been distributed. And about a million have to be distributed in Moscow. They are being distributed in all places where there are crowds of people, for example, near the metro. As Lev Semyonovich [Levinson] noted, there is real interest in this. We see people reading them in the metro, and reading them all the way to the end; you don't see that very often.

Why is this campaign being launched? It is not exactly the way we usually do things. We do not usually bring out this kind of appeal; we go to people with the Bible. But here we are appealing to people's public spirit. Why did we decide to do that?

One of the Bible principles of Jehovah's Witnesses is obedience to the law. We believe that "higher authority" exists with God's permission. By "higher authority" we understand the higher authority of the state. It is intended to serve noble purposes, and it does a great deal for us, ordinary people. We have freedom of movement, protection from crime and many other things, of course, if the system is working perfectly. We recognize that authority, and we expect help and protection from it. We register our organizations, we are accountable to state agencies, and we pay taxes and cooperate with any state institution. If we are treated unfairly, we try to defend our rights in the courts, without trying to find a way around [the legal system]. But today we have come up against a situation in which the fundamental mechanisms for defending our rights, which should function in society, are functioning, to put it mildly, in a less-than-ideal fashion. We are dealing with bias in the judicial system—it is not providing effective protection. We have seen many cases in which judges blatantly violate the norms of the Civil Procedural Code, and other legislative norms, and it is impossible to argue anything in court. Our lawyers throw up their hands. They say: "We have exhausted all possibilities. If a person simply calls black white, there is nothing we can do." Although we must say that in some cases we see judges who, despite intense pressure, carry out their duties honorably. And we are very grateful to such judges for their courageous civic stand. In a number of the leading mass media there are stories that present us in about the same way as they presented us under the Stalinist regime and under Brezhnev. That is, it is clear what image they are creating. And against the backdrop of such things, we come up against very challenging consequences. What are the consequences? It is no secret that, as the sociologists say, there is quite a high level of aggression in our [Russian] society; therefore, if there is a safe way for people to vent, to let that aggression out, it goes in that direction. And our members, Jehovah's Witnesses, are experiencing that, one can say, en masse in the Russian context. We have a specially prepared dossier (you can have a copy of it) in which we have collected incidents where our rights have been violated by aggressively oriented citizens and also by law enforcement agencies. And when people can get away with pouring out their aggression, of course they take advantage of that. This has moved us in return to use not only conventional approaches, but to prepare a special appeal as well. Last year we appealed in an open letter to the Office of the Prosecutor General of Russia. We asked him to intervene personally and to consider the situation that is developing regarding our religious organization. Later, in the fall, we also sent an open letter to President Dmitry Medvedev as well. And today we are appealing to people. That is, the judges, the Prosecutor General, and the President. Today

we are sharing our pain and our trials, so to speak, by appealing to the public. Why? We believe that this affects everyone.

I wanted also to say a bit about the problems with law-enforcement agencies that today, it seems, are going through hard times. We see cases of beatings and [human] rights violations. And so when the judicial machine unleashes this law-enforcement mechanism on a religious organization, you can only imagine what its members have to face. Therefore, our appeal is addressed also to representatives of law-enforcement agencies, so that they can receive firsthand information. In it we frequently quote ideals of President Dmitry Medvedev. In order to put these ideals into practice, there must be political power, there must be effort. And we hope that the authorities will put forth the effort and exert the political power necessary to protect democratic freedoms, including freedom of religion.

Lev Levinson: Lyudmila Mikhaylovna Alexeyeva authorized me to say that if she does not arrive, she was delayed in connection with today's session of the Council for Promoting the Institutions of Civil Society and Human Rights under the President, and that the question of the persecution of Jehovah's Witnesses is included in today's agenda for that session. By the way, the appeal that was distributed today has already been signed by several members of the Council—Svetlana Ganushkina, Yury Dzhibladze, and Sergey Krivenko. We hope that the Council will support this initiative and will ask the Prosecutor General, as the one authorized to do so, to file a submission with the Presidium of the Supreme Court on the subject of these judicial decisions that we are speaking about.

N. A. Yakovleva: Now we will give the floor to Yaroslav Pavlovich Sivulsky, of the Presiding Committee of the religious organization the Administrative Center of Jehovah's Witnesses in Russia.

Ya. P. Sivulsky: I would like to draw attention to the December 8, 2009, decision of the Supreme Court, that declared 34 publications of Jehovah's Witnesses "extremist material." This decision was, of course, preceded by a vigorous campaign by the Prosecutor General's Office. It sent out to all the subjects of the Russian Federation, including the city prosecutors' offices—a directive charging them with carrying out inspections of all possible forms of activity by Jehovah's Witnesses—religious, business, and so forth. And they were to find reasons to liquidate local religious organizations, of which there were 409 in the country. The directive also drew attention to the fact that Jehovah's Witnesses are convinced of the trueness of their religion, which, to put it succinctly, gave the prosecutors the job of finding a [reason to] charge them with extremism. This was soon accomplished. Expert studies were assigned to expert institutions that the prosecutor's office had alerted and prepared ahead of time, and the experts obligingly expressed themselves in favor of the position that, yes, extremism can be found in our publications.

To support this statement, I would like to give you just one example of what the experts took to be extremism when they examined several of our publications. In one publication there was an autobiographical article in which it was related that a particular Protestant clergyman could not answer a theological question. The experts concluded: "This booklet does not contain information about the positive conduct of clergymen, about their conscientious approach to their work. Therefore, the material was written with the preconceived idea of creating a negative impression of Christian clergymen." This means that if there is no positive assessment, it's extremism. This is the kind of absurd conclusion that the court accepted as the basis for the decision to declare 34 publications of Jehovah's Witnesses extremist. Later the Gorno-Altaysk Court declared 18 more publications of Jehovah's Witnesses extremist. What does this mean? It means that now anyone who possesses and distributes these publications may be brought to administrative or criminal accountability. Article 282 of the Criminal Code stipulates, among other things, prosecution and even a prison sentence. I would like to cite my own personal experience, or rather, my family's experience when, during the 1950's, my parents were sent to Siberia. Later my father spent seven more years in prison, and my mother six years. And the accusation was the same: reading and distributing the *Watchtower* magazine. Fifty years have gone by, and we are at the same juncture. But this time the accusation is "extremism." At that time it was "Anti-Sovietism," or "Anti-Soviet Activity," or the distribution of "anti-Soviet" literature; now we are up against a similar phenomenon. Of course it is quite saddening, but all the same we would like to hope that our country will not plunge back into a dark age but that we will be able to

continue disseminating our views, to hold to our convictions and know that the Constitution, which actually enshrines these rights, will be applied equally, not only to one or two religions, but to all.

N. A. Yakovlev: Are there any questions?

Mumin Shakirovich Shakirov: (Radio Liberty) What is the actual status of Jehovah's Witnesses in Russia today?

Ya. P. Sivulsky: Well, in this case we are not talking about a ban of our activity on the territory of the Russian Federation; we have an Administrative Center, which...

N. A. Yakovlev: Is the religious organization registered?

Ya. P. Sivulsky: Yes, it is a religious organization whose activity extends to the territory of the entire Russian Federation. And we now have 408 local religious organizations (one fewer than before, since one was recently liquidated, that was the Taganrog Community). But at the same time there are several places where the claims of prosecutors' offices are being considered in court, also on liquidating Local Religious Organizations.

M. Sh. Shakirov: Are you registered with the Ministry of Justice, or somewhere?

Ya. P. Sivulsky: We are, at the national level, in the Ministry of Justice.

M. Sh. Shakirov: You are registered? And you aren't banned?

Ya. P. Sivulsky: We are registered, and we are not banned.

A. Yu. Nazarychev: This is the paradox: the Administrative Center of Jehovah's Witnesses exists in St. Petersburg. Its activity is registered with the Ministry of Justice, and there are 408 separate local religious organizations registered throughout the country. Now, they choose one particular community in Taganrog; they build a criminal case against it; they prosecute, and the community is liquidated. In Taganrog this literature is declared extremist, and now persecution spreads throughout the entire country. We would like to note that other such cases were initiated, but the initiative died out in places where simply due to their civic courage, judges and prosecutors simply could not continue this persecution. Their consciences would not allow them to. But particular regions, of course, as in Taganrog and Gorno-Altaysk...

Ya. P. Sivulsky: Yekaterinburg.

A. Yu. Nazarychev: Yes, in Yekaterinburg it is still dragging on. But in some regions certain people have succeeded in breaking the judges' resistance and take the case to a point like this. And legislation now allows this persecution to spread throughout Russia.

M. Sh. Shakirov: Tell me, what is your relationship to the Russian Orthodox Church?

A. Yu. Nazarychev: Religious denominations by nature consider themselves to be self-sufficient. As Lev Semyonovich [Levinson] noted, this is common to all of the Abrahamic religions: Judaism, Islam and Christianity. Every denomination in this group considers itself self-sufficient.

M. Sh. Shakirov: But you don't have conflicts with the Orthodox Church?

A. Yu. Nazarychev: Of course not.

M. Sh. Shakirov: And what is their opinion? Don't they see you as competitors?

A. Yu. Nazarychev: Yes, quite likely they do.

M. Sh. Shakirov: Do they actually fight you? Do they put pressure on the prosecutor's office, and on the courts?

A. Yu. Nazarychev: The Orthodox Church pickets; priests are called as witnesses in court. Experts who are sympathetic to the Orthodox Church provide, putting it plainly, religiously slanted expert studies, and so forth; that is, we see that happening on a grand scale. The principles of the secular state are blatantly violated; the churchification of society is taking place—at the level of law enforcement agencies, at the level of expert witnesses, at the level of the court system, and so forth.

Ya. P. Sivulsky: I would like to add, that at the recent Christmas Readings there was a section headed by [Orthodox sect-fighter] Aleksandr Dvorkin, and at the beginning of his speech he congratulated all on the victory, in particular, on the Supreme Court's decision on the Taganrog case. That is, he openly emphasized that this was *their* victory, in *their* fight.

N. A. Yakovleva: And are they detaining people who are distributing this manifesto?

Ya. P. Sivulsky: At the moment there have been several incidents throughout the country, but they are relatively mild. Overall, of course, there are many incidents where believers are detained; there was even one case in which they were imprisoned for six days on the trumped-up charge of “insulting passersby.” And there have also been incidents in which force was used. Not so often, but sometimes that happens too.

Aleksandr Valeryevich Soldatov (Portal-Credo.ru): Tell me, please, have you been in contact with other religious organizations that are experiencing discrimination in Russia? Don't you plan some kind of joint action? Don't you plan to extend your civic protest to other religious organizations? To support them or act as a kind of united front?

A. Yu. Nazarychev: We don't have any such plans; we believe that that is a job for the human rights advocates. We do not want to take someone else's bread. The human rights advocates are gathering various facts and defend the rights of all. But as we understand it, it is important, as Lev Semyonovich [Levinson] emphasized, for someone to take it upon himself the responsibility to follow his conscience, as in the case of alternative civilian service. And that is probably the most important thing for the human rights advocates—not for us to occupy ourselves with organizing activities, but for us to do what we believe is right and not to turn aside from that course.

Ya. P. Sivulsky: At the moment we are seeing particular pressure exerted especially on Jehovah's Witnesses. Other religions are also experiencing certain difficulties. But it doesn't seem to be as widespread, on such a grand scale, such recent incidents—claims to liquidate and ban activity and declaring them extremist.

A. V. Soldatov: But what are you saying? I know of such incidents, and they have even happened to Orthodox communities—true, not ones belonging to the Moscow Patriarchate. Your campaign has a rather broad name: “In Defense [sic] of Freedom of Religion.” If there is no provision for other religions to participate in this action, couldn't someone reprimand you for a certain confessional anonymity, that under the guise of defending freedom of religion you are actually defending only your confessional interests?

A. Yu. Nazarychev: If you look at how the pamphlet is put together, we aren't speaking here about our beliefs at all. It is only about defending our right to freedom of religion, a fundamental right. It is not our goal to use this action as a pretext to inculcate our beliefs, as it were. That is why we are saying that it is a special, civil action; whereas we preach to people every day.

Ye. V. Zhosua (Interfax, Religion): And what is your long-term prognosis regarding this whole campaign? Do you think that the fate of the Taganrog Community may await other regional communities? Are there signs somewhere in the rural areas that they are starting to close down your local religious organizations, that they are experiencing administrative pressure? And another question: What is the overall size of your organization inside Russia today? And what is the trend in recent years from the standpoint of your growth in numbers?

Ya. P. Sivulsky: I can speak about the first question. We really do see indications that this problem is spreading. We have judicial proceedings going on now to liquidate communities in Yekaterinburg, to be precise, in the city of Asbest, in the Sverdlovsk Region. There are claims to declare publications extremist in Krasnodar, in Salsk. In Samara there were two claims, but one was terminated by the prosecutor's office itself, and we won one. In Vladikavkaz they are trying to liquidate three local religious organizations at once, also on the charge of extremism. To the extent that the prosecutor's office finds some opportunity to file a claim, it does so.

A. Yu. Nazarychev: The Department of Internal Affairs in the regions receives some sort of, we don't know, guidelines, recommendations, on detaining our members, using these judicial decisions that have

been rendered. You can take a copy of the report on the facts of the manifestation of religious intolerance against Jehovah's Witnesses in Russia after the Rostov Regional Court rendered its decision, and you will see that there are numerous cases of interference specifically by the agencies of internal affairs. So theoretically, in order to make use of the present decision, it is not necessary to close all the communities; believers can be prosecuted simply for the fact of possessing or distributing religious literature.

Concerning our numbers, this pamphlet notes that there are now about 157,000 members of Jehovah's Witnesses. Up to 300,000 attend our meetings in Russia, and the trend is toward growth. We have continual growth in Russia, which is about four percent annually.