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The legal forms of the fight against extremist cult activity in the Russian Federation

It is with sincere pleasure that I accept the invitation to participate in your respected conference to inform you of the real situation in the Russian Federation concerning the problem of combating religious extremism.

During the past year, questions regarding the struggle against religious extremism in Russia have received extensive coverage around the world in connection with prominent lawsuits connected with the closing two religious organizations: the “Moscow Church of Scientology” and “Jehovah's Witnesses”.

However, this problem has been urgent for many years.

I have been involved for more than fifteen years in rendering legal aid to people who have been harmed by totalitarian cults.

In 2002, the Russian Federation adopted a federal law, "On counteracting extremist activity", which initiated an organized struggle against extremism, including religious extremism.

This Law regulates the issue of counteracting extremist activities, the dissemination of extremist literature and other products, which are sources of extremist information, the public exhibit of the symbols of extremist organizations, and Nazi symbols.

The Law contains a procedure for counteracting extremist organizations, including religious ones.

The law regulates the institutional framework for counteracting extremist activities, the methods of preventing extremist activity, various methods of raising awareness of the inadmissibility of extremist activities, and the responsibility for violations of the law.

In accordance with this Law, a federal list of extremist materials has been established. The materials are listed on the basis of court decisions. To date, the list includes three thousand eight hundred ninety-five items.

The list is publicly available on the Internet at the website of the Ministry of Justice of the Russian Federation. Reports on the recognition of materials as extremist are published in official state media.

The same site also includes a list of non-profit and religious organizations for which the Court has adopted a legally binding decision on the ban or prohibition of activities on the grounds established by the Federal Law "On counteracting extremist activity".

To date, fifty-three organizations have been added to this list. Among these are several local Jehovah's Witnesses organizations, Neo-Pagan cults, Islamist cults, and a number of small destructive cults.

In 2006, a Federal Law on counteracting terrorism was adopted. It provided for a set of measures to counter terrorist threats, including those of destructive cults. The Act established a single Federal List of organizations, including foreign and international ones, recognized under the laws of the Russian Federation as terrorists. The list has been published on the site of the Federal

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Security Service of the Russian Federation (FSB). Twenty-five organizations have been included. Most of them are Islamist organizations. There are also neo-Nazi organizations.

The site of the Federal Financial Monitoring Service contains a list of organizations and citizens recognized as terrorists and extremists. To date, it includes: Ninety-four foreign organizations, four hundred and fourteen foreign nationals, seven thousand one hundred and ninety citizens of the Russian Federation, eighty-five Russian organizations, including nine Jehovah's Witnesses organizations, multiple pagan cults, organizations of the devil's followers, the Aum Shinrikyo cult, and a number of small destructive cults.

Among the clear manifestations of religious extremism in Russia, we should point out a number of extremist crimes committed by members of neo-pagan cults. Neo-pagan cults occupy prominent places on the lists of extremist organizations and extremist materials. Some of them are just behind militant Islamist organizations. On the list of extremist materials alone, there are at least one hundred and sixty neo-pagan texts.

What is their danger?

In the Russian Federation, for example, some of the books of the pseudo-scientist and charlatan, Nikolai Levashov, were recognized as extremist. This person is the actual mastermind behind some of local neo-pagan cults. And for a long time he lived in the United States of America, as indeed, many other leaders of Russian neo-paganism who could have learned a lot from the leaders of the US Neo-Pagan movement.

The following facts speak volumes about the results of the pagan activity: In 2008, a bomb exploded in the Church of St. Nicholas in Moscow. The perpetrators of the crime were neo-pagans inspired by the books of Levashov. In 2009, a church in St. Petersburg was burned out. Again, the perpetrators were neo-pagans. In the same year, an arson attack on the church of SS. Cyril and Methodius was carried out in the city of Vladimir. In 2010, a church was burnt in the city of Oryol. And in 2013, the same crime was committed in St. Petersburg. In 2010, a serial killing of homeless people in St. Petersburg was solved. Homeless people were killed by young supporters of neo-paganism who believed they were cleaning their city from "garbage".

In 2014, an armed neo-pagan carried out a gun attack on people in the Orthodox cathedral church in the city of Yuzhno-Sakhalinsk, the island of Sakhalin. Two people were killed and another seven were wounded, some severely.

In 2015, the police found unregistered weapons and ammunition when conducting raids of some neo-pagan communities in Moscow.

I think these examples speak volumes about the extent of the dangers of neo-paganism, and Mr. Levashov is only one of these crooks to provide theoretical basis for violent and hateful neo-pagan cults.

Let us now turn to Scientology.

In 2015, Moscow City Court ordered the Church of Scientology of Moscow to be closed. The reason for the closure was not extremism, but rather numerous violations of existing legislation of the Russian Federation and non-compliance with the declared status of a religious organization.

This had nothing to do with extremism at first glance. However, here's the fact: several works by the founder of Scientology, Ron Hubbard, were ruled extremist.

The consequence of the use of Hubbard's ideas and works has been the numerous crimes committed by Scientologists in our country.

The District Court of St. Petersburg is currently hearing a criminal case against Ekaterina Zaborskikh, who has been accused of committing fraud on an especially large scale. Ekaterina Zaborskikh was an active Scientology cult adept. Her criminal intent was to deceive people who wanted to purchase living quarters in St. Petersburg or its environs. Zaborskikh received money under co-investment agreements, but she neither handed the apartments over nor gave the money back. Ekaterina Zaborskikh transferred significant amounts of funds to the Church of Scientology.

Meanwhile, a similar crime was committed in Moscow by another Scientologist, Alexander Tkachenko. He has already been sentenced to a long prison term.

I am also aware of at least nine other similar criminal cases in different Russian regions. All of these crimes were committed using the same scheme. This shows that there was a criminal group engaged in housing fraud within the Church of Scientology.

During searches in the Church of Scientology in Moscow, numerous financial documents and pieces of prohibited extremist literature were found. But the most interesting fact is that there were an illegal wiretapping devices designed for covert audio and video recording, the destruction of information from computer media, and an extensive archive of personal information of Russian citizens. All these facts led to charges which have been pressed.

Since 2009, no less than 12 economic criminal cases have been initiated against structures of the Scientology cult. During the same period, at least seventeen Scientology organizations have been banned for various violations.

Analysis of the activities of the cult of Scientology has shown that this cult rightly can be characterized not only as totalitarian, but also as clearly extremist.

Total control of the private life of its adherents, the illegal taking of personal property, aggressive attempts to discredit its opponents, the application of illegal methods of mind control, and the numerous crimes committed in the territory of Russia – all this is the testimony of this danger. Therefore I hope that eventually all Scientology organizations in Russia will be closed.

I recall the case of a former cult member Alexandra Mityashina who later became anti-Scientology activist. Once Alexandra told me: "Thanks to Scientologists that they left me at least my apartment". As a result of actions by members of the cult of Scientology, Mityashina's family has lost property worth about fifty million dollars. Scientologists organized illegal removal outside of Russia of the juvenile son of Mityashina. Only the courage of Mityashina herself and the help of her friends allowed this mother's child to be returned.

In connection with what I said, I think it necessary to clarify that the illegal export of minors outside of Russia is one of the most burning issues associated with various cults. Of particular concern is information on the use of minors in contemporary forms of slavery, including sexual, in prostitution and pornography.

Minors are victims of the activities of totalitarian cults on the Internet. Many cults actively use the Internet and social networks as instruments of recruitment. It is understandable that most often their victims are teenagers and young people. In the Russian segment of the worldwide network, the so-called "death groups" began to operate, using methods of mental manipulation to convince adolescents to commit suicide. According to Russian law enforcement agencies, at least 600 people were the victims of such groups.

Now, to Jehovah's Witnesses.

We are witnessing an attempt to portray the closure of the cult's parent organization as religious persecution. This is not true. What are the legal reasons for the closure of this organization?

The activities of this cult have long caused numerous complaints from citizens of Russia. Characteristic features of this organization are an aggressive alienation from society and the state, refusal to recognize the constitutional formation of Russia, incitement of hostility towards traditional religions of Russia, illegal possession of property, and hostility to the institution of the family.

This cult's total control over the lives of its adepts, its demands to break social ties with people who are not supporters of this cult, its negative attitude towards secular education and access to cultural achievements are other aspects that testify to the numerous violations of human rights in this organization.

The limited time of the report does not allow me to give numerous examples of how the adepts of this cult took and committed religiously motivated crimes.

Of particular concern is this sect's use of unethical and coercive methods of mental control. According to experts in psychiatry and psychology, this cult forms the same type of dependent personality, as, for example, terrorist organizations. I know of the opinions of famous psychiatrists who consider that most of the adepts of this cult exist in an altered state of consciousness. I think you all understand: this is completely incompatible with the principles of freedom of conscience.

One should also note the just claims of the state against this cult in connection with the refusal of blood transfusion. Within the territory of Russia, people have systematically perished as a result of this sect's unreasonable religious prohibition of this treatment. Cases in which this practice caused the death of children have received particular attention.

From February 8 to February 27, 2017, the Ministry of Justice of Russia conducted an unscheduled document audit of the religious organization "The Management Center of Jehovah's Witnesses in Russia." The audit was intended to determine whether the Organization's actual activity adhered to the purposes and objectives were consistent with its Charter and the legislation of the Russian Federation.

The audit revealed that the activity of the Organization in question was carried out in violation of its statutory purposes and objectives, as well as the existing legislation of the Russian Federation, including the Federal Law "On counteracting extremist activity".

Thus, ninety-five publications of the Jehovah's Witnesses, imported and distributed by the Organization in the territory of the Russian Federation, were declared extremist by various courts from 2009 on. Since that year, eight local religious organizations of Jehovah's Witnesses have been declared extremist and closed.

Despite the ban, extremist literature was still being spread in organizations of Jehovah's Witnesses. Such facts were revealed in many parts of our country. Expert studies have shown that the literature of this cult is potentially harmful to readers because it contains hidden methods to manipulate people's consciousness and will. Russian psychologists have reached an inevitable conclusion that the literature produced by Jehovah's Witnesses is a part of mind control process that can change the behavior of a person as well as their will.

Therefore, on March 2, 2016, the Prosecutor General's Office of the Russian Federation issued a warning to the organization concerning the inadmissibility of extremist activities. The warning was appealed against by Jehovah's Witnesses but was found to be legitimate and justified.

On March 15, 2017, the Russian Ministry of Justice filed a statement of claim to the Supreme Court of the Russian Federation to recognize the organization as extremist, prohibit its activities, order it be closed, and remove its information from the Register of Companies.

On April 20, 2017, the Supreme Court of the Russian Federation accepted this claim.

At present, the Jehovah's Witnesses have the right to appeal against the court ruling. If the court of appeals confirms the decision of the court of first instance, Jehovah's Witnesses will have six months to cease their activity. All the assets of the organization will be transferred to the state.

However, it is already evident that this organization does not wish to comply with Russian law. The activity aimed to conceal the property and transfer the rights to foreign legal entities is intense. Also, the subdivisions of this organization are actively withdrawing funds to the accounts of foreign organizations.

So far, we had two kinds of court proceedings against Jehovah's Witnesses in Russia: cases of closing the local organizations of the cult and cases against the functionaries of these organizations caught in dissemination of banned extremist materials. It should be emphasized that neither the Russian state nor the law enforcement agencies persecute ordinary followers of the cult. No illegal methods are being used in the closure of the organization. All Jehovah's Witnesses organizations and their followers are provided with all safeguards stipulated by Russian law, including the right to defense and to appeal against court rulings. These opportunities are actively being used by the members of this Organization, and at times resolve their cases, which then end in exonerations. This confirms the objectivity of the courts in considering the evidence in each case related to this cult. It also should be noted that no single case has ended with prison sentence of the cult members even when they were found guilty.

Now all Jehovah's Witnesses organizations in Russia are closed, but of course, the ordinary members of the cult are free to believe as they wish, to meet at their private territories, to pray together and to discuss their faith. The ruling concerns only the organization itself.

Therefore, all tales of alleged "harassment" against Jehovah's Witnesses are nothing more than a primitive propaganda stroke. This information is not true.

In the end of this report I want to draw your attention to the fact that extremism has not only obvious manifestations in the form of terrorism, but also has a number of aspects that are expressed in inciting ethnic hatred, and in numerous violations of the inalienable rights and freedoms of citizens, exploitation of citizens, harming their health and endangering their lives. And these actions in their consequences are no less dangerous for the individual, the society, and the state, especially when it comes to multinational Russia.

I hope that this report will help you to understand objectively the current processes in Russia related to the problem of religious extremism.

Thank you! Merci!