

¹ See Hedrick Smith, *The Russians*, New York, Times Books, 1976, p. 357ff.

² *O religii i tserkvi. Sbornik dokumentov*, Moscow, "Politizdat", 1965, 128 pp.

³ Dietrich A. Loeber, "Legal Rules 'For Internal Use Only'," *The International and Comparative Law Quarterly*, January, 1970, p. 77.

⁴ Cited in I. R. Shafarevich, *Zakonodatelstvo o religii v SSSR*, Paris, YMCA Press, 1973, p. 68.

⁵ V. A. Kuroedov and A. S. Pankratov (eds.), *Legislation on Religious Cults*, "Yuridicheskaya Literatura", Moscow, 1971, p. 314 and 317.

⁶ Shafarevich, *op. cit.* p. 67.

⁷ This revises somewhat this writer's article "The New Soviet Law on Religion" in *RCL* Vol. 4, No. 2, pp. 4-10 where the changes are discussed in greater detail.

⁸ Art. 34, 35, 37 and 44.

⁹ Art. 43 and 59.

¹⁰ Art. 39, 40 and 41.

¹¹ Art. 4, 10, 32, 33, 36, 39, 41, 43 and 44.

¹² Kuroedov and Pankratov, *op. cit.*, pp. 83-97. Italics mine.

¹³ *Vedomosti verkhovnogo soveta RSFSR*, No. 27 (873), 3 July 1975, pp. 487-91. Italics mine.

¹⁴ Reported in *Religion und Atheismus in der UdSSR*, March 1975, No. 3, pp. 9-10. The official announcement appeared in *Radianskie pravo*, Kiev, No. 2, 1975, p. 104. See Kuroedov and Pankratov, *Legislation on Religious Cults*, p. 228 for the 1966 changes.

¹⁵ Kuroedov and Pankratov, *op. cit.*, pp. 150-60.

¹⁶ *Ibid.* pp. 133-50.

¹⁷ *Ibid.* pp. 168-9.

¹⁸ *Ibid.* p. 180.

¹⁹ *Ibid.* p. 253.

²⁰ *Ibid.* pp. 229-33. Appointed to this staff were: Mirsalikh Mirakhmedovich Miragzamov, plenipotentiary for the CRA under the USSR Council of Ministers for the Uzbek SSR who was named chairman of this co-ordinating council; Petr Spiridinovich Krivosheev, deputy plenipotentiary of the CRA for the Uzbek SSR; Kadyr Fazylkhodzhaev, deputy chairman of the presidium of the *Znanie* society for Uzbekistan; Aleksandr Fedorovich Ryzhkin, senior assistant procurator for the Uzbek SSR; Mamatsadyk Sidikovich Sidikov, deputy chairman of the Supreme Court of the Uzbek SSR; Ibragim Salievich Muminov, School Administration Official for the Ministry of Education for the Uzbek SSR; Amip Akhmedovich Garafutdinov, Deputy Officer of the Investigating Administration of the Uzbek Ministry of the Interior; Grigorii Yakovlevich Safronov, Administrative Officer of State Revenue of the Uzbek Ministry of Finance; and Khasiyat Yakubovna Yakubdzhanova, Deputy Chairman of the Tashkent City Soviet's Executive Committee.

²¹ *Ibid.* p. 109.

Statute of the CRA

Two government bodies were set up in 1944 and 1945 respectively: one for the affairs of the Russian Orthodox Church and the other for the affairs of religious cults in general. These were combined on 8 December 1965 into the Council for Religious Affairs (CRA) under the USSR Council of Ministers. This reorganization was announced at the time (*Izvestia* 30 August 1966) but, as with the two

earlier councils, no details of the new council's structure, functions and powers were provided. A statute for the CRA was approved on 10 May 1966, but it was not published at the time. We now print an English translation which is based on the text contained in the 1971 lawbook edited by V. A. Kuroedov and A. S. Pankratov, *Legislation on Religious Cults*, pp. 79-83.

STATUTE

of the Council for Religious Affairs (CRA) under the USSR Council of Ministers.

1. The CRA is a union organ, organized with the aim of consistent realization of the policies of the Soviet State in relation to religion.

2. The chief tasks of the CRA are:

(a) To supervise the observance of the USSR Constitution and the Decree of 23 January 1918 "On the Separation of the Churches from the State and Schools from the Churches" which guarantee freedom of conscience, and the correct application and fulfilment within the entire territory of the USSR of the Laws of the USSR, Decrees of the Presidium of the Supreme Soviet of the USSR, Resolutions and Orders of the USSR Council of Ministers in questions concerning religion;

(b) To study and make public the practical application of the legislation on cults, working over the proposed Laws of the USSR, Decrees of the Presidium of the USSR Supreme Soviet, Resolutions and Orders of the USSR Council of Ministers in questions concerning religion and submitting them to the USSR Council of Ministers;

(c) To inform the government of the USSR on the activities of religious organizations;

(d) To work with religious organizations in the realization of international relations, participating in the struggle for peace, for strengthening friendship among nations.

3. The CRA with reference to the tasks placed upon it:

(a) Seeks to guarantee the rights of citizens of the USSR professing the religion of their choice or professing none at all, to fulfil their religious rituals or to carry out anti-religious propaganda;

(b) Supervises the observance of the legislation on cults by religious organizations or servants of the cult;

(c) Maintains communication between the government of the USSR and religious organizations when questions

arise requiring the permission of the government of the USSR;

(d) Keeps a list of religious associations, prayer houses and buildings;

(e) Examines and decides, within the limits of its competence, questions connected with the activities of religious organizations in the USSR;

(f) Verifies the correct application of the legislation on cults by central and local organizations and also by responsible persons;

(g) Gives an authoritative opinion on projected legislative acts of union republics on questions concerning religion;

(h) Receives from ministries, departments and similar organizations, and also from local *soviet* organs information and materials in matters concerning religion.

4. The CRA has the right:

(a) To make decisions (upon recommendation of executive committees of *oblast*, regional Councils of Workers' Deputies (i.e. *soviets*. Ed.), Councils of Ministers of autonomous republics, and in union republics without *oblast* divisions - upon recommendation of the Councils of Ministers of union republics) on registration and removal from registration of religious associations, on opening and closing prayer buildings and houses;

(b) To verify the activity of religious organizations in their observance of the Soviet legislation on cults and to issue compulsory orders for eliminating violations of them;

(c) To draw persons guilty of violating the legislation on cults to the attention of disciplinary organs of civil or criminal jurisdiction;

(d) To give explanations to ministries, departments and other organizations and to local *soviet* organs on questions concerning the application of the legislation on cults;

(e) To introduce recommendations for changing commands, instructions, decisions, orders, resolutions and such like acts which contradict the legislation on cults, to the organ submitting the act or to the next higher ranking organ.

5. Councils of Ministers of union republics, ministries, departments and other central organizations, but also local *soviet* organs give consent to the measures taken by the CRA or its appointed plenipotentiaries in connection with the activities of religious organizations.

6. The CRA is composed of a chairman and his deputies appointed by the USSR Council of Ministers, and of council members who are appointed by the USSR Council of Ministers upon recommendation of the Chairman of the Council. The staff of the Council also includes the plenipotentiaries of the CRA assigned to union republics.

The structure and number of staff in the Council apparatus is approved by the USSR Council of Ministers.

7. The CRA at its meetings considers questions connected with the practical realization of the policies of the Soviet State in relation to religion, the observance of the legislation on cults, takes decisions on registration and removal from registration of religious associations, on opening and closing prayer houses, provides explanations concerning the application of the legislation on cults, issues compulsory orders on eliminating violations of the legislation, introduces recommendations on changing acts contradicting the legislation on cults, hears reports from leading workers in the central apparatus and from the Council's plenipotentiaries, evaluates proposed laws of the USSR, Decrees of the Presidium of the Supreme Soviet of the USSR, Resolutions and Orders of the USSR Council of Ministers, and also other basic questions, which are within the competence of the Council.

8. The CRA has plenipotentiaries in union and autonomous republics, regions and *oblasts*, who, in their activity, are subordinate to the CRA.

Appointment to and release from duties of the plenipotentiary of the Council is done by the CRA upon recommendation of the corresponding republic Council of Ministers, regional or *oblast* executive committee of Councils of Workers' Deputies.

9. The plenipotentiary of the CRA :

(a) Supervises the correct application and observance of the legislation on

cults by local religious organizations and servants of the cult, and also by local *soviet* organs, officials, and all citizens;

(b) Gives conclusions to the Council, and also to republic and local *soviet* organs and other republic, regional and *oblast* organizations on questions concerning religion;

(c) Informs the Council on the activities of religious organizations, on all violations of the legislation on cults in the territory of the republic, region, *oblast* and on measures taken concerning religion, conducted or noted by local *soviet* organs, and also on all decisions taken by them on these questions;

(d) Examines declarations and complaints and decides within the limits of his competency, those questions that are concerned with the activities of religious organizations;

(e) Gives assistance to the social commissions attached to the executive committees of city and regional Councils of Workers' Deputies in maintaining supervision of the observance of the legislation on cults.

10. The plenipotentiary of the CRA has the right :

(a) To verify the activities of local religious organizations in the area of the observance of the legislation on cults and to issue compulsory orders on the elimination of violations;

(b) To receive from local *soviet* organs scattered in the territory of the republics, regions, *oblasts* the necessary information, materials and forms on matters connected with religion.

(c) To provide explanations to republican and local *soviet* organs and other organizations of the republics, regions or *oblasts* on questions about the application of the legislation on cults;

(d) With the consent of the CRA to introduce recommendations for changes to commands, instructions, decisions, orders, resolutions and such like acts that contradict the legislation on cults, to the organ issuing the act in question;

(e) To raise the questions before the responsible republic and local organs on calling in persons guilty of violating the legislation on cults to the disciplinary, administrative or criminal jurisdiction.

11. The plenipotentiary of the CRA carries out his duties in close cooperation with the responsible republic, regional or *oblast* organs.

12. The CRA and the plenipotentiary of the Council possess a seal with the coat of arms of the USSR and their respective designations on it.

(The structure of the CRA staff was approved on 17 March 1966 by a Resolution of the USSR Council of Ministers, No. 203)

STRUCTURE

Central Apparatus of the Council for Religious Affairs under the USSR
Council of Ministers

Department for Orthodox Church affairs
Department for the affairs of the Muslim and Buddhist religions
Department for the affairs of Catholic, Protestant and Armenian Churches, the Jewish religion and Sects
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