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CRIMEA: Four months in Russian prison punishment cell

By Felix Corley, Forum 18

Prison officials in Russia's Kabardino-Balkariya Region will not say why they put Crimean prisoner of conscience Renat Suleimanov in a punishment cell in July, where he remains. Suleimanov was jailed as an "extremist" as an alleged adherent of the Tabligh Jamaat Muslim movement. Criminal trials of Jehovah's Witnesses Sergei Filatov and Artyom Gerasimov have begun. Imam Rustem Abilev was fined three months' average wages.

Prison officials in Kamenka in Russia's Kabardino-Balkariya Region have refused to say why in early July they placed Crimean prisoner of conscience Renat Suleimanov in a punishment cell, where he remains nearly four months later. Russia's March 2014 annexation of Crimea is not recognised by Ukraine or internationally. On 16 October 2019, Suleimanov's lawyer lodged a case against Russia, the occupying power, to the European Court of Human Rights in Strasbourg against his four-year "extremism" jail term as an adherent of the Tabligh Jamaat Muslim missionary movement.

Suleimanov was arrested in Crimea and placed in pre-trial detention in October 2017, and in January 2019 was jailed for four years for having met with other Muslims to discuss their faith. (http://www.forum18.org/archive.php?article_id=2444)

"At lessons we studied ayats [verses] from the Koran, the value of praying the namaz, and the zikr [reciting devotional phrases as a reminder of Allah]," one of the three other men charged with Suleimanov (who were given two and half year suspended sentences) told the court. "These lessons were not conspiratorial and took place in mosques".

In May the Russian authorities transferred the 49-year-old Muslim prisoner of conscience from occupied Crimea to a labour camp in Russia. (http://www.forum18.org/archive.php?article_id=2496)

The first criminal trial of a Jehovah's Witness in Crimea since Russia annexed the peninsula in 2014 has begun in the northern Crimean town of Dzhankoi. The trial of Sergei Filatov on "extremism" charges began with a closed preliminary hearing on 6 September (see below).

Filatov headed the Sivash Jehovah's Witness community in the town of Dzhankoi (http://www.forum18.org/archive.php?article_id=2432), one of two Jehovah's Witness communities in the town registered by the Russian authorities in April 2015. Both communities were liquidated in May 2017 following Russia's nationwide ban on Jehovah's Witnesses. "I no longer meet my friends because it might cause them problems," Filatov told Forum 18. "We simply ask the authorities to respect our rights to meet together and read the Bible. We're not law-breakers and we're not against the government."

The second such criminal trial of a Jehovah's Witness - Artyom Gerasimov - began in Yalta with a preliminary hearing on 20 September (see below).

Two other Crimean Jehovah's Witnesses - Taras Kuzio from Yalta, as well as Viktor Stashevsky from Sevastopol – are facing similar "extremism" prosecutions instigated by the Russian FSB security service (see below).

Gerasimov and Kuzio were arrested in March 2019 during FSB security service raids on at least eight Jehovah's Witness homes (http://www.forum18.org/archive.php?article_id=2466), during which religious literature including Bibles that have not been banned were confiscated. Stashevsky was arrested on 4 June 2019 during FSB raids on at least nine homes (http://www.forum18.org/archive.php?article_id=2496). All are accused of continuing Jehovah's Witness activity.

A Sevastopol court fined Imam Rustem Abilev, who was arrested in April 2019, about three months' average local wages for alleged "public calls for extremist activity" (see below).

Imam Abilev, a dentist who works as a village imam part-time, founded and with other Muslims built the Hayat (Life) Mosque in the village of Shturmoevoe (http://www.forum18.org/archive.php?article_id=2470). The mosque was officially registered by Russian authorities in June 2016 as part of the Crimean Muftiate. After Imam Abilev's April 2019 arrest, the FSB security service claimed using recordings of public village Friday prayers that Abilev conducted "closed lessons". "Local residents and activists say Rustem

Abilev cannot have called for extremism," Radio Free Europe journalist Taras Ibragimov told Forum 18 on 24 April. "They insist he is not an extremist and don't believe the FSB allegations." Ibragimov told Radio Free Europe's Krym Realii service that "Friday prayers are obligatory for Muslims and all villagers would gather for them." He found it "strange" that any imam would use Friday prayers if he wanted to conduct any "alternative meetings".

Investigators had Suleimanov, Filatov, Stashevsky and Abilev added to the Russian Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists", whose accounts banks are obliged to freeze, apart from small transactions (see below).

In both July and October, officers of the Interior Ministry Anti-Extremism Centre raided Friday prayers at a mosque in Zarechnoe near Crimea's capital Simferopol. They were accompanied on the first raid by the OMON riot police, after which the imam narrowly avoided being fined for alleged "missionary activity". On the second raid they were accompanied by a Prosecutor's Office official. He refused to discuss anything with Forum 18 (see below).

Annexation, restrictions imposed

Russia's March 2014 annexation of Crimea is not recognised by Ukraine or internationally. The peninsula is now divided between two Russian federal regions, the Republic of Crimea (with its capital in Simferopol) and the port city of Sevastopol.

After the annexation Russia imposed its restrictions on freedom of religion and belief. Many religious communities have been raided, and many individuals have been fined for possessing books – such as the Muslim prayer collection "Fortress of a Muslim" - which have been banned as "extremist" in Russia. (http://www.forum18.org/archive.php?article_id=2051)

Russia's Supreme Court banned the Tabligh Jamaat Muslim missionary movement in 2009. The ban was extended to Crimea following Russia's 2014 annexation of the peninsula.

In April 2017, Russia's Supreme Court declared the Jehovah's Witness Russian headquarters in St Petersburg and all 395 local organisations "extremist", banned all their activity, and ordered their property seized by the state (http://www.forum18.org/archive.php?article_id=2274). The ban was immediately imposed in Russian-occupied Crimea, where 22 communities were liquidated.

Religious communities and individuals in Crimea continue to be fined for not displaying the full name of their registered religious organisation at their place of worship, for meeting for worship without Russian state permission or advertising their faith. Forty such administrative prosecutions are known to have been brought in 2018 of which 28 ended with punishment. (http://www.forum18.org/archive.php?article_id=2441)

Suleimanov: Punishment cell

Since early July, soon after his 20 June arrival at a labour camp in Russia and the end of the compulsory quarantine period, prisoner of conscience Renat Rustemovich Suleimanov (born 30 August 1969) has been in a punishment cell. Those close to him do not know why he has been given this additional punishment.

According to "unverified information", the camp administration is planning to hold Suleimanov in the punishment cell for six months, his lawyer Roman Martynovskyy told Forum 18. If true, that would mean that he would not be freed from there to normal prison conditions until January 2020.

On 18 May, prison officials began the transfer of Suleimanov from the Investigation Prison in the Crimean capital Simferopol to serve his sentence at a labour camp (correctional colony) in the village of Kamenka near Kabardino-Balkariya's regional capital Nalchik in the Russian North Caucasus. (http://www.forum18.org/archive.php?article_id=2496)

Prison officials refused to give any information about Suleimanov. "We don't give such information by telephone," an official of the prison's Special Department told Forum 18 on 30 October. Asked about conditions in punishment cells, the official responded: "Conditions there are good." She said the prison Head, Salikh Gurizhev, was not in the office.

Prisoner of conscience Suleimanov was arrested in October 2017, accused of membership of the Tabligh Jamaat Muslim missionary movement, which Russia's Supreme Court banned in 2009. The ban was extended to Crimea following Russia's 2014 annexation of the peninsula.

Suleimanov, a Crimean Tatar, was born in exile in Kazakhstan's then capital Almaty. When the Crimean Tatars were allowed to return to Crimea, he settled in the village of Molodezhnoe just north of Crimea's capital Simferopol. He is married with three young daughters.

Suleimanov and three friends met openly in mosques to discuss their faith. "At lessons we studied ayats [verses] from the Koran, the

value of praying the namaz, and the zikr [reciting devotional phrases as a reminder of Allah]," one of the men told the court at their trial. "These lessons were not conspiratorial and took place in mosques."

Fifteen months after his arrest, Crimea's Supreme Court in Simferopol finally convicted Suleimanov and the three other men on 22 January 2019. All four were sentenced under Russian Criminal Code Article 282.2. This punishes organisation of or involvement in "the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity".

The Judge jailed Suleimanov for four years in an ordinary regime labour camp, followed by one year under restrictions. He handed the other three men suspended sentences, with one year under restrictions. Suleimanov's appeals to Russia's Supreme Court in Moscow failed. (http://www.forum18.org/archive.php?article_id=2496)

Forum 18 has been unable to find out whether Suleimanov has access to the Koran and other religious literature in punishment cell and whether he can pray unimpeded. "There's no contact from there," his lawyer Martynovskyy told Forum 18. "His letters are thoroughly checked."

Suleimanov's labour camp address:

361424 Kabardino-Balkariya

Chegemsky raion

Pos. Kamenka

Ul. D.A. Mizieva 1

Ispravitelnaya Koloniya No. 1

Suleimanovu Renatu Rustemovichu

Suleimanov: European Court appeal

Suleimanov's lawyer Roman Martynovskyy and his colleagues at the Regional Centre for Human Rights, originally based in Sevastopol but now in the Ukrainian capital Kiev, lodged a case against Russia to the European Court of Human Rights in Strasbourg on 16 October, he told Forum 18 from Kiev on 28 October. The Court confirmed to Forum 18 that it has received the case, but has not yet assigned an Application Number to it.

Suleimanov's case argues that the Russian authorities violated his rights under Article 6 ("Right to a fair trial"), Article 7 ("No punishment without law"), Article 9 ("Freedom of thought, conscience and religion"), Article 10 ("Freedom of expression"), Article 11 ("Freedom of assembly and association") and Article 13 ("Right to an effective remedy") of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Filatov: Trial begins

The first criminal trial of a Jehovah's Witness in Crimea since Russia annexed the peninsula in 2014 has begun in the northern Crimean town of Dzhankoi. The trial of Sergei Viktorovich Filatov (born 6 June 1972) began under Judge Mariya Yermakova at Dzhankoi District Court with a closed preliminary hearing on 6 September, according to court records. Seven further open hearings have been held, but at least three of them were adjourned as witnesses failed to attend.

Filatov – who is married with four children – is not under arrest but had to sign a pledge not to leave the area.

In a case brought by the Russian FSB security service, Filatov is being tried under Russian Criminal Code Article 282.2, Part 1 ("Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity"). Punishments are: a fine of 400,000 to 800,000 Roubles; or 2 to 4 years' income; or 6 to 10 years' imprisonment with a ban on working in one's profession of up to 10 years and restrictions on freedom for 1 to 2 years.

Filatov was one of eight Dzhankoi Jehovah's Witnesses whose homes were raided in November 2018 (http://www.forum18.org/archive.php?article_id=2432). The FSB accused him of continuing the activity of the local Jehovah's Witness community, which had been liquidated as "extremist". Filatov rejects the accusation against him. He told the Investigator that believers meet together not as an organisation but as private individuals under the guarantees enshrined in the Russian Constitution.

The FSB Investigator who prepared Filatov's case - Lieutenant Aleksandr Chumakin – did not answer his phone between 28 and 30 October.

At the 6 September hearing, Filatov renounced the services of the state-nominated lawyer as he could not afford the fees, Jehovah's Witnesses noted. Judge Yermakova rejected Filatov's request for Oleg Zakharchuk to be his public defender, but agreed to it at the 12 September hearing. She also agreed for the lawyer's fees to be paid by the state budget.

On 25 September, the court questioned the only witness who turned up, a local school teacher who had occasionally attended Jehovah's Witness meetings before the 2017 Russian Supreme Court ban. However, as he had not attended after that, he was unable to answer any questions about Filatov's activity since the ban.

On 3 October, the court questioned a "secret" witness. However, the witness "didn't understand what was being considered, didn't remember anything and had nothing to recount", Jehovah's Witnesses noted.

Gerasimov: Trial begins

The criminal trial of Jehovah's Witness Artyom Vyacheslavovich Gerasimov (born 13 January 1985) began under Judge Vladimir Romanenko at Yalta City Court with a preliminary hearing on 20 September, according to court records. The first full hearing was on 2 October.

On 15 March, Russian FSB investigators launched a criminal case against Gerasimov and Taras Grigoryevich Kuzio (born 19 June 1978) from the southern Crimean town of Yalta. Five days later, officers raided eight Jehovah's Witness family homes in and around Yalta (http://www.forum18.org/archive.php?article_id=2466). Both men had to sign a pledge not to leave the area.

Two other Jehovah's Witness criminal cases

In addition to the two men on trial, two other Jehovah's Witnesses - including Taras Kuzio - are facing criminal prosecution in the Crimean peninsula on "extremism" charges under Russian Criminal Code Article 282.2, Part 1 ("Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity").

On 4 June, Russian FSB investigators launched a criminal case against Sevastopol resident Viktor Vladimirovich Stashevsky (born 11 July 1966). That evening, FSB officers raided at least nine local homes, with a further follow-up raid on 7 July. (http://www.forum18.org/archive.php?article_id=2496) He had to sign a pledge not to leave the area.

The FSB Investigator handling Stashevsky's case - Lieutenant Aleksandr Chumakin – did not answer his phone between 28 and 30 October.

Abilev: Convicted, fined

The Russian FSB security service, which brought an "extremism"-related criminal case against Rustem Enverovich Abilev (born 18 May 1984), has succeeded in having him punished. Abilev is Imam of the Khayat (Life) mosque in the village of Shturmovoe on the eastern edge of the city of Sevastopol.

FSB officers arrested Imam Abilev on 15 April as armed, masked men, most of them in camouflage with FSB insignia, raided Khayat mosque and his nearby home (http://www.forum18.org/archive.php?article_id=2496). Officers seized religious literature, hand-written notes and documents, computers and mobile phones. One masked man copied files from a laptop computer.

Following his 15 April arrest, the FSB held Imam Abilev for several days in Sevastopol before transferring him to the Investigation Prison in Simferopol. He was held there until being transferred to house arrest on 7 June.

Unnamed FSB officers told the local media on 15 April and again on 23 October that Imam Abilev had "in the course of closed lessons, had conducted ideological cultivation of believers, attracting new members to extremist activity". The officers also claimed that in his sermons Imam Abilev had used banned literature and "called for violent actions against people who do not share his religious convictions".

Officers claimed that Imam Abilev had cooperated with the investigation, revealing the contacts local Salafi Muslims have with a "fundamentalist theologian" Abu Yahya Krymsky (real name Arsen Dzhelyalov). When he was in Crimea, Dzhelyalov hosted a programme on local television. After the Russian invasion and annexation of Crimea in 2014, he moved to the Ukrainian capital Kiev.

The FSB made public no evidence to back up their claims about Imam Abilev.

"Local residents and activists say Rustem Abilev cannot have called for extremism," Radio Free Europe journalist Taras Ibragimov told Forum 18 in April. "They insist he is not an extremist and don't believe the FSB allegations."

The FSB investigator Yuri Andreyev brought charges against Imam Abilev under Russian Criminal Code Article 280, Part 1. This punishes "public calls for extremist activity" with a maximum punishment of four years' imprisonment and a ban on specific activity for the same period. Prosecutors handed the case to Sevastopol's Balaklava District Court on 27 September, according to court records.

On 10 October, at the end of a two-day trial, Judge Natalya Zarudnyak of Balaklava District Court found Imam Abilev guilty under Russian Criminal Code Article 280, Part 1, according to court records. She fined him 100,000 Russian Roubles, the minimum punishment under the Article. According to Russian government figures, this represents about three months' average local wages.

Court press secretary Kristina Kulikovskaya said that Abilev was handed the written verdict the same day immediately after it had been delivered orally in court. "Under the court verdict, the house arrest was changed to a pledge not to leave the area and to behave appropriately until the verdict entered into legal force," she told Forum 18 on 30 October. She said no appeals against the verdict had reached the court and it entered legal force on 22 October.

Unnamed FSB officers told the local media that during the trial, Imam Abilev "fully repented" of his actions, which was why he was given only a fine.

The telephone of the FSB Investigation Department in Sevastopol went unanswered each time Forum 18 called on 29 and 30 October.

Despite Imam Abilev's arrest in April, detention until June and then house arrest until his October trial, a member of the Khayat Mosque told Forum 18 on 28 October that the authorities did not prevent the community from continuing to meet for worship.

On 2 June 2016, the Russian authorities registered the mosque community as part of the Crimean Muftiate, according to the Russian Federal Tax Service record. Abilev was one of the ten official founders.

Zarechnoe: July Mosque raid, administrative case

On 5 July, officers of the Interior Ministry Anti-Extremism Centre and the OMON riot police raided the Salgir Baba mosque in the village of Zarechnoe near the regional capital Simferopol. "After Friday prayers, all those present were held in the yard outside the mosque and the officials questioned the imam," the Crimean Solidarity group noted the same day. Arsen Kantemirov has been imam since 2008.

Although the raid was billed as an "investigative measure" related to "extremism", Simferopol District Prosecutor's Office later brought charges against Imam Kantemirov under Administrative Code Article 5.26, Part 4 ("Russians conducting missionary activity"). Individuals are liable for a fine of 5,000 to 50,000 Roubles. For organisations (legal entities), the fine stands at 100,000 to 1 million Roubles.

The Prosecutor's Office accused Imam Kantemirov of conducting "missionary activity" because the mosque is not registered either as a religious organisation or group. (The mosque – which functions independently - had registration under Ukrainian law, but chose not to seek it under Russian law.)

The Prosecutor's Office presented the case against Imam Kantemirov to Simferopol's Magistrate's Court No. 75 on 28 August. However, that same day Magistrate Yekaterina Chumachenko sent back the case to be re-worked. Once it was re-presented, a hearing was set for 4 October but Imam Kantemirov did not turn up. At another hearing on 7 October, Magistrate Chumachenko threw out the case as it had not been completed within the prescribed three months since the "offence", according to case records.

Kantemirov's lawyer Rustem Kyamilev told Radio Free Europe's Krym.Realii on 7 October that in August and September, Prosecutors had called the imam and summoned him. Only later did the court inform him that he was facing an administrative case.

"There have been several such cases in Crimea, but people have chosen not to publicise them," the lawyer Kyamilev told Krym.Realii. "We know in some of these cases people have been given administrative punishments. Almost every fifth person in Crimea could be accused on such an accusation. Unfortunately, the trend is negative."

Zarechnoe: October Mosque raid

Officers of the Interior Ministry Anti-Extremism Centre raided the Salgir Baba mosque in Zarechnoe again on Friday 25 October. This time they were accompanied by Aleksandr Bogdan of Simferopol District Prosecutor's Office, who entered the mosque during

Friday prayers, the lawyer Kyamilev told Krym.Realii the same day. Officials claim they were concerned that illegal "missionary activity" was underway.

Prosecutor Bogdan tried to talk to Imam Asan Bekirov, who was leading prayers that day, but he refused to answer any questions. "After the prayers, I came out and refused to give any testimony .. and so there were no more questions to me," Imam Bekirov was quoted by Crimean Solidarity as declaring.

Officials warned Imam Bekirov that he might be summoned to the Anti-Extremism Centre for questioning. The lawyer Kyamilev said officials urged those who had attended prayers to leave the mosque and yard, but they insisted on staying until all the officials had left.

Bogdan of the Prosecutor's Office refused absolutely to discuss the raid. "I am not obliged to give you any information," he told Forum 18 on 30 October. He then put the phone down. (END)

Full reports on freedom of thought, conscience and belief in Crimea
(<http://www.forum18.org/archive.php?query=&religion=all&country=86>)

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

Forum 18's reports and analyses on freedom of thought, conscience and belief in Russia within its internationally-recognised territory (<http://www.forum18.org/archive.php?query=&religion=all&country=10>)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (http://www.forum18.org/archive.php?article_id=1351)

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