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RUSSIA: Jehovah's Witnesses and Muslims face up to six years' imprisonment

By Victoria Arnold, Forum 18 (<https://www.forum18.org>)

Four of the 16 Jehovah's Witnesses on criminal trial in Taganrog and both the Muslim women whose criminal trial in the Siberian city of Krasnoyarsk is imminent face up to six years' imprisonment each if convicted. All have been accused of organising an "extremist" religious community banned by Russian courts, Forum 18 News Service notes. The criminal cases against Yelena Gerasimova and Tatyana Guzenko, Muslims who read Said Nursi's works, reached Krasnoyarsk's Soviet District Court on 29 May, but are being transferred to a Magistrate's Court. Meanwhile, several further Muslim women in Naberezhnyye Chelny have been issued warnings for allegedly attending an "underground madrassah", a fellow Muslim in the city told Forum 18. Officials "are harassing us on the quiet", one Muslim complained to Forum 18. "We are not left alone."

The long-running criminal trial continues in Taganrog in southern European Russia of 16 members of the local Jehovah's Witness community which was declared "extremist". The trial has reached its 61st hearing in 14 months. A new criminal case has reached court in the Siberian city of Krasnoyarsk against two Muslim women allegedly involved in the prohibited "extremist" organisation "Nurdzhular", Forum 18 News Service has learned. Four of the Taganrog defendants and both the Krasnoyarsk defendants face up to six years' imprisonment each if convicted.

Meanwhile, four Muslims in Naberezhnyye Chelny express their determination to appeal to the highest level against their "extremism" convictions for studying the works of the late Turkish Muslim theologian Said Nursi, despite persistent harassment by officials and the imposition of further warnings.

More than 40 Russian translations of Nursi's works and a biography of him, as well as numerous Jehovah's Witness publications, have been ruled "extremist" by various courts and added to the Justice Ministry's Federal List of Extremist Materials. Russia's Supreme Court outlawed "Nurdzhular", a purported "extremist" organisation of Nursi followers, in April 2008. Muslims who study Nursi's writings insist that the group does not exist (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

New trial in Krasnoyarsk

Two Muslim women from Krasnoyarsk, Yelena Gerasimova and Tatyana Guzenko, are facing imminent criminal trial for alleged "organisation of an extremist organisation") under Article 282.2, Part 1 of the Criminal Code.

Article 282.2, Part 1 punishes "Organisation of an extremist organisation" with a fine of at least 300,000 Roubles (55,000 Norwegian Kroner, 6,400 Euros or 8,750 US Dollars) or imprisonment of up to six years. These are the increased punishments signed into law by President Vladimir Putin in February (see F18News 11 February 2014 http://www.forum18.org/archive.php?article_id=1927).

On 29 May, in a hearing at Krasnoyarsk's Soviet District Court, Judge Larisa Dmitriyeva ruled that the criminal case against the two should be transferred to the magistrates' court system, court officials told Forum 18.

A consultant at Soviet District Court told Forum 18 on 18 June that the case is currently with the Senior Magistrate of the district. Forum 18 emailed the Senior Magistrate on 18 June, asking about the progress of the trial, as no record of it is visible on the magistrates' court system online database. Forum 18 had received no reply by the end of the working day in Krasnoyarsk on 19 June.

Defendants accused of running women's "cell"

Krasnoyarsk Regional Prosecutor's Office claimed in a 29 May statement, which does not name the women, that they joined "Nurdzhular" in 2008, "having been trained at [its] coordinating centre in Naberezhnyye Chelny". They then allegedly organised a "cell" in Krasnoyarsk, in which more than ten women were involved. In February 2012, an assistant arrived from Naberezhnyye Chelny bringing "necessary expertise".

The FSB security service and the Police Centre for Combating Extremism searched the women's homes in August 2013 and seized religious literature, "a large part of which has been ruled extremist in Russia".

A Muslim in Naberezhnyye Chelny who reads Nursi's works told Forum 18 on 10 June that they had no knowledge of such a connection with Krasnoyarsk.

Gerasimova's and Guzenko's flats in Krasnoyarsk were raided on 8 August 2013, during the major end-of-Ramadan festival Eid-ul-Fitr. At Gerasimova's home, police conducted a five-hour search, during which the family's Eid guests were not permitted to leave and Gerasimova noted a number of procedural violations (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

A spokeswoman for the Prosecutor's Office told Forum 18 on 16 June that all enquiries should be submitted in writing. Forum 18 sent an email asking for details of the case before the end of Krasnoyarsk's working day on 16 June. No reply has been received as of the end of the working day on 19 June.

Gerasimova's husband Aleksei is one of four Krasnoyarsk Muslims tried for alleged involvement in "Nurdzhular" before prosecutors ran out of time and the Magistrate's Court dropped the case in early 2012 (see F18News 5 March 2012 http://www.forum18.org/archive.php?article_id=1675).

Other investigation continues

The Siberian Federal District Investigative Committee and the FSB security service are continuing their investigation of one of Aleksei Gerasimov's former fellow defendants, Andrei Dedkov, and other Muslims suspected of involvement in "Nurdzhular" (see F18News 12 March 2014 http://www.forum18.org/archive.php?article_id=1936).

The homes of "the most distant relatives" and acquaintances of the accused are still being raided, a fellow Muslim told Forum 18 from Krasnoyarsk on 13 June.

Taganrog Jehovah's Witness trial continues

The 61st hearing in the criminal trial of 16 Jehovah's Witnesses at Taganrog City Court took place on 17 June. Proceedings were again adjourned, and the next hearing is due to be held on 24 June, according to the court website.

The defendants were all members of the now-dissolved community declared "extremist" by Rostov-on-Don Regional Court in September 2009. The decision was upheld by Russia's Supreme Court in December 2009 (see F18News 8 December 2009 http://www.forum18.org/Archive.php?article_id=1385).

The 16 stand accused of continuing the banned organisation's activities after the ruling came into force. The proceedings have been characterised by lengthy indictments (running to 900 pages) and long periods of questioning of the defendants (12 hours over two days in the case of Yuri Baklushin, the first of them to take the stand, according to the Caucasian Knot news website).

The 16 defendants are: Yuri Baklushin, Aleksei Koptev, Aleksandr Skvortsov, and Nikolai Trotsyuk. All the adults are charged under Criminal Code Articles 282, Part 1 ("Organisation of an extremist organisation") and 150, Part 4 ("Involving a minor in a criminal group .. or crimes motivated by political, ideological, racial, ethnic or religious hatred or enmity or hatred or enmity against a social group"). Kirill Chetverikov, Andrei Goncharov, his wife Oksana Goncharova, Vladimir Kozhukhov, Tatyana Kravchenko, her son Kirill Kravchenko, Vladislav Kruglikov, Karen Minasyan, Vladimir Moyseenko, Vyacheslav Shchekalev, Nikolai's son Sergei Trotsyuk and Roman Voloshchuk are charged under Article 282.2, Part 2 ("Participation in an extremist organisation").

Nikolai Trotsyuk received a three-year prison term in 1973 for refusing compulsory military service on grounds of religious conscience. He served a year in labour camp before being transferred for good conduct to a work project.

The case reached the two-year deadline for prosecutions on 5 August 2013 and was due to be halted. However, it is continuing at the request of the defendants, since "If the case were closed because time ran out, it would look as if that was the only reason - the accusations would remain, they would still be watched," as Jehovah's Witness spokesperson Grigory Martynov explained to Forum 18 in October 2013 (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

After being suspended in December 2013 and January 2014 because of a defendant's illness, the trial resumed on 10 February with questioning of the accused. In court, the Jehovah's Witnesses have maintained their innocence, asserting that they had simply been engaging in bible study. One of their lawyers, Viktor Zhenkov, told the Caucasian Knot website that the prosecution "is trying to see an organisation in the actions of individual believers". "The [regional] court determined that a legal entity, a local religious organisation, should be banned, but to be a believer is not prohibited".

"In Taganrog Jehovah's Witnesses are forbidden"

In his statement to the court, seen by Forum 18, the oldest defendant, seventy-year-old Aleksei Koptev, said: "I did not resume the activities of the prohibited local religious organisation of Jehovah's Witnesses of Taganrog. I simply remained a Jehovah's Witness in the city of Taganrog after Rostov Regional Court liquidated [the organisation] in 2009." He claimed that an investigator had told him that "If you were a Jehovah's Witness in another city, there would be no complaints against you, but in Taganrog Jehovah's Witnesses are forbidden". This, Koptev pointed out, left him with a choice: "either leave Taganrog, or change my religion – otherwise, I would be prosecuted".

Koptev believes that "the investigation did not establish which actions could be considered a continuation of the religious organisation's existence and which are the rights of a citizen, guaranteed by the Russian Constitution".

Forum 18 called Taganrog City Court on 17 June to enquire about that morning's hearing, and was directed to the judge, Oleg Kubantsev. The member of staff who answered at his number immediately put the phone down upon hearing Forum 18's request for information. The same happened when Forum 18 immediately called back.

A spokeswoman for Taganrog City Prosecutor's Office told Forum 18 on 19 June that she could answer no questions about the case because the trial was continuing and no decision had yet been reached. She added that Forum 18 could submit an official request for information in writing – this was sent by email on 19 June, asking when a verdict is expected, what sentences the prosecutor is seeking, and why the Jehovah's Witnesses are considered extremists. City Prosecutor Konstantin Frolov answered the same day with a refusal to provide this information as the case is still underway.

Naberezhnyye Chelny appeals fail

In Naberezhnyye Chelny, prosecutors have issued more warnings to Muslims who study Nursi's works, local Muslims told Forum 18. Harassment by the security services continues, and the City Court has rejected appeals by four defendants convicted of "extremism". All four intend to lodge further appeals with Tatarstan's Supreme Court and, if necessary, the European Court of Human Rights in Strasbourg, a Nursi reader told Forum 18 on 11 April.

Ilnur Khafizov and Fidail Salimzyanov were convicted following a series of raids on Nursi readers' homes in Naberezhnyye Chelny in February 2013, during which they were detained. After several hearings in the City Court, their case was transferred to the magistrates' court system in December 2013. They were fined 100,000 and 50,000 Roubles in February 2014 under Criminal Code Articles 282.2, Parts 1 and 2 respectively (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

Magistrates' court No. 15 had also ordered that religious literature seized from their homes be destroyed. The final hearing in their appeal against this ruling took place on 11 April.

"Despite the inconsistency of the charges and the illegality of the magistrates' court verdict, which was based on inadmissible evidence", Judge Sergei Nekrasov upheld the sentence without alteration, a fellow Muslim lamented to Forum 18 from Naberezhnyye Chelny. The only part the Judge amended was the ruling on the destruction of material evidence. The men's personal effects, Nursi's books in Turkish, and other literature are to be returned. All Russian translations of Nursi (including those not on the Federal List) are still to be destroyed.

Nakiya Sharifullina and Laura Khapinova's appeals against their convictions were similarly unsuccessful, according to Naberezhnyye Chelny City Court website. On 23 April, Judge Rustam Khakimov upheld the fines of 100,000 and 50,000 Roubles respectively, which were imposed by Magistrates' Court No. 24 in March (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

However, Judge Khakimov amended the decision ordering the destruction of the materials seized from the women's homes, and ruled that this issue should be sent back to the magistrate for further consideration.

Prosecutor's Office issues more warnings

Several further Muslim women in Naberezhnyye Chelny have been issued warnings for allegedly attending an "underground madrassah", a fellow Muslim in the city told Forum 18. They refused to accept these warnings, which they have been summoned to sign at the Prosecutor's Office. "To sign this absurd document would mean accepting that I am an extremist", one woman wrote in a letter of protest to the Prosecutor, seen by Forum 18.

The warnings are dated 23 April and signed by Deputy Prosecutor Pavel Shamov. The document sent to Raziya Khafizova (mother of Ilnur), seen by Forum 18, accuses her of studying at the underground madrassah. It also states that officials consider that she will continue "disseminating the views of the radical religious association Nurdzhular" and "could organise conspiratorial madrassahs with the aim of involving citizens in [its] activities ... which could lead to the stimulation of social, racial, national or religious discord, extremist crimes, and terrorist acts".

The official warnings follow the one issued to Sharifullina in January for organising an "underground madrassah". She appealed unsuccessfully against her warning at Naberezhnyye Chelny City Court and Tatarstan's Supreme Court (see F18News 10 April 2014 http://www.forum18.org/archive.php?article_id=1946).

Security service harassment intensifies

Officials "are harassing us on the quiet", a Nursi reader complained to Forum 18 from Naberezhnyye Chelny on 10 June. "We are not left alone."

A 28 May article on the golosislama.ru news website similarly describes how FSB security service officers persistently telephone and visit the women's homes, knocking on the door and shouting if there is no answer.

One local woman says she was targeted after she failed to attend the Prosecutor's Office on 25 April to sign the warning sent to her on 23 April. As she was unwell, she telephoned to say she could not come. An FSB security service operative known as Rustam (who had been tailing the women) began to call her and said he would come to her home. She wrote a letter to the Prosecutor, seen by Forum 18, requesting "the restoration of my rights as a law-abiding citizen of the Russian Federation" and the cancellation of the warning, and stating that she would not sign it.

She argued that "The entire document is built on speculation. [...] Such a document could be compiled on any passer-by. So, a warning should be addressed to all citizens of Russia, that speculation can be made about anybody. [...] Why not caution readers of Crime and Punishment? This work describes in detail how best to commit murder!"

FSB security service operative Rustam repeatedly telephoned, saying he would wait for her at her door and threatening her daughter when told to leave her alone. When he began persistently ringing on the Nursi reader's intercom and doorbell, she called the police. However, police turned up with a Prosecutor's Office representative, who attempted to persuade her to sign the warning. She still refused, and eventually collapsed from the strain. Her children tried to get the officials to leave but they remained for some time despite the Nursi reader's illness.

The women no longer meet to study Nursi's works but are still followed in the street and have their telephones tapped. Anyone entering or leaving the address of the so-called "underground madrassah" is photographed. "Apparently, this 'fight' against extremism consists of listening to telephones and following every step of grandmothers with disabilities".

The telephone at the FSB security service's Naberezhnyye Chelny office went unanswered whenever Forum 18 called on 17 and 18 June. (END)

For more background, see Forum 18's surveys of the general state of freedom of religion or belief in Russia at http://www.forum18.org/Archive.php?article_id=1722, and of the dramatic decline in religious freedom related to Russia's Extremism Law at http://www.forum18.org/Archive.php?article_id=1724.

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <http://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation, is at F18News 19 July 2010 http://www.forum18.org/Archive.php?article_id=1468.

A personal commentary by Irina Budkina, Editor of the <http://www.samstar.ucoz.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, is at F18News 26 May 2005 http://www.forum18.org/Archive.php?article_id=570.

More reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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