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RUSSIA: Armed raids, criminal investigations, pre-trial detentions

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

One year after Russia's Supreme Court banned Jehovah's Witnesses, officers mounted armed raids on homes in four regions, some holding guns in individuals' faces. Up to four people in custody and a fifth under travel restrictions face criminal investigations of organising or participating in a banned organisation.

One year after Russia's Supreme Court ruled that their Administrative Centre be liquidated as "extremist" and their activities banned, Jehovah's Witnesses are facing a wave of criminal prosecutions.

Between 10 and 20 April, officers of various state agencies conducted multiple armed raids on the homes of pacifist Jehovah's Witnesses in four regions. During some of the raids in Ufa, officers held their guns in individuals' faces and made threats of long prison sentences and trouble at work (see below).

Officers seized property and took many people away for questioning, and several appear to have been put into pre-trial detention on "extremism"-related criminal charges. The Investigative Committee is carrying out the criminal investigations.

Up to four people may now be in custody after these raids, in Ufa (Republic of Bashkortostan), Polyarny (Murmansk Region), Shuya (Ivanovo Region), and Vladivostok (Primorye), and a fifth is under travel restrictions (see below).

If convicted, they could be imprisoned for up to 10 years under 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"), or up to six years under Article 282.2, Part 2 ("Participation 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") (see Forum 18's Russia "extremism" religious freedom survey http://www.forum18.org/archive.php?article_id=2215).

Forum 18 wrote to the Investigative Committee's press office in Moscow early in the working day of 23 April, asking exactly how many people are the subject of these criminal cases, how many are in custody, and why they were considered so dangerous that armed force was necessary to detain them. Forum 18 received no reply by the end of the working day.

Criminal investigations of Jehovah's Witnesses also continue in Kemerovo and Belgorod after a series of raids there in January and February. Two people are known to have been named as suspects (see below).

Two more Jehovah's Witnesses – Dennis Christensen in Oryol and Arkadya Akopyan in Prokhladny (Republic of Kabardino-Balkariya) - are already on trial for alleged extremism-related offences not directly related to the nationwide ban (see F18News 20 February 2018 http://www.forum18.org/archive.php?article_id=2355).

Arrests "direct consequence" of Supreme Court ban

Jehovah's Witnesses note that the latest arrests are a "direct consequence" of the Supreme Court ban, which was issued on 20 April 2017 and entered legal force on 17 July 2017 (see F18News 18 July 2017 http://www.forum18.org/archive.php?article_id=2297).

The Russian government, however, maintains that the ban does not violate the right of Jehovah's Witnesses to profess their faith. On 23 March, the Russian government submitted its response to questions from the European Court of Human Rights (ECtHR) in Strasbourg about the Jehovah's Witnesses' appeal against the Supreme Court ruling (Application No. 10188/17 http://hudoc.echr.coe.int/eng?i=001-179699). The ECtHR is considering the appeal as a high-priority case.

In its response, the Russian government claims that the Supreme Court's decision "does not give an evaluation of the beliefs of Jehovah's Witnesses [and] does not contain a restriction or prohibition on the individual profession of these teachings".

Muslims too face "extremism" prosecutions

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Prosecutors have also long used Criminal Code Article 282.2 against Muslims who meet to read the works of late Turkish theologian Said Nursi. People who meet to study his writings can be accused of continuing the activities of "Nurdzhular", which was banned as an "extremist organisation" by the Supreme Court in 2008, even though Muslims in Russia deny it has ever existed (see Forum 18's Russia "extremism" religious freedom survey http://www.forum18.org/archive.php?article_id=2215).

Five Muslims are known by Forum 18 to be already on trial for having met to study Nursi's works – three in Krasnoyarsk, one in Novosibirsk, and one in Izberbash in the Republic of Dagestan. Another man, from Sharypovo in Krasnoyarsk Region, is due to appear in court soon (see F18News 27 April 2018 http://www.forum18.org/archive.php?article_id=2373).

Ufa: Raids with guns, one pre-trial detention

The first Jehovah's Witness to be detained in the latest raids was 32-year-old Anatoly Vilitkevich, on 10 April in Ufa (Republic of Bashkortostan). Investigators have opened a case against him under 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").

According to the website of the city's Lenin District Court, Judge Larisa Mokhova ordered Vilitkevich to be kept in custody until 2 June. His lawyers submitted an appeal against his detention to Bashkortostan's Supreme Court, but this was refused on 19 April.

Officers began their searches of eight homes in Ufa early in the morning of 10 April, Jehovah's Witnesses told Forum 18 from Brussels on 19 April. These involved over 60 officials, including special police officers with masks and submachine guns. In some cases, Jehovah's Witnesses claim, officers held their guns in suspects' faces and made threats of long prison sentences and trouble at work.

Officials would have known that weapons including machine guns would be unnecessary, as Jehovah's Witnesses worldwide are a doctrinally pacifist community whose young male members will not do compulsory military service or any other military-connected activity. Jehovah's Witnesses follow their pacifist principles even if the government concerned jails and tortures conscientious objectors to military service, and their families and co-believers (see eg. in Turkmenistan F18News 3 October 2016 http://www.forum18.org/archive.php?article_id=2220). However, even before Jehovah's Witnesses were banned in Russia their communities were frequently raided by heavily armed and camouflaged officals who frequently planted "evidence" (see eg. F18News 24 October 2016 http://www.forum18.org/archive.php?article_id=2228).

In all, officers searched more than 20 people, including children, and took them to Lenin District Investigative Department for interrogation and fingerprinting. Investigators also seized personal belongings, including electronic devices, books, and photographs.

"Since all the citizens were in a state of shock and none of them had eaten breakfast, many felt bad," Jehovah's Witnesses told Forum 18. "One woman lost consciousness. After a long delay, officials called an ambulance."

All the detainees were later released, except Vilitkevich. No case has so far been opened against anybody else. At the court hearing on Vilitkevich's detention on 12 April, "the court ignored a number of legal requirements", Jehovah's Witnesses stated. "For example, the court did not specify why such a strict ruling was imposed, nor did it verify the validity of Anatoly Vilitkevich's involvement in the crime imputed to him."

Vilitkevich is being held in Ufa's Investigation Prison No. 1. He is alone in a cell designed for two people, Jehovah's Witnesses told Forum 18 on 20 April, and has described his conditions there as fine.

Vilitkevich has not been added to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists", whose assets banks are obliged to freeze (see Forum 18's "extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=2215).

Forum 18 called Lenin District Investigative Department (to which the Jehovah's Witnesses were taken on 10 April) on 23 April to ask what exactly Vilitkevich was suspected of doing and why this was considered so dangerous that armed force had to be used. A spokesman for the head of the department directed Forum 18 to send all questions to the Bashkortostan Investigative Committee's press service. Forum 18 sent the same questions in writing in the afternoon of the Ufa working day of 23 April. No reply has yet been received.

Polyarny, Murmansk Region: Raids, two possible detentions

Investigative Committee staff, National Guard special forces, and FSB officers made six simultaneous raids on Jehovah's Witness homes in the northern town of Polyarny late at night on 18 April, the Murmansk Region Investigative Committee announced in a 20 April statement.

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Officials broke down the door of one flat in its owner's absence and took two laptops, Jehovah's Witnesses told Forum 18. A video (with no commentary) posted on the Murmansk Investigative Committee's website shows men wearing camouflage uniforms and helmets forcing open a door with the use of tools and kicks.

Officers took more than 20 people to the Investigative Department of the Northern Fleet's Polyarny Flotilla, where they questioned them. "The investigators tried to interview the children as well, asking them questions about the religion of the Jehovah's Witnesses," Jehovah's Witnesses added.

Officers carried out the raids "with the aim of seizing documents and items relevant to the criminal case, as well as identifying persons involved in unlawful activities", the Murmansk Region Investigative Committee explained in its 20 April statement. Investigators confiscated a "large quantity" of literature and computer drives, and "a circle of persons who participated in meetings was identified, as well as persons who organised and conducted [activities] using the internet".

According to Jehovah's Witnesses, two men, aged 44 and 61, were still not contactable as of 20 April and are probably in detention.

Diana Davidova of Polyarny District Court refused to tell Forum 18 on 23 April if the court has approved pre-trial detention for any suspects in the criminal case.

The Murmansk Region Investigative Committee confirmed in its statement that it has opened a case against two people under 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").

It said the two were detained "as a result of carefully planned and organised operational and investigative actions". Their alleged offence had originally been detected by the Northern Fleet branch of the FSB security service, it added.

"The suspects, reliably aware of [the ban on Jehovah's Witness activity], during the period from April 2017 to the present, on the territory of Aleksandrovsk [closed military district - ZATO] in Polyarny, organised the activities of the religious organisation by convening and holding meetings, organising the recruitment of new members, and bringing the contents of texts of religious literature to gatherings' participants".

Criminal cases may yet be opened against more people. The Investigative Committee added that the investigation is continuing "with the aim of collecting and consolidating the evidence base, and identifying other persons involved in the commission of the crime".

Forum 18 called the Northern Fleet's Investigative Department on 23 April, but a spokesman denied that the case was their responsibility, and said that he himself had only learned of it from the press.

Forum 18 asked Murmansk Region Investigative Committee's press service in Murmansk why armed force had been considered necessary in the raids. Head of the press service Kseniya Koshelyuk replied on 23 April that all further inquiries should be directed to the head of the relevant investigative department.

Shuya, Ivanovo Region: Raids, one man under restrictions

Investigative Committee investigators also carried out at least three raids on homes in the Ivanovo Region town of Shuya in the morning of 20 April. One man was taken to the police station, according to a 20 April statement from Jehovah's Witnesses.

Dmitry Mikhailov (born 1977) has since been named as a suspect in the case under Criminal Code Article 282.2, Part 2 ("Participation 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"). Investigators have placed Mikhailov under travel restrictions.

The Ivanovo Region Investigative Committee said in a 20 April statement that "from the beginning of 2018 to the present, several residents of Shuya and Shuya district, adherents of the religious organisation 'Administrative Centre of Jehovah's Witnesses in Russia', which is banned on the territory of the Russian Federation, have become acquainted with literature containing statements degrading human dignity on the basis of attitude towards religion, and elements of propaganda of the exclusivity of one religion over another; have taken part in events; and have promoted its activities".

The Investigative Committee added that further investigative work is now underway to establish the identities of all persons involved in the "extremist crime".

Mikhailov's case is being investigated by Robert Barsegyan, an investigator of the Shuya District Investigative Department, his colleagues told Forum 18 on 23 April. Forum 18 reached both Barsegyan and the head of the Department Aleksandr Khramov on the

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same day. Neither, however, would discuss the criminal investigation with Forum 18.

Vladivostok: Raid, one pre-trial detention

Officers in Vladivostok detained Valentin Osadchuk (born 1976), Jehovah's Witnesses said. Officials raided his home on 19 April, and investigators opened a case against him under 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").

Vladivostok's Frunze District Court ruled on 23 April that Osadchuk should be kept in custody for two months (until 20 June), Jehovah's Witnesses told Forum 18 on 23 April.

Forum 18 thinks Osadchuk to be in detention at Investigation Prison No. 1 in Vladivostok.

Osadchuk has not been added to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists", whose assets banks are obliged to freeze (see Forum 18's "extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=2215).

Belgorod: Two still under investigation

Two Jehovah's Witnesses in Belgorod – Anatoly Shalyapin and Sergey Voykov – are under investigation for alleged offences under Criminal Code Article 282.2, Part 2 ("Participation 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 men were among a large number of Jehovah's Witnesses whose homes were searched by Investigative Committee agents and other officers in heavy-handed armed raids on 7 February 2018 (see F18News 20 February 2018 http://www.forum18.org/archive.php?article_id=2355).

Voykov lodged a complaint at Sverdlovsk District Court on 4 April against the confiscation of his passport – this was partially upheld on 16 April, Jehovah's Witnesses told Forum 18 on 23 April, but it remains unclear whether this means the passport will be returned to him.

Voykov and Shalyapin remain suspects in the case and have not yet been formally charged. They are still under travel restrictions. Because these are valid for only ten days if no charges are brought, the two men must return to the Investigative Committee to sign them again each time they expire. Shalyapin has had to do this three times so far, according to Jehovah's Witnesses, and Voykov twice. Their latest travel restrictions ran out on 19 April – investigators called Shalyapin on 21 April to come in and sign them again the following week. It is not known whether Voykov has also been summoned.

Neither Voykov nor Shalyapin are on the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists", whose assets banks are obliged to freeze (see Forum 18's "extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=2215).

Kemerovo: Investigation continues

Officials carried out similar raids, searches, and confiscations of property at several addresses in Kemerovo on 23 January (see F18News 20 February 2018 http://www.forum18.org/archive.php?article_id=2355).

Nobody has yet been charged or named as a suspect in the case, which was initiated under Criminal Code Article 282.2, Part 2 ("Participation 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"). No Jehovah's Witnesses in the city are in detention or under other restrictive measures, Jehovah's Witnesses told Forum 18 on 23 April.

As 12 individuals' homes were searched, it is likely that they remain under investigation. (END)

For more background see Forum 18's surveys of the general state of freedom of religion and belief in Russia at http://www.forum18.org/Archive.php?article_id=2246, and of the dramatic decline in this freedom related to Russia's Extremism Law at http://www.forum18.org/Archive.php?article_id=2215.

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.

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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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