

28 November 2018

CRIMEA: Up to 10 years' jail for Muslims, Jehovah's Witness?

By Felix Corley, Forum 18 (<https://www.forum18.org>)

In "extremism" criminal cases opened by Russia's FSB in occupied Crimea, four Muslims face imminent trial, while Jehovah's Witness Sergei Filatov is under investigation. They face up to 10 years' jail. The Muslims "simply gathered in the local mosque to discuss religious questions", a lawyer stated. "We simply ask the authorities to respect our rights to meet together and read the Bible," Filatov told Forum 18.

Nearly 14 months after the Russian FSB security service opened the first criminal case in occupied Crimea against four alleged members of the Tabligh Jamaat Muslim missionary movement, their trial on "extremism"-related charges is imminent at Crimea's Supreme Court in the regional capital Simferopol, a court official told Forum 18. The alleged leader faces up to 10 years' imprisonment if convicted, while the other three each face up to 6 years' imprisonment. All four are from the Crimean Tatar minority.

"The men simply gathered in the local mosque to discuss religious questions," a legal specialist familiar with the case told Forum 18. "This is of course a question of freedom of conscience." Officials refused to put Forum 18 through to the prosecutor who prepared the indictment (see below).

The four Muslims were first arrested in October 2017 after the FSB opened criminal cases against them. Three have been held at home for most of the time since then. But one, 49-year-old Renat Suleimanov – who the authorities regard as the leader of the group – has been in pre-trial detention for more than a year, since his October 2017 arrest (see below).

The four Muslims are facing charges under Russian Criminal Code Article 282.2. This punishes "Organisation of" or "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".

(http://www.forum18.org/archive.php?article_id=1724)

On 10 November, the Russian FSB security service opened the first criminal case in occupied Crimea against a Jehovah's Witness, Sergei Filatov, on the same "extremism"-related charges. On 15 November, about 10 groups of FSB security service and OMON riot police officers from Simferopol raided his and seven other homes in the northern Crimean town of Dzhankoi. During one raid, officers put a 78-year-old man – deported to Siberia by the Soviet Union for his faith when he was 9 – up against a wall and handcuffed him (see below).

On 16 November, FSB Investigator Lieutenant Aleksandr Chumakin ordered Filatov to sign a pledge not to leave Dzhankoi without his specific permission. Lieutenant Chumakin is investigating the 46-year-old Filatov under Russian Criminal Code Article 282.2, Part 1, who faces up to 10 years' imprisonment if convicted. Lieutenant Chumakin refused to talk to Forum 18 (see below).

"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" (see below).

"Extremist" organisations banned

Russia's Supreme Court banned Tabligh Jamaat as "extremist" in 2009 (http://www.forum18.org/archive.php?article_id=1724). The Russian ban was imposed in Crimea after Russia annexed the peninsula from Ukraine in March 2014.

Russia's Supreme Court banned Jehovah's Witnesses as "extremist" in 2017 (http://www.forum18.org/archive.php?article_id=2297). Prosecutors in Russia are investigating more than 90 individuals on "extremism"-related criminal charges. Of them, 25 were in pre-trial detention (http://www.forum18.org/archive.php?article_id=2412) as of 19 November, Jehovah's Witnesses noted.

Following Russia's occupation of Crimea, the Russian authorities granted re-registration to Jehovah's Witness communities in Crimea, only to ban them following the Russian Supreme Court ban.

Annexation, restrictions imposed

Ukraine and the international community do not recognise Russia's March 2014 annexation of Crimea. 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. Religious communities and individuals 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. (http://www.forum18.org/archive.php?article_id=2051)

Muslim Supreme Court trial imminent

Crimea's Supreme Court is about to begin the trial of four Muslim men accused of membership of the banned Tabligh Jamaat Muslim missionary movement, a court official told Forum 18 from Simferopol on 28 November. The four facing trial on charges connected with "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" are:

- 1) Renat Rustemovich Suleimanov (born 30 August 1969), Russian Criminal Code Article 282.2, Part 1.
- 2) Talyat Abdurakhmanov (born 11 February 1953), Russian Criminal Code Article 282.2, Part 2.
- 3) Seiran Rizaevich Mustafaev (born 2 January 1969), Russian Criminal Code Article 282.2, Part 2.
- 4) Arsen Shakirovich Kubedinov (born 6 August 1974), Russian Criminal Code Article 282.2, Part 2.

Russian Criminal Code Article 282.2, Part 1 punishes "Organisation of" and Part 2 punishes "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" (http://www.forum18.org/archive.php?article_id=1724).

Suleimanov faces a maximum 10-year jail term if convicted of organising such activity. The other three face a maximum 6-year jail term each if convicted of participating in such activity.

Raids, four Muslims arrested

Russia's FSB security service launched criminal cases against the four Crimean Tatar Muslims on 29 September 2017. Masked men raided their homes early on 2 October 2017, local human rights defenders and media reported.

The lawyer Edem Semedlyaev first noted the search and arrest of one of the men, Suleimanov, in his home village of Molodezhnoe just north of Crimea's capital Simferopol. FSB officers and OMON riot police arrived at 6 am as he was returning from early prayers at the mosque. After showing a search warrant about 20 officers raided the house, looking through all the rooms.

"All the men were in masks and all the official cars had their number plates removed," the lawyer Semedlyaev wrote on his Facebook page. "So it was unknown who had taken him or where."

Officers seized a computer, as well as five copies of three Muslim books from Suleimanov's home. The books were by two members of the Kandahlawi family, key figures in the Tabligh Jamaat movement. Two of the three titles have been banned as "extremist" by Russian courts.

Suleimanov is married with three teenage daughters. "Of course he's in shock, when they grabbed him at 6 o'clock in the morning," his lawyer Semedlyaev told Radio Free Europe on the day of the arrest. He said Suleimanov denied having organised or being involved in any extremist organisation and was therefore happy to answer investigators' questions.

The same morning officers raided the homes of and detained three other Muslims. At 6 am, men in balaclavas raided the home of Abdurakhmanov in the village of Melnichnoe in central Crimea, Abdureshit Dzhepparov of the Crimean Contact Group for Human Rights told Radio Free Europe's Krym Realii. Abdurakhmanov has difficulties with his hearing.

Also on 2 October 2017, officers raided the home of Kubedinov in Simferopol and detained him. Kubedinov is married with four children, the oldest of whom is now 11. Officers raided the home of Mustafaev in the village of Pionerskoe, south east of Simferopol, and detained him.

At hearings on 3 October 2017 at Simferopol's Kiev District Court, Judge Viktor Mozhelyansky acceded to the prosecutor's requests

that Suleimanov, Abdurakhmanov and Kubedinov be held in pre-trial detention until 29 November 2017, according to court records. The Judge rejected pleas by lawyers for the three men to have them held under house arrest. The Judge ordered that Mustafaev be held under house arrest.

The requests to hold the four men had been presented to court by FSB Investigator R. Gorbachev, according to court records. He had opened criminal cases against all four men under Article 282.2, Part 1. Later the accusation was changed for Abdurakhmanov, Kubedinov and Mustafaev to Article 282.2, Part 2.

In November 2017, Abdurakhmanov was freed from Simferopol's Investigation Prison. He was instead required to sign a pledge not to leave his town without permission from the investigator.

On 22 February 2018, Kubedinov was freed from investigation prison in Simferopol. He was instead required to sign a pledge not to leave his town without permission from the investigator, his lawyer Jemil Temishev announced.

This left only Suleimanov in Simferopol's Investigation Prison. His lawyers repeatedly tried to challenge his continued pre-trial detention, appealing to Crimea's Supreme Court against Kiev District Court extensions to the detention. However, each time the appeals were rejected, according to court decisions seen by Forum 18.

During the one-year investigation, FSB Investigator Gorbachev was replaced by another investigator, those close to the case told Forum 18. The case was then handed to Crimea's Prosecutor's Office, where it was assigned to Deputy Prosecutor Sergei Bulgakov.

Officials at Crimea's Prosecutor's Office refused to put Forum 18 through to Prosecutor Bulgakov on 26 November.

Indictment rejected – then accepted

On 14 September 2018 – 50 weeks or almost one year after the FSB launched the criminal case against the four Muslims – Prosecutor Bulgakov handed the case to Crimea's Supreme Court for trial. However at the preliminary hearing on 27 September, presided over by Judge Andrei Paly, the indictment was found to have been "completed with violations of the provisions of the Code" and ordered sent back to the Prosecutor for further work, according to court records.

Prosecutor Bulgakov challenged Judge Paly's decision. On 21 November, Judge Aleksey Kozyrev of Crimea's Supreme Court upheld the challenge, according to court records. This cleared the way for the trial to go ahead.

The case is now being assigned to a Judge and a date for the preliminary hearing is now being set, a court official told Forum 18 on 28 November.

First Jehovah's Witness criminal charges

The first individual to face "extremism"-related criminal charges linked to the Jehovah's Witnesses in Crimea is Sergei Viktorovich Filatov (born 6 June 1972). He headed the Sivash Jehovah's Witness community in the town of Dzhankoi, one of two Jehovah's Witness communities in the town registered by the Russian authorities in April 2015. Both communities were liquidated through the courts in May 2017 following the Russian Supreme Court ban, according to Russian Federal Tax Service records.

Lieutenant Aleksandr Chumakin of the FSB security service in Simferopol opened the criminal case against Filatov on 10 November 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") (http://www.forum18.org/archive.php?article_id=1724). Filatov faces a maximum 10-year jail term if convicted.

The man who answered FSB Lieutenant Chumakin's phone on 27 November repeatedly insisted it was a wrong number and put the phone down.

Eight coordinated raids

On the evening of 15 November, about 10 groups of FSB officers, OMON riot police and possibly officers of other agencies who had come from Simferopol raided the homes in Dzhankoi of eight families who were members of the two local Jehovah's Witness communities before they were banned in 2017.

"I was out when they arrived at my home, but they had handcuffed my 21-year-old son," Filatov told Forum 18 from Dzhankoi on 26 November. "I saw about 25 men out on the street, in three cars, and in my home. I counted them at one point. No violence was used in my case and officers behaved more or less correctly."

However, Filatov expressed concern about the treatment of another whose home was raided, 78-year-old Aleksandr Ursu. The

raiders pushed him up against a wall, bruising his head, after which he fell to his knees. Officers then handcuffed him.

In 1949 Ursu was among hundreds of Jehovah's Witnesses deported to Siberia from his native Moldova with his family as a 9-year-old boy to punish them for their faith. "The whole time you felt hunger," he recalls of the deportation. The Soviet authorities "rehabilitated" him in 1991, finding that he had been unjustly punished four decades earlier.

One of those detained for questioning returned in the morning to find his home ransacked. His pregnant wife had to be rushed to hospital, where she suffered a miscarriage. Jehovah's Witnesses say this was caused by psychological stress. "The young couple do not have children and have taken this tragedy very badly," Jehovah's Witnesses added.

The FSB appear so far to have initiated a criminal case only against Filatov. On 16 November, Lieutenant Chumakin ordered Filatov to sign a pledge not to leave Dzhankoi without his specific authorisation, Filatov told Forum 18.

Filatov said since the ban on Jehovah's Witnesses across Crimea, their Kingdom Halls lie empty. "We're not allowed to use them," he told Forum 18. "I read the Bible together with my family."

The criminal case against him has had an intimidating effect. "I no longer meet my friends," Filatov added, "because it might cause them problems. 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." (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)

Follow us on Twitter @Forum_18 (http://twitter.com/forum_18)

Follow us on Facebook @Forum18NewsService (<http://www.facebook.com/Forum18NewsService>)

All Forum 18 text may be referred to, quoted from, or republished in full, if Forum 18 is credited as the source.

All photographs that are not Forum 18's copyright are attributed to the copyright owner. If you reuse any photographs from Forum 18's website, you must seek permission for any reuse from the copyright owner or abide by the copyright terms the copyright owner has chosen.

© Forum 18 News Service. All rights reserved. ISSN 1504-2855.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY