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RUSSIA: More Jehovah's Witnesses tortured this month

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

Jehovah's Witnesses state that this month (February 2020), prison guards tortured five of their prisoners of conscience in the Urals city of Orenburg, and National Guard officers tortured two adherents in the Siberian city of Chita. The torture included beatings, choking and electric shocks. No officials have yet been arrested for the tortures.

Jehovah's Witnesses have complained that officials have tortured more of their adherents this month (February 2020). They say prison guards tortured five of their prisoners of conscience in the Urals city of Orenburg, and National Guard officers tortured two adherents in the Siberian city of Chita. The torture included beatings, choking and electric shocks, they add.

Five Jehovah's Witnesses - Aleksey Budenchuk, Feliks Makhmadiyev, Roman Gridasov, Gennady German, and Aleksey Miretsky - imprisoned in Orenburg Labour Camp ("corrective colony") No. 1 have said that they were tortured on arrival on 6 February 2020.

The five Labour Camp No. 1 prisoners of conscience state that, while they were being admitted, guards kicked them and beat them with batons. When they searched the prisoners, the guards also took away the gluten-free food given by doctors to Makhmadiyev. As he has coeliac disease, it is essential that he has gluten-free food (see below).

Labour Camp staff then put all five prisoners of conscience in solitary confinement on "ridiculous false charges", Jehovah's Witnesses said on 15 February. One of the allegations was "smoking in the wrong place", even though Jehovah's Witnesses do not smoke for religious reasons (see below).

Because of the pain caused by the torture, prisoner of conscience Makhmadiyev "could not sleep on his side and his temperature rose", Jehovah's Witnesses told Forum 18 on 18 February. "After the guards forced him to sign a document that he was injured through his own fault, they immediately called an ambulance and he was taken to hospital" (see below).

In hospital, Makhmadiyev underwent surgery and had a drain inserted to drain fluid from his lung. Tests showed that he had also broken a rib and had a damaged kidney. On 20 February, Jehovah's Witnesses stated that the drain had been removed and Makhmadiyev was recovering. He is now being held in the Labour Camp's medical unit (see below).

The Federal Prison Service in Moscow claimed to Forum 18: "Nobody was beaten in Orenburg Labour Camp No. 1. Information in the press does not correspond to reality". However, Orenburg Deputy Regional Prosecutor Andrey Vyazikov told Forum 18 on 26 February that "on the basis of information received about the injuries of one of the inmates, a prosecutorial review has been organised", after which prosecutors would determine whether "unlawful methods of physical pressure" had been used against prisoners (see below).

After raids on 40 homes in the Siberian city of Chita in the early morning of 10 February, another Jehovah's Witness – Vadim Kutsenko – said that members of the National Guard subjected him to beating, choking, and electric shocks after they arrested him. Another detainee said that the National Guard made threats of violence against their family (see below).

Kutsenko has since been released from custody, but remains under investigation 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") alongside three fellow Chita residents. One of them is under house arrest (see below).

Transbaikal Region Investigative Committee is investigating Kutsenko's accusation of torture (see below).

"The victims have complained to various authorities about all the law enforcement agents' actions," Jehovah's Witnesses told Forum 18 on 18 February. They said they do not know whether any of those responsible have been punished.

Officials suspected of torturing Muslims and Jehovah's Witnesses in earlier cases also do not appear to have been either arrested or

put on criminal trial for torture, as Russia's international human rights obligations require (http://www.forum18.org/archive.php?article_id=2554).

Ignoring international obligations

Under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Russia is obliged to both arrest any person suspected on good grounds of having committed torture and also try them under criminal law which makes "these offences punishable by appropriate penalties which take into account their grave nature" (http://www.forum18.org/archive.php?article_id=2489).

Torture nevertheless remains common. The UN Committee Against Torture's (CAT) August 2018 Concluding Observations (CAT/C/RUS/CO/6) on Russia stated that it is "deeply concerned at numerous reliable reports of the practice of torture and ill-treatment in the State party, including as a means to extract confessions, and at many recent reports documenting cases of torture .. The Committee is also concerned at reports that allegations of torture rarely resulted in criminal prosecutions and that, even when prosecuted, the perpetrators were charged with simple assault or abuse of authority." The CAT also urged Russia "to combat impunity in torture and ill-treatment cases".

One in 10 people who replied to a survey of 3,447 adults from across Russia (http://www.forum18.org/archive.php?article_id=2489) said they had been tortured by police or other security officers, according to a survey published on 27 June 2019 by independent Moscow-based polling body the Levada-Centre. Three-quarters of adults who said they had suffered torture stated that they had been tortured to humiliate or intimidate them, half that they had been tortured to extract confessions, and a third that they had been tortured as a punishment.

Orenburg: Torture leading to hospitalisation, solitary confinement

Five Jehovah's Witness prisoners of conscience - Aleksey Budenchuk, Feliks Makhammadiyev, Roman Gridasov, Gennady German, and Aleksey Miretsky - said that they were beaten on arrival in Orenburg Labour Camp No. 1 on 6 February 2020. One of them was so badly tortured that he was hospitalised with damage to his lungs and kidneys, and a broken rib.

Budenchuk, Makhammadiyev, Gridasov, German and Miretsky were all jailed for between two years and three and a half years at a court in their home town of Saratov on 19 September 2019 (http://www.forum18.org/archive.php?article_id=2510). Jehovah's Witnesses commented that this "equates peaceful believers with dangerous criminals".

Saratov Region Prosecutor's Office did not reply to Forum 18's questions as to why it considered these men dangerous and should be jailed.

The jail sentences entered legal force on 20 December 2019, after Saratov Regional Court rejected their appeals.

"Since the transfer of prisoners is a slow process, associated with the preparation of all documents and the solution of other technical issues, they arrived at [Labour Camp No. 1 in Orenburg] only on 6 February 2020," Jehovah's Witnesses told Forum 18 on 18 February.

The five Orenburg prisoners of conscience state that, while they were being admitted to the Labour Camp, guards kicked them and beat them with batons. When they searched the prisoners, the guards also took away the gluten-free food doctors had given Makhammadiyev. As he has coeliac disease, it is essential that he has gluten-free food. A doctor examined the men's injuries only the next day.

Subjecting prisoners to physical torture immediately on arrival (a practice known as "reception", priyomka) appears to be common in Russia's prison system. In December 2019, for instance, Roman Sarychev, an inmate arriving at Labour Camp No. 6 in Bryansk Region, died after being beaten so badly by guards that his spleen ruptured. In January 2020, the human rights organisation Public Verdict published a video of Khasdin Murtazaliyev being beaten on his admission to a prison camp in Yaroslavl Region in 2016. In both these cases, criminal investigations of the alleged perpetrators are underway.

Guards at the Orenburg Labour Camp then put all five Jehovah's Witness prisoners of conscience in solitary confinement on "ridiculous false charges", Jehovah's Witnesses said on 15 February. One of the allegations was "smoking in the wrong place", even though Jehovah's Witnesses do not smoke for religious reasons.

In an August 2011 report to the UN General Assembly on solitary confinement (A/66/268 (<http://undocs.org/A/66/268>)), then-United Nations (UN) Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Juan Mendez stated that "short-term solitary confinement can amount to torture or cruel, inhuman or degrading treatment or punishment". On 18 October 2011 he stated that: "Segregation, isolation, separation .. whatever the name, solitary confinement should be banned by States as a punishment or extortion technique" (<http://news.un.org/en/story/2011/10/392012-solitary-confinement-should-be-banned-most-cases-un-expert-says>).

Because of the pain caused by the torture, prisoner of conscience Makhammadiyev "could not sleep on his side and his temperature rose", Jehovah's Witnesses told Forum 18 on 18 February. "He was examined by a doctor, who immediately realised that Feliks was seriously injured. After the guards forced him to sign a document stating that he was injured through his own fault, they immediately called an ambulance and he was taken to hospital."

In hospital, Makhammadiyev underwent surgery and doctors inserted a drain to drain fluid from his lung. Tests showed that he also had a broken rib and a damaged kidney. On 20 February, Jehovah's Witnesses reported that doctors had removed the drain and Makhammadiyev was recovering. He is now being held in the Labour Camp's medical unit.

Orenburg: "Information .. does not correspond to reality"

Forum 18 wrote to Labour Camp No. 1 in Orenburg, the Orenburg Regional Prison Service, and the Federal Prison Service in Moscow in the afternoon of 19 February, asking why the guards had tortured the Jehovah's Witnesses, whether their actions would be investigated, and whether Budenchuk, Miretsky, German, and Gridasov were still in solitary confinement.

The Federal Prison Service replied the same day that "Nobody was beaten in Orenburg Labour Camp No. 1. Information in the press does not correspond to reality". It referred Forum 18 to the Regional Prison Service's official statement of 15 February.

This statement claims that "information about the beating by employees of convicts serving sentences in [Labour Camp No. 1] is untrue. One of the convicts was injured through his own negligence. He immediately turned to the medical unit, where he was provided with the necessary assistance. At the moment, the convict is in the medical unit, [and his] state of health is satisfactory. An official inspection of the matter was carried out, [and] the explanations of the convict describe under what circumstances the injury was received. It was also reported to the prosecutor's office for supervision of compliance with laws in regional correctional facilities."

In a letter to Forum 18 dated 21 February, Sergei Porshin, head of the Orenburg Regional Prison Service, also claimed that no beatings had taken place and reiterated the official statement's description of the incident.

Deputy Regional Prosecutor Andrey Vyazikov on 26 February told Forum 18 that "on the basis of information received about the injuries of one of the inmates, a prosecutorial review has been organised", after which prosecutors would determine whether "unlawful methods of physical pressure" had been used against prisoners.

Vyazikov added that Central District Prosecutor's Office in Orenburg is overseeing a procedural investigation by an unnamed "investigative organ", which will determine whether a criminal case will be opened.

Neither the Regional Prison Service, nor Labour Camp No. 1, has replied to Forum 18's 19 February questions, as of the end of the working day in Orenburg of 27 February.

The telephone at Central District Prosecutor's Office went unanswered when Forum 18 called on 27 February to ask how far the investigation had progressed and when it was expected to end. Forum 18 also put these questions by email, but had received no response by the end of the working day on 27 February.

Orenburg Regional Human Rights Ombudsperson's Office has made no reply to Forum 18's 19 February questions about the torture as of the end of the Orenburg working day of 27 February.

Chita: Raid, torture

Early in the morning of 10 February, officials of the Investigative Committee, FSB security service, police, and National Guard (Rosgvardiya) raided 40 homes in Chita and several other towns and villages in the Transbaikal Region. They took 10 Jehovah's Witnesses away for questioning.

Such raids and detentions have become widespread (http://www.forum18.org/archive.php?article_id=2536) in Russia.

After detaining him at the home of his parents-in-law, National Guard officers handcuffed Vadim Aleksandrovich Kutsenko (born 1989) and put him in a car. They there attempted to torture a "confession" out of him, Jehovah's Witnesses reported on 14 February.

The National Guard was established in 2016 as an internal military force reporting directly to the President. Its stated aims are border security, gun control, counter-terrorism, public order, and combating organised crime.

"They used a choking technique, and at that moment they started shocking him with an electric shock prod," Kutsenko's lawyer Artur Ganin told "The Insider" on 14 February. "Electric current was applied to the legs and stomach. They beat him on the face and spine. Vadim Aleksandrovich [already] had a neck injury, [and] he immediately told them about it and asked them not to torture

him."

Kutsenko "was taken out of the car and kicked .. They tried to get a confession from him and force him to take all the blame on himself. When they realised that he was strong and would not break, they took him to an investigator. There, he reported torture, but the investigator .. sent him with the same officers to a temporary detention centre."

Kutsenko "immediately went for a medical examination, which confirmed the application of external traumatic impacts and marks from a stun gun", Jehovah's Witnesses told Forum 18 on 18 February.

Chita: Threats of violence

"The rest of the detainees were threatened," Kutsenko's lawyer Artur Ganin added. National Guard officers also threatened to inflict and video other forms of severe physical violence against the family of one of the detainees. The lawyer added: "They only experienced this because they were Jehovah's Witnesses."

Kutsenko and fellow Jehovah's Witnesses Pavel Rafitovich Mamalimov (born 1972) and Sergey Nikolayevich Kirilyuk (born 1972) spent five days in temporary detention. Ingodinsky District Court extended the usual period of 48 hours on 12 February.

A fourth man, Vladimir Vladimirovich Yermolayev (born 1988), was sent home on 12 February under house arrest and has since been charged. Kutsenko, Mamalimov, and Kirilyuk were all released without charge on 15 February, but remain suspects in a criminal case 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") (http://www.forum18.org/archive.php?article_id=2215). They are currently under no known restrictions.

Other suspects in the criminal case are Igor Rafitovich Mamalimov (born 1976) and Aleksandr Nikolayevich Putintsev (born 1974).

Another young man, 17-year-old Aleksandr Karpov, says that he also was subjected to torture, when National Guard officers beat him during the search of his home.

Kutsenko complained to the Prosecutor's Office, the Investigative Committee, and the federal Human Rights Ombudsperson Tatyana Moskalkova about his torture. Jehovah's Witnesses noted that the Investigative Committee is examining his statement: "Kutsenko is now giving evidence to investigators."

Chita: No answers, no actions against officials suspected of torture?

The Transbaikal Region branch of the National Guard has not replied to Forum 18's questions, sent before the beginning of the working day of 19 February, asking whether a criminal case would be opened against the officers involved in Kutsenko's case, and why officers tortured the Jehovah's Witnesses.

Neither the Transbaikal Regional Investigative Committee, nor the Regional Prosecutor's Office has responded to Forum 18's questions, also sent on 19 February, as of the end of the Transbaikal working day of 27 February.

The regional Investigative Committee issued a press release on 10 February, stating that a criminal case had been opened against Jehovah's Witnesses in Transbaikal Region who allegedly "took active steps to continue illegal activities, including organising meetings, [making] religious speeches, collecting donations, and giving public sermons".

Neither in the press release nor subsequently has the regional Investigative Committee made any announcement of any arrest or criminal trial of National Guard officers suspected of torture, as should take place in line with Russia's legally binding international human rights obligations.

The Transbaikal Regional Human Rights Ombudsperson's Office has not replied to Forum 18's questions, sent before the start of the working day of 20 February, asking whether the National Guard officers' actions would be investigated and by whom, whether the officers were still on duty, and how likely it is that a criminal case will be opened. (END)

Full reports on freedom of thought, conscience and belief in Russia
(<http://www.forum18.org/archive.php?query=&religion=all&country=10>)

For more background see Forum 18's survey of the general state of freedom of religion and belief in Russia (http://www.forum18.org/archive.php?article_id=2246), as well as Forum 18's survey of the dramatic decline in this freedom related to Russia's Extremism Law (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
(http://www.forum18.org/archive.php?article_id=1468)

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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f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY