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CRIMEA: "My husband does not admit any guilt"

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

"My husband does not admit any guilt," says Svetlana Sakada, wife of one of four Jehovah's Witnesses in pre-trial detention after 1 October raids in Sevastopol. She insists that Vladimir Sakada "has conducted no crimes against the foundations of the state". The four face up to ten years' imprisonment if convicted on "extremism"-related charges. Already on trial in Sevastopol facing the same charges is fellow Jehovah's Witness Viktor Stashevsky.

Russia's FSB security service is investigating four more Crimean Jehovah's Witnesses on "extremism"-related criminal charges to punish them for exercising freedom of religion or belief. Police launched raids on nine homes in the port city of Sevastopol on 1 October. Courts then ordered Yevgeny Zhukov – the former head of the registered community – and three others held in pre-trial detention. The men face up to ten years' imprisonment if convicted.

"They burst into our home at 6 o'clock in the morning," Natalya Maladyka – wife of one of the detailed men - told human rights group Crimean Solidarity. "They took a radio and all our [electronic] devices. We don't understand why they treat us like that." Svetlana Sakada, wife of another of the detainees, insisted that her husband "has conducted no crimes against the foundations of the state". She added: "My husband does not admit any guilt" (see below).

Russia's FSB security service in Crimea and Sevastopol refused to put Forum 18 through to its Investigation Department, which is conducting the prosecutions. Investigations and prosecutions of people of different faiths exercising their freedom of religion and belief are often conducted by the same FSB officials (see below).

The criminal trial of another Crimean Jehovah's Witness, Viktor Stashevsky, started again in Sevastopol on 19 October after the judge who had been hearing the case resigned from the court. The next hearing in the trial is due on the afternoon of 19 November. He too faces up to ten years' imprisonment if convicted (see below).

The FSB Investigator described Stashevsky as "the ideological inspirer of the extremist organisation, using his authority, well-developed strong-willed qualities and organisational abilities, as well as special knowledge and propaganda skills he had previously acquired" (see below).

Russia imposed its anti-"extremism" legislation in Crimea following its March 2014 illegal annexation (<https://www.nhc.no/en/qa-breaches-of-international-law-and-human-rights-issues-2/>) of the peninsula from Ukraine. This included imposing the 2009 ban as "extremist" of the Muslim missionary movement Tabligh Jamaat (http://www.forum18.org/archive.php?article_id=1724). The 2017 Russian ban as "extremist" of all Jehovah's Witness communities across Russia (http://www.forum18.org/archive.php?article_id=2297) was also imposed on Crimea.

Russia's annexation of Crimea is not recognised by Ukraine or internationally.

Crimean prisoners of conscience jailed for exercising freedom of religion and belief

Since the Russian annexation of Crimea, courts have already jailed three individuals as "extremists" for exercising freedom of religion or belief:

- Muslim prisoner of conscience Renat Suleimanov, held since 2017 and sentenced to four years in January 2019 (http://www.forum18.org/archive.php?article_id=2444) for meeting openly in mosques with three friends to discuss their faith;
- Jehovah's Witness Sergei Filatov, sentenced to six years with a five-year post-prison ban on specific activities in March 2020 (http://www.forum18.org/archive.php?article_id=2552) for meeting with family and friends to discuss religious themes;
- and Jehovah's Witness Artyom Gerasimov, sentenced to six years in June 2020 (http://www.forum18.org/archive.php?article_id=2577) for meeting with others to discuss the Bible.

All three prisoners of conscience were transferred to Russia to serve their jail terms (http://www.forum18.org/archive.php?article_id=2616), where they are held under harsh conditions which violate the United Nations Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules – A/C.3/70/L.3). The FSB security service continues to question associates of one of the prisoners.

Three other Muslims convicted in the same 2019 trial as Suleimanov were given suspended sentences (http://www.forum18.org/archive.php?article_id=2444). The four were punished for meeting openly in mosques to discuss their faith.

Sevastopol Four: Nine homes raided

Four more Jehovah's Witnesses from the port city of Sevastopol are facing criminal prosecution on extremism-related charges, which they reject: Yevgeny Sergeevich Zhukov (born 19 November 1969), Vladimir Ivanovich Maladyka (born 8 July 1963), Vladimir Fedorovich Sakada (born 4 October 1970) and Igor Yakovlevich Schmidt (born 18 June 1972).

Jehovah's Witnesses say that police tried to plant a banned book on the community during a raid in July 2015 in an attempt to fabricate a case against Zhukov, the then head of the registered Sevastopol Jehovah's Witness organisation. The raid came a year after Russia invaded and illegally annexed (<https://www.nhc.no/en/qa-breaches-of-international-law-and-human-rights-issues-2/>) Crimea and before Russia declared Jehovah's Witnesses "extremist".

In 2017, an administrative case was brought against Zhukov, but the case was sent back for correction (http://www.forum18.org/archive.php?article_id=2299).

On 1 October 2020 police raided at least nine homes in the port city of Sevastopol, Jehovah's Witnesses said.

Raids began in the early morning and lasted several hours. Maladyka's home was among those raided. Officers seized a packet of dried milk from the family's fridge, claiming it might be drugs, and sent Maladyka and his wife Natalya for forced assessment at a drug treatment centre, Jehovah's Witnesses noted. An expert analysis subsequently found the dried milk to be dried milk.

After the raids, officers took five Jehovah's Witnesses for interrogation. They released Natalya Maladyka on the evening of 1 October, but sent Vladimir Maladyka, Zhukov, Sakada and Schmidt to the temporary Detention Centre.

"People broke into our home and conducted a search," Svetlana Sakada told the human rights group Crimean Solidarity. "All this was unlawful as we are peaceful, law-abiding people. My husband has conducted no crimes against the foundations of the state."

Natalya Maladyka complained about the way officers conducted the "illegal" raids. "They burst into our home at 6 o'clock in the morning," she told Crimean Solidarity. "They took a radio and all our [electronic] devices. We don't understand why they treat us like that."

Sevastopol Four: "Extremism" charges

The four Sevastopol Jehovah's Witnesses are being investigated in two separate cases 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"). The maximum punishment is a 10-year jail term.

The first case – against Zhukov, Maladyka and Sakada – was initially led by Senior Investigator for especially serious cases Captain Yuri Andreyev, of the Russian FSB security service's Crimea and Sevastopol Investigation Department.

Captain Andreyev has previously brought criminal charges of "public calls for extremist activity" against 34-year-old Imam Rustem Abilev (http://www.forum18.org/archive.php?article_id=2470) which local residents do not believe. Abilev was convicted on 10 October 2019 and fined three months' average local wages (http://www.forum18.org/archive.php?article_id=2518).

The case against three of the Jehovah's Witnesses following the 1 October 2020 raids was later handed to a new Investigator from the same Department, Lieutenant Aleksandr Chumakin.

Lieutenant Chumakin was the Russian FSB security service Investigator in the case against fellow Jehovah's Witness Sergei Filatov, who is serving a six-year jail term in a Russian labour camp (http://www.forum18.org/archive.php?article_id=2616). He was also the Investigator who prepared fellow Jehovah's Witness Viktor Stashevsky's case (see below).

The second case – against Schmidt – is being led by Senior Investigator for especially serious cases Captain Sergei Bosiyev of the Russian FSB's Crimea and Sevastopol's Investigation Department.

The officer who answered the phone at the Russian FSB of Crimea and Sevastopol in Simferopol on 13 November refused to put Forum 18 through to the Investigation Department. Lieutenant Chumakin's phone went unanswered the same day.

Sevastopol Four: Pre-trial detention

On 2 October, a court in Sevastopol ordered the four Jehovah's Witnesses held in pre-trial detention as they face criminal charges. Lenin District Court ordered the three men in the first case – Vladimir Maladyka, Yevgeny Zhukov, and Vladimir Sakada – held until 30 November. In the second case, the same court ordered Igor Schmidt held until 23 November. The four were taken to the Investigation Prison in Simferopol.

Sakada was ordered held in detention "on the basis that he could go into hiding", his wife Svetlana Sakada told Crimean Solidarity after the hearing. "My husband does not admit any guilt." She said they would appeal against the detention order. "We will keep pushing for our husbands to be returned to us or at least for them to soften the terms of restriction – even to having to sign a pledge not to leave the area or house arrest."

Maladyka's wife Natalya Maladyka also complained about the detention order. "Of course we're going to fight this," she told Crimean Solidarity.

All four appealed against the decision to hold them in pre-trial detention. They insist that they did not take part in a Jehovah's Witness organisation after it was banned, but that the FSB security service is simply punishing them for their religious faith. However, in separate hearings on 16 and 22 October, judges at Sevastopol City Court rejected their appeals, according to the court website.

The four men's address in Investigation Prison:

295006 Krym

g. Simferopol

Bulvar Lenina 4

Sledstvenny Izolyator No. 1

Sevastopol: Trial restarted under new judge

Another Crimean Jehovah's Witness, Viktor Vladimirovich Stashevsky (born 11 July 1966), is already on trial in Sevastopol facing "extremism"-related charges. He too faces a possible long prison term if convicted.

Stashevsky – who is married with two children – also looks after his 85-year-old mother.

The Russian FSB security service launched a criminal case against Stashevsky on 31 May 2019 under Russian Criminal Code Article 282.2, Part 1 (http://www.forum18.org/archive.php?article_id=2496) ("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").

The Russian FSB claimed that Stashevsky had "continued the activity and propagated the ideas of Jehovah's Witnesses, conducted meetings, and held religious talks".

On 4 June 2019, without showing any warrants, Russia's FSB raided nine homes in Sevastopol (http://www.forum18.org/archive.php?article_id=2496), including that of a 91-year-old woman. Officers threatened to plant drugs in the homes, Jehovah's Witnesses stated.

After being held overnight in a detention centre, the investigator allowed Stashevsky to be freed under a pledge not to leave the city.

On 11 July 2019, the investigator had Stashevsky added to the Russian Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists" (http://www.forum18.org/archive.php?article_id=2215), whose assets banks are obliged to freeze (although small transactions are permitted).

FSB Investigator Filipp Rybalka completed the criminal case on 21 February 2020. He described Stashevsky (http://www.forum18.org/archive.php?article_id=2577) as "the ideological inspirer of the extremist organisation, using his authority, well-developed strong-willed qualities and organisational abilities, as well as special knowledge and propaganda skills he had previously acquired".

Investigator Rybalka claimed that Stashevsky "deliberately took active organisational actions with the aim of continuing the unlawful activities of an extremist organisation prohibited by the court".

The case against Stashevsky reached Sevastopol's Gagarin District Court on 30 March (http://www.forum18.org/archive.php?article_id=2577), where it was assigned to Judge Valentin Norets. A preliminary hearing was held on 13 May, according to court records. The defence argued that Stashevsky is being prosecuted solely because of his religious convictions, which violates his Constitutional rights.

Stashevsky complained that he had not been given enough time to review the case against him. Judge Norets rebuked the Prosecutor, Jehovah's Witnesses noted. Several further trial hearings were held over the following months.

At the 30 June hearing, two former members of the registered Jehovah's Witness organisation in Sevastopol testified that after the Russian Supreme Court declared the Jehovah's Witness organisation "extremist" and banned its activity in 2017 (http://www.forum18.org/archive.php?article_id=2297), the Sevastopol organisation ceased to exist.

They said that neither Stashevsky nor other organisation members conducted any further activity on behalf of the organisation. They pointed out the difference between the organisation's activities – such as handling legal, financial and administrative matters – and individuals' activity of reading the Bible, praying and singing.

The defence complained that they were unable to question the prosecution "witnesses", the secret witness "Vasilisa Ivanova", and D. Korkushko, who had allegedly attended the community before its liquidation in 2017.

However, Judge Norets then resigned from the Court, and Stashevsky's trial was handed to a new Judge, Pavel Kryllo. On 19 October, the trial began again from the start, with the Prosecutor presenting the case again and the judge questioning the prosecution witness, FSB officer Dmitry Shevchenko. The court accepted documents showing that Stashevsky's 85-year-old mother depends on him for her care.

The court held a further hearing on 26 October and is due to resume on the afternoon of 19 November, according to court records.

In April and May 2018, Judge Kryllo of Gagarin District Court fined four longtime residents of Sevastopol (one of them twice) (http://www.forum18.org/archive.php?article_id=2441), all Ukrainian citizens, to punish them for participating in a Pentecostal worship meeting. (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 and belief commitments (http://www.forum18.org/archive.php?article_id=1351)

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