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CRIMEA: Five further criminal investigations, two on wanted list

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

With 12 Crimean Jehovah's Witnesses serving jail terms of at least six years and two serving suspended jail terms, investigators are pursuing criminal cases against a further five. Two more who have left Crimea are on Russia's wanted list and Russia may illegally have sought Interpol Red Notices for them, as it has done for others. Yuliya Burenina of the National Central Bureau for Interpol of Russia's Interior Ministry refused to explain why Russia has sought Red Notices for individuals wanted for exercising their freedom of religion or belief.

The Russian occupation authorities in Crimea are investigating criminal cases against a further five individuals for exercising freedom of religion or belief. Two more cases have been lodged against individuals who have already left the peninsula and who are on Russia's wanted list. All seven are Jehovah's Witnesses.

Courts have already jailed 12 Jehovah's Witnesses (https://www.forum18.org/archive.php?article_id=2816) for exercising freedom of religion or belief, all with prison terms of at least six years. Four have illegally been transferred to Russia to serve their sentences, two (Aleksandr Dubovenko and Aleksandr Litvinyuk) had their appeals largely rejected on 16 March, while the other six await their appeals. In addition, courts have handed down two suspended prison terms.

Russia's Supreme Court banned all Jehovah's Witness activity (https://www.forum18.org/archive.php?article_id=2297) in 2017. Russia has imposed this ban in Crimea, which it illegally occupied in March 2014.

Investigator Vladimir Novikov of the Russian Investigative Committee's Department for Investigating Especially Important Cases launched criminal cases in November 2022 against two Jehovah's Witnesses in the regional capital Simferopol: Aleksandr Voronchikhin and Dmitry Naukhatsky. He accuses them of organising "propagandistic meetings" to discuss Jehovah's Witness texts (see below).

Investigator Novikov opened the criminal cases against five Jehovah's Witnesses in Yalta in 2021, four of whom were convicted on 27 February 2023 and a fifth Tadevos Manukyan is on Russia's wanted list (see below).

Investigator Novikov did not answer his phone each time Forum 18 called between 10 and 17 March 2023 (see below).

Two Jehovah's Witnesses - Sergei Zhigalov and Viktor Kudinov – remain under investigation under house arrest in the port city of Sevastopol (see below).

In November 2022, a court transferred Jehovah's Witness Sergei Parfenovich from Investigation Prison to house arrest as the criminal investigation continues (see below).

Manukyan, together with fellow Jehovah's Witness Aleksandr Kostenko, remain on Russia's wanted list after leaving Crimea. An officer of the Sevastopol FSB – who did not give his name – refused to explain to Forum 18 why the FSB is seeking to have Kostenko prosecuted. He said that an Interpol Red Notice has been issued for him. Crimea's Investigative Committee said in a statement that Manukyan is "currently wanted internationally" (see below).

Interpol would not confirm or deny whether Russia requested the distribution of Red Notices about Kostenko and Manukyan. However, it insisted to Forum 18 that a Red Notice "is only published if it complies with the Organization's Constitution, under which it 'is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character'. If the request is not found compliant, it is not published" (see below).

Despite these claims, Interpol has distributed Russian-requested Red Notices for individuals Russia sought to bring to trial to punish their exercise of freedom of religion or belief. These include Muslims who read Nursi's works and Jehovah's Witnesses (see below).

Yuliya Burenina of the National Central Bureau for Interpol of Russia's Interior Ministry in Moscow refused to explain why Russia has sought Red Notices for individuals wanted for exercising their freedom of religion or belief. "I'm not authorised to speak to

journalists," she told Forum 18 (see below).

Meanwhile, Crimea's Investigative Committee refuses to return the body of Nabi Rakhimov for Muslim burial. The Russian FSB security service shot him dead in disputed circumstances in May 2021. On 21 February 2023, a Russian court closed the criminal case against him because of his death 21 months earlier (see below).

Once his defence receives notification that the decision to close the criminal case has entered into legal force, it intends to appeal again to the Investigative Committee for the release of Rakhimov's body. "The decision should have entered legal force already, but we have not received notification of this yet," his and his widow's lawyer Edem Semedlyayev told Forum 18. "So we can't yet appeal for the return of the body" (see below).

Semedlyayev said Senior Investigator Aleksei Skorin had phoned him to say Rakhimov's body would not be released. Skorin – who had refused to explain to Forum 18 in August 2021 why he was refusing to release Rakhimov's body – did not answer his phone in March 2023 (see below).

"Of course it is very important as Muslims to bury the body in the shortest possible time," Semedlyayev told Forum 18. "It is the last thing that we can do for Nabi" (see below).

Simferopol: Raids, new criminal cases

Investigator Vladimir Novikov of the Russian Investigative Committee's Department for Investigating Especially Important Cases launched criminal cases on 17 November 2022 against two Jehovah's Witnesses in the regional capital Simferopol: Aleksandr Anatolyevich Voronchikhin (born 5 May 1965) and Dmitry Aleksandrovich Naukhatsky (born 23 June 1969).

Their homes were among 16 in and around Simferopol raided by the Russian FSB on 8 December 2022. Two days earlier, FSB officers had raided a Jehovah's Witness home in Feodosiya.

Investigator Novikov is investigating Naukhatsky and Voronchikhin 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"), Jehovah's Witnesses noted.

Investigator Novikov accuses Naukhatsky of organising "propagandistic meetings" to discuss Jehovah's Witness texts. Voronchikhin is being investigated on similar accusations and was questioned for 10 hours. Naukhatsky is under house arrest, while Voronchikhin is under travel restrictions.

Investigator Novikov opened the criminal cases against five Jehovah's Witnesses in Yalta in 2021, four of whom were convicted on 27 February 2023 (https://www.forum18.org/archive.php?article_id=2816) and a fifth Tadevos Manukyan is on Russia's wanted list (see below).

Investigator Novikov did not answer his phone each time Forum 18 called between 10 and 17 March 2023.

Sevastopol: Two men await prosecution under house arrest

On 24 August 2022, Russian Investigator Maksim Ukrainsky of Sevastopol's Nakhimov District Investigative Committee launched cases (https://www.forum18.org/archive.php?article_id=2790) against Sergei Aleksandrovich Zhigalov (born 30 March 1971) and Viktor Ivanovich Kudinov (born 25 January 1969) 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 Investigative Committee website claimed that Zhigalov and Kudinov "had conducted meetings with followers in a conspiratorial flat" in Sevastopol.

Investigator Ukrainsky defended his decision to open the criminal case. "Believing in God is not punishable, but they continued the activity of a banned organisation," he told Forum 18 from Sevastopol in November 2022 (https://www.forum18.org/archive.php?article_id=2790). "They attracted others to their organisation." He said he had explained to Zhigalov and Kudinov that their activity violated the law. "They chose their position."

Zhigalov and Kudinov remain under house arrest and restrictions as the criminal investigation proceeds, Jehovah's Witnesses note.

Krasnogvardeiskoe: Awaiting prosecution under house arrest

On 28 September 2022, officials of Russia's Investigative Committee and FSB – some of them armed and in masks – raided the homes of at least eight Jehovah's Witnesses in and around Krasnogvardeiskoe in central Crimea. Officers arrested Sergei

Georgievich Parfenovich (https://www.forum18.org/archive.php?article_id=2790) (born 21 May 1972), the head of the local legally-registered Jehovah's Witness community before it was forcibly liquidated in May 2017. A court ordered him held in pre-trial detention in Investigation Prison No. 1 in Simferopol.

The Russian Investigative Committee's Department for Investigating Especially Important Cases opened a case against Parfenovich on 4 October 2022 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 criminal case against Parfenovich was initiated "based on the materials of operational officers" of Russia's FSB, and Russia's Interior Ministry Anti-Extremism Centre, the Investigative Committee noted on 4 October 2022 (https://www.forum18.org/archive.php?article_id=2790).

On 15 November 2022, a court ordered Parfenovich's transfer from Investigation Prison to house arrest, Jehovah's Witnesses noted. The court took into account that he cares for his elderly father.

FSB seeking two more Jehovah's Witnesses, with Interpol's help?

The Russian FSB launched a case on 4 March 2021 against Yalta Jehovah's Witness Tadevos Derenikovich Manukyan (born 24 October 1981) 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 FSB launched the case at the same time as it launched criminal cases against four other Yalta Jehovah's Witnesses eventually convicted on 27 February 2023 (https://www.forum18.org/archive.php?article_id=2816) (three were jailed for more than six years and the fourth was given a suspended sentence). The FSB Investigator later separated Manukyan's case from those of the others. He remains a suspect (https://www.forum18.org/archive.php?article_id=2790).

Investigators had Manukyan added on 22 February 2022 to the Russian Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists (https://www.forum18.org/archive.php?article_id=2687)", whose assets banks are obliged to freeze (although small transactions are permitted).

The Yalta FSB had Manukyan added to Russia's wanted list. His entry does not indicate which Criminal Code articles he is being sought under. It gave telephone numbers for Yalta FSB for further information. The person who answered the phone on 1 March did not respond when Forum 18 asked which Criminal Code articles Manukyan is being sought under.

In its 27 February 2023 statement on the conviction of the four other Yalta Jehovah's Witnesses, Crimea's Investigative Committee said that the fifth person in the criminal case (an apparent reference to Manukyan) is "currently wanted internationally".

Another Crimean Jehovah's Witness, Aleksandr Viktorovich Kostenko (born 15 July 1991) from Sevastopol, remains an accused person and is on Russia's Interior Ministry wanted list. The Russian FSB opened a criminal case against him (https://www.forum18.org/archive.php?article_id=2648) in September 2020, half a year after he left Crimea.

Investigators had Kostenko added on 13 July 2021 to the Russian Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists (https://www.forum18.org/archive.php?article_id=2687)", whose assets banks are obliged to freeze (although small transactions are permitted).

An officer of the Sevastopol FSB – who did not give his name – said that Kostenko is wanted 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"). He said an Interpol Red Notice had been issued for him.

The officer refused to explain why the FSB is seeking to have Kostenko prosecuted. "I can't talk to you further," the officer told Forum 18 on 1 March 2023 with no explanation and put the phone down. He subsequently asked Forum 18 to delete his phone number, even though it is listed on Kostenko's entry on Russia's wanted list.

Neither Manukyan nor Kostenko is listed on Interpol's public database of Red Notices. About one eighth of Interpol Red Notices are made public.

Interpol would not say whether or not Russia asked it to distribute Red Notices for Manukyan or Kostenko and, if so, whether it had done so or not. It told Forum 18 from Lyon on 3 March that when a country sends a request for it to distribute a Red Notice, a "specialized task force" reviews the request's compliance with Interpol's Constitution and rules.

Interpol insisted that a Red Notice "is only published if it complies with the Organization's Constitution, under which it 'is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character'. If the request is not found compliant, it is not published."

Despite this provision, Interpol has distributed Russian-requested Red Notices (https://www.forum18.org/archive.php?article_id=2584) for individuals Russia sought to bring to trial to punish their exercise of freedom of religion or belief. These include Muslims who read Nursi's works and Jehovah's Witnesses. Some of these approached Interpol and succeeded in having it withdraw the Red Notices issued in violation of its Constitution.

Yuliya Burenina of the National Central Bureau for Interpol of Russia's Interior Ministry refused to explain why Russia has sought Red Notices for individuals wanted for exercising their freedom of religion or belief. "I'm not authorised to speak to journalists," she told Forum 18 from Moscow on 13 March. "Talk to the Ministry's press service."

The telephone of Interior Ministry spokesperson Irina Volk went unanswered each time Forum 18 called between 13 and 17 March.

Investigative Committee after 2 years still refuses to return body for burial

On 11 May 2021, the Russian FSB security service shot dead Nabi Rakhimov (https://www.forum18.org/archive.php?article_id=2679) in the village of Dubki on the western edge of the Crimean capital Simferopol in disputed circumstances. Nearly two years later, the Russian authorities are still refusing to return his body.

The refusal continues despite the closure of the posthumous criminal trial against Rakhimov. Judge Maksim Nikitin of Russia's Southern District Military Court closed the case against him on 21 February 2023 because of his death 21 months earlier, the court website notes. The case – under eight Russian Criminal Code Articles - had reached the court a week after the Russian FSB shot Rakhimov dead.

Islamic norms require that bodies should normally be buried within 24 hours of death. Cremation is strictly forbidden.

On 12 May 2021, the day after the FSB shot Rakhimov dead, Muslims gathered at the family home in the village of Zavetnoe expecting the funeral to take place. Only then did they find out that the Investigative Committee was refusing to hand over the body (https://www.forum18.org/archive.php?article_id=2679).

In June 2021, Crimea's Investigative Committee refused to return Rakhimov's body, citing a Russian law that denies the return of bodies of those killed in "terrorist" operations. The family and supporters deny that Rakhimov was a terrorist and insist they want to give him a burial in accordance with Islamic ritual.

Article 14.1 of Russia's Burial and Funeral Law states of individuals killed in "terrorist" operations: "Bodies of such individuals are not handed over for burial and the place of burial is not communicated."

A 2003 Russian government Decree implementing the provisions of Article 14.1 specified that "special burial services" appointed by the local administration conduct any burial or cremation, including preparation of the body, providing a coffin and transporting the body to the place of burial or cremation.

A 2007 Constitutional Court decision upheld the denial of bodies for funerals. But in a dissenting opinion, Judge Anatoly Kononov described the refusal to return bodies (https://www.forum18.org/archive.php?article_id=2679) or specify the place of burial as "absolutely immoral, reflecting the most uncivilised, barbaric and base views of previous generations".

On 9 August 2021, Simferopol's Kiev District Court rejected Rakhimov's widow's challenge to the Investigative Committee's refusal to return her husband's body. Judge Oleg Lebedev of Crimea's Supreme Court upheld the refusal on 21 September 2021, according to court records.

Senior Investigator Aleksei Skorin of the Investigative Committee's Department for Especially Important Cases would not discuss with Forum 18 in August 2021 (https://www.forum18.org/archive.php?article_id=2679) why he refused to hand back Rakhimov's body for burial.

Once his defence receives notification that the 21 February 2023 decision to close the criminal case against Rakhimov has entered into legal force, it intends to appeal again to the Investigative Committee for the release of his body. "The decision should have entered legal force already, but we have not received notification of this yet," his and his widow's lawyer Edem Semedlyayev told Forum 18 from Simferopol on 17 March. "So we can't yet appeal for the return of the body."

Senior Investigator Skorin – who is still handling the case – phoned Semedlyayev in early March to say Rakhimov's body would not be returned. "Officials say Nabi's body is still in the morgue in Simferopol, but I have never seen the body," the lawyer told Forum 18.

"Of course it is very important as Muslims to bury the body in the shortest possible time," Samedlyayev added. "It is the last thing that we can do for Nabi."

Senior Investigator Skorin did not answer his phone when Forum 18 called between 13 and 17 March 2023, nor did he respond to a written question. (END)

Full reports on freedom of thought, conscience and belief in Crimea
(<https://www.forum18.org/archive.php?query=&religion=all&country=86>)

For more background, see Forum 18's Crimea religious freedom survey (https://www.forum18.org/archive.php?article_id=2774)

Forum 18's reports and analyses on freedom of thought, conscience and belief in Russia within its internationally-recognised territory (<https://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 (https://www.forum18.org/archive.php?article_id=1351)

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