

JEHOVAH'S WITNESSES IN RUSSIA: First Prisoners of Conscience

ORAL STATEMENT BY

THE ADMINISTRATIVE CENTRE OF JEHOVAH'S WITNESSES IN RUSSIA

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The Constitution of the Russian Federation reads: "Man, his rights and freedoms shall be the supreme value. It shall be a duty of the state to recognize, respect and protect the rights and liberties of man and citizen." During the past year there were some positive developments on the part of certain government agencies in protecting these constitutional rights.

For example, on 22 December 2011 the Supreme Court of the Altay Republic reversed a guilty verdict in the case of Aleksandr Kalistratov, chairman of the "Gorno-Altaysk" Local Religious Organisation of Jehovah's Witnesses. He was charged with inciting to hatred by means of distributing harmless religious publications. On 20 July 2012 Yoshkar-Ola City Court issued another not-guilty verdict in the case of Maksim Kalinin, who faced similar charges. In addition, Russian officials demonstrated more willingness to participate in constructive dialogue with Jehovah's Witnesses on existing issues. While we welcome these events, we are very concerned about the interminable gross violations of our rights.

Among the factors leading to the persecution in recent years is the misapplication of the Law on Counteracting Extremist Activity. The ground was laid on 11 September 2009 when the Rostov Regional Court ruled to pronounce 34 publications as extremist and to dissolve the "Taganrog" Local Religious Organisation of Jehovah's Witnesses. Then on 5 August 2011 the first criminal case was opened against unidentified individuals allegedly for making an attempt to resume the activities of the banned organisation, although the believers simply kept practicing their faith and attending religious meetings. Within the framework of the criminal case, searches were conducted in the homes of 20 believers. On 31 May 2012 a total of 14 Jehovah's Witnesses were indicted. Additionally, the investigators unlawfully denied the defence lawyers to represent the interests of several accused ones at a time. Overall, 17 Witnesses are suspects in the case. They are charged with organizing activities of an extremist organisation or participating in it. This is the first time since the Soviet era that Jehovah's Witnesses have been criminally charged for merely practicing their faith. Since the Rostov Regional Court decision, there have been nearly 1500 cases of violation of the rights of Jehovah's Witnesses in Russia, most of which have been carried out by law enforcement agencies.

Another example occurred in the Republic of Chuvashia. On 6 September 2011 a criminal case was opened against Aleksey Nikolayev in the city of Cheboksary. He was charged with inciting to hatred and degrading human dignity for merely sharing his beliefs with others. He, Oleg Marchenko and another Witness, were detained and placed in a temporary detention center for 48 hours. From October of 2011 until April of 2012, 16 searches were conducted in the homes of the local Jehovah's Witnesses. Then on 26 July 2012, Aleksey Nikolayev and three other Witnesses were detained for 48 hours, which was later extended by court to 72 hours. On 30 July 2012, two of them were released from custody but the investigator ordered that they be escorted back to the temporary detention facility, where they had to stay until late at night and were given no food at all. One of them, who suffers from diabetes and recently had a stroke, later reported to the hospital for treatment. However, a different judge ruled to keep Mr. Nikolayev and the other Witnesses under arrest until the conclusion of the investigation. Their attorneys appealed and on 10 September 2012, both of them were released. On 1 August 2012, Oleg Marchenko was taken into custody, but the court denied the investigators' claim to arrest him. At the hearing Oleg, who suffers from a stomach ulcer, became ill and had to be taken to a hospital in an ambulance. All five are still considered accused in the case. These Witnesses have become the first prisoners of conscience in modern Russia. The investigation continues.

As in the past, we respectfully ask the Russian Federation to put an end to the unfounded persecutions of Jehovah's Witnesses in Russia and prevent the recurrence of the Soviet-time repressions. Our literature and believers have nothing to do with any extremist activities. We hope that common sense will prevail and the dialogue that was started on the issue will produce good results. A delegation of Jehovah's Witnesses is ready to meet with Russian representatives with a view to resolving these issues.