

Jehovah's Witnesses in

Russia

Religious Freedom Concerns

Statement by the Administrative Centre of Jehovah's Witnesses in Russia

OSCE Human Dimension Implementation Meeting, Warsaw

21 September 2015 – 2 October 2015

Persecution of Jehovah's Witnesses continues in Russia

Russian law-enforcement agencies continue to misapply the 2006 revised Law on Counteracting Extremist Activity ("Law on Extremism") to the religious activity of Jehovah's Witnesses.

- Officials in Russia harass, detain, and initiate numerous legal proceedings against Jehovah's Witnesses on charges of extremist activity. In reality, the Witnesses merely attend religious services, talk to others about their faith, and make use of religious literature.
- Customs authorities seized Russian Bibles, alleging that the *New World Translation of the Holy Scriptures* "showed indicia of being materials ... publicly justifying terrorism."
- The unrelenting abuses of religious freedom rights in the Russian Federation (RF) have prompted Jehovah's Witnesses to seek relief from the European Court of Human Rights (ECHR).

CAUSE FOR APPLICATION	TOTAL
Raids and interference with religious meetings and places of worship	10
Liquidation of LRO	2
Manifesting religious belief	3
Censorship and seizure of religious literature	8
Website declared extremist	1
Home searches	4

28 applications have been submitted to the ECHR since 2010, most recently in April 2015.

In its Resolution 1896 (2012), the Parliamentary Assembly of the Council of Europe (PACE) called on Russia to "refrain from applying the law on extremist activities against all religious communities, especially Jehovah's Witnesses."

Authorities Misapply the Law on Extremism to Criminalize the Activity of Jehovah's Witnesses

Since 2009, Russian law-enforcement agencies have launched dozens of criminal investigations against Jehovah's Witnesses on "extremism" charges with damaging consequences. There are currently four open criminal cases against Witnesses in the Moscow, Sverdlovsk, and Rostov Regions.

Prosecutors generally charge the victims under Articles 282, 282.1, and 282.2 of the RF Criminal Code for organising or participating in "extremist" activity. These charges can lead to stiff fines and imprisonment.

Harassment / Criminal Convictions on Extremism Charges

Taganrog, Rostov Region. In 2011, officials initiated a covert criminal investigation against Jehovah's Witnesses in Taganrog, Rostov Region. Sixteen of Jehovah's Witnesses were subsequently charged. The criminal indictment claimed that the 11 September 2009 decision of the Rostov Regional Court, which declared the Local Religious Organisation (LRO) of Jehovah's Witnesses an "extremist organisation," had imposed a total ban on all religious activity of Jehovah's Witnesses in Taganrog.

In July 2014, after a 15-month trial, the Taganrog City Court convicted 7 of the 16 Witnesses of "extremist" activity under Article 282.2 of the RF Criminal Code simply for holding peaceful religious services, as Jehovah's Witnesses do worldwide. They were ordered to pay fines of up to 100,000 rubles (1,315 euros). The court also convicted four of the seven under Article 150(4) of the Criminal Code for conducting religious meetings at which minors were present—actually, children attending with their parents. The court sentenced these four to more than five years' imprisonment. However, the trial court substituted the fines and the prison terms with conditional sentences, and acquitted the remaining nine Witnesses.

In reaching his decision, the trial judge stated that congregations of Jehovah's Witnesses in Taganrog are forbidden to "prepare and hold religious services, religious meetings, and religious events" and to "obtain or distribute religious literature."

The Rostov Regional Prosecutor appealed the decision, demanding a retrial and requesting that the court imprison the four elders and impose guilty verdicts on the nine Witnesses who had been acquitted. On 12 December 2014 the Rostov Regional Court heard the appeal and ordered a retrial, concluding that the four elders received an "excessively lenient sentence" and that the nine Witnesses acquitted of "extremism" were "groundlessly acquitted." The retrial began on 22 January 2015 and is still in progress.

Legal Recognition Withdrawn

Samara, Samara Region. The authorities in Samara are mimicking the pattern set by Taganrog authorities to restrict the activity of Jehovah's Witnesses. They liquidated the Witnesses' Samara LRO, labelling it an extremist organization.

In January 2014, four officials posing as electricians entered a rented building in Samara that Jehovah's Witnesses use for worship and conducted a clandestine search of the premises a few hours before a religious meeting was scheduled to begin. When the first Witness arrived, the officials presented him with a search warrant. During the search, they "found" a plastic package containing seven publications that are on the Federal List of Extremist Materials. The Witnesses maintain that the officials planted the publications during the search.

The Samara Prosecutor's Office filed administrative charges against the LRO. The courts found the LRO guilty and fined it 50,000 rubles (658 euros) for storage of extremist publications with the aim of mass distribution. The Samara Regional Prosecutor then ordered the suspension of the LRO's activity and filed a claim with the Samara Regional Court to liquidate the LRO for extremist activity. On 29 May 2014, the regional court ruled to liquidate the LRO as an extremist organization, and on 12 November 2014, the RF Supreme Court upheld that decision.

Abinsk, Krasnodar Territory. On 25 December 2014, hearings began in a case to liquidate the LRO of Jehovah's Witnesses in the city of Abinsk, Krasnodar Territory. Two of Jehovah's Witnesses from Abinsk were charged for allegedly distributing extremist publications. However, the two Witnesses were not members of the LRO at the time of their alleged offenses. On 4 March 2015 the Krasnodar Territorial Court granted the prosecutor's claim, declared the Abinsk LRO an "extremist organisation", ordered its liquidation, and ordered that its

property—which includes the place of worship for Jehovah’s Witnesses in Abinsk—be transferred to the State. The LRO and the two Witnesses appealed to the Russian Federation Supreme Court, but the Court dismissed their appeals on 5 August 2015.

Misapplication of the Law on Extremism to Religious Literature

“Extremism” used as a pretext to liquidate LROs. Since September 2009, Russian courts have declared 80 publications of Jehovah’s Witnesses to be extremist and have added them to the Federal List of Extremist Materials maintained by the Ministry of Justice.

Russian law-enforcement agencies commonly use these court rulings as a pretext to investigate and prosecute individual Witnesses. Law-enforcement officers, including FSB agents, raid the private homes and places of worship of Jehovah’s Witnesses, looking for extremist activity or extremist literature. Following these raids, local authorities then initiate administrative cases against LROs and individual Witnesses for distributing “extremist” publications. These prosecutions follow the same pattern set by the authorities in liquidating the LROs in Taganrog and Samara.

Import of all religious literature denied. Since March 2015, Russian Federation customs officials have refused to allow any literature published by Jehovah’s Witnesses to be imported into the country, regardless of whether courts have pronounced it extremist or not. This includes a consignment of Bibles that was detained on 14 July 2015.



Bibles seized and investigated for “justifying terrorism.” On 13 August 2015, customs authorities impounded the shipment of Bibles—2,013 copies of the *New World Translation of the Holy Scriptures*. In their decision, the customs authorities state that the Bibles “showed indicia of being materials containing calls to carry out extremist and terrorist activity or publicly justifying terrorism.”

Ban of the jw.org website. Russia is the only country in the world to ban jw.org, the official website of Jehovah’s Witnesses. The ban became effective on 21 July 2015, when the Russian Federation Ministry of Justice added jw.org to the Federal List of Extremist Materials. Internet providers throughout Russia have blocked access to the website, and it is a criminal offense to promote it from within the country.

On 7 August 2013, the Tsentralniy District Court of Tver pronounced the official website of Jehovah’s Witnesses to be extremist. Since the court had not notified Jehovah’s Witnesses of the hearing, they appealed, seeking an opportunity to defend themselves legally.

On 22 January 2014, the Tver Regional Court granted the appeal of Jehovah’s Witnesses, reversed the decision of the trial court, and rejected the prosecutor’s request to declare the website extremist. However, the Witnesses were not informed that the RF Deputy Prosecutor General later filed an application to the RF Supreme Court demanding the reversal of the appeal decision.

On 2 December 2014, the Supreme Court heard the prosecutor’s cassation appeal. Because the Court had not properly notified Jehovah’s Witnesses of the hearing, they were absent when the Supreme Court granted the application of the Deputy Prosecutor General and reinstated the trial court decision, thereby declaring jw.org to be extremist. The decision came into force immediately, and the website was later added to the Federal List of Extremist Materials.

Positive Developments

Jehovah's Witnesses of Moscow v. Russia. In 1996, the Moscow prosecutor's office began a campaign against the Moscow Community of Jehovah's Witnesses (Moscow Community). After five criminal investigations and two trials, the Golovinskiy District Court liquidated the Moscow Community and banned its activity in March 2004.

On 10 June 2010, the ECHR ruled that the liquidation of the Moscow Community and banning of its activity violated the European Convention on Human Rights and Fundamental Freedoms.—*Jehovah's Witnesses of Moscow v. Russia*, no. 302/02, 10 June 2010.

Authorities refused to re-register the Moscow Community, so the Witnesses made several attempts to register a new legal entity. On 27 May 2015, the Moscow City Department of the Ministry of Justice issued a certificate confirming the registration of the new entity.

Jehovah's Witnesses respectfully request that the Russian Federation to:

- (1) Abide by the PACE Resolution 1896 (2012) and the 31 March 2015 concluding observations of the UN Human Rights Committee: Refrain from misapplying the law on extremist activities to Jehovah's Witnesses, and terminate all legal cases and criminal investigations against Jehovah's Witnesses based on extremist charges
- (2) End the persecution of Jehovah's Witnesses in Taganrog, Samara, Abinsk, and elsewhere
- (3) Remove all publications of Jehovah's Witnesses from the Federal List of Extremist Materials
- (4) Ensure that Jehovah's Witnesses can peacefully enjoy freedom of religion and assembly without further illegal police interference

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Russian Federation government.

For more information:

Please contact the Office of General Counsel of Jehovah's Witnesses at generalcounsel@jw.org

Scan the QR code below to learn more about legal developments and human rights affecting Jehovah's Witnesses in Russia.



Scan the QR code below to view the video report, "Retrial of Jehovah's Witnesses in Taganrog—When Will the Injustice End?"

