

TRANSNISTRIA

RELIGIOUS PERSECUTION CONTINUES—JEHOVAH'S WITNESSES FACE BAN

Statement from Office of General Counsel for Jehovah's Christian Witnesses

Presented to the OSCE HDIM, Warsaw, October 2-13, 2006

Legal Status—Although Jehovah's Witnesses have registered local religious communities in two cities in Transnistria (Tiraspol and Ribnitsa), the activity of these communities is virtually paralyzed because of the attempts over a period of nearly ten years by the Transnistrian Moldavian Republic (TMR) authorities to liquidate the legal entities of Jehovah's Witnesses and ban their activities. The State parties systematically prolong the court cases. When Jehovah's Witnesses obtain a victory in the trial court, the appellate courts overturn the decision and order new trials. In particular, the Commissioner for the Affairs of Religions and Cults, P.A. Zalozhkov, and the Tiraspol prosecutor have been openly repressive toward Jehovah's Witnesses. Authorities are attacking the legal status of Jehovah's Witnesses on several fronts: (1) annulling the 1997 registration of the Tiraspol Community of Jehovah's Witnesses (Tiraspol Community); (2) challenging the remaining 1994 registration for Tiraspol; (3) refusing to accredit the "leaders" of the Tiraspol Community; (4) refusing to register new charters for Jehovah's Witnesses in Tiraspol, Ribnitsa, and Tighina; and (5) refuses to give the Tiraspol Community of Jehovah's Witnesses a fiscal code.

Official Attempts to Liquidate the Legal Entities of Jehovah's Witnesses—On September 16, 2004, the Supreme Court upheld the decision to void the 1997 reregistration of the Tiraspol Community. Since then it has been operating on the basis of its 1994 "statute," which the prosecutor charged, with the issuance of Notice No. 74, did not meet the law's requirement as a "founding document." Efforts to register a new charter in compliance with the law have proved fruitless, since authorities refuse to issue an "opinion," which is necessary for registration. Bureaucratic delays and court postponements continue, and officials persist with invasive demands for information. Meanwhile, Jehovah's Witnesses continue to suffer discrimination. Efforts on the part of both the Ribnitsa and the Tighina Communities of Jehovah's Witnesses to register new charters have met with similar obstruction. On December 20, 2005, the Religious Community of Jehovah's Witnesses in Grigoriopol also initiated steps to register as a legal entity. Efforts to date have met with similar invasive demands for personal information of charter members and additional information regarding the religious beliefs of Jehovah's Witnesses.

Difficulties in Meeting for Worship—Jehovah's Witnesses are experiencing difficulties holding religious meetings throughout this region. To date, the authorities in Tiraspol have prevented Jehovah's Witnesses from building a Kingdom Hall (house of worship) in Tiraspol. Meetings are generally held in private homes and apartments because, when a suitable place for meetings is rented, the authorities send a letter to the administrator of the rented facility and demand that the religious meetings stop. Although Article 21 of the TMR Law on Freedom of Conscience and Religious Organizations (the religion law) allows religious meetings to be held in private homes and apartments, the Commissioner for the Affairs of Religions and Cults, P.A. Zalozhkov, claims that holding religious meetings in private homes and apartments violates the TMR Housing Code. This has prompted police inquiries. Generally after the Witnesses present proof of ownership or the rental contract, the police have left them alone.

Conscientious Objection to Military Service—Transnistria has no law providing alternative civilian service. Consequently, between 1995 and 2005, more than 20 of Jehovah's Witnesses have been prosecuted because of their conscientious objection to military service for religious reasons. Some have been sentenced to a one-year prison term to be served on probation and others have been fined in an amount equivalent to \$450 U.S. For example, Sergey Golubenko has been convicted three times for conscientious objection to military service: On November 1, 2002, the Tiraspol City Court sentenced him to two years on probation; on September 5, 2003, he was again convicted under Article 325 of the TMR Criminal Code and sentenced to one year on probation, and; on March 22, 2005, he was convicted for a third time and fined an amount equivalent to \$450 U.S.

We appeal to the relevant authorities to open a free and constructive dialogue with representatives of Jehovah's Witnesses in order to ensure their freedom of worship in Transnistria.