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Enclosed information material is submitted by the European Association of Jehovah's Witnesses

European Association of Jehovah's Witnesses

R U S S I A

RELIGIOUS FREEDOM ISSUES

STATEMENT BY THE
EUROPEAN ASSOCIATION OF
JEHOVAH'S WITNESSES

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

16-27 SEPTEMBER 2019

Russia

In spite of international condemnation, Russia is intensifying its unrelenting campaign of terror against Jehovah's Witnesses.

There are now **nearly 250 Witnesses under criminal investigation** in Russia and in Crimea simply for their peaceful worship. Ten of these are over 70 years of age. All are facing potential prosecution and punishment.

- Dennis Christensen, a Danish citizen, is serving a six-year prison term for allegedly 'organizing the activities of an extremist organization.'
- Andrzej Oniszczyk, a Polish citizen, was kept in solitary confinement for nearly a year until his release on 3 September 2019.

Currently, 36 Witnesses are in pre-trial detention, 23 are under house arrest and at least 115 are under other restrictions. Several Witnesses have suffered brutal treatment and torture while in custody.

Throughout Russia, police officers, special police (OMON) forces and Federal Security Service (FSB) agents raid private homes. The officers often treat the Witnesses as if they were hardened criminals. As the raids increase in number, so do the number of criminal cases initiated against the Witnesses.

Russia is grossly misapplying its own laws to criminally charge the Witnesses with participating in, organising, or financing "extremist activity." In reality, the Witnesses are merely peacefully meeting together for worship, reading the Bible or talking to others about their beliefs.

Rather than fighting genuine extremism, Russia is persecuting its own citizens for their peaceful worship.

**SEPTEMBER 2018
–AUGUST 2019**

4

Witnesses criminally convicted

36

Witnesses jailed

23

Witnesses under house arrest

91

Ordered not to leave the area where they live

24

Ordered not to practise their faith

249

Under criminal investigation

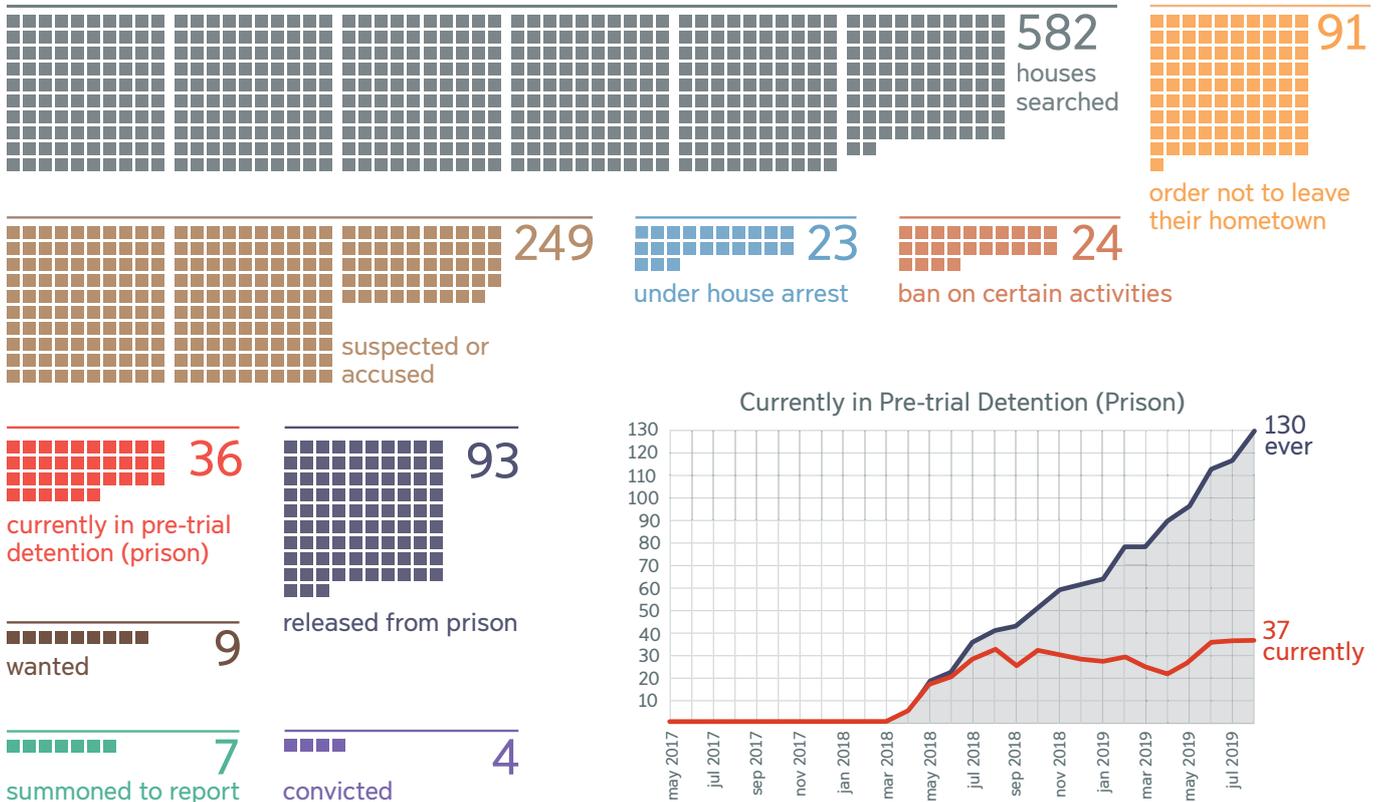
Abuse and Restrictions of Religious Freedom

After the Supreme Court of the Russian Federation ruled to liquidate the national office of Jehovah's Witnesses and 395 Local Religious Organisations on 20 April 2017, the situation for Jehovah's Witnesses in Russia deteriorated rapidly.

Now Jehovah's Witnesses are labelled as "extremists," and Russian authorities are treating them as if they were dangerous criminals.



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UNJUST CONVICTIONS AND PRISON SENTENCES



DENNIS CHRISTENSEN

Sentenced to a six-year prison term

Dennis Christensen, a 46-year-old Danish citizen, was sentenced to six years' imprisonment for practising his faith as one of Jehovah's Witnesses. On **6 February 2019**, Judge Aleksey Rudnev of the Zheleznodorozhniy District Court of Oryol unjustly convicted Mr Christensen on the charge of 'organizing extremist activity,' under Article 282.2 (1) of the Russian Federation Criminal Code (RFCC). On **23 May 2019**, the Oryol Regional Court denied his appeal.

Mr Christensen's ordeal began when he was arrested and detained on 25 May 2017. On that day, heavily armed police and FSB agents raided a peaceful religious meeting in Oryol that he was attending. He spent the following two years in pre-trial detention and appeared in over 50 court sessions after his trial began in February 2018.

On **6 June 2019**, authorities transferred Mr Christensen from his pre-trial detention cell in Oryol to Penal Colony No. 3 in Lgov, Kursk Region. At the end of July, prison officials planted a knife in Mr Christensen's cell in an effort to pressure him to stop talking with his cellmates about his faith, which is not prohibited by prison rules.

VALERIY MOSKALENKO

Sentenced to two years and two months of community service and six months of probation

On **2 September 2019**, the Zheleznodorozhniy District Court of Khabarovsk sentenced 52-year-old Valeriy Moskalenko to two years and two months of community service and another six months of probation. He was tried for allegedly 'participating in extremist activity,' under Article 282.2 (2) of the RFCC.

Mr Moskalenko was released from custody after the verdict was announced. He had been in pre-trial detention since 2 August 2018, when FSB agents and riot police raided several homes of the Witnesses in Khabarovsk. Officers searched his home for five hours, during which time his 83-year-old



Mr Christensen at the Penal Colony No. 3 in Lgov, Kursk Region



Valeriy Moskalenko

mother became ill and needed emergency medical care. Under the terms of his probation, he cannot travel outside Khabarovsk and must report for an inspection every month.



Aleksandr Solovyev

ALEKSANDR SOLOVYEV

Heavily fined

On **5 September 2019**, the Perm Regional Court upheld a lower court ruling that unjustly convicted Mr Solovyev on the charge of ‘participating in extremist activity,’ under Article 282.2 (2) of the RFCC. He was fined RUB 300,000 (approximately EUR 4,100/USD 4,515) in lieu of a three-and-a-half year sentence as requested by the prosecutor.

Mr Solovyev was arrested on 22 May 2018 at a railway station as he was arriving home from a trip abroad with his wife. Police officers handcuffed him and took him to a temporary detention centre. His wife was also taken away by the police in a separate vehicle and interrogated. Officers searched their apartment all night and seized electronic devices and personal items. Although his wife was released and not charged, Mr Solovyev was placed under house arrest until 19 November 2018, after which he was placed under restrictions while awaiting trial.

SERGEY SKRYNNIKOV

Heavily fined

On **1 April 2019**, the Zheleznodorozhny District Court of Oryol unjustly convicted 56-year-old Sergey Skrynnikov for allegedly ‘participating in extremist activity,’ under Article 282.2 (2) of the RFCC, and fined him RUB 350,000 (approximately EUR 4,748/USD 4,327.00). No prison time was ordered, although the prosecution was seeking three years of detention. On 13 June 2019, the Oryol Regional Court upheld the verdict.

Mr. Skrynnikov was prosecuted merely for delivering a Bible-based discourse to his fellow believers at a peaceful religious meeting. And he was sentenced by the same court that had convicted Mr Christensen less than two months before.

MISTREATMENT IN PRETRIAL DETENTION

ANDRZEJ ONISZCZUK

Held in solitary confinement for nearly a year

Andrzej Oniszczyk, a Polish citizen with a temporary residency permit, was held in pre-trial detention in Kirov for 344 days for practising his faith as one of Jehovah’s Witnesses. He was released on **3 September 2019**, but he is under orders not to leave his hometown.

Police forces raided his home on 9 October 2018 and arrested him. Investigators initiated false charges against him under Articles 282.2 (1) and 282.3 (1) of the RFCC (organising and financing the activity of an extremist organi-



Andrzej Oniszczyk

sation). The Pervomayskiy District Court ordered his pre-trial detention on 11 October 2018.

While in detention, Mr Oniszczyk was kept in solitary confinement. From 6:00 a.m. to 9:00 p.m., he was not permitted to lie down. He was only allowed to take a shower with hot water once a week for 15 minutes. His wife, Anna, was not allowed to visit him for the entire time he was detained. She appealed to the authorities numerous times, but the authorities denied all her requests to see her husband.

POLICE TORTURE, ASSAULTS AND HARASSMENT OF JEHOVAH'S WITNESSES

Over the past 18 months, local police, OMON forces and FSB agents in Russia have raided over 600 homes of Jehovah's Witnesses. Raids have become more frequent. Since January 2019, the authorities have raided over 330 homes—already exceeding the 281 homes that were invaded in all of 2018. Witnesses present during the raids are often detained and interrogated. Some are criminally charged for “extremist activity” under Article 282 of the RFCC. Many of those charged are put in pre-trial detention or placed under restrictions. Some have been brutally mistreated.

POLICE TORTURE

1. **Surgut, Khanti-Mansi Autonomous Area.** On **15 February 2019**, after conducting a mass search operation in Surgut and surrounding areas, the Russian authorities arrested and then tortured seven male Witnesses. The police put bags over the victims' heads, sealed the bags with tape, tied their hands behind their backs and beat them. Then, after

The Russian government has directly violated its guarantees made in open court that the ban on the legal entities of Jehovah's Witnesses would not affect the rights of individual Witnesses to practise their faith.



TORTURE OF JEHOVAH'S WITNESSES IN SURGUT

On **15 February 2019**, seven of Jehovah's Witnesses were subjected to torture—electric shocks, suffocation, and cruel beatings.

The victims filed an application with the ECHR entitled *Loginov and 8 others v. Russia*.

Vyacheslav Boronos
53 years old



Savelyy Gargalyk
59 years old



Yevgenii Kairyak
33 years old



Surgut



Artem Kim
31 years old



Sergey Loginov
58 years old



Alexey Plehov
42 years old



Sergey Volosnikov
42 years old

The police put bags over the victims' heads, tied their hands behind their backs and beat them. Then, after stripping the Witnesses naked and dousing them with water, they shocked them with stun guns.

stripping the Witnesses naked and dousing them with water, the agents shocked them with stun guns while gradually increasing the strength of the shock. The police interrogated the Witnesses while they beat them, demanding to know where the Witnesses meet, who attends their meetings and who their “leaders” are. The ordeal lasted for about two hours.

Three of the torture victims were held in pre-trial detention immediately after the incident. One torture victim was released from pre-trial detention on **15 March 2019**, and the last two, on **11 April 2019**. The ordeal is not over—19 of Jehovah’s Witnesses in Surgut are facing criminal prosecution.

- 2. Kaluga, Kaluga Region.** On **26 June 2019**, after searches of homes of Jehovah’s Witnesses, law-enforcement officers submitted Roman Makhnev to tortuous treatment. While his home was being searched, officers made Mr Makhnev’s 15-year-old daughter stand outside barefoot in the rain. The officers took Mr Makhnev and Dmitriy Kuzin into custody and later handcuffed Mr Makhnev to a pipe and left him there overnight. After his sleepless night, the officers interrogated him and denied him food for the first three days of his imprisonment. The authorities initiated charges against both men under Article 282.2 (1) of the RFCC (organising the activity of an extremist organisation). A court ordered their pre-trial detention, which has been extended until **26 October 2019**.

DISPROPORTIONATE HEAVY-HANDED TREATMENT BY POLICE

- 1. Crimea.** On **15 November 2018**, in one of the largest operations targeting religious worshippers in modern Russia, a group of some 200 law enforcement officers, including FSB agents and OMON forces, raided at least eight homes of Jehovah’s Witnesses.

Because of the stress caused by the invasion of armed and masked police, two older Witnesses experienced a severe spike in their blood pressure and had to be taken to the hospital. A 22-year-old female Witness suffered a miscarriage. A 78-year-old Witness, Aleksandr Ursu, was rushed to the hospital after officers pinned him against the wall, handcuffed and beat him.

The authorities charged one Witness, Sergey Filatov, under Article 282.2 (1) of the RFCC (organising the activity of an extremist organisation), and the court ordered that he sign an agreement not to leave the area.

- Uray, Khanti-Mansi Autonomous Area.** On **6 February 2019**, officers detained a male Witness during searches of eight Witness homes and took him to the Investigative Committee offices for interrogation. The officers beat him on the palms of his hands, made him kneel, humiliated him, threatened him and tried to force him to cooperate. When the Witness declined to divulge information about fellow believers, the investigator turned off the recording machine, beat him and then resumed recording the interrogation. Two days after the search, the

mother of the Witness was thrown out of the marketplace where she sold goods, and her market stand was destroyed.

- 2. Porkhov, Pskov Region.** On **3 April 2019**, masked FSB agents dressed in camouflage broke into the apartment of Sergey and Svetlana Komissarov. They struck Mr Komissarov several times on the head and legs and knocked him to the floor. They hacked into his online accounts, seized his electronic devices and personal cash. Later, the officers escorted the couple to Pskov (85 km from their home) for interrogation.

The authorities initiated charges against Mr Komissarov under Article 282.2 (2) of the RFCC (participation in the activities of an extremist organisation) and ordered him to sign an agreement not to leave the area.

AGGRESSIVE POLICE RAIDS

The following are some examples of police raids during the reporting period:

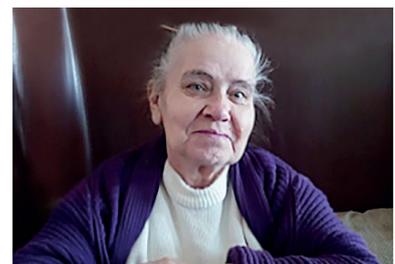
- 1. Novosibirsk, Novosibirsk Region.** On **8 November 2018**, law enforcement officers led by the Investigative Committee of Russia carried out mass searches in at least 10 homes of the Witnesses. The police confiscated electronic devices and other personal belongings. During the raid of one apartment where a small group of Witnesses had gathered, police officers pointed their automatic weapons at everyone present. The Witnesses, including one minor, were traumatised by the actions of the officers. Authorities initiated criminal charges against Yuriy Savelyev under Article 282.2 (1) of the RFCC (organising the activity of an extremist organisation). A court sentenced him to pre-trial detention, where he has remained for the past 10 months.
- 2. Partizansk, Primorsky Region.** On **19 April 2019**, agents of the Investigative Committee and the FSB disrupted a peaceful religious meeting in the home of an 81-year-old Witness and conducted a search that lasted for about five hours. The authorities confiscated the cell phones of the seven women who were present and took them for questioning. During the search, the elderly Witness needed emergency medical care.

On the same day, officers conducted a search of the home of 44-year-old Irina Buglak. She found the search so stressful that she lost feeling in her left hand. Ms Buglak learned that law-enforcement officers had had her under surveillance since 2018. After interrogating her, the authorities initiated a criminal case against her under Article 282.2 (1) of the RFCC (organising the activity of an extremist organisation). A court sentenced her to pre-trial detention, where she has remained for the past five months.

- 3. Arkhangel'sk, Arkhangelsk Region.** On **7 May 2019**, the authorities initiated a criminal case against a 78-year-old Witness, Kaleria Mamykina, under charges of "extremist" activity. For more than a year, investigators

During the raid of one apartment in Novosibirsk, police officers pointed their automatic weapons at everyone present.

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Kaleria Mamykina

had kept her under surveillance and collected evidence of “crimes” she committed by her reading the Bible, talking about her faith and participating in meetings for worship at her home.

- 4. Nizhniy Novgorod, Nizhegorodsky Region.** On **16 July 2019**, officers from the Center for Counteracting Extremism, FSB agents and the police conducted mass searches of 30 homes of Witnesses. More than 80 people were affected. Many Witnesses were detained and later released. Authorities initiated criminal cases against nine male and one female Witness under Article 282.2 (1) of the RFCC (organising the activity of an extremist organisation). A court ordered that two male Witnesses, Aleksandr Vavilov and Aleksey Oreshkov, be put in pre-trial detention until **17 September 2019**.



Raid on a Witness home in Nizhniy Novgorod in July 2019

- 5. Petrozavodsk and Kondopoga, Republic of Karelia.** On **31 July 2019**, FSB agents in the Republic of Karelia conducted at least 18 searches in the homes and workplaces of Witnesses. The officers confiscated electronic devices, took many Witnesses for interrogation and detained some for the night before releasing them. During the search of Mikhail Gordeev’s home, an FSB officer threatened him and suggested that refusing to cooperate could mean adverse consequences for his children.

STATE CENSORSHIP OF RELIGIOUS LITERATURE

No religious literature of Jehovah’s Witnesses can be imported into Russia. Based on so-called expert studies, Russian courts have ruled in favour of prosecutors and have declared over 100 religious publications of the Witnesses to be “extremist.” These publications are posted on the Federal List of Extremist Materials.

Possessing the Russian-language version of the *New World Translation of the Holy Scriptures*—a Bible published by the Witnesses—or any other religious literature published by Jehovah’s Witnesses is a criminal offence.



New World Translation of the Holy Scriptures

STATE CONFISCATION OF PROPERTY

Since 20 April 2017, when the Russian Supreme Court effectively banned the worship of Jehovah's Witnesses, authorities have progressively seized 131 properties owned by Jehovah's Witnesses, with an additional 60 properties subject to confiscation. The total value of these properties is estimated to be over EUR 51,351,300 (USD 57,000,000).



The confiscated properties in St. Petersburg: the Witnesses' national office in Solnechnoye (top left and bottom) and the Assembly Hall in Kolomyazhskiy (top right)

One of the seized properties is the former Administrative Centre in Solnechnoye, which is owned by the Watch Tower Bible and Tract Society of Pennsylvania. This property alone is valued at approximately EUR 27,027,000 (USD 30,000,000). Of the properties that have already been seized, 43 of them belong to foreign legal entities used by Jehovah's Witnesses in Austria, Denmark, Finland, the Netherlands, Norway, Portugal, Spain, Sweden and the United States. These seizures are illegal, since the Supreme Court decision banning Jehovah's Witnesses did not give the government a legal basis for confiscating foreign-owned properties.

Jehovah's Witnesses have filed an application with the ECHR concerning the illegal seizure of their former national headquarters.

Young Witness men whose conscience will not allow them to serve in the military are increasingly facing problems.

Interference With Manifestation of Religious Belief

DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION

For many years, the Russian authorities had recognised the rights of Jehovah's Witnesses who conscientiously objected to military service. However, young Witness men whose conscience will not allow them to serve in the military are increasingly facing problems. There were at least five cases during the reporting period where the authorities denied these men the right to perform alternative civilian service in lieu of military service.

Societal Abuses and Discrimination

DISMISSALS FROM WORK

- 1. Saratov, Saratov Region.** On **22 September 2018**, a Witness received a call from the FSB at his place of employment. Fearing potential pressure, his employers forced him to resign the same day.
- 2. Surgut, Khanti-Mansi Autonomous Area.** On **19 February 2019**, after working for 20 years as a fireman with an excellent reputation, Igor Trifonov was dismissed from his employment because he is one of Jehovah's Witnesses. His wife and three young children are dependent on his income. Some days later, at 6:00 a.m., law enforcement officers smashed down the door of his home, traumatising his wife and his children. Authorities searched his home, seized personal belongings and took him to the police station for interrogation. He was detained until 10:30 p.m. A criminal investigation was initiated against him under Articles 282.2(1) and 282.2(2) of the RFCC (organising and participating in the activity of an extremist organisation).
- 3. Chelyabinsk, Chelyabinsk Region.** In **April 2019**, a Witness psychotherapist was forced to resign her position after a woman entered a complaint on the website of the City of Chelyabinsk Health Department claiming that the Witness had used her professional knowledge, skills and abilities to promote the interests of a banned sect.

NEGATIVE MEDIA COVERAGE

The Russian media continues to publicise slanderous reports and blatant lies about Jehovah's Witnesses. These reports negatively influence public opinion and lead to open discrimination and mistreatment of the Witnesses.

SUPREME COURT RULING POTENTIALLY SEPARATES FAMILIES

The Russian authorities have decreed that the State can seize children of Jehovah's Witnesses for "resocialisation." On **14 November 2017**, the Supreme Court Plenum of the Russian Federation ruled, in Resolution No. 44, that parents may be "deprived of parental rights by a court" if they involve their children in a religious organisation that has been banned as "extremist."

On **23 November 2017**, the Ministry of Education and Science issued a nationwide "recommendation" calling for the "resocialisation" of children exposed to "religious-extremist . . . ideology." The Ministry singled out just two groups of children—those of ISIS members and those of Jehovah's Witnesses. It noted that "tens of thousands of children and adolescents" have parents who are Jehovah's Witnesses. No Witness children have been taken from their parents so far.

Positive Developments

UN PANEL CONDEMNS UNJUST DETENTION

On **12 June 2019**, the UN Working Group on Arbitrary Detention (WGAD) concluded that Russia's arrest and detention of Dmitriy Mikhaylov was "discriminatory on the basis of religion" and thus violated international law. They also urged Russia to drop all criminal charges against him.

On **19 April 2018**, the Investigation Committee of the Russian Federation in the Ivanovo region opened a criminal case against Mr Mikhaylov, who is one of Jehovah's Witnesses, and heavily armed officers came to search his home. A little over a month later, he was arrested and detained, under the claim of financing "extremist" activity. After spending nearly six months in pre-trial detention, he was released. However, his travel and communication are restricted for as long as the authorities keep his criminal investigation open.

The WGAD recognized that Mr Mikhaylov's actions "have always been entirely peaceful" and that "there is no evidence that he or indeed the Jehovah's Witnesses in the Russian Federation have ever been violent or incited others to violence."

The WGAD also recognized that Mr Mikhaylov is not alone in suffering injustice for his faith. He is "only one of the now ever-growing number of Jehovah's Witnesses in the Russian Federation who have been arrested, detained, and charged with criminal activity on the basis of mere exercise of freedom of religion." In condemning the broader persecution of Jehovah's Witnesses in Russia, the WGAD explicitly stated that their opinion applied not only to his wrongful detention but to all Witnesses who are "in situations similar to that of Mr Mikhaylov."

Russian authorities have decreed that the State can seize Witness children for "resocialisation." However, no children have been taken from their parents so far.



Dmitriy Mikhaylov

COURT OVERTURNS WRONGFUL CONVICTION

On **1 March 2019**, the Supreme Court of the Republic of Kabardino-Balkaria overturned a lower court's conviction of Arkadya Akopyan, a 70-year-old Witness. The retired tailor had been on trial since May 2017, wrongfully accused of distributing "extremist" literature and 'inciting religious hatred.' Previously, the Prohladny District Court had sentenced Mr Akopyan to perform community service.

Meetings With Officials

On **14 August 2019**, local Witnesses in Surgut met with Mikhail Fedotov, the head of the Presidential Council for Civil Society and Human Rights (HRC), and other officials of the region to officially report the torture inflicted on them by law enforcement officers. After the meeting, Mr Fedotov said: "We must get to the truth of this matter. The president is against torture. We remember his words, that this is an absolutely unacceptable practice."

Except for members of the HRC, Russian government officials have refused to meet with Jehovah's Witnesses.

Seeking Relief Through International Tribunals

48

Applications pending with the ECHR

11

Complaints pending with the CCPR

6

Complaints pending with the UN WGAD

	APPLICATIONS	COMPLAINTS	COMPLAINTS
Liquidation of National Religious Organisation	1	—	—
Liquidation of Local Religious Organisation, Registration	5	4	—
Censorship of Religious Literature and Website	8	2	—
Revocation of Permit to Import Religious Literature	1	—	—
Detention or Criminal Conviction for Practicing Religion	9	4	6
Prosecution/Detention for Evangelizing	4	—	—
Seizure of Religious Literature in Transport	1	1	—
Home Search, Literature Seized	7	—	—
Raid on or Interference with Religious Meeting	11	—	—
Denial of Alternative Service	1	—	—
TOTAL	48	11	6

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF RUSSIA TO:

- End the persecution of Jehovah's Witnesses in Russia and stop all raids, arrests, interrogations and criminal investigations for peaceful religious activity;
- Annul the April 2017 Supreme Court decision that banned and liquidated the legal entities of the Witnesses;
- Return all confiscated property owned or used by the Witnesses;
- Release Dennis Christensen and all other Witnesses in detention;
- Remove the Witnesses' religious literature, including the *New World Translation of the Holy Scriptures*, from the Federal List of Extremist Materials;
- Enforce media standards prohibiting libel and slander; and
- Abide by Russia's Constitution and respect international law, including the judgments of the ECHR.

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

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPIGov@jw.org.



Visit the Newsroom at jw.org or scan the QR code to learn more about legal developments and human rights affecting Jehovah's Witnesses.

