

## ORAL STATEMENT ON BEHALF OF JEHOVAH'S WITNESSES IN RUSSIA

*Office of General Counsel for Jehovah's Christian Witnesses*

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

We are thankful for this opportunity to present a statement on behalf of 280,000 Jehovah's Witnesses and their associates in the Russian Federation.

We are pleased to acknowledge that the Russian authorities at the federal level have made efforts to counteract religious intolerance and protect religious freedom. More than 400 communities of Jehovah's Witnesses are now legally registered in 72 regions of the Russian Federation. However, we are compelled to express our concern with the denial of fundamental rights to freedom of religion and conscience in the capital city of Russia, Moscow.

The Golovinsky District Court decision of 24 March 2004, to liquidate the local religious organization of Jehovah's Witnesses in Moscow and ban its activity continues to have a negative impact on the freedom and activity of our fellow believers not only in Moscow, but throughout Russia.

Referring to the Golovinsky decision, Moscow city district authorities, nongovernmental organizations, and private landlords, refuse to rent meeting facilities to Jehovah's Witnesses or summarily cancel rental agreements. The denial of meeting facilities constrains thousands of Jehovah's Witnesses in Moscow to hold their weekly congregation services in private apartments or incur the expense and inconvenience of travel to meet outside of Moscow.

Jehovah's Witnesses, young and old, male and female, are regularly detained by Moscow police while sharing their beliefs with others. Some have been threatened with physical harm, while others have been placed behind bars, fingerprinted, and photographed as criminals. There have also been many incidents of assault on Jehovah's Witnesses in Moscow since the Golovinsky decision.

On 12 April 2006, some 17,000 Jehovah's Witnesses were able to meet in 23 different locations in Moscow to commemorate the Memorial of Christ's Death. However, with verbal reference to the "Moscow ban," on Jehovah's Witnesses, officers of the Lyublino District Police Department and the Department for Fighting Organized Crime disrupted the annual observance of the Memorial of Christ's Death that was being conducted in a rented hall where some 200 persons were in attendance. Fourteen members of the congregation were forcibly detained and the rest were ordered to leave the premises. Those who had been detained were escorted to the police station, questioned and photographed.

A lawyer who went to the police station to defend the rights of the Witnesses was subjected to threats and physical violence by police officers. A complaint was filed with the Lyublino District Court by representatives of the congregations, but on 15 June 2006, the court ruled that, while the police detention of the plaintiffs was unlawful, the police had acted lawfully by disrupting the religious meeting, as the authorities had not been duly notified of the meeting.

In fact, the Law on Freedom of Conscience and Religious Associations does not stipulate that the authorities must be informed in advance that a religious service is to be carried out. During the hearing, the judge requested and admitted as evidence the decision of the Golovinsky District Court to ban and liquidate the legal entity and ban the activity of the Moscow community of Jehovah's Witnesses.

As previously mentioned, this negative court decision from Moscow is unfortunately having adverse effects not only in Moscow and surrounding areas but thousands of miles outside of the capital as well. Individuals opposed to the religious freedom of Jehovah's Witnesses in other regions of Russia draw attention to the Moscow banning decision and encourage local authorities and court judges to follow Moscow's lead in denying fundamental religious freedoms and human rights to Jehovah's Witnesses.

Rather than wait for the European Court of Human Rights to rectify the unfounded Moscow decision, we appeal to the Russian authorities as well as to the governments represented here today by the OSCE to take appropriate measures to correct the abuses of religious freedom that we have reported.

We are indeed convinced that the efforts made in order to correct this sad situation will contribute to an enhanced understanding and will favourably promote the fulfillment of the OSCE commitments pertaining to the protection of religious freedom.