

# **RUSSIA: 19 Jehovah's Witnesses behind bars as of 15 June**

HRWF (08.06.2018) – The number of Jehovah's Witnesses deprived of their freedom is increasing week after week.

Three more Jehovah's Witnesses have been arrested for "planning the activity of an extremist organization" (!): **43-year-old Konstantin Bazhenov, 35-year-old Aleksei Budenchuk, and 33-year-old Feliks Makhammadiev**

See below the region they are from, followed by the name of the detainee and birthdate, the date of the arrest, the article of the criminal code and the dates of their pre-trial detention.

## ***Charges***

**Criminal Code Article 282.2, Part 1:** Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity.

**Criminal Code Article 282.2, Part 2:** Participation in the activity of a social or religious association or other

organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity.

***List of 16 other JW who have been jailed since May 2017***

**Oryol Region Oryol**

Dennis CHRISTENSEN (18-Dec-72)

25-May-17

Article 282.2(1)

**Pre-trial detention: 26-May-18 / 1-Aug-18**

**Republic of Tatarstan Naberezhniye Chelny**

Ilkham Shamilevich Karimov (9-Feb-81)

27-Mar-18

Article 282.2(1)

**Pre-trial detention: 29-May-18/ 25-Jul-18**

Vladimir Nikolayevich Myakushin (6-Nov-87)

27-Mar-18

Article 282.2(1), (1.1) and (2)

**Pre-trial detention: 29-May-18/ 25-Jul-18**

Konstantin Matrashov (1983)

27-Mar-18

Article 282.2(1), (1.1) and (2)

**Pre-trial detention: 29-May-18/ 25-Jul-18**

Aydar Maratovich Yulmetyev (Aug-93)

27-Mar-18

Article 282.2(1), (1.1) and (2)

Pre-trial detention: 31-May-18/ 25-Jul-18

### **Republic of Bashkortostan Ufa**

Anatoliy Sergeyevich Vilitevich (15-Sep-86)

10-Apr-18

Article 282.2(2)

Pre-trial detention: 12-Apr-18/ 2-Jul-18

### **Murmansk Region Polyarny**

Roman Nikolayevich Markin (18-Mar-74)

18-Apr-18

Article 282.2(1)

Pre-trial detention: 23-Apr-18/ 11-Jun-18

Viktor Fedorovich Trofimov (26-Mar-57)

18-Apr-18

Article 282.2(1)

Pre-trial detention: 23-Apr-18/ 12-Jun-18

### **Vladivostok Region Vladivostok**

Valentin Pavlovich Osadchuk (15-Mar-78)

19-Apr-18

Article 282.2(2)

Pre-trial detention: 23-Apr-18/ 20-Jun-18

### **Orenburg Region Orenburg**

Aleksandr Gennadyevich Suvorov (20-Apr-80)

16-May-18

Article 282.2(1)

Pre-trial detention: 19-May-18/ 14-Jul-18

Vladimir Yuryevich Kochnev (15-Oct-79)

16-May-18

Article 282.2(1)

Pre-trial detention: 19-May-18/ 14-Jul-18

### **Magadan Region Magadan**

Konstantin Nikolayevich Petrov (9-Aug-86)

30-May-18

Article 282.2(1)

Pre-trial detention: 01-Jun-18/ 29-Jul-18

Ivan Grigoryevich Puyda (C.O.)(5-Nov-78)

30-May-18

Article 282.2(1)

Pre-trial detention: 01-Jun-18 30/-Jul-18

Yevgeniy Anatolyevich Zyablov (9-Mar-77)

30-May-18

Article 282.2(1)

Pre-trial detention: 01-Jun-18/ 29-Jul-18

Sergey Liviyevich Yerkin (23-Jun-53)

30-May-18

Article 282.2(1)

Pre-trial detention: 01-Jun-18/ 29-Jul-18

### **Tomsk Region Tomsk**

Sergey Gennadyevich Klimov (C.O.) (26-Mar-70)

3-Jun-18

Article 282.2(1)

Pre-trial detention 05-Jun-18 04-Aug-18

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# **RUSSIA: Jehovah's Witnesses**

# hit with two-month pretrial detention

## *Saratov: Searches, frame-ups and arrests of three believers*

JW in Russia (15.06.2018) – <https://bit.ly/2LX0e7t> and <https://bit.ly/2M1fbp1> – On 12 June 2018 in Saratov and the oblast, personnel of law enforcement agencies conducted massive searches in homes of citizens who are suspected of professing the religion of Jehovah's Witnesses. Three men were arrested and taken to a SIZO: 43-year-old Konstantin Bazhenov, 35-year-old Aleksei Budenchuk, and 33-year-old Feliks Makhammadiev.

At least 7 searches are known in the city of Saratov and village of Shirokoe (Saratov oblast). Acting extremely rudely, personnel of law enforcement agencies hacked at apartment doors. Thus, after arriving for a search in the home of Konstantin and Irina Bazhenov, the special forces by mistake broke down the door to their neighbors' and only later, having realized, broke down the door to the couple's apartment. During searches, all technology, books, photographs, notebooks, personal savings passbooks, and foreign passports were seized from the citizens.

During at least two searches, planting of forbidden items occurred. For example, during a search in the village of Shitokoe, in the home of Aleksei and Tatiana Budenchuk, in the sleeve of a child's jacket, hanging on a hanger, the intruders inserted and then demonstratively "discovered" two books, one of which had been entered into the Federal List of Extremist

Materials. Aleksei Budenchuk was arrested.

More than ten persons were taken for interrogation to the F.S.B. and several were interrogated until almost midnight. On the whole, during questioning, believers followed the instruction from the Bible: "I will restrain my lips while the evil one is before me. I was mute and voiceless and was silent even about the good" (Bible, Psalm 38.2,3 Synodal translation).

On 14 June 2018 it was learned that Konstantin Bazhenov, Feliks Makhammadiev, and Aleksei Budenchuk were charged on the basis of article 282.2(1) of the Criminal Code of the RF ("planning the activity of an extremist organization"). Svetlana Gogoleva, a judge of the Frunze district court of the city of Saratov, chose as a measure to assure appearance a two-month confinement in custody (until 12 August 2018) for these law-abiding, respected citizens.

Such a serious violation of the rights of believers is a direct consequence of a horrible judicial mistake, the decision of the Russian Supreme Court for the baseless liquidation and ban of all 396 organizations of Jehovah's Witnesses in Russia. Law enforcement personnel, driven by unknown motives, consider the joint religious confession of law-abiding citizens to be participation in the activity of an extremist organization. (tr. by PDS, posted 16 June 2018)

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## **RUSSIA: Officials continue to hound African Pentecostals studying in Russia**

*How the Yarovaya Package made a vicious violator of the administrative code out of a Zimbabwean protestant*

Russia Religion News (15.06.2018) – <https://bit.ly/2HNrT8m> – A court in Nizhny Novgorod fined a student from Zimbabwe, Kudzai Niamarebvu, 30,000 rubles for an interview in which she is called a “hero of faith.” For Kudzai, this is the second fine because of “missionary activity” in a year.

The 25-year-old Kudzai Niamarebvu came to Russia from Zimbabwe in 2012, to study on the medical faculty of the Volga Research Medical University in Nizhny Novgorod. At that time, the largest protest actions in many years were going on, because



of the elections to the State Duma and the return of Vladimir Putin to the post of president. At the same time, authorities began to make harsher anti-extremism legislation and to regulate the internet yet more. Over time, imprisonment for reposting ceased surprising anybody, but all these processes did not concern Kudzai; the girl was studying in the university and attending the "Embassy of Jesus" protestant church. It is difficult to say unequivocally whether she engaged in any social and political activity: while having studied in Russia for six years, she had not mastered the Russian language and she communicated in the main with other foreigners.

In social networks (Russian friends advised her to set up an account on "VKontakte"), she published posts about love for God. In the autumn of 2016, Kudzai acted in a video where she invited friends to come to the Embassy of Jesus for a party planned in November, which was called a Welcome Party. As attorney Alexander Malinin told Meduza, in the video Kudzai said that there would be African songs and dances at the party.

Several months before the publication of the video, President Vladimir Putin signed the "Yarovaya Package," one of the most criticized legislative initiatives in the sphere of antiterrorism legislation and regulation of the information technology sphere. Among other things, the law changed article 5.26 of the Code of Administrative Violations of Law (violation of legislation on freedom of conscience and freedom of religious confession and on religious associations), adding to it three new kinds of law violations, and it introduced requirements for missionary activity. Mediazona has already written in detail how the change in the law affected not just religious leaders.

Publication of the video was translated for the Embassy of Jesus immediately into two administrative cases on the basis of the substance of article 5.26 that had recently appeared: on the basis of part 3, the religious organization was fined 30,000 rubles for publishing a video without identification information with the full name of the church, and on the basis of part 4, it was fined 50,000 rubles for Kudzai's missionary activity without pertinent permission. At the same time, the materials of the cases indicated that Kudzai had conducted missionary activity on 26 April 2017. The press secretary of the Embassy of Jesus, Yulia Ermoshina, told Mediazona that it is unclear why the security personnel thought that Kudzai engaged in missionary activity on this particular day.

There were no charges against the girl herself, although in the winter of 2018 she learned to her surprise that a report had been composed against her on the basis of part 2 of article 18.8 of the Code of Administrative Violations of Law (violation by a foreigner of the rules of visiting Russia expressed in the incompatibility of the declared goals of entry with activity actually conducted). The Ministry of Internal Affairs argued the case in this way: Kudzai entered Russia supposedly for study, but in reality she engaged in missionary activity.

The native of Zimbabwe insisted that she did not engage in any kind of missionary activity but simply invited friends to a party. The Sormov district court of Nizhny Novgorod oblast did not listen to her arguments, ordering a fine of Kudzai of 5,000 rubles and deportation of the sixth-year student from Russia six months before receiving her diploma. "[Attorney Vladimir] Malinin said that he tried to become her lawyer, but

when the judge asked Niamarebvuvu in Russian whether she needed a lawyer, she did not understand what he was talking about and she answered in the negative," Meduza wrote. However, Kudzai lucked out: the appellate instance permitted her to leave the country by the end of June so that the African would be able to return to her homeland with higher education.

"Students stopped attending church; the video, photos, quotes about Christianity, Christmas and Easter greetings were removed. Before that, the Africans were not even able to think that singing in church or posting Christian topics on a personal page could be a crime," Galina Liamina, a Russian language teacher for foreigners, wrote in VKontakte. "Now the Africans are being taken to court one after the other. Evidence being used include screens from social networks and links with YouTube from 2016 and 2017, collected previously, since after Kudzai's case the Africans have removed the 'kompromat,' and even their own pages."

For example, this is what happened with Nosisa Shiba, a native of Swaziland. The Sormov district court fined her on the basis of the same article for violating the rules of staying in Russia 7,000 rubles and ordered her deportation no later than 30 June. Shiba also is a sixth-year student and she was permitted to complete her studies. The reason for opening her case was the African's participation in an Easter concert. Her performance can be seen on the video at the end of the seventh minute, when believers are singing 'Jesus, arisen for me.'"

Kudzai also was not helped by the removal of the video from the social network. Security agents had documented her pages well in advance. Another administrative case was opened against the girl on the basis of part 5 of article 5.26 of the

Code of Administrative Violations of Law (conduct of missionary activity by a foreigner in violation of the requirements of legislation on freedom of conscience and freedom of religious confession and on religious associations). Later, as attorney Malinin described for Mediazona, this case was closed because of the lapse of the statute of limitations. Judging by his profile on VKontakte, the lawyer, like Kudzai, belongs to the Christian Pentecostals: his avatar is a collage of a photograph depicting Jesus embracing a girl, a cross, a heart, and an inscription, "Jesus Christ, my God and my Lord."

In the Pentecostals' church they are indignant about such treatment of their fellow believer. In April, the press secretary of the Embassy of Jesus, Yulia Ermoshina, recorded an interview with Kudzai which later was published on YouTube. For twenty minutes, Kudzai, with the help of a translator, describes for Yulia her misadventures. She [i.e., Yulia] peers intently, nods, and again with the help of the translator poses clarifying questions, and in the end she says: "Kudzai, thank you very much; you are a real hero of faith, and we believe along with you that, actually, the court will make a positive decision on your matter and you will finish your studies in Russia fine and you will go home with good impressions from this country and with a good heart. We also believe that this law will not affect foreigners negatively and hinder their visiting those churches that they have been accustomed to attending from childhood."

"What a pity for Russia. Even Africans are in shock. Lord, have mercy!" one YouTube user comments regarding this interview. It became the basis for opening a third case against Kudzai Niamarebv, again on part 5 of article 5.26 of the Code of Administrative Violations of Law. Judging from the

materials of the case, the F.S.B. is interested specifically in the last sentence of the press secretary of the church in which she calls Kudzai a "real hero of faith." The security service ordered a complex expert analysis, asking the specialists to answer the question: "What does the term 'hero of faith' mean in the doctrine of Christians of Evangelical Faith and who can be acknowledged as a 'hero of faith,' and what kind of obligations does this recognition impose on the 'hero of faith' and on adherents of the doctrine respecting him?"

The commission of three persons, including the chief editor of the magazine "Kholm Poetov" and kandidat of psychological sciences Andrei Tremasov, replied: "The film has a 'covert missionary character,' and 'heroes of faith' are 'people who, from the point of view of Christians of Evangelical Faith, God has chosen for preaching;' they are 'instruments in the hands of God' in the work of preaching, that is, evangelism." "By the very fact of their existence, 'heroes of faith,' in the opinion of Pentecostals, are able to win over people. Thus, the designation of Kudzai Niamarebvu as a 'hero of faith' and the video of her itself are a covert form of proclamation of the faith of Pentecostals. Foreign students, who viewed this video, were unambiguously urged to follow Kudzai Niamarebvu as a 'hero of faith' and thus to violate Russian legislation," the experts concluded. In conclusion it was noted that any religious group of Pentecostals can recognize a person as a "hero of faith" and this recognition imposes on him the obligation "to engage actively in missionary activity," but this does not affect other people in any way.

On 9 June, the court ordered for Kudzai a fine of 30,000 rubles. The Embassy of Jesus says that the girl does not have such money so that the church will pay the fine for her. The

native of Zimbabwe herself decided not to talk with journalists until after she leaves Russia. (tr. by PDS, posted 13 June 2018)

Original article in Russian : [Mediazona, 13 June 2018](#)

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## **ROMANIA: A window of opportunity for corrupt justice system in #Romania?**

By Lea Perekrests, *HRWF*

EU Reporter (12.06.2018) – <https://bit.ly/2t53bLA> – *At the end of May, the Constitutional Court of Romania ruled that President Iohannis must dismiss the country's chief anti-corruption prosecutor, Laura Kovesi, after allegations of her*

*involvement in multiple violations of the rule of law. As the Constitutional Court's rulings are binding, a glimmer of hope has emerged, offering a golden opportunity to improve Romania's currently [abysmal corruption record](#), writes Lea Perekrests of Human Rights Without Frontiers.*

The call for Kovesi's dismissal reached a crescendo in February 2018, when the Justice Minister presented a 36-page report detailing illegal activities for which Kovesi is responsible. Justice Minister, Tudorel Toader concluded his presentation by summarizing that Kovesi is guilty of "excess of authority, discretionary behavior, defying the Parliament, challenging the Constitutional Court's decisions and authority...[which are] acts and facts that are intolerable in a rule of law".

***Laura Kovesi: Unjust tactics for unworthy praise***



*Laura Kovesi, chief anti-corruption prosecutor (photo credit: EU Reporter)*

Since Laura Kovesi's appointment as chief anti-corruption prosecutor, the National Anti-corruption Directorate (DNA) has been able to flaunt impressive statistics to the European Commission; it has achieved a conviction rate of over 90%, and more asset freezes, arrests, and convictions than any other counterpart agency in the EU. While the European Commission has praised these numbers at their face value, they have failed to look deeper and recognize the numerous unlawful activities that prop these numbers up.

In order to achieve 'praiseworthy' success rates the DNA has abused institutional structures and employed questionable tactics, which have ultimately robbed Romanian citizens of their right to a fair trial.

Institutional links between the DNA, Romanian Intelligence Service (SRI), judicial branches, and judges themselves, have all been revealed over the past few years, bringing serious concern to the organization of institutional structures and their ability to provide fair trials.

For example, in 2015, an SRI leader had publically stated that the SRI remains involved in judicial proceedings until the final resolution of each case and stated that magistrates across the country need to be monitored. In the same year, the SRI was also involved in training over 1,000 judges across the country.

Foreign judges' organisations, including the Paris-based Magistrates Association MEDEL (Magistrats europeens pour la Democratie et les Libertes) have reacted to these statements with great concern for the apparent lack of respect for basic human rights.



Worryingly, it has also been reported that the DNA and SRI have used questionable tactics, including unconstitutional phone tapping, the intimidation of judges, falsifying evidence, targeting suspects' family members, and producing propaganda against suspects.

Bringing to light the severity and depth of these tactics, it was revealed in February 2018 that two top DNA prosecutors had been recorded faking evidence, planting evidence in people's homes and cars, changing witness declarations, faking official documents, and blackmailing witnesses, all under the instruction of Laura Kovesi.

Currently, the SRI Secretary-General, Dumitru Dumbrava, is also facing calls to resign after media reports revealed that he was contacting and influencing judicial officials presiding over DNA cases via Facebook.

### ***Impacts for Romania: A window of opportunity?***

The cases brought forth by the DNA under Laura Kovesi have shown a pattern of unlawful activity, including: failing to assume innocence, unfair judicial processes, forced confessions, threat of indictments, and extended pre-trial detention periods.

The lengthy pre-trial detention periods are also of high concern given the deteriorating prison conditions and high

rates of torture cases being presented to the ECtHR.

In 2017, Romania had the highest number of cases brought before the ECtHR than any other country in the EU. Twenty of the 69 cases involved the prohibition of torture or inhumane treatment, and twenty-six involved either a lack of effective investigation, the right to a fair trial, or the length of proceedings.

An overall deeply disturbing, neo-Ceausescu picture emerges when looking further behind the DNA's success rates. At a moment when Romania is seeking to further integrate into the European Union, the necessity to investigate and reform is paramount. It would be negligent of the European Commission to turn a blind eye to the disturbing nature of Romania's anti-corruption fight as it seeks to join the Euro and Schengen.

The Constitutional Court of Romania's recent decision to require Kovesi's removal opens a window of opportunity for the country to reform the corrupt institutions that are meant to safeguard the rights of Romanian citizens. It can allow the country to hit the reset button and enable a truly effective system for tackling corruption.

It is now in the hands of the Romanian government to reverse its current Kovesi-era path of unfair trials and unsafe convictions and to build institutions and leaders that can both guarantee Romanian's their human rights and ensure corruption is tackled firmly but fairly.

[1] <https://www.romania-insider.com/romanias-justice-minister-presents-report-anticorruption-department/>

[2] <https://www.neweurope.eu/article/corruption-romanias-anti-corruption-fight/>

[3] <https://www.eureporter.co/frontpage/2018/03/26/praise-for-romanian-crackdown-on-corruption-groundless/>

[4] [http://hrwf.eu/wp-content/uploads/2018/06/21\\_03\\_Human-Rights-in-Romania\\_Systematic-violations-and-the-anti-corruption-efforts.pdf](http://hrwf.eu/wp-content/uploads/2018/06/21_03_Human-Rights-in-Romania_Systematic-violations-and-the-anti-corruption-efforts.pdf)

[5] <https://eutoday.net/news/politics/2017/romanias-secret-services-under-parliamentary-scrutiny>

[6] <http://bit.ly/2nkZ0dX>

[7] <https://www.neweurope.eu/article/corruption-romanias-anti-corruption-fight-laid-bare-world-see/> ; <http://henryjacksonsociety.org/wp-content/uploads/2017/01/Romania-paper.pdf>

[8] <https://www.neweurope.eu/article/corruption-romanias-anti-corruption-fight-laid-bare-world-see/>

[9] <http://henryjacksonsociety.org/wp-content/uploads/2017/01/Romania-paper.pdf>

[10] [https://www.echr.coe.int/Documents/Stats\\_violation\\_2017\\_ENG.pdf](https://www.echr.coe.int/Documents/Stats_violation_2017_ENG.pdf)

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## **ALGERIA: Three Algerian churches allowed to reopen after protest campaign**

Barnabas fund (12.06.2018) – <https://bit.ly/2JK4whF> – Three Algerian churches, which had been closed by officials in the north-western district of Oran, have been allowed to reopen.

Two churches, L'Oratoire in Oran city centre, and a village church in Layayda, were closed in February, after authorities claimed they did not have state approval. A third church in Ain Turk has been closed since November over claims its bookshop had been used to “illegally print gospels and publications intended for evangelism”.

The Algerian Protestant Churches Association, which has been campaigning against the closures, said the governor of Oran signed off on their reopening on 11 June 2018. “This is a reopening without conditions. Praise the Lord,” said a Barnabas contact. “We are grateful for your unwavering support in prayer.”

The association, which represents 45 churches, spoke out about an apparent increase in discrimination against Christians this year, after Algerian authorities launched a committee to carry out “safety inspections” of churches.

Algeria’s Ministry of Religious Affairs claimed the churches were sealed off because they did not have approval and therefore did not “meet standards required of a place of worship.” Claims church representatives vehemently denied.

This week, security services were removing the seals and handing the churches back over to their leaders and the local Christian community.

The number of Algerian Christians is estimated to be in the high tens of thousands. Christians are free to worship in Algeria, but church buildings must have official recognition, which can be difficult to obtain. Since November 2017, Christians have faced increasing persecution from the authorities, including the closure of their churches, police searches, and prosecutions for carrying Bibles or Christian materials.

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# **ARMENIA/NAGORNO-KARABAKH REPUBLIC/EUROPEAN COURT: Jehovah's Witnesses in the NKR and Sargis Avanesyan v. Armenia**

*Application no. 41817/10*

Willy Fautré, Human Rights Without Frontiers

HRWF (14.06.2018) – The Nagorno-Karabakh Republic is a disputed territory between Azerbaijan and Armenia. An armed conflict erupted between both former Soviet Republics in the wake of the collapse of the Soviet Union and only came to an end with a cease-fire reached on 12 May 1994 through Russian negotiation. After the war, Azerbaijan lost its control over the region which, under the protection of Armenia, unilaterally proclaimed its independence under the name of Nagorno-Karabakh Republic. The NKR has a total area of about 4400 km<sup>2</sup> and a population of around 146,000 inhabitants. It is a de facto self-proclaimed independent state with Armenian ethnic majority. It is not recognized by the international

community. It is consequently not a member of the Council of Europe, the OSCE and the UN. Therefore, the European Court of Human Rights faces a basic problem: which country can be involved in the procedure?

In the case of a Moldovan detainee in Transnistria (the self-proclaimed Moldavian Republic of Transdniestria) who had to lodge a complaint against another de facto state unrecognized by the international community, the Court admitted a complaint against both Moldova and Russia (Application no 11138/10). This area was part of the former Moldavian SSR, and since the dissolution of the USSR it has been claimed by the [Republic of Moldova](#) as the Administrative-Territorial Units of the Left Bank of the Dniester but it is unable to exert its jurisdiction on this territory.

In the case of Jehovah's Witnesses in Nagorno-Karabakh, the European Court declared admissible the complaint against the sole Armenia.

The applicants are the Christian Religious Organization of Jehovah's Witnesses NKR, a religious community established in the Republic of Nagorno Karabakh in 1993 ("the applicant community") and an Armenian national, Mr. Sargis Avanesyan, who was born in 1962 and is the community elder living in Stepanakert ("the applicant"). They are represented before the Court by Mr A. Carbonneau and Mr R. Khachatryan, lawyers practising in Strasbourg and Yerevan.

In June 2009, the applicant community applied to the NKR Government for state registration. In July 2009, the NKR

government staff provided an expert opinion to determine if the applicant community fulfilled the requirements of Article 5 of the NKR law. The expert opinion concluded that by their ideology, the applicant community is “far from a Christian organization.” In August 2009, the State Registry Department rejected the application relying on the expert opinion. In spring of 2010, the police raided the religious meetings of the applicant community and arrested five members who were charged with an administrative offense. The applicants complain under Articles 9 and 11 of the Convention of the continued refusal of the NKR authorities to register the applicant community as a religious organization.

See the full details of the statement of facts at <https://www.strasbourgconsortium.org/portal.case.php?pageId=10#caseId=1530> but here are some excerpts of this section:

### *1. Background to the case*

*Jehovah’s Witnesses have been present in the unrecognised Republic of Nagorno Karabakh (the NKR) since 1993. At the material time they had approximately five hundred members.*

*Since 8 October 2004 Jehovah’s Witnesses have been a registered religious organisation in the Republic of Armenia.*

*On 26 November 2008 the NKR Law on the Freedom of Conscience*



*and on Religious Organisations (the Law) was enacted.*

*On 20 June 2009 the General Assembly of the applicant community held a meeting. It decided, inter alia, to apply for legal registration by submitting the required documents, including those necessary for the mandatory expert report, and elected the applicant as the Chairman of its Council.*

*The first attempt to obtain state registration*

*On 22 June 2009 the applicant applied to the NKR Government for state registration by virtue of Article 14 of the Law, seeking an expert conclusion as to whether the applicant community fulfilled the requirements of Article 5 of the Law.*

*On 6 July 2009 the Chief Minister of the NKR Government Staff provided the applicant with an expert opinion of 6 July 2009 prepared by A.S., Chief of the Department for National Minorities and Religious Affairs of the NKR Government Staff (the Expert Opinion)."*

*The expert group refrained from examining purely theological issues but considered that "by their ideology Jehovah's Witnesses are far from being a Christian organisation" because the presented documents do not state that the organisation accepts the Nicene Creed, which is a prerequisite for being a Christian organisation or church." The experts also stressed that "according to Article 17 of [the Law] only the Armenian Apostolic Holy Church has the right to preach freely and spread its beliefs in the*

*territory of Nagorno Karabakh” and that all other religious organisations having state registration can only preach within the circle of their own believers. They also accused Jehovah’s Witnesses of mental manipulation and of endangering the national defence as they are objectors to military service.*

*On 9 July 2009 the applicant and two other members of the applicant community applied on its behalf to the State Registry Department of the NKR Ministry of Justice for state registration but on 3 August 2009 the State Registry Department rejected the applicant community’s application, relying on the Expert Opinion.*

On 15 March 2018, the European Court sent three questions to the parties:

- 1. Does Armenia have jurisdiction over the matters complained of, within the meaning of Article 1 of the Convention (see Muradyan v. Armenia, no. 11275/07, §§ 126 and 127, 24 November 2016)?*
- 2. Does the Nagorno Karabakh authorities’ refusal to register the applicant community to date constitute an interference with the applicant community’s freedom of association, within the meaning of Article 11 § 1 of*

*the Convention read in the light of Article 9 of the Convention? If so, is the interference justified in terms of Article 11 § 2 of the Convention? (see, in particular, Jehovah's Witnesses of Moscow v. Russia, no. 302/02, §§ 161-182, 10 June 2010)*

*3. Has the applicant community suffered discrimination in the enjoyment of its Convention rights, contrary to Article 14 of the Convention read in conjunction with either Article 9 or 11?*

.....

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**IRAN: Confirmed by Court of**

# Administrative Justice – Baha'is in Iran are not entitled to university education

Iran Press Watch (29.05.2018) – <https://bit.ly/2t1koWc> – Mechanical engineering student [Hannan Horr](#), a Baha'i citizen, has lost his appeal with the Court of Administrative Justice and is being denied the right to continue his university studies on the basis of his being a Baha'i.

According to HRANA (the Human Rights Activists News Agency of Iran), [Hannan Horr](#) successfully competed in in the 2016 university entrance exam, holding rank 3,000 in math, and was admitted to the field of Mechanics at Babol's Noshirvani University. However, [on October 1, 2016, Mr. Horr was prevented from entering a classroom](#), and subsequently learned that, effective October 3, 2016, he was banned from continuing his studies. He filed an appeal with the Court of Administrative Justice in 2017, seeking to uphold his right to continue his education. However, at the conclusion of the inquiry, Branch 40 of the Court of Administrative Justice ruled his complaint invalid. The Court's ruling was communicated to Mr. Horr yesterday, May 28, 2018.

According to the judgement issued by the Court, the defense presented by the Ministry of Science, Research and Technology was “based on the regulations approved by [the Supreme Cultural Revolution Council \(SCRC\), which ban the Baha'is from government employment as well as university education.](#)”

The Court's ruling found that "regarding the plaintiff's case based on the defendant's obligation to allow the continuation of studies based on his passing the entrance examination, since the actions taken by the defendant were in accordance with the regulations approved by [The Supreme Cultural Revolution Council](#), and are not in violation of the law, therefore, the plaintiff's complaint is not valid, and based on articles 10 and 65 of the law of institutions and judicial code of the Court of Administrative Justice, the case is overruled and rejected."

This language of this ruling is significant, as it is one of the rare instances in which the Iranian judicial system admits the existence of confidential regulations approved by the Supreme Cultural Revolution Council, which ban Baha'is from government employment and higher education.

It is of note that previously, Mr. Horr's brother, Faran Horr, as well as their father Elam Horr were also banned from university education due to their religious belief, in 2012 and 1983 respectively.

**Each year many reports are published regarding the [deprivation of Baha'i citizens from continuing their education in Iran's universities](#). Even those Baha'i students who are on the verge of graduation find themselves suddenly banned from continuing their studies.**

Another instance regards Shakib Teimoori, a Baha'i and undergraduate student in Mechanics at Gorgan University who,

according to HRANA, was [expelled](#) from university on the morning of Sunday May 27, 2017. The university is refusing to return Mr. Teimoori's transcripts.

Despite the clear letter of the law, based on the regulations approved by the Supreme Cultural Revolution Council, Baha'is are banned from government employment as well as university education.

Throughout the existence of the Iranian regime, the United Nations rapporteurs for human rights in Iran have repeatedly denounced the persecution of the Baha'i Community, in particular the denial of the right to education for Baha'i students, considering it a blatant example of the Iranian government's disregard for human rights treaties.

**Baha'i citizens in Iran are deprived of freedoms related to religious beliefs. This systematic deprivation is whilst, in accordance with Article 18 of the Universal Declaration of Human Rights, and Article 18 of the International Covenant on Civil and Political Rights (ICCPR) (both of which Iran is signatory), all persons have the right to religious freedom, the right to change their religion or belief, and the freedom to express their belief individually or collectively in public or private.**

Baha'is in Iran are prohibited from having any administrative bodies for their community, so an accurate count of the number of Baha'is currently in Iran is difficult to assess. However, based on unofficial sources, there are over 300,000 Baha'is in Iran. Iran's Constitution only recognizes Islam, Christianity,

Judaism and Zoroastrianism, and does not recognize the Baha'i Faith as a religion. This has been used by the Regime to justify systematic denial of rights of the Baha'is over since the Islamic Revolution.

The attached documents are related to the deprivation of the three members of the Horr family of the right to education since 1983.

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## **IRAN: Expulsion of Shakib Teimouri, a Baha'i student, from Gorgan University**

Iran Press Watch (04.06.2018) – <https://bit.ly/2HkXPRj> – Shakib Teimouri, an undergraduate student in Mechanical Engineering at the University of Gorgan, was expelled from

university for being a Baha'i, on the morning of Sunday, May 27, 2018. The university even refused to give Mr. Teimouri a copy of his Associate Degree document. He entered the University of Sama Gorgan as a student in the Associate Degree program in September 2014, and continued his studies as an undergraduate student after 2016.

In addition to the illegal decisions of the authorities, this undergraduate student has also been denied his Associate Degree document. The university's authorities [deprived this Baha'i student from higher education](#) by blocking Mr. Teimouri's access to the university site and preventing him from registering. In addition, on April 12<sup>th</sup> of this year, two students from [Gorgan](#) and [Gilan](#) universities, [Arash Razavian](#) and [Kiana Sanaie](#), were expelled because they are Baha'is. Despite the explicit text of the law, according to the [Supreme Council resolution](#), in addition to barring Baha'is from government employment they are also deprived of university education.

Every year, many accounts are published of Baha'i students being [prevented from continuing their studies](#) in Iran's universities, including students on the verge of graduation. Throughout the existence of the Iranian regime, the [United Nations Rapporteurs](#) on Human Rights in Iran have repeatedly decried the persecution of Baha'is, and in particular depriving Baha'i students of their [right to education](#), and consider it a blatant example of the Iranian government's disregard for human rights treaties.

Baha'i citizens in Iran are deprived of freedoms related to religious beliefs. This systematic deprivation is in direct



contradiction of Article 18 of the Universal Declaration of Human Rights and Article 18 of the International Covenant on Civil and Political Rights (ICCPR), which state that all persons have the right to religious freedom, the right to change their religion or belief, and the freedom to express their belief individually or collectively in public or private.

Based on unofficial sources, there are over 300,000 Baha'is in Iran. However, Iran's Constitution only recognizes Islam, Christianity, Judaism and Zoroastrianism, and does not recognize the Baha'i Faith as a religion. This has been used by the regime to justify the systematic [denial](#) of the civil rights of Baha'is over the last 39 years.

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# **AUSTRIA: Government shuts seven mosques, prepares to expel 40 Turkey-funded imams**

*Decision shows failure of Austria's Islam Law, according to human rights organizations*

Vienna, 10.06.2018 (HRWF/FOREF Europe) – On Friday, June 8, the government of Austria ordered the closing of seven mosques and the termination of the residence permits of 40 Turkish imams. “Parallel societies, political Islam or radical tendencies have no place in our country,” Chancellor Sebastian Kurz of the conservative people’s party (ÖVP) explained at a news conference announcing the move last Friday.

Human Rights Without Frontiers and the Forum for Religious Freedom – Europe, both of which have been sharply critical of political Islam as a totalitarian political movement, said that subjecting Islamic religious communities to special regulations contradicts human rights and Rule of Law principles, and is an obstacle to the development of moderate and peaceful Islamic communities in Europe that uphold a separation of church and state.

The measure coincides with the run-up to the Turkish presidential election on June 24. Turks living in Austria and in other countries already have begun casting absentee ballots. Last May, 10.000 expat Turks travelled to Sarajevo to attend an election campaign event in Bosnia-Herzegovina’s capital Sarajevo in support of the Turkish President Recep Tayyip Erdoğan, as Germany, Austria and the Netherlands had prohibited election campaigns of Turkish politicians in their countries. The event was hosted by the Union of European Turkish Democrats (UETD), an organization that is considered the foreign branch of Erdoğan’s party AKP. Around half of the

supporters came from Germany and about 2.000 from Austria. In his Sarajevo talk, the Turkish president criticized the European countries that banned his campaigns as anti-democratic and asked his supporters to “demonstrate the strength of European Turks to the whole world”, the Austrian newspaper [Die Presse](#) reported.

Against this backdrop, the Austrian government’s plan to expel imams supported by Turkey and to crack down on mosques run by controversial organizations is widely understood as a reaction against the promotion of political Islam in Austria. Government officials, however, have [denied](#) any connection of their measure to the upcoming Turkish presidential election. The decision has been justified by claiming that two provisions of the amended “Islam Law” (Islamgesetz) of 2015 have been breached:

First, according to the law, imams in Austria are prohibited from being funded by foreign countries. However, 40 imams of the Turkish-Islamic Union in Austria (ATIB) have been funded by Turkey via a [personnel leasing company in Belgium](#). This was also admitted by ATIB representatives who defended their actions by stating that possibilities for the training and support of imams in Austria were insufficient. The process to withhold or withdraw residence permits of the 40 imams has already been initiated, government officials have announced. Additionally, at least another 20 imams associated with ATIB are going to be investigated.

Secondly, the Islam Law of 2015 explicitly requires Islamic communities to hold a “positive attitude towards society and the state”, a term which is open to a broad range of interpretations. This provision was allegedly violated by a Vienna mosque run by the [Nizam i-Alem](#) (“world order”) association, which is a member of the European umbrella organization of the splinter party (BBP) of the Turkish ultra-nationalist party MHP. (The far-right youth organization [Grey Wolves](#) has close links to the MHP as its political arm.

Several media outlets have identified the Nizam i-Alem mosque as an associate of the Grey Wolves.) According to the Islamic Community in Austria (IGGÖ), the largest Muslim umbrella organization in the country that includes the ATIB as its leading constituent member, confirmed that the mosque was operating illegally without its permission.

Six out of the seven mosques to be shut down, however, do not have any ties to Turkey. These belong to a non-registered association called “Arabic Religious Community” (arabische Kultusgemeinde), a [member](#) of the Austrian Islamic Community that allegedly entertains ties with the European network of the Muslim Brotherhood. (The chairman of the Arabic Religious Community, the Egyptian [Moussa Hassan](#), was convicted last year for embezzling public funds provided for Islamic kindergartens in Vienna.) The mosques are to be closed due to “Salafist statements” by their representatives. The Arabic Religious Community [announced](#) that it will take legal action against the government’s measures.

[Another controversial mosque](#) in Vienna run by ATIB is still under investigation. In April this year, pictures emerged that showed children re-enacting scenes of the World War I battle of Gallipoli (1915) on the premises of the mosque and playing martyrs dressed in paramilitary uniforms. Already at that point, Chancellor Kurz announced that the case will be investigated and that the funding of Islamic associations and kindergartens would be scrutinized.

### ***Reactions: Austria “islamophobic” and “racist”***

Regular visitors of the mosques affected by the crackdown have denied the accusations and call the government action “politically motivated”.

The Islamic Community in Austria (IGGÖ) remarked indignantly in its [statement last Saturday](#) that illegal activities of any association used to be monitored by the interior ministry

regardless of religious affiliation. However, with the amended Islam Law now entering into effect, the whole IGGÖ was being discredited when illegal activities of individual actors were penalized “in calculated political manoevers”.

Statements in reaction to the move of the Austrian government came not only from religious representatives, but also and especially from political figures. Turkish government officials have responded by portraying the action as an attack on Islam itself. Ibrahim Kalin, a senior presidential adviser and spokesman of Erdoğan, [condemned Austria's decision on his Twitter feed](#). “Austria's decision to close seven mosques and expel imams is a reflection of the Islamophobic, racist and discriminatory wave in this country,” he stated. “It is an attempt to target Muslim communities for the sake of scoring cheap political points.”

Erdoğan threatened with retaliations against Kurz, and claimed in a [speech in Istanbul](#) last Saturday that the actions of the Austrian Chancellor could lead the world into “a war between the cross and the crescent moon”.

### ***Turkey's eye on Austrian Muslims***

Despite their occasional public protests, the IGGÖ officials in fact cooperated intensely with the Austria's former government, a socialist-conservative (SPÖ/ÖVP) coalition, in drafting the Islam Law of 2015. Their aim was to strengthen the status of the IGGÖ as a representative body of Muslims living in Austria. On the other hand, according to scholar of Islam Ednan Aslan, there were [three main factions](#) within the IGGÖ that struggled to advance their political interests in Austria: the Muslim Brotherhood, the Egyptian government, and the Turkish government. As of June 2016, the Turkish-Islamic Union in Austria (ATIB) has taken control over the IGGÖ, thus cementing the influence of Turkey on Austrian Muslims and [effectively removing](#) the Arabic Religious Community from power. (Correspondingly, the IGGÖ has stated on Saturday that

they have [no problem](#) with the government's announcement to shut down the "private mosques" of the Arabic Religious Community.)

There are an estimated 600.000 Muslims living in Austria, a country with a total population of 8.8 million. About 360.000 are of Turkish origins, among whom one third holds Turkish citizenship. ATIB was founded in 1990 and serves as an umbrella organization for 62 member associations with an estimated 100.000 members. At par with DITIB in Germany, the organization is known to function as the Austrian [branch of the Diyanet](#), the Directorate of Religious Affairs in Turkey, and is bound by instructions of the Turkish Embassy.

Since August 2017, Austria's public prosecutors are investigating ATIB due to allegations that the organization has been used by Turkey to spy on members of the Gülen-movement. If confirmed that ATIB was involved with intelligence collection, the organization could be [dissolved](#).

***Human Rights Activists: Islam Law is discriminatory and seeks to regulate thoughts and attitudes***

The provisions of the Islam Law mentioned above have been now implemented by the government for the first time.

The controversy surrounding the government's move underlines the weakness of the all-inclusive-package of the amended Islam Law, which includes both privileges and highly questionable discriminatory provisions.

The ban on foreign funding is a discriminatory security measure to tackle the political influence of Turkey, Egypt, Iran and Saudi Arabia.

But according to Willy Fautré, Director of *Human Rights Without Frontiers*, "A law that indiscriminately criminalizes all forms of foreign financial assistance to a specific religious community is discriminatory and incompatible with

the European Convention on Human Rights. It should be abrogated. Such a law looks like a twin sister of Putin's law against 'foreign agents'."

What is more, by demanding a "positive attitude" toward society and the Constitution from a specific religious group, the law is both discriminatory and an illegal intrusion into the freedom of thought.

"When any law gives a state the power to penalize citizens for their attitudes and thoughts on the basis of vague language, it is inconsistent with basic human rights, and an invitation for political manipulation," stated Dr. Aaron Rhodes, president of the Forum for Religious Freedom – Europe.

Both organizations strongly urge that Austria's Islam Law not only needs to be reformed, but it needs to be dissolved and new legislation for religions must be put in place that will ensure the equal treatment of all religions before the law. Such legislation should enable a clear procedure for Islamic associations to register as faith communities independently from umbrella organizations vulnerable to political instrumentalization.

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## **RUSSIA: 16 Jehovah's Witnesses behind bars as of 8 June**

HRWF (08.06.2018) – The number of Jehovah's Witnesses deprived of their freedom has been dramatically and rapidly increasing in Russia since the ban of their religion in April 2017.

It can unfortunately be expected that the situation will worsen day after day and that young Jehovah's Witnesses will also be targeted for their conscientious objection to military service, as members of a banned extremist religious organization (!).

Here is an updated list of 16 prisoners as of 8 June 2018. Their pre-trial detention is systematically prolonged until their trial starts.



See below the region they are from, followed by the name of the detainee and birthdate, the date of the arrest, the article of the criminal code and the dates of their pre-trial detention.

### ***Charges***

Criminal Code Article 282.2, Part 1: Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity.

Criminal Code Article 282.2, Part 2: Participation in the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity.

### ***List of Prisoners***

#### **Oryol Region Oryol**

Dennis CHRISTENSEN (18-Dec-72)

25-May-17

Article 282.2(1)

Pre-trial detention: 26-May-18 / 1-Aug-18

#### **Republic of Tatarstan Naberezhniye Chelny**

Ilkham Shamilevich Karimov (9-Feb-81)

27-Mar-18

Article 282.2(1)

Pre-trial detention: 29-May-18/ 25-Jul-18

Vladimir Nikolayevich Myakushin (6-Nov-87)

27-Mar-18

Article 282.2(1), (1.1) and (2)

Pre-trial detention: 29-May-18/ 25-Jul-18

Konstantin Matrashov (1983)

27-Mar-18

Article 282.2(1), (1.1) and (2)

Pre-trial detention: 29-May-18/ 25-Jul-18

Aydar Maratovich Yulmetyev (Aug-93)

27-Mar-18

Article 282.2(1), (1.1) and (2)

Pre-trial detention: 31-May-18/ 25-Jul-18

### **Republic of Bashkortostan Ufa**

Anatoliy Sergeyevich Vilitovich (15-Sep-86)

10-Apr-18

Article 282.2(2)

Pre-trial detention: 12-Apr-18/ 2-Jul-18

### **Murmansk Region Polyarny**

Roman Nikolayevich Markin (18-Mar-74)

18-Apr-18

Article 282.2(1)

Pre-trial detention: 23-Apr-18/ 11-Jun-18

Viktor Fedorovich Trofimov (26-Mar-57)

18-Apr-18

Article 282.2(1)

Pre-trial detention: 23-Apr-18/ 12-Jun-18

### **Vladivostok Region Vladivostok**

Valentin Pavlovich Osadchuk (15-Mar-78)

19-Apr-18

Article 282.2(2)

Pre-trial detention: 23-Apr-18/ 20-Jun-18

### **Orenburg Region Orenburg**

Aleksandr Gennadyevich Suvorov (20-Apr-80)

16-May-18

Article 282.2(1)

Pre-trial detention: 19-May-18/ 14-Jul-18

Vladimir Yuryevich Kochnev (15-Oct-79)  
16-May-18  
Article 282.2(1)  
Pre-trial detention: 19-May-18/ 14-Jul-18

**Magadan Region Magadan**

Konstantin Nikolayevich Petrov (9-Aug-86)  
30-May-18  
Article 282.2(1)  
Pre-trial detention: 01-Jun-18/ 29-Jul-18

Ivan Grigoryevich Puyda (C.O.)(5-Nov-78)  
30-May-18  
Article 282.2(1)  
Pre-trial detention: 01-Jun-18 30/-Jul-18

Yevgeniy Anatolyevich Zyablov (9-Mar-77)  
30-May-18  
Article 282.2(1)  
Pre-trial detention: 01-Jun-18/ 29-Jul-18

Sergey Liviyevich Yerkin (23-Jun-53)  
30-May-18  
Article 282.2(1)  
Pre-trial detention: 01-Jun-18/ 29-Jul-18

**Tomsk Region Tomsk**

Sergey Gennadyevich Klimov (C.O.) (26-Mar-70)  
3-Jun-18  
Article 282.2(1)  
Pre-trial detention 05-Jun-18 04-Aug-18