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RUSSIA: Cassation confirms a 2 ½ years sentence of a Jehovah's Witness

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More than 140 Jehovah's Witnesses are now in prison for practicing their faith in private

By Willy Fautré, Human Rights Without Frontiers



HRWF (04.08.2023) – On 27 July 2023, the Fourth General Jurisdiction Court of Cassation upheld the sentence and appeal ruling against Aleksandr Nikolaev, a resident of Kholm'skaya – 2 years and 6 months in prison. At the same time, the court canceled the additional freedom restriction, which is imposed on the convict after serving the main term.

On 23 December 2021, the Abinsk District Court of the Krasnodar Territory found him guilty of participating in the activities of an extremist organization for reading the Bible and discussing religious issues in private with relatives and friends. The investigation considered it was “a crime against the foundations of the constitutional order and the security of the state” and initiated a criminal case on the grounds under Part 2 of Art. 282.2 of the Criminal Code of the Russian Federation.

In the cassation complaint, the defense drew attention to significant violations of the norms of the Criminal Code and Criminal Procedure Code that influenced the outcome of the case. Thus, no evidence was presented in court that the convict had committed any unlawful acts or that his behavior was of a socially dangerous nature. In addition, there was not a single evidence that, exercising his right to freedom of religion, Aleksandr Nikolaev had the intent to commit a crime or a motive to incite hatred or enmity.

Found a typo? Highlight the misspelled text and press ⌘+Enter on MacOS to let us know.

Brief history of the case

In April 2021, FSB officers, accompanied by OMON fighters, came with a search to the Nikolaev spouses, who have five children two of whom are adopted. Shortly before, the Investigative Committee opened a criminal case against Alexander Nikolaev, accusing him of participating in extremist

activities for reading the Bible. The believer was placed under house arrest for almost six months. In July 2021, the case went to trial. Two months later, he was sent to a pre-trial detention center. In December of the same year, the court sentenced the believer to 2.5 years in a penal colony. In October 2022, the regional court approved the verdict, adding a number of restrictions to the punishment.

At the time of the entry into force of the verdict, Nikolaev had served more than half of his sentence in a pre-trial detention center. In March 2023, he was placed in a colony. In April 2023, the court denied him parole. At the end of July 2023, the cassation instance upheld the verdict, canceling only additional restrictions that would have come into force after the believer left the colony.

More than 140 Jehovah's Witnesses are now behind bars in Russia for practicing their faith in private. See these documented cases in HRWF Database of FORB prisoners.

[Further reading about FORB in Russia on HRWF website](#)

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