

Russia: Escalating Persecution of Jehovah's Witnesses

Arrests, Prison, Harassment for Peaceful Religious Practice

Human Rights Watch (09.01.2020) – <http://bit.ly/2snXE6h> – Law enforcement authorities across Russia have dramatically escalated the nationwide persecution of Jehovah's Witnesses in the past 12 months, Human Rights Watch said today. One year after President Vladimir Putin said that the crackdown against them should be "looked into," the numbers of house raids and people under criminal investigation have more than doubled, and 32 Jehovah's Witnesses worshipers are behind bars for peacefully practicing their faith.

At least 313 people are facing charges, are on trial, or have been convicted of criminal "extremism" for engaging in Jehovah's Witnesses' activities, or are suspects in such cases. About two-thirds of them found out about their status as suspect or accused in 2019. Authorities have carried out at least 780 house raids since 2017 in more than 70 towns and cities across Russia, more than half of them in 2019. Courts convicted 18 people in 2019, nine of whom received prison sentences ranging from two to six years, for such activities as leading or participating in prayer meetings. Verdicts are expected in several cases later in January.

"For Jehovah's Witnesses in Russia, practicing their faith means risking their freedom," said Rachel Denber, deputy Europe and Central Asia director at Human Rights Watch. "There is nothing remotely justifiable about this. It's time for

President Putin to ensure that law enforcement stop this harmful persecution.”

Russian authorities should release detained Jehovah’s Witnesses immediately, drop any outstanding charges, expunge all related criminal records, and halt their persecution, Human Rights Watch said.

Human Rights Watch interviewed two lawyers defending Jehovah’s Witnesses in numerous regions, and the spouses of seven men convicted or facing charges of engaging in Jehovah’s Witnesses activity. Human Rights Watch also reviewed court verdicts and other documents, media reports, and Russian government statements.

The raids and arrests stem from an April 2017 Russian Supreme Court ruling that banned all Jehovah’s Witnesses organizations in Russia. It declared the Jehovah’s Witnesses Administrative Center, the head office for 395 Jehovah’s Witnesses branches throughout Russia, an extremist organization and ruled that all branches should be shut down. The ruling blatantly violates Russia’s obligations to respect and protect religious freedom and freedom of association, Human Rights Watch said.

Russian authorities should reverse the ban on the organization’s activities and remove the “extremist” designation, Human Rights Watch said. They should allow Jehovah’s Witnesses to freely practice their faith.

In his December 2018 meeting with the Presidential Human Rights Council, Putin said that people of all faiths should be treated equally, and that it was “nonsense” to treat people

who practice faiths that are not “traditional” for Russia like members of “destructive” organizations. He said he was not aware of the Jehovah’s Witnesses prosecutions and that he would speak with the chair of Russia’s Supreme Court to analyze the matter.

Most of those targeted are men, though at least 39 women have faced charges. Most targeted are middle-aged, although ages have ranged from an 89-year-old woman named as a suspect in a December 2019 criminal investigation in Stavropol region and an 85-year-old woman on trial in Vladivostok to a 19-year-old woman in Sverdlovsk region charged in May 2019. Most are charged under art. 282.2 of the criminal code, for either organizing or participating in the activities of an organization banned by a court as “extremist.”

Local police carried out the house raids, often with armed and masked Rosgvardia (National Guard) personnel, special rapid reaction police, and Federal Security Service (FSB) officers. They confiscated Bibles and other religious materials, computers, phones, and other personal items and rounded up residents for questioning.

In many cases, including those Human Rights Watch documented, the authorities had been conducting surveillance on people for months, including recording or photographing them at prayer meetings, praying, singing, or reading.

In late December, 12 people were released from pretrial detention pending trial, including two people who had been detained for 521 days. At least 23 of those under criminal

investigation remain in pretrial detention. Since the crackdown began in 2017, almost 150 people have spent time in pretrial custody, 41 for six months or more, according to data provided by the Jehovah's Witnesses organization. Andrzej Oniszczyk, a Polish citizen, spent 344 days in pretrial detention in Kirov, until his release in September 2019, pending trial. During this time, he was unable to see his wife or family. At least 28 are being held under house arrest.

Polls show a rising concern in Russia about freedom of speech, information, and religion. An October Levada Center poll found that 40 percent of people surveyed viewed freedom of religion as the most important right, a double digit increase since a similar 2017 poll.

In April and August, the United Nations Working Group on Arbitrary Detention issued opinions on two cases of Jehovah's Witnesses arrested for their religious activity. In both, the working group found the detentions were arbitrary, lacked legal basis, and violated the rights to freedom of religion, to liberty and security, and to equality before the law.

The European Court of Human Rights (ECtHR) has a case pending against the Russian government, filed by the Jehovah's Witnesses over the Supreme Court ruling. In 2010, the ECtHR held Russia in violation of the European Convention on Human Rights, for closing the Moscow branch of the Jehovah's Witnesses and refusing to allow the group to re-register. The court found violations of arts. 9 and 11 of the convention, which protect freedom of religion and association, respectively.

“This persecution of Jehovah’s Witnesses for their faith is wrong and unlawful,” Denber said. “They should be allowed to worship on an equal basis with everyone else, without fear of being arrested or harassed.”

For details about the criminal cases and house searches, please see below.

Jehovah’s Witnesses sentenced to prison in 2019 include: In Oryol, Dennis Christensen, a Danish citizen, six years; In Saratov, Roman Gridasov, Gennady German, Aleksey Miretsky, Konstantin Bazhenov, Alexey Budenchuk, and Felix Makhammadiyev, two to three-and-a-half years; In Tomsk, Sergei Klimov, six years; and in Penza, Vladimir Alushkin, six years.

Also in 2019, five other people received suspended prison sentences and are subject to travel restrictions, several were fined, and one person was sentenced to 2.2 years’ community service.

“Evidence” and Surveillance

Most of the Jehovah’s Witnesses under prosecution are charged with engaging in the activities of an “extremist” organization (art. 282.2, part 2 of the Russian criminal code). Some have also been charged with organizing activities of an “extremist” organization (art. 282.2, part 1). Evidence of “criminal” conduct in these cases includes regular aspects of communal religious life, including reading the Bible at a Bible study session, participating in a worship gathering, or hosting

people in a home for Bible readings or worship.

Human Rights Watch reviewed four verdicts against people convicted under art. 282.2 part 2. Key evidence used in the September 2019 guilty verdict against Valery Moskalenko was that he had participated in a three-hour worship and Bible study session in a hotel conference room in Khabarovsk. A court in Khabarovsk sentenced Moskalenko to two years and two months of community service, barred him from leaving his municipality for the duration of his community service, and imposed other restrictions.

Among the actions grounding the July 2019 guilty verdict against Aleksandr Solovev was that he tried to persuade people to continue to worship with Jehovah's Witnesses, after they had criticized the faith and expressed an intent to cease their involvement; that he participated in a Jehovah's Witnesses meeting, where he stood near the door and "maintained order"; and that he recruited members. The court fined him 300,000 rubles (approximately US\$4,830).

Sergei Skrynnikov's April 1, 2019 verdict, handed down by a court in Oryol, stemmed mainly from preaching at a gathering, during which he urged worshipers to "be courageous." Skrynnikov was fined 350,000 rubles (US\$5,600).

In its August 2019 opinion on Alushkin's arrest and pretrial detention, the Working Group on Arbitrary Detention noted that Russian authorities had incriminated Alushkin for "holding conversations in public places and residential premises with the inhabitants of the city of Penza ... recruiting new members

from among their relatives, friends, and residents of the city of Penza,” and holding religious services “to study their ideology.’” The opinion said that in doing so, “Mr. Alushkin did nothing more than exercise his right to freedom of religion under art. 18 of the [International Covenant on Civil and Political Rights] and for this he was detained by the authorities and ultimately spent six months in pretrial detention.” The working group concluded that “Mr. Alushkin should not have been arrested and held in pretrial detention and no trial of Mr. Alushkin should take place ... All the activities that Mr. Alushkin engaged in were entirely peaceful religious discussions.”

On December 13, 2019, he was sentenced to six years for organizing the activities of an “extremist” organization.

Evidence of engaging in upkeep of Jehovah’s Witnesses places of worship has also been grounds for charges of involvement in an extremist organization. The spouse of a Jehovah’s Witnesses worshiper facing criminal charges said that her husband’s payment of utility bills for the former Jehovah’s Witnesses meeting house in their town was used as evidence of his participation in an extremist organization.

Based on media reports, information published by the Jehovah’s Witnesses organization, and lawyers who have represented numerous Jehovah’s Witnesses facing criminal charges, the authorities conducted surveillance on suspects’ activities, conversations, and homes. The authorities secretly took photos and recorded videos during religious meetings or other gatherings, when members would discuss the Bible, sing, and the like.

Artur Leontiev and Irina Krasnikova, lawyers who represent Jehovah’s Witnesses, told Human Rights Watch that the

authorities planted people in Jehovah's Witnesses meetings or who otherwise feigned interest in the Jehovah's Witnesses to take photos and videos that were later used as evidence against their clients.

Leontiev said that Klimov, his client, was under surveillance for 10 months before he was detained. Klimov's wife said that in the months leading to her husband's arrest, they could hear their phone conversations being recorded and see strangers standing in front of their home. "It gives me chills up my spine," Yulia Klimova said.

Leontiev recalled an incident in which two men claiming they were repair technicians arrived unannounced to his client's home in October 2017 to fix a faulty internet connection. They apparently meddled with the man's personal computer, downloading files and changing several passwords. Nearly a year later, his client was arrested. Leontiev and his client believe the repair technicians were from the security services, although it is not known whether any of the downloaded information is being used against Leontiev's client.

Raids and Searches

The Jehovah's Witnesses organization has recorded 780 search-and-seizure raids on Jehovah's Witnesses' homes and apartments in Russia since 2018. Of these, 491 took place in 2019, and in October 2019 alone, there were 83 house raids across Russia, the highest monthly count since 2017.

In some cases reported by the media, law enforcement forces carried out multiple raids across a city in a single day. For instance, over 30 home raids took place on July 17, 2019 in Nizhniy Novgorod and about 20 on October 10 in Sochi.

Many raids took place very early in the morning. Irina Bazhenova, whose husband, Konstantin, a Jehovah's Witness, was sentenced in September 2019 to three-and-a-half years, said that in June 2018, police arrived at the apartment next to the one where she and her husband were staying. The police banged loudly on the neighbor's door at around 6 a.m., until Konstantin came out to see what the commotion was about.

Jehovah's Witnesses and their families said they felt shocked, confused, and psychologically pressured when armed men showed up at their door. In most cases HRW documented, the raids were conducted by two vanloads of law enforcement personnel, each with 6 to 10 people. Tatiana Budenchuk, however, said that at least 25 officers were present during the raid on her home in June 2018.

Budenchuk said, "It was early in the morning, around 6:30 a.m. Two mini-buses of men came filled with SOBR [rapid reaction police] in addition to two other smaller cars. In total there were about 25 to 30 people that came to our house."

Some people said they had no time to dress fully and had to sit for hours while their homes were searched and ransacked. Irina Bazhenova said that during the raid, which lasted more than six hours, her husband was kept in handcuffs, and neither of them was allowed to use the bathroom. Klimova said she and her husband were forced to stand against the wall guarded by armed men while officers searched her home, and Tatiana

Alushkina said she and her husband had to stand with their hands behind their backs while their homes were searched.

Budenchuk said that the noise and commotion upset her children, an infant and an elementary school pupil. She also said that police refused to close the front door even though she asked to keep the early morning chill away from her baby.

Some of the people said they live in quiet residential areas, where the presence of the police vans drew attention to their home.

In most cases, law enforcement showed a search warrant, but in the chaos of the raids, residents had little time to read the document. Alushkina recalled that when 10 men, three masked and armed, showed up at her home on July 15, 2019 they showed a document to her husband, but she did not see it.

In most cases reported by the Jehovah's Witnesses, the places raided were homes, including those where Jehovah's Witnesses had held Bible study or worship. A few of the raids were during informal prayer gatherings.

Alushkina said that on July 15, 2018, she was hosting a few friends in her home in Penza for Bible study when the men burst into the room where her husband, Vladimir, was reading the Bible. They showed him a warrant, put his hands behind his back, and searched the house for four hours, after which they took the couple and their guests to the Investigative Committee in Penza for questioning. "It was difficult to

understand at the time what was happening and who they were, but we were taken to the ... 'Tsenter E' [Anti-Extremism Department], where we were all interrogated," Alushkina said.

Criminal charges were eventually filed against Alushkin and several other men present that day, as well as against Alushkina. She was among the four co-defendants in the case who received a suspended two-year sentence on December 13, 2019.

In October 2019 police raided a campsite in Norilsk, where more than 50 Jehovah's Witnesses followers had gathered to pray. Members of the Jehovah's Witnesses community close to those at the campsite said that 15 armed and masked special operations police stormed loudly into the camp, photographed worshipers, and forced them to hand over all electronic devices and to write down their passcodes.

During raids, officers typically confiscated personal belongings, many of which have not been returned. These include smartphones, tablets, computers, flash and hard drives, and any religious materials, including Bibles, song books, and religious texts.

Elvira Gridasova, from Saratov, said, "They took old phones, my daughter's old phone that we had at our house, postcards, letters, photos..."

Two Jehovah's Witnesses from different regions said that police also took their bank cards, and one said they took

money. One person said the officers took their passport but returned it later.

They took my Sberbank card,” said Nadezhda German. “That was my only way to pay for our vacation. We were preparing to go to Georgia, but of course we were unable to go after this.” German ended up going on vacation later, without her husband. Reporting by Novaya Gazeta and Kommersant about the February 2019 raid in Surgut also included accounts of police confiscating Jehovah’s Witnesses’ bank cards.

The authorities have demanded people’s phone passcodes and personal information. According to Yaroslav Sivulskiy, press secretary for the Jehovah’s Witnesses in Russia, during the raid on the worship camp in Norilsk, police also demanded passcodes from children.

Interrogations

Immediately following the searches, law enforcement detained residents and took them to the FSB or Investigative Committee headquarters for questioning.

In some cases, the authorities detained Jehovah’s Witnesses in other settings. For example, Novaya Gazeta reported that on June 12, police in Saratov arrested Makhammadiyev and his wife, Zhenya, in a parking lot near a shopping center. Alexey Stupnikov and his wife, Olga, were arrested at the airport at 4 a.m. just before boarding a flight in Krasnoyarsk on July 3, 2018. Throughout that day, 12 raids took place in the city.

Radio Free Europe/Radio Liberty (RFE/RL), a US government-funded outlet, reported that law enforcement agents in Surgut beat and attempted to suffocate Evgeny Karyak to coerce him to state he was a Jehovah's Witness. Karyak was one of about 40 people rounded up for interrogation in Surgut on February 15, 2019. The Jehovah's Witnesses alleged that several others had been beaten and given electric shocks during interrogation at the local Investigative Committee.

The Investigative Committee spokesman in Surgut, speaking to the RFE/RL reporter, refuted those reports. In August, then-head of the Presidential Council for Civil Society and Human Rights, Mikhail Fedotov, met with Jehovah's Witnesses in Surgut and spoke with them about their ordeal. He declined to comment specifically on the torture accounts, but noted that torture is "an absolutely unacceptable practice."

In some of the cases documented, interrogations lasted for hours and were extremely stressful. Bazhenova said her interrogation lasted four or five hours. She said that two men in front of her asked questions, while two more men stood behind her, which she recalls as both intimidating and stressful.

Klimova, from Tomsk, recalled a particularly stressful interrogation. Immediately following the raid on her home on June 3, 2018, she was held in FSB custody, along with many others whose homes had been raided that day. They were held six to a room without food and water for nearly 12 hours. By the time she was released at 2:30 a.m., she needed medical attention due to the emotional and physical strain.

“I could not understand why [they were questioning us],” she said. “It is not against the law to read the Bible – reading, singing, and talking are not crimes.”

Most of the seven women interviewed whose husbands who were later charged said they did not have a lawyer present during their own initial interrogations. Alushkina was charged after her interrogation with participating in an extremist organization, for which a court in Penza issued a two-year suspended sentence on December 13, 2019.

In most cases, people who faced criminal charges had access to lawyers following their detention. However, Stupnikova said that her husband, Andrei, did not have a lawyer until 12 hours after his arrest.

Gridasova said that she and her husband were detained together for questioning, but that her interrogation lasted only about 90 minutes, after which she was released. She then spent 12 hours seeking information before she was finally told her husband’s whereabouts.

Law enforcement personnel asked questions about the detainees’ religion, the names of participants and leaders, and what they do during meetings. Most people interviewed said they cited art. 51 of the Russian constitution, which guarantees the right not to give self-incriminating evidence or evidence incriminating a close relative, often to the frustration of interrogators.

Several people said that their interrogators handed them statements to sign pledging not to participate in an “extremist” religious organization.

During the Budenchuks’ interrogation, a senior investigator twice threatened to have their children taken away from them. At the start of the questioning, “when we were husband and wife being interrogated together, he threatened to take our children from us,” Tatiana Budenchuk said. She said the investigator directed the threat at her husband, “to scare him.” He repeated it again at the end of her interrogation. No further action was taken on these threats.

Pretrial Custody, House Arrest, Travel Restrictions

Dozens of people have been held for months in pretrial detention centers, where family visits are severely limited. Klimova was barred from seeing her husband for eight months, Stupnikova was unable to see hers for the duration of his four months in pretrial custody, after which he was released to house arrest, and Bazhenova was allowed to see her spouse only after six months.

The spouses of detained Jehovah’s Witnesses consistently said that not being able to see their husbands for months at a time was the worst part of their ordeal. Having a loved one in a detention center can place an exceptional burden on family members at home. Stupnikova said that Rosfinmonitoring, the Federal Financial Monitoring Service, froze the family bank accounts, causing additional difficulties.

“We have to do it all on our own: work, buy groceries, meet with the lawyers, go to the detention center,” Gridasova said. “And besides, you don’t want to go home. There is no one there.”

Of those facing criminal charges, 28 are under house arrest and many others have been released on their own recognizance and ordered not to travel outside their city.

One man who was under house arrest from March 1 to July 2, 2019 was, after his house arrest was lifted, prohibited from using the phone or internet, or interacting with other Jehovah’s Witnesses before his trial.

Alushkina said that due to her husband’s house arrest, he was unable to do his job as a carpenter and said that emotional and financial support from family and friends had been important. Gridasova said that during the first days of her husband’s house arrest she felt “like we weren’t able to even live; we felt like we were being watched.”

According to Forum 18, an independent religious freedom monitoring group, 166 people charged for involvement with Jehovah’s Witnesses are on a list of “terrorists and extremists” maintained by Rosfinmonitoring, including several people whose cases Human Rights Watch documented.

Rosfinmonitoring freezes the asset of individuals on the lists, allowing them to access only small amounts for their living expenses. Leontiev, the lawyer, said that many people

are not aware they are on the list, even when they are unable to access their bank accounts.

HRWF Note: As of December 31, 2019, 313 Jehovah's Witnesses became defendants in criminal cases in 52 regions of Russia. During the last year, 18 people received sentences of various types and duration – up to six years in prison. In total, 149 believers have been sent to jail, 84 of them during the year. For the past 12 months, 489 house searches were carried out.