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## **RUSSIA: Misuse of the anti-extremism laws against believers in February**

– HRWF (31.03.2020) – The Moscow-based Sova-Center has just published the results of its investigation about the misuse of the anti-extremism laws in February in Russia.

The religious movements examined are Muslims supporting a non-violent political movement (Hizb un-Tahrir), a peaceful Muslim missionary movement (Tablighi Jamaat) and Jehovah's Witnesses:

### **Muslims**

In early February, the Central District Military Court sentenced ten Kazan supporters of the radical Islamic **Hizb ut-Tahrir** party (recognized as a terrorist organization in Russia): Ilnar Zyalilov, Ruslan Gabidullin, Azat Gataullin, Abdukakhor Muminjanov, Sergey Derzhipilsky, Zulfat Sabirzianov, Komil Matiev, Farid Kryev, Rustem Salakhutdinov

and Ilnaz Safiullin. Depending on their role, they were charged under Article 205.5 Part 1 (organizing the activities of a terrorist organization), Article 205.5 Part 2 (participation in such activities), Article 205.1 Part 1 (recruiting for terrorist activity), Article 205.2 Part 1 (propaganda of terrorism) and Article 205.2 Part 2 (propaganda of terrorism on the Internet) of the Criminal Code and received sentences ranging from 11 to 22 years in a maximum security colony. The defendants pleaded not guilty, stating that they condemned terrorism and never called for either the overthrow of the constitutional order or the forcible seizure of power.

In Yekaterinburg, the Central District Military Court sentenced Kazan resident Eduard Nizamov. The investigation labeled Nizamov "the leader of the Russian wing" of Hizb ut-Tahrir. He was found guilty under Article 205.1 Part 1 and Article 205.5 Part 1 of the Criminal Code, as well as of attempted forcible seizure of power under Articles 30 and 278 of the Criminal Code and sentenced to 23 years in a maximum security colony and a fine of 200 thousand rubles. Nizamov pleaded not guilty to any of the charges and intends to appeal the verdict.

In mid-February, in Tatarstan, the Central District Military Court found Shamil Galimov guilty under Article 205.5 Part 1 of the Criminal Code, and Ilmir Motygullin – under Article 205.5 Part 2 of the Criminal Code. Galimov was sentenced to 17 years in a maximum security penal colony and a fine of 20 thousand rubles, and Motygullin – to 13 years in a maximum security penal colony. The FSB of Russia Directorate for Tatarstan claimed that, in addition to their usual activities as party members, the defendants "were engaged in recruiting for Hizb ut-Tahrir combat units in the Middle East," but we do not know what formed the basis for these allegations.

We believe that prosecuting Hizb ut-Tahrir members under "terrorist" articles merely on the basis of their party activities (holding meetings, reading literature, etc.) is inappropriate, since the party has never been known to practice terrorism.

In mid-February, the FSB of Russia announced the detention of "three leaders and four active members of a hidden cell" of

**Tablighi Jamaat**, a peaceful movement of Islamic preachers, inappropriately recognized as extremist in Russia. A criminal case was opened under Parts 1 and 2 of Article 282.2 (organizing the activities of an extremist organization and participation in it). Six suspects were arrested, all citizens of the Kyrgyz Republic: Aybek Mamazhunusov, Murzy Kushuev, Aybek Halmatov, Asan Uulu, Artyk Kalbaev and Altynbek Kozonov. An employee of one of the rural libraries in the Novosergievsky District in the Orenburg Region was fined two thousand rubles under Article 20.29 of the Code of Administrative Offenses (distribution of extremist materials) in February. The administrative case was based on the fact of finding Fortress of the Muslim – a popular collection of prayers for every day, recognized as extremist despite the fact that, in our opinion, it contains no aggressive rhetoric – during a library inspection by law enforcement authorities.

### **Jehovah's Witnesses**

In February, several sentences were issued for continuing activity of Jehovah's Witnesses communities and a number of new cases were opened. The charges have been brought against believers in connection with the fact that, in April 2017, the Supreme Court of Russia recognized the Jehovah's Witnesses Administrative Center in Russia and 395 of their local religious organizations as extremist. We believe that this decision, which led to mass prosecutions against believers under Article 282.2 of the Criminal Code, had no legal basis, and regard it as a manifestation of religious discrimination.

Early in the month, the Zheleznodorozhny District Court in Khabarovsk found Stanislav Kim and Nikolai Polevodov guilty under Article 282.2 Part 2 of the Criminal Code and issued two-year suspended sentences to each of them. However, both still remain defendants in another criminal case under Article 282.2 Part 1 of the Criminal Code (organizing activities of an extremist organization).

The Vilyuchinsk City Court in Kamchatka Krai, found the spouses Mikhail and Elena Popov guilty under Article 282.2 Part 2 of the Criminal Code and fined Mikhail 350 thousand rubles, and Elena – 300 thousand in mid-February.

In the second half of February, the Zheleznodorozhny District Court in Khabarovsk found Yevgeny Aksyonov guilty under

Article 282.2 Part 2 of the Criminal Code and issued a two-year suspended sentence with restriction of liberty for six months for reading the Bible in the Jehovah's Witnesses translation during a religious meeting.

It was reported in early February that the Kamchatka Regional Court overturned the decision of the Petropavlovsk-Kamchatka City Court, which, in December, returned to the prosecutor's office the criminal case of Sergei Ledenev, charged under Article 282.2 Part 1 of the Criminal Code. The case was returned to the city court for consideration on the merits.

In addition, there were reports in early February that the Investigation Directorate of the Investigative Committee of Russia in the Amur Region opened criminal proceedings against two residents of the region under Article 282.2 Part 1.1 of the Criminal Code (soliciting, recruiting or other involvement of a person in the activities of an extremist organization) in connection with getting minors involved in a Jehovah's Witnesses community.

In February, new criminal cases under Article 282.2 Part 2 of the Criminal Code were initiated in Birobidzhan by the FSB of Russia Directorate for Jewish Autonomous Region. Early in the month the cases were opened against Irina Lokhvitskaya, Anna Lokhvitskaya, Tatyana Sholner, Tatyana Zagulina, Anastasia Guzeva and Natalya Kriger; in mid-February – against Andrei Gubin and Oleg Postnikov. According to investigators, they participated in the continued activities of the local organization, liquidated by a court decision in 2016.

In Primorsky Krai, Lyudmila Shut, a 72-year-old resident of the village of Razdolny, became a suspect in a new criminal case opened under Article 282.2 Part 2 of the Criminal Code.

Mass searches were conducted in the houses of Jehovah's Witnesses in Transbaikal as part of a criminal investigation under Article 282.2 Part 1 of the Criminal Code. The searches took place in the cities of Chita, Shilka and Khilok and the villages of Karymskoye, Kurort-Darasun and Pervomaisky – the places of mass exile of Jehovah's Witnesses to special settlements during the years of Stalin's repressions. Vladimir Yermolaev, Sergey Kiriliuk, Pavel Mamalimov, and Vadim Kutsenko were detained. Jehovah's Witnesses reported that after Kutsenko's detention, representatives of security forces beat him in their car, strangled him and tortured him with

electric shocks, restraining his hands with handcuffs and forcing his eyes closed. According to him, the police demanded that he pleaded guilty and testified against his fellow believers. The court put Yermolaev under house arrest; Kiriliuk, Mamalimov, and Kutsenko were released from detention after five days, because the Investigative Committee rejected the request for their arrest.

In Stavropol, employees of the regional Center to Combat Extremism conducted an inspection in the apartment of Denis and Anna Mashkov. Technical equipment, data storage devices and personal records were seized. According to the Mashkovs, several publications included in the Federal List of Extremist Materials were planted during the search. It is not known whether a criminal case has been opened.

New information on the use of torture continues to arrive. In February, Jehovah's Witnesses reported that officers of IK-1 colony in Orenburg beat up five believers from Saratov, who were convicted and sent to the Orenburg Region to serve their sentences: Felix Makhammadiev, Alexei Budenchuk, Alexei Miretsky, Gennady German and Roman Gridasov. It was reported that Felix Makhammadiev suffered "a broken rib, lung damage and kidney damage." Meanwhile, the penal colony staff agreed to call him an ambulance only after he signed a statement stating that "got injured in the bathroom." The information about the beatings was not officially confirmed by the Federal Penitentiary Service of Russia in the Orenburg Region.

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