

# **RUSSIA: Prosecutions against religious organizations and believers in June and July**

SOVA Center (01.08.2019) – <https://bit.ly/33cL3Rb>– In July, we learned about several administrative prosecution cases related to religious literature that we consider inappropriately prohibited. Back in early June, the Orenburg District Court of the Orenburg Region ruled against Rustam Yerzhakovsky, a citizen of Kazakhstan, who intended to export to Turkey one copy of *The Fortress of a Muslim* – a book that has been recognized as extremist in Russia. Yerzhakovsky was fined one thousand rubles with confiscation of a banned book under Article 16.3 of the Code of Administrative Offenses (non-observance of interdictions and (or) restrictions on exportation of goods from the customs territory of the Eurasian Economic Union). *The Fortress of a Muslim* is a popular collection of prayers for every day, which, in our opinion, contains no signs of incitement to religious hatred, therefore the courts did not have grounds to recognize it as extremist.

In late July, Khava Shakhtamirova, a resident of Novy Urengoy, was fined two thousand rubles under Article 20.29 of the Code of Administrative Offenses for the fact that she offered passersby to study the brochure “Women in Islam versus Women in Judeo-Christian Tradition.” We regard the ban on this book as inappropriate since its text is respectful of Judaism and Christianity.

In mid-July, the Supreme Court of Russia reduced by three months the lengthy terms of imprisonment faced by each of the four Crimea residents convicted in the Bakhchysarai **Hizb ut-**

**Tahrir** case: Enver Mamutov, Rustem Abiltarov, Zevri Abseitov, and Remzi Memetov. They were convicted under Article 205.5 Part 1 or Part 2 (organizing the activities of a terrorist organization or participation in it) and under Article 278 utilizing Article 35 Part 2 and Article 30 Part 1 of the Criminal Code (preparation for forcible seizure of power by an organized group by prior conspiracy). We believe that accusing members of Hizb ut-Tahrir of involvement in terrorist activities solely on the basis of their party activities (holding meetings, reading literature, etc.) is inappropriate. Qualifying any positive comments on Hizb ut-Tahrir activities as appeals for terrorism or justification of terrorism is also inappropriate.

Prosecutions against **Jehovah's Witnesses** continued in July. Early in the month, Alexander Solovyov, a follower of this doctrine in Perm, was found guilty of participation in the activity of an extremist organization (Article 282.2 Part 2 of the Criminal Code) and sentenced to a fine of 300 thousand rubles.

In the Nizhny Novgorod Region, cases under Article 282.2 Parts 1 and 2 of the Criminal Code (organizing the activity of an extremist organization and participation in it) were opened in July against nine Jehovah's Witnesses, two of whom – Alexei Oreshkov and Alexander Vavilov – were also incarcerated. Sergey Yavushkin and Alexander Bondarchuk were put under house arrest in Kemerovo under Article 282.2 Part 2 of the Criminal Code

Two Jehovah's Witnesses were arrested in Kaluga; one of them, Roman Makhnyov, stated that he had been subjected to inhuman treatment by the local FSB officers.

Searches in Jehovah's Witnesses' residences were conducted in a number of regions, including in the Trans-Baikal Region, which has never reported any information about criminal proceedings opened against Jehovah's Witnesses.

The decision to recognize the Administrative Center of Jehovah's Witnesses in Russia and 395 local organizations as extremist was made by the Supreme Court of Russia in April 2017. We believe that this decision, which entailed mass criminal proceedings against the believers under Article 282.2 of the Criminal Code, was legally unfounded, and regard it as a manifestation of religious discrimination.

***Falun Gong and Faizrakhmanist community (Muslim new religious movement)***

Sova Center (01.07.2019) – <https://bit.ly/20K9vGn>– We found out in June that the Nevsky District Court of St. Petersburg deemed the book *Nine Commentaries on the Communist Party* (Moscow, 2015) prohibited for distribution in Russia. The decision was made in late May upon request from the City Prosecutor's Office. This book has been distributed by the followers of the Falun Gong spiritual practice (its authorship belongs to the Epoch Times media project). The court relied on the expert opinion, which stated that the anthology contained psychological signs of incitement of hostility "against the Communist Party" and statements "aimed at inciting social enmity against followers of the Chinese Communist Party and communism in general." In our opinion, the ban against *Nine Commentaries on the Communist Party* lacks legal justification, despite the sharp criticism of the CCP's activity contained in the book. No particular political party (especially a foreign one) and no particular ideology is entitled to protection from criticism. The authors of the book stay within the framework of historical and political discussion, do not allow any manifestations of ethnic xenophobia, do not advocate violence, and, on the contrary, emphasize the importance of a "non-violent transition to a society liberated from the CCP." We believe that the decision of the Yekaterinburg court, which had previously declined the [prosecutorial request](#) to ban the book for inciting hatred toward the Chinese supporters of the CCP, was appropriate, while the decision of the St. Petersburg

court constitutes excessive interference with freedom of expression.

The Sovetsky District Court of Kazan in mid-June sentenced five residents of the republic, having found them guilty of continuing the activities of the banned **Faizrakhmanist community**. Depending on their respective roles, they were found guilty of committing crimes under Parts 1 and 2 of Criminal Code Article 282.2 (organizing activity of an extremist organization or participating in it), Part 1.1 of Article 282.2 (involvement of others in activities of an extremist organization), or Part 1 of Article 282.3 (financing activity of an extremist organization). As the spiritual leader of the community, 52-year-old Gumar Ganiev was sentenced to seven years in prison to be served in a minimum-security penal colony; 58-year-old Talgat Gizatullin and 41-year-old Rustam Galiev were sentenced to five years, 58-year-old Glimyan Khazetdinov to six years, and 61-year-old Mudaris Ibragimov – to five and a half years in a penal colony. The Faizrakhmanist community founded by former deputy Mufti of Tatarstan Faizrakhman Sattarov, was recognized as an extremist organization in 2013 after the relevant agencies found out that its members were leading an isolated way of life and did not seek help from medical institutions or send their children to schools. Such organizational features are not subject to anti-extremist legal regulation. As far as we know, the community led an insulated but not aggressive way of life; therefore the decision to recognize it as extremist was, in our opinion, inappropriate. Accordingly, we consider the sentences to the Sattarov's followers inappropriate as well.