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CRIMEA: Four years' jail for mosque meetings

By Felix Corley, Forum 18

Crimea's Supreme Court jailed 49-year-old Muslim Renat Suleimanov for four years for meeting with others in mosques to discuss their faith. Three others were given suspended sentences. All were accused of membership of the Tabligh Jamaat missionary movement, banned in Russia. All denied any "extremism".

After more than 15 months in pre-trial detention following his October 2017 arrest by the Russian FSB security service, the Supreme Court in Russian-occupied Crimea has jailed 49-year-old local Muslim Renat Suleimanov for four years. He was punished on "extremism"-related charges for alleged leadership of a group of the Tabligh Jamaat Muslim missionary movement, which Russia has banned. He denied all accusations of "extremism".

Three other Muslims sentenced with Suleimanov in the Crimean capital Simferopol on 22 January were given two and a half year suspended sentences, when they will live under restrictions, the group Crimean Solidarity noted after the verdicts were handed down. All four are from the Crimean Tatar minority (see below).

The four men met openly in mosques to discuss their faith. "At lessons we studied ayats [verses] from the Koran, the value of praying the namaz, and the zikr [reciting devotional phrases as a reminder of Allah]," one of the men Talyat Abdurakhmanov told the court. "These lessons were not conspiratorial and took place in mosques" (see below).

The four men admitted that they were adherents of Tabligh Jamaat, telling the court they supported its aims of conducting missionary activity among fellow Muslims. However, they rejected any "extremism" or "terrorism". These are believed to be the first criminal convictions in occupied Crimea related to the Tabligh Jamaat movement (see below).

"The men simply gathered in the local mosque to discuss religious questions," a legal specialist familiar with the case told Forum 18 in November 2018. "This is of course a question of freedom of conscience."

The case had been brought by the Russian FSB security service, based on its secret recordings of the meetings in mosques, testimony from unidentified "witnesses" and books seized from the men's homes (see below).

Judge Sergei Pogrebnyak issued the written verdicts to the men's lawyers on 24 January.

Aleksandr Lesovoi, Suleimanov's lawyer, told Forum 18 on 24 January that it was too early to know if his client will appeal against the conviction. So too did Yegor Zvantsev, lawyer for Abdurakhmanov.

Arsen Kubedinov's lawyer Jemil Temishev announced on his Facebook page on 22 January that he would not be appealing on behalf of his client.

The four Muslims were convicted under Russian Criminal Code Article 282.2. This punishes "Organisation of" or "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".

(http://www.forum18.org/archive.php?article_id=1724)

As alleged organiser, Suleimanov faced a maximum 10-year jail term, while the other three – deemed to be participants - faced a maximum 6-year jail term each.

The Russian FSB security service is still investigating the criminal case against Jehovah's Witness Sergei Filatov on the same "extremism"-related charges. The case – which the FSB launched on 10 November 2018 – is the first against Jehovah's Witnesses in occupied Crimea. The FSB investigator Lieutenant Aleksandr Chumakin again refused to talk to Forum 18 (see below).

Five days after the criminal case was opened, about 10 groups of FSB security service and OMON riot police officers from Simferopol raided Filatov's and seven other homes in the northern Crimean town of Dzhankoi. During one raid, officers put a

78-year-old man – deported to Siberia by the Soviet Union for his faith when he was 9 – up against a wall and handcuffed him (see below).

On 17 January 2019, and despite not having been convicted of any crime, Filatov was added to the Rosfinmonitoring "List of Terrorists and Extremists", whose assets banks are obliged to freeze (although small transactions are permitted) (see below).

"Extremist" organisations banned

Russia's Supreme Court banned Tabligh Jamaat as "extremist" in 2009 (http://www.forum18.org/archive.php?article_id=1724). The Russian ban was imposed in Crimea after Russia annexed the peninsula from Ukraine in March 2014.

Russia's Supreme Court banned Jehovah's Witnesses as "extremist" in 2017 (http://www.forum18.org/archive.php?article_id=2297). Prosecutors in Russia are investigating more than 90 individuals on "extremism"-related criminal charges. Of them, 25 were in pre-trial detention and 22 under house arrest (http://www.forum18.org/archive.php?article_id=2412) as of 1 January 2019, Jehovah's Witnesses noted. Others have had to sign pledges not to leave their home town without permission.

Following Russia's occupation of Crimea, the Russian authorities granted re-registration to Jehovah's Witness communities in Crimea, only to ban them following the Russian Supreme Court ban.

Annexation, restrictions imposed

Ukraine and the international community do not recognise Russia's March 2014 annexation of Crimea. The peninsula is now divided between two Russian federal regions, the Republic of Crimea (with its capital in Simferopol) and the port city of Sevastopol.

After the annexation Russia imposed its restrictions on freedom of religion and belief. Many religious communities have been raided, and many individuals have been fined for possessing books – such as the Muslim prayer collection "Fortress of a Muslim" - which have been banned as "extremist" in Russia. (http://www.forum18.org/archive.php?article_id=2051)

Religious communities and individuals continue to be fined for not displaying the full name of their registered religious organisation at their place of worship, for meeting for worship without Russian state permission or advertising their faith. Forty such administrative prosecutions are known to have been brought in 2018 of which 28 ended with punishment. (http://www.forum18.org/archive.php?article_id=2441)

Supreme Court verdicts

On 22 January, Judge Sergei Pogrebnyak at Crimea's Supreme Court in the capital Simferopol convicted four local Muslims of involvement 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" under Criminal Code Article 282.2.

The four men were convicted of involvement in the Tabligh Jamaat Muslim missionary movement, which Russia has banned. Judge Pogrebnyak handed down these sentences, Crimean Solidarity noted:

- 1) Renat Rustemovich Suleimanov (born 30 August 1969), Russian Criminal Code Article 282.2, Part 1, four years' imprisonment in an ordinary regime labour camp, followed by one year under restrictions.
- 2) Talyat Abdurakhmanov (born 1953), Russian Criminal Code Article 282.2, Part 2, two and a half years' suspended sentence, with a two year probation period, plus one year under restrictions.
- 3) Seiran Rizaevich Mustafaev (born 2 January 1969), Russian Criminal Code Article 282.2, Part 2, two and a half years' suspended sentence, with a two year probation period, plus one year under restrictions.
- 4) Arsen Shekirovich Kubedinov (born 6 August 1974), Russian Criminal Code Article 282.2, Part 2, two and a half years' suspended sentence, with a two year probation period, plus one year under restrictions.

Prosecutors had originally handed the criminal case against the four men to court in September 2018, but the court rejected the case because it had been "completed with violations of the provisions of the Code" and sent it back. Prosecutors overturned this on appeal. (http://www.forum18.org/archive.php?article_id=2432)

Prosecutors resubmitted the case to the Supreme Court on 28 November 2018. The trial itself began on 17 December 2018, according to court records, with six further hearings. Court hearings were open, and relatives of the accused men were able to attend, Suleimanov's lawyer Aleksandr Lesovoi told Forum 18 on 24 January.

"I didn't engage in anti-Russian or anti-constitutional activity"

An officer of the Russian FSB security service – which had launched the criminal case in September 2017 – was questioned in court on 10 January as a prosecution "witness".

Suleimanov told the 10 January hearing that two meetings of Muslims had taken place in April and October 2016 but denied that they had been "conspiratorial". They had discussed Islam and missionary activity. He said he shared Tabligh Jamaat's views on calling people to Islam, but did not know anything about – and did not share – any calls to terrorist or extremist activity.

Suleimanov rejected a linguistic "expert analysis" of what he had said at the meetings (as secretly recorded by the Russian FSB) which he claimed was manipulative and often ignorant. He did not contest the religious studies part of the "expert analysis" which he said had portrayed the religious movement accurately, the Crimean blogger Igor Vorotnikov wrote for RFE's Crimean Realities website on 12 January.

Abdurakhmanov told the 14 January 2019 hearing that he had been a member of Tabligh Jamaat, "but I didn't engage in anti-Russian or anti-constitutional activity", Crimean Solidarity noted. "At lessons we studied ayats [verses] from the Koran, the value of praying the namaz, and the zikr [reciting devotional phrases as a reminder of Allah]. These lessons were not conspiratorial and took place in mosques."

Abdurakhmanov added that he had learnt of the Russian ban on Tabligh Jamaat in 2016 after others had been arrested. By 2017 he had already left the group and no longer attended lessons. Asked by the Prosecutor if he had said that it was necessary to fight against people of other faiths, Abdurakhmanov told the court: "No."

Kubedinov, who was defended by the lawyer Jemil Temishev, similarly confirmed that he had been a member of the group, Crimean Solidarity noted, but insisted no extremist discussions had taken place.

Judge Pogrebnyak rejected a motion by Suleimanov's lawyer Lesovoi (supported by the Prosecutor) to summon the linguistics "expert" Fomina to examine whether statements contained any calls to fight and, if so, in what form.

During the trial the head of the Crimean Muslim Board, Chief Mufti Emirali Ablav, appealed to the court not to jail the four Muslims, Kubedinov's lawyer Jemil Temishev noted after the verdict was announced.

At the 16 January 2019 hearing, the Prosecutor (Forum 18 was unable to find her name) called for Suleimanov to be jailed for five years in an ordinary regime labour camp, followed by two years of restricted freedom. She called for the other three each to be given four years' deprivation of freedom, with a three year probation period.

Aleksandr Lesovoi, Suleimanov's lawyer, told Forum 18 on 24 January that the Judge has not yet issued the written verdicts. He said it was too early to know if his client will appeal against the conviction.

Kubedinov's lawyer Jemil Temishev announced on his Facebook page on 22 January that he would not be appealing on behalf of his client. Temishev thanked Crimea's Chief Mufti Ablav for his appeal to the court not to imprison the four Muslims.

October 2017 raids, arrests

The Supreme Court trial concluded nearly 15 months after Russia's FSB security service launched the criminal cases against the four Crimean Tatar Muslims on 29 September 2017. Masked men raided their homes early on 2 October 2017.

Masked FSB officers and OMON riot police raided Suleimanov's home in the village of Molodezhnoe just north of Crimea's capital Simferopol. They arrived at 6 am with a search warrant as he was returning from early prayers at the mosque. Officers seized a computer, as well as five copies of three Muslim books. The books were by two members of the Kandahlawi family, key figures in the Tabligh Jamaat movement. Two of the three titles have been banned as "extremist" by Russian courts. (http://www.forum18.org/archive.php?article_id=2432)

Suleimanov is married with three young daughters.

The same morning officers raided the homes of and detained three other Muslims. At 6 am, men in balaclavas raided the home of Abdurakhmanov in the village of Melnichnoe in central Crimea. Abdurakhmanov has difficulties with his hearing.

Also on 2 October 2017, officers raided the home of Kubedinov in Simferopol and detained him. Kubedinov is married with four children, the oldest of whom is now 11. Officers raided the home of Mustafaev in the village of Pionerskoe, south east of Simferopol, and detained him.

The day after the raid, a Simferopol court ordered that Suleimanov, Abdurakhmanov and Kubedinov be held in pre-trial detention. It

ordered that Mustafaev be held under house arrest. Abdurakhmanov and Kubedinov were later freed under a pledge not to leave their home towns. This left only Suleimanov in Simferopol's Investigation Prison. All his legal challenges to his long pre-trial detention were rejected. (http://www.forum18.org/archive.php?article_id=2432)

The criminal case was initially investigated by the FSB. It was then handed to Crimea's Prosecutor's Office, where it was assigned to Deputy Prosecutor Sergei Bulgakov. He refused to discuss the case with Forum 18 on 23 January 2019. "I'm not authorised to talk to you," he told Forum 18 and put the phone down.

FSB investigating Jehovah's Witness, bank accounts blocked

Investigator Lieutenant Aleksandr Chumakin of the FSB security service in Simferopol is continuing to investigate the criminal case against Jehovah's Witness Sergei Viktorovich Filatov (born 6 June 1972), who lives in the town of Dzhankoi. Chumakin launched the investigation on 10 November 2018. (http://www.forum18.org/archive.php?article_id=2432)

Filatov is the first individual to face "extremism"-related criminal charges linked to the Jehovah's Witnesses in Crimea. He headed the Sivash Jehovah's Witness community in Dzhankoi, one of two Jehovah's Witness communities in the town registered by the Russian authorities in April 2015. Both communities were liquidated through the courts in May 2017 following the Russian Supreme Court ban.

Filatov faces up to 10 years' imprisonment if eventually convicted under Criminal Code Article 282.2, Part 1, of leadership 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".

On 17 January, and despite not having been convicted of any crime, Filatov was added to the Rosfinmonitoring "List of Terrorists and Extremists", whose assets banks are obliged to freeze (although small transactions are permitted). (http://www.forum18.org/archive.php?article_id=2215)

On the evening of 15 November 2018, about 10 groups of FSB officers, OMON riot police and possibly officers of other agencies who had come from Simferopol raided the homes in Dzhankoi of eight families who were members of the two local Jehovah's Witness communities before they were banned in 2017.

Officers who raided the home of 78-year-old Aleksandr Ursu pushed him up against a wall, during which he fell to his knees. Officers then handcuffed him. One of those detained for questioning returned in the morning to find his home ransacked. His pregnant wife had to be rushed to hospital, where she suffered a miscarriage. Jehovah's Witnesses say this was caused by psychological stress. "The young couple do not have children and have taken this tragedy very badly," Jehovah's Witnesses added. (http://www.forum18.org/archive.php?article_id=2432)

On 16 November 2018, Lieutenant Chumakin ordered Filatov to sign a pledge not to leave Dzhankoi without his specific permission.

The man who answered FSB Lieutenant Chumakin's phone on 23 January 2019 repeatedly insisted it was a wrong number and put the phone down.

Filatov said since the ban on Jehovah's Witnesses across Crimea, their Kingdom Halls lie empty. "We're not allowed to use them," he told Forum 18 in November 2018. "I read the Bible together with my family." (http://www.forum18.org/archive.php?article_id=2432)

The criminal case against him has had an intimidating effect. "I no longer meet my friends," Filatov added, "because it might cause them problems. We simply ask the authorities to respect our rights to meet together and read the Bible. We're not law-breakers and we're not against the government." (END)

Full reports on freedom of thought, conscience and belief in Crimea
(<http://www.forum18.org/Archive.php?query=&religion=all&country=86>)

For more background, see Forum 18's Crimea religious freedom survey (http://www.forum18.org/archive.php?article_id=2051)

Forum 18's Reports and analyses on freedom of thought, conscience and belief in Russia within its internationally-recognised territory (<http://www.forum18.org/Archive.php?query=&religion=all&country=10>)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (http://www.forum18.org/archive.php?article_id=1351)

A printer-friendly map of the disputed territory of Crimea, whose extent is not marked, can be found in the south-east of the map

entitled 'Ukraine' (<http://nationalgeographic.org/education/mapping/outline-map/?map=Ukraine>)

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