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The right to believe, to worship and witness
The right to change one's belief or religion
The right to join together and express one's belief

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CRIMEA: Raids, another criminal case, four appeals

By Felix Corley, Forum 18 (https://www.forum18.org)

Armed Russian FSB security service officers raided eight Jehovah's Witness homes around Yalta, seizing religious literature. Artem Gerasimov faces "extremism"-related criminal charges with a maximum ten year jail term, the second Crimean Jehovah's Witness to face such charges. On 16 April, Russia's Supreme Court is due to hear appeals in the cases of four Muslims convicted in January of membership of the Muslim group Tabligh Jamaat.

On 20 March, armed Russian FSB security service officers raided at least eight Jehovah's Witness homes in the southern Crimean city of Yalta and the nearby suburb of Alupka. At least one of the FSB officers was carrying what appeared to be an assault rifle over his shoulder, despite Jehovah's Witnesses known for being pacifist. Officers seized religious literature, money and other documents, and took several people for interrogation.

FSB officers seized Jehovah's Witness literature, much of which has been banned as "extremist" in Russia. However, they also seized Bible translations and a Bible concordance used by Russian Orthodox, Protestants and others and which the Russian authorities have not banned (see below).

Five days before the raids, the Crimean branch of the Russian FSB launched a criminal case against 34-year-old Yalta resident Artem Gerasimov. If eventually tried and convicted, he faces up to ten years' imprisonment. He has had to sign a pledge not to leave his home town as the FSB investigates the case against him (see below).

Gerasimov is the second Jehovah's Witness in Crimea facing investigation under Russian Criminal Code Article 282.2, Part 1 ("Organisation 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").

The FSB has also identified another Jehovah's Witness from Yalta, 40-year-old Taraz Kuzio, as a suspect in the criminal case (see below).

One of the FSB Investigators refused to discuss the case against Gerasimov with Forum 18 (see below).

The Russian FSB is still investigating the criminal case launched in November 2018 against 46-year-old fellow Crimean Jehovah's Witness Sergei Filatov. The launching of the criminal case was accompanied by coordinated raids on eight Jehovah's Witness family homes in the northern Crimean town of Dzhankoi involving an estimated 200 officers. One elderly Jehovah's Witness was tortured, while a young woman suffered a miscarriage soon after the raid (see below).

In January, Crimea's Supreme Court rejected challenges to their legality from three victims of the raids (see below).

Meanwhile, one of the four Muslims convicted in January of membership of the banned Muslim missionary movement Tabligh Jamaat has appealed to Russia's Supreme Court in Moscow. Renat Suleimanov was jailed for four years. The Prosecutor has also appealed against the suspended prison sentences handed to the other three defendants in the case. The Supreme Court is due to begin hearing the appeals on the morning of 16 April (see below).

The four men had met in mosques to discuss their faith and denied meeting conspiratorially or promoting "extremism" (see below).

Suleimanov's lawyer told Forum 18 his client, who is 49, has refused to go to Moscow for the appeal hearing, saying he is too ill to travel all that distance. Suleimanov – who has been held since his October 2017 arrest - is still being held in Simferopol's Investigation Prison (see below).

"Extremist" organisations banned

Ukraine and the international community do not recognise Russia's March 2014 annexation of Crimea. After the annexation, Russia imposed its restrictions on freedom of religion and belief. Many religious communities have been raided, and many individuals have

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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)

Russia's Supreme Court banned the Tabligh Jamaat missionary movement as "extremist" in 2009. (http://www.forum18.org/archive.php?article_id=1724)

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 nearly 150 individuals on "extremism"-related criminal charges. (http://www.forum18.org/archive.php?article_id=2454) Of these, at least 25 are in pre-trial detention and 26 under house arrest as of 2 April 2019. 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. (http://www.forum18.org/archive.php?article_id=2299)

Raid, interrogations, confiscations

On 20 March, armed Russian FSB security service officers raided at least eight Jehovah's Witness homes in the southern Crimean city of Yalta and the nearby suburbs of Alupka and Gurzuf. Officers seized religious literature, money and other documents, and took several people for interrogation.

FSB attention focused on Yalta resident Artem Vyacheslavovich Gerasimov (born 13 January 1985). FSB officers took him for interrogation to Simferopol, a two-hour drive away, Jehovah's Witnesses told Forum 18.

The FSB announced the same day that during the raids its officers had seized religious literature "banned in Russia", computers and other equipment and money, some of it in foreign currency.

FSB video of two of the raids – released to the local media – shows officers in camouflage with FSB in large letters on the back of their uniforms and individuals in civilian clothes raiding Gerasimov's and one other home. One of the FSB officers raiding Gerasimov's home appears to be carrying an infantry assault rifle over his shoulder (Jehovah's Witnesses are known to be pacifists). Most of the intruders are wearing masks covering their faces except for the eyes.

Officers place religious literature on a bed. Some of the titles are Jehovah's Witness publications, such as their "New World" version of the Bible, which Russia banned as "extremist" in 2017. (http://www.forum18.org/archive.php?article_id=2319) Others however are Bible translations and a Bible concordance used by Russian Orthodox, Protestants and others and which have not been banned.

Criminal case

Following the 20 March raids, the Crimean branch of the Russian FSB security service issued a statement to the local media. "It was established that a 34-year-old inhabitant of Yalta organised the activity of the local Jehovah's Witness organisation, conducted meetings, religious events and propaganda of the ideas of the given religious sect, as well as attracting new adherents to its ranks."

The FSB announced that it had launched a case against one individual (whom it did not name) under Criminal Code Article 282.2, Part 1 ("Organisation 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").

The FSB released Gerasimov later in the day after he signed a pledge not to leave his home town without permission from the FSB Investigator. He was allowed to return to his home in Yalta, Jehovah's Witnesses told Forum 18.

The criminal case against Gerasimov - which it launched on 15 March, five days before the raids - is being led by FSB investigators Aleksandr Lavrov and Sergei Bosiev. On 26 March, Investigator Bosiev presented Gerasimov with the accusation. He accused him of conducting Jehovah's Witness meetings, "being aware of the social danger" of this. Bosiev also accused him of familiarising himself with literature containing statements "demeaning human worth on the basis of religion".

As well as Gerasimov, who has been accused in the criminal case, the FSB has declared another local Jehovah's Witness Taras Grigoryevich Kuzio (born 19 June 1978) to be a suspect. On 19 March, Judge Valentina Kamynina of Simferopol's Kiev District Court approved the FSB Investigator's request for a warrant to search Kuzio's home, according to court records.

Forum 18 reached Investigator Bosiev at the FSB headquarters in Simferopol on 1 April, but as soon as it had introduced itself he put the phone down.

First criminal investigation continues

The Russian FSB security service is still investigating the criminal case against Jehovah's Witness Sergei Viktorovich Filatov (born

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6 June 1972) in the northern Crimean town of Dzhankoi on the same "extremism"–related charges. He too faces a maximum possible prison term of ten years under Russian Criminal Code Article 282.2, Part 1.

The criminal case – which the FSB launched on 10 November 2018 (http://www.forum18.org/archive.php?article_id=2432) – was the first against Jehovah's Witnesses in occupied Crimea. Like Gerasimov, Filatov had to sign a pledge not to leave his home town.

"Interrogations of Sergei are continuing," Jehovah's Witnesses told Forum 18. The FSB security service commissioned five "expert analyses". Only one – to study the characteristics of his voice – has been completed, they added. This implies that the FSB has recordings that they believe are of Filatov.

The FSB investigator Lieutenant Aleksandr Chumakin in Simferopol – who is leading the investigation of Filatov's case - again refused to talk to Forum 18 on 2 April.

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 Dzhankoi. During the raid on one home, officers beat the 78-year-old Aleksandr Ursu – deported to Siberia by the Soviet Union for his faith when he was 9 – put him up against a wall and handcuffed him. Soon after a raid on another home, a young woman suffered a miscarriage which Jehovah's Witnesses say was caused by stress. (http://www.forum18.org/archive.php?article_id=2432)

Filatov tried to challenge the case against him, but Crimea's Supreme Court rejected these challenges in November 2018.

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).

Crimean Supreme Court rejects challenges to raids

Three other Jehovah's Witnesses whose homes were raided in November 2018 tried to challenge their legality.

Court decisions seen by Forum 18 reveal that FSB investigator Lieutenant Chumakin sought permission from Simferopol's Kiev District Court on 14 November 2018 for the raids "with the aim of finding items of significance for the criminal case" against Filatov.

Aleksandr Ursu (beaten and handcuffed during the raid and hospitalised afterwards), Liliya Bezhenar (whose husband Vladimir had to be hospitalised with a suspected stroke) and Vladimir Ostapchuk lodged suits against the search warrants on 11 January 2019 to Crimea's Supreme Court. However, in separate hearings on 31 January, Judge Alla Ovchinnikova rejected all three suits, according to the decisions seen by Forum 18.

Anna Turobova from the Crimean Prosecutor's Office in Simferopol led the case in court to reject the three victims' suits. Her telephone went unanswered each time Forum 18 tried to reach her on 2 April.

Moscow appeal for four convicted Muslims

The appeal of Renat Suleimanov, one of the four Muslims convicted in January on charges of alleged membership of the Muslim missionary movement Tabligh Jamaat, is due to begin at Russia's Supreme Court in Moscow at 10 am on 16 April, according to the court website. Also to be heard at the same time are the appeals by the Prosecutor against the suspended prison terms handed to the other three defendants in the case.

The appeals are due to be heard at Russia's Supreme Court as it is the next level up from the men's original conviction at Crimea's Supreme Court in Simferopol.

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 at their trial. "These lessons were not conspiratorial and took place in mosques." (http://www.forum18.org/archive.php?article_id=2444)

On 22 January, at the end of their trial, Judge Sergei Pogrebnyak convicted the men under Criminal Code Article 282.2. This punishes organisation of or 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".

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.

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2) Talyat Abdurakhmanov (born 11 February 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 Shakirovich 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.

Suleimanov lodged his appeal to Russia's Supreme Court on 11 March, as did the Prosecutor against the sentences imposed on the other three men. Two days later, the court assigned the appeals to a judge from the fourth criminal division.

Suleimanov's lawyer, Aleksandr Lesovoi, told Forum 18 from Simferopol on 1 April that his client has refused to go to Moscow for the appeal hearing, saying he is too ill to travel all that distance.

18 months in Investigation Prison already

Suleimanov has been held since his October 2017 arrest in Simferopol's Investigation Prison. Until his appeal is decided, he is still deemed to be in pre-trial detention. During this time, each day of detention counts as a day and a half of his prison term.

Asked if Suleimanov has access to the Koran and is able to pray freely in prison, his lawyer Lesovoi responded: "He hasn't complained."

Suleimanov's address in Investigation Prison:

295006 Krym

g. Simferopol

Bulvar Lenina 4

Sledstvenny Izolyator No. 1

Suleimanovu Renatu Rustemovichu

(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)

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