

21 August 2020

RUSSIA: 42 known "missionary activity" prosecutions in first half of 2020 – list

By Victoria Arnold, Forum 18

Forum 18 has found 42 prosecutions in the first half of 2020 (2 of organisations and 40 of individuals) for violating Russia's July 2016 Administrative Code Article 5.26, Parts 4 and 5, which punish "illegal missionary activity". 36 of the prosecutions resulted in initial convictions, all being punished with fines (though a few were overturned on appeal). The first half of 2020 saw a conviction rate of 92 per cent. Two foreigners were ordered deported.

Between the beginning of January and the end of June 2020, there were at least 42 prosecutions under Administrative Code Article 5.26, Part 4 ("Russians conducting missionary activity") and Part 5 ("Foreigners conducting missionary activity"), according to Forum 18's analysis of available court records.

Overall, figures for 2019 and the first half of 2020 are roughly similar to 2018, when there were 105 such known cases (http://www.forum18.org/archive.php?article_id=2474), but this 18-month period has seen a shift towards more prosecutions for Muslim religious activities, and the first known prosecutions of Catholic and Methodist individuals and organisations (http://www.forum18.org/archive.php?article_id=2593).

Forum 18 found slightly fewer cases reaching court between January and June 2020 than might be expected (the 42 prosecutions listed derive from only 25 investigations); this is likely because of the restrictions imposed on court functions during Russia's coronavirus lockdown period.

Of the 42 cases known to have reached court so far in 2020, two involved organisations and 40 individuals. Thirty-six resulted in conviction and three in acquittal, while judges closed or sent back three cases. The first half of 2020 therefore saw a conviction rate (for those cases which reached a verdict) of 92.3 per cent. All those convicted received fines, though a few of these were later overturned on appeal.

Of the four foreigners charged under Article 5.26, Part 5 ("Foreigners conducting missionary activity"), two were ordered deported by means of enforced expulsion (meaning that they were sent to Interior Ministry detention centres for foreign nationals before departure).

One man – Tajik citizen Fayzali Kholmurodov – is believed to be still in detention six months after his conviction in February 2020 (http://www.forum18.org/archive.php?article_id=2593), as Tajikistan's borders remain closed because of the coronavirus pandemic (see below).

(See here (http://www.forum18.org/archive.php?article_id=2594) for a full list of the 100 known prosecutions in 2019, based on court decisions and other information.)

Russia has also imposed its "anti-missionary" legislation in Crimea, which it annexed in 2014. At least 24 prosecutions under Article 5.26, Part 4 are known to have been launched in 2019, of which 17 ended with punishment (http://www.forum18.org/archive.php?article_id=2544).

These prosecutions are based on amendments to the Administrative Code and Religion Law introduced in July 2016 as part of the "Yarovaya" package of "anti-terrorism" laws (http://www.forum18.org/archive.php?article_id=2246).

Religious organisations may also be prosecuted under Article 5.26, Part 3 ("Implementation of activities by a religious organisation without indicating its official full name, including the issuing or distribution, within the framework of missionary activity, of literature and printed, audio, and video material without a label bearing this name, or with an incomplete or deliberately false label" – see forthcoming F18News article).

List of known prosecutions in the first half of 2020

All prosecutions under Administrative Code Article 5.26, Part 4 ("Russians conducting missionary activity") and Part 5 ("Foreigners conducting missionary activity") known to have reached court in the first half of 2020 are listed below, ordered by date of court hearing. The list is based on court decisions and court records seen by Forum 18, and other information.

A fine of 50,000 Roubles (6,100 Norwegian Kroner, 575 Euros or 675 US Dollars) represents nearly six weeks' average wages for those in work or 16 weeks' average state retirement pension.

1) 15 January 2020

Name: Gumer Moflyukhunov

Punishment: 5,000 Roubles

Court: Almetyevsk District Magistrate's Court No. 6, Republic of Tatarstan

Circumstances: Muslim charged for leading prayers in a mosque without authorisation from the Spiritual Administration of Muslims of Tatarstan to perform missionary activity, and without official position at the mosque; case brought by police

Appeal: unsuccessful – 25 May 2020, Almetyevsk City Court, Republic of Tatarstan

2) 16 January 2020

Name: Anatoly Chipilka

Punishment: 5,000 Roubles

Court: Abinsk District Magistrate's Court No. 114, Krasnodar Region

Circumstances: leader of Council of Churches Baptist religious group charged for carrying out unspecified missionary activity without submitting notification to the Justice Ministry of the existence of the religious group

Appeal: unsuccessful – 4 March 2020, Abinsk District Court, Krasnodar Region

3) 16 January 2020

Name: Lyudmila Akimenko

Punishment: 5,000 Roubles

Court: Kuvandyk and Kuvandyk District Magistrate's Court No. 2, Orenburg Region

Circumstances: same case as Kistanova – see below; Baptist charged for distributing religious literature to passers-by in the street without authorisation from a religious group or notification to the Justice Ministry of the existence of a religious group

Appeal: unsuccessful – 20 March 2020, Kuvandyk District Court, Orenburg Region; supervisory, unsuccessful – 27 July 2020, 6th Cassational Court, Samara

4) 16 January 2020

Name: Pavel Galaktionov

Punishment: 5,000 Roubles

Court: Kasly and Kasly District Magistrate's Court No. 1, Chelyabinsk Region

Circumstances: Council of Churches Baptist charged for distributing the newspaper "Do you believe?" to passers-by

Appeal: unsuccessful – 26 February 2020, Kasly City Court, Chelyabinsk Region

5) 20 January 2020

Name: Sergey Krasnov

Punishment: 5,000 Roubles

Court: Karasunsky District Magistrate's Court No. 36, Krasnodar

Circumstances: with Dmitry Korovin (see below), Council of Churches Baptist charged for handing out the newspaper "Do you believe?", magazines, and copies of the New Testament at an intersection in Krasnodar, without notification to the Justice Ministry of the existence of a religious group, and "having conversations with passers-by, with the aim of disseminating their beliefs among people of a different religion and involving them in their faith"; case brought after a man approached and asked where services were held, then introduced himself as an FSB security service officer and took the Baptists to a police station for questioning

Appeal: unsuccessful – 17 June 2020, Soviet District Court, Krasnodar

6) 22 January 2020

Name: Lyubov Kistanova

Punishment: 5,000 Roubles

Court: Kuvandyk and Kuvandyk District Magistrate's Court No. 2, Orenburg Region

Circumstances: same case as Akimenko – see above; Baptist charged for distributing religious literature to passers-by in the street without authorisation from a religious group or notification to the Justice Ministry of the existence of a religious group

Appeal: unsuccessful – 20 March 2020, Kuvandyk District Court, Orenburg Region; supervisory, unsuccessful – 6 July 2020, 6th Cassational Court, Samara

7) 23 January 2020

Name: Dmitry Korovin

Punishment: 5,000 Roubles

Court: Karasunsky District Magistrate's Court No. 36, Krasnodar

Circumstances: with Sergey Krasnov (see above), Council of Churches Baptist charged for handing out the newspaper "Do you believe?", magazines, and copies of the New Testament at an intersection in Krasnodar, without notification to the Justice Ministry of the existence of a religious group, and "having conversations with passers-by, with the aim of disseminating their beliefs among people of a different religion and involving them in their faith"; case brought after a man approached and asked where services were held, then introduced himself as an FSB security service officer and took the Baptists to a police station for questioning

Appeal: unsuccessful – 5 June 2020, Soviet District Court, Krasnodar

8) 23 January 2020

Name: Akhli-Beyt Scientific-Cultural Centre (Regional Public Organisation)

Punishment: none – acquitted

Court: Kalinin District Magistrate's Court No. 49, St Petersburg

Circumstances: same case as Mamedov – see below; after inspection by police, FSB security service, and Interior Ministry's Centre for Countering Extremism, Azerbaijani cultural centre charged for holding Muslim prayers on its premises

Appeal: none

9) 23 January 2020

Name: Rufat Mamedov

Punishment: none – acquitted

Court: Kalinin District Magistrate's Court No. 49, St Petersburg

Circumstances: Muslim (same case as Akhli-Beyt Scientific-Cultural Centre – see above)

Appeal: none

10) 27 January 2020

Name: G.I. Makiyev

Punishment: none – acquitted

Court: Maysky District Magistrate's Court No. 1, Republic of Kabardino-Balkariya

Circumstances: Baptist charged for distributing "Faith and Life" magazines in the property where he was doing building work, with a sign saying that anyone who wished could take one; defendant stated that he had no desire to involve people in any religious movement and had had no conversations with anyone; lawyer pointed out that the magazine contains articles by Orthodox, Protestant, and Catholic authors alike, as well as poetry, stories, art, and history; judge mentions the "defining feature" of missionary activity as laid out by the Constitutional Court, and notes that there is no evidence that defendant carried out (or aimed to carry out) activities aimed at disseminating information about any religion in a public place.

Appeal: none

11) 4 February 2020

Name: Vadim Yurchenko

Punishment: 5,000 Roubles

Court: Maykop Magistrate's Court No. 8, Republic of Adygeya

Circumstances: Protestant pastor charged after FSB security service inspection of local organisation of Russian Association of Evangelical Christians – details unknown

Appeal: unsuccessful – 27 February 2020, Maykop City Court, Republic of Adygeya

12) 10 February 2020

Name: G.R. Gaydarbekov

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: none yet

13) 10 February 2020

Name: B.A. Abdulkhalikov

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: none yet

14) 11 February 2020

Name: A.I. Kolov

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: none yet

15) 11 February 2020

Name: A.N. Atagadzhiev

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: none yet

16) 11 February 2020

Name: Konstantin Nazarov

Punishment: 5,000 Roubles

Court: Maykop Magistrate's Court No. 2, Republic of Adygeya

Circumstances: Protestant pastor of unregistered Christian Library church charged for carrying out missionary activity without submitting notification of the existence of a religious group, i.e. members of the church invited local residents to services; case brought by prosecutor's office on basis of information from FSB security service

Appeal: none yet

17) 12 February 2020

Name: Ilyas Arslanbekov

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: rejected without consideration – Kirov District Court, Makhachkala, Dagestan Republic

18) 12 February 2020

Name: Nikita Glazunov

Punishment: 5,000 Roubles

Court: Vakhitovsky District Magistrate's Court No. 8, Kazan, Republic of Tatarstan

Circumstances: leader of a traditionalist Catholic religious group, the Society of Saint Pius X, charged for organising Latin Mass in a hotel conference hall; Mass served by a "foreign preacher", invited by defendant, who did not have written authorisation from religious group to perform missionary activity; no lease on conference hall signed with hotel administration; witness testified that preacher had "spoken of the truth of Catholicism in comparison with Orthodox Christianity, and that, after the religious service,

[defendant and another person] approached him and invited him to take printed materials to familiarise himself with their religious views"; case brought by prosecutor's office but also involved police

Appeal: unsuccessful – 5 June 2020, Vakhitovsky District Court, Kazan, Republic of Tatarstan

19) 12 February 2020

Name: Mukhammad Buttayev

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: rejected without consideration – 10 August 2020, Kirov District Court, Makhachkala, Dagestan Republic

20) 12 February 2020

Part 5

Name: Fayzali Kholmurodov

Punishment: 30,000 Roubles plus deportation (enforced expulsion – detention in the meantime)

Court: Donskoy City Court, Tula Region

Circumstances: Tajik citizen charged for leading Muslim prayers in a migrant workers' hostel, without submitting notification of the existence of a religious group and without authorisation from religious group to carry out missionary activity; case brought by police on basis of information from FSB security service

Appeal: none

21) 21 February 2020

Name: N.K. Kazimagomedov

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: none yet

22) 21 February 2020

Name: Magomed Isayev

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: lodged on 16 July 2020 at Kirov District Court, Makhachkala, Dagestan Republic – hearing on 30 July 2020 (outcome unknown)

23) 26 February 2020

Name: Anatoly Feoktistov

Punishment: 5,000 Roubles

Court: Verkhneuralsk District Magistrate's Court No. 1/2, Chelyabinsk Region

Circumstances: Pentecostal pastor charged for holding Sunday services on residential premises, without written authorisation from his religious group or notification to the Justice Ministry of a religious group's existence; defendant argued that he "does not campaign to attract new members, but does not refuse to talk with people who find themselves in difficult life situations, inviting them to come to meetings"; judge notes defendant's certificates attesting to his qualification as a "missionary"

Appeal: unsuccessful – 18 May 2020, Verkhneuralsk District Court, Chelyabinsk Region; supervisory, rejected without consideration – 24 July 2020, 7th Cassational Court, Chelyabinsk

24) 3 March 2020

Part 5

Name: En Min Li

Punishment: 30,000 Roubles

Court: Kirov District Court, Omsk

Circumstances: South Korean postgraduate student (Omsk State University) charged (as result of FSB security service investigation) with missionary activity on behalf of the unregistered South Korean Good News Mission church, i.e. reading the Bible with others and preaching in a rented flat, without written authorisation from a religious organisation or group (defendant stated that he possessed the document, but it was in South Korea), or notification to the Justice Ministry of the existence of a religious group; not ordered deported as this would be "an excessive and unjustified measure"

Appeal: none

25) 6 March 2020

Name: S.A. Abdulkhalikov

Punishment: none – statute of limitations

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: none

26) 23 March 2020

Name: U.M. Nazhmudinov

Punishment: 5,000 Roubles

Court: Botlikh District Magistrate's Court No. 111, Dagestan Republic

Circumstances: same case as Abdulayeva and Nazhmudinova – see below; Muslim charged for teaching Arabic, Koranic studies, handicrafts, and mental arithmetic, at the Centre for Children's Education, without either written authorisation from "the group" or notification to the Justice Ministry of its creation

Appeal: none yet

27) 25 March 2020

Name: U.O. Abdulayeva

Punishment: 5,000 Roubles

Court: Botlikh District Magistrate's Court No. 111, Dagestan Republic

Circumstances: same case as Nazhmudinov and Nazhmudinova – see above and below; Muslim charged for teaching Arabic, Koranic studies, handicrafts, and mental arithmetic, at the Centre for Children's Education, without either written authorisation from "the group" or notification to the Justice Ministry of its creation

Appeal: none yet

28) 25 March 2020

Name: Ayshat Nazhmudinova

Punishment: 5,000 Roubles

Court: Botlikh District Magistrate's Court No. 111, Dagestan Republic

Circumstances: same case as Nazhmudinov and Abdulayeva – see above; Muslim (director) charged for teaching Arabic, Koranic studies, handicrafts, and mental arithmetic, at the Centre for Children's Education, without either written authorisation from "the group" or notification to the Justice Ministry of its creation

Appeal: none yet

29) 8 April 2020

Name: Local Muslim Religious Organisation Mosque No. 650

Punishment: 50,000 Roubles

Court: Lenin District Magistrate's Court No. 6, Ulyanovsk

Circumstances: as result of FSB security service investigation, community charged for carrying out unspecified missionary activity in a building which was not registered and had not been brought into commission, and to which it had no property rights – as well as on residential premises elsewhere; lower-than-minimum fine imposed in light of community's financial position

Appeal: unsuccessful – 5 June 2020, Lenin District Court, Ulyanovsk

30) 13 April 2020

Name: N.S. Azizov

Punishment: none – case closed for unknown reasons

Court: Western City District Magistrate's Court No. 28, Krasnodar

Circumstances: unknown

Appeal: none

31) 14 April 2020

Part 5

Name: Seo Jin Wook

Punishment: 30,000 Roubles plus deportation (enforced expulsion – detention in the meantime)

Court: Pervomaysky District Court, Izhevsk, Udmurt Republic

Circumstances: South Korean citizen, pastor of Good News Mission Pentecostal church, charged for holding twice-weekly services for 10-12 people in a private home, without authorisation from a Russian religious organisation registered in Udmurtiya; also accused of calling on parishioners to bring new people into the church; case brought on basis of prosecutor's office inspection

apparently based on information from FSB security service (church registered only in January 2020); defendant explained that he was in Russia for three months by private invitation, and argued that he had not conducted missionary activity, but only had conversations on religious topics with the guests of the house; judge noted that the house belonged to a private citizen and there was no formal agreement for use by a religious organisation.

Appeal: unsuccessful – 21 April 2020, Supreme Court of the Udmurt Republic

32) 21 April 2020

Name: Oleg Bondar

Punishment: 5,000 Roubles

Court: Chistopol Magistrate's Court No. 4, Republic of Tatarstan

Circumstances: person of unknown religious affiliation charged for repeatedly leaving religious literature in a shop; defendant not a member of a religious group and did not have authorisation from a religious group to perform missionary activity; judge acknowledges March 2018 Constitutional Court definition

Appeal: none yet

33) 29 April 2020

Name: N.Sh. Magomedov

Punishment: 5,000 Roubles

Court: Kirov District Magistrate's Court No. 5, Makhachkala, Dagestan Republic

Circumstances: Muslim charged for giving lessons on Arabic grammar and how to read the Koran at a mosque without necessary documents from the religious organisation for missionary activity

Appeal: none yet

34) 7 May 2020

Name: Aleksey Foltarkin

Punishment: 5,000 Roubles

Court: Noyabrsk Magistrate's Court No. 5, Yamalo-Nenets Autonomous Region

Circumstances: same case as Zubov and Gladkikh (see below); Council of Churches Baptist charged for handing out religious literature at a bus stop outside a market, without written authorisation from a religious organisation or group; case brought by police after one uniformed and several plain-clothes officers approached and took the Baptists to a police station for questioning

Appeal: unsuccessful – 16 June 2020, Noyabrsk City Court, Yamalo-Nenets Autonomous Region

35) 7 May 2020

Name: Igor Zubov

Punishment: 5,000 Roubles

Court: Noyabrsk Magistrate's Court No. 5, Yamalo-Nenets Autonomous Region

Circumstances: Council of Churches Baptist; same case as Foltarkin (see above) and Gladkikh (see below)

Appeal: unsuccessful – 16 June 2020, Noyabrsk City Court, Yamalo-Nenets Autonomous Region

36) 7 May 2020

Part 5

Name: Raymond Curran

Punishment: none – statute of limitations expired

Court: October District Court, Tambov

Circumstances: US citizen charged after police inspection found that he was leading services of the unregistered Calvary Chapel Protestant church in a house of culture, accessible to all and without written authorisation from a religious organisation or evidence of its registration; three witnesses apparently requested by police to go into the house of culture and attempt to attend the service; defendant also accused of carrying out missionary activity on the internet by advertising services "under the pretext of offering free English lessons"; defendant stated that he is the pastor of the church and is therefore permitted to perform missionary activity, that he has a Russian residence permit and written authorisation from the registered centralised Calvary Chapel religious organisation, and that the services he conducts are only for members of the church

Appeal: none

37) 13 May 2020

Name: Galina Gladkikh

Punishment: 5,000 Roubles

Court: Noyabrsk Magistrate's Court No. 5, Yamalo-Nenets Autonomous Region

Circumstances: Council of Churches Baptist; same case as Foltarkin and Zubov – see above

Appeal: unsuccessful – 15 June 2020, Noyabrsk City Court, Yamalo-Nenets Autonomous Region

38) 13 May 2020

Name: Rusiyet Khuade

Punishment: 5,000 Roubles

Court: Takhtamukhay District Court, Republic of Adygeya

Circumstances: same case as Bogus (below); Muslim charged for "disseminating the religious ideology of the destructive Muslim movement 'Khabashism' by means of WhatsApp messenger, without the authorisation to carry out missionary activity", and without having notified the Justice Ministry of the existence of a religious group

Appeal: unsuccessful – 9 July 2020, Supreme Court of Adygeya

39) 13 May 2020

Name: Dzhanet Bogus

Punishment: unknown

Court: Takhtamukhay District Court, Republic of Adygeya

Circumstances: same case as Khuade (above); Muslim charged for "disseminating the religious ideology of the destructive Muslim movement 'Khabashism' by means of WhatsApp messenger, without the authorisation to carry out missionary activity", and without having notified the Justice Ministry of the existence of a religious group

Appeal: successful – 12 August 2010, Supreme Court of the Republic of Adygeya

40) 21 May 2020

Name: Mikhail Mironov

Punishment: 5,000 Roubles

Court: Troytsky District Magistrate's Court No. 4, Chelyabinsk Region

Circumstances: Council of Churches Baptist pastor charged for conducting unspecified missionary activity without submitting notification of the existence of a religious group – details unknown

Appeal: none yet

41) Unknown date, May 2020

Name: Aleksandr Shurupov

Punishment: unknown

Court: unknown Vyborg District Magistrate's Court, St Petersburg

Circumstances: details unknown

Appeal: rejected without consideration – 2 June 2020, Vyborg District Court, St Petersburg; further appeal lodged on 15 July 2020 – no record yet

42) 8 June 2020

Name: Anatoly Chendemero

Punishment: 6,000 Roubles

Court: Yoshkar-Ola Magistrate's Court No. 12, Mari-El Republic

Circumstances: Baptist charged for handing out a publication called "Jesus said: 'You must be born again'" to passers-by outside a shopping centre, without authorisation from a religious organisation or group, and without any notification to the Justice Ministry of the existence of a religious group

Appeal: none yet

(END)

Full reports on freedom of thought, conscience and belief in Russia
(<http://www.forum18.org/archive.php?query=&religion=all&country=10>)

For more background see Forum 18's survey of the general state of freedom of religion and belief in Russia (http://www.forum18.org/archive.php?article_id=2246), as well as Forum 18's survey of the dramatic decline in this freedom related to Russia's Extremism Law (http://www.forum18.org/archive.php?article_id=2215).

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <http://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation (http://www.forum18.org/archive.php?article_id=1468)

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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