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RUSSIA: Raids, literature confiscations and criminal case in Tambov

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Russia has raided three flats of Jehovah's Witnesses in Tambov in the first such reported home raids against them since the Soviet era, Forum 18 News Service has learnt. The raids follow previous raids on the homes of Muslims who read the works of theologian Said Nursi. The police protocol of one search gives its aim as confiscation of "items of literature and electronic devices propagandising religious hatred, as well as other documentation recording activity by the religious group 'Jehovah's Witnesses'". Search warrants referred to the opening of a case under Criminal Code Article 282 ("incitement of ethnic, racial or religious hatred"). Forum 18 was unable to find out why the house searches were ordered, nor why copies of the search warrants were not given to the victims. Tambov Regional Police claimed that "these were not raids but searches". Distribution, preparation or storage with the aim of distribution of Jehovah's Witness literature on the Federal List of Extremist Materials could result in a five-year prison term.

In what appears to be the first police sweep on Jehovah's Witness homes in post-Soviet Russia, three flats in the town of Tambov south-east of Moscow were raided on the morning of 17 March, Forum 18 News Service has learnt. At one, the six-hour search prevented the children – one of them an 8-year-old girl – from going to school, Jehovah's Witness press secretary Grigory Martynov told Forum 18 from St Petersburg on 19 March. Although police made no threat to arrest her parents, the 8-year-old girl was so frightened she "pleaded with the police not to take her parents away", he added.

Investigator Igor Avdeyev, who is leading the investigation and initiated the search warrants, confirmed to Forum 18 from Tambov on 22 March that he has opened a criminal case under Article 282 Part 1 (incitement to hatred or hostility or denigration of an individual's human worth on the basis of religious affiliation), which carries a maximum two-year prison term. He said the case is over the "fact of distribution by Jehovah's Witnesses of extremist material", but "at present it is not against specific individuals".

However, Avdeyev declined absolutely to discuss further "the course of the investigation", including who had taken the initiative to launch the case and why the Jehovah's Witness community is being presented as having committed crimes without a trial having taken place. Jehovah's Witnesses denied to Forum 18 that any of their literature is extremist.

Avdeyev was quoted by Russian media websites on 17 March as maintaining that some 100 people had distributed banned Jehovah's Witness literature and would be interrogated in the near future.

Jehovah's Witnesses and readers of Muslim theologian Said Nursi have been particular victims of government action against alleged religious "extremism", with many of their works being branded "extremist" and those who distribute them subject to prosecution (see F18News 5 March 2010 http://www.forum18.org/Archive.php?article_id=1417).

And in the town of Kaluga south-west of Moscow, armed police with dogs raided the Sunday morning service of a Lutheran congregation on 28 February, allegedly following up on a report that they had "extremist" literature (see F18News 23 March 2010 http://www.forum18.org/Archive.php?article_id=1425).

Tambov raids and criminal case

Viewed by Forum 18, a 17 March police protocol of one of the Tambov searches gives its aim as confiscation of "items of literature and electronic devices propagandising religious hatred, as well as other documentation recording activity by the religious group 'Jehovah's Witnesses'". Poorly legible, seized items it records fill over four pages, for the most part numerous issues of the tracts "Watchtower" and "Awake!". Also included are some of the 52 titles recently outlawed nationwide by their addition to the Federal List of Extremist Materials, such as the books "Come Be My Follower" and "Draw Near to Jehovah".

According to the Jehovah's Witnesses, the police showed but refused to leave search warrants - issued by Judge Lyudmila Ryazantseva of Tambov's Lenin District Court at the instigation of Investigator Avdeyev. The warrants referred to the opening of a criminal case under Article 282 of the Criminal Code ("incitement of ethnic, racial or religious hatred").

Premises in Tambov rented by the Jehovah's Witnesses for worship were also searched by police on the morning of 17 March without any of their members present, Martynov told Forum 18. A safe storing equipment used at the congregation's meetings was broken open and a number of musical recordings seized, he added.

Forum 18 was unable to find out why such extensive house searches were ordered on Jehovah's Witnesses, nor why copies of the search warrants were not given to the victims. "These were not raids but searches," Aleksandr Ulyanov of the press office of Tambov Regional Police told Forum 18 on 22 March. He said the decision to conduct the searches was taken by a court, but refused to say by telephone why copies of search warrants were not given or to answer any other questions. Forum 18 followed up with the same question in writing, but did not get an immediate response.

Judge Ryazantseva refused to discuss any aspect of the case with Forum 18 on 22 March and put the phone down.

Unlike in previous cases with Nursi readers and other Jehovah's Witnesses, where literature seizures were conducted illegally, police in Tambov appear to have followed procedure by seizing literature related to a specific investigation and providing a record of the literature seized (see F18News 5 March 2010 http://www.forum18.org/Archive.php?article_id=1417).

Accusations portrayed as fact

The criminal case against the Tambov Jehovah's Witnesses was also widely reported on government websites, including those of the Tambov Regional Internal Affairs Directorate, the Russian Interior Ministry and the Tambov Regional Investigation Directorate of the Procuracy. The reports all speak of the Jehovah's Witnesses in Tambov as having committed crimes, with the only thrust of the investigation to identify those who have specifically committed these offences.

The website of Tambov Internal Affairs Directorate noted on 19 March that "very serious" legal work had preceded the "operational work" to "unmask and halt these illegal activities". It said the basic work of expert analysis of Jehovah's Witness works was conducted by Tatyana Pronina of the Centre for Religious Studies at Tambov State University, who found "features allowing them to be considered extremist materials". In particular she said they maintain the superiority of one religion over another and refusal to accept state symbols or "generally accepted family values".

Investigator Avdeyev confirmed to Forum 18 that Pronina had written the expert assessment and said he will probably engage her to conduct a further expert analysis of the specific books confiscated on 17 March.

Pronina told Forum 18 from Tambov on 22 March that the Tambov Internal Affairs Directorate's Centre to Counter Religious Extremism had commissioned the expert analysis of the Jehovah's Witness literature as part of its contract with her Centre. She said her Centre had received payment for the analysis, not herself.

Asked whether it was not natural that one religious community might assert that its beliefs were superior to those of other faiths, Pronina responded: "Indeed, every faith regards itself as superior. But we're talking about the law."

Pronina has often spoken at "anti-sect" meetings organised in Tambov, including by the local Russian Orthodox diocese, as she explained to Forum 18. However, she declined to specify what religious affiliation she might have. "It is in my capacity as religious studies specialist that I did the expert analysis," she insisted. She rejected any suggestion that her expert analysis forms part of any official moves to ban, prosecute or imprison any Jehovah's Witnesses. "I'm not part of a campaign against them," she claimed.

Tambov raids part of wider crackdown

Jehovah's Witnesses believe the law enforcement agencies are pursuing a total ban of their organisation. In February 2009, an unprecedented nationwide sweep on Jehovah's Witness communities - resulting in at least 500 check-ups - was ordered by the General Public Prosecutor's Office (see F18News 13 March 2009 http://www.forum18.org/Archive.php?article_id=1267). On 8 December, the Supreme Court upheld an 11 September ruling by Rostov-on-Don Regional Court outlawing 34 Jehovah's Witness titles as extremist, the first successful out of several regional court cases seeking to do so (see F18News 8 December 2009 http://www.forum18.org/Archive.php?article_id=1385).

Added to the Federal List on 1 March, these titles are now banned from distribution across Russia, as are a further 18 banned in an analogous case in the Altai Republic and added to the list on 15 March (see F18News 23 October 2009 http://www.forum18.org/Archive.php?article_id=1366). Mass distribution, preparation or storage with the aim of mass distribution of titles banned as extremist may result in prosecution under Criminal Code Article 282 ("incitement of ethnic, racial or religious hatred"), whose penalties range from a fine to up to five years in prison. However, the authorities may instead choose to prosecute under Article 20.29 of the Administrative Violations Code ("production and distribution of extremist material"), whose penalties range from a fine to up to 15 days' detention.

Jehovah's Witnesses have told Forum 18 of brief detentions of their adherents across Russia (see F18News 25 March 2010)

http://www.forum18.org/Archive.php?article_id=1426). In Krasnodar Region of southern Russia, a court has fined two Jehovah's Witnesses and ordered confiscated literature destroyed, believed to be the first such court-ordered Jehovah's Witness literature destruction in post-Soviet Russia (see F18News 23 March 2010 http://www.forum18.org/Archive.php?article_id=1425).

More harassment in Taganrog

The September 2009 Rostov-on-Don decision also dissolved the local Jehovah's Witness organisation in Taganrog. Its head Nikolai Trotsyuk and three female members were separately summoned for questioning on 12 March by the town's assistant public prosecutor, Aleksei Venikov, according to the Jehovah's Witnesses. Trotsyuk refused to answer questions, instead asking in writing why he was being questioned, St Petersburg-based Jehovah's Witness lawyer Viktor Zhenkov told Forum 18 on 19 March. The women – including 75-year-old Valentina Sherstobitova - agreed to be questioned, he added, and were asked about their motivations for preaching and distributing literature.

Venikov refused absolutely to give "any comment" by phone. "I'm governed by official procedure," he told Forum 18 on 22 March. However, he insisted that in these cases "I am fulfilling my official duties".

Zhenkov also confirmed that bailiffs evicted Jehovah's Witnesses from and sealed the Taganrog organisation's Kingdom Hall – confiscated by the Rostov-on-Don ruling - on 1 March. Numbering up to 800 and previously using the Hall in groups of up to 100, according to Jehovah's Witness press secretary Martynov, the congregation is now being refused rented premises throughout Taganrog due to the ban, Zhenkov told Forum 18.

Asbest case closed

Meanwhile, in an isolated victory for the Jehovah's Witnesses, the first local extremism case brought against them has finally been closed. Viewed by Forum 18, the 3 March order closing the case notes that while four items of Jehovah's Witness literature seized from the congregation in the asbestos-mining town of Asbest (Sverdlovsk [Yekaterinburg] Region) are on the Federal List of Extremist Materials, there is no evidence of their distribution. The order is signed by Aleksandr Blyudenov, Investigator for Especially Important Cases at the Department for Investigation of Especially Important Cases within the Investigation Department of the Investigation Committee attached to Sverdlovsk Regional Public Prosecutor's Office.

As part of the Asbest investigation, a 53-page December 2009 court study by three Bryansk-based Justice Ministry experts examined literature seized from the congregation in February 2008. Seen by Forum 18, it finds no signs of extremism in the literature, including six items now on the Federal List: "Draw Near to Jehovah", "What Does God Require of Us?", "Jehovah's Witnesses - Who Are They? What Do They Believe?" and "Spirits of the Dead", as well as the February and April 2007 monthly issues of "Awake!". The case was originally opened in June 2008 (see F18News 14 July 2008 http://www.forum18.org/Archive.php?article_id=1159).

As of 15 March, the Federal List runs to 573 items. One Jehovah's Witness title – "What Does God Require of Us?" - appears twice, as Gorno-Altai City Court banned the 1996 edition and the Rostov-on-Don court the 2003 edition. (END)

For a personal commentary by Irina Budkina, editor of the <http://www.samstar.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, see F18News 26 May 2005 http://www.forum18.org/Archive.php?article_id=570.

For more background, see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1196.

Analysis of the background to Russian policy on "religious extremism" is available in two articles: 'How the battle with "religious extremism" began' (F18News 27 April 2009 http://www.forum18.org/Archive.php?article_id=1287 and 'The battle with "religious extremism" - a return to past methods?' (F18News 28 April 2009 http://www.forum18.org/Archive.php?article_id=1288).

Reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Russia is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>.

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