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RUSSIA: Trials of Muslims and Jehovah's Witnesses continue

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After two appeal hearings on 6 and 13 May, Judge Maksim Maksimov of Russia's Ulyanovsk Regional Court upheld a February ruling that Bagir Kazikhanov, Stepan Kudryashov and Aleksandr Melentyev met regularly in "conspiratorial gatherings". Kazikhanov was alleged to have come to Ulyanovsk to set up a "cell" on the orders of "Nurdzhular", an organisation Russian Muslims deny exists. He has now begun his three and a half year jail term. Also, in the criminal trial in Krasnoyarsk of Yelena Gerasimova and Tatyana Guzenko, accused of running a "Nurdzhular women's cell", Gerasimova was placed on the Interior Ministry's federal "Wanted Database" because of her frequent absences at hearings. Separate proceedings were opened against her, but she was absent because she was pregnant, a Muslim told Forum 18 News Service, and she has now been removed from the Wanted Database. And after multiple delays, the re-trial of 16 Taganrog Jehovah's Witnesses charged with "continuing the activities of an extremist organisation" continues.

Russia's Ulyanovsk Regional Court has upheld the three-and-a-half-year prison term on one Muslim and the suspended prison terms on two others at hearings in May, Forum 18 News Service has learned. On his February conviction, Bagir Kazikhanov became the first reader of the works of the late Turkish Islamic theologian Said Nursi to receive a jail sentence in Russia since September 2013.

Two other criminal trials to punish individuals for exercising the right to freedom of religion or belief continue. The trial against two Muslim women accused of "extremism" continues in the Siberian city of Krasnoyarsk, while in Taganrog in southern European Russia, the re-trial of 16 Jehovah's Witnesses also continues (see below).

Prosecutors in the Siberian city of Novosibirsk have completed their long-running criminal case against up to twenty Muslims, all migrants from Central Asia, on "extremism" charges. The case appears likely to be presented to court soon (see below).

Three Ulyanovsk Muslims lose appeal

Three Muslims who read the works of Islamic theologian Nursi have lost their appeal against their February convictions for "extremism" by Ulyanovsk's Lenin District Court. After two appeal hearings on 6 and 13 May, Judge Maksim Maksimov of Ulyanovsk Regional Court upheld the original ruling that Kazikhanov, Stepan Kudryashov and Aleksandr Melentyev met regularly in "conspiratorial gatherings". Kazikhanov was alleged to have come to Ulyanovsk to set up a "cell" on the orders of "Nurdzhular".

"Nurdzhular" is a banned "extremist organisation" which Russian Muslims deny exists (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

All three defendants denied the charges, maintaining they had met only to discuss Islam and to attend football matches. Kazikhanov, who was detained in police custody until the appeal hearings, was sentenced in February to three and a half years' imprisonment as the first known person to be sentenced since lengthened prison terms under Criminal Code Article 282.2, Part 1 ("Organisation of an extremist organisation") were introduced in February 2014. He was also the first reader of Nursi's books since September 2013 to receive a jail sentence (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

Kudryashov and Melentyev were convicted of a lesser offence under Criminal Code Article 282.2, Part 2 ("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"). They both received suspended sentences, Kudryashov of two years, and Melentyev 20 months.

The whereabouts of a fourth man, Farkhad Allakhverdiyev, who was also charged under Article 282.2, Part 2, are unknown and he is being sought by state agencies (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

Kazikhanov's sentence will be reduced by the length of time he spent in custody and under house arrest before his sentence came into force.

Senior Assistant Prosecutor Vasily Zima of the Regional Prosecutor's Office told Forum 18 on 26 May that enquiries should be

directed to the FSB security service. Reached by Forum 18 on the same day, a spokesman for Ulyanovsk Region's FSB maintained that he could not answer questions about the case.

Despite avoiding imprisonment, Kudryashov and Melentyev will remain on probation for long periods – Kudryashov for two years, Melentyev for one year and 10 months - despite a sentence of one year and eight months. During this time, they cannot leave the city of Ulyanovsk or change their places of residence without informing the state authorities responsible for monitoring those with suspended sentences.

Kazikhanov, Kudryashov, Melentyev, and Allakhverdiyev all appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorists and extremists" whose assets banks are obliged to freeze (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

Krasnoyarsk trial for running "Nurdzhular women's cell" continues

The criminal trial in Krasnoyarsk of Yelena Gerasimova and Tatyana Guzenko, accused of running a "Nurdzhular women's cell", has encountered further complications. Because of her frequent absences at hearings in Soviet District Court, Gerasimova was placed on the Interior Ministry's federal "Wanted Database" and separate proceedings opened against her.

Gerasimova had not been attending court because she was pregnant, a fellow Muslim told Forum 18 on 14 April. She has since been removed from the Wanted Database and her case sent to Magistrate's Court No. 79.

Telephones at the Magistrate's Court went unanswered whenever Forum 18 called on 26 and 27 May. Forum 18 sent a request for information by email mid-afternoon of Krasnoyarsk's working day on 26 May. No answer has yet been received.

The case against the two women under Article 282.2, Part 1 ("Organisation of an extremist organisation") began with a preliminary hearing at Soviet District Court on 27 November 2014, having been passed around the Krasnoyarsk court system for the previous six months (see F18News 20 November 2014 http://www.forum18.org/archive.php?article_id=2017). Since then, all 25 hearings have been adjourned except for one on 18 February. The latest took place on 26 May.

The trial follows August 2013 raids by "Anti-extremism" Police and the FSB security service on Gerasimova's and Guzenko's flats as the families celebrated the major end-of-Ramadan festival Eid-ul-Fitr. Gerasimova's home was searched for five hours and the family's guests were not permitted to leave. Gerasimova (who is a lawyer) noted a number of procedural violations (see F18News 21 October 2013 http://www.forum18.org/archive.php?article_id=1888).

So far, Gerasimova and Guzenko's names have not been added to the Rosfinmonitoring list of "terrorists and extremists".

Taganrog re-trial of 16 Jehovah's Witnesses continues

After multiple delays, the re-trial of 16 Jehovah's Witnesses charged with "continuing the activities of an extremist organisation" after their community was dissolved in 2009 began on 18 March at Taganrog City Court. There have been 10 hearings so far, and a further six adjournments because of a defendant's illness or for "other reasons", according the court website (see eg. F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046). The next hearing is due to take place on 27 May.

The 2009 liquidation of the Taganrog Jehovah's Witness community as allegedly "extremist" was used to justify banning all Jehovah's Witness activity in the city, a ban subsequently upheld by the Supreme Court (see F18News 8 December 2009 http://www.forum18.org/archive.php?article_id=1385).

The Samara and Abinsk Jehovah's Witness communities have also been liquidated as "extremist". Both the Taganrog and Samara Jehovah's Witness communities appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorist and extremist" organisations and the list of banned "extremist" organisations on the Justice Ministry website (see F18News 6 March 2015 http://www.forum18.org/archive.php?article_id=2046).

Four of the 16 Taganrog Jehovah's Witnesses were in July 2014 convicted under both Criminal Code Article 282.2, Part 1 ("Organisation of an extremist organisation") and Article 150, Part 4 ("Involving a minor in a criminal group .. or crimes motivated by political, ideological, racial, ethnic or religious hatred or enmity or hatred or enmity against a social group"). Another three were convicted of a lesser offence under Criminal Code Article 282.2, Part 2 ("Participation in an extremist organisation") and the remaining nine people were acquitted. The "crime" of those convicted was to continue to meet together for prayer and Bible study (see F18News 19 August 2014 http://www.forum18.org/archive.php?article_id=1986).

After the August 2014 convictions of those convicted of meeting together in Taganrog for prayer and Bible study, they appealed to Rostov Regional Court. At the Rostov appeal hearings on 11 and 12 December 2014, both convictions and acquittals were overturned and the case sent back for re-examination (see F18News 30 January 2015 http://www.forum18.org/archive.php?article_id=2033).

Up to 20 Muslims to be tried in Novosibirsk

Up to 20 Muslims in the Siberian city of Novosibirsk are to be tried for involvement in banned "extremist" organisation Tabligh Jamaat. The defendants were "apparently intimidated and forced to give evidence that they are members of a cell, although it is unlikely they really understand this", Yuliya Zhemchugova, the lawyer for Tajik citizen Kamolitdin Rakhmanov, told Forum 18 on 23 May. She and Rakhmanov are now disputing his guilt. He remains under travel restrictions until the case comes to court.

The men, all immigrants from Central Asia, were charged under Article 282.2, Part 2, of the Criminal Code ("Participation in an extremist organisation"). It is unclear exactly what they were doing and how they attracted the attention of state agencies. The FSB security service accuses them of running a "cell" of Tabligh Jamaat since 2005, recruiting new members and holding regular seminars using banned religious literature.

None of the men pursued any extremist purpose, according to Rakhmanov's lawyer. Rakhmanov maintains that they met only to read the Koran and pray – "like all devout Muslims, to study Islam", Zhemchugova insisted to Forum 18.

Rakhmanov was expelled from Russia in 2012 for involvement in Tabligh Jamaat and banned from returning for five years, according to the Interfax news agency on 5 November 2013. He allegedly re-entered the country on a fake passport in early 2013 and has also been charged under Criminal Code Article 322, Part 2 ("Illegal crossing of state borders").

The "extremism" charges are "based only on the fact that an expert analysis of conversations between the men.. indicates that they belong to the organisation Tabligh Jamaat", the lawyer Zhemchugova told Forum 18, but, "according to the findings of the same examination there were no signs of extremism in these communications". Forum 18 has been unable to find out who recorded these conversations and how.

In a series of raids in November 2013, officials found copies of Abu Zakariya's "Gardens of the Righteous", the Bulugh al-Maram (a collection of hadith), Elmir Kuliye'ev's "The Way to the Koran", and Abd ar-Rahman al-Saadi's "Interpretation of the Holy Koran" in the men's possession.

"Gardens of the Righteous" and "The Way to the Koran" were banned by Lenin District Court in Orenburg on 21 March 2012. However, on 27 February 2015 Orenburg Regional Court overturned this ruling in respect of both books and 48 other Islamic texts. Neither the Bulugh al-Maram nor al-Saadi's "Interpretation" appears on the Federal List of Extremist Materials (see F18News 18 March 2015 http://www.forum18.org/archive.php?article_id=2049).

The FSB also claims to have found copies of "The Values of Tabligh", and "Fazail Amali" by Sheik Muhammad Zakariya Kandahlawi. These were banned respectively by Abakan City Court (Khakassiya Republic) on 11 August 2009 and Sol-Ilets District Court (Orenburg Region) on 20 April 2010.

Tabligh Jamaat

Tabligh Jamaat was outlawed in Russia as "extremist" by a Supreme Court ruling of 7 May 2009. Unlike the similar ban on the alleged "Nurdzhular" organisation, the Tabligh Jamaat ban is justified with claims that its associates in Russia have been linked to violent acts "have called [in sermons] for the violent seizure of power and [made] statements aimed at inciting national, racial, and religious hatred" (see Forum 18's "Extremism" Russia religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Worldwide, Tabligh Jamaat aims to revive and strengthen the faith of Muslims and has no formal membership. Its associates spend significant periods of time travelling and preaching in mosques to spread their message. Women are encouraged to share their Islamic beliefs with other women, but are expected to practice seclusion and segregation in everyday life.

Tabligh Jamaat's loose internal structure means that people associated with it have different views in different parts of the world. In some countries – such as Kazakhstan - its followers peacefully exercise their freedom of religion or belief. In Kazakhstan – where the movement is also banned - this has led to long jail terms, the shortest being 18 months, being imposed on alleged members of the Muslim missionary movement (see eg. F18News 14 January 2015 http://www.forum18.org/archive.php?article_id=2027). Yet in other countries its associates have been linked to violent acts. (END)

For more background, see Forum 18's surveys of the general state of freedom of religion or belief in Russia at http://www.forum18.org/Archive.php?article_id=1722, and of the dramatic decline in religious freedom related to Russia's Extremism Law at http://www.forum18.org/Archive.php?article_id=1724.

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, is at F18News 19 July 2010 http://www.forum18.org/Archive.php?article_id=1468.

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

More 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.

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