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CRIMEA: Fined for books that "have absolutely nothing to do with the mufti"

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

Ruslan Saitvaliyev, mufti of the Tavrida Muftiate, has insisted that his fine of nearly a week's average local wage for "extremist" literature is unjust. He says books police and Prosecutor's Office officials claim to have seized during a raid on an independent mosque in the Crimean capital Simferopol have nothing to do with him, a Muslim familiar with the case told Forum 18 News Service. Prosecutor's Office official Anna Ober – who led the raid – refused to discuss it with Forum 18. The warden of a hostel for medical academy students has been fined over two Muslim books found in a prayer room which Russian authorities deem "extremist". And an eighth Baptist has been fined the equivalent of three weeks' average local wages for participating in an open-air religious meeting. However, State Council deputies have dropped a proposed new administrative offence of "religious agitation in public places" in Crimea.

The chief mufti of one of Crimea's two main Muslim bodies - Ruslan Saitvaliyev, mufti of the Tavrida Muftiate - insists that the fine on him handed down in late May for alleged possession of "extremist" material is unjust. "The books have absolutely nothing to do with the mufti or the Muftiate," one local Muslim familiar with the case told Forum 18 News Service on 24 June. Saitvaliyev says he has no control over the mosque where the books were found during a Prosecutor's Office raid. His appeal is due at Crimea's Supreme Court in the capital Simferopol on 2 July.

The Tavrida Muftiate, of which Saitvaliyev is a leading figure, has again been denied state registration under Russian law, following a Justice Ministry "expert conclusion" in Moscow which made "observations" on the application. Other "expert conclusions" on Crimean religious communities seen by Forum 18 show that some – including the Crimean Muftiate and Catholic parishes – have had to change their structures and activities to Russian requirements to gain state registration (see F18News 26 June 2015 http://www.forum18.org/archive.php?article_id=2076).

The fine on Mufti Saitvaliyev is the latest in Crimea under Russia's Administrative Code Article 20.29. This punishes "Production or mass distribution of extremist materials" recorded on the Russian Justice Ministry's Federal List of Extremist Materials with, for individuals, a fine or imprisonment of up to 15 days and confiscation of the banned literature.

Prosecutions have mostly followed raids on mosques, madrassahs (Islamic schools), homes, libraries, bookshops, politicians' offices, hostels and Jehovah's Witness Kingdom Halls since Russia annexed Crimea from Ukraine in March 2014 (see Forum 18's Crimea religious freedom survey http://www.forum18.org/archive.php?article_id=2051).

Meanwhile, the eighth member of a group of Council of Churches Baptists who held an outdoor religious event in a village in central Crimea has been fined. Appeals by the other seven are being heard by Crimea's Supreme Court (see below).

The fines come as a proposed new administrative offence of "religious agitation in public places" in Crimea has been dropped (see below).

Mosque raided

Simferopol Prosecutor's Office official Anna Ober led a police raid on the morning of 19 May on an independent mosque in Kamenka on the north-eastern edge of the Crimean capital. "Violations occurred during the search," the Muslim complained to Forum 18. "Officers went into all rooms in the mosque at once, and mosque representatives didn't have the chance to bring in their own witnesses. The police had brought their own witnesses. Besides, no record of a search was drawn up."

Officers claim to have found four extremist books, related to "Wahhabi Islam and the Hizb ut-Tahrir (https://www.forum18.org/archive.php?article_id=170) movement", the Muslim noted. "Who knows if they were there in the mosque or if anyone planted them there? Anyone can have access to a mosque and leave materials there." He insisted that the Tavrida Muftiate has repeatedly spoken out against radicalism as "it is not in accord with Islam".

That same morning, the Prosecutor's Office official phoned Mufti Saitvaliyev from the mosque, even though it is an independent community and not part of the Tavrida Muftiate. The Mufti was then summoned and shown the books the police claim to have found.

Reached on 24 June and asked why Mufti Saitvaliyev had been prosecuted, Ober of the Prosecutor's Office claimed it was a wrong number and put the phone down.

Fine

A record of an "offence" was drawn up only against Mufti Saitvaliyev under Administrative Code Article 20.29. On 26 May, Judge Viktor Mozhelyansky of Simferopol's Kiev District Court found him guilty and fined him the maximum 3,000 Russian Roubles (1,200 Ukrainian Hryvnias, 430 Norwegian Kroner, 50 Euros or 55 US Dollars), a chancellery official told Forum 18 from the court on 16 June. This is nearly a week's average local wage, according to Crimean residents.

Protesting his innocence, Mufti Saitvaliyev's appeal against the fine reached Crimea's Supreme Court on 10 June, according to court records. The appeal was assigned to Judge Natalya Mostovenko and is due to be heard on the afternoon of 2 July.

Fined for books in prayer room

Another individual has been fined for religious books which the Russian authorities deem "extremist" which were found in a location under their authority.

On 3 April, police in Simferopol raided a hostel for students of a medical academy. They found in a prayer room two Muslim books which are on Russia's Federal List of Extremist Materials: "Muhammad: May God bless him" by the late Indian Muslim theologian Safi-ur-Rahman al-Mubarakpuri (banned by a Penza Region court in 2008) and "Instruction to Rulers" by a medieval mystic and scholar Abu Hamid al-Ghazali (banned by an Orenburg Region court in 2012).

Prosecutors insisted that the two books had been in the prayer room and accessible from 18 March to the day of the raid, according to the subsequent court decision seen by Forum 18. They brought a case under Administrative Code Article 20.29 against the warden of the hostel, V. Berezyak.

At her trial at Simferopol's Zheleznodorozhny District Court on 25 May, Berezyak confirmed that the books had been in the prayer room. But she insisted that "access to it by women is restricted". Judge Vasili Zlotnikov found that as the person responsible for the institution, she was thus responsible for the "offence". He fined her 2,000 Russian Roubles, according to the court decision.

Berezyak did not appeal against the decision and has paid the fine, an aide to Judge Zlotnikov told Forum 18 from the court on 24 June.

Another administrative case under Article 20.29 was heard at Simferopol's Central District Court against E. Seitov, who was punished on 8 May. Three other cases have been heard in Simferopol District Court, an official of the court chancellery told Forum 18 on 16 June. Akim Islamov was fined 2,000 Russian Roubles on 7 May. Sabri Aslanov was fined 1,000 Russian Roubles on 8 May. Rifat Osmanov was fined 1,000 Russian Roubles on 9 June. Forum 18 was unable to find out if the fines were imposed for religious literature, or for other literature on the Federal List promoting racism, violence or xenophobia.

Eighth fine for outdoor religious event

Seven of nine Council of Churches Baptists from Saki who conducted an outdoor religious meeting in the village of Maryanovka in Krasnogvardeiskoe District of central Crimea on 10 May were fined later that month. District Police detained "and subjected them to protracted interrogation", fellow Baptists complained. "Then records of an offence were drawn up against them, they were fingerprinted and photographed, and their vehicle, literature and equipment were examined."

The seven were found guilty of violating Administrative Code Article 20.2. This punishes "violation of the established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket". The leader, Sergey Shokha, was fined 20,000 Russian Roubles. The others were each fined 10,000 Russian Roubles (see F18News 2 June 2015 http://www.forum18.org/archive.php?article_id=2068).

The case under Administrative Code Article 20.2, Part 5 against the eighth of the Baptists, Kristina Matafonova, was finally heard on 24 June at Krasnogvardeiskoe District Court after several postponements. Judge Irina Shevchenko similarly fined her 10,000 Russian Roubles (3,900 Ukrainian Hryvnias, 1,400 Norwegian Kroner, 165 Euros or 185 US Dollars). This is about three weeks' average local wage, according to Crimean residents.

"As with the other trials, our church members were there today in court to support Kristina," a church member told Forum 18 from Saki the same day. Judge Shevchenko's assistant confirmed to Forum 18 during the trial that fellow church members were present.

The other seven of the Baptists – Shokha, as well as Anatoly Gerasimenko, Semyon Vinnikov, his brother Denis Vinnikov, Mark Dombrovsky, Yelena Kuskova and Galina Romanovich – all appealed against their fines to Crimea's Supreme Court.

However, on 22 June, Gerasimenko's appeal at the Supreme Court was postponed until 6 July, as were the following day the appeals of Dombrovsky to 7 July and of Denis Vinnikov to 9 July, Baptists told Forum 18. "The judges said they wanted to invite the police to the appeal hearings to justify their accusations," a fellow church member told Forum 18 from Saki.

Four other church members' Supreme Court appeals have also been scheduled: Romanovich's on 30 June; Shokha's and Semyon Vinnikov's on 1 July; and Kuskova's on 7 July.

Proposed "religious agitation" offence dropped

Meanwhile, a proposed "offence" of "religious agitation in public places" has now been abandoned. The proposed "offence" – to be punished by small fines - had been included in the draft Law on Administrative Offences in the Republic of Crimea approved in its first reading in Crimea's parliament, the State Council, on 20 May (see F18News 3 June 2015 http://www.forum18.org/archive.php?article_id=2069).

However, following its first reading, State Council Deputy Viktor Shapovalenko proposed that the "offence" of "religious agitation" be deleted from the original Article 24, Part 2 (renumbered to Article 7.2, Part 2). His proposal was approved by the State Council's Legislative Committee on 16 June, according to the State Council website. The law was approved in the second reading the following day.

The State Council is still considering a proposed Crimean Religion Law (see F18News 3 June 2015 http://www.forum18.org/archive.php?article_id=2069).

Discussion of the draft was on the agenda of the 16 June Culture Committee meeting. The draft was not presented to the State Council session on 17 June, the last one before its summer break. The State Council website notes that the proposed Law "is under consideration by State Council Committees". (END)

Reports on freedom of thought, conscience and belief in Crimea can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=86>.

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

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

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