

9 April 2020

RUSSIA: Mass raids, new arrests on "extremism" charges

By Victoria Arnold, Forum 18 (<https://www.forum18.org>)

Police raided 20 Muslim women's homes in Naberezhnyye Chelny in Tatarstan. One woman suffered a heart attack and was placed in intensive care. A court ordered two months' house arrest for 62-year-old Nakiya Sharifullina as she is investigated on criminal "extremism" charges for meeting to study theologian Said Nursi's works. A Dagestan court ordered two months' pre-trial detention for Ibragim Murtazaliyev as he is investigated on similar charges.

At least two more Muslims are facing criminal prosecution for studying the writings of Turkish theologian Said Nursi. The 62-year-old Nakiya Sharifullina is under house arrest in Naberezhnyye Chelny in the Republic of Tatarstan for two months. The 53-year-old Ibragim Murtazaliyev from Izberbash in the Republic of Dagestan has been placed in pre-trial detention in Makhachkala's Investigation Prison for two months.

Both Sharifullina and Murtazaliyev are being investigated under Criminal Code Article 282.2 ("Organisation of" or "Participation in the activities of a banned extremist organisation"), accused of being members of "Nurdzhular", the existence of which Muslims in Russia deny (see below).

It appears likely that more people will soon be charged or named as suspects in the Tatarstan case, as more than 20 were questioned after mass searches of their homes in March. One woman, Alsu Khusayenova, is in hospital after suffering a heart attack (see below).

These are the first arrests of Muslims who read Nursi's works since August 2018, when FSB security service officers detained Denis Vladimirovich Zhukov on board the Moscow-Krasnoyarsk train. Zhukov's case was later dropped before reaching court. (http://www.forum18.org/archive.php?article_id=2478)

Prosecutors have also closed the only other ongoing Nursi-related case, against Yevgeny Igoryevich Sukharev, also from Krasnoyarsk Region. (http://www.forum18.org/archive.php?article_id=2478)

Jehovah's Witnesses also continue to experience raids on their homes, arrests and interrogation, often leading to prosecution, after the Supreme Court declared their Administrative Centre to be an "extremist organisation" and outlawed its activities in 2017. (http://www.forum18.org/archive.php?article_id=2297)

Agencies including the Investigative Committee, the FSB security service, the police, and the National Guard have carried out 879 searches to date, Jehovah's Witnesses state. Prosecutors have charged 349 people under Criminal Code Article 282.2, Part 1, Article 282.2, Part 2, and (less commonly) Article 282.3, Part 1 ("Financing of extremist activity").

On 1 April, Igor Ivashin became the 32nd Jehovah's Witness convicted of "continuing the activity of an extremist organisation" since the 2017 Supreme Court ban. (http://www.forum18.org/archive.php?article_id=2560)

This is despite the fact that the Supreme Court judges themselves insisted that their ruling did not prohibit the religion of the Jehovah's Witnesses, only the activities of its legal entities. Jehovah's Witnesses argue that this means that they should continue to be permitted to pray, sing hymns, and read the Bible together with fellow believers in their homes.

"Extremism" ruling, ban on meetings, prosecutions

Muslims who read Said Nursi's works tend to meet in homes to study Islam, with one or more expounding on the theologian's writings. They also pray, eat and drink tea together. The authorities interpret such meetings as organised activity by "Nurdzhular", aimed at inciting hatred in society and undermining the constitutional order.

"Nurdzhular" (derived from the Turkish for "Nursi followers") was ruled "extremist" and outlawed by the Supreme Court in 2008, despite the fact that Muslims in Russia say that such an association has never existed. No centralised or local religious organisation associated with Nursi's teachings was registered in Russia before the ban – this is unlike the situation of the Jehovah's Witnesses,

who had 396 officially registered legal entities before the Supreme Court's 2017 ban came into force.

Many Russian translations of Nursi's books have been outlawed, both before and since the prohibition on "Nurzhular", despite their not calling for violence or the violation of human rights. (http://www.forum18.org/archive.php?article_id=2215)

On 28 August 2018, the European Court of Human Rights (ECtHR) in Strasbourg found (Application Nos. 1413/08 and 28621/11 (<http://hudoc.echr.coe.int/eng?i=001-185293>)) that Russian bans on Nursi's works violated Article 10 ("Freedom of expression") of the European Convention on Human Rights and Fundamental Freedoms. All ECtHR judgments require states to take steps to prevent similar violations from happening, for example by changing laws and state practices. This process is supervised by the Committee of Ministers of the Council of Europe.

After the 2008 ban, people who have met to study Nursi's books have been prosecuted under Criminal Code Article 282.2, Part 1 or Part 2 ("Organisation of" or "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").

Prisoners of conscience and former prisoners

Seven Jehovah's Witnesses - from Saratov and Oryol - are currently jailed for their exercise of freedom of religion and belief (http://www.forum18.org/archive.php?article_id=2517).

Some of the Jehovah's Witnesses have been tortured (http://www.forum18.org/archive.php?article_id=2554).

Two Muslim men who read Nursi's works are currently known to be serving jail sentences – Artur Abdulgamidovich Kaltuyev, who received a three-year term in November 2017 (http://www.forum18.org/archive.php?article_id=2339), and Ilgar Vagif-ogly Aliyev, sentenced to eight years in June 2018 (http://www.forum18.org/archive.php?article_id=2386).

Four Muslim readers of Nursi's works have been released from prison within the last year:

– Sukhrab Abdulgamidovich Kaltuyev and Ziyavdin Badirsoltanovich Dapayev, jailed with Artur Kaltuyev in November 2017 to three and four years respectively (http://www.forum18.org/archive.php?article_id=2339);

- Komil Olimovich Odilov, who received a two-year term in June 2018 (http://www.forum18.org/archive.php?article_id=2391);

- and Yevgeny Lvovich Kim, who was given three years and nine months' imprisonment in June 2017 (http://www.forum18.org/archive.php?article_id=2290).

Kim was released on 10 April 2019, but in what was the first in such cases he was deprived of his Russian citizenship, left stateless, and – on the day he completed his prison term – fined and ordered deported to Uzbekistan, his country of birth (http://www.forum18.org/archive.php?article_id=2478) and itself a serious violator of freedom of religion and belief (<http://www.forum18.org/archive.php?country=33>). As of early April 2020, he remains in a temporary detention centre for foreign nationals in Khabarovsk, awaiting deportation to Uzbekistan.

Aliyev, Dapayev, both Kaltuyev brothers, Odilov, and Kim all remain on the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists", whose assets banks are obliged to freeze (although small transactions are permitted). (http://www.forum18.org/archive.php?article_id=2215)

Sabirzhon Shamsidinovich Kabirzoda also appears on the list; a court in Krasnoyarsk handed him a two-year suspended sentence in August 2018. (http://www.forum18.org/archive.php?article_id=2406)

Naberezhnyye Chelny: One under house arrest, one in hospital

Police and officers of other agencies raided the homes of twenty Muslim women in Naberezhnyye Chelny in late March, seizing their phones and computers. Alsu Khusayenova suffered a heart attack during the search of her home and was placed in intensive care. Investigators are waiting for her to be released from hospital before arresting and charging her, a fellow Muslim who is following the case told Forum 18 on 8 April.

One of those whose homes were searched, Nakiya Khametzkirovna Sharifullina (born 1 January 1958), is now a suspect in a criminal case opened on 24 March by the Tatarstan Republic Investigative Committee 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").

According to court documents, seen by Forum 18, another case has been opened against "unidentified persons" 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").

On 25 March 2020, Judge Rustem Galimullin of Naberezhnyye Chelny City Court upheld investigators' and prosecutors' request that Sharifullina should be placed under house arrest for two months until 24 May 2020.

During this period, Sharifullina is not allowed to leave her flat except to go for a daily walk between 12.00 and 14.00, as requested by her lawyer, to seek any necessary medical treatment, and to participate in the criminal case as required by investigators. She may not send or receive post, may not use the telephone or the internet, and may not otherwise contact anyone except for her lawyer, the probation authorities, investigators, the prosecutor's office, the court, or emergency services. Any meetings with her lawyer must take place at her home.

According to the house arrest ruling, seen by Forum 18, Sharifullina and others "studied the works of Said Nursi, [and] thereby joined the ranks of the religious association 'Nurdzhular'", "knowing that [Nurdzhular's] activities .. have been recognised as extremism and prohibited, disseminating the goals and objectives of this association, [which consist] of the formation of groups of people with a positive attitude to death, combined with being prepared to sacrifice oneself in the name of the teachings, which creates favourable conditions for the formation of a resource base for other extremist or terrorist organisations using Islamic rhetoric".

Sharifullina stands accused of organising a "madrassah", which met in several flats in Naberezhnyye Chelny on a range of dates in March and April 2019, as well as on "other days" since 2017. Investigators say that members of the group studied the Koran and the Turkish language, as well as Nursi's "Risale-i Nur" (Messages of Light) collection, his "Letters", and "A way to positive service" (all on the Justice Ministry's Federal List of Extremist Materials).

Sharifullina has not yet been formally charged and her name does not appear on the Rosfinmonitoring "List of Terrorists and Extremists". It is unknown when her case will come to trial, though it is likely to be heard at Naberezhnyye Chelny City Court.

Forum 18 wrote to the Tatarstan Republic Prosecutor's Office before the start of the working day on 8 April, asking why Sharifullina was considered dangerous and whether anyone else was subject to prosecution. No reply has been received by the afternoon of the working day of 9 April. Telephones at the Tatarstan Republic Investigative Committee went unanswered when Forum 18 called to enquire about the case on 9 April.

Naberezhnyye Chelny: Earlier prosecutions

On 19 March 2014, a magistrate's court in Naberezhnyye Chelny found Nakiya Sharifullina guilty under Criminal Code Article 282.2, Part 1, also on charges of organising an "underground madrassah" for women to study Nursi's writings, which prosecutors interpreted as a "Nurdzhular cell". (http://www.forum18.org/archive.php?article_id=1946) The court fined her 100,000 Roubles. Her fellow defendant in the case, Laura Yuryevna Khapinova, was fined 50,000 Roubles under Criminal Code Article 282.2, Part 2.

Fellow Naberezhnyye Chelny Muslims Ilnur Khalilovich Khafizov and Fidail Kanifovich Salimzyanov were also tried in 2014 for allegedly "continuing the activities" of "Nurdzhular" – Khafizov was fined 100,000 Roubles under Criminal Code Article 282.2, Part 1, and Salimzyanov 50,000 Roubles under Article 282.2, Part 2. (http://www.forum18.org/archive.php?article_id=1936)

Both the 2014 prosecutions also resulted in confiscated books being burned. (http://www.forum18.org/archive.php?article_id=1990)

Sharifullina, Khapinova and Salimzyanov lodged appeals against their convictions at the European Court of Human Rights (ECtHR) in 2014 (Application Nos. 45334/14, 69385/14, and 68231/14 respectively). The Court merged their applications with other Nursi-related appeals and sought the Russian government's response on 31 August 2017. Both the government and applicants have since submitted their observations, but there has been no further progress, the Court press office told Forum 18 on 3 April 2020.

Izberbash: One in detention

FSB security service officers conducted a series of house searches in the town of Izberbash on Dagestan's Caspian Sea coast on 17 March 2020. They then detained and interrogated Ibragim Abdulhalilovich Murtazaliyev (born 11 July 1966) and Ziyavdin Badirsoltanovich Dapayev (born 12 May 1982). They released Dapayev after questioning, but had Murtazaliyev placed in pre-trial detention for two months in the Dagestani capital, Makhachkala.

It is unknown whether Murtazaliyev has been charged or remains a suspect, or whether he is being investigated under Criminal Code Article 282.2, Part 1 or Article 282.2, Part 2.

Murtazaliyev had previously been a witness in the case against Ilgar Vagif-ogly Aliyev, who received the longest known jail sentence for a reader of Nursi's works in May 2018 (http://www.forum18.org/archive.php?article_id=2386), and in the first case

against Dapayev in 2010.

Investigators confiscated the men's phones and computers and planted religious literature in their homes, according to a fellow Muslim who is following the case. During questioning, Dapayev refused to give evidence against Murtazaliyev, despite his interrogators threatening him with a return to prison for "violating" his probation, the Muslim added.

Dapayev was released from prison in April 2019 after serving one year and five months of a four-year sentence also imposed for alleged "Nurdzhular" activity. (http://www.forum18.org/archive.php?article_id=2339)

Dapayev had spent 20 months in an investigation prison in Makhachkala before his trial; a retroactive law which came into force in June 2018 reduces jail sentences by one and half days for every day spent in pre-trial detention. He remains, however, under administrative supervision (which will last for eight years), meaning that he must abide by a range of restrictions, such as a night-time curfew.

Forum 18 wrote to the Dagestan Republic Prosecutor's Office, the Dagestan Republic Investigative Committee, and the Dagestan branch of the FSB before the start of the working day of 8 April, asking what exactly Murtazaliyev did which served as grounds for his detention and prosecution, in what way he was considered dangerous, and whether a criminal case had been opened against anyone else.

The Investigative Committee told Forum 18 on 8 April that questions should be directed to the FSB. Neither the FSB nor the Prosecutor's Office had responded to Forum 18's enquiries by the afternoon of the working day in Dagestan on 9 April.

Murtazaliyev's name was added to the Rosfinmonitoring "List of Terrorists and Extremists" on 1 April 2020.

Murtazaliyev's address in detention is:

367012

Respublika Dagestan

g. Makhachkala

ulitsa Levina, 45

Sledstvenniy Izolator No. 1

(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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f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY