

25 November 2020

RUSSIA: "Extremist organisation" trial outcomes: fines and suspended sentences

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

Of 21 Jehovah's Witnesses convicted of "extremism" charges since late July 2020, six were given jail terms and 13 suspended sentences. Receiving a suspended sentence means a convicted person must live under restrictions specified by the judge, regularly register with probation authorities, and avoid conviction for any other offence during the probationary period or risk being sent to prison. "A suspended sentence means that you need to live under stress for many years," Jehovah's Witnesses note.

A total of 21 Jehovah's Witnesses have been convicted of "extremism" charges since late July 2020. They include the oldest Jehovah's Witness yet to be found guilty of alleged extremism offences (at the age of 73). Among the punishments imposed are both the largest fine and the longest suspended sentences since prosecutions began following the 2017 liquidation of the Jehovah's Witness Administrative Centre.

Six of the 21 have received jail terms (http://www.forum18.org/archive.php?article_id=2619). The four defendants in one case in Bryansk Region will not be imprisoned as they had already served the time in pre-trial detention. Two men in another case in Kemerovo Region, however, will spend more than a year in jail if their appeal is unsuccessful.

Thirteen of the 21 have received suspended sentences, most recently Sergey Ledenyov in Kamchatka on 24 November. The two others were given large fines (see below).

Although not enough cases have ended to draw any definitive conclusions, it appears that, in 2020, courts have been moving towards suspended sentences for Jehovah's Witnesses, although prosecutors continue to request real prison terms in most cases. It remains unclear why this might be.

Receiving a suspended sentence means that a convicted person is not imprisoned, but must live under a set of restrictions specified by the judge, regularly register with probation authorities, and avoid conviction for any other offence during the probationary period or risk being sent to prison (see below).

The 21 individuals convicted since July are among more than 400 Jehovah's Witnesses and Muslim readers of theologian Said Nursi's works who have been convicted, are on trial, or remain under investigation across Russia, mostly on accusations of "organising" or "participating in the activities of a banned extremist organisation".

Muslims who meet to study the writings of Said Nursi may be prosecuted for "organising" or "participating in" the activities of "Nurdzhular", which was banned as extremist in 2008 but which Muslims in Russia deny ever existed as a formal organisation. There are no Nursi-related trials currently underway, however, and there have been no convictions in the last two years. Three people are under criminal investigation in the Tatarstan and Dagestan Republics.

At the request of Russia, Interpol issued two Red Notices against Muslims who are now abroad (http://www.forum18.org/archive.php?article_id=2584): Timur Atadzhanov in 2018 and Ashurali Magomedeminov in 2020. Both studied their faith using the works of the late Turkish Muslim theologian Said Nursi. If sent back to Russia for criminal prosecution, they would be likely to face imprisonment, a fine, or a suspended sentence if convicted.

The four months between late July and late November have also seen the first acquittal of a Jehovah's Witness on extremism charges in three years – in a case unconnected to the nationwide ban on Jehovah's Witness activities – while two more trials have ended in jail sentences (http://www.forum18.org/archive.php?article_id=2619).

Eight Jehovah's Witnesses and one Muslim reader of Nursi's works are already serving terms in general-regime labour camps (http://www.forum18.org/archive.php?article_id=2619) (ispravitelniye kolonii, "correctional colonies"). After the end of his sentence, another Muslim who studied Nursi's writings was stripped of his Russian citizenship, and remains in a detention centre for foreigners and stateless persons.

Punishments

After being kept under FSB security service or police surveillance for some months, most targeted Jehovah's Witnesses (like Muslim readers of Nursi's works) are prosecuted for "organising" (Criminal Code Article 282.2, Part 1), or "participating in" (Part 2), "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" (http://www.forum18.org/archive.php?article_id=2215).

The activities prosecuted under both these parts of Criminal Code Article 282.2 are very similar, including meeting in each other's homes to pray and sing together, study sacred texts, and to discuss shared beliefs.

Possible punishments under Criminal Code Article 282.2 are:

Part 1 – six to ten years' imprisonment; or a 400,000 to 800,000 Rouble fine;

Part 2 – two to six years' imprisonment; a 300,000 to 600,000 Rouble fine; or one to four years' assigned work.

Several Jehovah's Witnesses have also been charged under Criminal Code Article 282.3, Part 1 (http://www.forum18.org/archive.php?article_id=2578) ("Financing extremist activity"), apparently by continuing to collect donations for activities from fellow believers after the 2017 ban on Jehovah's Witness activity (http://www.forum18.org/archive.php?article_id=2297).

Possible punishments under are: three to eight years' imprisonment; a 300,000 to 700,000 Rouble fine; or one to four years' assigned work.

Other charges have been brought against Jehovah's Witnesses and Muslims under Criminal Code Article 282.2, Part 1.1 (http://www.forum18.org/archive.php?article_id=2386) ("Inclination, recruitment or other involvement of a person in an extremist organisation").

Possible punishments are four to eight years' imprisonment; a 300,000 to 700,000 Rouble fine; or two to five years' assigned work.

Judges can also impose a range of restrictions on freedom both during suspended sentences, and for certain periods after a person's release from imprisonment.

Despite the similarities in the activities being prosecuted, trials have so far ended in a variety of sentences – from prison terms of several years, to suspended sentences of varying lengths, to a range of fines. There has also been one sentence of assigned work (http://www.forum18.org/archive.php?article_id=2510), later changed to a fine (http://www.forum18.org/archive.php?article_id=2581).

No one prosecuted in cases relating to the 2017 nationwide ban on Jehovah's Witnesses (https://www.forum18.org/archive.php?article_id=2297) has been acquitted, though judges have returned some cases to prosecutors who later resubmit them. Defendants have sometimes succeeded in getting sentences reduced, or having cases sent for retrial on appeal, though no conviction has yet been overturned.

Investigators and prosecutors may also have people added to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists" (http://www.forum18.org/archive.php?article_id=2215), whose accounts banks are obliged to freeze, although small transactions (up to 10,000 Roubles) are permitted. Individuals can be added to the list when they are still under investigation or on trial, or after they have been sentenced. Being added to the list leads to a variety of problems in everyday life, e.g. being unable to receive salaries, pensions, or benefits, renew insurance policies, or even purchase a phone sim card.

"Even lenient punishment is punishment"

Jehovah's Witness lawyers note that it is difficult to say whether it is better to receive a fine or a suspended sentence: "A fine means that you have to suffer materially right now. A suspended sentence means that you need to live under stress for many years, and the sentence can be changed to a real one [i.e. the convicted person could be sent to prison]. Even lenient punishment is punishment, the consequences of which will be felt for years."

Suspended sentences

It is now common for Jehovah's Witnesses on trial under Criminal Code Article 282.2, Parts 1 and 2 (as well as Article 282.3, Part 1) to receive suspended sentences, with 13 of the 21 recently convicted individuals receiving this form of punishment.

While this means that they do not go to prison, it may "cripple their employment and financial options", as a Jehovah's Witness press statement put it on 9 October, through associated restrictions. It also puts those convicted at risk of imprisonment should they be found guilty of another offence (including any unconnected to Jehovah's Witness activity).

When imposing a suspended sentence, a judge usually sets out three periods of time:

- the sentence itself, which is the time the defendant would serve if sent to prison;
- the probationary period (ispytatelnyy srok), which is the time during which any other conviction would send the defendant to prison (it is counted from the day the verdict comes into force and may be longer or shorter than the sentence itself, or the same length);
- and a period of restrictions on freedom (ogranicheniya svobody), which runs concurrently with the probationary period but is not necessarily of the same duration.

According to Criminal Code Article 73, restrictions may include a curfew, an obligation to inform probation authorities of any change in one's place of residence or work, a ban on visiting particular locations or travelling abroad, deprivation of the right to vote, and a bar on standing for election. If any of these terms is breached, the probation period may be extended. If the person is convicted of another crime, he/she will likely be imprisoned.

Time spent in a pre-trial detention centre is not taken into account when calculating the probationary period (but would be if the defendant were later sent to prison).

If those convicted serve out the probationary period without incident, the conviction is spent (sudimost gasitsya) and they no longer have an active criminal record (http://www.forum18.org/archive.php?article_id=2215).

The Penal Enforcement Inspectorate (Ugolovno-ispolnitelnaya inspektsiya), a subdivision of the Federal Penitentiary Service (FSIN) is responsible (in cooperation with local Interior Ministry branches) for monitoring people serving suspended sentences, as well as those performing assigned work, and those under house arrest. The Inspectorate registers them, checks their compliance with the terms of their sentence, records any change of address, and may visit them at home with local police.

"A suspended sentence is a 'sword of Damocles' for the convicted person," lawyer Konstantin Markin said in comments for the OVD-Info police monitoring organisation on 13 December 2018. "They seem to be free, but for any offence, even the slightest, they can be imprisoned."

Kostroma: Longest known suspended sentences

The second trial of Valeriya Aleksandrovna Rayman (born 21 May 1993) and Sergey Alekseyevich Rayman (born 5 October 1996) at Kostroma's Sverdlovsk District Court ended on 9 October 2020 in the longest suspended sentences yet imposed on Jehovah's Witnesses – seven and eight years respectively. Prosecutors had requested seven-year suspended sentences for both. The Raymans and their lawyers have challenged their convictions and the first appeal hearing is due to take place at Kostroma Regional Court on 3 December 2020.

Judge Dmitry Balayev found the Raymans guilty under both Criminal Code Article 282.2, Part 1 and Part 2 ("Organisation" and "Participation in the activities of a banned extremist organisation").

The Raymans first appeared at Sverdlovsk District Court in August 2019, but Judge Yekaterina Molodova sent their case back to prosecutors on 25 September 2019 (http://www.forum18.org/archive.php?article_id=2517), citing violations in the indictment and noting that "in this instance, there is a legal right to the profession of the Jehovah's Witness religion, which was not prohibited by the Supreme Court's decision of 20 April 2017".

Both Valeriya and Sergey are currently under travel restrictions while their appeal is pending, their lawyer Yevgeniya Shemberger told Forum 18 on 3 November 2020. If their sentences enter legal force, they will be subject to a five-year probationary period and two years of restrictions on freedom, including a ban on leaving Kostroma and on moving house without the agreement of probation authorities.

The prosecution has requested a minor change to the wording of the verdict (from describing the defendants' actions as a "particularly serious offence" to describing them as "two serious offences"), but has not challenged the sentence.

"We're glad that the term is suspended and that we can remain free, but we consider the sentence unjust," Sergey Rayman commented to Forum 18 on 9 November. "They convicted us for being believing people. For the fact that we read the Bible and

lived by its norms. We have always been law-abiding and have led decent and honest lives."

Rayman added that "of course" being under travel restrictions causes difficulties. "We cannot visit my parents, or my grandmother, who cannot come to us because of her state of health, and who lives in another town. Also, my previous much-loved job involved constant travel to other cities, which became impossible after the criminal case was opened against me and my wife."

Forum 18 emailed Kostroma Regional Prosecutor's Office before the start of the working day of 10 November, asking why meeting for prayer and Bible study is considered a criminal offence and who was harmed by the Raymans' actions. Forum 18 received no reply by the middle of the working day in Kostroma on 25 November.

Other suspended sentences: Ulyanovsk, Kamchatka, Kemerovo

Eleven other Jehovah's Witnesses have received suspended sentences since late July. On 24 November 2020, Petropavlovsky-Kamchatsky City Court (Kamchatka Region) handed Sergey Mikhailovich Ledenyov (born 23 July 1974) a two-year suspended sentence under Criminal Code Article 282.2, Part 2.

As in several other recent cases, Judge Natalya Lykova reclassified Ledenyov's charge from Part 1 ("Organisation of the activities of an extremist organisation") to Part 2 ("Participation in the activities of an extremist organisation"). Prosecutors had asked for a six-year prison term.

Ledenyov denies any involvement in extremism and intends to challenge his conviction. "My conscience is clear before God and people," he said in his final speech to the court on 11 November. "What exactly is my crime? The entire judicial investigation proved that the worship meetings of which I am accused are exclusively peaceful, legal, benign religious activities that have not been prohibited by any court."

Should the verdict enter legal force, Ledenyov will serve a three-year probationary period. It is as yet unknown what restrictions on freedom would be imposed.

Also in Kamchatka, Konstantin Aleksandrovich Bazhenov (born 24 July 1977), Snezhana Yevgenyevna Bazhenova (20 December 1977), and Vera Ivanovna Zolotova (born 20 October 1946) were all found guilty under Article 282.2, Part 2 on 25 September 2020, after Yelizovo District Court reclassified their case from Part 1. Each received a two-year suspended sentence with a three-year probationary period and six months of restrictions on freedom. They appealed unsuccessfully at Kamchatka Regional Court on 17 November 2020.

(Bazhenov in Kamchatka should not be confused with fellow Jehovah's Witness Konstantin Viktorovich Bazhenov from Saratov, given a three and a half year jail term in September 2019 (http://www.forum18.org/archive.php?article_id=2619).

Zolotova, who has now turned 74, is the oldest Jehovah's Witness to be convicted so far. Several other people in their 70s and 80s, some of them in poor health, are also on trial (http://www.forum18.org/archive.php?article_id=2571). Prosecutors had requested that Zolotova (who spent her working life as a lathe turner and book-keeper) should be fined 400,000 Roubles, a huge sum for a pensioner in Kamchatka, where the average monthly state pension in 2020 is just over 22,000 Roubles.

Prosecutors requested a total joint fine of 1,200,000 Roubles for the Bazhenovs (who were both teachers). The Bazhenovs and Zolotova have all been on the Rosfinmonitoring List since 11 October 2018.

On 10 September 2020, Khasan Abduvaitovich Kogut (born 7 May 1983) was convicted under Article 282.2, Part 2 at Beryozovsky City Court (Kemerovo Region). The Judge handed him a suspended sentence of two years and six months with a two-year probationary period. Prosecutors had asked for a two-year prison term. Kogut's appeal date is as yet unknown. He has been on the Rosfinmonitoring List since 28 February 2019.

Kogut had originally been investigated alongside Sergey Britvin and Vadim Levchuk, whose homes were raided on the same night in July 2018, but was made the subject of a separate prosecution (http://www.forum18.org/archive.php?article_id=2517) in January 2019. Britvin and Levchuk were each sentenced to four years' imprisonment (http://www.forum18.org/archive.php?article_id=2619) on 2 September 2020.

At Zasviyazhsky District Court in Ulyanovsk on 8 October 2020, Sergey Aleksandrovich Mysin (born 21 June 1965) received a four-year suspended sentence plus ten months of restrictions on freedoms under Criminal Code Article 282.2, Part 2. (At the end of the trial the Judge reclassified his case from Part 1 to Part 2.)

Fellow defendants Aleksandr Vyacheslavovich Ganin (born 8 January 1957), Khoren Nikolevich Khachikyan (born 25 April 1985), and Andrey Vladimirovich Tabakov (born 23 January 1973) (all tried under Part 2) received three-year suspended sentences with eight months of restrictions on freedoms, and Natalya Aleksandrovna Mysina (17 December 1971) and Mikhail Grigoryevich Zelensky (born 7 November 1960) (also Part 2), received two-and-half year suspended sentences plus seven months of restrictions

on freedom. Prosecutors had asked for jail terms for all six defendants of between three and seven years.

Their probationary periods range from two years and six months to four years, lawyer Yegiazar Chernikov told Forum 18 on 3 November, and they are under travel restrictions and a curfew. Both defence and prosecution have lodged appeals, requesting acquittal and a re-trial respectively. It is unknown when the appeal hearing (at Ulyanovsk Regional Court) might take place.

Sergey Mysin, who had health problems before his prosecution, was hospitalised in October 2019, but was discharged early when FSB security service officers allegedly put pressure on medical staff to stop his treatment (http://www.forum18.org/archive.php?article_id=2571), Jehovah's Witnesses said. He is still unwell, but has improved after an operation, Chernikov told Forum 18 on 3 November 2020.

The six Ulyanovsk defendants are among several Jehovah's Witnesses whose assets have been seized during their prosecutions as surety against the possible non-payment of fines after conviction (http://www.forum18.org/archive.php?article_id=2572). Zaslavzhsky District Court has ordered the return of the property, which included cars and large sums of money. All six, however, remain on the Rosfinmonitoring List (Ganin since 30 May 2019, the others since 6 May 2019).

Fines

Two Jehovah's Witnesses have also received large fines between late July and late November. On 28 July 2020, Furmanovo City Court (Ivanovo Region) fined Yevgeny Andreyevich Spirin (born 24 February 1986) 700,000 Roubles under Article 282.2, Part 1. This is the largest individual fine yet imposed on a Jehovah's Witness for "organisation of the activities of an extremist organisation", but it was reduced to 500,000 Roubles because of the 160 days Spirin had spent in detention.

Spirin appealed unsuccessfully on 14 October 2020. The prosecution also sought to have his punishment changed to its original request of seven years' imprisonment, but Ivanovo Regional Court refused to overturn the sentence.

Anatoly Mikhailovich Tokarev (born 31 December 1958), who was tried under both Article 282.2, Part 1 and Article 282.3, Part 1, received a fine of 500,000 Roubles on 23 October 2020 at October District Court in Kirov. The latter charge, of "Financing extremist activity", was based on Tokarev's attempt to cover the utility costs of an empty Kingdom Hall. Because he had not spent any time in detention, his fine was not reduced. It is unknown when his appeal against his conviction will reach Kirov Regional Court.

Although Spirin, Tokarev, and other Jehovah's Witnesses who have received fines have not been imprisoned and are not subject to the restrictions and obligations on those who have suspended sentences, their convictions may still impose a heavy burden. The average monthly wage in 2020 stood at 29,015 Roubles in Ivanovo Region, and at 31,729 Roubles in Kirov Region.

Spirin and Tokarev are also on the Rosfinmonitoring "List of Terrorists and Extremists", to which Tokarev was added on 4 July 2019 and Spirin on 24 November 2020.

First Jehovah's Witness acquittal in three years

On 7 October 2020, Yury Viktorovich Zalipayev (born 8 October 1962) became the first Jehovah's Witness to be acquitted of an extremism-related offence since the summer of 2017. After a trial lasting more than two years, Judge Yelena Kudryavtseva of Maysky District Court (Republic of Kabardino-Balkariya) found him not guilty under Criminal Code Article 280, Part 1 ("Public calls for extremist activity"). Prosecutors had requested a sentence of two years' imprisonment.

Prosecutors had also charged Zalipayev under Article 282, Part 1 (http://www.forum18.org/archive.php?article_id=2453) ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of sex, race, nationality, language, origin, attitude to religion, or social group"), but this was dropped in January 2019.

Prosecutors alleged that Zalipayev "knowingly...decided on 16 August 2016 to carry out public actions aimed at inciting hatred and enmity towards a social group, 'Christian clergy', wherefore he decided to distribute a printed publication from the Federal List of Extremist Materials". Jehovah's Witnesses themselves claim that these publications were planted (http://www.forum18.org/archive.php?article_id=2310), and that Zalipayev's alleged exhortations to "beat Orthodox Christians and Muslims" are untrue.

The Supreme Court of the Republic of Kabardino-Balkariya received an appeal from prosecutors against Zalipayev's acquittal on 10 November, according to its website. This is due to be heard on 27 November.

Officers of the FSB security service – and possibly other agencies – have also searched Zalipayev's home and those of other Jehovah's Witnesses in Maysky several times since May 2020, most recently on 12 November, and investigators have opened another criminal case under Criminal Code Article 282.2. So far, Zalipayev and the others who have been subjected to searches are being treated as witnesses. "Investigators, the FSB, and the police have not calmed down and don't even plan on doing so," lawyer Anton Omelchenko commented to Forum 18 on 12 November.

The last Jehovah's Witnesses to be acquitted (http://www.forum18.org/archive.php?article_id=2310) were Vyacheslav Yuryevich Stepanov (born 20 March 1977) and Andrey Petrovich Sivak (born 28 March 1974). In June 2017, Sergiyev Posad City Court (Moscow Region) found them not guilty under Criminal Code Article 282, Part 2 ("Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of sex, race, nationality, language, origin, attitude to religion, or social group"), when committed a) with violence or the threat of violence; b) by a person using their official position; c) by an organised group (of which Stepanov and Sivak were accused).

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List of those convicted on "extremism"-related charges for exercising freedom of religion or belief, by category of punishment (regional headings refer to where people were tried).

SUSPENDED SENTENCES (both in force and with appeals pending)

- Kamchatka Region

Petropavlovsky-Kamchatsky City Court

24 November 2020

1) Sergey Mikhailovich Ledenyov (born 23 July 1974) – 2 years, suspended; 3 years probation

Criminal Code Article: 282.2, Part 2 (changed by judge from Part 1)

Restrictions on freedoms unknown

Appeal: unknown

Yelizovo District Court

25 September 2020

2) Konstantin Aleksandrovich Bazhenov (born 24 July 1977) – 2 years, suspended; 3 years' probation; 6 months' restrictions on freedom

3) Snezhana Yevgenyevna Bazhenova (20 December 1977) – 2 years, suspended; 3 years' probation; 6 months' restrictions on freedom

4) Vera Ivanovna Zolotova (born 20 October 1946) – 2 years, suspended; 3 years' probation; 6 months' restrictions on freedom

Criminal Code Article: 282.2, Part 2 (changed from Part 1 by judge)

Appeal: unsuccessful – 17 November 2020, Kamchatka Regional Court

- Kemerovo Region

Beryozovsky City Court

10 September 2020

5) Khasan Abduvaitovich Kogut (born 7 May 1983) – 2 years and 6 months, suspended; 2 years' probation

Criminal Code Article 282.2, Part 2

Restrictions on freedom unknown

Appeal: pending, Kemerovo Regional Court – hearing date unknown

- Khabarovsk Region

Railway District Court, Khabarovsk

18 February 2020

6) Yevgeny Anatolyevich Aksyonov (born 19 June 1967) – 2 years, suspended; 6 months' restrictions on freedom

Criminal Code Article: 282.2, Part 2

Probationary period unknown

Appeal: unsuccessful – 26 May 2020, Khabarovsk Regional Court

4 February 2020

7) Stanislav Viktorovich Kim (born 5 July 1968) – 2 years, suspended; 2 years' probation

8) Nikolay Yuryevich Polevodov (born 10 February 1970) – 2 years, suspended; 2 years' probation

Criminal Code Article: 282.2, Part 2

Restrictions on freedom unknown

Appeal: unsuccessful – 2 July 2020, Khabarovsk Regional Court

- Kostroma Region

Sverdlovsk District Court

9 October 2020

9) Sergey Alekseyevich Rayman (born 5 October 1996) – 8 years, suspended; 5 years' probation; 2 years' restrictions on freedom

10) Valeriya Aleksandrovna Rayman (born 21 May 1993) – 7 years, suspended; 5 years' probation; 2 years' restrictions on freedom

Criminal Code Articles: 282.2, Part 1, 282.2, Part 2

Appeal: due to be heard on 3 December 2020, Kostroma Regional Court

- Primorye Region

Nadezhdinsky District Court

21 January 2020

11) Grigory Gennadyevich Bubnov (born 4 September 1965) – 6 years, suspended; 5 years' probation; 5-year ban on involvement in public organisations + 1-year ban on going to public events

Criminal Code Article: 282.2, Part 1

Appeal: unsuccessful – 18 March 2020, Primorye Regional Court

- Sakha Republic (Yakutiya)

Lensk District Court

1 April 2020

12) Igor Nikolayevich Ivashin (born 16 April 1976) – 6 years, suspended; 3 years and 6 months' probation; 1 year's restrictions on freedom; 5-year ban on holding leadership positions in any public organisation

Criminal Code Article: Article 282.2, Part 1

Appeal: unsuccessful – 21 May 2020, Supreme Court of the Sakha Republic

- Penza Region

Lenin District Court, Penza / Penza Regional Court

13 December 2019 / 16 September 2020

13) Vladimir Aleksandrovich Alushkin (30 June 1964) – 4 years, suspended

Criminal Code Article: 282.2, Part 1

Probationary period and restrictions on freedom unknown

14) Tatyana Sergeyevna Alushkina (born 12 September 1963) – 2 years, suspended

15) Vladimir Aleksandrovich Kulyasov (born 17 April 1974) – 2 years, suspended

16) Andrey Aleksandrovich Magliv (20 June 1984) – 2 years, suspended

17) Galiya Anvarovna Olkhova (born 5 February 1970) – 2 years, suspended

18) Denis Vladimirovich Timoshin (born 23 March 1980) – 2 years, suspended

Criminal Code Article: 282.2, Part 2

Probationary periods and restrictions on freedom unknown

Originally convicted on 13 December 2019 – Vladimir Alushkin sentenced to six years' imprisonment, the rest given suspended sentences; verdict overturned on appeal at Penza Regional Court on 25 March 2020 and case sent for re-trial, but new proceedings halted by successful prosecution cassational appeal at 1st Cassational Court in Saratov; fresh appeal hearing at Penza Regional Court, at which original suspended sentences were upheld and Alushkin's prison term changed to a shorter suspended sentence.

- Pskov Region

Pskov Regional Court

3 August 2020

19) Gennady Valerianovich Shpakovsky (born 6 October 1958) – 6 years and 6 months, suspended; 2 years' probation

Criminal Code Articles: 282.2, Part 1; 282.3, Part 1

Restrictions on freedom unknown

Originally convicted on 9 June 2020 at Pskov City Court and sentenced to 6 years and 6 months' imprisonment – sentenced reduced on appeal.

- Ulyanovsk Region

Zasviyazhsky District Court, Ulyanovsk

8 October 2020

20) Sergey Aleksandrovich Mysin (born 21 June 1965) – 4 years, suspended; 10 months' restrictions on freedoms

21) Aleksandr Vyacheslavovich Ganin (born 8 January 1957) – 3 years, suspended; 8 months' restrictions on freedom

22) Khoren Nikolevich Khachikyan (born 25 April 1985) – 3 years, suspended; 8 months' restrictions on freedom

23) Andrey Vladimirovich Tabakov (born 23 January 1973) – 3 years, suspended; 8 months' restrictions on freedom

Criminal Code Article: 282.2, Part 2

24) Natalya Aleksandrovna Mysina (born 17 December 1971) – 2 years and 6 months, suspended; 7 months' restrictions on freedom

25) Mikhail Grigoryevich Zelensky (born 7 November 1960) – 2 years and 6 months, suspended; 7 months' restrictions on freedom

Criminal Code Article: 282.2, Part 2

Probationary periods: from 2 years and 6 months to 4 years

Appeal: lodged at Ulyanovsk Regional Court by both defence and prosecution – hearing date unknown

FINES

- Ivanovo Region

Furmanovo City Court

1) Yevgeny Andreyevich Spirin (born 24 February 1986) – 700,000 Roubles (reduced to 500,000 to account for time spent in detention)

Criminal Code Article: 282.2, Part 1

Appeal: unsuccessful – 14 October 2020, Ivanovo Regional Court

- Kamchatka Region

Vilyuchinsk City Court

14 February 2020

2) Mikhail Yuryevich Popov (born 25 May 1962) – 350,000 Roubles

3) Yelena Vyacheslavovna Popova (born 10 September 1963) – 300,000 Roubles

Criminal Code Article: 282.2, Part 1 and 282.2, Part 1.1 – but changed to Part 2 by judge at sentencing

Appeal: partially successful – conviction upheld but fines reduced from 650,000 Roubles in total to 500,000 Roubles in total - 17 March 2020, Kamchatka Regional Court

- Kirov Region

October District Court, Kirov

23 October 2020

4) Anatoly Mikhailovich Tokarev (born 31 December 1958) – 500,000 Roubles

Criminal Code Articles: 282.2, Part 1 and 282.3, Part 1

Appeal: pending, Kirov Regional Court – hearing date unknown

- Murmansk Region

Polyarny District Court

24 January 2020

5) Roman Nikolayevich Markin (born 18 March 1974) – 300,000 Roubles (reduced from 600,000 Roubles to account for time spent in detention)

6) Viktor Fyodorovich Trofimov (born 26 March 1957) – 350,000 Roubles (reduced from 650,000 Roubles to account for time spent in detention)

Criminal Code Article: 282.2, Part 1

Appeal: unsuccessful – 25 May 2020, Murmansk Regional Court

- Oryol Region

Oryol District Court

1 April 2019

7) Sergey Vladimirovich Skrynnikov (born 30 October 1962) – 350,000 Roubles

Criminal Code Article: 282.2, Part 2

Appeal: unsuccessful – 13 June 2019, Oryol Regional Court

- Perm Region

Ordzhonikidze District Court, Perm

14 November 2019

8) Aleksey Aleksandrovich Metsger (born 8 September 1975) – 350,000 Roubles

Criminal Code Article: 282.2, Part 2

Appeal: unsuccessful – 13 January 2020, Perm Regional Court

4 July 2019

9) Aleksandr Vasilyevich Solovyov (born 13 February 1970) – 300,000 Roubles

Criminal Code Article: 282.2, Part 2

Appeal: unsuccessful – 5 September 2019, Perm Regional Court

ASSIGNED WORK (prinuditelniye raboty)

- Khabarovsk Region

Railway District Court, Khabarovsk

2 September 2019

1) Valery Vasilyevich Moskalenko (born 15 April 1967) – 2 years and 2 months' assigned work + 6 months' restrictions on freedom

Criminal Code Article: 282.2, Part 2

Appeal: partially successful (conviction upheld but punishment reduced to 500,000 Rouble fine which was waived because of time spent in detention) – 5 November 2019, Khabarovsk Regional Court

(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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