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## **RUSSIA: Appeals fail to overturn "extremism" convictions**

By Victoria Arnold, Forum 18

*All the more than 60 Jehovah's Witnesses brought to criminal trial on "extremism"-related charges since the 2017 nationwide ban have been convicted, with several being jailed. Appeals have not overturned any convictions. In a few cases, appeal courts increased or reduced the punishment. Muslims who met to read the works of Said Nursi similarly convicted on "extremism"-related charges have also tended to be unsuccessful at appeal. Raids, house searches, criminal cases, prosecutions and convictions continue.*

Over 60 Jehovah's Witnesses have gone on trial on "extremism"-related charges since the Supreme Court's 2017 ban on Jehovah's Witness activity, and all of them have been convicted. None of the convictions has been overturned on appeal.

Muslim readers of the works of Said Nursi similarly convicted on "extremism"-related charges have also tended to be unsuccessful at appeal (see below).

On 21 January 2021, in the first known instance of a sentence being increased at appeal in Russia, Ulyanovsk Regional Court lengthened Sergey Mysin's four-year suspended sentence to a four-and-a-half year suspended sentence (see below).

On 3 August 2020, Gennady Shpakovsky's six-and-a-half-year jail term was reduced to a suspended sentence of the same length. His conviction still stands and he may yet appeal further. He is now on two years' probation. During this time, he must register with the police every two weeks, abide by a curfew from 11 pm to 6 am, and cannot leave his home town of Pskov, his wife Tatyana Shpakovskaya told Forum 18 on 28 October 2020, "but this is still better than six and a half years in a correctional colony [labour camp]" (see below).

On 16 September 2020, Vladimir Alushkin's six-year prison term was shortened to four years and changed to a suspended sentence. The United Nations Working Group on Arbitrary Detention has criticised the arrest, detention and trial. Three other Jehovah's Witnesses are known to have had their sentences reduced on appeal (see below).

At present, only one Muslim who met with others to read Nursi's works remains imprisoned – Ilgar Aliyev. A court in Dagestan sentenced him in May 2018 to eight years eight years' imprisonment plus two years of restrictions on freedom. In July 2018 his appeal against conviction was rejected (see below).

In October 2018 a prosecution appeal seeking to jail Andrei Dedkov was rejected. Dedkov, a Muslim who met with others to study Nursi's works, was in June 2018 fined more than six months' average local wages, and prosecutor's appealed against the fine for its "excessive leniency". Dedkov did not challenge his conviction (see below).

On 25 January 2021, a North Caucasus appeal court upheld the acquittal of Yury Zalipayev, the first time a Jehovah's Witness has been found not guilty on "extremism"-related charges in over three years. Investigators in the town of Maysky have searched the homes of Zalipayev and other Jehovah's Witnesses on several occasions since May 2020. No new charges have yet been brought against Zalipayev himself (see below).

For those sentenced to imprisonment, there is also little possibility of early release. Courts have so far turned down all applications for this.

No Muslims who were jailed for meeting with others to read Nursi's works have applied for early release. Six Jehovah's Witnesses jailed on "extremism"-related charges applied for early release after serving half their jail terms, but have been unsuccessful. Prison administrations opposed the applications with what Jehovah's Witnesses describe as "fabricated evidence" ([https://www.forum18.org/archive.php?article\\_id=2638](https://www.forum18.org/archive.php?article_id=2638)) of violations of prison rules. Four of the prisoners were accused of smoking in the wrong place, but Jehovah's Witnesses do not smoke. Another Jehovah's Witness held since 2018 and sentenced in 2019, and a Muslim reader of Nursi's works held since 2017 and sentenced in 2018, should both become eligible to apply for early release in summer 2021 ([https://www.forum18.org/archive.php?article\\_id=2638](https://www.forum18.org/archive.php?article_id=2638)).

"Extremism"-related prosecutions

Jehovah's Witnesses in both Russia and Russian-occupied Crimea ([https://www.forum18.org/archive.php?article\\_id=2617](https://www.forum18.org/archive.php?article_id=2617)) are prosecuted for continuing to meet for prayer and Bible study under Criminal Code Article 282.2, Part 1 ("Organisation of"), or Part 2 ([https://www.forum18.org/archive.php?article\\_id=2215](https://www.forum18.org/archive.php?article_id=2215)) ("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"). Some are also charged under one or both of Criminal Code Article 282.3, Part 1 ("Financing of extremist activity"), or Criminal Code Article 282.2, Part 1.1 ("Inclination, recruitment or other involvement of a person in an extremist organisation").

Muslims who meet to study the works of the late Turkish theologian Said Nursi face similar "extremism"-related criminal prosecutions and jailings ([https://www.forum18.org/archive.php?article\\_id=2624](https://www.forum18.org/archive.php?article_id=2624)). In the Russian-occupied Ukrainian territory of Crimea similar prosecutions and jailings are brought by Russian authorities against Muslims ([https://www.forum18.org/archive.php?article\\_id=2616](https://www.forum18.org/archive.php?article_id=2616)) and Jehovah's Witnesses ([https://www.forum18.org/archive.php?article\\_id=2617](https://www.forum18.org/archive.php?article_id=2617)).

Raids, trials, convictions continue

Raids, house searches, and criminal cases against Muslims and Jehovah's Witnesses ([https://www.forum18.org/archive.php?article\\_id=2624](https://www.forum18.org/archive.php?article_id=2624)) continue across Russia, and raids in Moscow in November 2020 ([https://www.forum18.org/archive.php?article\\_id=2623](https://www.forum18.org/archive.php?article_id=2623)) included torture of those raided.

The most recent known raids were on 28 January 2021 in the Tyva Republic (where the FSB security service searched at least four homes of Jehovah's Witnesses in the town of Kyzyl and detained one man), and on 10 February in Moscow and Moscow Region (where at least 14 searches took place and two people have been detained).

The most recent known convictions for Jehovah's Witnesses for continuing to meet for prayer and Bible study are:

- 20 January, Yevgeny Anatolyevich Golik, suspended sentence of two and a half years ([https://www.forum18.org/archive.php?article\\_id=2573](https://www.forum18.org/archive.php?article_id=2573)), Birobidzhan District Court, Jewish Autonomous Region;
- 21 January, Anastasiya Nikolayevna Sychyova, suspended sentence of two years ([https://www.forum18.org/archive.php?article\\_id=2573](https://www.forum18.org/archive.php?article_id=2573)), Obluchye District Court, Jewish Autonomous Region;
- 26 January, Galina Vasilyevna Parkova, suspended sentence of two years and three months ([https://www.forum18.org/archive.php?article\\_id=2512](https://www.forum18.org/archive.php?article_id=2512)), Lenin District Court, Rostov-on-Don;
- 2 February, Artur Sergeevich Lokhvitsky, suspended sentence of two and a half years ([https://www.forum18.org/archive.php?article\\_id=2573](https://www.forum18.org/archive.php?article_id=2573)), Birobidzhan District Court, Jewish Autonomous Region;
- 10 February, Aleksandr Yevgenyevich Ivshin, seven and a half years' imprisonment, Abinsk District Court, Krasnodar Region; this is the longest jail term, yet received by a Jehovah's Witness and was imposed after only three court hearings;
- 12 February, Igor Olegovich Tsaryov, suspended sentence of two and a half years, Birobidzhan District Court, Jewish Autonomous Region;
- 12 February, Larisa Aleksandrovna Artamonova, fine of 10,000 Roubles, Birobidzhan District Court, Jewish Autonomous Region;
- 15 February, Svetlana Yakovlevna Monis, fine of 10,000 Roubles, Birobidzhan District Court, Jewish Autonomous Region;
- 16 February, Yuliya Fyodorovna Kaganovich, fine of 10,000 Roubles, Birobidzhan District Court, Jewish Autonomous Region.

The oldest person to be convicted so far is Vera Ivanovna Zolotova (born 20 October 1946), a Jehovah's Witness from Yelizovo (Primorye Region). She received a two-year suspended sentence ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)) on 25 September 2020.

Jehovah's Witness Yury Prokopyevich Savelyov (born 1 January 1954), who was sentenced to six years' imprisonment ([https://www.forum18.org/archive.php?article\\_id=2624](https://www.forum18.org/archive.php?article_id=2624)) on 16 December 2020 in Novosibirsk, is the oldest person to get a jail term.

In January 2021, the oldest Jehovah's Witness to be prosecuted – Rimma Mikhailovna Vashchenko (born 17 August 1930) – died before her case could be heard in court. Investigators in Nevinnomyssk (Stavropol Region) had named her as a suspect 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").

## Suspended sentences, Rosfinmonitoring "List of Terrorists and Extremists"

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 ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)).

People under investigation or facing charges are normally added to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists", and individuals can also be added after being sentenced. Banks must freeze the accounts of individuals on the List, although small transactions (up to 10,000 Roubles) are permitted ([https://www.forum18.org/archive.php?article\\_id=2215](https://www.forum18.org/archive.php?article_id=2215)). 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.

### Most appeals unsuccessful

Out of 20 cases (involving 44 people) flowing from the nationwide ban on Jehovah's Witnesses, and which had gone to appeal by 8 February 2021, two were sent for re-examination and judges reduced sentences in four cases. Courts upheld the remaining 14 guilty verdicts.

Prosecutors may also challenge sentences they think are too lenient. Their challenges rarely succeed, but in one Jehovah's Witness case a punishment was increased.

Between June 2017 ([https://www.forum18.org/archive.php?article\\_id=2290](https://www.forum18.org/archive.php?article_id=2290)) and July 2018 ([https://www.forum18.org/archive.php?article\\_id=2391](https://www.forum18.org/archive.php?article_id=2391)), six Muslim men were jailed by courts (in Dagestan, Novosibirsk, and Amur Region) for periods of between two and eight years for meeting together to study Nursi's works. All were convicted under Criminal Code Article 282.2, Part 1 ("Organisation of"), or 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"). Five appealed, but none was successful.

Typically, such Muslims meet in homes to study Islam, with one or more expounding on Nursi's works ([https://www.forum18.org/archive.php?article\\_id=2215](https://www.forum18.org/archive.php?article_id=2215)). They also pray, eat, and drink tea together, and do not seek state permission to meet.

At present, only one Muslim who met with others to read Nursi's works remains imprisoned – Ilgar Vagif-ogly Aliyev (born 16 February 1977). A court in Dagestan sentenced him in May 2018 to eight years' imprisonment plus two years of restrictions on freedom ([https://www.forum18.org/archive.php?article\\_id=2386](https://www.forum18.org/archive.php?article_id=2386)) for alleged involvement in "Nurdzhular", an organisation Muslims deny exists ([https://www.forum18.org/archive.php?article\\_id=2215](https://www.forum18.org/archive.php?article_id=2215)).

On 25 July 2018, the Supreme Court of the Republic of Dagestan rejected his appeal ([https://www.forum18.org/archive.php?article\\_id=2406](https://www.forum18.org/archive.php?article_id=2406)).

On 19 June 2017, Yevgeny Lvovich Kim (born 5 October 1974) was jailed for three years, nine months in Blagoveshchensk for meeting with other Muslims to study theologian Nursi's works ([https://www.forum18.org/archive.php?article\\_id=2290](https://www.forum18.org/archive.php?article_id=2290)).

He appealed against the conviction. On 24 August, at Amur Regional Court, Judge Yury Melnichenko upheld the conviction and labour camp sentence, but overturned the restrictions on freedom ([https://www.forum18.org/archive.php?article\\_id=2310](https://www.forum18.org/archive.php?article_id=2310)) which were to have been imposed for a year after Kim's release.

Kim was released on 10 April 2019, but Interior Ministry officials had stripped him of his Russian citizenship and made him stateless in January 2019. Kim himself was unaware of this until the day before his release ([https://www.forum18.org/archive.php?article\\_id=2478](https://www.forum18.org/archive.php?article_id=2478)). He is still held in a detention centre for foreign nationals and stateless persons ([https://www.forum18.org/archive.php?article\\_id=2585](https://www.forum18.org/archive.php?article_id=2585)) after being ordered deported. Multiple court appeals have failed, and Kim's request for documentation which would allow him to leave Russia legally for a third country has gone unanswered ([https://www.forum18.org/archive.php?article\\_id=2633](https://www.forum18.org/archive.php?article_id=2633)).

### Sentence increased

In the first known instance of a sentence being increased at appeal in Russia, Ulyanovsk Regional Court lengthened Sergey Aleksandrovich Mysyn's (born 21 June 1965) four-year suspended sentence to four-and-a-half years on 21 January 2021. The Regional Court reversed the first-instance court's decision to reduce his charge from Criminal Code Article 282.2, Part 1 to Part 2.

Zasviyazhsky District Court in Ulyanovsk imposed Mysyn's original four-year sentence on 8 October 2020 ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)). At the sentencing stage, the Judge reclassified the charge he faced from

Criminal Code Article 282.2, Part 1 ("Organisation of") to 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").

The District Court found the original charge of "Organisation" (Part 1) to be unproven, Jehovah's Witness spokesperson Yaroslav Sivulsky explained to Forum 18 on 12 February. It then decided to convict Mysin under Part 2 ("Participation") as he did not deny that he was a Jehovah's Witness and had taken part in meetings for worship. The Regional Court "did not agree with this conclusion and decided that Mysin was the organiser", Sivulsky added.

Mysin was also given 10 months of restrictions on freedoms in October 2020, despite serious health concerns.

Mysin had been discharged early from intensive care in October 2019 after FSB security service officers went to the hospital to insist on his treatment being stopped ([https://www.forum18.org/archive.php?article\\_id=2571](https://www.forum18.org/archive.php?article_id=2571)). Ulyanovsk Region FSB refused to answer any questions from Forum 18 on the incident.

Five other Jehovah's Witnesses, including Mysin's wife Natalya, were also in October 2020 convicted and sentenced alongside him ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)). The five received suspended sentences of two-and-a-half to three years. Ulyanovsk Regional Court upheld these on appeal in January 2021.

All six also had property confiscated before the sentences ([https://www.forum18.org/archive.php?article\\_id=2572](https://www.forum18.org/archive.php?article_id=2572)), and were in May 2019 added to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists" ([https://www.forum18.org/archive.php?article\\_id=2573](https://www.forum18.org/archive.php?article_id=2573)).

Jail sentence changed to suspended sentence

On 9 June 2020, Pskov Regional Court sentenced Gennady Valerianovich Shpakovsky (born 6 October 1958) to six and a half years' imprisonment ([https://www.forum18.org/archive.php?article\\_id=2578](https://www.forum18.org/archive.php?article_id=2578)). Prosecutors claimed two jars of small donations Shpakovsky had were to finance building a "world theocratic state".

On 3 August 2020, Pskov Regional Court reduced Shpakovsky's six-and-a-half-year jail term to a suspended sentence of the same length ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)). He was released from detention the same day, but his conviction still stands and he may yet appeal further, his lawyer Arli Chimirov told Forum 18 on 29 October 2020.

Shpakovsky is now on two years' probation. During this time, he must register with the police every two weeks, abide by a curfew from 11 pm to 6 am, and cannot leave Pskov, his wife Tatyana Shpakovskaya told Forum 18 on 28 October 2020, "but this is still better than six and a half years in a correctional colony [labour camp]".

She added that they were "very surprised" at the appeal verdict. "We didn't expect such a turn of events! The judge explained that it was because there was no reason to isolate Gennady from society."

At the time of Shpakovsky's sentencing, this was the second-longest jail term yet on "extremism"-related charges for meeting with others to pray and study beliefs. Muslim Ilgar Vagif-ogly Aliyev had received an eight-year prison term under the same Criminal Code charges on 28 May 2018 (see above).

On 10 February 2021, Abinsk District Court (Krasnodar Region) sentenced Jehovah's Witness Aleksandr Yevgenyevich Ivshin to seven and a half years, also under Part 1. The sentence has not yet entered legal force.

Penza sentence reduced for one defendant out of six

Jehovah's Witness Vladimir Aleksandrovich Alushkin (born 30 June 1964), originally sentenced to six years' imprisonment, received a four-year suspended sentence on appeal, after nine months of competing legal challenges and pandemic-related delay.

Penza's Lenin District Court convicted Alushkin and five other Jehovah's Witnesses on 13 December 2019 ([https://www.forum18.org/archive.php?article\\_id=2536](https://www.forum18.org/archive.php?article_id=2536)). The other defendants (including Alushkin's wife Tatyana) all received two-year suspended sentences, which have not been changed.

The United Nations Working Group on Arbitrary Detention has criticised the arrest, detention, and trial. In an Opinion (A/HRC/WGAD/2019/34 ([https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session85/A\\_HRC\\_WGAD\\_2019\\_34%20ADVANCEEDITEDVERSION.pdf](https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session85/A_HRC_WGAD_2019_34%20ADVANCEEDITEDVERSION.pdf))) released in August 2019, the Working Group concluded that he "should not have been arrested and held in pre-trial detention, and no trial of Mr. Alushkin should take place".

On 25 March 2020, Penza Regional Court overturned the December 2019 ruling

([https://www.forum18.org/archive.php?article\\_id=2560](https://www.forum18.org/archive.php?article_id=2560)), the first time this had happened in a Jehovah's Witness criminal case, and sent the case back for re-examination.

The re-trial at Lenin District Court was paused on 14 May 2020 because of restrictions on court functions during the coronavirus pandemic – while these proceedings were suspended, prosecutors succeeded in having Penza Regional Court's decision overturned at the 1st Cassational Court in Saratov on 9 July 2020. The six defendants had to return to Penza Regional Court for a re-consideration of their initial appeal (while the district court re-trial was dropped).

On 16 September 2020, the Regional Court shortened and suspended Alushkin's prison term to four years ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)), but upheld his and the others' original convictions.

According to the written verdict, seen by Forum 18, the appeal judges decided to reduce Alushkin's sentence to less than the minimum under Criminal Code Article 282.2, Part 1 because the first-instance court had not taken into account "the concrete circumstances of his offence" or his personal situation (never convicted before, positive character references, ill health), "which, taken together, significantly lessen the degree of public danger".

Three other Jehovah's Witnesses are known to have had their sentences reduced on appeal:

- Valery Vasilyevich Moskalenko (born 15 April 1967) received an assigned labour sentence of two years and two months ([https://www.forum18.org/archive.php?article\\_id=2510](https://www.forum18.org/archive.php?article_id=2510)) on 2 September 2019, on 5 November changed to a 500,000 Rouble fine ([https://www.forum18.org/archive.php?article\\_id=2581](https://www.forum18.org/archive.php?article_id=2581)) waived because of time spent in detention;

- Mikhail Yuryevich Popov (born 25 May 1962) was fined 350,000 Roubles and Yelena Vyacheslavovna Popova (born 10 September 1963) 300,000 Roubles on 14 February 2020. Both had been arrested in July 2018 and their trial started in September 2019 ([https://www.forum18.org/archive.php?article\\_id=2517](https://www.forum18.org/archive.php?article_id=2517)). On 19 May 2020, their fines were reduced on appeal from a joint total of 650,000 Roubles to a joint 500,000 Rouble fine ([https://www.forum18.org/archive.php?article\\_id=2581](https://www.forum18.org/archive.php?article_id=2581)).

Prosecution appeal to turn fine into jailing failed

In June 2018, Andrei Nikolayevich Dedkov (born 16 June 1979) was fined more than six months' average local wages ([https://www.forum18.org/archive.php?article\\_id=2386](https://www.forum18.org/archive.php?article_id=2386)). Dedkov himself did not challenge his conviction.

Prosecutors appealed against the fine for its "excessive leniency". They wanted Dedkov, a Muslim who met with others to study Nursi's works, to be jailed for five years. On 2 October 2018, Krasnoyarsk Regional Court rejected the prosecution's appeal ([https://www.forum18.org/archive.php?article\\_id=2426](https://www.forum18.org/archive.php?article_id=2426)).

Prosecution appeal against acquittal fails – acquittal enters into legal force

The first acquittal of a Jehovah's Witness on "extremism" charges in more than three years entered legal force on 25 January 2021, when the Supreme Court of the Republic of Kabardino-Balkariya refused to uphold the prosecution's appeal in the case of Yuri Viktorovich Zalipayev (born 8 October 1962). Prosecutors had requested a sentence of two years' imprisonment.

On 7 October 2020, Maysky District Court had found Zalipayev not guilty of "Public calls for extremist activity" ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)) under Criminal Code Article 280, Part 1.

Zalipayev's case, in which he was accused under Criminal Code Article 280, Part 1 of "public calls for extremist activity", started in August 2016 ([https://www.forum18.org/archive.php?article\\_id=2310](https://www.forum18.org/archive.php?article_id=2310)) before the 2017 ban on Jehovah's Witness activities ([https://www.forum18.org/archive.php?article\\_id=2297](https://www.forum18.org/archive.php?article_id=2297)).

The Republic's Supreme Court had to postpone the appeal hearing several times in November and December 2020 as Zalipayev and his family had developed coronavirus symptoms. They had become unwell after they had spent 12 November "in the corridors and offices of law enforcement agencies" after a search of their home, Jehovah's Witnesses stated on 27 November 2020.

Investigators in the town of Maysky have searched the homes of Zalipayev and other Jehovah's Witnesses on several occasions since May 2020 ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)). No new charges have yet been brought against Zalipayev himself, but investigators have opened two new criminal cases under Criminal Code Article 282.2 ("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"), Zalipayev's lawyer Anton Omelchenko told Forum 18 on 3 February 2021.

Nobody has yet been charged, but "nobody except the investigators knows what has been done and what will be done next", Omelchenko added. "People have been searched, their belongings confiscated. Some things have been returned. And still it is quiet."

## Defendants facing second prosecution

After their first criminal convictions, some Jehovah's Witnesses have been charged for a second time for a more serious alleged "crime" ([https://www.forum18.org/archive.php?article\\_id=2581](https://www.forum18.org/archive.php?article_id=2581)).

Darya Igorevna Dulova (born 10 March 2000), her mother Venera Nikolayevna Dulova (born 3 January 1961), and Aleksandr Vitalyevich Pryanikov (born 18 May 1987) were all charged under Criminal Code Article 282.2, Part 2 ([https://www.forum18.org/archive.php?article\\_id=2536](https://www.forum18.org/archive.php?article_id=2536)) ("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 27 January 2020, Karpinsk City Court handed all three suspended sentences of between one year and two and a half years ([https://www.forum18.org/archive.php?article\\_id=2581](https://www.forum18.org/archive.php?article_id=2581)).

All three appealed, and on 6 August 2020, Sverdlovsk Regional Court ruled that their case should be re-examined. The re-trial is taking place at Karpinsk City Court, with their next hearing due to take place on 16 February 2021.

In February 2020, while their appeal was still pending, the Dulovas and Pryanikov became subjects of another criminal investigation under Criminal Code Article 282.2, Part 1.1 ("Inclination, recruitment, or other involvement of a person in an extremist organisation").

Shortly after the appeal hearing in August 2020, investigators also charged Pryanikov under Criminal Code Article 282.2, Part 1 and Article 150, Part 4 ("Involving a minor in a criminal group or in the commission of a serious or especially serious offence"). The latter charge relates to the children of fellow Jehovah's Witness Svetlana Sergeyevna Zalyayeva (born 12 May 1975) and Zalyayeva's husband Ruslan Garaftinovich Zalyayev (born 25 October 1972). Ruslan is not a Jehovah's Witness but is still accused of participating in their activities. Investigators have also charged the Zalyayevs under Criminal Code Article 150, Part 4.

As part of the same case, investigators have also charged Pryanikov's wife Anastasiya Olegovna Pryanikova (born 5 March 1987) and the Zalyayevs under Criminal Code Article 282.2, Part 1.1 and Article 282.2, Part 2.

It is unknown when this case will reach court.

This is the first time that Jehovah's Witnesses have been prosecuted under Criminal Code Article 150, Part 4 since the convictions of four people in the Black Sea port of Taganrog, firstly in July 2014 ([https://www.forum18.org/archive.php?article\\_id=1986](https://www.forum18.org/archive.php?article_id=1986)), and secondly, after a re-trial in November 2015 ([https://www.forum18.org/archive.php?article\\_id=2128](https://www.forum18.org/archive.php?article_id=2128)). Those defendants and other Jehovah's Witnesses had also been charged under Criminal Code Article 282.2 for "continuing the activities of a banned extremist organisation" after the liquidation as an "extremist organisation" of the Taganrog Jehovah's Witness community ([https://www.forum18.org/archive.php?article\\_id=1385](https://www.forum18.org/archive.php?article_id=1385)) in September 2009.

Stanislav Viktorovich Kim (born 5 July 1968) and Nikolay Yuryevich Polevodov (born 10 February 1970), from Khabarovsk, were also the subjects of two overlapping criminal cases under different charges ([https://www.forum18.org/archive.php?article\\_id=2572](https://www.forum18.org/archive.php?article_id=2572)). They received two-year suspended sentences under Article 282.2, Part 2 in February 2020, while simultaneously being tried at a different court under Article 282.2, Part 1.

This second trial ended on 3 August 2020 when Judge Vera Pismennaya of Khabarovsk's Industrial District Court sent the case (which also involved four other Jehovah's Witnesses) back to prosecutors because of a lack of detail in the investigation. The prosecution unsuccessfully challenged this decision on 12 October 2020 at Khabarovsk Regional Court; the case has not yet been re-submitted, according to the district court website.

## Current appeals

Four Jehovah's Witnesses have appeals against their criminal convictions underway:

- Valeriya Aleksandrovna Rayman, Sergey Alekseyevich Rayman – convicted on 9 October 2020 and given the longest suspended sentences yet of seven and eight years respectively ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)); first appeal hearing on 26 January 2021, next due on 25 February 2021;
- Ruslan Ramizovich Alyyev – convicted on 17 December 2020 and given suspended sentence of two years and six months ([https://www.forum18.org/archive.php?article\\_id=2624](https://www.forum18.org/archive.php?article_id=2624)); appeal registered at Rostov Regional Court on 26 January 2021 – first hearing due on 15 February 2021;
- Semyon Olegovich Baybak – convicted on 21 December 2020 and given suspended sentence of three years and six months ([https://www.forum18.org/archive.php?article\\_id=2512](https://www.forum18.org/archive.php?article_id=2512)); appeal registered at Rostov Regional Court on 2 February 2021 – first

hearing due on 1 March 2021.

## Unsuccessful appeals

Unsuccessful appeals in December 2020 and January 2021 include:

- Khasan Abduvaitovich Kogut – convicted on 10 September 2020 and given suspended sentence of 2 years and 6 months ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)) by Beryozovsky City Court; appeal unsuccessful at Kemerovo Regional Court on 23 December 2020
- Sergey Mikhailovich Ledenyov – convicted on 24 November 2020 and given suspended sentence of 2 years ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)) by Petropavlovsk-Kamchatsky City Court; unsuccessful appeal on 19 January 2021 at Kamchatka Regional Court;
- Sergey Alekseyevich Britvin and Vadim Anatolyevich Levchuk – convicted on 2 September 2020 and sentenced to 4 years' imprisonment ([https://www.forum18.org/archive.php?article\\_id=2619](https://www.forum18.org/archive.php?article_id=2619)) by Beryozovsky City Court, Kemerovo Region; unsuccessful appeal on 19 January 2021 at Kemerovo Regional Court;
- Anatoly Mikhailovich Tokarev (Article 282.2, Part 1) – convicted on 23 October 2020 and fined 500,000 Roubles ([https://www.forum18.org/archive.php?article\\_id=2620](https://www.forum18.org/archive.php?article_id=2620)) by October District Court, Kirov; unsuccessful appeal on 14 January 2021, Kirov Regional Court. (END)

Full reports on freedom of thought, conscience and belief in Russia  
(<https://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 ([https://www.forum18.org/archive.php?article\\_id=2246](https://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 ([https://www.forum18.org/archive.php?article\\_id=2215](https://www.forum18.org/archive.php?article_id=2215))

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <https://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation ([https://www.forum18.org/archive.php?article\\_id=1468](https://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 ([https://www.forum18.org/archive.php?article\\_id=1351](https://www.forum18.org/archive.php?article_id=1351))

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