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CRIMEA: Two "extremism" criminal trials, more raids, criminal investigations

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

Russian occupation forces have raided more Jehovah's Witness homes in occupied Crimea. Timed to coincide with the raids, investigators launched criminal cases on "extremism" charges against three Jehovah's Witnesses. One - Sergei Parfenovich – has been in pre-trial detention in Simferopol since late September. Two others, Sergei Zhigalov and Viktor Kudinov, are banned from specific activity including "visiting collective meetings of people following the Jehovah's Witness faith". "Believing in God is not punishable, but they continued the activity of a banned organisation," Investigator Maksim Ukrainsky told Forum 18.

Officials of Russia's Investigative Committee, Federal Security Service (FSB), and police raided more Jehovah's Witness homes in Russian-occupied Crimea, in August in Sevastopol, and in September in and around Krasnogvardeiskoe (which the Ukrainian government in 2016 renamed Kurman). Timed to coincide with the raids, investigators launched criminal cases on "extremism" charges against three Jehovah's Witnesses. One of them - Sergei Parfenovich from Krasnogvardeiskoe – has been in pre-trial detention in the regional capital Simferopol since late September.

Russia's Supreme Court banned Jehovah's Witnesses as "extremist" (https://www.forum18.org/archive.php?article_id=2297) in 2017. The ban was also imposed in Crimea, which Russia illegally occupied in March 2014.

On 24 August, as officers raided several Jehovah's Witness homes in the port city of Sevastopol, Russian Investigator Maksim Ukrainsky launched "extremism"-related criminal cases against Sergei Zhigalov and Viktor Kudinov. Investigator Ukrainsky defended his decision to open the cases. "Believing in God is not punishable, but they continued the activity of a banned organisation," he told Forum 18 (see below).

A press officer of Sevastopol Police – who would not give her name – refused to explain to Forum 18 on 10 November why officers launch armed raids on the homes of Jehovah's Witnesses, such as the raids in the city on 24 August (see below).

As the criminal case is being investigated, Zhigalov and Kudinov are under a ban on specific activity, including "visiting collective meetings of people following the Jehovah's Witness faith" (see below).

On 28 September, officials of Russia's Investigative Committee and FSB – some of them armed and in masks – raided the homes of at least eight Jehovah's Witnesses in and around Krasnogvardeiskoe in central Crimea. Officers arrested Sergei Parfenovich, the head of the local legally-registered Jehovah's Witness community before it was forcibly liquidated in May 2017. A court ordered him held in pre-trial detention in Investigation Prison No. 1 in Simferopol until 19 November as a criminal case against him is investigated (see below).

A press officer of Russia's FSB in Simferopol – who would not give his name – refused to explain to Forum 18 on 10 November why officers launch armed raids on the homes of Jehovah's Witnesses, or why they initiate criminal cases on "extremism" charges.

Two "extremism" criminal trials which began in April 2022 continue. Darya Kuzio, Taras Kuzio, Sergei Lyulin and Pyotr Zhiltsov are on trial in Yalta. Aleksandr Dubovenko and Aleksandr Litvinyuk are on trial in Armyansk (see below).

On 6 October, a Sevastopol court in Russian-occupied Crimea jailed three Jehovah's Witnesses for six years each (https://www.forum18.org/archive.php?article_id=2789) on "extremism" charges, followed by a seven-year ban on specific activities. Prosecutor Valery Yazev, who led the case in court, refused to answer Forum 18's questions. The three latest prisoners of conscience are appealing, and if this fails are likely to be – against international law - transferred to labour camps in Russia.

There are currently seven Crimean prisoners of conscience jailed for exercising freedom of religion or belief (https://www.forum18.org/archive.php?article_id=2789), all of them Jehovah's Witnesses.

There are currently 19 people – all Jehovah's Witnesses – facing criminal investigations or trials, or who are serving jail sentences,

for exercising freedom of religion or belief in Crimea (see below).

Freedom of religion and belief is, along with other human rights, severely restricted within the Russian-occupied Ukrainian territory of Crimea (https://www.forum18.org/archive.php?article_id=2774). Violations include: forced imposition of Russian laws and restrictions on exercising human rights, including freedom of religion or belief; jailing Muslim and Jehovah's Witness Crimean prisoners of conscience; forcible closure of places of worship; and fining people for leading meetings for worship without Russian state permission.

Current criminal cases for exercising freedom of religion or belief

There are currently 19 people – all Jehovah's Witnesses – facing criminal investigations or trials, or who are serving jail sentences, for exercising freedom of religion or belief. Russian-controlled courts in Crimea have also imposed suspended sentences and long-term jailings on Crimean Muslims (https://www.forum18.org/archive.php?article_id=2774) for exercising their freedom of religion and belief since the 2014 Russian invasion.

All criminal convictions also carry more restrictions which operate after the jailing or suspended sentence is complete (https://www.forum18.org/archive.php?article_id=2774).

Eight Jehovah's Witnesses are currently serving criminal sentences:

- 4 men are serving jail terms in Russia (https://www.forum18.org/archive.php?article_id=2774);
- 3 men are awaiting appeal hearings in Crimea (https://www.forum18.org/archive.php?article_id=2789);
- 1 man is serving a suspended sentence (https://www.forum18.org/archive.php?article_id=2789).

Eleven Jehovah's Witnesses are under investigation or on trial:

- 6 people (5 men and 1 woman) are on trial (see below);
- 1 man is in pre-trial detention under investigation (see below);
- 3 men are under investigation, under restrictions (see below);
- 1 man left Crimea before the criminal case was opened (https://www.forum18.org/archive.php?article_id=2789).

The four Crimean Jehovah's Witness prisoners of conscience jailed on "extremism"-related charges in 2020 and 2021 were transferred to Russia to serve their sentences (https://www.forum18.org/archive.php?article_id=2774). Three of the four are jailed in Rostov-on-Don, the fourth in Krasnodar Region. Such transfers – from Russian-occupied Crimea to Russia - violate the Geneva Convention relative to the Protection of Civilian Persons in Time of War (https://www.forum18.org/archive.php?article_id=2774).

Investigators have had all seven jailed Crimean Jehovah's Witness prisoners of conscience added (https://www.forum18.org/archive.php?article_id=2789) to the Russian Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists" (https://www.forum18.org/archive.php?article_id=2687), whose assets banks are obliged to freeze (although small transactions are permitted). Five of the seven were added before even being convicted of any "crime".

All these criminal cases followed raids on Jehovah's Witness homes (https://www.forum18.org/archive.php?article_id=2774). Armed and sometimes masked officers of Russia's Federal Security Service, Investigate Committee, police or other agencies typically conduct raids in the early morning, inspecting and seizing religious literature, electronic devices and money. They often detain suspects for interrogation.

The Office of the UN High Commissioner for Human Rights (OHCHR) has condemned "the unlawful application of Russian Federation legislation by the occupation authorities of the Russian Federation in the occupied territory [Crimea]". OHCHR noted in its Report on the human rights situation in Ukraine for 1 August 2020 to 31 January 2021 (<https://www.ohchr.org/sites/default/files/Documents/Countries/UA/31stReportUkraine-en.pdf>): "In Crimea, violations of international humanitarian law and international human rights law were committed by the occupying Power [Russia]." The OHCHR noted in its 28 March 2022 report that these violations included "violations of the right to freedom of religion and belief, unlawful deportations and forced transfers, including of detainees, as well as deplorable treatment and conditions in detention."

Sevastopol: Raids, 2 new criminal cases, arrest, ban on specific activities

On 24 August, Russian Investigator Maksim Ukrainsky of Sevastopol's Nakhimov District Investigative Committee launched cases against Sergei Aleksandrovich Zhigalov (born 30 March 1971) and Viktor Ivanovich Kudinov (born 25 January 1969) under

Russian Criminal Code Article 282.2, Part 1 (https://www.forum18.org/archive.php?article_id=2215) ("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").

Also on 24 August, Russian officials raided several Jehovah's Witness homes in Sevastopol. They arrested Zhigalov and Kudinov and both spent two days in police detention. Russian officials also raided the home of a married couple, seized their electronic devices, and took them for questioning by the Russian FSB.

A press officer of Sevastopol Police – who would not give her name – refused to explain to Forum 18 on 10 November why officers launch armed raids on the homes of Jehovah's Witnesses, such as the raids on 24 August.

A 29 August statement on the Investigative Committee website claimed that the criminal case had been launched against the two men (who were not named) as "since May 2019, being elders of the Primorskoe Jehovah's Witness organisation, they had conducted meetings with followers in a conspiratorial flat on Sevastopol's Astan Kesayev street using the Zoom internet programme, studied forbidden materials, and propagated religious ideas". It said the Russian FSB had halted this "criminal activity".

The Investigative Committee added that officers had seized computers "containing material of an extremist nature", money and correspondence with one individual serving a jail term on the same charges. An FSB video on the Investigative Committee website showed at least four armed and unformed officers bursting into a flat ahead of other officials and searching through books and documents. The video also showed eight phones and electronic devices, and money lined up (about 150,000 Russian Roubles and 1 US Dollar).

Investigator Ukrainsky said that he had opened the criminal case against Zhigalov and Kudinov on behalf of Sevastopol's Gagarin District Investigative Committee. The case there is being investigated by Yevgeniya Khamidova.

Investigator Ukrainsky defended his decision to open the criminal case. "Believing in God is not punishable, but they continued the activity of a banned organisation," he told Forum 18 from Sevastopol on 10 November. "They attracted others to their organisation." He said he had explained to Zhigalov and Kudinov that their activity violated the law. "They chose their position."

Judge Lyudmila Tumaikina of Sevastopol's Gagarin District Court ruled on 26 August that Zhigalov and Kudinov should be under house arrest for two months, until 23 October. She banned them from being in contact with anyone apart from those they lived with and using communication devices. Judge Danil Zemlyukov of Sevastopol City Court rejected the two men's appeals against house arrest in separate hearings on 7 October, according to the court website.

On 17 October, Judge Pavel Kryllo of Gagarin District Court changed the terms for Zhigalov and Kudinov to a ban on specific activities. In particular, he banned them from "visiting collective meetings of people following the Jehovah's Witness faith".

Krasnogvardeiskoe: Raids, 1 new criminal case, arrest, pre-trial detention

At about 6.30 am on 28 September, officials of Russia's Investigative Committee and FSB – some of them armed and in masks – raided the homes of at least eight Jehovah's Witnesses in and around Krasnogvardeiskoe in central Crimea. They searched the homes for up to six hours and seized electronic devices, personal notes and photo albums. They tried to pressure individuals to hand over passwords to their electronic devices, Jehovah's Witnesses said.

Officers arrested Sergei Georgievich Parfenovich (born 21 May 1972), the head of the legally-registered Jehovah's Witness community in Krasnogvardeiskoe before it was forcibly liquidated in May 2017. They held him for two days in a police holding centre before transferring him to Investigation Prison No. 1 in Simferopol, Jehovah's Witnesses noted. A court ordered him held in pre-trial detention until 19 November.

The Russian Investigative Committee's Department for Investigating Especially Important Cases opened a case against Parfenovich on 4 October under Russian Criminal Code Article 282.2, Part 1 (https://www.forum18.org/archive.php?article_id=2215) ("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"), it announced on its website the same day (though without naming him).

The criminal case against Parfenovich was initiated "based on the materials of operational officers" of Russia's FSB, and Russia's Interior Ministry Anti-Extremism Centre.

The Investigative Committee statement claimed that "from April 2017 to September 2022, the accused, being the chair of the banned religious organisation Jehovah's Witnesses, was directly involved in the events held on the territory of Krasnogvardeiskoe District, being an active supporter and follower of the community". It said officials have raided more than 10 local homes and seized "extremist" literature.

On 28 September, officers also arrested Aleksandr Vinichenko. They took him to a detention centre in Simferopol, but freed him later that evening.

The address of Investigation Prison No. 1 where Parfenovich is being held is:

295006 Respublika Krym

g. Simferopol

bul. Lenina 4

FKU Sledstvenny izolyator No. 1 UFSIN Rossii po Respublike Krym i g. Sevastopolyu

Yalta: Trial of 1 woman, 3 men continues, defendants living under restrictions

On 4 April, the trial began in the City Court of the southern Crimean town of Yalta of four Jehovah's Witnesses. Judge Vladimir Romanenko is hearing the case against Darya Nikolayevna Kuzio (born 13 March 1982), Taras Grigoryevich Kuzio (born 19 June 1978), Sergei Aleksandrovich Lyulin (born 24 September 1984), and Pyotr Alekseyevich Zhiltsov (born 19 August 1987).

Taras Kuzio, Zhiltsov, and Lyulin are on trial under Russian Criminal Code Article 282.2, Part 1 (https://www.forum18.org/archive.php?article_id=2215) ("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").

Taras Kuzio and Zhiltsov are also on trial under Russian Criminal Code Article 282.3, Part 1 ("Financing extremist activity"). Darya Kuzio is only being tried under Russian Criminal Code Article 282.3, Part 1.

Taras Kuzio spent 1 day in police custody and 486 days under house arrest. Zhiltsov spent 2 days in police custody and 346 days under house arrest. Lyulin spent 3 days in police custody, 200 days in Investigation Prison and 132 days under house arrest. At present, Taras Kuzio, Zhiltsov and Lyulin are living under restrictions on certain activities while the trial continues. Darya Kuzio has had to sign a pledge not to leave the area.

Numerous hearings have already taken place in the case, according to court records. The Judge has rejected numerous procedural complaints submitted by the defence. The trial is due to resume on 22 November, according to the court website.

The Russian FSB also launched a case on 4 March 2021 against another Yalta resident Tadevos Derenikovich Manukyan (born 24 October 1981) under Russian Criminal Code Article 282.2, Part 1 (https://www.forum18.org/archive.php?article_id=2215). He is not on trial with the other four and no separate criminal case against him has reached Yalta City Court. He remains a suspect.

Investigators had all five added on 22 February 2022 to the Russian Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists" (https://www.forum18.org/archive.php?article_id=2687), whose assets banks are obliged to freeze (although small transactions are permitted).

Armyansk: Trial of 2 men continues

On 5 April, the trial of two Jehovah's Witnesses began in the City Court of the northern Crimean town of Armyansk. Judge Tatyana Fedeneva is hearing the case against Aleksandr Fyodorovich Dubovenko (born 31 March 1973) and Aleksandr Viktorovich Litvinyuk (born 3 November 1960). Both are on trial under Russian Criminal Code Article 282.2, Part 1 (https://www.forum18.org/archive.php?article_id=2215).

This Article punishes "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" with a possible punishment of six to 10 years' imprisonment or a fine of 400,000 to 800,000 Roubles.

Numerous closed hearings have already taken place in the case, according to court records. The Judge has rejected numerous procedural complaints submitted by the defence. The trial is due to resume on the morning of 16 November, according to the court website.

Russian FSB investigator Vitaly Vlasov opened the criminal case against Dubovenko and Litvinyuk on 2 August 2021. He accused them of using the video conferencing site Zoom to "attract new members to the organisation", Jehovah's Witnesses note.

Early on 5 August 2021, Russian FSB, police and other officers raided at least eight homes in Armyansk of those they suspected of being Jehovah's Witnesses. Officers arrived in minibuses and cars without registration numbers, Jehovah's Witnesses say. They

searched Dubovenko's home (in his absence) and Litvinyuk's home for nine hours, seizing computers, notes on religious themes and property records.

Officers took Litvinyuk to Crimea's capital Simferopol where, on 6 August 2021, the city's Kiev District Court ordered him held under house arrest.

When Dubovenko returned to Armyansk from visiting relatives on 9 August 2021, officers arrested him and took him to the Russian FSB headquarters in Simferopol. At the same time, officers conducted a second search of his home in Armyansk, seizing more electronic devices. Simferopol's Kiev District Court also ordered Dubovenko held under house arrest.

Investigators had Dubovenko and Litvinyuk added on 10 August 2021 to the Russian Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists" (https://www.forum18.org/archive.php?article_id=2687), whose assets banks are obliged to freeze (although small transactions are permitted). (END)

Full reports on freedom of thought, conscience and belief in Crimea
(<https://www.forum18.org/archive.php?query=&religion=all&country=86>)

For more background, see Forum 18's Crimea religious freedom survey (https://www.forum18.org/archive.php?article_id=2774)

Forum 18's reports and analyses on freedom of thought, conscience and belief in Russia within its internationally-recognised territory (<https://www.forum18.org/archive.php?query=&religion=all&country=10>)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion and belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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