

20 June 2024

RUSSIA: Who ordered torture of Jehovah's Witness prisoner of conscience?

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

Fellow medical facility prisoners tortured prisoner of conscience Rinat Kiramov over four days in April after he refused to give names of fellow Jehovah's Witnesses in his home town. They punched, kicked, waterboarded, threatened with rape, and shocked him with a stun gun. It is unclear how the prisoners had access to a stun gun. Kiramov's lawyer lodged a complaint to the Prosecutor's Office, which passed it to police. Whether police investigators have decided to open a criminal case is unknown. The UN Convention against Torture obliges states to arrest and punish officials who commit, order or allow torture. There is a long-standing pattern of impunity for torturers.

Jehovah's Witness Rinat Kiramov, who is serving a 7-year sentence in Tula Region to punish his exercise of freedom of religion or belief, was beaten and tortured in a Federal Penitentiary Service medical facility by inmates who demanded information about other Jehovah's Witnesses in his home town in Astrakhan Region.

The 36-year-old Kiramov was transferred from his prison colony to a "medical-correctional institution" specialising in treating tuberculosis, despite not having complained of any health problems. Over a period of four days, after he refused to give up the names of other Jehovah's Witnesses, other inmates punched and kicked him, shocked him with a stun gun, waterboarded him, and threatened him with rape. It is unclear how the prisoners had access to a stun gun (see below).

"They dragged me to the shower, where they laid me on the floor on my back (my arms and legs remained tied), covered my face with a towel and began to pour cold water on me in large quantities," Kiramov's account of the torture noted. "I could hardly breathe. At the same time, one of the prisoners stepped on my stomach. I began to suffocate. This lasted about 10 minutes, so that I began to spit out blood along with the water" (see below).

His wife Galina Kiramova saw him a day after he was again tortured. "It was very painful for me to see him in that condition," she noted. "He was barely able to walk. Every part of his body was hurting. His hands were shaking, and his face was smashed" (see below).

Kiramov's lawyer lodged a complaint with Tula Region Prosecutor's Office, which has passed it on to police for further investigation. It is unknown whether police investigators have yet reached a decision on whether to open a criminal case (see below).

The medical-correctional institution has conducted its own investigation, which noted Kiramov's injuries as "signs of a crime", according to the European Association of Jehovah's Witnesses. As far as is known, however, the prison service has taken no action against any of the inmates involved, or against any of the institution's staff. It remains unknown exactly why the torturers were demanding information about other Jehovah's Witnesses (see below).

Kiramov has since returned to his prison colony without having been diagnosed with tuberculosis (see below).

The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defines torture as "severe pain or suffering" deliberately inflicted "when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity". The Convention (to which Russia is a party) obliges state parties to arrest and punish those responsible for committing, ordering or allowing torture (see below).

Forum 18 wrote to Tula Region Prosecutor's Office and the Tula Region branch of the Interior Ministry (which oversees the police), asking:

- whether a criminal case had been opened in respect of Kiramov's torture, against either inmates or staff of Medical-Correctional Institution No. 3;
- and whether any inmates or staff had been detained.

Forum 18 has received no response (see below).

Forum 18 wrote to the medical-correctional Institution, asking:

- why the torturers had demanded information on other Jehovah's Witnesses;
- why inmates had been allowed to torture Kiramov;
- why staff had not intervened;
- and whether it had suspended any staff members from their posts as a consequence.

Forum 18 has received no response (see below).

Forum 18 put the same questions to the Tula Region branch of the Federal Penitentiary Service. It also asked what measures the prison service has taken to ensure Kiramov's safety from now on. Forum 18 has received no response (see below).

Jehovah's Witnesses in Russia, hundreds of whom have been prosecuted under "anti-extremism" legislation for exercising their right to freedom of religion and belief, can continue to face scrutiny, pressure, and violence even after they are convicted and imprisoned.

Dmitry Terebilov, who has been serving a sentence in a strict-regime penal colony in Kostroma Region, is currently on trial again for having answered questions about his faith from a fellow prisoner. If found guilty, he could receive a further sentence of several years (https://www.forum18.org/archive.php?article_id=2917), on top of his present 3-year term. His next court hearing is due on 8 August.

Other Jehovah's Witnesses have reported being threatened for speaking to others about their beliefs, having their Bibles confiscated, and being placed on "prophylactic registers" of inmates "prone to extremism" (see forthcoming F18News article).

Nevertheless, "The overwhelming majority of believers, despite threats and obstacles, find the opportunity to practice their faith", Jehovah's Witness lawyers commented to Forum 18 on 8 May. Many imprisoned Jehovah's Witnesses say they manage to maintain good relations with prison colony staff and fellow inmates.

Jehovah's Witnesses and Muslims both prosecuted on "extremism" charges

Since Russia's Supreme Court ordered the liquidation of Jehovah's Witness organisations in 2017 and outlawed their activities as "extremist" (https://www.forum18.org/archive.php?article_id=2897), more than 770 people have faced prosecution (https://www.forum18.org/archive.php?article_id=2897) under Criminal Code Article 282.2 (https://www.forum18.org/archive.php?article_id=2215) for "organising" (Part 1), or "participating in" (Part 2) the activities of a banned "extremist" organisation.

Muslims who meet to study the writings of the late Turkish theologian Said Nursi are also prosecuted under the Extremism Law (https://www.forum18.org/archive.php?article_id=2897), for organising or participating in the activities of "Nurdzhular", which the Supreme Court banned as an "extremist" organisation in 2008 (https://www.forum18.org/archive.php?article_id=2805). Muslims in Russia deny any such formal organisation ever existed.

Such Muslims typically meet in homes to study Islam, with one or more expounding on Nursi's works. They also pray, eat, and drink tea together, and do not seek state permission to meet.

Similarly, Jehovah's Witnesses are prosecuted because they continue to meet to pray, sing hymns, and read the Bible together. Unlike Nursi readers, however, they have also been charged with "financing extremist activity" (Criminal Code Article 282.3 (https://www.forum18.org/archive.php?article_id=2897), Part 1), and "Inclination, recruitment or other involvement of a person in an extremist organisation" (Criminal Code Article 282.2 (https://www.forum18.org/archive.php?article_id=2215), Part 1.1).

Russia's obligations under UN Convention against Torture

Russia is a party to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

(<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>). This defines torture as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of

a public official or other person acting in an official capacity".

Under the Convention, Russia is obliged both to arrest any person suspected on good grounds of having committed, instigated or acquiesced to torture "or take other legal measures to ensure his [sic] presence", and also to try them under criminal law which makes "these offences punishable by appropriate penalties which take into account their grave nature".

An explanatory note added in July 2022 to Russian Criminal Code Article 286 ("Exceeding official authority") repeats the first part of this definition of torture almost verbatim. It does not include the section "when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity".

As the UN Committee against Torture (CAT) noted in its Concluding Observations on Russia in August 2018 (CAT/C/RUS/CO/6 (https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FRUS%2FCO%2F6&Lang=en)), repeating its 2012 Concluding Observations recommendation: "The Committee once again urges the State party to criminalize torture as an independent crime. The State party should also ensure that its definition of torture fully conforms to article 1 of the Convention, that the penalties for torture in its laws reflect the grave nature of the crime, as set out in the Committee's general comment No. 2 (2007) on the implementation of article 2 (<https://www.undocs.org/en/CAT/C/GC/2>), and that perpetrators are not charged solely with other crimes which carry lower maximum penalties and are subject to statutes of limitations."

The CAT also noted in its 2018 Concluding Observations (CAT/C/RUS/CO/6 (https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FRUS%2FCO%2F6&Lang=en)) that "it is concerned that police and prison doctors reportedly often failed or refused to conduct a proper and confidential examination of injuries sustained from torture or ill-treatment and that a prisoner's request to receive an independent medical examination was often rejected by the prison administration".

Multiple torture cases, impunity for torturers

Torture by Russia's "security" apparatus is common, with a long standing pattern of impunity for torturers (https://www.forum18.org/archive.php?article_id=2897). This includes those responsible for torturing Jehovah's Witnesses in multiple cases (https://www.forum18.org/archive.php?article_id=2693), and those responsible for torturing a Muslim who met other Muslims to study the works of theologian Said Nursi (https://www.forum18.org/archive.php?article_id=2693). In one such case in Surgut the suspect torturers were given "best local department head" and "best investigator" awards (https://www.forum18.org/archive.php?article_id=2693), ostensibly for their work before the torture took place.

Officials have repeatedly replied to Forum 18's questions about torture by either not answering, asserting that no torture took place, or that a case has not been opened against the suspect torturers (https://www.forum18.org/archive.php?article_id=2693).

Why was Kiramov transferred despite no health complaints?

Jehovah's Witness Rinat Ildusovich Kiramov (born 25 August 1987) has been imprisoned at Correctional Colony No. 6 in Novomoskovsk (Tula Region) since November 2023. On 18 April 2024, the prison service transferred him to Medical-Correctional Institution No. 3, supposedly with suspected tuberculosis. There other inmates tortured him over several days.

The Institution, in the village of Ozerny just south of the city of Tula, specialises in the treatment of prisoners with tuberculosis. It is unclear why Kiramov was sent there or who ordered this. "At the time of [his] transfer, he had no health complaints", Jehovah's Witness lawyers told Forum 18 on 17 June. He was not subsequently diagnosed with tuberculosis.

Beaten, waterboarded, threatened with rape

Two days after Kiramov's 18 April transfer to Medical-Correctional Institution No. 3 near Tula, other inmates began torturing him over several days.

On 11 June, the Jehovah's Witness Office of Public Information released Kiramov's own account of what happened to him. According to this, on 20 April, several other prisoners started questioning him, "demanding that I give the names of Jehovah's Witnesses in the city of Akhtubinsk". This is Kiramov's home town in the southern Astrakhan Region, 900 kms (560 miles) from Tula.

"After I refused to answer their questions, I was punched in the face, knocked to the floor, and my hands and feet were tied with duct tape. Then they began to beat me, punching and kicking me", Kiramov continued. "I was shocked with a stun gun on my palms, chest, abdomen, and legs. At some point, my feet were forcibly lowered into a bucket of water, and I continued to be shocked through the water."

It is unclear how the prisoners had access to a stun gun.

Kiramov continued: "They dragged me to the shower, where they laid me on the floor on my back (my arms and legs remained tied), covered my face with a towel and began to pour cold water on me in large quantities. I could hardly breathe. At the same time, one of the prisoners stepped on my stomach. I began to suffocate. This lasted about 10 minutes, so that I began to spit out blood along with the water."

Over the following three days, Kiramov's torturers prevented him from having most meals and over four nights forced him to stand in a corner, not allowing him to sleep, wash, or even brush his teeth.

"The institution gave them permission to do whatever they wanted with me"

Fellow inmates at Medical-Correctional Institution No. 3 resumed their torture of Rinat Kiramov on 23 April.

"Two prisoners beat me again, punching me in the face as well as kicking me in the chest. After I fell, I was punched and kicked multiple times in the body", Kiramov recounted. "After that, I was lifted up by my legs and kicked several times in the groin. They threatened me that I would never be able to have children. One of the prisoners poured cold water on me again in the shower room for 30 minutes."

"During this entire ordeal, I was threatened with rape", Kiramov said. "According to one prisoner, the administration of the institution gave them permission to do whatever they wanted with me. I took it seriously. Therefore, I did not report the incident to the administration."

The following day, 24 April, Kiramov's wife Galina Kiramova visited him at Medical-Correctional Institution No. 3. "He had already spent four nights with zero sleep. Also, it was the day after he had been beaten and tortured for a second time", she told the Jehovah's Witness Office of Public Information.

"It was very painful for me to see him in that condition," Kiramova added. "He was barely able to walk. Every part of his body was hurting. His hands were shaking, and his face was smashed."

Who ordered torture?

The Jehovah's Witness Office of Public Information notes that "It's not uncommon for the authorities to bribe prisoners with rewards if they torture another prisoner to reveal information or to admit guilt to false charges". Jehovah's Witness lawyers told Forum 18 that they have no information as to who exactly might be behind the questioning and torture of Kiramov.

Forum 18 wrote to Medical-Correctional Institution No. 3 and the Tula Region branch of the Federal Penitentiary Service (FSIN) on 13 June, asking why the torturers had demanded information on other Jehovah's Witnesses. Forum 18 had received no response by the end of the working day in Tula of 20 June.

Torture stops after lawyer's appeal to Prosecutor's Office

In late April, Kiramov's lawyer Denis Zubanov also visited him at Medical-Correctional Institution No. 3 near Tula. Zubanov sent an appeal to Tula Region Prosecutor's Office, requesting that prosecutors look into the Institution's compliance with the law, that Kiramov be given an urgent medical examination, and that "the legality of his transfer to the medical-correctional institution" be verified, the European Association of Jehovah's Witnesses reported on its website on 4 June (<https://jw-russia.org/news/2024/06/041043.html>).

The Prosecutor's Office responded that it had sent the case materials on 3 May to police in the city of Tula for further investigation.

"After the visit of the lawyer and the intervention of the prosecutor's office, the torture stopped", Jehovah's Witness lawyers told Forum 18 on 17 June. Kiramov was transferred back to Correctional Colony No. 6 in Novomoskovsk on 17 May.

"He made the story up"?

Rinat Kiramov first arrived at Tula Region's Correctional Colony No. 6 in Novomoskovsk on 20 November 2023. According to the European Association of Jehovah's Witnesses' chronology of his case, he has had "good relations" with the administration and fellow prisoners there and, at least as of December 2023, was being "treated kindly". He has a Bible and is able to receive letters and parcels.

"After Kiramov's return to the colony [on 17 May 2024], the colony staff hinted to him several times that 'he made the story up' [about his torture]. But in general, this cannot be considered as strong pressure", Jehovah's Witness lawyers observed to Forum 18 on 17 June.

They noted that in early June, Kiramov was allowed a long-term visit with his wife Galina. They added that this is generally viewed

as a great privilege for a prisoner.

Kiramov's address:

301654, Tuskaya oblast

g. Novomoskovsk

ul. Tsentralnaya 27

FKU Ispravitelnaya koloniya No. 6 UFSIN Rossii po Tuskoy oblasti

"No expectation that the case will result in real punishment of those responsible"

It remains unclear whether there will be a criminal investigation of what happened to Kiramov, or whether anyone will face punishment for committing the torture or permitting it to take place.

Medical-Correctional Institution No. 3 carried out an internal investigation. This found that Kiramov had injuries which constituted "a sign of a crime", the European Association of Jehovah's Witnesses noted on 4 June.

Forum 18 wrote to Medical-Correctional Institution No. 3 on 13 June, asking:

- why inmates had been allowed to torture Kiramov;
- why staff had not intervened;
- and whether it had suspended any staff members from their posts as a consequence.

Forum 18 had received no response by the end of the working day in Tula of 20 June.

Forum 18 put the same questions to the Tula Region branch of the Federal Penitentiary Service on 13 June, also asking:

- what measures the prison service has taken to ensure Kiramov's safety from now on.

Forum 18 had received no response by the end of the working day in Tula of 20 June.

Jehovah's Witness lawyers told Forum 18 on 17 June that as far as they are aware, Federal Penitentiary Service officials have taken no action. Although prosecutors have passed the case to police for investigation, "There is no expectation that the case will result in a real punishment of those responsible. Previously, none of the cases of violence against detained, arrested or convicted Jehovah's Witnesses had been properly investigated."

Lawyer Denis Zubanov went to see the police in Tula responsible for the case at the end of May. He found that investigators had received case materials only from the medical-correctional institution, and not yet from prosecutors.

Despite the medical-correctional institution's initial conclusion that Kiramov's injuries suggested that he had been the victim of a crime, the materials it sent to the police in Tula "contained false information about what had happened", Jehovah's Witness lawyers told Forum 18. According to the institution, Kiramov was "injured while doing landscaping work on the yard".

"We are waiting for additional information from the police department", the lawyers concluded.

Forum 18 wrote to Tula Region Prosecutor's Office and the Tula Region branch of the Interior Ministry (which oversees the police) to ask:

- whether a criminal case had been opened in respect of Kiramov's torture, against either inmates or staff of Medical-Correctional Institution No. 3;
- and whether any inmates or staff had been detained.

Forum 18 had received no response by the end of the working day in Tula of 20 June.

One of the longest sentences for a Jehovah's Witness

Akhtubinsk District Court in Astrakhan Region convicted Rinat Kiramov (https://www.forum18.org/archive.php?article_id=2827)

on 17 April 2023 under Criminal Code Article 282.2 (https://www.forum18.org/archive.php?article_id=2215), Part 1 ("Organising the activities of a banned extremist organisation") and Article 282.3 (https://www.forum18.org/archive.php?article_id=2897), Part 1 ("financing extremist activity").

The judge sentenced Kiramov to 7 years' imprisonment in a general-regime prison colony, plus 1 year's restrictions on freedom and a 3-year ban on leadership of and participation in the activities of religious organisations. This is among the longest prison terms yet imposed on an individual prosecuted for "continuing the activities" of a Jehovah's Witness organisation (https://www.forum18.org/archive.php?article_id=2897).

Sergey Vasilyevich Korolyov (born 13 July 1973) and Sergey Ivanovich Kosyanenko (born 11 June 1961) appeared in court alongside Kiramov on the same charges. The court handed them identical sentences (https://www.forum18.org/archive.php?article_id=2827).

The three men appealed unsuccessfully against their convictions on 31 August 2023 at Astrakhan Regional Court. They made an unsuccessful cassational appeal on 19 March 2024 at the 4th Cassational Court in Krasnodar.

Korolyov and Kosyanenko are now serving their sentences in different prison colonies in Tambov and Moscow Regions respectively. They have not reported any torture or pressure to divulge information about fellow Jehovah's Witnesses, as far as Forum 18 is aware. (END)

For background information see Forum 18's Russia religious freedom survey (https://www.forum18.org/archive.php?article_id=2897)

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)

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