

JEHOVAH'S WITNESSES VICTIMS OF A NEW HARASSMENT CAMPAIGN IN RUSSIA



April 2009

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SUMMARY OF EVENTS

This report, compiled by Jehovah's Witnesses in Russia, presents facts to demonstrate that certain government authorities in that country are sponsoring mass violations of the rights of this religious group to enjoy freedom of worship. By way of an introduction, the following background summary of events shows that there exists a relentless campaign of harassment aimed at banning their activities throughout the country.

In 1991 Jehovah's Witnesses received official recognition in the USSR. In the same year in accordance with the Law on Rehabilitation of Victims of Political Repression, and in 1996 by Presidential order, they were fully rehabilitated as victims of political repression. This enabled hundreds of thousands of citizens of the former Soviet Union to enjoy exoneration and freedom of worship and expression.

Unfortunately, since 1995 they have again experienced surveillance by the law-enforcement organs. Jehovah's Witnesses fully recognize the right of the authorities to inspect their activity and to ensure that they adhere to the law. It is noteworthy, however, that the many inspections and investigations that have been conducted on individual Witnesses and on the organization as a whole throughout the last 14 years have not uncovered a single violation of the law. Nevertheless, inspections and investigations continue unabated and are becoming ever more intense and intrusive.

In 2004, the Moscow City Court, after six years of hearings, upheld the decision to liquidate the legal entity of Jehovah's Witnesses in Moscow despite its not having established that a single one of Jehovah's Witnesses was guilty of any unlawful actions. Rather, the Moscow ban was based on a tendentious examination of religious belief and is currently being used to justify a campaign of harassment, discrimination and religious intolerance throughout Russia. The Moscow ban has been appealed to the European Court of Human Rights as it flies in the face of Russia's obligations, noted in Resolution 1277 adopted by the Parliamentary Assembly of the Council of Europe on 23 April 2002. The Resolution states in part:

"The Assembly regrets the problems of... Jehovah's Witnesses in Moscow, but welcomes the decision of the Russian authorities to ensure that the problem of local discrimination and harassment of these religious communities be brought to an end."

Between 2007 and 2009 prosecutor's offices have served local religious associations of Jehovah's Witnesses in various regions of Russia with over 45 similar warnings "on the impermissibility of carrying out extremist activity." And once again not a single individual Jehovah's Witness or registered association has been charged with specific violations of the law. All the accusations are built around biased interpretations of the religious literature of Jehovah's Witnesses, often prepared by prejudiced self-styled experts. In the opinion of Russian defenders of human rights this is a shocking example of how the Law on Counteracting Extremist Activity is, in fact, being used to counteract legitimate freedom of thought.

In February 2009, all prosecutor's offices in Russia received a letter from the Prosecutor General's Office demanding that they gather any negative information whatsoever on Jehovah's Witnesses, with a view to banning their activity. They were authorized to involve agencies of the FSB, the police, the public health agencies, local departments of justice, and military commissariats in the quest for such information.

Taking these events to their logical conclusion, conditions are being created for the criminal prosecution of individuals simply for holding religious convictions; and the advances in democracy achieved since 1991 are again under threat. The prosecutor's office, recently assigned to rehabilitate victims of religious persecution, is once again gearing up to take the lead in their persecution. Mass violations of the rights of Jehovah's Witnesses in Russia are already evident. Therefore, Jehovah's Witnesses appeal to the authorities to protect their rights as guaranteed by the Russian Constitution and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

SHOCKING EXAMPLES OF INTOLERANCE

During 2008 and continuing into 2009 Jehovah's Witnesses in Russia have been facing shocking demonstrations of religious intolerance and violations of their right to freedom of worship. There is good reason to believe that this is the result of the policies of certain government structures, pursued over several years.

In the photographs on this page:



- A picket sanctioned by the local authorities at the venue of a religious meeting of Jehovah's Witnesses. The banners feature abusive slogans such as "Sectarians – Out!!!" At the rear police officers observe but fail to take any action (Novoshakhtinsk, Rostov Region, 2008).
- A burned down Kingdom Hall of Jehovah's Witnesses. Despite obvious arson, a proper criminal investigation has not yet been conducted (Chekhov, Moscow Region, 2008).
- Officers from the FSB carry out a search and seize literature in a Kingdom Hall of Jehovah's Witnesses (Yekaterinburg, 2008).

Regrettably, instead of protecting the rights of religious worshippers, the law-enforcement agencies themselves are taking the initiative in encouraging religious intolerance. As events develop, it becomes more and more apparent that their ultimate aim is to liquidate the Administrative Center of Jehovah's Witnesses in Russia, along with all other registered legal entities of Jehovah's Witnesses, and to achieve a total ban on the activity of this religion by finding a pretext for a criminal prosecution.

HUMAN RIGHTS VIOLATIONS IN YEKATERINBURG AND SVERDLOSK REGION

On 19 June 2008, in Asbest, Sverdlovsk Region, a criminal case was instigated in connection with the distribution of the religious literature of Jehovah's Witnesses. To this day, no charges have been brought against a single one of Jehovah's Witnesses. However, the fact that a criminal investigation is under way is being used to intimidate and pressurize Jehovah's Witnesses, as well as to arouse public enmity and mistrust towards the organization.

- Between 5 June and 20 August 2008, Valentina Bykova, Yulia Andreyeva, Maria Kilina, Maria Aleskerova, minor Darya Golovko, Igor Ananyin and others were detained by the police while lawfully engaging in religious activity, some on more than one occasion. They were escorted to the police station where they were searched, forcibly fingerprinted and photographed, and their religious literature was confiscated.
- On 16 July 2008, a search was conducted of a Kingdom Hall of Jehovah's Witnesses in Yekaterinburg, and religious literature was seized. The raid was carried out by a division of the FSB. Eighteen individuals were unlawfully detained for up to nine hours in violation of their right to personal integrity (as guaranteed by Article 22 of the Russian Federation Constitution). The FSB agents in particular psychologically and physically abused Anastasia Lelikova, pinning her to the wall and twisting her arms. The lawfulness of the raid, the seizing of literature and the actions of the law-enforcement agencies were contested by all 18 individuals using both civil and criminal procedures, but the complainants were refused access to court (see the section on violations of Article 6 of the European Convention by the Russian Federation).
- On 23 February 2009, in Bogdanovich, deaf Jehovah's Witnesses Vera Ivanova, Yulia Strokun and Yelena Plotnikova, were escorted to the police station (Vera Ivanova late at night), where they were treated roughly and ridiculed for their religious beliefs by the local police chief V.G. Telepov.
- On the initiative of the FSB and the prosecutor's office, over 80 unsubstantiated reports have been posted on internet sites and in other media sources characterizing the literature of Jehovah's Witnesses as extremist. Moreover, the prosecutor has used the media to encourage the public to testify against Jehovah's Witnesses, in violation of Article 4.4 of the Federal Law on Freedom of Conscience and Religious Associations, according to which officials of State agencies must not use their official status to influence the public perception of any religion.

ATTEMPTS TO OBSTRUCT ACCESS TO JUSTICE

- By placing bureaucratic obstacles in their path, the authorities have effectively blocked the road to justice for Jehovah's Witnesses. Their complaints filed to the Asbest City Court under the criminal procedure were rejected on the grounds that it should have been filed under the civil procedure. At the same time, their complaint filed to the Ordzhonikidzevskiy District Court of Yekaterinburg under the civil procedure was rejected on the grounds that it should have been filed under the criminal procedure!
- Lawyer Yegiazar (Igor) Chernikov, who is assisting Jehovah's Witnesses in Yekaterinburg and Asbest, was subjected to severe pressure from the law-enforcement agencies. Following a complaint filed by B.N. Kozinenko, the head of the Sverdlovsk Region Directorate of the FSB, the possibility of his being stripped of his license to practice was considered, and a disciplinary case was initiated. At the same time, on the initiative of the Investigation Committee of the Sverdlovsk Region Directorate of the RF Prosecutor General's Office an investigation was conducted with the aim of instigating a criminal case against him. Eventually, no criminal case was instigated, and the disciplinary case was dropped. However, this is still considered by the European Court of Human Rights as a violation of the rights of religious worshippers. The Court has stated that "moves made by the authorities to institute criminal proceedings against the applicant's lawyer, **even though they were not followed up**, must be considered an interference with the exercise of the applicant's right of individual petition and incompatible with the respondent State's obligation" (Judgment in the case of *Kurt v. Turkey*, 25 May 1998, paragraph 165).

RELIGION ON TRIAL

On 11 February 2009, the Appeal Court of the Republic of Altay upheld the decision of the lower court and, as a preventive measure, **put a ban on the distribution of the religious literature of Jehovah's Witnesses in the territory of the republic.**

Jehovah's Witnesses have been publishing religious literature for over 130 years. Today it is published in over 500 languages and distributed in 235 lands throughout the world. Tens of thousands of responses from all over the globe show how both religious believers and non-believers value the literature. Reading and studying Bible literature is an integral part of the religious worship of Jehovah's Witnesses.

However, beginning in 2007 the Russian Federation Prosecutor General's Office initiated a massive campaign throughout the country to have the literature of Jehovah's Witnesses pronounced extremist **with the aim of having its import, distribution and use proscribed.** Between 2007 and 2009 over 40 summonses have been served by the prosecutor's office on religious associations of Jehovah's Witnesses referring to "the impermissibility of carrying out extremist activity."

This has occurred in spite of the fact that, according to the conclusions of a State religious expert study ordered by the Russian Federation Ministry of Justice and dated 15 April 1999, "The... literature of the religious organization of Jehovah's Witnesses... **does not contain calls for... incitement of social, racial, national, and religious discord**".

If the prosecutor's office succeeds in achieving its aims, the right to freedom of worship of over 280,000 Russian citizens who profess the religion of Jehovah's Witnesses or associate with them at their meetings will be violated.

LEGAL CLASHES AND PREFABRICATED EXPERT STUDIES

- In 2006 the Federal Law on Counteracting Extremist Activity was amended, resulting in the removal of the words "in connection with violence or calls for violence" from the definition of extremism, which originally read "incitement to racial, nationalistic, or religious enmity, and also social enmity, in connection with violence or calls for violence." As a result of such a vague definition of extremism, the law is now being freely interpreted by the authorities to indicate that any faith which contradicts the teachings of the Russian Orthodox Church can be classed as "inciting to religious enmity."
- In Salsk, Rostov Region, an administrative case was instigated against Jehovah's Witness Yemelyan Lakashia on the grounds that a certain citizen M considered himself offended by the fact that in the publications of Jehovah's Witnesses Christ is pictured as impaled on a stake rather than on a cross.

- On 25 February 2009, the Republic of North Ossetia-Alaniya, on the basis of the same pre-ordered expert study used in the case in Salsk, Rostov Region, and in other cities, filed a claim to liquidate all four (!) local religious organizations of Jehovah's Witnesses registered in the republic. Moreover, Jehovah's Witnesses have been registered in North Ossetia since 1993, during which time not a single complaint has been registered against their activity!
- In Asbest a criminal case was instigated on the basis of complaints from citizens whose religious feelings were allegedly insulted by the fact that the publications of Jehovah's Witnesses capitalize the word "Devil," and claim that the teachings of the Trinity and the immortality of the soul are unbiblical.
- According to information published by the Asbest City Prosecutor, in court cases against Jehovah's Witnesses five expert studies of their literature prepared by specialists from the FSB will be used.
- At the heart of the claim filed by the Gorno-Altaysk City Prosecutor to pronounce the literature of Jehovah's Witnesses extremist lies a pre-ordered religious analysis prepared by Yu.V. Khvastunova of the Gorno-Altaysk State University, who does not hide her prejudice toward religious minorities. She has actively participated in events conducted by the Russian Orthodox Church and was the author of an essay entitled *Cooperation Between the Church and the State in Politics of Counteracting Destructive Cults in the Russian Federation*.

When prosecutor's offices apply for such prefabricated expert studies, and when courts admit them as reliable evidence, the principle of the secularity of the State, enshrined in the Russian Constitution, is violated, and judgments of the European Court of Human Rights are ignored, in which it has been stressed that "the right to freedom of religion as guaranteed under the Convention excludes any discretion on the part of the State to determine whether religious beliefs or the means used to express such beliefs are legitimate." (*Manoussakis and Others v. Greece*, 26 September 1996, paragraph 47; *Moscow Branch of the Salvation Army v. Russia*, 5 October 2006, paragraph 58).

DISRUPTIONS OF RELIGIOUS SERVICES



Jehovah's Witnesses at a religious service in the forest, similar to the time when under ban in the Soviet Union. Is history repeating itself?

- Of the 57 district conventions of Jehovah's Witnesses planned for 2008 in Russia, 14 were disrupted, despite the existence of valid rental contracts (three in Saint Petersburg, Kirov, Naberezhniye Chelny, Novosibirsk, Krasnoyarsk, Nizhniy Novgorod, Omsk, Perm, Tolyatti, Ufa, and one in Yekaterinburg).
- The majority of the remainder of the conventions were conducted only with difficulty (including a gathering convened in a forest, a solution alarmingly similar to the religious situation in the Soviet Union up to 20 years ago).

- According to the managers of stadiums and other premises, in many places officers from the FSB ordered them to cancel the contracts with Jehovah's Witnesses or to find other means of stopping the district conventions from going ahead.
- On 21 February 2009, in Naberezhniye Chelny (Republic of Tatarstan), a religious service being conducted by Jehovah's Witnesses in rented premises was interrupted by officers from the FSB and the police. Carrying out orders received from the prosecutor's office, these officers halted the meeting and went around the hall questioning children and checking the identity documents of their parents.
- On 26 February 2009, in Novouralsk, Sverdlovsk Region, officers from the police and FSB entered the private home of Nikolay Parshukov where a religious meeting was taking place and wrote down the names and addresses of all in attendance.



A congregation meeting of Jehovah's Witnesses in Naberezhniye Chelny was interrupted by police officers and the FSB.

The European Court of Human Rights has stressed that disruption of the religious meetings of Jehovah's Witnesses is a violation of the Convention, stating "The Court further reiterates that Article 9 of the Convention protects acts of worship and devotion which are aspects of the practice of a religion or belief in a generally recognised form... It is undeniable that the collective study and discussion of religious texts by the members of the religious group of Jehovah's Witnesses was a recognised form of manifestation of their religion in worship and teaching. Thus, the applicants' meeting on 16 April 2000 attracted the protection of Article 9 of the Convention." (Judgment in the case of *Kuznetsov and Others v. Russia*, 11 January 2007, paragraph 57).

INTERFERENCE IN THE PRIVATE LIVES OF RELIGIOUS BELIEVERS

- Since 2004, on the orders of the Prosecutor General's Office, an apparently interminable investigation of the Administrative Center of Jehovah's Witnesses in Russia has been in progress. The grounds for the investigation are once again identical complaints filed by 'anti-cult' organizations such as the Center for Victims of Non-Traditional Religions and the Committee for Salvation of Youth. During the now more than four-year-long investigation it has been established on numerous occasions that the Administrative Center has not committed a single violation of the law requiring prosecution. However, the investigation continues.
- In 2007 information was sent by the prosecutor's office to medical institutions in Saint Petersburg painting Jehovah's Witnesses as fanatics who do not value their life or health. On the basis of the information several Jehovah's Witnesses have been refused medical treatment for no valid reason.

THE GATHERING OF PRIVATE INFORMATION

- In February 2009 in Izobilniy, Stavropol Territory, the administration of a high school conducted a survey to discover whether any of their pupils were Jehovah's Witnesses and subsequently produced reports on them.
- In Mostovskiy District, Krasnodar Territory, the director and teachers of School No. 18 threatened parents with being stripped of parental rights merely because their 14-year-old daughter does not attend the Fundamentals of Orthodox Culture lessons and events connected with the 23 February and 8 March celebrations. This rides roughshod over parental rights including their constitutional freedom of thought, conscience and religion.
- On Sakhalin island disciplinary measures were brought against a child psychologist on trumped-up charges purely because she was one of Jehovah's Witnesses.
- Lev Ponomaryov, a journalist and human rights activist, stated: "I saw for myself back in 2006 a list of organizations that are considered extremist and subject to special control that was sent by the Ministry of Internal Affairs to a district police station (just think—the list was in all probability sent to all police departments throughout Russia!). I saw Jehovah's Witnesses on it..." (*Daily Journal*, article entitled "Hotline. In favor of Human Rights in Russia". www.ej.ru. 6 March 2009). Apparently such lists were received by all the police stations in Russia!

PICKETS AND ARSON ATTACKS

- During the night of 4 April 2007, in Tsimlyansk, Rostov Region, a private home owned by one of Jehovah's Witnesses was set on fire and burned down.
- During the night of 11 July 2008, a Kingdom Hall of Jehovah's Witnesses (religious building, used for worship) was burned down in Chekhov, Moscow Region.
- On 15 June 2007, in Zvenigorod, Moscow Region, a private home belonging to Zhilyaeva, one of Jehovah's Witnesses, in which Christian meetings of her fellow believers were often held, was set on fire and burned to the ground. Prior to this, on 25 April 2007, in the neighbouring town of Ruza, an explosion and fire occurred at another home belonging to the Chursin family, Jehovah's Witnesses. No criminal case was ever instigated.



Religious intolerance towards Jehovah's Witnesses in Russia continues unabated

UNPRECEDENTED HARASSMENT OF JEHOVAH'S WITNESSES THROUGHOUT RUSSIA

- In February 2009, all prosecutor's offices throughout Russia received a letter from the Prosecutor General's Office demanding that they order their subordinate offices to gather any negative information whatsoever on Jehovah's Witnesses with a view to banning their activity. They were authorized to involve agencies of the FSB, the police, the public health agencies, local departments of justice, and military commissariats in the collection of information.
- This was accompanied by mass violations of the rights of religious believers and has paralyzed the activity of local religious communities, flouting the judgment of the European Court of Human Rights, which stated: "The right of believers to freedom of religion... encompasses the expectation that believers will be allowed to associate freely, without arbitrary State intervention." (*Moscow Branch of the Salvation Army v. Russia*, 5 October 2006, paragraph 58).
- The unprecedented scale of the harassment launched by the Prosecutor General's Office, along with the character of the accusations, leave no doubt as to the goal of liquidating the Administrative Center of Jehovah's Witnesses in Russia, opening the way for the criminal prosecution of religious believers.

THE PAST MUST NOT REPEAT ITSELF



**Vasily Kalin, Chairman of the Administrative Center of Jehovah's Witnesses in Russia:
As a child with his family in exile in Siberia.**



**His certificate of rehabilitation
as a victim of political repression.**



Today, with his children and grandchildren.

- Jehovah's Witnesses (then known as International Bible Students) were first registered in the Russian Empire in 1913. However, during the Soviet era they faced intense persecution. In 1951 thousands of Jehovah's Witnesses from western regions of the USSR were exiled to Siberia. Between 1957 and 1967 many were sent to labour camps in Mordovia where they were subjected to psychological pressure. Up until 1985 arrests, confiscation of religious literature and disruption of religious services continued. On frequent occasions the charges contained no more than vague accusations and unscientific religious expert studies. During that period the authorities actively used the media and even emotive fictional feature films to create a negative attitude towards Jehovah's Witnesses among the public.

- In 1991 Jehovah's Witnesses received official recognition in the USSR. In the same year in accordance with the Law on Rehabilitation of Victims of Political Repression, and in 1996 by Presidential order they were fully rehabilitated as victims of political repression, allowing for hundreds of thousands of citizens of the former Soviet Union to enjoy religious freedom and exoneration.

- Unfortunately many of the generation raised in the spirit of religious intolerance in the Soviet Union have not been prepared to surrender their position, and in the same year (1996), the prosecutor for the Northern Administrative Circuit of the City of Moscow began a campaign against Jehovah's Witnesses in Moscow. Their accusations were based solely on material furnished by 'anti-cult' organizations, which are known throughout the world for their religious intolerance. During the course of the investigation, accusations were constantly changed, as were

investigators and prosecutors. The campaign began with a criminal investigation, and then continued by civil procedure. Concurrently a smear campaign was waged in the media, consisting of over 1000 defamatory, and in many cases slanderous, television and radio reports, newspaper articles and internet postings.

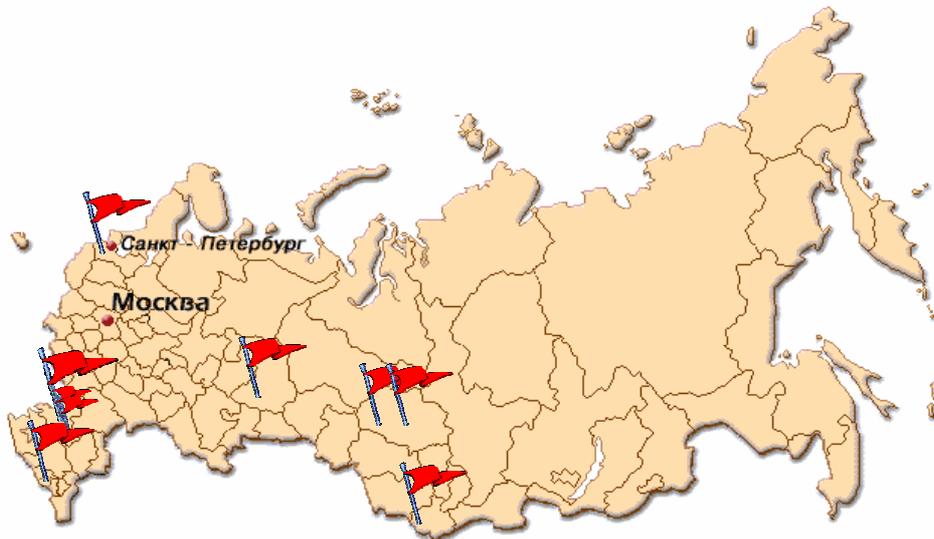
“I sincerely hope that in the future my children and grandchildren won’t have to be rehabilitated as victims of groundless repression.”

Vasiliy Kalin

- In 1998 the case was heard by the Golovinskiy District Court and in 2001 all charges against Jehovah’s Witnesses were dismissed. However, in 2004

the same court, with a different panel of judges, ruled to liquidate the Moscow community of Jehovah’s Witnesses.

In line with the Bible’s admonition, Jehovah’s Witnesses worldwide continue to pray that their fellow-believers in Russia, who have undergone so much hardship in the past, will be able to “go on leading a calm and quiet life with full godly devotion”. (1 Timothy 2:2) They hope that the Russian authorities, together with the international community, will not allow the repeat of a tragic chapter in Russia’s history.



The map pinpoints the regions in which heightened harassment of Jehovah’s Witnesses is taking place.