



Home Office

# **Country Policy and Information Note**

## **Russia: Jehovah's Witnesses**

**Version 1.0**

**April 2021**

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

## Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- A person is reasonably likely to face a real risk of persecution or serious harm
- The general humanitarian situation is so severe as to breach Article 15(b) of European Council Directive 2004/83/EC (the Qualification Directive) / Article 3 of the European Convention on Human Rights as transposed in paragraph 339C and 339CA(iii) of the Immigration Rules
- The security situation presents a real risk to a civilian's life or person such that it would breach Article 15(c) of the Qualification Directive as transposed in paragraph 339C and 339CA(iv) of the Immigration Rules
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- A claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Assessment

Updated: 20 April 2021

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution and/or serious harm by state actors because the person is, or is perceived to be, a Jehovah's Witness.

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Exclusion

- 2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection.
- 2.2.3 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave](#).

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### 2.3 Convention reason(s)

- 2.3.1 Actual or imputed religion.
- 2.3.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the particular person has a well-founded fear of persecution on account of their actual or imputed convention reason.
- 2.3.3 For further guidance on Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.4 Risk

### a. Introduction

- 2.4.1 Approximately 150,000 Jehovah's Witnesses reside in Russia. It is thought that 5,000 to 10,000 Jehovah's Witnesses have left the country since 2017, when the Jehovah's Witnesses Administrative Centre was declared an extremist organisation (see [Demography](#) and [Migration from Russia](#)).

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### b. State treatment

- 2.4.2 The constitution states that the state is secular and that individuals have the right to 'profess, individually or jointly with others, any religion, or to profess no religion.' Christianity, Islam, Judaism and Buddhism are recognised by law as Russia's 4 'traditional' religions, with Orthodox Christianity seen as having a 'special role' in the country's 'history and the formation and development of its spirituality and culture' (see [General: religious freedom](#)).
- 2.4.3 However, by law, the activities of a religious organisation may be prohibited on grounds of violating public order or engaging in extremist activity. Although a wide variety of activities are declared by law to be extremist, the law does not provide a precise definition of extremism or require a degree of violence or hatred to be involved to declare an activity as extremist (see [Anti-extremism law](#)).
- 2.4.4 In 2017, the Supreme Court criminalised the activities of Jehovah's Witnesses, declaring that they constituted an extremist organisation. The parent organisation of Jehovah's Witnesses in the country and 395 regional branches were formally placed on the Ministry of Justice's list of extremist groups. The Supreme Court interpreted anti-extremism legislation broadly to allow preventative actions to be taken that resulted in restrictions on freedom of religion, expression and association (see [Jehovah's Witnesses and anti-extremism law](#)).
- 2.4.5 In December 2018, following amendments to anti-extremism legislation, speech or actions aimed at 'inciting hatred or enmity' on the basis of group affiliation (including religion) are punishable by administrative penalties for first-time offenses. These penalties include administrative arrests of up to 15 days or administrative fines of up to the equivalent of approximately £192 for individuals and up to approximately £4,800 for legal entities. If individuals commit multiple offenses within a one-year period, they receive criminal penalties, including fines of up to approximately £4,800, compulsory labour for up to 4 years, or imprisonment of up to 5 years (see [Anti-extremism law](#)).
- 2.4.6 Furthermore, participating in or organising the activity of a banned religious organisation designated as extremist is punishable by a fine of up to approximately £7,685 or imprisonment for a term of 6 to 10 years. In addition, the right to hold 'certain positions' or engage in 'certain activities' (it is not specified what these might be) is removed for up to 10 years and restrictions – which may include house arrest or constraints on travel within the country – are placed for one to 2 years. For persons with 'official' status (anyone working for the government or state-owned entities, as well as persons in management roles at commercial or nongovernment entities), the

prison term is 7 to 12 years, or a fine of up to approximately £6,724. First-time offenders who willingly forsake their membership in banned religious organisations are exempt from criminal liability if they have committed no other crimes (see [Anti-extremism law](#)).

- 2.4.7 The law does not provide precise criteria to identify material considered extremist. By law, publications declared extremist by a federal court are automatically added to the federal list of extremist materials. Courts may order internet service providers to block access to websites containing materials included on the federal list of extremist materials. There is no legal procedure for removal from the list, even if a court declares an item should no longer be classified as extremist, but lists are reviewed and reissued on a regular basis and publications may be dropped from lists. Mass distribution, production, and possession with the aim of mass distribution of extremist materials by private individuals may result in 15 days' imprisonment or a fine of approximately £10 to £29. Penalties are increased for public officials. In March 2021, the 'JW Library' app was declared extremist and its use was banned throughout the Russian Federation and Crimea (see ['Extremist' material](#)).
- 2.4.8 The first prison term handed to a Jehovah's Witness convicted of extremism for practising his religion was in February 2019; the person in question appealed but the appeal was dismissed. By the end of 2019, 18 Jehovah's Witnesses had been convicted of extremism for practising their religion and a total of 9 had been given prison sentences, which ranged from 2 to 6 years; the remainder received suspended sentences, probation, fines and/or community service. By October 2020, 148 cases remained under investigation, with investigations lasting for a few years in some cases. In February 2021, a Jehovah's Witness was handed a sentence of 7 and a half years on charges of extremism, the longest sentence yet to be handed to a Jehovah's Witness. By 1 April 2021, 451 Jehovah's Witnesses had been charged with extremist activity and 78 had been convicted, 190 had been imprisoned, 40 were in pre-trial detention at that time and 30 had been placed under house arrest since 2017 (see [Charges, prosecutions and sentencing](#)).
- 2.4.9 Most charges are for 'organising' (Criminal Code Article 282.2, Part 1), or 'participating in' (Part 2), the activity of a religious group deemed extremist. Several Jehovah's Witnesses have also been charged under Criminal Code Article 282.3, Part 1 ('Financing extremist activity'). Despite similarities between cases, the sentencing of Jehovah's Witnesses varies from prison terms of several years to suspended sentences of varying lengths to a range of fines. However, the law provides for different outcomes. One person was sentenced to assigned labour, but this was subsequently changed to a fine. A suspended sentence requires a person to live under restrictions specified by the judge, register regularly with probation authorities and avoid conviction for any other offence during the probation period or risk a prison sentence (see [Anti-extremism law](#) and [Charges, prosecutions and sentencing](#)).
- 2.4.10 Religious minorities stated that local authorities used anti-extremism laws to ban religious material. Although the Ministry of Justice's list of extremist



materials increased during 2019, no new Jehovah's Witness materials were added to the list. The NGO Forum 18, which promotes religious freedom, reported that, in some cases, those in charge of places of worship and other public or semi-public spaces were held responsible for distribution of banned religious publications, which could have been left at the site by anyone at any time, including before the ban. At the time of publication of this note, the government's ban on all Jehovah's Witnesses websites, imposed in 2017, remained in effect (see ['Extremist' material](#)).

- 2.4.11 Local officials fined people for using land, including private homes, for reasons other than its 'intended purpose', in other words, for religious services. However, minority religious organisations were prevented from obtaining land and construction permits for places of worship were denied. In addition, the authorities continued to confiscate property belonging to the Jehovah's Witnesses Administrative Centre; property seized by the government was valued at nearly 65 million pounds (see [Use of buildings and land](#)).
- 2.4.12 Security officials have been conducting surveillance of Jehovah's Witnesses since 2017; such surveillance includes recording or photographing individuals attending prayer meetings, praying, reading or singing (see [Surveillance](#)).
- 2.4.13 Police officers, riot police and members of the Rosgvardia (National Guard) and Federal Security Service (FSB), some with dogs, conduct raids on the homes of Jehovah's Witnesses. Forum 18 observed that raids were conducted in 44 of Russia's 83 federal subjects (political entities) from the period January 2018 to October 2019. Human Rights Watch claimed that security forces raided 491 homes of Jehovah's Witnesses during 2019; this compared to 289 such raids the previous year. 440 homes belonging to Jehovah's Witnesses were raided in 2020 (up to mid-December). By 26 March 2021, raids had been carried out on the homes of more than 1,300 Jehovah's Witnesses since 2017. In some cases, multiple raids are conducted across a city in one day. In most cases, security forces produce a search warrant, but residents have little time to read them. Jehovah's Witnesses reported that raids involve approximately 12 to 25 armed men. People of all ages are targeted and individuals including children and the elderly have been held at gunpoint and subjected to verbal and physical abuse. During the raid of a home in November 2020, one individual was hit on the head by law enforcement officers, leading to his hospitalisation; security forces insisted on his discharge from hospital 2 days later, when he was interrogated. Personal belongings, including money, religious materials, 'phones and other electronic devices were seized during raids. Jehovah's Witnesses alleged that religious materials have been planted by state authorities in believers' homes (see [Raids](#) and [Planted material](#)).
- 2.4.14 Investigators have opened cases against some Jehovah's Witnesses by summoning them for questioning. In other cases, individuals have been taken into custody and interrogated after a raid of their home. One individual reported being held without food or water for nearly 12 hours, and another spent 12 hours seeking information about the whereabouts of her husband, who had been detained. One couple was threatened with the removal of

their children, but this threat was not carried out. Others have reported that they did not have a lawyer present during their initial interrogation, although most, but not all, of those facing criminal charges had access to lawyers following their detention. During interrogation, individuals are asked about their religion, their leaders and what they do during religious meetings. Several have been asked to sign pledges stating that they will not participate in 'extremist' religious organisations (see [Interrogation](#)).

- 2.4.15 Following interrogation, most people are released, some with travel restrictions. Others are kept in detention or placed under house arrest, both for an initial period of 2 months, after which investigators must apply to a court for an extension. Alternatively, detainees may appeal to have measures lifted or reduced, and some such appeals have been successful (see [Pre-trial detention and house arrest](#) and [Charges, prosecutions and sentencing](#)).
- 2.4.16 Some Jehovah's Witnesses have had their assets seized as surety during their prosecutions; 6 such defendants in Ulyanovsk subsequently had their assets returned. In July 2020, a Jehovah's Witness was awarded a fine of nearly £7,000, the largest fine imposed to that point, but it was subsequently reduced to nearly £5,000 because the person concerned had spent 160 days in detention. The average monthly wage in Ivanovo region, where he lives, is approximately £289 (see [Charges, prosecutions and sentencing](#)).
- 2.4.17 As of October 2019, 166 of the 245 Jehovah's Witnesses facing criminal prosecution at that time had been added to the Federal Financial Monitoring Service (Rosfinmonitoring) list of terrorist and extremists, leading to the freezing of their assets by banks, apart from small transactions. In May 2020, 2 of the 6 adherents from Saratov who were handed prison sentences were deprived of their Russian citizenship. By 1 April 2021, 32 Jehovah's Witnesses had been subjected to a ban on certain activities (see [Financial monitoring](#), [Revocation of citizenship](#) and [Other restrictions](#)).
- 2.4.18 9 Jehovah's Witnesses are on the Interior Ministry's 'wanted' list as their whereabouts are unknown; 2 are known to have fled Russia (see ['Wanted' list](#)).
- 2.4.19 In October 2020, Yury Zalipayev became the first Jehovah's Witness to be acquitted of an extremism-related offence since 2017. A subsequent appeal by prosecutors against the acquittal was denied in January 2021 (see [Acquittals](#)).
- 2.4.20 Jehovah's Witnesses, human rights NGOs and the media reported incidents of physical abuse, including torture and the denial of medical treatment, by state authorities of Jehovah's Witnesses in detention. 7 adherents reported ill-treatment and torture when they were detained in February 2019 in Siberia's Khanty-Mansiysk region. The authorities wanted to know where local Jehovah's Witnesses met and who attended the meetings. Other incidents of ill-treatment and beatings were reported by a Jehovah's Witness in February 2019, and by 2 further Jehovah's Witnesses in June 2019. In February 2020, a Jehovah's Witness was beaten by the National Guard and in October 2020, 5 believers from Saratov were allegedly beaten by staff at

the Orenburg penal colony; one was subsequently hospitalised (see [Torture and ill-treatment](#)).

- 2.4.21 In conclusion, Jehovah's Witnesses may be at risk of interrogation, pretrial detention, suspended sentencing, fines and prison sentences because they have been/are suspected of organising or participating in religious meetings or being in possession of/studying religious literature related to Jehovah's Witnesses or because they have been discussing their faith with another person. Although the most severe penalties are given to those who organise meetings, the resulting penalties on conviction appear to vary from case to case and federal subject area. However, Jehovah's Witnesses cannot show a well-founded fear of persecution solely on the basis of their religious affiliation. Those Jehovah's Witnesses who have experienced either criminal prosecution or an accumulation of administrative measures, or who can show a reasonable likelihood that they would do so if returned to Russia, are likely to have experienced / would experience treatment that, by its nature and repetition, would amount to serious harm or persecution.
- 2.4.22 In cases where the person will be discreet about their religion on return, the reasons for such discretion need to be considered in the light of [HJ \(Iran\)](#). Decision makers should take account of how the person has practised their religion whilst in the UK. A person should not be expected to conceal their religion if they are not willing to do so. However, if the person would conceal his or her religion or religious activities for reasons other than for a fear of persecution, then the person would have no basis for their claim for international protection. Each case must be considered on its facts.
- 2.4.23 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.5 Protection

- 2.5.1 Complaints against the government concerning religious freedom may be submitted to the Office of the Director of Religious Issues within the Office of the Federal Human Rights Ombudsman. The ombudsman may intercede on behalf of those who submit complaints; however, the ombudsman may not compel other government bodies to act or directly intervene in complaints not addressed to the government. By law, individuals and organisations may also take religious freedom cases to the European Court of Human Rights, and this has been done by Jehovah's Witnesses; however, Russia has enshrined in its Constitution and legislation the right to disregard international rulings it deems incompatible with the constitution (see [Complaints against the authorities](#), [Use of buildings and land](#), [Impunity for officials](#), [Avenues of redress](#)).
- 2.5.2 A number of domestic and international human rights groups called for an investigation into allegations of abuse. After an internal investigation, the Khanty-Mansiysk Investigative Committee reported that it had found no evidence of unlawful force (following allegations of ill-treatment and torture made by 7 adherents in 2019), and 2 of the officers implicated in the torture case subsequently received awards for their work. The Jehovah's Witnesses concerned filed a case with the European Court of Human Rights (ECtHR),

which is currently outstanding. At the end of 2019, Jehovah's Witnesses had 49 applications pending with the ECtHR and 5 complaints against the government pending with the UN Working Group on Arbitrary Detention. There were further examples of impunity in 2020, such as the case of an adherent named Vadim Kutsenko, who reported torture by the National Guard to the authorities in 2020; his complaint was ignored and he was sent to a temporary detention centre (see [Impunity for officials](#) and [Complaints against the authorities](#)).

2.5.3 Where the person has a well-founded fear of persecution from the state they will not, in general, be able to avail themselves of the protection of the authorities.

2.5.4 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.6 Internal relocation

2.6.1 Where the person has a well-founded fear of persecution from the state, they are unlikely to be able to relocate to escape that risk.

2.6.2 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.7 Certification

2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

Section 3 updated: 29 January 2021

## 3. Jehovah's Witnesses

### 3.1 Demography

- 3.1.1 The US Department of State's International Religious Freedom Report 2019 (USSD IRF Report 2019), which was published in June 2020 and covered the year 2019, noted:

'The U.S. government estimates the total population at 141.9 million (midyear 2019 estimate). A poll conducted during the year by the Public Opinion Foundation found that 65 percent of the population is Orthodox Christian, and 7 percent identify as Muslim. Religious groups constituting approximately 1 percent or less of the population each include Buddhists, Protestants, Roman Catholics, Jews, members of The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), Jehovah's Witnesses, Hindus, Baha'is, members of the International Society of Krishna Consciousness (ISKCON), pagans, Tengrists, Scientologists, and Falun Gong practitioners.'<sup>1</sup> The USSD IRF Report 2019 further noted that the European Association of Jehovah's Witnesses estimated that more than 150,000 adherents remained in the country. The USSD IRF Report also reported that another source estimated there to be at least 26,000 Jehovah's Witnesses in Siberia, who were continuing to worship clandestinely<sup>2</sup>.

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Section 4 updated: 16 April 2021

## 4. Law on religion

### 4.1 General: religious freedom

- 4.1.1 The USSD IRF Report 2019, which covered the year 2019 and was published in June 2020, stated:

'The constitution stipulates the state is secular and provides for religious freedom, freedom of conscience, and freedom of religious worship, including the right to "profess, individually or jointly with others, any religion, or to profess no religion." It provides the right of citizens "to freely choose, possess, and disseminate religious or other beliefs, and to act in conformity with them," and provides equality of rights and liberties regardless of attitude toward religion. The constitution bans any limitation of human rights on religious grounds and prohibits actions inciting religious hatred and strife. It states all religious associations are equal and separate from the state. The law acknowledges Christianity, Islam, Judaism, and Buddhism as the country's four "traditional" religions, constituting an inseparable part of the country's historical heritage. The law recognizes the "special role" of Russian Orthodox Christianity in the country's "history and the formation and development of its spirituality and culture."

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<sup>1</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 1), 10 June 2020

<sup>2</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

'The law states the government may restrict religious rights only to the degree necessary to protect the constitutional structure and security of the government; the morality, health, rights, and legal interests of persons; or the defense of the country.'<sup>3</sup>

4.1.2 The Constitution is available [here](#) (see Chapter 1 Art 14 and Chapter 2).

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## 4.2 Violation of religious freedom

4.2.1 The USSD IRF Report 2019 stated:

'It is a violation of the law to force another person to disclose his or her opinion of a religion or to participate or not participate in worship, other religious ceremonies, the activities of a religious association, or religious instruction.

'The law states those who violate religious freedom will be "held liable under criminal, administrative, and other legislation." The administrative code and the criminal code both punish obstruction of the right to freedom of conscience and belief with imprisonment of up to three years and fines of up to 200,000 rubles (\$3,200) or 500,000 rubles (\$8,000), depending upon which code governs the offense.'<sup>4</sup>

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## 4.3 Anti-extremism law

4.3.1 The USSD IRF Report 2019 further noted:

'By law, officials may prohibit the activity of a religious association on grounds such as violating public order or engaging in "extremist activity." The law criminalizes a broad spectrum of activities as extremist, including "assistance to extremism," but the law does not precisely define extremism or require an activity include an element of violence or hatred to be classified as extremist.

'In December 2018, the government amended anti-extremism legislation, stipulating speech or actions aimed at "inciting hatred or enmity" on the basis of group affiliation (including religion) are punishable by administrative, rather than criminal, penalties for first-time offenses. These penalties include administrative arrests of up to 15 days or administrative fines of up to 20,000 rubles ... [approximately £192] for individuals and up to 500,000 rubles ... [approximately £4,800] for legal entities. Individuals who commit multiple offenses within a one-year period are subject to criminal penalties, including fines of up to 500,000 rubles ... [approximately £4,800], compulsory labor for up to four years, or imprisonment of up to five years.

'The law criminalizes "offending the feelings of religious believers." Actions "in public demonstrating clear disrespect for society and committed with the intent to insult the feelings of religious believers" are subject to fines of up to 300,000 rubles ... [approximately £2,881], compulsory labor for up to one year, or imprisonment for up to one year. If these actions are committed in

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<sup>3</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>4</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020



places of worship, the punishment is a fine of up to 500,000 rubles ... [approximately £4,800], compulsory labor for up to three years, or a prison sentence of up to three years.

‘Participating in or organizing the activity of a banned religious organization designated as extremist is punishable by a fine of up to 800,000 rubles ... [approximately £7,685] or imprisonment for a term of six to 10 years, with deprivation of the right to hold “certain positions” or engage in “certain activities” (without specifying what these might be) for up to 10 years and restrictions on freedom for a period of one to two years. These restrictions may include house arrest or constraints on travel within the country. For persons with official status, a term which applies to anyone working for the government or state-owned entities, as well as to persons in management roles at commercial or nongovernment entities, the prescribed prison term is seven to twelve years, or a fine of up to 700,000 rubles ... [approximately £6,724]. First-time offenders who willingly forsake their membership in banned religious organizations are exempt from criminal liability if they committed no other crimes.’<sup>5</sup>

#### 4.3.2 The report continued:

‘Representatives of minority religious associations and NGOs continued to state the Yarovaya Package [anti-terrorism law], enacted for the stated purpose of enhancing the country’s antiterrorism capability, was employed by authorities to limit religious freedom. They said officials often cited concerns about missionaries being sources of foreign influence. They said the broad definition of missionary activity in the legislation included not only proselytizing, but also disseminating religious materials, preaching, and engaging in interfaith discussions about religion, including in private residences, without prior authorization.’<sup>6</sup>

#### 4.3.3 In April 2020, a joint report by the Civic Solidarity Platform (CSP) Working Group On Counter-Terrorism, Anti-Extremism and Human Rights, stated the following in relation to anti-extremism legislation in the Russian Federation:

‘Both the Russian definition of extremism [...] and the legal norms associated with it raise questions regarding their compliance with the international legal standards, since they use vague terminology and can be interpreted broadly. This applies to freedom of expression in particular, but also to freedom of association. Coupled with the law enforcement practice, characterized, among other features, by a formal approach to establishing the illegality of an act in court, application of these standards often leads to state-imposed restrictions on civil liberties that cannot be recognized as necessary in a democratic society.’<sup>7</sup>

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## 4.4 Jehovah’s Witnesses and anti-extremism law

### 4.4.1 The USSD IRF Report 2019, which covered events of 2019, noted ‘A Supreme Court 2017 ruling declared the Jehovah’s Witnesses Administrative

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<sup>5</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>6</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>7</sup> CSP Working Group, [Anti-Extremist Policies - Comparative Review](#), April 2020

Center an extremist organization, closed the organization on those grounds, and banned all Jehovah's Witnesses activities, including the organization's website and all regional branches. The court's ruling states the constitution guarantees freedom of religious beliefs, but this right is limited by other rights, including "existing civil peace and harmony."<sup>8</sup>

- 4.4.2 Columbia Global Freedom of Expression, which 'seeks to advance understanding of the international and national norms and institutions that best protect the free flow of information and expression in an inter-connected global community with major common challenges to address,' produced an [analysis](#)<sup>9</sup> of the case which stated:

'The Supreme Court of Russia granted the Ministry of Justice's request to dissolve the "Jehovah's Witnesses Management Center in Russia" (Center) and its 395 regional affiliates for violating the law "On Combatting Extremist Activities". It was alleged that the Center imported banned extremist religious literature into Russia, financially supported banned extremist organizations, and failed to eradicate or prevent extremist activities within it and its regional affiliates. The Supreme Court interpreted anti-extremism legislation broadly to allow preventative actions to be taken that resulted in restrictions on freedom of religion, expression and association.'<sup>10</sup>

- 4.4.3 The United States Department of State Country Report on Human Rights Practices 2019 (USSD HR Report 2019), which covered the year 2019 and was published in March 2020, stated that 'In 2017 the Supreme Court criminalized the activity of members of Jehovah's Witnesses. ... The parent organization of the Jehovah's Witnesses in the country and 395 regional branches were formally placed on the Justice Ministry's list of "extremist" groups, a procedural move following the Supreme Court's decision.'<sup>11</sup>

- 4.4.4 The website 'Jehovah's Witnesses in Russia', a US-based website run by the Watch Tower Bible and Tract Society of Pennsylvania, interpreted the court ruling as meaning that Jehovah's Witnesses are not actually banned in Russia:

'According to the statement of the Government of the Russian Federation, "the decision of the Supreme Court of the Russian Federation of April 20, 2017 and the appeal ruling of the Appeals Collegium of the Supreme Court of the Russian Federation of July 17, 2017 do not assess the doctrine of Jehovah's Witnesses, do not contain a restriction or prohibition to practice the above teachings individually".

' ...

**'What did the Supreme Court of Russia ban in 2017?** The court banned the activities of 396 registered and operating organizations of Jehovah's Witnesses at that time. This decision was challenged in the European Court of Human Rights.

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<sup>8</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>9</sup> Columbia Global Freedom of Expression, [The Ministry of Justice v. Jehovah's Witnesses...](#), no date

<sup>10</sup> Columbia Global Freedom of Expression, [The Ministry of Justice v. Jehovah's Witnesses...](#), no date

<sup>11</sup> USSD, [2019 Country Report on HR Practices; Russia](#) (section 2.B), 11 March 2020



'The statement of the Council for the Development of Civil Society and Human Rights under the President of the Russian Federation dated 20.06.18 says: "This decision of the [Supreme] Court contains an exhaustive list of legal entities subject to liquidation. At the same time, the court's decision does not contain any conclusions about the prohibition of the religion of Jehovah's Witnesses as such."

**'Is it allowed in Russia to profess religion without forming a legal entity?'** Yes. Jehovah's Witnesses have lived in Russia for over a hundred years, and most of this time they practiced their faith without the organizations that appeared in the late 1990s under the Law on Freedom of Conscience and existed for less than 20 years. The presence or absence of such organizations does not mean that entire religions are banned, and even less does it give grounds for criminal prosecution of citizens for their beliefs.<sup>12</sup>

4.4.5 In June 2019, Forum 18, a Norwegian human rights organisation which promotes freedom of belief, reported that on 10 June 2019, federal Human Rights Ombudsperson, Tatyana Moskalkova, delivered her 2018 report to President Vladimir Putin, which included remarks on the conviction and imprisonment of Danish citizen Dennis Christensen, a Jehovah's Witness: "These events raise questions about the existence of a conflict between the constitutional right to practice one's religion individually or jointly with others, and the signs of extremist activity specified in Article 282.2 of the Criminal Code of the Russian Federation."<sup>13</sup>

4.4.6 See [Charges, prosecutions and sentencing](#) for further information about Dennis Christensen.

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## 4.5 Categories of religious associations

4.5.1 The USSD IRF Report 2019 set out the three categories of religious associations:

'The law creates three categories of religious associations, with different levels of legal status and privileges: "religious groups," "local religious organizations" (LROs), and "centralized religious organizations" (CROs). Religious groups or organizations may be subject to legal dissolution or deprivation of legal status by a court decision on grounds including violations of standards set forth in the constitution or public security.

'The "religious group" is the most basic unit and does not require registration with the state. When a group first begins its activities, however, it must notify authorities, typically the regional MOJ [Ministry of Justice], of the location of its activity, its rites and ceremonies, and its leader(s) and members. A religious group may conduct worship services and rituals and teach religion to its members with proper notification to authorities. It does not have legal status to open a bank account, own property, issue invitations to foreign guests, publish literature, receive tax benefits, or conduct worship services in prisons, state-owned hospitals, or the armed forces. ...

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<sup>12</sup> JWs in Russia, [Are Jehovah's Witnesses actually banned in Russia?](#), 10 September 2019

<sup>13</sup> Forum 18, [RUSSIA: Tortured for beliefs, suspect torturers rewarded](#), 28 June 2019

‘An LRO may register with the MOJ if it has at least 10 citizen members who are 18 or older and are permanent local residents. LROs have legal status and may open bank accounts, own property, issue invitation letters to foreign guests, publish literature, receive tax benefits, and conduct worship services in prisons, hospitals, and the armed forces. CROs may register with the MOJ at the regional or federal level by combining at least three LROs of the same denomination.’<sup>14</sup>

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## 4.6 Investigation of religious organisations

### 4.6.1 The USSD IRF Report 2019 stated:

‘The Expert Religious Studies Council, established by the MOJ, has wide powers to investigate religious organizations. Some of the council’s powers include reviewing organizations’ activities and literature and determining whether an organization is “extremist.” The council also advises the MOJ on the issue of granting religious organization status to a religious group.

‘ ...

‘The government (the MOJ or the Prosecutor General’s Office) oversees a religious organization’s compliance with the law and may review its financial and registration-related documents when conducting an inspection or investigation. With advance notice, the government may send representatives to attend a religious association’s events, conduct an annual review of compliance with the association’s mission statement on file with the government, and review its religious literature to decide whether the literature is extremist. The law contains ongoing reporting requirements on financial and economic activity, funding sources, and compliance with antiterrorist and anti-extremist legislation. The government may obtain a court order to close those associations that do not comply with reporting or other legal requirements.’<sup>15</sup>

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## 4.7 Events requiring government approval

### 4.7.1 The USSD IRF Report 2019 stated:

‘The law allows the government to limit the places where prayer and public religious observance may be conducted without prior approval. LROs and CROs may conduct religious services and ceremonies without prior approval in buildings, lands, and facilities owned or rented by these associations, as well as in cemeteries, crematoria, places of pilgrimage, and living quarters. Baptism ceremonies in rivers and lakes, as well as services conducted in parks, open spaces, or courtyards, do not fall under this exemption. In these cases, LROs and CROs must seek government approval at least one week in advance and provide the government with the names of organizers and participants, as well as copies of any written materials to be used at the event.’<sup>16</sup>

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<sup>14</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>15</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>16</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

- 4.7.2 See [Categories of religious associations](#) for further information about LROs and CROs.

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## 4.8 Missionary activity

- 4.8.1 The USSD IRF Report 2019 noted:

‘Federal law, as amended by the Yarovaya Package [anti-terrorism law], defines missionary activity as the sharing of one’s beliefs with persons of another faith or nonbelievers with the aim of involving these individuals in the “structure” of the religious association. According to the law, in order to share beliefs outside of officially sanctioned sites (which include buildings owned by a religious organization, buildings whose owners have given permission for activities to take place, pilgrimage destinations, cemeteries and crematoria, and indoor spaces of educational organizations historically used for religious ceremonies), an individual must have a document authorizing him or her to share beliefs from a religious group or registered organization. The law explicitly bans any beliefs from being shared in residential buildings without such documentation (unless in the form of a religious service, rite, or ceremony), or on another organization’s property without permission from that organization. Materials disseminated by missionaries must be marked with the name of the religious association providing the authorization.

‘Engaging in missionary activity prohibited by law carries a fine of 5,000 to 50,000 rubles ... [approximately £48 to £480] for individuals and 100,000 to 1,000,000 rubles ... [approximately £960 to £9,606] for legal entities, which includes LROs and CROs.’<sup>17</sup>

- 4.8.2 The SOVA Center, a Russian non-profit organisation, published a report in March 2020 which covered the year 2019 and stated, ‘Persecution of religious organizations for “illegal” missionary activity on the basis of the Yarovaya-Ozerov amendments package continued, although, judging by the Supreme Court data for the first half of 2019 (data for the second half of the year was not available at the time of the publication of this report), its intensity has slightly diminished.’<sup>18</sup>

- 4.8.3 The USSD IRF Report 2019 continued:

‘The majority of the 174 cases initiated under “violation of the law on freedom of conscience, religion, and religious associations” during the first six months of the year were for missionary activity. Seventy-four individuals, two officials, and 26 legal entities received penalties, mainly in the form of administrative fines. The SOVA Center calculated the total amount of fines imposed by courts in the first six months was 1,899,100 rubles ... [approximately £18,243], compared with 2,471,000 rubles ... [approximately £23,736] for the same period in 2018.’<sup>19</sup>

- 4.8.4 See [Categories of religious associations](#) for further information about LROs and CROs.

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<sup>17</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>18</sup> SOVA Center, [Freedom of conscience in Russia...](#), 19 March 2020, last accessed: 23 March 2021

<sup>19</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2B), 10 June 2020

## 4.9 'Extremist' material

### 4.9.1 The USSD IRF Report 2019 noted:

'The law does not provide precise criteria on how written religious materials may be classified as "extremist." Within the MOJ, the Scientific Advisory Board reviews religious materials for extremism. Composed of academics and representatives of the four traditional religions, the board reviews materials referred to it by judicial or law enforcement authorities, private citizens, or organizations. If the board identifies material as extremist, it issues a nonbinding advisory opinion, which is then published on the MOJ website and forwarded to the prosecutor's office for further investigation. In addition to the Scientific Advisory Board, regional experts also may review religious materials for extremist content.

'Prosecutors may take material to a court and ask the court to declare it extremist, but materials introduced in court during the consideration of administrative, civil, or criminal cases may also be declared extremist sua sponte, i.e., of the court's own accord. By law, publications declared extremist by a federal court are automatically added to the federal list of extremist materials. Courts may order internet service providers to block access to websites containing materials included on the federal list of extremist materials. There is no legal procedure for removal from the list, even if a court declares an item should no longer be classified as extremist, but lists are reviewed and reissued on a regular basis and publications may be dropped from lists. The law makes it illegal to declare the key texts (holy books) of the four traditional religions in their original languages – Old and New Testaments of the Bible, Quran, and Tibetan Buddhist Kangyur (Kanjur) – to be extremist. The law does not specify that foreign language translations of these texts cannot be declared extremist.

'According to the administrative code, mass distribution, production, and possession with the aim of mass distribution of extremist materials by private individuals may result in 15 days' imprisonment or a fine of 1,000 to 3,000 rubles ... [approximately £10 to £29], or 2,000 to 5,000 rubles ... [approximately £19 to £48] for public officials, as well as confiscation of these materials. Courts may suspend for 90 days the operations of legal entities found to be in possession of extremist materials and fine them 100,000 to 1,000,000 rubles ... [approximately £961 to £9,606]. Individuals who produce materials later deemed extremist may not be punished retroactively but must cease production and distribution of those materials.'<sup>20</sup>

### 4.9.2 The report continued:

'Religious minorities said local authorities continued to use the country's anti-extremism laws to ban sacred religious texts and other books relating to religion, other than the four holy books recognized by law. The MOJ's list of extremist material grew during the year to 5,003 as of December, compared to 4,514 as of October 2018. There were reportedly no new Islamic or Jehovah's Witnesses materials added to the list during the year but there

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<sup>20</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

were additions of anti-Semitic and anti-Orthodox Christian materials. During the first six months of the year, authorities imposed 1,964 sanctions for distribution of extremist materials, compared with 1,133 during the same period in 2018. According to Forum 18, in some cases, those in charge of places of worship and other public or semipublic spaces were held responsible for distribution of banned religious publications, which could have been left at the site by anyone at any time, including before the ban. The government's ban on all Jehovah's Witnesses websites, imposed in 2017, remained in effect.<sup>21</sup>

- 4.9.3 On 2 April 2021, the website JW.org reported that 'On March 31, 2021, the Oktyabrskiy District Court of St. Petersburg declared the JW Library app extremist and banned its use throughout the Russian Federation and Crimea. The ban is subject to immediate implementation. Users are already having difficulty accessing the app. The ruling will be appealed.'<sup>22</sup>

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## 4.10 Use of buildings and land

- 4.10.1 The USSD IRF Report 2019 observed:

'Reports persisted that local officials fined members of religious groups for using land, including their homes, "not for its intended purpose," i.e., for religious services. Officials reportedly continued to prevent minority religious organizations from obtaining land, and continued to deny construction permits for houses of worship. Forum 18 stated in September, "Since municipal authorities are usually unwilling to permit the construction of purpose-built churches and mosques, congregations can be obliged to meet in residential, agricultural, or commercial buildings. This leaves them vulnerable to the complexities and contradictions of the legislation which regulates the use of land." Forum 18 reported that between January and October there were 21 known instances of individuals being fined for using homes as places of worship, compared with 10 in 2018. Forum 18 reported on November 14, however, that the Constitutional Court ruled that providing residential premises to religious organizations for worship and/or for use as a legal address "does not constitute a violation of the law and cannot serve as the basis for prosecuting citizens under [the administrative code]."<sup>23</sup>

- 4.10.2 The report continued: 'Authorities continued to confiscate the property of the Jehovah's Witnesses Administrative Center. In February the Syktyvkar City Court seized a house of worship after ruling the real estate agreement concluded in 2007 transferring the property to the Jehovah's Witnesses was void, and returned the building to the municipality.'<sup>24</sup>
- 4.10.3 The report further noted that, 'Among issues cited by the Jehovah's Witnesses were government seizures of properties valued at 79.2 million euros ... [approximately £64,836,500.00 ], which remained pending before the ECHR [European Court of Human Rights] at year's end.'<sup>25</sup>

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<sup>21</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2B), 10 June 2020

<sup>22</sup> JW.org, [Russian Court Bans JW Library App](#), 2 April 2021

<sup>23</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2B), 10 June 2020

<sup>24</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2B), 10 June 2020

<sup>25</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2B), 10 June 2020

## 4.11 Avenues of redress

### 4.11.1 Covering events of 2019, the USSD IRF Report 2019 stated:

‘The Office of the Director of Religious Issues within the Office of the Federal Human Rights Ombudsman handles complaints about the government’s actions on religious freedom. The ombudsman may intercede on behalf of those who submit complaints; however, the ombudsman may not compel other government bodies to act or directly intervene in complaints not addressed to the government.

‘The law entitles individuals and organizations to take religious freedom cases to the European Court of Human Rights (ECHR) in Strasbourg. The state must pay compensation to a person whose rights were violated as determined by the ECHR and ensure his or her rights are restored to the extent possible. The Constitutional Court determines whether judgments by international and regional courts, including the ECHR, are consistent with the constitution.’<sup>26</sup>

### 4.11.2 In March 2016, Radio Free Europe/Radio Liberty (RFE/RL) noted that ‘Legislation signed by President Vladimir Putin in December 2015 allows Russia, in its eyes, to disregard rulings by courts including the European Court of Human Rights (ECHR) if they are deemed to be in contravention of the Russian Constitution.’<sup>27</sup>

### 4.11.3 On 18 June 2020, the Council of Europe published an article which stated:

‘The Council of Europe’s body of constitutional legal experts, the Venice Commission, has published an opinion adopted today by written procedure on the draft amendments to the Russian Constitution related to the execution in the Russian Federation of decisions by the European Court of Human Rights...

‘The Venice Commission is concerned that the proposed amendments entrench in the Constitution and enlarge the possibilities for the Russian Constitutional Court to declare that decisions of interstate bodies adopted on the basis of provisions of international treaties of the Russian Federation which collide with the Constitution may not be executed in the Russian Federation. The proposed amendments use the notion “contrary to the Constitution”, which is too broad a formula, broader than that of current Article 79 of the Constitution (“limit[ing] the rights and freedoms of the individual and the citizen or contradict[ing] the fundamentals of the constitutional system of the Russian Federation”).’<sup>28</sup>

## 4.12 Military service

### 4.12.1 The USSD IRF Report 2019 explained:

‘Military service for men between the ages of 18 and 27 is compulsory, but the constitution provides for alternative service for those who refuse to bear

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<sup>26</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>27</sup> RFE/RL, [Russian High Court Examines Challenge To European Court Ruling](#), 31 March 2016

<sup>28</sup> Council of Europe, [Venice Commission of the Council of Europe ...](#), 18 June 2020



arms for reasons of conscience, including religious belief. The standard military service period is 12 months, while alternative service is 18 months in a Ministry of Defense agency or 21 months in a nondefense agency. Failure to perform alternative service is punishable under the criminal code, with penalties ranging from an 80,000 rubles (\$1,300) [approximately £947] fine to six months in prison.<sup>29</sup>

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#### 4.13 Migration from Russia

4.13.1 The USSD IRF Report 2019 stated, 'According to the European Association of Jehovah's Witnesses, while exact numbers were unavailable, 5,000 to 10,000 adherents had fled the country in fear of persecution since the start of the government's crackdown and related societal violence in 2017.'<sup>30</sup>

4.13.2 See ['Wanted' list](#) for further information about Jehovah's Witnesses who have left Russia.

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Section 5 updated: 16 April 2021

### 5. State treatment

#### 5.1 Attitude of those in authority

5.1.1 Reporting in November 2020 on state action against the Jehovah's Witnesses, the BBC stated, 'In December 2018 Russian President Vladimir Putin said he could not understand why followers of the religion were being persecuted.

'The Russian Orthodox Church welcomed the ban in 2017. A senior Orthodox cleric, Metropolitan Hilarion, called the Jehovah's Witnesses a "totalitarian sect" on Russian TV.'<sup>31</sup>

5.1.2 On 9 January 2020, Human Rights Watch reported: 'In his December 2018 meeting with the Presidential Human Rights Council, Putin said that people of all faiths should be treated equally, and that it was "nonsense" to treat people who practice faiths that are not "traditional" for Russia like members of "destructive" organizations. He said he was not aware of the Jehovah's Witnesses prosecutions and that he would speak with the chair of Russia's Supreme Court to analyze the matter.'<sup>32</sup>

5.1.3 CPIT was unable to find information about a meeting between President Putin and the chair of Russia's Supreme Court at the time of publishing this report.

5.1.4 In November 2020, Radio Free Europe/Radio Liberty reported that 'For decades the Jehovah's Witnesses have been viewed with suspicion in Russia, where the dominant Orthodox Church is championed by President Vladimir Putin.'<sup>33</sup>

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<sup>29</sup> USSD, [2019 International Religious Freedom report: Russia](#) (section 2), 10 June 2020

<sup>30</sup> USSD, [2019 International Religious Freedom report: Russia](#) (section 2), 10 June 2020

<sup>31</sup> BBC, [Russian police raid Jehovah's Witnesses' homes](#), 24 November 2020

<sup>32</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>33</sup> RFE/RL, [More Jehovah's Witnesses Sentenced \[...\]](#), 30 November 2020

## 5.2 Profile of persons targeted

### 5.2.1 In January 2020, Human Rights Watch noted:

‘Most of those targeted are men, though at least 39 women have faced charges. Most targeted are middle-aged, although ages have ranged from an 89-year-old woman named as a suspect in a December 2019 criminal investigation in Stavropol region and an 85-year-old woman on trial in Vladivostok to a 19-year-old woman in Sverdlovsk region charged in May 2019.

‘Most are charged under art. 282.2 of the criminal code, for either organizing or participating in the activities of an organization banned by a court as “extremist.”’<sup>34</sup>

### 5.2.2 The Criminal Code is available [here](#).

### 5.2.3 In November 2020, the website Jehovah’s Witnesses in Russia noted:

‘Dozens of elderly people, as well as about a hundred women, were under the pressure of the authorities. The oldest are Rimma Vashchenko from Nevinnomyssk (90) and Yelena Zayshchuk from Vladivostok (86). The presence of underage children among believers also does not stop the law enforcement agencies: 74 parents of underage children, including parents of 4 families with many children, were persecuted. Some criminal defendants themselves only recently reached adulthood. Yegor Baranov from Khabarovsk Territory and Darya Dulova from Sverdlovsk Region faced reprisals when they were 19.’<sup>35</sup>

### 5.2.4 In the English summary of its February 2021 report on Jehovah’s Witnesses in Russia, Landinfo noted that most of the persons charged are men aged 30 to 55 years, but women and young people have also been affected. The most severe penalties are given to those who have organized the activity which includes arranging a meeting or a religious service at home<sup>36</sup>.

### 5.2.5 See [Charges, prosecutions and sentencing](#) for further information on this subject.

## 5.3 Introduction: actions taken against Jehovah’s Witnesses

### 5.3.1 In November 2020, the website Jehovah’s Witnesses in Russia reported:

‘In 3.5 years after the liquidation of all Jehovah’s Witnesses groups, the number of innocent victims exceeded four hundred. From Kamchatka to Kaliningrad, law-abiding believers are accused of “extremism.” They lose calmness, freedom, health, and property only because they read the Bible, sing songs, and pray to Jehovah God.

‘As of the end of October 2020, ten believers are kept in a penal colony, 38 are in pre-trial detention centers, 26 are under house arrest, 24 are under

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<sup>34</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>35</sup> JWs in Russia, [400 victims of a legal collusion...](#), 3 November 2020

<sup>36</sup> Landinfo, [‘Temanotat Rusland Jehovas Vitner’](#) (summary), 15 February 2021



the prohibition of certain actions and about 200 are under subscription about not leaving. In 1,166 believers' families, the searches took place.

‘ ...

‘The resulting stress undermines the health of innocent people. Four died while under investigation: Yuriy Geraskov died a week before the trial, Viktor Malkov — a year after his arrest, the mother of two children Irina Sidorova — 3 months after the initiation of the case, Yuriy Kim — after the first visit to the court, the same evening.’<sup>37</sup>

5.3.2 The Russian NGO Memorial, which studies repressions in the USSR and in present-day Russia, published a [List of individuals recognised as political prisoners by MEMORIAL human rights centres](#) on 30 October 2020. This document includes a list of ‘individuals persecuted in connection with the activities of Jehovah’s Witnesses’ (page 64).

5.3.3 In a speech on 4 March 2021 at the Organisation for Security and Co-operation in Europe (OSCE) Permanent Council, Neil Bush, the head of the UK’s delegation to OSCE, said:

‘The 2017 ruling of the Russian Supreme Court, which rejected the appeal against the decision to categorise Jehovah’s Witnesses as “extremists”, criminalised the peaceful worship of 175,000 Russian citizens and contravened the right to religious freedom that is enshrined in the Russian Constitution, and in multiple OSCE commitments. Since that 2017 ruling, we have witnessed an increasing number of detentions, criminal investigations and prosecutions of Jehovah’s Witnesses across Russia, including the arrest and sentencing of Valentina Baranovskaya and Roman Baranovskiy on 24 February, and the sentencing of Aleksandr Ivshin on 10 February. Such cases reinforce the impression of an organised campaign of persecution against Jehovah’s Witnesses.’<sup>38</sup>

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## 5.4 Surveillance

5.4.1 In October 2020, the website Jehovah’s Witnesses in Russia reported that security officials have been conducting covert surveillance of believers since 2017<sup>39</sup>.

5.4.2 In January 2020, Human Rights Watch reported that the authorities had conducted surveillance of persons whose homes they subsequently raided: ‘In many cases, including those Human Rights Watch documented, the authorities had been conducting surveillance on people for months, including recording or photographing them at prayer meetings, praying, singing, or reading.’<sup>40</sup>

5.4.3 On 26 March 2021, Foreign Policy stated, ‘A remarkable amount of resources, including wiretapping and extensive surveillance, has been used in the hopes of catching someone in the act of discussing their faith or the

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<sup>37</sup> JWs in Russia, [400 victims of a legal collusion...](#), 3 November 2020

<sup>38</sup> FCDO, [‘Deteriorating human rights situation in Russia: UK statement’](#), 4 March 2021

<sup>39</sup> JWs in Russia, [The Court left Konstantin Bazhenov...](#), 28 October 2020

<sup>40</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

Bible with another person, acts which are deemed extremist under the Russian law.<sup>41</sup>

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## 5.5 Raids

### 5.5.1 The USSD IRF Report 2019 stated:

'Jehovah's Witnesses stated the Investigative Committee, Federal Security Service (FSB) agents, officers of the Interior Ministry's Center for Countering Extremism, police officers, and riot police carried out raids in the homes and places of worship of Jehovah's Witnesses in 44 regions between January 2018 and October 2019. Citing Jehovah's Witness sources, Human Rights Watch reported 491 raids on homes and apartments during the year, compared to 289 in 2018. According to Jehovah's Witness sources, during these raids, authorities entered homes, often in the early morning, and conducted unauthorized, illegal searches, and verbally and physically abused members. Authorities often entered the residences by forcing open the door. They held individuals, including children and the elderly, at gunpoint and seized personal belongings, including religious materials, personal correspondence, money, mobile phones, and other electronic devices.

'According to Jehovah's Witnesses, on April 19, agents from the Center for Countering Extremism and FSB agents disrupted a religious meeting in the home of an 81-year-old adherent and searched her home for five hours, during which the woman fell ill and required medical attention. On April 3 in Porkhov, Jehovah's Witnesses reported masked FSB agents dressed in camouflage broke into the apartment of one Jehovah's Witness couple. They struck the man several times on the head and legs and knocked him to the floor. Officers accessed his online accounts and seized electronic devices and money. They took the couple into custody and interrogated them. Authorities charged the man with participating in the activities of an extremist organization. The Jehovah's Witnesses also reported that on October 10 in Sochi, groups of armed and masked security officers, some with dogs, conducted 36 home searches of Jehovah's Witnesses. Authorities took Vyacheslav Popov and Nikolay Kuzichkin into custody and charged them with "organizing the activity of a banned extremist organization."<sup>42</sup>

### 5.5.2 In October 2019, Forum 18 observed:

'Between January 2018 and October 2019, officers have conducted raids [on the homes of Jehovah's Witnesses] in the following 44 of Russia's 83 federal subjects (not counting Crimea and Sevastopol): Amur, Arkhangelsk, Republic of Bashkortostan, Belgorod, Bryansk, Dagestan, Ivanovo, Jewish Autonomous Region, Kaluga, Kamchatka, Republic of Kareliya, Kemerovo, Khabarovsk, Republic of Khakasiya, Khanty-Mansi Autonomous Region, Kirov, Kostroma, Krasnodar, Krasnoyarsk, Magadan, Mari El Republic, Republic of Mordoviya, Moscow Region, Murmansk, Nizhny Novgorod, Novosibirsk, Omsk, Orenburg, Oryol, Penza, Perm, Primorye, Pskov, Rostov, Republic of Sakha-Yakutiya, Sakhalin, Saratov, Smolensk,

<sup>41</sup> Foreign Policy, [Why is Putin afraid of Jehovah's Witnesses?](#), 26 March 2021

<sup>42</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

Stavropol, Sverdlovsk, Republic of Tatarstan, Tomsk, Ulyanovsk, and Volgograd.<sup>43</sup>

5.5.3 In January 2020, Human Rights Watch reported that ‘Local police carried out ... house raids, often with armed and masked Rosgvardia (National Guard) personnel, special rapid reaction police, and Federal Security Service (FSB) officers. They confiscated Bibles and other religious materials, computers, phones, and other personal items and rounded up residents for questioning.’<sup>44</sup>

5.5.4 In the same report of January 2020, Human Rights Watch stated:

‘The Jehovah’s Witnesses organization has recorded 780 search-and-seizure raids on Jehovah’s Witnesses’ homes and apartments in Russia since 2018. Of these, 491 took place in 2019, and in October 2019 alone, there were 83 house raids across Russia, the highest monthly count since 2017.

‘In some cases reported by the media, law enforcement forces carried out multiple raids across a city in a single day. For instance, over 30 home raids took place on July 17, 2019 in Nizhniy Novgorod and about 20 on October 10 in Sochi.

‘Many raids took place very early in the morning. ...

‘Jehovah’s Witnesses and their families said they felt shocked, confused, and psychologically pressured when armed men showed up at their door. In most cases HRW documented, the raids were conducted by two vanloads of law enforcement personnel, each with 6 to 10 people. Tatiana Budenchuk, however, said that at least 25 officers were present during the raid on her home in June 2018.

‘ ...

‘Some people said they had no time to dress fully and had to sit for hours while their homes were searched and ransacked. Irina Bazhenova said that during the raid, which lasted more than six hours, her husband was kept in handcuffs, and neither of them was allowed to use the bathroom. Klimova said she and her husband were forced to stand against the wall guarded by armed men while officers searched her home, and Tatiana Alushkina said she and her husband had to stand with their hands behind their backs while their homes were searched.

‘ ...

‘Some of the people said they live in quiet residential areas, where the presence of the police vans drew attention to their home.

‘In most cases, law enforcement showed a search warrant, but in the chaos of the raids, residents had little time to read the document. Alushkina recalled that when 10 men, three masked and armed, showed up at her home on July 15, 2018 they showed a document to her husband, but she did not see it.

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<sup>43</sup> Forum 18, [RUSSIA: Jehovah's Witness criminal cases - list](#), 11 October 2019

<sup>44</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

'In most cases reported by the Jehovah's Witnesses, the places raided were homes, including those where Jehovah's Witnesses had held Bible study or worship. A few of the raids were during informal prayer gatherings.

'Alushkina said that on July 15, 2018, she was hosting a few friends in her home in Penza for Bible study when the men burst into the room where her husband, Vladimir, was reading the Bible. They showed him a warrant, put his hands behind his back, and searched the house for four hours, after which they took the couple into custody for questioning. "It was difficult to understand at the time what was happening and who they were, but we were taken to the ... 'Tsenter E' [Anti-Extremism Department], where we were all interrogated," Alushkina said.

'Criminal charges were eventually filed against Alushkin and several other men present that day, as well as against Alushkina. She was among the four co-defendants in the case who received a suspended two-year sentence on December 13, 2019.

'In October 2019 police raided a campsite in Norilsk, where more than 50 Jehovah's Witnesses followers had gathered to pray. Members of the Jehovah's Witnesses community close to those at the campsite said that 15 armed and masked special operations police stormed loudly into the camp, photographed worshipers, and forced them to hand over all electronic devices and to write down their passcodes.

'During raids, officers typically confiscated personal belongings, many of which have not been returned. These include smartphones, tablets, computers, flash and hard drives, and any religious materials, including Bibles, song books, and religious texts.

'Elvira Gridasova, from Saratov, said, "They took old phones, my daughter's old phone that we had at our house, postcards, letters, photos..."

'Two Jehovah's Witnesses from different regions said that police also took their bank cards, and one said they took money. One person said the officers took their passport but returned it later.

"They took my Sberbank card," said Nadezhda German. "That was my only way to pay for our vacation. We were preparing to go to Georgia, but of course we were unable to go after this." ... Reporting by Novaya Gazeta and Kommersant about the February 2019 raid in Surgut also included accounts of police confiscating Jehovah's Witnesses' bank cards.

'The authorities have demanded people's phone passcodes and personal information. According to Yaroslav Sivulskiy, press secretary for the Jehovah's Witnesses in Russia, during the raid on the worship camp in Norilsk, police also demanded passcodes from children.<sup>45</sup>

- 5.5.5 On 30 November 2020, RFE/RL reported that 'Russia's Investigative Committee said it had arrested several Jehovah's Witnesses and carried out raids of their homes across the country' in the previous week<sup>46</sup>.

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<sup>45</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>46</sup> RFE/RL, [More Jehovah's Witnesses Sentenced \[...\]](#), 30 November 2020

- 5.5.6 On 30 November 2020, the website Jehovah’s Witnesses in Russia reported: ‘On November 24, 2020, during raids in Moscow, law enforcement officers hit the head of 49-year-old Vardan Zakaryan with an automatic rifle buttstock. After the strike and blood loss, the believer was hospitalized and was in custody.’<sup>47</sup> The same article reported that Mr Zakaryan was discharged from hospital ‘at the insistence of the security forces’ on 26 November and interrogated. On 30 November the court released Zakaryan under house arrest and he appealed against the law enforcement officers’ actions to the prosecutor’s office<sup>48</sup>.
- 5.5.7 See [Interrogation](#) for further information about Mr Zakaryan’s case.
- 5.5.8 On 16 December 2020, RFE/RL reported that the authorities had raided over 440 homes Jehovah’s Witnesses up to that point during the year<sup>49</sup>.
- 5.5.9 On 26 March 2021, Foreign Policy stated that law enforcement had raided the homes of more than 1,300 Jehovah’s Witnesses since 2017<sup>50</sup>. The website Jehovah’s Witnesses in Russia gave a total of 1,369 homes of Jehovah’s Witnesses searched as of 1 April 2021<sup>51</sup>.

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## 5.6 Allegedly planted material

- 5.6.1 In December 2016, the website Jehovah’s Witnesses in Russia alleged that state officials had planted banned materials on Jehovah’s Witnesses: ‘Accumulated evidence that law enforcement and cooperating with them have been systematically throw to publications services included in the Federal List of Extremist Materials (FSEM). ... ‘In some cases, the courts, having figured it out, make decisions restoring justice.’<sup>52</sup>
- 5.6.2 In 2016, the website stated: ‘About fifty believers in the large hall of the Supreme Court applauded the unanimous decision of the panel of judges to refuse the prosecutor’s office to liquidate and recognize the extremist local religious organization of Jehovah’s Witnesses in Tyumen. The believers’ lawyers insisted that the evidence in the case had been falsified. We are talking about false testimony and the planting of “extremist” materials, which have become widespread practice.’<sup>53</sup>
- 5.6.3 In October 2020, the same website reported on the case of 6 believers from Saratov who received prison sentences, stating that banned literature had been planted in their homes<sup>54</sup>.

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<sup>47</sup> JWs in Russia, [‘With the rear of a rifle to the head.’ ...](#), 30 November 2020

<sup>48</sup> JWs in Russia, [‘With the rear of a rifle to the head.’ ...](#), 30 November 2020

<sup>49</sup> RFE/RL, [‘Unconscionable:’ Jehovah’s Witnesses sentenced to six years ...](#), 16 December 2020

<sup>50</sup> Foreign Policy, [Why is Putin afraid of Jehovah’s Witnesses?](#), 26 March 2021

<sup>51</sup> JWs in Russia, [Imprisoned for Their Faith](#), 1 April 2021

<sup>52</sup> JWs in Russia, [Why is Banned Literature Planted on...](#), 9 December 2016

<sup>53</sup> JWs in Russia, [Russian Supreme Court denies prosecutor’s office...](#), 15 April 2016

<sup>54</sup> JWs in Russia, [The Court left Konstantin Bazhenov...](#), 28 October 2020

## 5.7 Arrests

- 5.7.1 In the report of January 2020, Human Rights Watch noted that not all Jehovah's Witnesses were arrested following a raid of their home:

'In some cases, the authorities detained Jehovah's Witnesses in other settings. For example, Novaya Gazeta reported that on June 12 [2019], police in Saratov arrested Makhmadiyev and his wife, Zhenya, in a parking lot near a shopping center. Alexey Stupnikov and his wife, Olga, were arrested at the airport at 4 a.m. just before boarding a flight in Krasnoyarsk on July 3, 2018. Throughout that day, 12 raids took place in the city.'<sup>55</sup>

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## 5.8 Interrogation

- 5.8.1 In October 2019, Forum 18 observed, 'Increasingly in 2019, investigators have opened cases against individuals without arresting them or raiding their homes, but simply summoning them for questioning.'<sup>56</sup>

- 5.8.2 In the report of January 2020, Human Rights Watch reported that persons whose homes had been raided were subsequently interrogated:

'In some of the cases documented, interrogations lasted for hours and were extremely stressful. Bazhenova [Irina Bazhenova, a Jehovah's Witness whose house was raided] said her interrogation lasted four or five hours. She said that two men in front of her asked questions, while two more men stood behind her, which she recalls as both intimidating and stressful.

'Klimova [Yulia Klimova, whose husband, Sergei Klimov, was sentenced to six years' imprisonment] from Tomsk, recalled a particularly stressful interrogation. Immediately following the raid on her home on June 3, 2018, she was held in FSB [Federal Security Service] custody, along with many others whose homes had been raided that day. They were held six to a room without food and water for nearly 12 hours. By the time she was released at 2:30 a.m., she needed medical attention due to the emotional and physical strain.

' ...

'Most of the seven women interviewed whose husbands who were later charged said they did not have a lawyer present during their own initial interrogations. Alushkina [Tatiana Alushkina, a Jehovah's Witness whose home was raided] was charged after her interrogation with participating in an extremist organization, for which a court in Penza issued a two-year suspended sentence on December 13, 2019.

'In most cases, people who faced criminal charges had access to lawyers following their detention. However, Stupnikova [a Jehovah's Witness] said that her husband, Andrei, did not have a lawyer until 12 hours after his arrest.

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<sup>55</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>56</sup> Forum 18, [RUSSIA: Jehovah's Witness criminal cases - list](#), 11 October 2019



'Gridasova [Elvira Gridasova, a Jehovah's Witness from Saratov] said that she and her husband were detained together for questioning, but that her interrogation lasted only about 90 minutes, after which she was released. She then spent 12 hours seeking information before she was finally told her husband's whereabouts.

'Law enforcement personnel asked questions about the detainees' religion, the names of participants and leaders, and what they do during meetings. Most people interviewed said they cited art. 51 of the Russian constitution, which guarantees the right not to give self-incriminating evidence or evidence incriminating a close relative, often to the frustration of interrogators.

'Several people said that their interrogators handed them statements to sign pledging not to participate in an "extremist" religious organization.

'During the Budenchuks' interrogation, a senior investigator twice threatened to have their children taken away from them. At the start of the questioning, "when we were husband and wife being interrogated together, he threatened to take our children from us," Tatiana Budenchuk said. She said the investigator directed the threat at her husband, "to scare him." He repeated it again at the end of her interrogation. No further action was taken on these threats.'<sup>57</sup>

- 5.8.3 On 30 November 2020, the website Jehovah's Witnesses in Russia reported on the case of Vardan Zakaryan, whose home was raided by security forces on 24 November 2020. Mr Zakaryan was hit on the head with a rifle butt during the raid, and was taken to hospital, where he was diagnosed with traumatic encephalopathy as a result of having been hit. The article continued:

'On November 26, at the insistence of the security forces, Zakaryan was discharged from the hospital - he was taken to investigator D. Smadich, who at night conducted an interrogation and brought charges against the believer. On November 27, he was taken to court to decide on the measure of restraint, the judge extended the detention period. From the court building, the weakened Zakaryan was taken to a temporary detention center, where they exerted strong psychological pressure on him, trying to force him to incriminate his fellow believers and take the blame for extremism.

'On November 30, the Presnensky District Court of Moscow ruled to release Vardan Zakaryan from prison and put him under house arrest until January 23. As soon as the believer was released, he filed a complaint with the prosecutor's office about the illegal use of force by law enforcement officers.'<sup>58</sup>

- 5.8.4 See [Raids](#) and [Complaints against the authorities](#) for further information on these subjects.

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<sup>57</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>58</sup> JWs in Russia, ['With the rear of a rifle to the head.'...](#), 30 November 2020

## 5.9 Pre-trial detention and house arrest

5.9.1 In October 2019, Forum 18 noted the usual steps taken once a person has been questioned by the authorities:

‘Such questioning can last for several hours, after which most people are released (some under travel restrictions). Others are kept in temporary detention until investigators decide whether to apply to a court for longer-term restrictive measures – they must do this within 48 hours of the initial detention.

‘A judge then decides whether to grant an investigator's request to place an individual in detention or under house arrest. An initial period of detention/house arrest lasts for two months from the date the criminal case was opened (usually on or shortly before the date of the raid). Towards the end of this period, investigators must apply to the court again to seek an extension. Detainees themselves may appeal to a higher court to have these restrictive measures lifted or reduced – on occasion, such appeals have been successful.’<sup>59</sup>

5.9.2 In the same article, Forum 18 reported on ‘245 Jehovah's Witnesses across Russia facing criminal prosecution on extremism-related charges for exercising freedom of religion or belief.’ Of these:

‘Thirty-three people are known to be in pre-trial detention (seven women, 26 men). Two people have been ordered to be detained but have fled the country. Another 27 are under house arrest (5 women, 22 men) and 89 under travel restrictions (28 women, 61 men). Officials have placed 22 people (1 woman, 21 men) under specific sets of restrictions (such as not being allowed to go out at night or use the telephone or internet). One woman and six men are under an obligation to appear before investigators promptly when summoned. Sixty people (15 women, 45 men) appear to be under no restrictions. The status of a further five people (one woman, four men) is currently unknown.’<sup>60</sup>

5.9.3 In October 2019, Forum 18 [published a list](#) of Jehovah's Witnesses both in pre-trial detention and under house arrest at that time.

5.9.4 Human Rights Watch reported on detainees in January 2020:

‘In late December [2019], 12 people were released from pretrial detention pending trial, including two people who had been detained for 521 days. At least 23 of those under criminal investigation remain in pretrial detention. Since the crackdown began in 2017, almost 150 people have spent time in pretrial custody, 41 for six months or more, according to data provided by the Jehovah's Witnesses organization. Andrzej Oniszczyk, a Polish citizen, spent 344 days in pretrial detention in Kirov, until his release in September 2019, pending trial. During this time, he was unable to see his wife or family. At least 28 are being held under house arrest.’<sup>61</sup>

5.9.5 The same report noted that:

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<sup>59</sup> Forum 18, [RUSSIA: Jehovah's Witness criminal cases - list](#), 11 October 2019

<sup>60</sup> Forum 18, [RUSSIA: Jehovah's Witness criminal cases - list](#), 11 October 2019

<sup>61</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020



‘Of those facing criminal charges, 28 are under house arrest and many others have been released on their own recognizance, and ordered not to travel outside their city.

‘One man who was under house arrest from March 1 to July 2, 2019 was, after his house arrest was lifted, prohibited from using the phone or internet, or interacting with other Jehovah’s Witnesses before his trial.

‘Alushkina said that due to her husband’s house arrest, he was unable to do his job as a carpenter and said that emotional and financial support from family and friends had been important. Gridasova said that during the first days of her husband’s house arrest she felt “like we weren’t able to even live; we felt like we were being watched.”<sup>62</sup>

5.9.6 The website Jehovah’s Witnesses in Russia stated that, as of 1 April 2021, 40 Jehovah’s Witnesses were in pre-trial detention in prison at that time and 30 had been placed under house arrest since 2017<sup>63</sup>.

5.9.7 The Russian NGO Memorial [published an \(undated\) list](#)<sup>64</sup> of Jehovah’s Witnesses detained and awaiting sentencing or under house arrest and awaiting sentencing.

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## 5.10 Charges, prosecutions and sentencing

5.10.1 In the ‘Freedom in the World 2020’ report, published in March 2020 and covering the year 2019, Freedom House noted:

‘In February 2019, Danish-born Jehovah’s Witness Dennis Christensen was the first to receive a prison term for extremism. By the end of 2019, another eight Jehovah’s Witnesses were given prison sentences, ranging from two to six years. In November, the group claimed 251 members faced criminal charges (with 41 in pretrial detention or prison, 23 under house arrest, and at least 100 facing other restrictions).’<sup>65</sup>

5.10.2 The USSD IRF Report 2019 stated:

‘The SOVA Center [SOVA Center for Information and Analysis, a Russian NGO based in Moscow] reported criminal charges against Jehovah’s Witnesses were initiated in 21 new regions, meaning criminal prosecutions were ongoing in 52 regions at year’s end. The SOVA Center stated authorities accused 313 individuals of belonging to the group and filed charges against 213 of them during the year. Jehovah’s Witnesses reported as of November, 287 members were subject to ongoing criminal prosecution. Of these, 46 adherents were in pretrial detention, 23 were under house arrest, and at least 135 were under travel restrictions.

‘According to the SOVA Center and Jehovah’s Witnesses representatives, 18 Jehovah’s Witnesses were convicted of extremism for practicing their religion during the year in criminal cases; nine of them were sentenced to prison, including three who received six years in a penal colony. The

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<sup>62</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>63</sup> JWs in Russia, [Imprisoned for Their Faith](#), 1 April 2021

<sup>64</sup> Memorial, [List of those prosecuted for belonging to Jehovah's Witnesses \(updated\)](#), no date

<sup>65</sup> Freedom House, [Freedom in the world 2020](#), 4 March 2020

remainder received suspended sentences, probation, fines, and/or community service. According to media and Jehovah's Witnesses sources, on February 6, a judge in Oryol sentenced Danish citizen Dennis Christensen to six years in prison, making him the first Jehovah's Witness to receive a prison term for "organizing the activity of a banned extremist organization." Authorities had detained Christensen since May 2017. On May 23, the Oryol Regional Court denied his appeal and on June 6 authorities transferred him to a penal colony in Lgov, Kursk Region.

'Media and Jehovah's Witness representatives said that in September the Leninsky District Court in Saratov sentenced six Jehovah's Witnesses to prison terms of between two and 3.5 years for organizing the activity of a banned extremist organization. In November a judge in Tomsk sentenced local resident Sergei Klimov to a six-year prison sentence for the same offense. Klimov had been held in pretrial detention since June 2018. In December a court in Penza sentenced Vladimir Alushkin to six years in prison, also for organizing the activity of a banned extremist organization.

'According to the international human rights NGO Forum 18, a court in Khabarovsk sentenced Valery Moskalenko to two years' forced labor followed by six months' probation [a period during which any other conviction would send the defendant to prison<sup>66</sup>] for "participating in the activity of a banned extremist organization." Forum 18 reported the prosecution based its argument on a 10-minute recording of Moskalenko reading Jesus' Sermon on the Mount at a Jehovah's Witnesses gathering.'<sup>67</sup>

- 5.10.3 The USSD HR Report 2019 report noted that 'As of December [2019], nine members of Jehovah's Witnesses had received jail sentences of up to six years for taking part in the activities of a banned extremist organization, and between 200 and 300 individuals were under criminal investigation.'<sup>68</sup>
- 5.10.4 In October 2019, Forum 18 [published a list](#) of Jehovah's Witnesses for whom trials had been completed at that time, and the outcome of those trials (see 'Trials already completed').
- 5.10.5 In November 2020, the website Jehovah's Witnesses in Russia reported on penalties handed to Jehovah's Witnesses since they were declared to belong to an extremist organisation in 2017:

'Several believers received severe sentences for exercising their constitutional right to freedom of religion. Dennis Christensen from Oryol, Sergey Klimov from Tomsk, as well as Artem Gerasimov and Sergey Filatov from Crimea each, received 6-year sentences. For 3.5 years, the colony was appointed Konstantin Bazhenov and Aleksey Budenchuk. Feliks Makhammadiyev was sent to prison for 3 years, and Gennadiy German, Roman Gridasov, and Aleksey Miretskiy — for 2 years. All these 10 believers have already been sent to the colony. In addition, Sergey Britvin and Vadim Levchuk were sentenced to 4 years in a general regime colony, but their sentence has not yet entered into force and they are in a detention center.

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<sup>66</sup> Forum 18, '[Extremist organisation' trial outcomes...](#), 25 November 2020

<sup>67</sup> USSD, [2019 International Religious Freedom report; Russia](#) (section 2), 10 June 2020

<sup>68</sup> USSD, [2019 Country Report on HR Practices; Russia](#) (section 2.B), 11 March 2020

'In addition, a number of believers were sentenced to suspended imprisonment and fines. For example, the spouses Sergei and Valeria Raiman from Kostroma, Gennady Shpakovsky from Pskov ... and Igor Ivashin from Yakutia ... were conditionally assigned to 8 and 7 years in prison. The largest fine, 700 thousand rubles [approximately £6,970.60], was awarded to Yevgeny Spirin, a car mechanic from Ivanovo.

'At the end of October 2020, 12 believers were sentenced to imprisonment, 9 — to payment of large monetary fines. In total 27 criminal cases were solved, 148 are still under investigation. As a rule, the investigation lasts for years. While waiting for their cases to be heard, more than half of the 400 defendants, ranging from a few days to three years, were kept in pre-trial detention centers or other detention facilities. 15 believers spent in the pre-trial detention center for more than one year. Yury Saveliev, 66, has been in detention for about two years. Dennis Christensen remains behind bars the longest — for almost 3.5 years.'<sup>69</sup>

5.10.6 On 28 October 2020, Jehovah's Witnesses in Russia reported on the case of 6 believers from Saratov:

'In September 2019, Judge Dmitry Larin immediately sent 6 Saratov residents to prison for a term of 2 to 3.5 years just for reading the Bible, singing songs and praying. Since 2017, security officials have been conducting covert surveillance of believers. In the summer of 2018, their homes were searched with banned literature planted. While the investigation was underway, they had to go to a pre-trial detention center, under house arrest and a recognizance not to leave. A year later, despite the absence of victims in the case, they were found guilty.'<sup>70</sup> The same article noted that, 'Five have filed petitions for early release. At the moment, one of them, Bazhenov, was refused, despite a positive testimony from the colony.' The article explained that this was because he had been convicted of extremist activity<sup>71</sup>.

5.10.7 In November 2020, RFE/RL reported:

'Several Jehovah's Witnesses have been sentenced in Russia for being members of the religious group that Moscow has labeled as extremist and banned in the country.

'A court in the Siberian city of Omsk, on November 30, sentenced 48-year-old Sergei Polyakov to three years in prison after finding him guilty of "organizing the activities of an extremist group."

'Polyakov's wife, Anastasia Polyakova and two other Jehovah's Witnesses, Dinara Dyusekeyeva and Gaukhar Bektemirova, were convicted of "taking part in the activities of an extremist group" and handed suspended two-year prison terms each.

'Their lawyer, Dmitry Kolobov, told RFE/RL after the sentences were pronounced that all of the convicted will appeal the court's rulings.'<sup>72</sup>

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<sup>69</sup> JWs in Russia, [400 victims of a legal collusion...](#), 3 November 2020

<sup>70</sup> JWs in Russia, [The Court left Konstantin Bazhenov ...](#), 28 October 2020

<sup>71</sup> JWs in Russia, [The Court left Konstantin Bazhenov ...](#), 28 October 2020

<sup>72</sup> RFE/RL, [More Jehovah's Witnesses Sentenced \[...\]](#), 30 November 2020

5.10.8 Human Rights Watch's World Report 2021 stated that 'In 2020, courts handed guilty verdicts to dozens of people for their religious activity as Jehovah's Witnesses, banned as extremist in Russia. At least 10 people are currently serving prison terms of up to six years, while 417 remain under criminal investigation, and 35 are in pre-trial detention. These figures include people arrested in Russia-occupied Crimea.'<sup>73</sup>

5.10.9 See [Crimea](#) for further information on this subject.

5.10.10 On 25 November 2020, Forum 18 published an article which stated:

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

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

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

'Eight Jehovah's Witnesses ... are already serving terms in general-regime labour camps (ispravitelniye kolonii, "correctional colonies").'<sup>74</sup>

5.10.11 The same article reported the sentences given to Jehovah's Witnesses:

'After being kept under FSB security service or police surveillance for some months, most targeted Jehovah's Witnesses are prosecuted for "organising" (Criminal Code Article 282.2, Part 1), or "participating in" (Part 2), "the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity".

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

'Possible punishments under Criminal Code Article 282.2 are:

Part 1 – six to ten years' imprisonment; or a 400,000 to 800,000 Rouble [approximately £3,983.20 to £7,966.40] fine;

Part 2 – two to six years' imprisonment; a 300,000 to 600,000 Rouble

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<sup>73</sup> HRW, [World Report 2021](#), 13 January 2021

<sup>74</sup> Forum 18, ['Extremist organisation' trial outcomes...](#), 25 November 2020

[approximately £2,987.40 to £5,974.80] fine; or one to four years' assigned labour.

'Several Jehovah's Witnesses have also been charged under Criminal Code Article 282.3, Part 1 ("Financing extremist activity"), apparently by continuing to collect donations for activities from fellow believers after the 2017 ban on Jehovah's Witness activity.

'Possible punishments under Criminal Code Article 282.3, Part 1 are four to eight years' imprisonment; a 300,000 to 700,000 Rouble [approximately £2,987.40 to £6,970.60] fine; or two to five years' assigned labour.

'Other charges have been brought against Jehovah's Witnesses ... under Criminal Code Article 282.2, Part 1.1 ("Inclination, recruitment or other involvement of a person in an extremist organisation").

'Possible punishments are four to eight years' imprisonment; a 300,000 to 700,000 Rouble [approximately £2,987.40 to £6,970.60] fine; or two to five years' assigned labour.

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

'Despite the similarities in the activities being prosecuted, trials have so far ended in a variety of sentences – from prison terms of several years, to suspended sentences of varying lengths, to a range of fines. There has also been one sentence of assigned labour, later changed to a fine.<sup>75</sup>

5.10.12 In the same article, Forum 18 noted that a suspended sentence may 'cripple' a person's financial and employment options. The article further expounded the implications of a suspended sentence:

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

'The Penal Enforcement Inspectorate (Ugolovno-ispolnitelnaya inspektsiya), a subdivision of the Federal Penitentiary Service (FSIN) is responsible (in cooperation with local Interior Ministry branches) for monitoring people serving suspended sentences, as well as those performing assigned labour and community service, and those under house arrest. The Inspectorate registers them, checks their compliance with the terms of their sentence, records any change of address, and may visit them at home with local police.<sup>76</sup>

5.10.13 The same article recorded the following fines:

'Zolotova [Vera Ivanovna Zolotova], who has now turned 74, is the oldest Jehovah' Witness to be convicted so far. Several other people in their 70s and 80s, some of them in poor health, are also on trial. Prosecutors had

<sup>75</sup> Forum 18, '[Extremist organisation' trial outcomes...](#), 25 November 2020

<sup>76</sup> Forum 18, '[Extremist organisation' trial outcomes...](#), 25 November 2020



requested that Zolotova (who spent her working life as a lathe turner and book-keeper) should be fined 400,000 Roubles [approximately £3,883.20], a huge sum for a pensioner in Kamchatka, where the average monthly state pension in 2020 is just over 22,000 Roubles [approximately £219.08].

‘Prosecutors requested a total joint fine of 1,200,000 Roubles [approximately £11,949.60] for the Bazhenovs (who were both teachers). The Bazhenovs and Zolotova have all been on the Rosfinmonitoring List since 11 October 2018.

‘...The six Ulyanovsk defendants are among several Jehovah's Witnesses whose assets have been seized during their prosecutions as surety against the possible non-payment of fines after conviction. Zasviyazhsky District Court has ordered the return of the property, which included cars and large sums of money. All six, however, remain on the Rosfinmonitoring List (Ganin since 30 May 2019, the others since 6 May 2019).’<sup>77</sup>

#### 5.10.14 The same article provided further information about fines:

‘Two Jehovah's Witnesses have also received large fines between late July and late November [2020]. On 28 July 2020, Furmanovo City Court (Ivanovo Region) fined Yevgeny Andreyevich Spirin (born 24 February 1986) 700,000 Roubles [approximately £6,970.60] under Article 282.2, Part 1. This is the largest individual fine yet imposed on a Jehovah's Witness for "organisation of the activities of an extremist organisation", but it was reduced to 500,000 Roubles [approximately £4,979] because of the 160 days Spirin had spent in detention.

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

‘Anatoly Mikhailovich Tokarev (born 31 December 1958), who was tried under both Article 282.2, Part 1 and Article 282.3, Part 1, received a fine of 500,000 Roubles [approximately £4,979] on 23 October 2020 at October District Court in Kirov. The latter charge, of "Financing extremist activity", was based on Tokarev's attempt to cover the utility costs of an empty Kingdom Hall. Because he had not spent any time in detention, his fine was not reduced. It is unknown when his appeal against his conviction will reach Kirov Regional Court.

‘Although Spirin, Tokarev, and other Jehovah's Witnesses who have received fines have not been imprisoned and are not subject to the restrictions and obligations on those who have suspended sentences, their convictions may still impose a heavy burden. The average monthly wage in 2020 stood at 29,015 Roubles [approximately £288.93] in Ivanovo Region, and at 31,729 Roubles [approximately £315.96] in Kirov Region.

‘Spirin and Tokarev are also on the Rosfinmonitoring "List of Terrorists and Extremists", to which Tokarev was added on 4 July 2019 and Spirin on 24 November 2020.’<sup>78</sup>

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<sup>77</sup> Forum 18, '[Extremist organisation' trial outcomes...](#), 25 November 2020

<sup>78</sup> Forum 18, '[Extremist organisation' trial outcomes...](#), 25 November 2020

5.10.15 In November 2020, Forum 18 [published a list](#) of those Jehovah's Witnesses convicted on extremism-related charges for exercising freedom of religion or belief, by category of punishment, up to that date. The Russian NGO Memorial [published an \(undated\) list](#)<sup>79</sup> of Jehovah's Witnesses sentenced to imprisonment or probation or who had had to pay a fine ('Penalty imposed').

5.10.16 In February 2021, RFE/RL published the following:

'A court in Russia's Krasnodar region has sentenced a 63-year-old Jehovah's Witness to 7 1/2 years in prison... The sentence is the harshest since authorities launched a campaign against the religious group after it was officially labeled as extremist and banned in the country in 2017.

'The Abinsk district court on February 10 found Aleksandr Ivshin guilty of the "organization of an extremist group's activities," and sentenced him the same day.

'Yaroslav Sivulsky of the European Association of Jehovah's Witnesses told RFE/RL on February 11 that this was the "harshest sentence ever given to a Jehovah's Witness in Russia" and is "equal to life imprisonment" given Ivshin's age.

"Aleksandr Ivshin is an old person and has medical problems. In fact, he was handed a prison term that might be longer than the time he will live," Sivulsky said.

'Ivshin pleaded not guilty, saying that his life principles are based on Bible teachings that do not include violence and extremism.

'Investigators say that Ivshin organized online Bible studies with other members of the group, which according to them, is a crime since the religious group is officially banned in the country.'<sup>80</sup>

5.10.17 The website Jehovah's Witnesses in Russia noted that, as of 1 April 2021, the following had taken place since 2017:

451 Jehovah's Witnesses had been charged under Article 282.2;

78 had been convicted;

190 had been formerly imprisoned;

211 had a recognizance agreement;

11 were in a penal colony<sup>81</sup>.

5.10.18 See [Pre-trial detention and house arrest](#) and [Detention](#) for further information on these subject.

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## 5.11 Acquittals

5.11.1 In November 2020, Forum 18 reported the following:

'On 7 October 2020, Yury Viktorovich Zalipayev (born 8 October 1962) became the first Jehovah's Witness to be acquitted of an extremism-related

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<sup>79</sup> Memorial, [List of those prosecuted for belonging to Jehovah's Witnesses \(updated\)](#), no date

<sup>80</sup> RFE/RL, [Russian Court gives Jehovah's Witness...](#), 11 February 2021

<sup>81</sup> JWs in Russia, [Imprisoned for Their Faith](#), 1 April 2021

offence since the summer of 2017. After a trial lasting more than two years, Judge Yelena Kudryavtseva of Maysky District Court (Republic of Kabardino-Balkariya) found him not guilty under Criminal Code Article 280, Part 1 ("Public calls for extremist activity"). Prosecutors had requested a sentence of two years' imprisonment.

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

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

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

'Officers of the FSB security service – and possibly other agencies - have also searched Zalipayev's home and those of other Jehovah's Witnesses in Maysky several times since May 2020, most recently on 12 November, and investigators have opened another criminal case under Criminal Code Article 282.2. So far, Zalipayev and the others who have been subjected to searches are being treated as witnesses. "Investigators, the FSB, and the police have not calmed down and don't even plan on doing so," lawyer Anton Omelchenko commented to Forum 18 on 12 November [2020].'<sup>82</sup>

- 5.11.2 In the same article, Forum 18 noted that 'No one has been acquitted, though judges have returned some cases to prosecutors, who later resubmit them. Defendants have sometimes succeeded in getting sentences reduced or having cases sent for retrial on appeal, though no conviction has yet been overturned.'<sup>83</sup>
- 5.11.3 In January 2021, the Jehovah's Witnesses website reported 'On January 25, 2021, the Supreme Court of the Kabardino-Balkarian Republic denied the prosecutor's appeal of the original October 7, 2020, verdict that found Brother Yuriy Zalipayev not guilty. The prosecution may choose to appeal this latest ruling. However, the not-guilty verdict is now enforced. Yuriy has been acquitted of all charges. He now has the right to seek compensation for being wrongfully accused.'<sup>84</sup>

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<sup>82</sup> Forum 18, ['Extremist organisation' trial outcomes...](#), 25 November 2020

<sup>83</sup> Forum 18, ['Extremist organisation' trial outcomes...](#), 25 November 2020

<sup>84</sup> JW.org, [Russian Appeal Court Upholds Brother Zalipayev's Not-Guilty Verdict](#), 25 January 2021



- 5.11.4 The Russian NGO Memorial [published an \(undated\) list](#)<sup>85</sup> of Jehovah's Witnesses who had been detained, were awaiting sentencing, had had other restrictions place upon them, or whose cases had been dismissed.

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## 5.12 'Wanted' list

- 5.12.1 In October 2019, Forum 18 reported, 'Nine people [who are Jehovah's Witnesses] are on the Interior Ministry's federal wanted list as their whereabouts are unknown. Two are known to have left Russia; three others have also fled the country but are not on the wanted list.'<sup>86</sup>
- 5.12.2 Forum 18 [published a list](#) of Jehovah's Witnesses for whom detention had been ordered in absentia as at October 2019.
- 5.12.3 See [Migration from Russia](#) for information about those Jehovah's Witnesses who have left Russia

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## 5.13 Political prisoners

- 5.13.1 The Human Rights Watch report of January 2020 stated, 'In April and August, the United Nations Working Group on Arbitrary Detention issued opinions on two cases of Jehovah's Witnesses arrested for their religious activity. In both, the working group found the detentions were arbitrary, lacked legal basis, and violated the rights to freedom of religion, to liberty and security, and to equality before the law.'<sup>87</sup>
- 5.13.2 Reporting on 2019, the USSD IRF Report 2019 stated:  
'As of December 31, Memorial identified 245 persons persecuted for their religious belief or affiliation whom it considered to be political prisoners, meaning they were either already imprisoned or were in custody or under house arrest awaiting a sentence to enter into force. This was an increase from 177 in 2018. In October Memorial's list of persons it identified as political prisoners included 66 Jehovah's Witnesses ... According to Memorial, none of the political prisoners being persecuted for their religious beliefs or affiliation called for violence or planned violent acts. In October Memorial also identified an additional 140 Jehovah's Witnesses as "victims of politically motivated prosecutions" whom it did not consider to be political prisoners because they had not been placed in custody.'<sup>88</sup>
- 5.13.3 The website Jehovah's Witnesses in Russia provided information about Jehovah's Witnesses serving sentences [here](#).
- 5.13.4 See [Pre-trial detention and house arrest](#) for further information on this subject.

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<sup>85</sup> Memorial, [List of those prosecuted for belonging to Jehovah's Witnesses \(updated\)](#), no date

<sup>86</sup> Forum 18, [RUSSIA: Jehovah's Witness criminal cases - list](#), 11 October 2019

<sup>87</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>88</sup> USSD, [2019 International Religious Freedom Report; Russia](#) (section 2), 10 June 2020

## 5.14 Torture and ill-treatment

### 5.14.1 The USSD IRF Report 2019 stated:

‘According to Jehovah’s Witnesses, human rights NGOs, and media, authorities physically abused adherents while in detention. On February 15, Investigative Committee officials in Surgut in west Siberia’s Khanty-Mansiysk Region detained seven male Jehovah’s Witnesses. According to the men, during their interrogation at the police station, authorities put bags over their heads, sealed the bags with tape, tied their hands behind their backs, and beat them. Authorities stripped the men naked, doused them with water, and shocked them with stun guns for two hours. Authorities demanded to know where local Jehovah’s Witnesses met and who attended the meetings....

‘Jehovah’s Witnesses reported that on June 26, law enforcement officers in Kaluga raided the home of Roman Makhnev and took him and Dmitriy Kuzin into custody. At the station, officers handcuffed Makhnev to a pipe and left him there overnight. For the next three days, officers denied him food while they interrogated him. Authorities charged Makhnev and Kuzin with organizing extremist activity and held them in pretrial detention for six months. On December 25, a judge approved their release from the facility...

‘According to the Jehovah’s Witnesses, on February 6, authorities in Uray conducted searches of eight Jehovah’s Witnesses’ homes and took Andrey Sazonov into custody. The officers beat the man on the palms of his hands, forced him to kneel during his interrogation, and threatened him. According to Sazonov, when he would not answer questions about fellow believers, investigators turned off the recording machine, beat him more severely, and then resumed the interrogation. Two days after the search, Sazonov’s mother was expelled from the marketplace where she sold goods and her market stand was destroyed. On August 22, an appellate court banned Sazonov from participating in Jehovah’s Witnesses religious activities.’<sup>89</sup>

5.14.2 In October 2020, the website Jehovah’s Witnesses in Russia reported on the case of 6 believers from Saratov who were sentenced to prison terms for reading the bible, singing songs and praying. The article stated, ‘Upon arrival at the Orenburg colony, 5 out of 6 convicted believers were beaten by the staff of the institution. Felix Makhhammadiev was hospitalized, and the rest were placed in a punishment cell for a while.’<sup>90</sup>

5.14.3 In November 2020, RFE/RL mentioned that, ‘In September 2019, Washington banned two high-ranking regional officers from Russia’s Investigative Committee from entering the United States over the alleged torture of seven detainees who are Jehovah’s Witnesses.’<sup>91</sup>

5.14.4 The USSD HR Report 2020, published in March 2021 and covering the year 2020, reported:

‘In several cities police reportedly subjected members of Jehovah’s Witnesses, a religious group banned under antiextremism laws, to physical abuse and torture following their arrest. For example, on February 10,

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<sup>89</sup> USSD, [2019 International Religious Freedom Report: Russia](#) (section 2), 10 June 2020

<sup>90</sup> JWs in Russia, [The Court left Konstantin Bazhenov...](#), 28 October 2020

<sup>91</sup> RFE/RL, [More Jehovah's Witnesses Sentenced \[...\]](#), 30 November 2020

officers from the Russian National Guard handcuffed Chita resident Vadim Kutsenko and took him to a local forest, where they beat his face and neck, suffocated him, and used a Taser to force him to admit to being a practicing member of Jehovah's Witnesses. ... According to media reports, Kutsenko sought medical treatment upon his release, which confirmed the physical trauma.<sup>92</sup>

- 5.14.5 On 24 March 2021, the website JW.org reported the death of Viktor Malkov, a Jehovah's Witness who had been arrested in April 2019 in Smolensk, stating, 'Reportedly, the poor conditions in pretrial detention and the stress associated with his criminal prosecution irreparably damaged his health.'<sup>93</sup>

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## 5.15 Impunity for officials

- 5.15.1 Reporting on the case of the Jehovah's Witnesses from Surgut (see [Torture and ill-treatment](#)), the USSD IRF Report 2019 stated:

'Multiple domestic and international human rights groups, including Amnesty International, Human Rights Watch, and the UN Office of the High Commissioner for Human Rights, and the Jehovah's Witnesses called for an investigation into the accusations of abuse. In March [2019] the Khanty-Mansiysk Investigative Committee division said after an internal investigation it found no evidence its staff had used unlawful force. The Jehovah's Witnesses filed a case with the ECHR.'<sup>94</sup>

- 5.15.2 At the time of writing this report, the [ECTHR website](#) (application number: 10618/19) gave the current state of proceedings in the case filed by the Jehovah's Witnesses (Loginov and others v. Russia) as 'Application communicated to the Government with request for information - Rule 54 § 2 (a)'.<sup>95</sup>

- 5.15.3 Reporting on the case of the 7 Jehovah's Witnesses in Surgut, Forum 18 noted the following in June 2019:

'On 19 April, the Khanty Mansi Regional Investigative Committee announced on its website (well after the February torture of the Jehovah's Witnesses became public knowledge) that Vladimir Yermolayev, head of its Surgut department, and investigator Sergei Bogodyorov – both implicated in the torture case – had received awards, ostensibly for their work in 2018.

'Yermolayev won "best local department head" alongside his counterparts from the towns of Pyt-Yakh and Kogalym. Bogodyorov took second place in the "best investigator" competition.'<sup>96</sup>

- 5.15.4 On 29 January 2021, Forum 18 reported on the torture of Jehovah's Witnesses from Saratov at Orenburg's Labour Camp No.1 and the subsequent treatment of the officials involved:

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<sup>92</sup> USSD, [2020 Country Report](#), 30 March 2021

<sup>93</sup> JW.org, [Four Brothers in Smolensk Brave Intense Persecution and Prison...](#), 24 March 2021

<sup>94</sup> USSD, [2019 International Religious Freedom Report: Russia](#) (section 2), 10 June 2020

<sup>95</sup> ECTHR, [State of proceedings online](#), no date

<sup>96</sup> Forum 18, [Russia: Tortured for beliefs, suspect torturers rewarded](#), 28 June 2019

‘Against binding international human rights obligations, no officials suspected of the torture of Muslim Yevgeny Kim and the four Jehovah’s Witnesses have been arrested or put on criminal trial for torture. Such impunity for officials who torture continues.

‘Orenburg Deputy Regional Prosecutor Andrey Vyazikov told Forum 18 on 26 February 2020 that "on the basis of information received about the injuries of one of the inmates, a prosecutorial review has been organised", after which prosecutors would determine whether "unlawful methods of physical pressure" had been used against prisoners.

‘The local Investigative Committee refused on 30 December 2020 to open a criminal case against the suspect torturers of the five Jehovah’s Witnesses, a spokesperson for Orenburg Region Prosecutor’s Office told Forum 18 on 12 January 2021. Orenburg’s Central District Prosecutor’s Office overturned the December decision on 11 January 2021, but no final decision on prosecution has yet been made.’<sup>97</sup>

5.15.5 The USSD HR Report 2020 referred to the case of Vadim Kutsenko (see [Torture and ill-treatment](#)), who was tortured by the Russian National Guard, stating that, ‘When Kutsenko reported the incident to authorities, he was ignored and sent to a temporary detention center along with three other members of Jehovah’s Witnesses.’<sup>98</sup>

5.15.6 The same report made an observation about impunity in general, and not only as it related to Jehovah’s Witnesses:

‘Impunity was a significant problem in the security forces. According to a July 25 investigation published by independent news outlet Novaya Gazeta, tens of thousands of cases of beatings and torture by the military, police, and other security forces could have gone unpunished in the previous 10 years. The report assessed the Investigative Committee’s lack of independence from police as a key factor hampering accountability, because the organization failed to initiate investigations into a high number of incidents.’<sup>99</sup>

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## 5.16 Complaints against the authorities

5.16.1 The USSD IRF Report 2019, covering events of 2019, stated that ‘According to Jehovah’s Witnesses representatives, at year’s end the group had 49 applications pending with the ECHR and five complaints against the government pending with the UN Working Group on Arbitrary Detention, including for detentions of practitioners, censorship of religious literature and the organization’s website, and raids on or other interference with religious meetings.’<sup>100</sup>

5.16.2 In a report dated January 2020, Human Rights Watch stated:

‘The European Court of Human Rights (ECtHR) has a [case pending](#) against the Russian government, filed by the Jehovah’s Witnesses over the Supreme Court ruling [of 2017, which banned the activities of Jehovah’s

<sup>97</sup> Forum 18, [RUSSIA: 'The policy of expelling "extremists and terrorists"'](#), 29 January 2021

<sup>98</sup> USSD, [2020 Country Report](#) (Section 1.B), 30 March 2021

<sup>99</sup> USSD, [2020 Country Report](#) (Section 1.B), 30 March 2021

<sup>100</sup> USSD, [2019 International Religious Freedom Report: Russia](#) (section 2), 10 June 2020

Witnesses]. In 2010, the ECtHR held Russia in violation of the European Convention on Human Rights, for closing the Moscow branch of the Jehovah's Witnesses and refusing to allow the group to re-register. The court found violations of arts. 9 and 11 of the convention, which protect freedom of religion and association, respectively.<sup>101</sup>

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## 5.17 Financial monitoring

- 5.17.1 In October 2019, Forum 18 reported that, of the 245 Jehovah's Witnesses facing criminal prosecution at that time, '...166 of these people [had been] added to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists", whose assets banks are obliged to freeze, except for small transactions.'<sup>102</sup>
- 5.17.2 In October 2019, Forum 18 [published a list](#) of Jehovah's Witnesses who had been detained or subjected to other restrictions, including whether they had been added to the Rosfinmonitoring list, at that time.
- 5.17.3 In the report of January 2020, Human Rights Watch noted: 'Rosfinmonitoring freezes the asset of individuals on the lists, allowing them to access only small amounts for their living expenses. Leontiev, the lawyer, said that many people are not aware they are on the list, even when they are unable to access their bank accounts.'<sup>103</sup>
- 5.17.4 In November 2020, the website Jehovah's Witnesses in Russia reported 'By the will of the authorities, the overwhelming majority of prisoners of conscience find themselves in a very difficult financial situation: 310 people have been placed on the list of extremists and terrorists by Rosfinmonitoring [Federal Financial Monitoring Service of the Russian Federation]. In practice, this means depriving them of their jobs, business, pensions, bank accounts, and even the possibility to buy a SIM card or take out insurance.'<sup>104</sup>

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## 5.18 Travel restrictions

- 5.18.1 In October 2019, Forum 18 [published a list](#) of Jehovah's Witnesses who had been subjected to travel restrictions at that time.

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## 5.19 Other restrictions

- 5.19.1 In October 2019, Forum 18 [published a list](#) of Jehovah's Witnesses who had been subjected to other, specific restrictions (see 'Specific restrictions') at that time. Also included was a list of those under 'obligation to present oneself' at that time.

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<sup>101</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>102</sup> Forum 18, [RUSSIA: Jehovah's Witness criminal cases - list](#), 11 October 2019

<sup>103</sup> HRW, [Russia: Escalating Persecution of Jehovah's Witnesses](#), 9 January 2020

<sup>104</sup> JWs in Russia, [400 victims of a legal collusion](#), 3 November 2020

- 5.19.2 The group Jehovah's Witnesses in Russia reported that, as of 1 April 2021, 32 Jehovah's Witnesses had experienced a ban on activities and 4 had been issued with a summons to report since 2017<sup>105</sup>.
- 5.19.3 The Russian NGO Memorial [published an \(undated\) list](#)<sup>106</sup> of Jehovah's Witnesses who had been detained, were awaiting sentencing or who had had other restrictions place upon them ('List of other Jehovah's Witnesses Persecuted in Russia').

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## 5.20 No known restrictions

- 5.20.1 In October 2019, Forum 18 [published a list](#) of Jehovah's Witnesses who had been investigated by the authorities but had not been subjected to specific restrictions at that time. Also included was a list of those investigated by the authorities but for whom it was not yet known whether they would face particular restrictions.

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## 5.21 Revocation of citizenship

- 5.21.1 In October 2020, the website Jehovah's Witnesses in Russia reported on the case of 6 believers from Saratov, who were handed prison sentences for reading the bible, singing songs and praying. The article noted that 2 of the group, Felix Makhammadiev and Konstantin Bazhenov, were deprived of their Russian citizenship in May 2020<sup>107</sup>.

- 5.21.2 Reporting on the same case in January 2021, Forum 18 stated:

'Two Jehovah's Witnesses [...] - convicted as "extremists" for exercising their freedom of religion and belief have also suffered the deprivation of their Russian citizenship and the prospect of being forced to leave their homes. After already serving prison sentences for meeting to study their beliefs and for worship, one has been deported, one may be expelled later in 2021 [...] Jehovah's Witness Feliks Makhammadiyev was deported to Uzbekistan on 21 January [2021] despite living in Russia since 2002. [...] Another Jehovah's Witness, Konstantin Bazhenov, is likely to be deported to Ukraine later this year when his prison sentence is over[...]

'Feliks Makhammadiyev was born on the territory of Uzbekistan when it was part of the Soviet Union, and, according to Jehovah's Witnesses, moved to Saratov in Russia with his mother in 2002, when he was still a minor. Makhammadiyev renounced Uzbek citizenship in 2008, when he became a Russian citizen. [...] Makhammadiyev is prohibited from re-entering Russia for eight years, until 2028, his wife told Forum 18.'<sup>108</sup>

- 5.21.3 The same source stated:

“The policy of expelling 'extremists and terrorists' by depriving them of their previously acquired citizenship was laid down in the Yarovaya package [of anti-terrorism legislation in 2016]. Then, thanks to the strongest resistance, it

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<sup>105</sup> JWs in Russia, [Imprisoned for Their Faith](#), 1 April 2021

<sup>106</sup> Memorial, [List of those prosecuted for belonging to Jehovah's Witnesses \(updated\)](#), no date

<sup>107</sup> JWs in Russia, [The Court left Konstantin Bazhenov...](#), 28 October 2020

<sup>108</sup> Forum 18, [RUSSIA: 'The policy of expelling "extremists and terrorists"'](#), 29 January 2021



was possible to remove this norm as anti-constitutional in essence,” Aleksandr Verkhovsky of the Moscow-based SOVA Center for Information and Analysis told Forum 18 on 28 January [2021]. The mechanism became law, however, with amendments to the Citizenship Law in 2017.<sup>109</sup>

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## 5.22 Crimea

- 5.22.1 In November 2020, RFE/RL noted that ‘Since the faith was outlawed in Russia, several Jehovah's Witnesses have been imprisoned in Russia and the Russia-annexed Ukrainian Black Sea Crimea peninsula.’<sup>110</sup>
- 5.22.2 In November 2020, Forum 18 reported ‘The ... Crimean prisoners of conscience sentenced to punish their exercise of freedom of religion and belief - Jehovah's Witnesses Sergei Filatov and Artyom Gerasimov - were transferred from Crimea to a prison in Russia in summer 2020. Both are now in Labour Camp No. 12 in Kamensk-Shakhtinsky in Russia's Rostov Region, which is over 560 kms (350 miles) from their homes, making visits from relatives and friends difficult.’<sup>111</sup>
- 5.22.3 On 30 March 2021, Forum 18 stated that, ‘Following Russia's March 2014 occupation of Crimea, the Russian authorities granted re-registration to all 22 Jehovah's Witness communities in Crimea, but in 2017 they were banned following the Russian Supreme Court ban.’<sup>112</sup>
- 5.22.4 The same source noted:
- ‘A Sevastopol court yesterday (29 March [2021]) handed down the longest jail term yet in Crimea on "extremism"-related charges to punish an individual for exercising freedom of religion or belief. Judge Pavel Kryllo jailed 54-year-old Jehovah's Witness Viktor Stashevsky for six and a half years in an ordinary regime labour camp, to be followed by seven years of restrictions (which would be due to end on 29 September 2034, when he would be 68). He denied the charges. [...] Two other Crimean Jehovah's Witness prisoners of conscience – Sergei Filatov and Artyom Gerasimov - are each serving six-year jail terms, and have been transferred to a labour camp in Russia. [...] Seven more Crimean Jehovah's Witnesses are facing "extremism"-related prosecutions in three different cities: Yevgeny Zhukov, Vladimir Maladyka, Vladimir Sakada, Igor Schmidt, Aleksandr Kostenko in Sevastopol; Taras Kuzio in Yalta; and Artyom Shably in Kerch.’<sup>113</sup>

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## 5.23 Impact of covid-19

- 5.23.1 In an article published by Radio Free Europe/Radio Liberty in December 2020, Jarrod Lopes, a spokesman for the headquarters of the Jehovah's Witnesses in the United States, noted that police raids of the homes of some Jehovah's Witnesses in Russia had continued in 2020, despite covid-19<sup>114</sup>.

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<sup>109</sup> Forum 18, [RUSSIA: 'The policy of expelling "extremists and terrorists"',](#) 29 January 2021

<sup>110</sup> RFE/RL, [More Jehovah's Witnesses Sentenced \[...\]](#), 30 November 2020

<sup>111</sup> Forum 18, [CRIMEA: Ten months within Russian 'prison within a prison'](#), 12 November 2020

<sup>112</sup> Forum 18, [CRIMEA: Longest jail term so far](#), 30 March 2021

<sup>113</sup> Forum 18, [CRIMEA: Longest jail term so far](#), 30 March 2021

<sup>114</sup> RFE/RL, ['Unconscionable:' Jehovah's Witness sentenced to six years ...](#), 16 December 2020

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# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Relevant Law
  - Freedom of religion
  - Anti-extremism
  
- Jehovah's Witnesses in Russia
  - Demography
  - Beliefs and practices
  
- State treatment
  - Police treatment
  - Trials and sentencing
  - Treatment in detention
  - Avenues of redress
  - Impact of COVID-19
  
- Societal treatment
  - Difficulties in gaining employment or accommodation
  - Instances of harassment
  - Police protection

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **20 April 2021**

## Changes from last version of this note

This is the first Country Policy and Information Note on this subject.

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