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Russia: Trials of Muslims And Jehovah's Witnesses Continue





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Arnold and Felix Corley

Russia's Ulyanovsk Regional Court has upheld the three-and-a-half-year prison term on one Muslim and the suspended prison terms on two others at hearings in May, Forum 18 News Service has learned. On his February conviction, Bagir Kazikhanov became the first reader of the works of the late Turkish Islamic theologian Said Nursi to receive a jail sentence in Russia since September 2013.

Two other criminal trials to punish individuals for exercising the right to freedom of religion or belief continue. The trial against two Muslim women

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accused of "extremism" continues in the Siberian city of Krasnoyarsk, while in Taganrog in southern European Russia, the re-trial of 16 Jehovah's Witnesses also continues (see below).

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Prosecutors in the Siberian city of Novosibirsk have completed their long-running criminal case against up to twenty Muslims, all migrants from Central Asia, on "extremism" charges. The case appears likely to be presented to court soon (see below).

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Three Ulyanovsk Muslims lose appeal

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Three Muslims who read the works of Islamic theologian Nursi have lost their appeal against their primary convictions for "extremist" activity by Ulyanovsk's Lenin District Court. After two appeal hearings on 6 and 13 May, Judge Maksim Maksimov of Ulyanovsk Regional Court upheld the original ruling that Kazikhanov, Stepan Kudryashov and Aleksandr Melentyev met regularly in "conspiratorial gatherings". Kazikhanov was alleged to have come to Ulyanovsk to set up a "cell" on the orders of "Nurdzhular".

"Nurdzhular" is a banned "extremist" organisation which Russian Muslims deny exists.

All three defendants denied the charges, maintaining they had met only to discuss Islam and to attend football matches. Kazikhanov, who was detained in police custody until the appeal hearings, was sentenced in February to three and a half years' imprisonment for "organisation of extremist activity", the first known person to be sentenced since lengthened prison terms under Criminal Code Article 282.2, Part 1 were introduced in February 2014. He

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was also the first reader of Nursi's books since September 2013 to receive a jail sentence.

Kudryashov and Melentyev were convicted under Criminal Code Article 282.2, Part 2, of the lesser offence of "Participation in the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity". They both received suspended sentences, Kudryashov of two years, and Melentyev 20 months.

The whereabouts of a fourth man, Farkhad Allakhverdiyev, who was also charged under Article 282.2, Part 2, are unknown and he is being sought by law-enforcement agencies.

All three sentences will be reduced by the length of time the defendants spent in custody and under house arrest before their initial trial.

Senior Assistant Prosecutor Vasily Zima of the Regional Prosecutor's Office told Forum 18 on 26 May that enquiries should be directed to the FSB security service. Reached by Forum 18 on the same day, a spokesman for Ulyanovsk Region's FSB maintained that he could not answer questions about the case.

Despite avoiding imprisonment, Kudryashov and Melentyev will remain on probation for long periods – Kudryashov for two years (reduced by time spent in custody before the trial), Melentyev for one year and 10 months – despite a sentence of one year and eight months, but also reduced by the length of his pre-trial detention. During this time, they cannot leave the city of Ulyanovsk or change their places of residence

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without informing the state authorities responsible for monitoring those with suspended sentences.

Kazikhanov, Kudryashov, Melentyev, and Allakhverdiyev all appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of “terrorists and extremists” whose assets banks are obliged to freeze.

Krasnoyarsk trial for running “Nurdzhular women’s cell” continues

The criminal trial in Krasnoyarsk of Yelena Gerasimova and Tatyana Guzenko, accused of running a “Nurdzhular women’s cell”, has encountered further complications. Because of her frequent absences at hearings in Soviet District Court, Gerasimova was placed on the Interior Ministry’s federal “Wanted Database” and separate proceedings opened against her.

Gerasimova had not been attending court because she was pregnant, a fellow Muslim told Forum 18 on 14 April. She has since been removed from the Wanted Database and her case sent to Magistrate’s Court No. 79.

Telephones at the Magistrate’s Court went unanswered whenever Forum 18 called on 26 and 27 May. Forum 18 sent a request for information by email mid-afternoon of Krasnoyarsk’s working day on 26 May. No answer has yet been received.

The case against the two women under Article 282.2, Part 1 (“Organisation of extremist activity”) began with a preliminary hearing at Soviet District Court on 27 November 2014, having been passed around the

Krasnoyarsk court system for the previous six months. Since then, all 25 hearings have been adjourned except for one on 18 February. The latest took place on 26 May.

The trial follows August 2013 raids by “Anti-extremism” Police and the FSB security service on Gerasimova’s and Guzenko’s flats as the families celebrated the major end-of-Ramadan festival Eid-ul-Fitr. Gerasimova’s home was searched for five hours and the family’s guests were not permitted to leave. Gerasimova (who is a lawyer) noted a number of procedural violations.

So far, Gerasimova and Guzenko’s names have not been added to the Rosfinmonitoring list of “terrorists and extremists”.

Taganrog re-trial of 16 Jehovah’s Witnesses continues

After multiple delays, the re-trial of 16 Jehovah’s Witnesses charged with “continuing the activities of an extremist organisation” after their community was dissolved in 2009 began on 18 March at Taganrog City Court. There have been 10 hearings so far, and a further six adjournments because of a defendant’s illness or for “other reasons”, according the court website. The next hearing is due to take place on 27 May.

The 2009 liquidation of the Taganrog Jehovah’s Witness community as allegedly “extremist” was used to justify banning all Jehovah’s Witness activity in the city, a ban subsequently upheld by the Supreme Court.

The Samara and Abinsk Jehovah's Witness communities have also been liquidated as "extremist". Both the Taganrog and Samara Jehovah's Witness communities appear on the Federal Financial Monitoring Service (Rosfinmonitoring) list of "terrorist and extremist" organisations and the list of banned "extremist" organisations on the Justice Ministry website.

Four of the 16 Taganrog Jehovah's Witnesses were in July 2014 convicted under both Criminal Code Article 282.2, Part 1 ("Organisation of extremist activity") and Article 150, Part 4 ("Involving a minor in the commission of a crime"). Another three were convicted under Criminal Code Article 282.2, Part 2 of the lesser offence of participation in "extremist" activity and the remaining nine people were acquitted. The "crime" of those convicted was to continue to meet together for prayer and Bible study.

After the August 2014 convictions of those convicted of meeting together in Taganrog for prayer and Bible study, they appealed to Rostov Regional Court. At the Rostov appeal hearings on 11 and 12 December 2014, both convictions and acquittals were overturned and the case sent back for re-examination.

Up to 20 Muslims to be tried in Novosibirsk

Up to 20 Muslims in the Siberian city of Novosibirsk are to be tried for involvement in banned "extremist" organisation Tabligh Jamaat. The defendants were "apparently intimidated and forced to give evidence that they are members of a cell, although it is unlikely they really understand this", Yuliya Zhemchugova, the lawyer for Tajik citizen Kamolitdin Rakhmanov, told Forum 18 on 23 May. She and Rakhmanov are

now disputing his guilt. He remains under travel restrictions until the case comes to court.

The men, all immigrants from Central Asia, were charged under Article 282.2, Part 2, of the Criminal Code (“Participation .. in extremist activity”). It is unclear exactly what they were doing and how they attracted the attention of law enforcement agencies. The FSB security service accuses them of running a “cell” of Tabligh Jamaat since 2005, recruiting new members and holding regular seminars using banned religious literature.

None of the men pursued any extremist purpose, according to Rakhmanov’s lawyer. Rakhmanov maintains that they met only to read the Koran and pray – “like all devout Muslims, to study Islam”, Zhemchugova insisted to Forum 18.

Rakhmanov was expelled from Russia in 2012 for involvement in Tabligh Jamaat and banned from returning for five years, according to the Interfax news agency on 5 November 2013, citing unidentified “law-enforcement sources”. He allegedly re-entered the country on a fake passport in early 2013 and has also been charged under Criminal Code Article 322, Part 2 (“Illegal crossing of state borders”).

The “extremism” charges are “based only on the fact that an expert analysis of conversations between the men.. indicates that they belong to the organisation Tabligh Jamaat”, the lawyer Zhemchugova told Forum 18, but, “according to the findings of the same examination there were no signs of extremism in these communications”. Forum 18 has been unable to find out who recorded these conversations and how.

In a series of raids in November 2013, law enforcement agents found copies of Abu Zakaiya's "Gardens of the Righteous", the Bulugh al-Maram (a collection of hadith), Elmir Kuliyeu's "The Way to the Koran", and Abd ar-Rahman al-Saadi's "Interpretation of the Holy Koran" in the men's possession.

"Gardens of the Righteous" and "The Way to the Koran" were banned by Lenin District Court in Orenburg on 21 March 2012. However, on 27 February 2015 Orenburg Regional Court overturned this ruling in respect of both books and 48 other Islamic texts. Neither the Bulugh al-Maram nor al-Saadi's "Interpretation" appears on the Federal List of Extremist Materials.

The FSB also claims to have found copies of "The Values of Tabligh", and "Fazail Amali" by Sheik Muhammad Zakariya Kandahlawi. These were banned respectively by Abakan City Court (Khakassiya Republic) on 11 August 2009 and Sol-Iletsk District Court (Orenburg Region) on 20 April 2010.

Tabligh Jamaat

Tabligh Jamaat was outlawed in Russia as "extremist" by a Supreme Court ruling of 7 May 2009. Unlike the similar ban on the alleged "Nurdzhular" organisation, the Tabligh Jamaat ban is justified with claims that its associates in Russia have been linked to violent acts "have called [in sermons] for the violent seizure of power and [made] statements aimed at inciting national, racial, and religious hatred".

Worldwide, Tabligh Jamaat aims to revive and strengthen the faith of Muslims and has no formal

membership. Its associates spend significant periods of time travelling and preaching in mosques to spread their message. Women are encouraged to share their Islamic beliefs with other women and are required to practice complete seclusion and segregation in everyday life. Tabligh Jamaat's loose internal structure means that people associated with it have different views in different parts of the world. In some countries people associated with it peacefully exercise their freedom of religion or belief, yet in other countries people associated with it have been linked to violent acts.

About The Author

F18News

Forum 18 believes that religious freedom is a fundamental human right, which is essential for the dignity of humanity and for true freedom.

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