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Meeting: 1383rd meeting (29 September - 1 October 2020) (DH)

Communication from an NGO (The European Association of Jehovah's Witnesses) (28/08/2020) concerning the case of JEHOVAH'S WITNESSES OF MOSCOW AND OTHERS v. Russian Federation (Moscow Branch of the Salvation Army group) (Application No. 302/02).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1383^e réunion (29 septembre – 1^{er} octobre 2020) (DH)

Communication d'une ONG (The European Association of Jehovah's Witnesses) (28/08/2020) concernant l'affaire TEMOINS DE JEHOVAHV DE MOSCOU ET AUTRES c. Fédération de Russie (groupe Moscow Branch of the Salvation Army) (Requête n° 302/02) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



THE EUROPEAN ASSOCIATION OF
JEHOVAH'S WITNESSES

RELIGIOUS FREEDOM SUBCOMMITTEE

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DGI

28 AOUT 2020

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

27 August 2020

Head of Department
Department for the Execution of Judgments of the ECHR
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Re: NGO Communication pursuant to Rule 9.2 of the *Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements* regarding the following judgment: ***Jehovah's Witnesses of Moscow v. Russia*** (302/02, 10 June 2010, enhanced supervision)

Dear Sir,

We are writing to update you on the ongoing persecution of Jehovah's Witnesses in Russia by State authorities. In our latest update of 14 May 2020, we informed you of the prosecution of Witnesses in the Moscow region for peacefully practising their religion. This prosecution was in blatant disregard of the *Moscow* judgment of the European Court of Human Rights cited above. We also informed you of the brutal treatment and torture of Witnesses in Surgut, in Orenburg and in Chita.

Since that update, masked policemen armed with assault rifles continue to raid homes, terrorising innocent Russian citizens simply because they practise their faith as Jehovah's Witnesses. As of this date, there have been a total of 1,124 raids on homes throughout the country. There are currently ten Witnesses who have been convicted and imprisoned for practising their faith, some for a sentence as long as six-and-a-half years. Thirty-five other individuals are detained in pre-trial detention, and another 32 are under house arrest. Currently, there are 166 active criminal cases against 380 individual Jehovah's Witnesses in Russia.

Concerning the three individuals from the Moscow area mentioned in our 14 May 2020 update, Ms Zinaida Krutyakova, Mr Konstantin Zherebtsov and Mr Vitaliy Nikiforov, all three have been detained since 3 October 2019 and are currently under house arrest. The criminal prosecution continues against them. Additionally, Mr Yuri Krutyakov, also from the Moscow area, continues to be detained in pre-trial detention center No. 4 in Moscow. On 28 May 2020, a new criminal case was opened in the Moscow region against Sergey Oganyan. On 2 June 2020, five raids took place at the homes of Witnesses, including the Oganyan family. Immediately after the search on 2 June 2020, Sergey Oganyan was detained and placed in a temporary detention facility. Currently, he is under house arrest.

One Witness, Mr Dennis Christensen, a Danish national, has been in prison since May 2017. After a nearly year-long criminal trial with more than 70 court appearances, he was sentenced to six years' imprisonment, merely for practising his faith as one of Jehovah's Witnesses. Although he

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Head of Department
Department for the Execution of Judgments of the ECHR
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now qualifies for parole, officials are determined to prevent his release. On 23 June 2020, the Lgovskiy District Court in the Kursk Region mitigated the remainder of his sentence to a fine of 400,000 rubles (\$5,305 USD) and ordered his release. However, Mr Aleksei Shatunov of the Kursk Prosecutor's Office for the Oversight of Penitentiary Institutions filed an appeal, demanding that the said court ruling be cancelled. The appeal was based on false reports that Mr Christensen did not have a favourable prison record. On 26 June 2020, Mr Christensen was placed in a special punishment block (SHIZO) for 15 days before being transferred back to a general prison colony on 11 July 2020. On 15 July 2020, he was again placed in the SHIZO for 12 days. He remains in prison.

Law-enforcement officials continue to use brutal treatment and torture against the Witnesses. For example, during the 13 July 2020 raids in Voronezh by armed officials and the subsequent interrogations, the following atrocities were committed. Officers duct-taped Mr Yuriy Yuryevich Galka's mouth and then put a bag over his head, tightening it until he began to choke. At the same time, they beat him to the point of breaking one of his ribs. Mr Alexander Yevgenyevich Bokov was kicked and punched, forced to do push-ups and squats and then forced to hold the plank position, supporting his body weight with his hands, elbows and toes, until he was totally exhausted. One official pressed a knee on the neck of Mr Dmitriy Andreyevich Katyrov, while a second official began to crush his hands and fingers. Then officials began beating him on the back with their fists and elbows and kicking him in the ribs. When Mr Katyrov screamed out in pain, they stuffed a towel in his mouth. During one interrogation, Mr Alexander Nikolayevich Korol was severely beaten while a bag was put over his head and tightened around his neck, strangling him. Such cruel and inhumane abuse can find no justification in a country that is a Member State within the Council of Europe.

Since our 14 May 2020 update, there have been an additional 226 raids on private homes and 50 new criminal investigations have been started. Not only is Russia brazenly disregarding the authority and direction of the European Court of Human Rights as expressed in the *Moscow* judgment but also it is pushing religious repression and persecution to a new level, unseen in Europe since World War II. The Working Group on Arbitrary Detention has already concluded that Jehovah's Witnesses in Russia are victims of 'systemic and institutionalized persecution' in Russia. (See *Soloyev v. Russia*, Opinion No. 10/2020; *Alushkin v. Russia*, Opinion 34/2019; and *Mikhaylov v. Russia*, Opinion No. 11/2019.)

In view of this worsening situation, we again suggest that it would be appropriate for the Committee of Ministers to consider bringing infringement proceedings against Russia under Rule 11 of the Rules of the Committee of Ministers. The lives of more than 170,000 Russian citizens who are Jehovah's Witnesses are directly implicated.

Thank you for considering this communication, which we hope will be helpful for monitoring the implementation of the Court's judgment. We shall be pleased to provide the Committee of Ministers with supporting documentation for the facts set out above or with any additional information if desired.

Yours faithfully



Marc Hansen



Tony Brace