

A R M E N I A

RELIGIOUS FREEDOM CONCERNS

STATEMENT BY THE
EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

10-21 SEPTEMBER 2018

Armenia

Jehovah's Witnesses in Armenia are pleased to report that the Armenian government has allowed for greater religious freedom and that law enforcement authorities are protecting this fundamental right. The government's stance has also affected the general public, and there is greater religious tolerance in Armenian society.

While the overall circumstances are generally good for Jehovah's Witnesses, there are three areas of concern:

- **Draft amendments to the religion law that could restrict freedom of worship**
- **Problems concerning construction of Kingdom Halls**
- **Excessive VAT on imported religious literature**

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Restrictions of Religious Freedom

RESTRICTIVE DRAFT LAW ON RELIGION

On 5 June 2017, the Ministry of Justice posted on its official website a new draft Law on Freedom of Thought, Conscience, Religion and Religious Organizations of the Republic of Armenia (<https://www.e-draft.am/projects/246/about>). The draft amendments to the law are still under review. Although the draft law contains a number of provisions that appear to incorporate international standards upholding the right to freedom of religion and religious expression, there are several areas that could potentially be misapplied to the Witnesses' peaceful religious activity. At the request of the Venice Commission, Jehovah's Witnesses in Armenia provided their comments for the Commission's review in February 2018.

Interference With Manifestation of Belief

PROBLEMS CONCERNING CONSTRUCTION OF KINGDOM HALLS

Jehovah's Witnesses in Armenia continue facing difficulties in building their Kingdom Halls. On many occasions, representatives from mayors' offices have openly stated that the Witnesses will not receive permission to build a place of worship in their town or city. In particular, Jehovah's Witnesses encounter difficulties in obtaining approval for the required architectural planning study and consequently are unable to obtain building permits. Appeals against these refusals have been rejected by the domestic courts.

For example, Jehovah's Witnesses own three pieces of land in Yerevan. In December 2012, they applied to the mayor's office for the necessary architectural planning studies. In all three cases, the applications were rejected, and the chief of the architectural department stated that 'because of complaints by neighbours, the building of places of worship in residential areas is not advisable.' After exhausting all domestic remedies to resolve this issue, Jehovah's Witnesses filed an application with the European Court of Human Rights (ECHR) on 21 January 2016.

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Cramped and uncomfortable venues rented for religious meetings in the Erebuni District, Yerevan

EXCESSIVE VAT ON IMPORTED RELIGIOUS LITERATURE

Since 2007, Jehovah's Witnesses in Armenia have had difficulties in exercising their constitutional right to import religious literature. This religious literature is produced by Witnesses in other countries and is donated to their fellow believers in Armenia.

Armenia's religion law provides that all donations received by a religious organization are tax free. The Armenian government, however, has refused to apply this provision to the Witnesses' religious literature and has imposed tens of thousands of euros in VAT, considering it as commercially produced and sold for profit.

After exhausting all domestic remedies, Jehovah's Witnesses in Armenia filed eight applications with the ECHR between May 2010 and June 2015.

In July 2015, the Armenian customs authorities substantially lowered the customs value that it arbitrarily imposes on the donated religious literature of Jehovah's Witnesses for the purpose of calculating VAT. While this is a welcome development, it does not resolve the underlying problem, and the Witnesses are still unlawfully required to pay VAT.

Positive Developments

To date, 161 young Witnesses have finished their alternative civilian service.

As of May 2018, there are 123 young Witnesses working in the alternative civilian service programme.

Alternative Civilian Service. Since the implementation of the 2013 amendments to the Law on Alternative Service and the subsequent release of imprisoned conscientious objectors, there are no longer any prisoners of conscience in Armenia. The Republican Committee responsible for co-ordinating and reviewing applications for alternative civilian service has been very co-operative in co-ordinating the programme.

All parties, including the directors of the alternative civilian service locations, are satisfied with the outcome of this initiative.



Young Witnesses performing alternative civilian service

Effective Police Assistance. During 2018, there were occasional incidents of verbal abuse toward Jehovah's Witnesses while they were publicly manifesting their religious beliefs. In some cases, literature display carts used by the Witnesses were overturned or damaged. The police responded promptly and appropriately and, as a result, these incidents have been minimized.

Reduced Negative Media. Since the settlement in the libel case against the Armenian Public TV CJSC in 2012, media outlets in Armenia have been restrained in their statements about the Witnesses. However, Jehovah's Witnesses continue to be mentioned whenever negative or pejorative comments appear about "sects" in Armenia.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF ARMENIA TO:

- Ensure that Jehovah's Witnesses are able to exercise their fundamental right to freedom of assembly and are allowed to build modest places of worship
- Provide compensation to Jehovah's Witnesses for the oppressive payments of VAT they were required to make to import donated religious literature in the years 2007–2015
- Enforce media standards prohibiting libel and slander

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Armenia government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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Azerbaijan

Over the past year, Jehovah’s Witnesses in Azerbaijan have experienced less governmental interference in manifesting their religious beliefs. Jehovah’s Witnesses are grateful for the reprieve in state-sponsored harassment.

However, most issues have not been resolved, and problems still exist. Jehovah’s Witnesses experienced the following violations of religious freedom:

- Police interference with publicly manifesting beliefs
- Government denial of registration
- Government refusal to provide for alternative civilian service
- Police disruption of religious services

Seeking Relief Through International Tribunals:

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The unresolved abuses of religious freedom rights have prompted Jehovah’s Witnesses to seek relief by submitting applications to the European Court of Human Rights (ECHR) as well as complaints to the UN Human Rights Committee (CCPR).

| | 18 APPLICATIONS PENDING WITH THE ECHR | 11 COMPLAINTS PENDING WITH THE CCPR |
|------------------------------|---------------------------------------|-------------------------------------|
| | APPLICATIONS | COMPLAINTS |
| Police Raid | 4 | 6 |
| Re-registration | 1 | — |
| Manifesting Religious Belief | 3 | 4 |
| Censorship | 4 | 1 |
| Deportation | 2 | — |
| Conscientious Objection | 4 | — |
| Total | 18 | 11 |

Abuses and Restrictions of Religious Freedom

LEGAL RECOGNITION WITHHELD

Baku. In compliance with the May 2009 amendments to the Law on Freedom of Religious Beliefs, the Religious Community of Jehovah's Witnesses in Baku (Community) applied for re-registration prior to the deadline in January 2010. Since then, the State Committee for Work with Religious Associations (SCWRA) has refused re-registration on one technicality after another, leaving the Community without full legal status.

On **8 February 2017**, after months of negotiations and consultations with the SCWRA's representatives, the Community again applied for registration. The Community's current legal status remains uncertain, and the SCWRA excludes Jehovah's Witnesses from the list of registered religious associations posted on its official Web site, www.scwra.gov.az.

Ganja. The SCWRA has refused to grant Jehovah's Witnesses regional registration in Ganja.

- **1 July 2010** — Ganja Religious Community applied for registration; SCWRA rejected it
- **8 June 2011** — Ganja Religious Community applied for registration; SCWRA did not act
- **21 September 2015** — Community filed a new application with the SCWRA
- **23 October 2015** — SCWRA informed the Community of technical flaws
- **10 November 2015** — Community submitted corrected documents
- **March and May 2016** — Community corrected more supposed technical flaws

The SCWRA has not rendered a decision on the May 2016 application, although the Law on State Registration and State Register of Legal Entities stipulates that state registration of non-profit legal persons must be performed within 40 days.

HARASSMENT BY OFFICIALS AND INTERFERENCE WITH RELIGIOUS SERVICES

- 1. Lankaran.** On **20 January 2018**, approximately ten police officers raided the home of Ms Sharafat Azizova during a gathering of several families of Jehovah's Witnesses. The police had assumed there was a religious meeting in progress but soon realized the families were only socialising. Despite their mistake, the police searched the home, seized personal literature and took down personal details and statements from those in attendance. The women were allowed to supply statements in the home. The men, however, were required to give their statements at the Lankaran Police Department and were released an hour later.
- 2. Gakh.** On **10 February 2018**, two officials came to Ms Mzia Otarashvili's home in mid-afternoon. Without introducing themselves or providing credentials, the officials accused Ms Otarashvili of conducting "unauthorised" religious meetings in her home, which they alleged were in violation of Azerbaijan's laws. The officials claimed that Jehovah's Witnesses were allowed to conduct religious meetings only in Baku and stated that they had received a complaint about meetings being held in her home. Ms Otarashvili explained that no religious meetings were held in her home. Despite her statements, the officials threatened to search her home if they received another complaint and gave her strict orders not to hold religious meetings in her home.
- 3. Sumgayit.** On **14 July 2018**, at approximately 5:00 p.m., Police Officer Shakhmar Gahramanov and two other officials interrupted a religious meeting held in the private home of Ms Sona Mammadova. Officer Gahramanov stated that the Witnesses cannot meet in a private home and offered to assist them in finding a place to rent. He threatened to take them to the police station if they did not disperse, so the attendees ended the meeting to comply with the officer's demand.

INTERFERENCE WITH MANIFESTATION OF BELIEF

Azerbaijan's Law on Freedom of Religious Beliefs (Article 12) confines the activity of religious associations to their registered legal address. This contradicts the European Convention on Human Rights, which recognises in democratic societies the right to manifest one's religious belief whether individually or collectively, publicly or privately.

Between **September 2017** and **27 July 2018**, there were **fourteen reported cases in which police detained the Witnesses** while they were sharing their religious beliefs with others. Typically, police officers stop the activity of the Witnesses, bring them to the police station, verbally abuse them and threaten them with administrative charges and heavy fines. Most Witnesses were detained from four to six hours.

However, since September 2017, no one was fined for sharing their religious beliefs with others. There were three other cases of police harassment—two cases where the police came to the home of a Witness and one where the police telephoned a Witness in order to obtain information.

The following are two examples of police intimidation:

- In October 2017, police officers in Shirvan detained and interrogated two Witness women, Turkana Karimova and Ilaha Zulfigarova, at the police station. The Chief Deputy of Police threatened to shear the hair off the heads of the women if they ever returned to Shirvan.
- In February 2018, police officers in Siyazan detained two Witnesses, Mr Elmir Mursalov and Ms Firangiz Aghasanova, at the police station for questioning. Two officers in civilian clothing insulted and threatened the Witnesses, demanding that they practise Islam and telling them they have no rights.

DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Although a signatory to the European Convention on Human Rights since 2001, Azerbaijan ignores the ECHR judgments that recognise the right of religiously-motivated conscientious objection to military service as fully protected under Article 9 of the European Convention.*

Despite having informed the CCPR on 14 July 2016 that “alternative service is an option provided by the law,” Azerbaijan has no provision for alternative civilian service. Thus, Jehovah's Witnesses face criminal prosecution as conscientious objectors.

* See the ECHR judgments in Erçep v. Turkey, Buldu and Others v. Turkey and the Grand Chamber judgment in Bayatyan v. Armenia.

1. **Barda.** On **5 December 2017**, Emil Mehdiyev reported to the Barda District Department of the State Service for Mobilisation and Conscription (SSMC). In response to a phone call, Mr Mehdiyev returned to the SSMC office in **January 2018**. He provided a written statement, spoke with officials about his conscientious objection to military service and requested alternative civilian service. He was told that this option had been suspended in 1992 and that his case would be sent to the Prosecutor's Office. After numerous hearings and adjournments, the Barda District Court convicted Mr Mehdiyev on **6 July 2018** and ordered a one-year probationary arrangement. Although the court unjustly found him guilty of evasion of military service, it did not impose a prison sentence.



Emil Mehdiyev

2. **Aghdam.** On **31 May 2017**, Vahid Abilov reported to the Aghdam District of the SSMC and presented his written statement explaining his conscientious objection to military service. On **10 January 2018**, he was called to the SSMC again and wrote another statement. As requested, on **12 March 2018**, he reported to Investigator Rashad Gulmammadli from the Prosecutor's Office and explained his reasons for refusing military service based on his religious beliefs. Mr Abilov was later notified that a criminal case had been initiated against him, and on **9 July 2018**, he was indicted under the charge of evading military service. His criminal trial is now underway in the Aghdam District Court.



Vahid Abilov

3. **Baku.** On **7 January 2015**, Emin Tahmazov sent his statement to the Khatai District of the SSMC explaining his conscientious objection to military service. He provided another statement on **10 January 2018** that explained his beliefs in more detail. In response to a summons, he met with Chief Mehman Gurbanov on **14 June 2018**. Mr Gurbanov told him that his statement had been considered, that the judgments of the ECHR did not apply to him and that he must perform military service. On **21 June 2018**, Mr Tahmazov filed his statement again. On **25 June 2018**, he was informed that he had been assigned to a military unit. Mr Tahmazov provided his written statement for the fourth time on **9 July 2018** and again requested alternative civilian service. He was told that his case would be sent to the Prosecutor's Office.

4. **Gakh.** On **29 June 2018**, Levani Otarashvili hand-delivered a statement explaining his conscientious objection to military service to officials at the Gakh District of the SSMC. On **2 July 2018**, Mr Otarashvili reported to the SSMC, as required by the Draft Notice he had received. The Deputy Chief told him that reports from his medical examination were not complete and that he would be contacted later. On **9 July 2018**, the SSMC called Mr Otarashvili and asked him to report the following morning. On **10 July 2018**, he reported to the SSMC and was given an official letter stating that alternative civilian service was not available. On **24 July 2018**, Mr Otarashvili returned to the SSMC and met with the deputy chief. He confirmed that his religious position had not changed and wrote another statement. On **25 July 2018**, Mr Otarashvili again

went to the SSMC, reaffirmed that his position had not changed and repeated his request for alternative service. The chief said he had no choice but to refer the case to the Prosecutor's Office.

- 5. Khachmaz.** On **5 June 2018**, Fuad Hasanaliyev reported to the Khachmaz District of the SSMC for a medical examination. He returned to the SSMC on **28 June 2018** and was given a Draft Notice for **23 July 2018**. He refused to sign the document. The SSMC Chief shouted at him and threatened to send his case to the Prosecutor's Office. On **10 July 2018**, Mr Hasanaliyev sent the SSMC a statement explaining his religious beliefs and requested alternative civilian service. On **23 July 2018**, he returned to the SSMC and met with the Chief and the Deputy Chief. Both officials stated that they would contact headquarters and asked him to return the next day. On **24 July 2018**, he returned to the SSMC and met with the Chief who then offered him non-combatant duties in the military. Mr Hasanaliyev refused and requested alternative civilian service instead. The Chief replied that there is no provision for this in Azerbaijan and that he would transfer Mr Hasanaliyev's case to higher officials for consideration.

Positive Developments

- **Positive Supreme Court Decision.** On **16 April 2018**, the Supreme Court further vindicated Irina Zakharchenko and Valida Jabrayilova with a ruling that upheld compensation for their unjust conviction and 11-month imprisonment.

A year earlier, the Supreme Court acquitted the two women who had been convicted of a criminal offence and jailed simply for sharing a Bible message with others.

- **Foreign citizen participation in assemblies.** In May 2017, Article 1 of the Law on Freedom of Religious Beliefs was amended to allow foreigners to "conduct religious propaganda" at the invitation of a Religious Centre. Previously, this law prohibited foreigners and persons without citizenship from engaging in this activity. With the assistance of the SCWRA, a religious minister from Georgia attended and participated in an annual convention in Baku in October 2017.



Irina and Valida in Baku

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- **Import of religious publications.** Religious organisations can import religious literature only by permission of the SCWRA. However, the SCWRA has not refused import of any new publications of Jehovah's Witnesses since November 2015. At present, Jehovah's Witnesses do not have any claims in Azerbaijan courts against the SCWRA's censorship of their religious literature.
 - **Control stamps.** The Religious Community of Jehovah's Witnesses in Baku have been able to obtain control stamps as needed.
 - **Large religious assemblies.** For a number of years it was impossible for Jehovah's Witnesses to hold religious assemblies in larger rented venues. However, since 2016, the Witnesses have received assistance from the SCWRA and have been able to rent large venues in Baku for annual religious events.

Meetings With Officials

1. **3 May 2018.** Representatives of the European Association of Jehovah's Witnesses (EAJW) and a local representative of the Witnesses met with Mr Sayavush Heydarov, Deputy Chairman of the SCWRA. The objective of the meeting was to increase understanding and reduce the problems Jehovah's Witnesses face in Azerbaijan. The discussions highlighted two main concerns—government denial of registration and refusal to provide for alternative civilian service.
2. **4 May 2018.** Representatives of the EAJW and a local representative met with Mr Toghrul Mammadli, Head of International Relations of the Council on State Support to Non-governmental Organisations. Although religious communities are not within his scope, he offered to serve as a bridge between the SCWRA and Jehovah's Witnesses.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF AZERBAIJAN TO:

- Grant full registration to Jehovah's Witnesses in Baku and in other parts of the country
- Stop interfering with their worship and public manifestation of belief
- Recognise the right to conscientious objection and provide an alternative civilian service programme conforming to international standards
- Cancel and refund all fines resulting from the exercise of the right to religious freedom

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Azerbaijan government.

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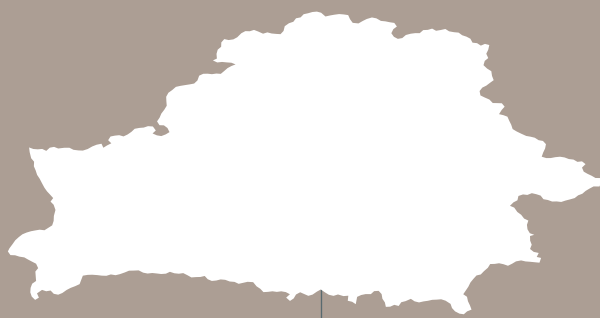
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Belarus

Jehovah's Witnesses in Belarus enjoy a measure of freedom to worship. In the past year, they held weekly religious services throughout the country without police disruption. In July 2018, the authorities allowed the Witnesses to hold a large religious conference in Minsk, with nearly 9,000 in attendance.

However, the Witnesses in Belarus continue to have problems with local officials who hinder them from obtaining legal registration, holding religious meetings or finding suitable venues for religious services.

Abuses and Restrictions of Religious Freedom

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INTERFERENCE WITH FREEDOM OF ASSEMBLY

Jehovah's Witnesses in Belarus meet freely for worship in the religious buildings they own. Since 1994, authorities have allowed Jehovah's Witnesses to register 27 local religious organisations and one national religious association.

Local authorities must first give their approval before the Witnesses may legally meet for religious services in private homes or rented premises. In most cities officials have given approval for the Witnesses to meet together. However, in cities where the authorities deny permission, they inform the Witnesses that non-residential buildings are not available to rent for religious meetings but then refuse to allow them to meet in private homes.

Without suitable places for worship, Jehovah's Witnesses have no choice but to hold their religious meetings "illegally" in private homes. Although police have not disrupted any of these meetings this year, they have disrupted Witness religious services in the past, asserting that residential buildings are not intended for religious meetings. In these circumstances, the Witnesses effectively have no legal protection of their right to assemble, since the authorities can interfere with their religious meetings at any time and prosecute them for religious activity.

Under current conditions, Jehovah's Witnesses in Belarus have no effective legal protection of their right to assemble

Jehovah's Witnesses have been trying unsuccessfully to register communities in some areas of Belarus for over ten years.

LEGAL RECOGNITION WITHHELD

The Law of the Republic of Belarus on Freedom of Conscience and Religious Organisations (Law on Religion), dated 17 December 1992, obliges worshippers to register a local religious organisation (community) in every town where there are more than 20 members. Otherwise, authorities consider religious activity without State registration illegal.

- **Borisov, Minsk Region.** The Witnesses have made numerous unsuccessful attempts to register a legal community. All of their applications and subsequent appeals have been rejected for groundless formal and technical reasons.
- **Vileika, Minsk Region.** Authorities denied the Witnesses' attempts to register their community six times during 2017. On 2 November 2017, the authorities informed the Witnesses that the building the Witnesses intended to use for their legal address was not suited for religious use.
- **Vitebsk.** On 15 September 2017, the Vitebsk City Executive Committee refused to grant permission for a large religious meeting of the Witnesses to be held in the city. As in previous years, the local authorities insisted that agreements with local services providing protection, medical care and cleaning services had to be concluded before the Witnesses could submit an application for State permission. However, the local services were unwilling to make agreements with the Witnesses before State permission had been granted.

INTERFERENCE WITH MANIFESTATION OF BELIEF

MISAPPLICATION OF THE LAW ON RELIGION TO RESTRICT WORSHIP

Article 26 of the Law on Religion defines where *religious organisations* may distribute publications—on property belonging to the organisation or on other “lawful premises.” However, local authorities continue to unlawfully misapply Article 26 to *individuals*.

- **Brest (Brest Region).** On **30 March 2018**, the Brest Regional Executive Committee issued a warning notice to the Brest Religious Community of Jehovah's Witnesses. It accused the Community of distributing printed religious materials at unauthorized locations. However, the warning notice did not refer to any specific facts.

This warning notice endangers the existence of the Witnesses' Community, since the Law on Religion does not allow a religious community to appeal the notice. If the Witnesses are warned again within a year, the Brest Regional Executive Committee (as the registering agency) can apply to the court for liquidation of the Brest Religious Community of Jehovah's Witnesses.

MISAPPLICATION OF THE LAW ON MASS ACTIONS TO RESTRICT WORSHIP

The authorities also misapply the term “picketing” from the Law on Mass Actions in the Republic of Belarus (Article 2), dated 30 December 1997, to religious activities of individuals in public areas. Although the Witnesses are not protesting or promoting any social or political interests, some officials misconstrue their public ministry as such. Listed below are examples of official interference.

1. On **24 March 2018**, police detained Witnesses Tamara Vitkovskaya and Olga Grapova when they were sharing their beliefs with others in the town of Rogachev (Gomel Region). On **16 May 2018**, the Rogachev District Court found both of them guilty of unsanctioned picketing and imposed a fine of EUR 21 each. On **15 June 2018**, the Gomel Regional Court upheld the lower court ruling and dismissed both of their appeals.
2. On **10 June 2017**, police detained Witnesses Alena Kitlinskaja and Julija Sheipak when they were sharing a Bible message with others near the bus station in Grodno. At two separate hearings in **August 2017**, the Oktyabrskiy District Court found both of them guilty of illegal picketing. The Grodno Regional Court dismissed Ms Sheipak’s appeal on **21 September 2017** and dismissed Ms Kitlinskaja’s appeal on **3 October 2017**. The court imposed a fine of EUR 49 on each of the women.

Positive Developments

No religious meetings of Jehovah's Witnesses have been disrupted by authorities since the end of 2014

- **Import of religious publications.** All printed religious materials of Jehovah's Witnesses passed State examination and were imported into Belarus in the past year. However, since the law does not set a time limit for the State to study the literature, the Witnesses must generally wait three months before receiving permission to import new religious periodicals.
- **No disruption of religious meetings.** Since the end of 2014, no religious meetings of Jehovah's Witnesses have been disrupted by authorities.
- **Permission for large convention.** On 28 May 2018, the State granted permission for Jehovah's Witnesses to hold a large religious convention in Minsk from 27-29 July 2018, with nearly 9,000 attending.
- **Permission to hold religious meetings in some areas.** In 2018, local authorities permitted Jehovah's Witnesses to hold religious meetings in Minsk and Kletsk.

Meetings With Officials

From September 2017 through the first half of 2018, local representatives of Jehovah's Witnesses met with various local officials to resolve issues when problems arose. The Witnesses engaged in constructive dialogue, and most meetings concluded positively.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF BELARUS TO:

- Grant registration to all communities of Jehovah's Witnesses throughout Belarus
- Grant Jehovah's Witnesses construction permits for their houses of worship
- Grant Jehovah's Witnesses occupancy permits to hold their religious meetings in rented venues
- Respect the right of Jehovah's Witnesses to share their beliefs with others

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Belarus government.

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Bulgaria

Jehovah's Witnesses in Bulgaria enjoy a measure of freedom to worship and are generally able to carry out their religious activities undisturbed.

In 2017, local courts in five municipalities annulled by-laws that restricted the Witnesses' religious activities. In 2018, the Supreme Administrative Court ruled in favour of the Witnesses three times, twice regarding the restrictive by-laws targeting their public ministry and once upholding a defamation ruling against the media.

Jehovah's Witnesses are grateful to the Bulgarian authorities for these rulings that protect their religious freedom.

However, the Witnesses still experience harassment motivated by religious hatred.

- **Although local authorities often provide some assistance, they generally fail to prosecute the perpetrators.**
- **The political parties VMRO (Internal Macedonian Revolutionary Organisation) and NFSB (National Front for the Salvation of Bulgaria) actively seek to severely restrict the activity of Jehovah's Witnesses.**
- **In May 2018, the three largest political parties in Bulgaria filed a proposed law that could be used to hinder the religious activity of Jehovah's Witnesses and other religious minorities.**

Societal Abuses and Discrimination

PHYSICAL ASSAULTS AND HARASSMENT

- 1. Burgas.** On **5 October 2017**, two Witnesses, Richard Zuidema and Vladimir Chykavin, were sharing a Bible message with others in an apartment building when someone lit a firework and threw it down at them from the third floor. Mr Zuidema was only about a metre away when the firework exploded. He sought medical attention at an emergency clinic and later filed a police report.
- 2. Nova Zagora.** On **1 July 2018**, around 11:00 a.m., two Witnesses, Tatyana Borisova Aleksandrova and Maria Isabel de la Mata Palomino de Lopez, were walking down the street when a young man assaulted and punched them. Both of the women were bruised and distressed after the incident. On **3 July 2018**, the women filed a complaint with the police and supplied the address of the attacker. The police officer promised that he would visit the perpetrator and prepare a report.

The young man had previously attacked Jehovah's Witnesses. On **30 June 2018**, two Witnesses were sharing the Bible's message with people in the area when they reached the attacker's door. When he realised that they were Jehovah's Witnesses, he pushed one of them down the stairs.

Restrictions of Religious Freedom

PROPOSED LAW THAT THREATENS FREEDOM OF WORSHIP

On **5 May 2018**, the three largest political parties in Bulgaria submitted a draft law that if passed could be used to discriminate against Jehovah's Witnesses and other religious minorities. The following portions of the law are of concern:

- **Restrictions on foreigners.** Only Bulgarian citizens are allowed to serve as clergy or religious officials. Foreign citizens can serve as clergy only after receiving permission from the Directorate of Religious Affairs of the Council of Ministers. Foreigners can only participate in worship with local representatives of the respective religion when they are in the country at the invitation of the religious denomination and when the Directorate of Religious Affairs of the Council of Ministers has been informed in advance.

→ **Restrictions on external financing.** (1) Religious institutions can accept donations for social assistance benefits and funds for renovation and building of places of worship, houses of prayer, monasteries and other real estate. (2) Donated funds cannot be received from foreign countries or persons for the remuneration of personnel (clergy and staff of the religious institution). (3) Donations covered under paragraph 1 can only be received from foreign countries, foreign citizens and foreign legal entities after authorization is given by the Directorate of Religious Affairs of the Council of Ministers.

→ **State Subsidies.** State subsidies are granted only to denominations whose membership makes up at least one percent of the population of Bulgaria.

On **9 May 2018**, the third largest political party, United Patriots, which is a coalition of nationalist parties (VMRO, NFSB and ATTACKA), submitted their own draft law. This proposal has even more restrictions on religious denominations than the draft law outlined above.

POLICE AND MUNICIPAL INTERFERENCE WITH MANIFESTATION OF BELIEF

For the most part, individual police officers deal respectfully with Jehovah's Witnesses when they find the Witnesses engaged in their religious activity. At times, however, police or municipal authorities interfere with the Witnesses sharing a Bible message with others, citing violations of by-laws. Listed below are a few examples:

1. Purvomaytsi. On **6 October 2017**, two Witnesses, Yaroslav Pavelski and Stefka Jelyazkova Petrova, were walking in the village after visiting friends who had invited them to return to discuss the Bible. The mayor, Yassen Stefanov Yankov, drew up alongside them in his chauffeur-driven car, angrily shouted at them and told them they had no right to walk around in his village. Ms Petrova calmly stated that since she was a resident of the village, she did have a right to use the pavements. He responded: "You have absolutely no rights! Get out of here!" After shouting more abuses at them, the mayor drove off.

2. Vratsa. On **23 December 2017**, three Witnesses, Mr Tasho Tashev, Ms Krasa Tasheva and Mr Yuha Hyvenen, were standing by a cart displaying Bible literature in the city centre, Macedonia Square. Two men, Momchil Yankov and Martin Ivanov, approached the Witnesses and began mocking them. One of the Witnesses filmed the escalating situation on her mobile phone and informed the men that they were being recorded. The men shouted threats of violence, used abusive language and made false allegations against the Witnesses. When police officers arrived, they informed the Witnesses that they were violating a by-law of the Vratsa Municipality, told them to cease their activity and demanded to see written permission from the municipality. The officers refused to provide a warning protocol that would have explained the grounds for demanding that the Witnesses leave.

The Witnesses lodged a complaint against Mr Yankov and Mr Ivanov with the local police. It appears that the perpetrators are associated with VMRO, a political party that actively fights against Jehovah's Witnesses.

Societal Abuses and Discrimination

NEGATIVE MEDIA

There were at least five libellous articles from online newspapers that maligned Jehovah's Witnesses during the reporting period. One negative article, written by Petya Petrova and posted on 18 May 2018 (<https://www.struma.com/>), also gave the address of the building the Witnesses rented for their meetings. Soon after, vandals smashed the windows of the building, causing the owner to cancel his rental contract with the Witnesses. A follow-up article in the same online paper claimed that the owner evicted the Witnesses.

Positive Developments

RIGHT TO MANIFESTATION OF BELIEF UPHELD

During the reporting period, the Supreme Administrative Court twice ruled that municipal councils do not have the authority to enact regulations concerning the free exercise of religion. These decisions should influence lower courts and municipalities as they consider the legality of restrictive by-laws targeted against the religious activity of Jehovah's Witnesses.

Background: Over the past years, dozens of municipalities adopted by-laws that unlawfully restricted the peaceful manifestation of religious beliefs. In some cases, the by-laws were adopted based on proposals from the VMRO and NFSB political parties, who use their influence to try to stop Jehovah's Witnesses from publicly sharing their religious beliefs. The Witnesses have brought court applications to challenge the constitutionality of a number of these by-laws.

RECENT POSITIVE DECISIONS:

- **Karlovo.** On **19 June 2017**, the Plovdiv Administrative Court annulled the portions of the municipal by-law that prohibited the Witnesses' religious activities.
- **Kavarna.** On **10 July 2017**, the Dobrich Administrative Court annulled the portions of the municipal by-law that prohibited the Witnesses' religious activities.
- **Asenovgrad.** On **4 August 2017**, the City Council annulled the portions of the municipal by-law that prohibited the Witnesses' religious activities before the trial date.
- **Mezdra.** On **16 October 2017**, the Vratsa Administrative Court published on its website a decision annulling the portions of the municipal by-law that prohibited the Witnesses' religious activities.
- **Shumen.** On **14 November 2017**, the Shumen Administrative Court annulled the portions of the municipal by-law that prohibited the Witnesses' religious activities. The municipality and the Prosecutor's Office are appealing the decision. The Supreme Administrative Court hearing is scheduled for **22 April 2019**.

→ **Kyustendil.** On **19 February 2018**, the Supreme Administrative Court upheld a lower court decision that had annulled the portions of the municipal by-law that prohibited the Witnesses' religious activities.

→ **Stara Zagora.** On **23 July 2018**, the Supreme Administrative Court upheld a lower court decision that had annulled the portions of the municipal by-law that prohibited the Witnesses' religious activities.

HATE SPEECH AND FALSE REPORTING NOT TOLERATED

For years, SKAT TV had been circulating slanderous statements about Jehovah's Witnesses, both on television and on the Internet. On **25 January 2016**, the Commission for Protection Against Discrimination found SKAT TV and two of its journalists guilty of deliberately spreading false information about Jehovah's Witnesses and encouraging violence against them. On **31 October 2016**, the Burgas Administrative Court upheld the Commission's decision.

On **2 April 2018**, the Supreme Administrative Court of Bulgaria upheld the earlier decisions and sent a strong message that hate speech and false reporting by the media will not be tolerated. The Court acknowledged the damage done to the Witnesses and stressed the importance of abiding by standards set by the European Convention on Human Rights. The Supreme Administrative Court confirmed that the right to freedom of expression and the right to freedom of religion need to be balanced but noted that the right to freedom of expression cannot be misused to deliberately spread malicious and false statements about a religious group.

Meetings With Officials

Between the **4th and the 11th of December 2017**, representatives of the European Association of Jehovah's Witnesses met with foreign embassies and Bulgarian officials to discuss the restrictive draft law promoted by political parties in Bulgaria and the municipal by-laws that are used to restrict or ban the religious activity of Jehovah's Witnesses. They met with the following Bulgarian government offices:

Ministry for Foreign Affairs and the Directorate of Religious Affairs

Bulgarian Commission for Protection Against Discrimination

Ministry for Internal Affairs

Sofia Mayor's Office

National Association of Municipalities in the Republic of Bulgaria

The Supreme Administrative Court of Bulgaria acknowledged the damage done to the Witnesses and stressed the importance of abiding by standards set by the European Convention on Human Rights.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF BULGARIA TO:

- Abide by standards set by the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union regarding the free exercise of religion
- Strike down discriminatory municipal by-laws that restrict peaceful religious expression
- Prosecute those who harass and harm Jehovah's Witnesses and vandalize their places of worship
- Enforce media standards by holding responsible those who publicly slander others and incite religious hatred

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Bulgarian government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



Visit the Newsroom at jw.org or scan here to learn more about legal developments and human rights concerns affecting Jehovah's Witnesses.



EASTERN UKRAINE

RELIGIOUS FREEDOM CONCERNS

STATEMENT BY THE
EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

10-21 SEPTEMBER 2018

Certain Territories in the Donetsk and Luhansk Regions of Ukraine

The situation of Jehovah's Witnesses in the Donetsk and Luhansk regions of Ukraine has deteriorated since mid-2017, when the Supreme Court of the Donetsk People's Republic (DPR) declared some religious publications of Jehovah's Witnesses to be extremist.

Following the pattern set in Russia, authorities have escalated their oppression of Jehovah's Witnesses.

- **Law officers detain, interrogate and harass Jehovah's Witnesses.**
- **Police raid Kingdom Halls (houses of worship) and confiscate the property.**
- **Police raid the homes of Jehovah's Witnesses.**
- **Courts censor the Witnesses' religious literature.**
- **Authorities impose baseless administrative fines.**
- **High officials publicly accuse Jehovah's Witnesses of extremism.**

No legal remedies are available to the Witnesses to protect their rights. Authorities in the Donetsk and Luhansk regions use the pretext of fighting extremism to persecute Jehovah's Witnesses for their peaceful worship.

Abuses and Restrictions of Religious Freedom

RAIDS

During 2017-2018, authorities of the DPR and the Luhansk People's Republic (LPR) raided religious services of Jehovah's Witnesses, both in their Kingdom Halls and in private homes.

Chervonopartyzansk, LPR. On **14 October 2017**, five police officers and two Ministry of State Security (MSS) officers raided the home of 84-year-old Mykhailo Bukotar, where a few Witnesses had gathered for a peaceful religious meeting. The law enforcement officers searched his home, took Mr Bukotar and three other Witnesses to the police station and interrogated the men for hours. Volodymyr Safarov, one of those who were detained, was accused of "organising an unsanctioned public meeting of Jehovah's Witnesses," under Article 20.2(1) of the Code on Administrative Offences.

Krasnodon, LPR. On **17 November 2017**, eight police officers broke into the local Kingdom Hall at 9 Chkalova Street and questioned four of Jehovah's Witnesses. Authorities initiated an administrative case against 50-year-old Volodymyr Sokhrannykh under Article 20.2(5) of the Code on Administrative Offences.

CENSORSHIP

City of Donetsk. In four separate decisions from July 2017 to March 2018, the Supreme Court of the DPR declared seven publications of Jehovah's Witnesses "extremist" literature. The **15 March 2018** decision banned four past issues of the Witnesses' religious magazine, *The Watchtower*—a publication that is translated into 338 languages, with nearly 83.5 million copies printed per issue.

The Witnesses were not notified of any of the proceedings and have been unable to obtain the decisions, and this has deprived them of the right to file appeals. These decisions continue to affect the Witnesses' freedom of worship.

On **15 March 2018**, the Ministry of Justice of the DPR published the “Republican List of Extremist Materials” on its official website. The list includes the four past issues of *The Watchtower*, based on the DPR Supreme Court decision on the same day. Similar information was published on the DPR Supreme Court official website. The distribution of these publications in the DPR is now prohibited.

On 22 August 2018, the Supreme Court of the Donetsk People’s Republic declared the jw.org website “extremist” and banned it. The same decision banned two other religious publications of Jehovah’s Witnesses.

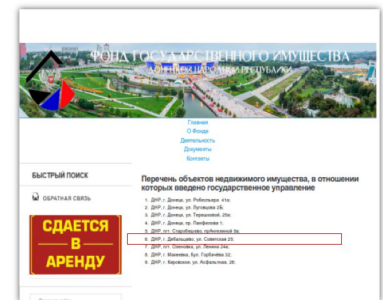
Since August 2017, prosecutors in some areas of the region have issued written warnings to Jehovah’s Witnesses, advising them not to distribute their literature, as distribution is prohibited and makes them administratively liable.

CONFISCATION OF HOUSES OF WORSHIP

As of 29 August 2018, authorities have confiscated 16 Kingdom Halls of Jehovah’s Witnesses in the following locations: Horlivka, Donetsk, Prevalsk, Krasnyi Luch, Telmanove, Yenakieve, Kirovsk, Alchevsk, Krasnodon, Brianka, Uhlehorsk, Debaltseve, Luhansk and Stahaov.

Beginning in **September 2017**, DPR authorities began to transfer ownership of these Kingdom Halls to town/city administrations. In the LPR, authorities confiscated the buildings within the framework of an alleged investigation.

Debaltsevo, DPR. On **25 October 2017**, the State Property Fund of DPR declared that the Kingdom Hall at 25 Radianska [Sovetskaia] Street was abandoned and should be managed by the town administration. On **22 November 2017**, the police welded shut the entrance door of the house of worship.



Announcement on the website of the State Property Fund regarding Kingdom Hall confiscation

Luhansk. In August 2017, the Security Service of LPR seized the Kingdom Hall located on Metrostrevskoy, 6, in Luhansk. On **30 May 2018**, the building was plundered, vandalized and burned.



DETENTION, SEARCHES AND INTERROGATIONS

During 2017 and 2018, police and MSS officers detained and interrogated several of Jehovah's Witnesses. Some were subjected to physical mistreatment, while others were psychologically pressured. The objective of these interrogations was to force the Witnesses to renounce their faith and discontinue sharing their religious beliefs with others. Listed below is an example.

Alchevsk, LPR. On **23 November 2017**, police officers arrested two Witnesses who were peacefully sharing their religious beliefs with others. The two women were taken to the police station, told to undress to their undergarments (in the presence of five male officers) and interrogated for five hours. Throughout the ordeal, the women were forbidden to sit and were threatened with long prison sentences. On the same day, the police conducted an unsanctioned search of the home of one of the Witnesses. After the interrogation at the police station, the women were taken to the MSS building for further interrogation.

6

Police and MSS officers detained and interrogated several of Jehovah's Witnesses to force the Witnesses to renounce their faith and discontinue sharing their religious beliefs with others.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE AUTHORITIES IN THE DONETSK AND LUHANSK REGIONS OF UKRAINE TO:

- Allow Jehovah's Witnesses to assemble for worship
- Allow Jehovah's Witnesses to share their faith with others
- Return all illegally seized Kingdom Halls
- Legally register the activity of Jehovah's Witnesses, in harmony with the European Convention on Human Rights

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Donetsk and Luhansk Regions.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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K A Z A K H S T A N

RELIGIOUS FREEDOM CONCERNS

STATEMENT BY THE
EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

10-21 SEPTEMBER 2018



Kazakhstan

In the past year, religious freedom for Jehovah's Witnesses in Kazakhstan improved. In general, the Witnesses conducted their religious activities with less interference than in previous years.

On 2 April 2018, President Nursultan Nazarbayev pardoned 61-year-old Teymur Akhmedov, a Witness who had been imprisoned for over a year on fabricated charges.

Some courts dismissed unjust charges against Jehovah's Witnesses.

Officials have been more willing to talk with representatives of the Witnesses concerning religious freedom violations.

However, Jehovah's Witnesses still experience serious violations of basic religious freedoms and contend with determined efforts to restrict their religious activity.

- **Ezhova Taisiya, a 79-year-old Witness**, was fined approximately EUR 208 for holding a peaceful religious meeting in her home.
- If enacted, the proposed bill On Amendments and Additions to Some Legislative Acts of the Republic of Kazakhstan on Religious Activities and Religious Associations could **impose severe restrictions on religious freedom**.
- The restrictions imposed on the importation of religious literature by the Law on Religious Activity and Religious Associations (2011 Religion Law) amount to **ensorship**. Currently, four complaints are pending with the UN Human Rights Committee (CCPR) concerning the censorship and proscribing of 19 publications of Jehovah's Witnesses.
- Despite Supreme Court rulings in April and June 2017 upholding the Witnesses' right to religious freedom, **lower courts are slow to apply the decisions**.

SEPTEMBER 2017 THROUGH AUGUST 2018

59

Jehovah's Witnesses
were detained

8

Witnesses were convicted of "illegal missionary activity" and were fined up to EUR 600 each

2

Witnesses were found guilty under other violations for religious activity and were fined 50 times the monthly minimum index, approximately EUR 280

Abuses and Restrictions of Religious Freedom

RESTRICTIVE AMENDMENTS UNDER CONSIDERATION BY SENATE

The proposed bill On Amendments and Additions to Some Legislative Acts of the Republic of Kazakhstan on Religious Activities and Religious Associations was approved in the lower house of Parliament, the Majilis, on 23 May 2018. The Senate began consideration of the bill on 6 June 2018.

The following two points are concerning to Jehovah's Witnesses in Kazakhstan:

Possible deprivation of the right to conduct religious services in homes.

The wording of an addition to paragraph 5 of Article 3 of the 2011 Religion Law may be interpreted to mean that religious services can only be held in premises owned by religious associations and will not be permitted in private dwellings.

Possible prohibition of a parent taking children to religious services without permission of the other parent.

A proposed addition to paragraph 18 of Article 3 of the 2011 Religion Law states: "The leader of a religious association is obliged to take measures to prevent the involvement and (or) participation of minors under the age of sixteen in services, religious rites, ceremonies and (or) meetings over the objection of one of the parents or other legal representatives of a minor." This requirement would appear to violate guaranteed rights.

The United Nations Convention on the Rights of the Child, Articles 5, 14(2), 18(2), guarantees that each parent has the right to share his respective beliefs with his child. Article 12 also protects the right of a child to make his own religious decisions and to have those decisions "given due weight in accordance with the age and maturity of the child." Similar rights are guaranteed by Article 18(4) of the United Nations International Covenant on Civil and Political Rights.

In addition, Article 62 of the Code of the Republic of Kazakhstan "On Marriage and Family" guarantees the right of a child to express his opinion, stating: "A child has a right to express his opinion regarding any question in the family that pertains to his interests, and to be listened to during any court or administrative hearing. Considering the opinion of a child over 10 years old is obligatory, except in the cases when it contradicts his best interests."

ISSUES WITH MAINTAINING BANKING CONTRACTS

In **July 2017**, JSC Halyk Bank, the largest bank in Kazakhstan, suddenly and unilaterally terminated contracts and froze the accounts of the Christian Centre of Jehovah's Witnesses in Kazakhstan (Centre) and of all of the Wit-

nesses' local legal entities without explanation. Halyk Bank had managed the Centre's financial assets since 1998 without any problems. After considerable effort, the Witnesses opened an account with the ATF Bank, but it also unilaterally terminated the contract in August 2017.

On **11 June 2018**, Kazkommertsbank, the second largest bank in Kazakhstan, refused to allow the Witnesses to open a bank account. The managers referred to bank risks and stated that it was in the "process of integration with the JSC Halyk Bank of Kazakhstan, which considerably impacts the bank policy in general and the requirements for its customers."

The Witnesses learned that the National Bank of the Russian Federation had issued a list of companies and organisations considered undependable or "extremist" and that the National Bank of Kazakhstan relied on this list in checking banks' business arrangements throughout the country.

However, in **August 2018** the Witnesses' local legal entities received notice from Halyk Bank that it was annulling its earlier decisions to terminate their banking contracts. Halyk Bank then automatically reopened the Centre's account at Kazkommertsbank in August and renewed the banking contracts of a few of the Witnesses' legal entities. To date, neither bank has issued an official statement confirming whether they will permit the Witnesses to continue banking with their respective institutions.

Interference With Manifestation of Religious Belief

UNJUST IMPRISONMENT OF TEYMUR AKHMEDOV

Astana. On 18 January 2017, Teymur Akhmedov, a well-respected 61-year-old father and husband, was entrapped by authorities on false charges, unjustly placed in pre-trial detention and later tried and imprisoned under Article 174(2) of the Criminal Code of the Republic of Kazakhstan for alleged extremist activity.

On **2 October 2017**, the UN Working Group on Arbitrary Detention called for the immediate release of Mr Akhmedov.

On **4 December 2017**, the Supreme Court of Kazakhstan rejected Mr Akhmedov's appeal.

On **3 January 2018**, a complaint in the name of Teymur Akhmedov was filed with the CCPR. In a communication dated 9 January 2018, the CCPR urged Kazakhstan to take interim measures for Mr Akhmedov's welfare.

On **2 April 2018**, President Nursultan Nazarbayev pardoned Teymur Akhmedov.



Teymur Akhmedov

On 18 January 2017, Kazakhstan's National Security Committee arrested and charged Teymur Akhmedov under Article 174 (2) of the Criminal Code of Kazakhstan. On 2 April 2018, President Nursultan Nazarbayev pardoned Teymur Akhmedov, releasing him from prison and reuniting him with his family.

Although Mr Akhmedov should never have been imprisoned, he is happy to be reunited with his family and to obtain more easily the crucial medical treatment he needs to battle his cancer.

RELIGIOUS MINISTERS UNJUSTLY CHARGED

Four religious ministers (elders) who are chairmen of Local Religious Organisations of Jehovah’s Witnesses have been found guilty of administrative violations and fined for allowing minors to attend religious meetings.

Law enforcement officers have approached non-Witness husbands whose wives are Jehovah’s Witnesses in an attempt to influence them to file complaints against Witness elders for allowing the family’s children to attend religious meetings—even when there was no conflict in the family.

Courts have prosecuted four elders for allegedly violating Article 490 (7) of the Code for Administrative Violations (CAV) for “failure by a head of a religious association to take actions to prevent involvement of minors in activity of a religious association over an objection of one of the parents” and fined each elder up to 50 times the monthly minimum index (approximately EUR 291).

After losing in the lower courts, all four elders appealed their cases to the Supreme Court, but the Court refused to hear their cases. Separate complaints for each case are now being prepared for the CCPR.

POLICE DISRUPTION OF RELIGIOUS SERVICES

- 1. Chundzha (Almaty Region).** On **11 September 2017**, Zhetkinshek Zhumakanov and Erkin Kasenov, representatives of the Department of Internal Politics (Akimat) of the Uighur District, tried to enter a private home where Witnesses had gathered for a religious meeting. They wanted to video the meeting in an effort to encourage non-Witness husbands to file complaints against Jehovah’s Witnesses. On **10 November 2017**, the local newspaper published a slanderous article authored by Mr Zhumakanov.
- 2. Karabalyk (Kostanay Region).** Since **October 2017**, representatives of the Department for Religious Affairs have constantly asked Eduard Malykhin, one of Jehovah’s Witnesses, about religious meetings in his home and have asserted that they receive many complaints that minors are involved in the religious activity. Mr Malykhin has not been permitted to see the “complaints” and has not yet been formally accused of violating Article 490 (7) of the CAV.
- 3. Zhetigen (Almaty Region).** On **26 October 2017**, four town officials (Mr Rakhimbayev, Nurlan Tukeyev, Nurlan Mukhatov and Asem Boyszhan), two police officers (Ulan Chapayev and Aydos Igenov) and a lawyer

(Zhaksyla Karay) went to Stanislav Rimmer's home in order to "inspect" where religious meetings were held. Mr Rakhimbayev stated that somebody had filed a complaint against Mr Rimmer, who is one of Jehovah's Witnesses, claiming that members of an "illegal religious organisation" were gathering in his house. Mr Rimmer was not shown the alleged complaint. The officials made a video recording inside the house against Mr Rimmer's will, and threatened him and his family.

4. Ushtobe (Almaty Region). On **17 December 2017**, a representative of the Department for Religious Affairs, Kayrat Egizov, interrupted a peaceful religious meeting in a private home, asked to take pictures of everybody in attendance and requested to see each personal ID. When he left, local police officers arrived in order to check the ID documents of the owner of the house.

5. Sarykol (Kostanay Region). On **21 January 2018**, police officers led by the head of the Department of Criminal Police, Erlan Sharipov, raided the home of 79-year-old Taisiya Ezhova during a peaceful meeting of Jehovah's Witnesses. The officers said they had received an anonymous phone call stating that a big group gathered for a religious meeting every week at her home. They forced everyone in attendance to write a statement.

On **8 February 2018**, in three separate court trials, the Sarykol District Court found Estay Asainov, Maksim Ivahnik and Timur Koshkunbayev guilty of "illegal missionary activity" under Article 490 (3) of the CAV and imposed fines of approximately EUR 432 each.

On **13 February 2018**, the Sarykol District Court found Ms Ezhova guilty under Article 490 (1) of the CAV and fined her approximately EUR 210 for hosting a peaceful religious meeting at her home.

MANIFESTATION OF BELIEF CONSTRUED AS "MISSIONARY ACTIVITY"

Kazakhstan authorities primarily restrict religious freedom by applying the 2011 Religion Law. The law prohibits unregistered "missionary activity." —Articles 1(5) and 8(1).

The Committee for Religious Affairs (CRA) claims that it is illegal for Jehovah's Witnesses, whether Kazakh or foreign, to share their Bible-based beliefs with friends, neighbours and other interested persons and to participate in religious services at their registered places of worship without first obtaining registration as "missionaries." The application of this law to the religious activity of Jehovah's Witnesses has led to many administrative convictions, fines, court actions and harassment by authorities.

On 11 July 2016, the CCPR concluding observations on Kazakhstan (117th session) included recommendations that Kazakhstan:

“Should guarantee the effective exercise of the freedom of religion and belief and freedom to manifest a religion or belief in practice.”—par. 48.

“Should consider bringing article 22 of its Constitution in line with the Covenant and revise all relevant laws and practices with a view to removing all restrictions that go beyond the narrowly construed restrictions permitted under article 18 of the Covenant.”—par. 48.

Despite positive decisions on religious activity by Kazakhstan’s Supreme Court on 6 April and 1 June 2017, lower courts have been slow to apply those decisions. Jehovah’s Witnesses continue to be harassed and fined by authorities for sharing their faith with others, even with fellow believers.

- **Eight** Witnesses were convicted of “illegal missionary activity” under Article 490 (3) of the CAV and were fined up to EUR 624 each.
- **Two** Witnesses were found guilty under Article 490 (1/3) of the CAV for “illegal missionary activity” and general violation of the 2011 Religion Law. Each was fined 50 times the monthly minimum index, approximately EUR 291, with an additional punishment of “three months suspension in the religious activity in distribution of religious literature and materials with a religious content.”

DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Military service is compulsory in Kazakhstan, with no provision for conscientious objectors. In recent years, Jehovah’s Witnesses have been exempted from military service when the Centre issues a certificate that acknowledges a young man as a religious minister. However, from **September 2017 through July 2018**, nine Witnesses were detained by Military Enlistment officers and questioned about their religious status. The military authorities did not take further action.

Societal Abuses and Discrimination

COMPULSORY PARTICIPATION IN PATRIOTIC CEREMONIES

In the past year, there were at least **14** incidents where authorities threatened and pressured Witness parents to have their children participate in military classes or patriotic ceremonies. The authorities also pressured the children individually. Listed below are three examples:

- 1. Zheskent (Karaganda Region).** On **8 September 2017**, a tenth-grade Witness student faced pressure at school for not singing the national anthem and not participating in elementary military-training classes. The principal stated that the charter of the school demanded that the student participate and that the question of conscience should not be considered.

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- 2. Osinovka (Almaty region).** The school principal told Alla Anisimova, one of Jehovah's Witnesses, that the town "counselling official" would contact her as part of "preventive measures against terrorism." On **8 December 2017**, Ms Anisimova and one of her daughters were asked to come to the principal's office because the young girl had refused to sing the national anthem and would not participate in military-training classes. Seven people were waiting in the office—a town official, the director of studies, the daughter's teacher, a representative of the KNB (former KGB), a representative from the Department for Religious Affairs, a criminal inspector for minors, and a Russian Orthodox priest. They demanded to know where the young girl had attended religious meetings and with whom. Ms Anisimova was pressured to sign a statement that she had listened to a "preventive talk" concerning her daughters.
- 3. Tarkhanka (East Kazakhstan).** On **24 April 2018**, the director of studies asked Witness Popova Irina to come to the principal's office, since her seven-year-old daughter did not want to participate in military marching on a military holiday parade. The director was angry and threatened to report her to the law enforcement agents fighting against religious extremism.

NEGATIVE MEDIA COVERAGE

During the reporting period, the media spread numerous defamatory false reports concerning Jehovah's Witnesses on Internet news sites and on national TV. Even though the claims are blatantly false, they damage the reputation of the Witnesses.

Positive Developments

- **On 2 April 2018, President Nursultan Nazarbayev pardoned 61-year-old Teymur Akhmedov**, who had been imprisoned for over a year on fabricated charges. The pardon cleared his criminal record and removed his name from the extremist list.
- **No publications of Jehovah's Witnesses have been banned for import in 2017 and 2018.**
- **In eight separate cases spanning October 2017 through June 2018, courts of first instance dismissed administrative charges under Article 490 (3) of the CAV (illegal missionary activity) because there was no evidence of administrative violations.**
- **The CRA responded to appeals when negative false information about the Witnesses was provided for teachers on numerous religious and State websites. The CRA agreed that the information was inaccurate and confirmed that it would no longer be used.**
- **In some areas, Jehovah's Witnesses have even received awards for their contribution to the welfare of society.**

The media continues to spread numerous defamatory false reports concerning Jehovah's Witnesses on Internet news sites and on national TV

Meetings With Officials

When difficulties arise, the Witnesses make an effort to meet with officials. Often, when officials learn of the long history of Jehovah's Witnesses in Kazakhstan and the legitimate nature of their activities, the situation improves.

From **May to December 2017**, representatives of Jehovah's Witnesses visited government agencies in 48 cities and towns to highlight information about Supreme Court decisions regarding worship and missionary activities. Most of the meetings were positive, and the officials displayed a genuine interest in the information provided.

- In **February 2018**, representatives of the European Association of Jehovah's Witnesses (EAJW) and local Witnesses met with representatives of the Office of the Human Rights Ombudsman, the Ministry for Religious Affairs, the General Prosecutor's Office, the Ministry of Information and Communication and the Ministry of Foreign Affairs. In addition, representatives of EAJW met with the embassies of various countries, as well as human rights organisations. The discussions focused on the release of Teymur Akhmedov and the restrictive draft amendments to the 2011 Religion Law.
- In **June 2018**, representatives of Jehovah's Witnesses met with representatives of the International Centre for Cultures and Religions in Almaty, the Research and Analytical Centre on Religion at the Committee for Religious Affairs in Astana and four State Agencies of the Karaganda region. These meetings focused on providing information on the beliefs and activities of Jehovah's Witnesses, as well as highlighting their ongoing concerns.
- In **July 2018**, representatives of Jehovah's Witnesses met with the Department for Religious Affairs of the West Kazakhstan region and the Internal Policy Department of the Akimat of Uralsk. These meetings focused on providing information on the beliefs and activities of Jehovah's Witnesses, as well as highlighting their ongoing concerns.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF KAZAKHSTAN TO:

- End the arrest, prosecution and harassment of Jehovah's Witnesses for so-called unregistered missionary activity
- Lift imposed bans on religious publications of Jehovah's Witnesses and restrictions on distribution
- Fulfil its obligations under international law to guarantee freedom of religion, expression, assembly and association for all citizens, including Jehovah's Witnesses
- Enforce media standards prohibiting libel and slander

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Kazakhstan government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



Visit the Newsroom at jw.org or scan here to learn more about legal developments and human rights affecting Jehovah's Witnesses in Kazakhstan.



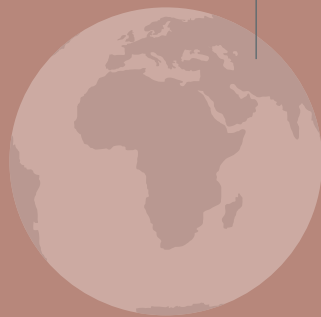
K Y R G Y Z S T A N

RELIGIOUS FREEDOM CONCERNS

STATEMENT BY THE
EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

10-21 SEPTEMBER 2018



Kyrgyzstan

Jehovah's Witnesses have national registration in Kyrgyzstan. In general, they can freely meet for worship and share their faith without serious interference.

However, Jehovah's Witnesses have two concerns:

- **Draft amendments to the religion law that if enacted would severely restrict religious freedom**
- **Problems in registering local religious organisations (LROs) in the southern regions of the country**

Abuses and Restrictions of Religious Freedom

3

RESTRICTIVE DRAFT AMENDMENTS TO THE RELIGION LAW

On **27 June 2018**, the State Commission on Religious Affairs (SCRA) presented new draft amendments to the current law "On Freedom of Worship and Religious Associations." While some provisions were softened in comparison to earlier drafts, two proposed amendments are concerning to Jehovah's Witnesses:

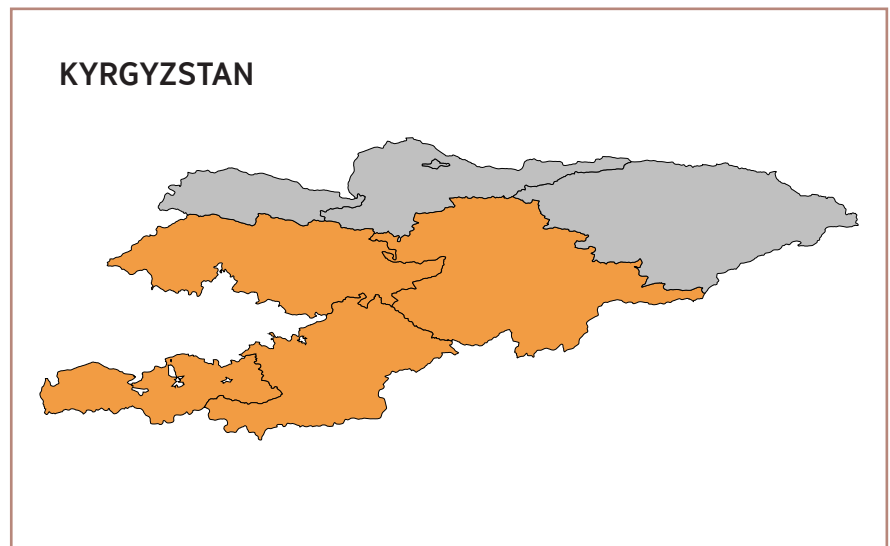
- **A ban on house-to-house dissemination of religious convictions**
- **A requirement that a religious organisation must be comprised of no less than 200 members who must be living in the same region**

These restrictions are contrary to Kyrgyzstan's international obligations and appear to target the peaceful religious activity of Jehovah's Witnesses.

OBSTRUCTION TO LEGAL REGISTRATION IN SOUTHERN REGIONS OF KYRGYZSTAN

Since 2010, Jehovah's Witnesses have been unsuccessful in registering an LRO in the Osh, Naryn, Jalal-Abad and Batken regions, although each LRO meets the registration requirements. The Witnesses also applied directly to the SCRA for registration in these regions, but their applications were denied in 2011 and again in 2013.

Without legal recognition, the religious activity of Jehovah's Witnesses is vulnerable to police action, since they are forced to worship in private homes, which the authorities view as illegal. However, there were no incidents of police interference or harassment during the reporting period.



Southern regions of Kyrgyzstan where Jehovah's Witnesses lack registration

COMPLAINTS FILED WITH THE UN HUMAN RIGHTS COMMITTEE (CCPR):

Jehovah's Witnesses have five cases pending with the CCPR, three of which concern the registration of LROs in the southern regions of Kyrgyzstan.

27 January 2017: Complaint filed against the SCRA for refusing to register four LROs in Osh, Batken, Naryn and Jalal-Abad.

26 March 2013: Complaint filed against authorities in the Batken region for refusing to register the Witnesses' LRO.

7 September 2012: Complaint filed against authorities in the Osh, Naryn and Jalal-Abad regions for refusing to register the Witnesses' LROs.

Two cases address other violations:

15 March 2016: Complaint filed on behalf of Oksana Koriakina and her mother, Nadezhda Sergienko. Authorities in Osh unjustly arrested the two women on fabricated charges and kept them under house arrest for two and a half years.

20 November 2017: CCPR complaint filed on behalf of three Witnesses concerning SCRA refusal to permit importation of a religious journal published by Jehovah's Witnesses.



**Ms Koriakina and
Ms Sergienko**

5

Positive Developments

During the reporting period, Jehovah's Witnesses did not experience any major violations of their freedom to worship.

Although the SCRA examines all religious literature of Jehovah's Witnesses before allowing it to be imported, the Witnesses received all publications without hindrance.

Meetings With Officials

In November 2017 an international delegation of the European Association of Jehovah's Christian Witnesses accompanied by local representatives met with a number of Kyrgyzstan government officials, the SCRA, the Ministry of Justice, the presidential administration and the Ombudsman's office, as well as with representatives of embassies and international organisations.

Jehovah's Witnesses commend the government of Kyrgyzstan for being open to dialogue and for allowing the Witnesses to express their concerns.



RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF KYRGYZSTAN TO:

- Consider redrafting the amendments to the religion law to allow for religious freedom.
- Allow Jehovah's Witnesses to register their local religious organisations in the southern regions of Kyrgyzstan.

Representatives of Jehovah's Witnesses welcome the opportunity to continue engaging in a constructive dialogue with representatives of the Kyrgyzstan government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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L I T H U A N I A

RELIGIOUS FREEDOM CONCERNS

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LITHUANIA

Jehovah's Witnesses in Lithuania freely practice their religion. They gather for worship and share their beliefs with others without harassment.

However, young Witness men whose conscience will not allow them to perform military service find no acceptable alternative. The right to conscientious objection has been established by international law and acknowledged by Lithuania's Constitutional Court.

"In the context of this constitutional justice case, the concept of the right of conscientious objection to military service in accordance with international law and the law of the European Union must be taken into account."—Lithuania Constitutional Court Decision, 4 July 2017.

Despite these standards, Lithuania has failed to provide genuine alternative civilian service for its citizens.

Abuses and Restrictions of Religious Freedom

CASES PENDING BEFORE SUPREME ADMINISTRATIVE COURT

1. **Erikas Rutkauskas.** In 2015, Mr Rutkauskas, one of Jehovah's Witnesses and a ministerial servant (deacon), was called up for mandatory military service. He filed an application with the military authorities in which he explained that his religious conscience did not permit him to perform military service or participate in Lithuania's Alternative National Defence Service (which is a form of military service). He requested that he either be exempted from military service as a religious minister (relying on a provision of the Law on Military Conscription that exempted ministers of

“traditional religions”) or be provided with the opportunity to perform alternative civilian service. The military authorities rejected the application in its entirety.

After being denied exemption from military service, Mr Rutkauskas brought his case to court on the grounds that exemptions were granted only to ministers of recognized “traditional religious communities.” The Vilnius Regional Administrative Court (VRAC) noted that as one of Jehovah’s Witnesses, Mr Rutkauskas had no possibility of even asking for ministerial exemption under the present law. Because of this, the VRAC suspended his case and requested an evaluation by Lithuania’s Constitutional Court on the constitutionality of the Law on Military Conscription.

On **4 July 2017**, the Constitutional Court struck down the sections of the Law on Military Conscription that granted an automatic exemption from military service to ministers of “traditional religions.” The Court ruled that “the constitutional principle of equal treatment would be violated if different persons or groups were treated differently.” The Court noted that Lithuania should abide by established European standards for the treatment of conscientious objectors. **However, the Constitutional Court did not address the issue of acceptable alternative civilian service.**

The Constitutional Court returned the case to the VRAC to make a decision on the merits of Mr Rutkauskas’ appeal. The VRAC denied his appeal and ruled that all citizens of Lithuania have a duty to perform military service. Mr Rutkauskas has filed an appeal to the Supreme Administrative Court, which is pending.

- 4
- 2. Stanislav Teliatnikov.** In June 2015, Stanislav Teliatnikov, one of Jehovah’s Witnesses and a ministerial servant, submitted an application for exemption from military service based on his ministerial work and religious beliefs. When his application for exemption was rejected, he appealed to the VRAC. The VRAC granted his appeal and ordered the military authorities to reinvestigate his request.

On **20 October 2017**, the military authorities appealed the VRAC decision, using as an argument that the 4 July Constitutional Court decision stated that no citizen should be exempted from military service. The military authorities’ appeal is pending before the Supreme Administrative Court.

- 3. Lukas Bajoriunas.** On **29 March 2018**, Mr Bajoriunas, one of Jehovah’s Witnesses and a ministerial servant, submitted an application to the military authorities stating that his religious conscience did not permit him to perform military service. He requested that he be granted either an exemption from military service or the opportunity to perform alternative civilian service. His application was rejected by the Panevezys Regional Division of the Military Conscription. He filed an appeal with the

Ministry of Defence, which granted the appeal in part (requiring the military authorities to make a new decision because of a technical error). However, the Ministry of Defence rejected the remainder of the appeal, concluding that requiring Mr Barjoriunas to perform Alternative National Defence Service could not violate his religious conscience, notwithstanding the fact that it is under military control and supervision.

Mr Bajoriunas appealed the decision to the VRAC, which rejected the appeal on **23 July 2018**. The VRAC agreed with the decision of the Ministry of Defence and also concluded that it would not violate Mr Bajoriunas' religious conscience to require that he perform Alternative National Defence Service. Mr Bajoriunas has appealed to the Supreme Administrative Court, and that appeal is pending.

INTERNATIONAL STANDARDS

In *Adyan and Others v. Armenia* (no. 75604/11, 12 October 2017), the European Court of Human Rights (ECHR) clearly stated the accepted standards for treatment of conscientious objectors. The ECHR held: "The right to conscientious objection guaranteed by Article 9 of the Convention would be illusory if a State were allowed to organise and implement its system of alternative service in a way that would fail to offer – whether in law or in practice – an alternative to military service of a genuinely civilian nature and one which was not deterrent or punitive in character."

On **26 July 2018**, the UN Human Rights Committee released its Concluding Observations on the fourth periodic report of Lithuania (CCPR/C/LTU/CO/4). The CCPR saw the need for a change and concluded: "The State party (Lithuania) should ensure that the Law on National Conscription provides for conscientious objection in a manner consistent with articles 18 and 26 of the Covenant, ensuring that it provides for an alternative to military service outside of the military sphere and not under military command, and on comparable salary terms bearing in mind that article 18 protects freedom of conscience based on religious and non-religious beliefs."

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF LITHUANIA TO:

- **Respect the right to conscientious objection by providing either a complete exemption from military service or a genuine alternative civilian service that is not under military control or punitive in character.**

Representatives of Jehovah's Witnesses welcome the opportunity to engage in constructive dialogue with representatives of the Lithuanian government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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M O L D O V A

RELIGIOUS FREEDOM CONCERNS

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Moldova

Jehovah's Witnesses in Moldova generally enjoy freedom of worship, but they continue to experience opposition from some local governmental authorities.

Officials at times discriminate against the Witnesses by denying them the right to purchase property or to obtain building permits or zoning changes for their Kingdom Halls (houses of worship).

However, in July 2018, the Supreme Court of Moldova upheld an appeal court decision that validated the Witnesses' permit to build a house of worship in the city of Ceadar-Lunga.

Jehovah's Witnesses are grateful for the decision and hope that this will deter ongoing opposition that still exists in many areas.

Abuses and Restrictions of Religious Freedom

DENIAL OF ZONING PERMITS

Olanesti (Stefan Voda). In 2016, the Religious Organisation of Jehovah's Witnesses in Olanesti renovated a house and repurposed it as a Kingdom Hall. Since then, the Witnesses have been involved in an ongoing legal case to obtain permission for a zoning change from the village council of Olanesti.

The Witnesses face similar problems in obtaining zoning changes for their Kingdom Halls in Farladeni and Sangeră.

Officials at times discriminate against the Witnesses by denying them the right to purchase property or to obtain building permits or zoning changes for their houses of worship.

INTERFERENCE WITH MANIFESTATION OF BELIEF

Ciorescu (Chisinau Municipality). On **5 January 2018**, police summoned Evghenia Petic and Lilia Blanari, who are Jehovah's Witnesses, to the police station for sharing their faith with others. One of the officers showed the women a copy of the Ciorescu City Council's recent decision that forbade all religious activity in the city of Ciorescu. The police alleged that the Witnesses had violated Article 54 (3) of the Administrative Code regarding the law on religious practices and fined each of them EUR 29.

On **19 January 2018**, Ms Petic and Ms Blanari submitted an appeal to the Chisinau City Court. The case is ongoing.

Positive Developments

The Ministry of Justice simplified the procedure to register legal entities of religious organisations and provided clear instructions regarding the needed documentation.

On **4 July 2018**, the Supreme Court of Moldova upheld a decision that recognised the validity of a building permit for the Witnesses' Kingdom Hall in Ceadar-Lunga. After over two years of local opposition, the construction of the building is progressing nicely.

Background: On **26 January 2016**, the mayor issued a building permit for the construction of a Kingdom Hall. Soon after, a group of people opposed to the Witnesses started a petition to prevent construction and even asked that the activities of Jehovah's Witnesses be banned in the city of Ceadar-Lunga. On **23 March 2016**, the mayor cancelled the building permit and referred the issue to the city council. On **31 May 2016**, the city council denied the building permit.

The Witnesses submitted complaints to the Ceadar-Lunga City Court (CLCC) on the negative decisions. On **11 May 2017**, the CLCC ruled in favour of the mayor and the city council. However, on **8 February 2018**, the Comrat Court of Appeal (CCA) cancelled the CLCC decision and upheld the validity of the Witnesses' building permit. **The Supreme Court upheld the CCA decision in July 2018.**

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF MOLDOVA TO:

- Allow Jehovah's Witnesses to construct and use houses of worship without interference
- Protect the Witnesses' right to freedom of assembly
- Respect the Witnesses' right to manifest their faith publicly

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Moldova government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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SPECIAL PRESENTATION

CAMPAIGN OF TERROR AGAINST JEHOVAH'S WITNESSES IN RUSSIA

**Imprisonment
House Arrest
Criminal Trials**



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Currently, authorities have placed 25 Witnesses in pre-trial detention, released 7 after first holding them in pre-trial detention, placed 9 under house arrest and ordered 31 others not to leave the area where they live— all based on charges under Article 282.2 for (organising, participating in, or financing the activity of an “extremist” organisation). If convicted, some of those who have been arrested face prison terms of up to ten years.

Jehovah's Witnesses in Pretrial Detention in Russia



Dennis Christensen
ON TRIAL

Year of birth: 1972

Detained: 25 May 2017

Charges: Article 282.2 (1) of RF Criminal Code

Current stage: proceedings in Zheleznodorozhniy District Court

Current location: Detention Centre #1 in Oryol Region



Vladimir Alushkin

Year of birth: 1964

Detained: 15 July 2018

Charges: Article 282.2 (1), (2) of RF Criminal Code

Current location: Detention Centre #1 in Penza Region



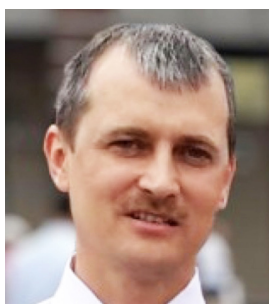
Dmitriy Barmakin

Year of birth: 1974

Detained: 28 July 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Primorskiy Territory



Konstantin Bazhenov

Year of birth: 1975

Detained: 12 June 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Saratov Region



Sergey Britvin

Year of birth: 1965

Detained: 22 July 2018

Charges: Article 282.2 (2) of RF Criminal Code

Current location: Detention Centre #1 in Kemerovo Region



Aleksey Budenchuk

Year of birth: 1982

Detained: 12 June 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Saratov Region



Ilkham Karimov

Year of birth: 1981

Detained: 27 May 2018

Charges: Article 282.2 (1), (1.1), (2) of RF Criminal Code

Current location: Detention Centre #5 in Republic of Tatarstan



Sergey Klimov

Year of birth: 1970

Detained: 3 June 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Tomsk Region



Vadim Levchuk

Year of birth: 1972

Detained: 22 July 2018

Charges: Article 282.2 (2) of RF Criminal Code

Current location: Detention Centre #1 in Kemerovo Region



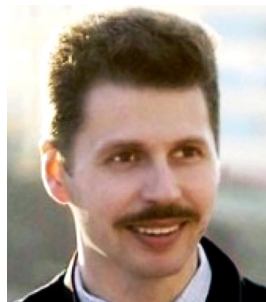
Felix Makhmadiyev

Year of birth: 1984

Detained: 12 June 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Saratov Region



Roman Markin

Year of birth: 1974

Detained: 18 April 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Murmansk Region



Konstantin Matrashov

Year of birth: 1988

Detained: 27 May 2018

Charges: Article 282.2 (1), (1.1), (2) of RF Criminal Code

Current location: Detention Centre #5 in Republic of Tatarstan



Dmitriy Mikhailov

Year of birth: 1977

Detained: 29 May 2018

Charges: Articles 282.2 (2) and 282.3 (1) of RF Criminal Code

Current location: Detention Centre #1 in Ivanovo Region



Valeriy Moskalenko

Year of birth: 1967

Detained: 2 August 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Khabarovsk Territory



Vladimir Myakushin

Year of birth: 1987

Detained: 27 May 2018

Charges: Article 282.2 (1), (1.1), (2) of RF Criminal Code

Current location: Detention Centre #5 in Republic of Tartarstan



Valentin Osadchuk

Year of birth: 1978

Detained: 19 April 2018

Charges: Article 282.2 (2) of RF Criminal Code

Current location: Detention Centre #1 in Primorskiy Territory



Sergey Polyakov

Year of birth: 1972

Detained: 4 July 2018

Charges: Article 282.2 (2) of RF Criminal Code

Current location: Detention Centre #1 in Omsk Region



Anastasiya Polyakova

Year of birth: 1984

Detained: 4 July 2018

Charges: Article 282.2 (2) of RF Criminal Code

Current location: Detention Centre #1 in Omsk Region



Ivan Puyda

Year of birth: 1978

Detained: 30 May 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Magadan Region



Sergey Rayman

Year of birth: 1996

Detained: 25 July 2018

Charges: Article 282.2 (1), (2) of RF Criminal Code

Current location: Detention Centre #1 in Kostroma Region



Andrey Stupnikov

Year of birth: 1973

Detained: 3 July 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Krasnoyarsk Territory



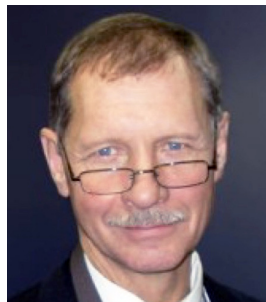
Viktor Trofimov

Year of birth: 1957

Detained: 18 April 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Murmansk Region



Sergey Yerkin

Year of birth: 1953

Detained: 30 May 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Magadan Region



Aydar Yulmetyev

Year of birth: 1993

Detained: 29 May 2018

Charges: Article 282.2 (1), (1.1), (2) of RF Criminal Code

Current location: Detention Centre #5 in Republic of Tatarstan



Yevgeniy Zyablov

Year of birth: 1977

Detained: 30 May 2018

Charges: Article 282.2 (1) of RF Criminal Code

Current location: Detention Centre #1 in Magadan Region

Jehovah's Witnesses Under House Arrest

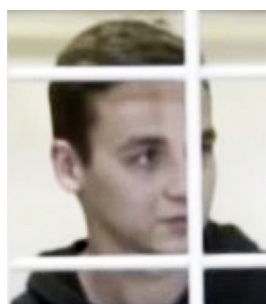


Vladimir Kochnev

Year of birth: 1979

Arrested: 16 May 2018

Charges: Article 282.2 (1) of RF Criminal Code



Vladislav Kolbanov

Year of birth: 1992

Arrested: 16 May 2018

Charges: Article 282.3 (1) of RF Criminal Code



Vladimir Kulyasov

Year of birth: 1974

Detained: 15 July 2018

Charges: Article 282.2 (1), (2) of RF Criminal Code



Andrey Magliv

Year of birth: 1984

Detained: 15 July 2018

Charges: Article 282.2 (1), (2) of RF Criminal Code



Konstantin Petrov

Year of birth: 1986

Arrested: 30 May 2018

Charges: Article 282.2 (1) of RF Criminal Code



Aleksandr Solovyev

Year of birth: 1970

Arrested: 22 May 2018

Charges: Article 282.2 (2) of RF Criminal Code



Aleksandr Suvorov

Year of birth: 1980

Arrested: May 16, 2018

Charges: Article 282.2 (1) of RF Criminal Code



Denis Timoshin

Year of birth: 1980

Detained: 15 July 2018

Charges: Article 282.2 (1), (2) of RF Criminal Code



Anatoliy Vilitkevich

Year of birth: 1986

Arrested: 10 April 2018

Charges: Article 282.2 (2) of RF Criminal Code

Some of Jehovah's Witnesses Ordered Not to Leave The Area



Arkadya Akopyan

ON TRIAL

Year of birth: 1948

First pretrial measure ruling:
3 May 2017

Charges: Article 282.2 (1) of RF Criminal Code

Current stage: proceedings in Prokhladnensky District Court of Kabardino-Balkarian Republic



Alam Aliev

Year of birth: 1963

First pretrial measure ruling:
18 May 2018

Charges: Article 282.2 (1) of RF Criminal Code

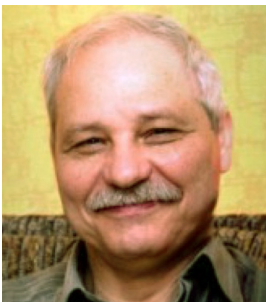


Elena Mikhailova

Year of birth: 1983

First pretrial measure ruling:
27 June 2018

Charges: Article 282.2 (2) and 282.3 (1) of RF Criminal Code



Gennadiy Shpakovskiy

Year of birth: 1958

Arrested: 3 June 2018

Charges: Article 282.2 (1) of RF Criminal Code



Sergey Skrynnikov

ON TRIAL

Year of birth: 1962

First pretrial measure ruling:
13 March 2018

Charges: Article 282.2 (2) of RF Criminal Code

Current stage: proceedings in Zheleznodorozhniy District Court



Yuriy Zalipayev

ON TRIAL

Year of birth: 1962

First pretrial measure ruling:
24 April 2018

Charges: Articles 280 (1) and 282.2 (1) of RF Criminal Code

Current stage: proceedings in Maysky District Court of Kabardino-Balkarian Republic



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R U S S I A

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Russia

In 2018, Russian authorities initiated a campaign of terror against Jehovah's Witnesses.

Russia has imprisoned 25 Witnesses and ordered 9 others under house arrest merely for practising their faith—peacefully meeting together for worship, reading the Bible and talking to others about their beliefs.

Police, OMON forces and FSB agents raid private homes, point automatic weapons in the face of Witnesses—including children and the elderly—and push them to the floor or against the wall as though they were dangerous criminals. Some Witnesses are severely beaten. In July, officials in Omsk placed the first female Witness in pre-trial detention.

The Russian government has directly violated its guarantees made in open court that the ban on the legal entities of Jehovah's Witnesses would not affect the rights of individual Witnesses to practise their faith.

Russia has completely disregarded this guarantee and is grossly misapplying its own laws to criminally charge the Witnesses with participating in, organising or financing “extremist” activity. The government has even gone as far as passing legislation to allow the State to seize children of Jehovah's Witnesses for “resocialization.”

Rather than fighting extremism, Russia is persecuting its own citizens for their peaceful worship.

The Russian government has directly violated its guarantees made in open court that the ban on the legal entities of Jehovah's Witnesses would not affect the rights of individual Witnesses to practise their faith.

Abuses and Restrictions of Religious Freedom

For over a decade, Russian authorities have grossly misapplied legislation on extremism to the peaceful religious activity of Jehovah's Witnesses. During that time, the authorities created a legal veneer to criminalise the Witnesses' worship. Finally, on 20 April 2017, the Russian Federation Supreme Court ruled to liquidate the national office of Jehovah's Witnesses and 395 Local Religious Organisations (LROs). Since then, the situation in Russia has deteriorated considerably.

Now, Jehovah's Witnesses are labelled as "extremists," and Russian authorities are treating them as if they were dangerous criminals.



Police raid a private home in Tomsk

The following are some examples of the more than 40 aggressive police raids, seizures and detentions that occurred during the reporting period:

1. **18 April 2018. Polyarniy, Murmansk Region.** Heavily armed riot police raided the homes of three Witnesses. The officers kicked down doors, threw people to the floor, threatened the Witnesses with weapons and roughly forced women and minors to stand with their face to the wall and their hands up. The police seized personal items—tablets, telephones, documents and Bible-based literature.

At the home of 44-year-old **Roman Markin**, police broke down the door with a battering ram and threatened him at gunpoint. Mr Markin's 16-year-old daughter was present at the time and immediately put her hands on her head and lay flat on the floor.

In all, the police took 15 Witnesses, including minors, to the station for interrogation lasting from 1:00 a.m. to 7:00 a.m. The investigators initiated criminal charges against **Roman Markin** and 61-year-old **Viktor Trofimov** under Article 282.2(1) of the Russian Federation Criminal Code (organising the activity of an extremist organisation). Both men remain in pretrial detention.

2. **19 April 2018. Vladivostok, Primorskiy Territory.** Law enforcement officers raided the homes of several Witnesses and seized mobile phones, tablets, cash and Bible literature. The Witnesses had been under secret audio and video surveillance for some time prior to the raids. Authorities placed 42-year-old **Valentin Osadchuk** in pretrial detention and initiated a criminal case against him under Article 282.2(2) (participating in the activities of an extremist organisation). Criminal cases have also been initiated against **five women**, one of whom is 83 years old, under the same charge. The women were ordered to sign an agreement not to leave the city.

3. **17 May 2018. Birobidzhan.** In a sting operation code-named Judgment Day, 150 police officers and members of the FSB raided 22 homes of Jehovah's Witnesses. The police seized tablets, cell phones and money. Police arrested and imprisoned **Alam Aliev**, one of the 34 Witnesses searched during the raids. On 18 May, the Birobidzhanskiy District Court ordered that he be kept in pretrial detention until 13 July 2018, under Article 282.2(1) (organising the activity of an extremist organisation). Mr Aliev appealed, and on 25 May 2018, the court ordered his release. The investigator ordered him to sign an agreement not to leave the city.

4. **3 June 2018. Pskov, Pskov Region.** At 12:45 p.m., armed riot police raided a home where Witnesses had gathered for a peaceful religious meeting. The police forced the front door open, pointed weapons at those present and ordered them to lower their heads. The FSB supervised the six-hour search, confiscated tablets and mobile phones and took the Witnesses away for interrogation. The interrogators insulted the Witnesses and threatened them with dismissal from work and criminal prosecution. The interrogation lasted until 2:00 a.m. Police initiated a criminal case against **Gennadiy Shpakovskiy** under Article 282.2(1) (organising the activity of an extremist organisation) and ordered him to sign an agreement not to leave the city.

SEPTEMBER 2017 THROUGH AUGUST 2018

>40+

Police raids on homes
and seizures of private property

5

Incidents of vandalism

>25

Persons jailed for
religious activity

>32

Incidents of police intimidation

>8

Dismissals at work based on
religious discrimination

>16

Denials of right of
conscientious objection

5. **3 June 2018. Tomsk, Tomsk Region.** At about 10:00 a.m., law enforcement officers, including Special Forces soldiers, invaded several Witness homes. About 30 individuals were ordered onto a bus and taken for interrogation to the Centre for Combating Extremism. Among the detainees was a 12-year-old child and an 83-year-old woman. During the day a few ambulances were called to the building where the interrogation was conducted, and one person was hospitalized. Police searched homes and vehicles and seized mobile phones, tablets, computers, Bibles, personal notes, personal photos, money, bank cards and other documents. The police placed **Sergey Klimov** in pre-trial detention under charges of violating Article 282.2(1) (organising the activity of an extremist organisation).



**Konstantin Bazhenov,
Feliks Makhammadiev and
Alexey Budenchuk**

6. **12 June 2018, Saratov and Village of Shirokoye, Saratov Region.** Law enforcement officers searched at least seven homes involving about 20 of Jehovah's Witnesses. Police broke down apartment doors, behaved very rudely and seized all electronic devices, books, photographs, personal notes, foreign passports and cash. In at least two homes, the police planted banned religious publications of Jehovah's Witnesses. They took more than 10 Witnesses to the FSB office for interrogation and held them until nearly midnight. Criminal cases were initiated against six Witnesses under Article 282.2(1) (organising the activity of an extremist organisation). **Konstantin Bazhenov, Feliks Makhammadiev and Alexey Budenchuk** were put in pre-trial detention. Three others, **Gennadiy German, Roman Gridasov and Alexey Miretsky**, were ordered to sign an agreement not to leave the city.

7. **30 June–1 July 2018. Lensk, Republic of Sakha-Yakutia.** At 5:30 p.m., police forces raided homes of eight Witnesses and seized personal belongings, including photographs, flash and hard drives, mobile phones, computers and different Bible translations. The police escorted 22 people to the police station, detained them for up to five hours and interrogated most of them. During the interrogations, the investigators revealed that the Witnesses had been kept under surveillance for more than six months. After the interrogation one woman was hospitalized because of a psychological breakdown, and another woman suffered a miscarriage. The investigators initiated a criminal case against 42-year-old **Igor Ivashin** under Article 282.2(1) (organising the activity of an extremist organisation) and ordered him to sign an agreement not to leave the city.

8. **4 July 2018. Omsk, Omsk Region.** At 7:00 a.m., police forces raided the homes of at least four Witnesses and searched their houses, land plots, outbuildings and vehicles until 3:00 p.m. **Sergey and Anastasia Polyakov** were asleep when the police invaded their home. Even though Mr Polyakov offered no resistance, the police beat him severely. The investigators initiated criminal cases against both of them under Article 282.2(2) (participating in the activities of an extremist organisation). Both husband and wife were sentenced to pre-trial detention until **20 September 2018.**

9. 15 July 2018. Penza, Penza Region. Around 4:00 p.m., police forces raided four locations where Witnesses had gathered for a peaceful meeting. In some locations the police mocked, humiliated and threatened the Witnesses. In one location, a female investigator made personal searches of six female Witnesses, completely stripping them one by one. The police seized all electronic devices and storage media, printed photographs, personal notes and notebooks. They detained approximately 40 adults and took them to the police station—leaving the children unattended in the homes.

The investigators initiated a criminal case against **Vladimir Alushkin** under Article 282.2(1) (organising the activity of an extremist organisation). Mr Alushkin was placed in pre-trial detention until **14 September 2018**. The investigators also initiated criminal cases against **Vladimir Kulyasov, Andrey Magliv** and **Denis Timoshin** under Article 282.2(2) (participating in the activities of an extremist organisation). All three are being held under house arrest.

10. 19 July 2018. Razdolnoye, Primorskiy Territory. Seven people, including three armed men wearing masks, broke into the apartment of 75-year-old Witness Mr VF and his 72-year-old wife, LF, and shouted: “Lie down! Hands behind your back!” They forced Mr VF’s hands behind his back, knocked him down and bruised his nose and cheek. The elderly couple’s ill 52-year-old daughter lost consciousness as a result of the shock, and the mother suffered a severe hypertensive crisis. Both mother and daughter had to call for an ambulance. The investigator seized their electronic devices, Bible literature and Bibles, including valuable antique editions from 1907. Investigators took the father, mother and daughter for an interrogation that lasted until 2:30 a.m. During the interrogation, Ms LF again had to call for an ambulance.

11. 2 August 2018. Khabarovsk, Khabarovsk Territory. Early in the morning, the FSB raided the homes of at least four Witnesses. The FSB seized personal items, electronic devices, notes, photographs and even children’s drawings and escorted the Witnesses to the station for interrogation and fingerprinting. The FSB searched the home of 51-year-old **Valeriy Moskalenko** for five hours. During this time, his 83-year-old mother, who has a pacemaker, became ill and required an ambulance. Investigators initiated a criminal case against Mr Moskalenko under Article 282.2(1) (organising the activity of an extremist organisation).

CRIMINAL INVESTIGATIONS, PRE-TRIAL DETENTIONS, CRIMINAL TRIALS

Russian authorities are conducting at least 26 criminal investigations of Jehovah's Witnesses throughout the country. Currently, four criminal trials are in progress.



Anastasiya Polyakov

In July, officials in Omsk placed 34-year-old **Anastasiya Polyakov** in pre-trial detention. She is the **first female Witness to be imprisoned on extremism charges**, setting a dangerous precedent for other Witness women in Russia who practice their faith.



Dennis Christensen

Dennis Christensen, a Danish citizen living in Russia, has been in pre-trial detention since his arrest on **25 May 2017**. Courts extended his detention three times to allow the prosecutor to build a case against him.

→ On **26 February 2018**, Mr Christensen's criminal trial began.

After over 20 court sessions, his trial has continued into September.



Arkadya Akopyan

Arkadya Akopyan, a 70-year-old retired tailor from Prokhladny, Kabardino Balkaria Republic, has been on trial since **May 2017** on charges of ‘inciting religious hatred.’ His trial continues through September.



Yuriy Zalipayev

Yuriy Zalipayev, from Mayskiy, Kabardino Balkaria Republic, has been on trial since **16 July 2018** on charges under Article 282.2(1) (organising the activity of an extremist organisation) and Article 280(1) (engaging in extremist calls/appeals).

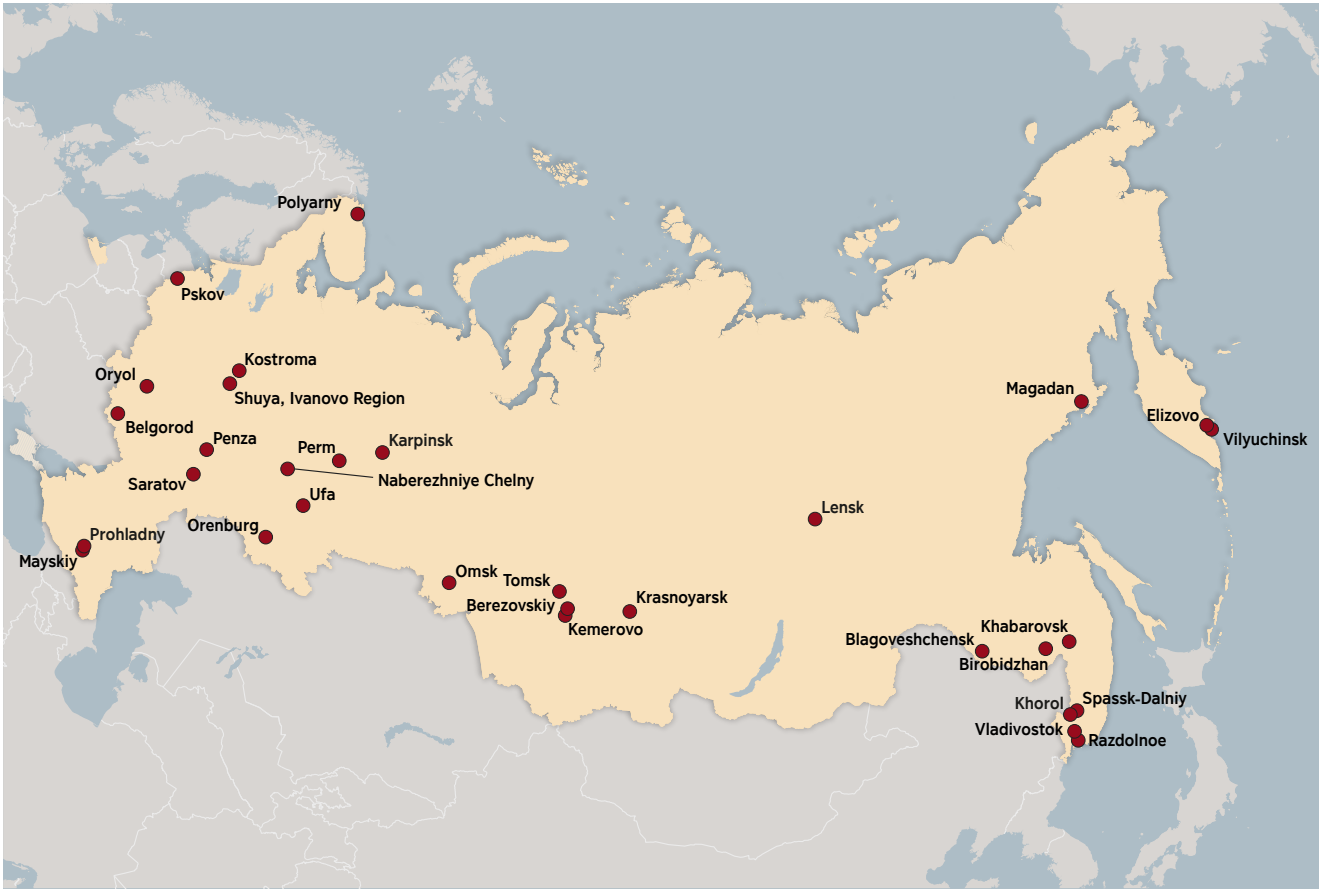


Sergey Skrynnikov

Sergey Skrynnikov, from Oryol, has been on trial since **3 August 2018** on charges under Article 282.2(2) (participating in the activities of an extremist organisation).

Currently, authorities have placed 25 Witnesses in pre-trial detention, released 7 after first holding them in pre-trial detention, placed 9 under house arrest and ordered 31 others not to leave the area where they live—all based on charges under Article 282.2 for (organising, participating in, or financing the activity of an “extremist” organisation). If convicted, some of those who have been arrested face prison terms of up to ten years.

LOCATIONS OF RAIDS IN RUSSIA



STATE CONFISCATION OF PROPERTY

On 17 August 2017, nearly four months after the Supreme Court decision to ban and liquidate the Witnesses' legal entities, the Ministry of Justice added the Administrative Centre of Jehovah's Witnesses in Russia (the Witnesses' national office) to the list of banned organisations in Russia. Soon after, Russian authorities began legal proceedings to seize property owned by the Administrative Centre and the 395 LROs.



Administrative Centre of
Jehovah's Witnesses in Russia

- On **7 December 2017**, the Sestroretskiy District Court annulled a long-standing contract on the property used by the Administrative Centre, opening the way for the State to seize the property.
- On **3 May 2018**, the St. Petersburg City Court upheld the 7 December decision.
- On **3 August 2018**, the property used by the Administrative Centre was officially registered in the name of the Russian Federation. There has not been a physical takeover of the property to date.

LARGE ASSEMBLY HALL OF JEHOVAH'S WITNESSES SEIZED

- On **14 December 2017**, Russian authorities broke into the Kolomyazhskiy Assembly Hall of Jehovah's Witnesses in St. Petersburg, cordoned off the building and took control of the property.

11

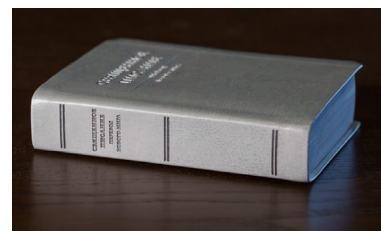


Security camera image of the raid and seizure of Kolomyazhskiy Assembly Hall by Russian officers

STATE CENSORSHIP OF RELIGIOUS LITERATURE

No religious literature of Jehovah's Witnesses can be imported into Russia. Based on so-called expert studies, Russian courts have ruled in favour of prosecutors and have declared over 100 religious publications of Jehovah's Witnesses to be extremist. These publications are posted on the Federal List of Extremist Materials (FLEM).

On **20 December 2017**, the Leningrad Regional Court upheld an earlier ruling that declared the Russian-language version of the *New World Translation of the Holy Scriptures*—a Bible published by the Witnesses—to be extremist literature. The court's decision marked the first time that the Bible has been banned in a country that claims to be Christian. **Possessing the *New World Translation of the Holy Scriptures* or any other religious literature published by Jehovah's Witnesses is a criminal offence.**



New World Translation of the Holy Scriptures

DISMISSALS FROM WORK

Jehovah's Witnesses are increasingly harassed at their workplace, and in some cases, they lose their jobs because of their religious beliefs. The following are a few examples that occurred during the reporting period.

- 1. 22 January 2018. St. Petersburg.** Witness Mr AM was a successful head manager of sales. When the staff and director learned that he was a Witness, they created unbearable working conditions for him and forced him to resign.
- 2. 12 March 2018. Nizhniy Tagyl, Sverdlovsk Region.** TB, a 57-year-old Witness, was forced to resign from a leading position for being an active member of an allegedly extremist organisation.
- 3. 24 April 2018. Polyarniy, Murmansk Region.** After 14 years of irreproachable work, 49-year-old Witness Ms AL was fired from the district court because of her religion. She now has little opportunity for making a living.
- 4. 18 May 2018. Nikolaevka, Smidovichskiy Region, Jewish Autonomous Area.** Ms LZh, a 66-year-old Witness, was dismissed from her place of employment.

DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION

Russian authorities had recognised the rights of Jehovah's Witnesses who conscientiously objected to military service. However, Witness young men whose conscience will not allow them to serve in the military are increasingly facing problems. There were at least 10 cases during the reporting period where authorities denied these men the right to perform alternative civilian service in lieu of military service.

Russian authorities have decreed that the State can seize children of Jehovah’s Witnesses for “resocialization.”

However, no Witness children have been taken from their parents so far.

SUPREME COURT RULING POTENTIALLY SEPARATES FAMILIES

Russian authorities have decreed that the State can seize children of Jehovah’s Witnesses for “resocialization.” On **14 November 2017**, the Supreme Court Plenum of the Russian Federation ruled, in Resolution No. 44, that parents may be “deprived of parental rights by a court” if they involve their children in a religious organisation that has been banned as “extremist.”

On **23 November 2017**, the Ministry of Education and Science issued a nationwide “recommendation” calling for the “resocialization” of children exposed to “religious-extremist . . . ideology.” The Ministry singled out just two groups of children—those of ISIS members and those of Jehovah’s Witnesses. It noted that “tens of thousands of children and adolescents” have parents who are Jehovah’s Witnesses. No Witness children have been taken from their parents so far.

Negative Media Coverage

Russian media relentlessly publicizes slanderous reports about Jehovah’s Witnesses. These reports negatively influence public opinion and lead to open discrimination and mistreatment of the Witnesses.

Meetings With Officials

There has been no progress in meeting with officials in Russia.

Seeking Relief Through International Tribunals

37

Applications pending with the ECHR

10

Complaints pending with the CCPR

| | APPLICATIONS | COMPLAINTS |
|---|--------------|------------|
| Liquidation of National Religious Organisation | 1 | — |
| Liquidation of Local Religious Organisation, Registration | 4 | 4 |
| Censorship of Religious Literature and Website | 7 | 2 |
| Revocation of Permit to Import Religious Literature | 1 | — |
| Detention or Criminal Conviction for Practicing Religion | 5 | 3 |
| Prosecution/Detention for Evangelizing | 3 | — |
| Seizure of Religious Literature in Transport | 1 | 1 |
| Home Search, Literature Seized | 5 | — |
| Raid on or Interference with Religious Meeting | 10 | — |
| TOTAL | 37 | 10 |



RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF THE RUSSIAN FEDERATION TO:

- End the persecution of Jehovah's Witnesses in Russia and stop all raids, arrests, interrogations and criminal investigations for peaceful religious activity
- Annul the April 2017 Supreme Court decision that banned and liquidated all properties owned or used by the Witnesses
- Release Dennis Christensen and other Witnesses in detention
- Remove the Witnesses' religious literature, including the *New World Translation of the Holy Scriptures*, from the FLEM
- Apply international standards as recommended by the Venice Commission to legislation on extremism
- Abide by Russia's Constitution and respect international law, including the judgments of the European Court of Human Rights

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Russian government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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T A J I K I S T A N

RELIGIOUS FREEDOM CONCERNS

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EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

**OSCE Human
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Tajikistan

In 2007 the government of Tajikistan stripped Jehovah's Witnesses of their legal registration and since then considers their religious activity to be illegal.

As a result, the Witnesses contend with a number of violations of basic religious freedoms:

- **Police disruption of religious services**
- **Police interference with public manifestation of belief**
- **Government denial of registration**
- **Government refusal of right to conscientious objection**

Authorities deny the Witnesses the right to conduct religious meetings and assemblies, to own or use property for religious purposes, to produce and import religious literature, to receive donations, to carry out charitable activity and to invite foreign citizens to participate in religious events.

The UN Human Rights Committee (CCPR) recommended in its Concluding Observations on the second periodic report on Tajikistan (22 August 2013, CCPR/C/TJK/CO/2) that Jehovah's Witnesses be granted re-registration, stating that "the State party should reverse its discriminatory refusal to register certain religious denominations."

However, the government has not taken any action to implement the CCPR decision.

The UN Human Rights Committee recommended in its report on Tajikistan that Jehovah's Witnesses be granted reregistration

Abuses and Restrictions of Religious Freedom

HARASSMENT BY OFFICIALS AND INTERFERENCE WITH RELIGIOUS SERVICES

- 1. Khujand.** On **21 January 2018**, authorities summoned a male Witness to the police station based on a police raid of his home in June 2017. During the four-hour interrogation, officer Husrav Usupov beat the Witness so severely that the victim suffered a concussion. After the police released him, he went to the hospital for medical treatment. A police officer followed him and pressured the hospital staff not to provide medical test results and compelled the doctor to write a false statement denying the injuries. The victim's wife filed complaints with the Prosecutor's Office concerning the beatings. On **1 February 2018**, the chief of the Police Department and the chief of the Criminal Investigation Department summoned the victim and his wife for interrogation. The police ordered the couple to write a statement declaring that they were Jehovah's Witnesses. Fearing for their safety, they moved to another city.
- 2. Gafurov, a settlement near Khujand.** On **24** and **30 January 2018**, police summoned and interrogated more than a dozen of Jehovah's Witnesses "for converting from Islam to Christianity." The police demanded that they renounce their faith. The Witnesses filed complaints with the Prosecutor's Office. However, the Prosecutor's Office pressured the Witnesses to delete portions of their complaints that stated that the police had subjected them to religious persecution for their beliefs. On **12 February 2018**, the Gafurov District Prosecutor's Office responded to the complaints and stated that the police had not committed any violations.

INTERFERENCE WITH MANIFESTATION OF BELIEF

- 1. Dushanbe.** On **19 November 2017**, police approached two female Witnesses while they were peacefully sharing their beliefs with a neighbour. The police took both women to the station, ridiculed them and demanded their cell phone numbers. Both women were later released. The next day, police summoned the husband of one of the women to the station and derided him for his beliefs.

LEGAL RECOGNITION WITHHELD

On **11 October 2007**, the Ministry of Culture deregistered Jehovah's Witnesses. As a result, the government of Tajikistan considers all religious activity of Jehovah's Witnesses to be illegal.

The Witnesses have filed for re-registration numerous times; the most recent filing was in 2014. Each time, the Committee of Religion denied their applications on technicalities.

In 2012, the Witnesses submitted a complaint to the CCPR concerning the deregistration issue. The decision is pending.

- At the **2015 OSCE HDIM**, the Tajikistan delegation stated publicly that Jehovah's Witnesses had not fully exhausted domestic remedies to appeal the deregistration decision.
- In response, on **25 February 2016**, the Witnesses filed an appeal with the chairman of the Supreme Court, challenging the deregistration decision.
- On **8 April 2016**, the Supreme Court informed the Witnesses that the chairman of the Supreme Court had rejected their appeal.

RESTRICTIVE AMENDMENTS TO THE RELIGION LAW

On **10 January 2018**, new restrictive amendments to the law on Freedom of Conscience and Religious Associations were enacted, which increased State control of religion and transferred some authority from the Ministry of Justice to the Committee of Religion. This committee now has the right to register religious associations, control their activities, collect financial and other data and adopt bills that can restrict (or expand) a religious association's activity. Part 7 of Article 4 was amended with additional criteria allowing the State to restrict religious freedom for the purpose of "constitutional order, defence of the country, and territorial integrity of the republic."

DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

According to Tajikistan law, a person may substitute alternative service for military service. However, this provision exists in theory only, since the government has not implemented an alternative service program. The government has ignored two CCPR decisions recommending that it adopt alternative civilian service. Consequently, young Witnesses who are conscientious objectors are subjected to prosecution and imprisonment.

Meetings With Officials

- **February 2018** and **August 2018**: Representatives of the European Association of Jehovah's Witnesses requested meetings with the Ministry of Foreign Affairs and with the head of the Presidential Administration. Both requests are still pending.

Young Witnesses
who are consci-
entious objectors
are subjected to
prosecution and
imprisonment

Case of Daniil Islamov

On **13 April 2018**, Daniil Islamov, a conscientious objector and one of Jehovah's Witnesses, was released after being unjustly imprisoned. Mr Islamov was jailed for nearly a year, as he spent six months in pretrial detention before serving a six-month prison sentence.

Background. On **22 April 2017**, Mr Islamov received a military call-up and reported to the enlistment office. He informed the officers that he could not perform military service in good conscience and requested the opportunity to perform alternative civilian service.

The officers ignored Mr Islamov's request, arrested him and placed him in the military barracks until his trial. While in detention, he was repeatedly pressured to take the military oath and to put on a military uniform, which he refused to do.

Since Mr Islamov's imprisonment violated international law, his attorney filed a complaint with the UN Working Group on Arbitrary Detention (WGAD). On **5 October 2017**, the WGAD released its written opinion, concluding that Tajikistan was guilty of arbitrarily detaining Mr Islamov. The opinion noted that Mr Islamov was "a victim of discrimination on the basis of his religious belief." The WGAD urged the government to "take the steps necessary to remedy the situation of Mr Islamov without delay" and to "release Mr Islamov immediately."

Despite this clear directive, on **13 October 2017**, the military court convicted Mr Islamov of "evasion by an enlisted serviceman of fulfilment of military service obligations" and sentenced him to six months in prison. In its ruling, the court not only ignored the WGAD decision but in-

correctly classified Mr Islamov as "an enlisted serviceman" and a "military servant." Neither term applies to him, since he never enlisted in the military, took a military oath or put on a military uniform.

On **11 January 2018**, the Military Collegium of the Supreme Court of Tajikistan unilaterally rejected Mr Islamov's appeal. The judges conducted the case in private chambers without a hearing and upheld Mr Islamov's conviction on the false charge of evading military service. On **19 March 2018**, the Presidium of the Supreme Court upheld the verdict against him.

Mr Islamov is filing a complaint with the CCPR, challenging his arrest and imprisonment.



Daniil Islamov in the courtroom

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF TAJIKISTAN TO:

- **Grant full registration to Jehovah's Witnesses**
- **Allow Jehovah's Witnesses to worship without interference and to have the freedom to share their beliefs with others**
- **Allow Jehovah's Witnesses to import and use religious literature**
- **Recognise the right to conscientious objection and provide an alternative civilian service program conforming to international standards**

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Tajikistan government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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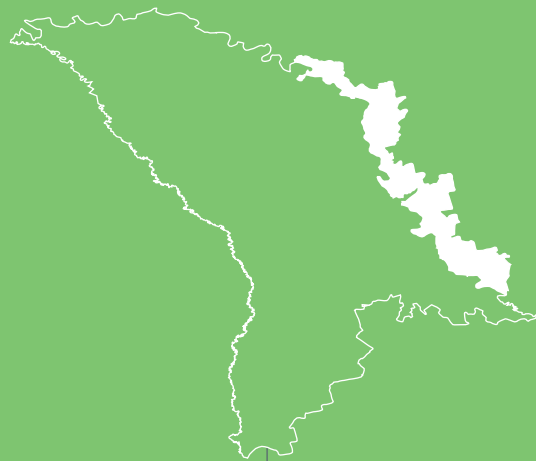
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Transnistria

Transnistria authorities restrict the religious activity of Jehovah's Witnesses by denying them legal status.

Only 2 of the Witnesses' 34 congregations in Transnistria have been allowed legal registration—in Tiraspol and Rybnitsa. However, the authorities have not allowed either of these congregations to re-register under the 2009 Law on Freedom of Conscience and Religious Associations in the Transnistrian Moldavian Republic and are now moving to liquidate the Rybnitsa legal entity.

The refusal to grant registration effectively criminalises the Witnesses' peaceful religious activity and leaves them vulnerable to discrimination. However, there were no incidents of police interference with the Witnesses' worship during the reporting period.

The refusal to grant registration effectively criminalises the Witnesses' peaceful religious activity and leaves them vulnerable to discrimination.

3

Restrictions of Religious Freedom

DENIAL OF REGISTRATION

On 19 February 2009, the Law on Freedom of Conscience and Religious Associations was enacted in Transnistria and required the re-registration of all religious associations by 31 December 2010. All religious associations that failed to re-register are subject to liquidation.

- 1. Re-registration of the Tiraspol Religious Community.** In 2009, 2013 and January 2014, Jehovah's Witnesses attempted to re-register their religious community. The Ministry of Justice refused their requests. On **14 March 2014**, the Community of Jehovah's Witnesses in Tiraspol again submitted their charter to the Ministry of Justice for re-registration. The Ministry of Justice refused to re-register the charter. On **26 June 2014**, the Community filed a complaint against the Ministry in the Tiraspol City Court. On **28 July 2014**, the Tiraspol City Court ruled in favour of the

Witnesses. However, the Supreme Court of Transnistria overturned the decision on **25 September 2014**.

On **30 June 2016**, Jehovah's Witnesses filed complaints against Moldova and against the Russian Federation with the UN Human Rights Committee concerning the refusal by the Transnistria authorities to grant re-registration.

2. Liquidation of the Rybnitsa Religious Community. In 2009 and again in 2013, the Witnesses tried to re-register their religious community. The Ministry of Justice refused their requests. On **12 April 2018**, the Ministry filed a claim in the Rybnitsa City Court against the Rybnitsa Community of Jehovah's Witnesses and requested that their religious community be liquidated. The case is ongoing. On **14 August 2018**, the Rybnitsa Community again submitted their charter to the Ministry of Justice for re-registration.

NEW AMENDMENTS TO THE RELIGION LAW

On **16 November 2016**, amendments to the Law on Freedom of Conscience and Religious Associations went into effect. Similar to Russia's July 2016 law, the aim is to curb missionary activity. Article 18 of the Law states:

For the purposes of this federal law, missionary activity is recognized as the activity of a religious association, aimed at disseminating information about its beliefs among people who are not participants (members, followers) in that religious association, with the purpose of involving these people as participants (members, followers). It is carried out directly by religious associations or by citizens and/or legal entities authorized by them, publicly, with the help of the media, the internet or other lawful means.

The law affects the subject of conversations, where literature can be distributed (only in houses of worship) and the registering of religious groups (communities, associations, organisations).

Meetings With Officials

Numerous attempts to arrange meetings with the Ministry of Justice have been unsuccessful.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF TRANSNISTRIA TO:

- Grant Jehovah's Witnesses full registration throughout Transnistria
- Respect the Witnesses' right to assemble, worship and manifest their belief publicly

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Transnistria government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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Turkey

Jehovah's Witnesses in Turkey have legal registration and, in general, they enjoy freedom of worship.

→ However, Turkey refuses to recognize conscientious objection to military service and makes no provision for alternative civilian service.

→ Municipal officials throughout the country refuse to classify Kingdom Halls of Jehovah's Witnesses as "places of worship" on zoning maps.

66

Conscientious objectors
under prosecution

91

Requests for zoning
of houses of worship
denied by 29 municipalities

Abuses and Restrictions of Religious Freedom

3

DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

There are 66 of Jehovah's Witnesses facing prosecution as conscientious objectors to military service. The government of Turkey subjects Witness conscientious objectors to unending call-ups for military duty, repeated fines and threats of imprisonment.

1. Turkey ignores the landmark judgment of the Grand Chamber of the European Court of Human Rights (ECHR) in *Bayatyan v. Armenia*, no. 23459/03, 7 July 2011. The Grand Chamber found that Article 9 of the European Convention protects conscientious objectors who refuse military service.
2. Turkey disregards ECHR judgments against its treatment of conscientious objectors:
 - *Buldu and Others v. Turkey*, no. 14017/08, 3 June 2014
 - *Feti Demirtaş v. Turkey*, no. 5260/07, 17 January 2012
 - *Erçep v. Turkey*, no. 43965/04, 22 November 2011

These rulings are binding on Turkey, since it is a member of the Council of Europe.

Male Witnesses face relentless call-ups and contend with endless court cases for each related call-up, which often result in heavy fines.

3. Turkey also ignores the UN Human Rights Committee (CCPR) Views— *Atasoy and Sarkut v. Turkey* (CCPR/C/104/D/1853-1854/2008 [29 March 2012]). “[The Witnesses’] refusal to be drafted for compulsory military service derives from their religious beliefs,” and their “subsequent prosecution and sentences amount to an infringement of their freedom of conscience, in breach of article 18, paragraph 1, of the [International Covenant on Civil and Political Rights].”—*Atasoy and Sarkut v. Turkey*.

Turkey issues four call-ups per year for military service. Every time a male Witness receives a call-up, he reports in person to the enlistment office and informs the officers that he is a conscientious objector. Since there is no provision for alternative civilian service, he is considered a “draft evader” and the military authorities initiate a legal case against him.

Thus, male Witnesses face relentless call-ups and contend with endless court cases for each related call-up, which often result in heavy fines. On appeal, some local courts have cancelled the administrative fines, referring to international ECHR and CCPR decisions. However, these cancellations solve the related cases to that call-up period only. These individuals are still in the never-ending cycle of call-ups, and this situation negatively affects them and their family.

The following cases were in progress during the reporting period:

1. **Sami Şekip Peker** was sentenced to pay an administrative fine of 2,869 Turkish lira (EUR 538) on 16 November 2017 and an additional 2,978 Turkish lira (USD 658) [EUR 533] on 19 March 2018 for his refusal to serve in the military. One of his appeals was successful; the other is pending before the local court.
2. **Serdar Çobanlar** was sentenced to pay an administrative fine of 7,447 Turkish lira (EUR 551) on 24 November 2017 for refusal to serve in the military. His appeal was rejected on 15 March 2018.
3. **Aşkın Saygın** was sentenced to pay an administrative fine of 13,406 Turkish lira (EUR 2,423) on 27 February 2018 for refusal to serve in the military. His appeal was successful on 20 June 2018.
4. **Ali Doğan** was sentenced to pay an administrative fine of 369 Turkish lira (EUR 66) on 8 March 2018 for refusal to serve in the military. His appeal is pending before the local court.
5. **Altuğ Öncü** was sentenced to pay an administrative fine of 6,460 Turkish lira (EUR 1,156) on 10 April 2018 for refusal to serve in the military. His appeal is pending before the local court.

-
6. **Ersin Ölgün** was sentenced to pay an administrative fine of 4,469 Turkish lira (EUR 803) on 15 March 2018 for refusal to serve in the military, despite an earlier ECHR ruling in his favour (*Buldu and Others v. Turkey*, no. 14017/08, 3 June 2014). His appeal was successful on 20 June 2018.
 7. On 4 October 2017 and 7 December 2017, the prosecutor initiated three legal cases against **Caner Palandökenler**. The cases are still under consideration.
 8. On 3 January 2018, the prosecutor initiated a legal case against **Ömer Refik**. The case is still under consideration.

If a Witness conscientious objector is employed, the government eventually becomes aware of this because it provides social security for its citizens. The military recruitment offices are also informed, and these offices send official letters to the employers who have hired a Witness conscientious objector, threatening to fine the employer unless it fires the “draft evader.” Thus, many Witnesses in these circumstances lose their jobs and must seek self-employment.

DENIAL OF ZONING FOR HOUSES OF WORSHIP

In 2003, Turkey modified its Law on Zoning No. 3194 in order to comply with European standards on non-discrimination and freedom of religion, providing non-Muslim religious minorities the right to build and own places of worship. In practice, however, municipal authorities and domestic courts have refused to implement this provision and routinely refuse to grant “place of worship” status for Kingdom Halls of Jehovah’s Witnesses.

Because the government rejects registration of Kingdom Halls, the buildings are subject to arbitrary closure at any time. The Witnesses must also pay property taxes because the buildings are not properly zoned as religious facilities.

To date, 29 different municipalities have denied 91 requests made by Jehovah’s Witnesses to obtain a religious facility location on municipal zoning maps. **Not one Kingdom Hall in Turkey has been zoned as a place of worship.**

To date, 29 different municipalities have denied 91 requests made by Jehovah’s Witnesses to obtain a religious facility location on municipal zoning maps. Not one Kingdom Hall in Turkey has been zoned as a place of worship.

On 24 May 2016, the ECHR released its judgment in the cases of *Association de solidarité avec les témoins de Jéhovah et autres c. Turquie*, nos 36915/10 and 8606/13, finding that Turkey used its zoning legislation to “impose rigid, even prohibitive, requirements on the exercise [of worship] of minority denominations, one of which being Jehovah’s Witnesses.” The law unnecessarily restricted the Witnesses’ ability to worship freely and therefore violated Article 9 of the European Convention on Human Rights.

- To date, neither of the houses of worship that were the subject of the applications (Kingdom Halls in Mersin and Izmir) has been granted zoning as a place of worship.
- On **14 June 2017**, the Ministry of Justice notified some government officials about this judgment.
- In **early 2018**, Jehovah’s Witnesses applied to the local courts for zoning of Kingdom Halls in Mersin and Izmir as places of worship.
- The case dealing with zoning of the Kingdom Hall in Mersin is still pending.
- On **19 February 2018**, the 3rd Administrative Court in Izmir cancelled its previous decision—14 years after its original negative decision. However, the local municipality appealed this decision before the Council of State with their petition dated **28 May 2018**. The case is still pending before the Council of State.

Positive Developments

Some appeal courts cancelled the administrative penalty fines issued against conscientious objectors, referring to the facts stated in conscientious objectors’ petitions and standards upheld in international court decisions. Since September 2017, appeal courts have revoked penalty fines against four Witness conscientious objectors. Jehovah’s Witnesses appreciate these decisions, as they can serve as precedents in other cases involving other conscientious objectors.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF TURKEY TO:

- Recognize the right to conscientious objection to military service and provide for alternative civilian service
- Apply zoning laws correctly to allow them to build and register places of worship

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of Turkey's government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.

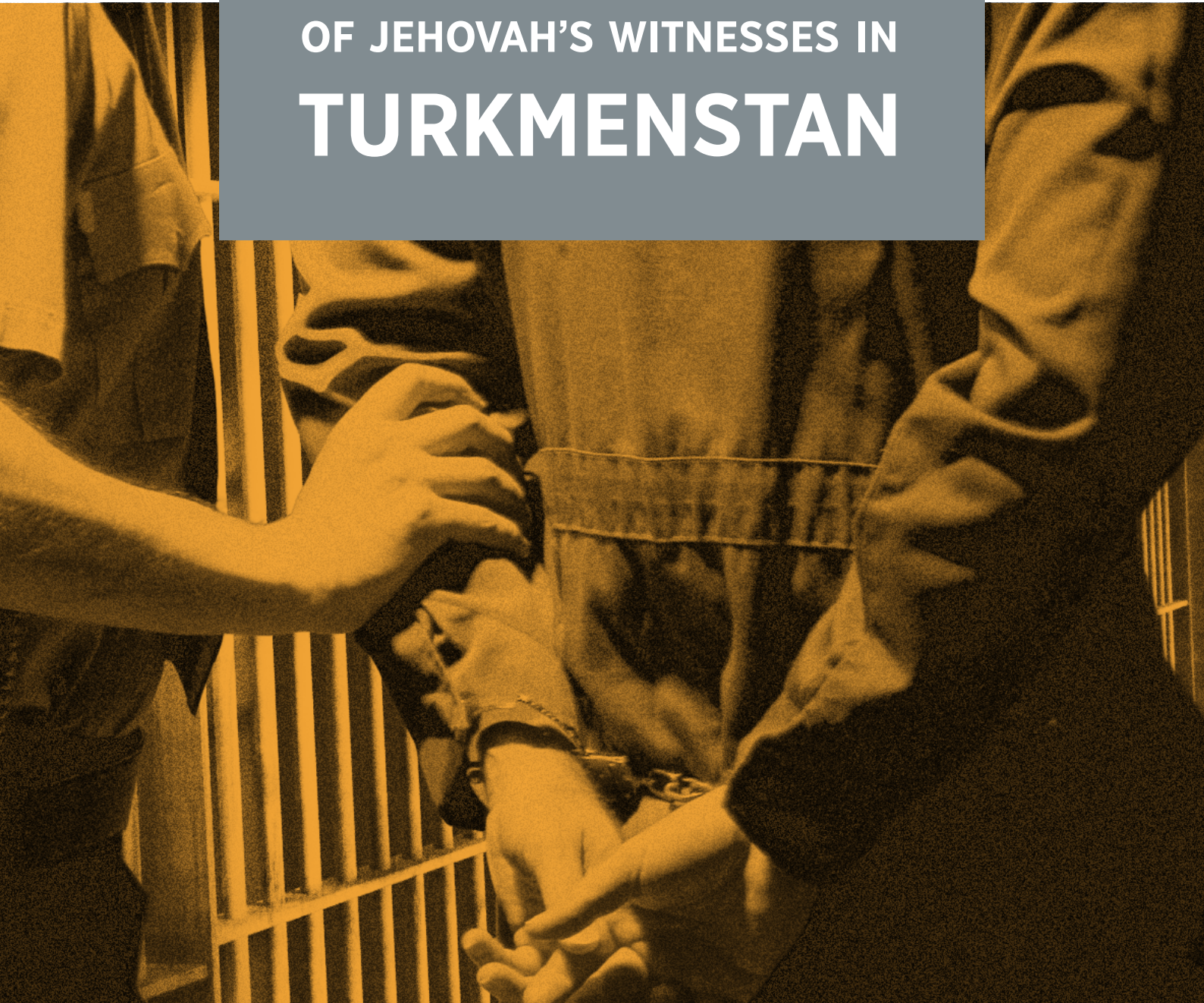


Visit the Newsroom at jw.org or scan the QR code to learn more about legal developments and human rights affecting Jehovah's Witnesses.



SPECIAL PRESENTATION

IMPRISONMENT OF JEHOVAH'S WITNESSES IN TURKMENSTAN



**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

10-21 SEPTEMBER 2018

Jehovah's Witnesses Imprisoned in Turkmenistan



Bahram Hemdemov

Congregation Minister

Detained: 14 March 2015

Charges: fabricated charges of
"inciting religious hatred"

Current location: Seydi Labour
Camp LB-K 12

Mr. Hemdemov, 54 years old, is married and the father of four sons. At the time of his arrest, he served his congregation as an elder and was a well-respected member of the community. In May 2015 a court sentenced him to four years of hard labor in prison for holding an "illegal" religious meeting in his home. He is detained in a notoriously wretched labor camp in the town of Seydi, where he has suffered repeated interrogations and brutal beatings at the hands of the authorities. Even though the president of Turkmenistan has issued numerous amnesties in the past two years, the authorities consistently ignore pleas for Mr. Hemdemov's release.

Young Witnesses Imprisoned for Conscientious Objection to Military Service



Arslan Begenchov

Age: 19

Conscientious Objector

Detained: 2 January 2018

Charges: Article 219 (1) of Turk-
menistan Criminal Code

Current location: Seydi Labour
Camp LB-K 12



Kerven Kakabayev

Age: 21

Conscientious Objector

Detained: 29 January 2018

Charges: Article 219 (1) of Turk-
menistan Criminal Code

Current location: Seydi Labour
Camp LB-K 12



Mekan Annayev

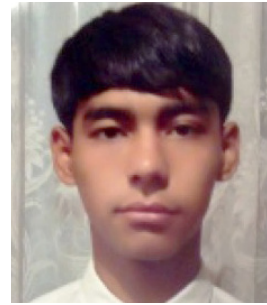
Age: 19

Conscientious Objector

Detained: 26 June 2018

Charges: Article 219 (1) of Turkmenistan Criminal Code

Current location: Seydi Labour Camp LB-K 12



Veniamin Genjiyev

Age: 18

Conscientious Objector

Detained: 6 July 2018

Charges: Article 219 (1) of Turkmenistan Criminal Code

Current location: Seydi Labour Camp LB-K 12



Ikhlosbek Rozmetov

Age: 20

Conscientious Objector

Detained: 11 July 2018

Charges: Article 219 (1) of Turkmenistan Criminal Code

Current location: Seydi Labour Camp LB-K 12



Maksat Jumadurdiyev

Age: 18

Conscientious Objector

Detained: 17 July 2018

Charges: Article 219 (1) of Turkmenistan Criminal Code

Current location: Seydi Labour Camp LB-K 12



Isa Sayayev

Age: 24

Conscientious Objector

Detained: 9 August 2018

Charges: Article 219 (1) of Turkmenistan Criminal Code

Current location: DZ-D/7 Dahshoguz detention centre



Ruslan Artykmyradov

Age: 18

Conscientious Objector

Detained: 13 August 2018

Charges: Article 219 (1) of Turkmenistan Criminal Code

Current location: LB-D/9 Turkmenabat city detention centre



Sokhbet Agamyradov

Age: 18

Conscientious Objector

Detained: 27 August 2018

Charges: Article 219 (1) of Turkmenistan Criminal Code

Current location: MR-D/14 Mary city detention centre



Serdar Atayev

Age: 18

Conscientious Objector

Detained: 28 August 2018

Charges: Article 219 (1) of Turkmenistan Criminal Code

Current location: MR-D/14 Mary city detention centre



Visit the Newsroom at jw.org or scan here to learn more about legal developments and human rights affecting Jehovah's Witnesses in Turkmenistan.

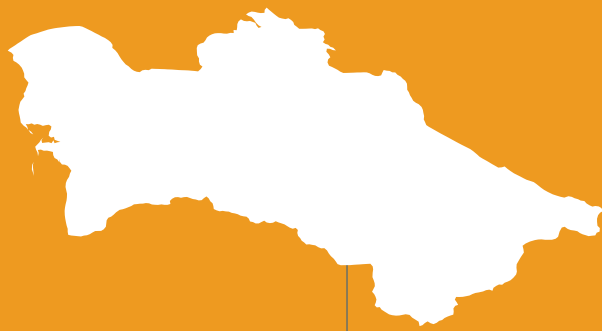
T U R K M E N I S T A N

RELIGIOUS FREEDOM CONCERNS

STATEMENT BY THE
EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

10-21 SEPTEMBER 2018



Turkmenistan

Presently, 11 Jehovah's Witnesses are unjustly imprisoned in Turkmenistan. Although there have been fewer incidents of oppression in the past year, Witnesses in Turkmenistan continue to experience violations of the following basic religious freedoms:

- **Government denial of registration**
- **Police disruption of religious services**
- **Police interference with public manifestation of belief**
- **Government denial of right to possess religious material**
- **Government refusal to provide alternative civilian service**

Jehovah's Witnesses have not been able to register their religious organisation. The lack of registration puts the Witnesses at risk, as the March 2016 Law on Freedom of Religion and Religious Organisations states that all unregistered religions are illegal.

As a result, officials mistreat the Witnesses, raid their peaceful meetings, seize their religious publications, try to restrict any religious activity and pressure them to renounce their faith.

Bahram Hemdemov has been imprisoned since 14 March 2015 simply for conducting a peaceful religious meeting of Jehovah's Witnesses in his home.

Turkmenistan has no provision for an alternative to military service and has reverted to its previous harsher stance towards conscientious objectors. During this reporting period, ten young Witness men whose conscience would not allow them to serve in the military were imprisoned. Some of the young men are appealing their sentences at the national and international level.

Officials mistreat the Witnesses, raid their peaceful meetings, seize their religious publications, try to restrict any religious activity and pressure them to renounce their faith.

Abuses and Restrictions of Religious Freedom



BAHRAM HEMDEMOV **Prisoner of Conscience**

Baharam with his wife, Guizira,
before his imprisonment

UNJUST IMPRISONMENT OF BAHRAM HEMDEMOV

Bahram Hemdemov, now 55 years old, is married and is the father of four children. He has been imprisoned since **14 March 2015** simply for conducting a peaceful religious meeting of Jehovah's Witnesses in his home.

The Lebap Regional Court sentenced Mr Hemdemov to four years of hard labour in the Seydi Labour Camp LB-K 12. When first imprisoned, he endured through repeated interrogations and brutal beatings at the hands of the authorities. Three times a year on average, the government grants amnesty to prisoners, but Mr Hemdemov has been overlooked each time. Despite convicted murderers being among those freed, Mr Hemdemov remains in prison.

On **15 August 2016**, Mr Hemdemov filed a complaint with the UN Human Rights Committee (CCPR). The complaint is pending consideration.

DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Turkmenistan refuses to recognise the right of conscientious objection to military service despite calls to comply with international standards. As a result, Jehovah's Witnesses who cannot in good conscience support the military are imprisoned.

In 2015 and 2016, the CCPR issued ten decisions against Turkmenistan in response to applications filed by individual Witnesses who had been prosecuted and imprisoned as conscientious objectors. In these decisions, the CCPR reprimanded Turkmenistan for persecuting and imprisoning young Witnesses for conscientious objection in violation of Article 18 of the International Covenant on Civil and Political Rights (Covenant). The CCPR also concluded that prison officials tortured some of the Witnesses, as defined by Article 7 of the Covenant.¹

In April 2017 the CCPR repeated its concern about Turkmenistan's "continued failure to recognize the right to conscientious objection to compulsory military service and the repeated prosecution and imprisonment of Jehovah's Witnesses refusing to perform compulsory military service." It called on Turkmenistan to "revise its legislation without undue delay" and to "provide for alternative service of a civilian nature outside the military sphere and not under military command for conscientious objectors, and halt all prosecutions of individuals who refuse to perform military service on grounds of conscience and release those who are currently serving prison sentences."²

¹ Abdullayev v. Turkmenistan, communication No. 2218/2012, Views adopted on 25 March 2015, para. 7.2.

² Concluding observations on the second periodic report of Turkmenistan, 20 April 2017, CCPR/C/TKM/CO/2, paras. 40, 41.

Since January 2018,
Turkmenistan has
imprisoned ten
young Witnesses for
their conscientious
objection to military
service.

Since January 2018, Turkmenistan has imprisoned ten young Witnesses for their conscientious objection to military service. The authorities prosecute them under Article 219(1) of the Criminal Code for the ‘absence of legal grounds for exemption from military service.’

1.



Arslan Begenchov, 19 years old, was arrested and placed in pretrial detention on 2 January 2018 as a conscientious objector. On **17 January 2018**, he was sentenced to one year of imprisonment and is now in the Seydi Labour Camp LB-K 12.

2.



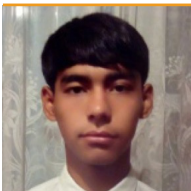
Kerven Kakabayev, 21 years old, was sentenced to one year of imprisonment on **29 January 2018** as a conscientious objector. He is in the Seydi Labour Camp LB-K 12.

3.



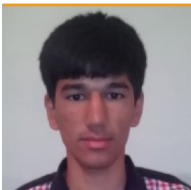
Mekan Annayev, 19 years old, was sentenced to two years’ imprisonment on **26 June 2018** as a conscientious objector. He is in the Seydi Labour Camp LB-K 12.

4.



Veniamin Genjiyev, 18 years old, was placed in a pretrial detention centre on 6 July 2018 in the city of Turkmenabat. On **17 July 2018**, Mr. Genjiyev was sentenced to one year of imprisonment as a conscientious objector. He is in the Seydi Labour Camp LB-K 12.

5.



Ikhlosbek Rozmetov, 20 years old, was sentenced to one year of imprisonment on **11 July 2018** as a conscientious objector. He is in the Seydi Labour Camp LB-K 12.

6.



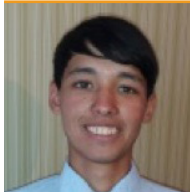
Maksat Jumadurdiyev, 18 years old, was sentenced to one year of imprisonment on **17 July 2018** as a conscientious objector. He is in the Seydi Labour Camp LB-K 12.

7.



Isa Sayayev, 24 years old, was sentenced to one year of imprisonment on **9 August 2018**. He is currently in the DZ-D/7 Dashoguz detention centre.

8.



Ruslan Artykmyradov, 18 years old, was sentenced to one year of imprisonment on **13 August 2018**. He is currently in the LB-D/9 Turkmenabat city detention centre.

9.



Sokhbet Agamyradov, 18 years old, was sentenced to one year of imprisonment on **27 August 2018**. He is currently in the MR-D/14 Mary city detention centre.

10.



Serdar Atayev, 18 years old, was sentenced to one year of imprisonment on **28 August 2018**. He is currently in the MR-D/14 Mary city detention centre.

POLICE ACTION AGAINST JEHOVAH'S WITNESSES

During the reporting period, there were over 20 incidents of police brutality, intimidation and searches of the homes of Jehovah's Witnesses. Several Witnesses were detained for many hours at the police station. The following provides further details on a few of these incidents.

POLICE BRUTALITY

- 1. Balkanbat.** On **21 September 2017**, two police officers approached a male Witness on the street and escorted him to the police station. At the station, several officers interrogated him, and one officer said he wanted to shoot him. The officers telephoned his manager and threatened to have him dismissed from work. The District Police Inspector of the 13th Microdistrict of Balkanabat took the Witness into his office and began shouting at him and punching him in the face and stomach until he lost consciousness. The Witness was detained at the station for eight hours. Later he filed a complaint with the Prosecutor General's Office and the Turkmen National Institute of Democracy and Human Rights. The Balkan Regional Police Department denied any wrongdoing by the police officers.
- 2. Ashgabat.** On **18 November 2017**, more than ten law enforcement officers wearing masks and brandishing clubs forcibly invaded the apartment of a female Witness, where 16 other Witnesses had gathered for a peaceful religious meeting. The female Witness' neighbour had called the District Police Inspector, falsely claiming that "Wahhabi" Muslims had gathered there.

The officers ordered everyone to lie on the floor and then searched the apartment and seized several publications. The police escorted most of those present to the Ministry of National Security. At the Ministry, officers beat two male Witnesses with clubs. When the officers discovered that those detained were not "Wahhabis" but, rather, Jehovah's Witnesses, they transferred the group to the police station in the Berkaralyk district of Ashgabat.

At the station, police interrogated and verbally abused the Witnesses for three and a half hours. On **1 December 2017**, the female Witness who hosted the meeting was charged with "distribution of literature of religious content" under Article 76, part 1, of the Administrative Code and fined 200 manats (EUR 48).

POLICE DISRUPTION OF RELIGIOUS SERVICES

- 1. Village of Amu-Darya, Dostluk district, Lebap region.** On **12 November 2017**, law enforcement officers raided a peaceful religious meeting of Jehovah's Witnesses held in a private home. Mr Abdulla, a specialist of the Department for Religious Affairs; Yarash Tangrikuliyev, a member of

SEPTEMBER 2017 THROUGH AUGUST 2018

5

Police raids on religious meetings, personal searches and searches of private houses

17

Detentions by police and persecution for religious activity

2

Severe beatings of men and assaults on women by police

12

Fines imposed on Jehovah's Witnesses

the 6th Police Department; Police District Inspector Maksat; and a fourth man conducted the raid. They escorted those in attendance to the police station and forced them to write a statement.

When a female Witness who had attended the meeting refused to sign a statement that the officers had prepared, Officer Bakhtiyar Gurbanov locked her in solitary confinement and threatened to detain her all night. Another male officer carried out a personal search of another female Witness. The detainees were released at 7:00 p.m.

- 2. Dashoguz.** On **26 November 2017** at 11:20 a.m., police forced entry into the home of a female Witness, where six others had gathered for a religious meeting, and demanded access to the locked room where the small group had assembled to protect themselves. Since the police kept threatening to take the relatives of the homeowners to the police station, the homeowners finally opened the door at 5:00 p.m.

Officers took the Witnesses to the police station, held them until 9:15 p.m. and ordered them to write a statement. Police seized mobile phones, passports and electronic tablets from three of the detainees. On **30 November 2017**, a court imposed a fine of 200 manats (EUR 48) on one of the detainees. On **15 December 2017**, a court confiscated the mobile phones of three of the detainees and fined each 100 manats (EUR 24).

- 3. Balkanabat.** On **2 April 2018** at about 10:00 a.m., police officers Muhammet Babagulyev and Mr Gurban went to the school where a minor son of a male Witness attends and summoned him to the principal's office. The officers threatened to put him in prison and forced the boy to write a statement that they dictated to him about his participating in a religious event, the Memorial of Christ's death, on 31 March 2018. The officers seized his mobile phone, which had the JW Library App (an app with religious publications) installed on it.

The same day, the police summoned three sons of another male Witness because they had also observed the religious event on 31 March. The officers seized two mobile phones that also had the JW Library App and forced the three young men to write statements.

On **4 April 2018**, a court fined the father of the son who was called to the principal's office 200 manats (EUR 48) under part 6 of Article 76 of the Administrative Code (allowing minors into a religious organisation). On **5 April**, authorities ordered the father, the mother and the boy to the Mayor's Office to appear before a special commission. The boy is obligated to report every month to the local police.

On **4 April 2018**, two of the boys who were summoned to the police station were charged with "storage and distribution of materials of religious extremism," under part 3 of Article 76 of the Administrative Code, and were each fined 200 manats (EUR 48).

POLICE INTERFERENCE WITH MANIFESTING BELIEF

Police and investigators intimidate and harass the Witnesses, as well as their relatives. Listed below are recent examples.

- 1. Seydi, Lebap region.** On **23 January 2018**, Inspector Murat Seyidov went to the home of a female Witness and ordered her to follow him to the police station, under instructions of the criminal investigation chief, Gahryman Orunov. At the police station, Mr Orunov and another investigator, Saparmurat Kurbanov, told the woman that they detected that she sent religious material from her mobile phone, but they provided no evidence. After questioning her, the officers escorted the woman back to her home, seized her mobile phone, escorted her back to the police station, and fingerprinted and photographed her.
- 2. Seydi, Lebap region.** From **14-16 February 2018**, law enforcement officers went to the school that children (eight and nine years old) of a female Witness attend along with her nephew (nine years old), who is also in her care. The children were interrogated, but at the time, the woman was in Turkmenabad for medical reasons. Later, the officers summoned her to the school, interrogated her and questioned her about religious literature. Without identifying themselves, law enforcement officers went to her house, threatened her, demanded to see any religious literature and seized it. A complaint was filed, with no response to date.
- 3. Turkmenabad.** Officers of the National Security Department threatened the husband of a female Witness and ordered him to force his wife to abandon her religion or divorce her. On **1 May 2018**, officers telephoned the woman and told her to come to the city administration or state her whereabouts. At 6:45 p.m., she received a call from her mother's phone number. When she answered the call, a man she didn't know threatened and verbally abused her. Later, officers again threatened her husband, who is not one of Jehovah's Witnesses.

On the same day, Oraz Veliyev, Guvanch Merdanov, and another investigator visited the female Witness' sister and their mother. The investigators interrogated the two women, searched their apartment, seized a Bible and an Injil (Greek Scriptures in the Turkmen language) and escorted them to the station. The officers took the six-year-old daughter of one of the women to the station as well. When the officers questioned one of the women about her religion, she pointed to the article in the constitution that guarantees the right to freedom of religion. In response, one of the officers took the constitution from her hands, threw it away and accused her of being a spy.

The officers threatened to put one of the women in jail and to send her daughter to an orphanage. Officers took the first female Witness they questioned to her dacha (summer house), searched her house, confiscated two religious books, escorted her back to the police station and photographed her with the books. A complaint was filed with the Prosecutor's Office, with no response to date.

COMPLAINTS SUBMITTED BY JEHOVAH'S WITNESSES PENDING WITH THE CCPR

- *Dawletow v. Turkmenistan*, No. 2316/2013, filed 1 May 2013, on issue of conscientious objection
- *Durdyyev v. Turkmenistan*, No. 2268/2013, filed 1 May 2013, on issue of conscientious objection
- *Nazarov et al v. Turkmenistan*, No. 2302/2013, filed 29 August 2013 (lead case of 3), on issue of conscientious objection
- *Salayev & Nuryllayev v. Turkmenistan*, No. 2448/2014, filed 5 May 2014, arrest and detention under false charges
- *Hemdemov v. Turkmenistan*, filed 15 August 2016, arrest and detention for “illegal” religious activities
- *Begenchov v. Turkmenistan*, filed 20 June 2018, on issue of conscientious objection

10

Positive Developments

There have been fewer incidents of harassment from law enforcement agencies, compared with the previously reported period.

Since September 2016, Jehovah's Witnesses have not been imprisoned under administrative or criminal charges for their religious activity.

Meetings With Officials

On **23 August 2017**, local representatives of Jehovah's Witnesses met with officials from the Ministry of Justice and assured them that the Witnesses are law-abiding and wish to comply with the authorities.

On **18 May 2018**, representatives of the European Association of Jehovah's Witnesses met with officials in Brussels at the External Action Service of the European Union. They informed the officials, including Mr Piotr Byschkowski, the coordinator and specialist on Turkmenistan, of the continued denial of the right to conscientious objection. The officials at the EEAS expressed their determination to raise the issue with officials in Turkmenistan.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF TURKMENISTAN TO:

- Release Bahram Hemdemov, imprisoned for peaceful religious activity
- Release all conscientious objectors, imprisoned for deeply held beliefs
- Recognise the right to conscientious objection to military service and provide alternative civilian service programme conforming to international standards
- Grant full registration to Jehovah's Witnesses
- Stop interference with their worship and public manifestation of belief
- Cease illegal searches of Witnesses' private homes and seizures of personal items
- Allow the Witnesses to legally import Bibles and Bible-based literature

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Turkmenistan government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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U K R A I N E

RELIGIOUS FREEDOM CONCERNS

STATEMENT BY THE
EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

10-21 SEPTEMBER 2018



Ukraine

Jehovah's Witnesses are grateful that they enjoy legal registration and freedom of worship in Ukraine.

They appreciate recent court decisions that uphold their fundamental rights to build Kingdom Halls, and they hope that the local municipalities will abide by these rulings.

However, the Witnesses continue to suffer harassment and physical harm motivated by religious hatred.

When the Witnesses report a crime, police may arrive late, do little if any investigation and minimize the crime. Even when a perpetrator is held liable, prosecutors and courts generally do not recognize the attack as a hate crime—lessening the punishment for the act of religious intolerance.

Abuses and Restrictions of Religious Freedom

HATE CRIMES—PERPETRATORS MINIMALLY PUNISHED

1. **Baranivka, Zhytomyr Region.** On **21 June 2017**, Oleh Nikitchyn assaulted one of Jehovah's Witnesses, 66-year-old **Yuriy Vorobey**, simply because of his religion. He hit Mr Vorobey three times in the head with a wooden club, strangled him around the neck for several minutes and insulted him. Onlookers stopped the assailant from continuing the attack.

When Mr Vorobey sought help, the medical staff noted multiple injuries of his head and body, swollen lips, missing teeth and marks of strangulation on his neck. However, the criminal investigation dealt only with charges of minor bodily injury, Article 125 of the Criminal Code of Ukraine (CCU), and did not acknowledge the hate motivation of the crime.



Yuriy Vorobey
—after the attack

On **16 May 2018**, the Baranivka District Court made its decision based on the assailant's statement. It disregarded the hate motives behind the assault and leniently sentenced Mr Nikitchyn to 160 hours of community service. Since the court refused to order that Mr Nikitchyn cover the victim's medical expenses, Mr Vorobey filed an appeal, which was dismissed on **25 July 2018**.

- 2. Kyiv. On 17 December 2017**, R.B. Prokopenko assaulted A.M. Bozhuk and O.V. Sevruk, two of Jehovah's Witnesses, while they stood next to a cart with Bible-based literature. Mr Prokopenko damaged the cart and insulted and injured both Witnesses. Even though the victims told the police that the attack was a hate crime, the police qualified it as hooliganism.

On **8 May 2018**, the Sviatoshyn District Court of the city of Kyiv found Mr Prokopenko guilty of hooliganism and imposed a fine of UAH 8500 (approximately EUR 253) for the injury he inflicted on the two Witnesses. In the course of the pre-trial investigation, Mr Prokopenko apologized to the Witnesses and voluntarily compensated for damages.

- 3. Horkoho, Dniprovskiy District, Dnipropetrovsk Region. On 3 December 2017**, I.I. Berezhnyi repeatedly punched and kicked two Witnesses, 81-year-old M.D. Hilevych and 63-year-old L.I. Yatsenko, while they were talking to others about their faith. Both victims were taken to hospital. M.D. Hilevych's nose and jaw were fractured. After an 11-day delay, police finally initiated a criminal investigation but refused to consider that the incident was a hate crime. The forensic psychiatric expert later determined that the assailant was insane. On **23 June 2018**, the Dnipro District Court in the Dnipropetrovsk Region ordered Mr Berezhnyi to undergo compulsory psychiatric treatment.

- 4. Korchivci village, Hlyboka District, Chernivtsi Region. On 27 May 2018**, V.O. Kostynian, a forest protection officer, started to throw stones at two Witnesses, O. Todoresku and R. Shorodok. He damaged their car, insulted them and then assaulted and injured Mr Todoresku. The assailant continued attacking the Witnesses even after the police arrived.

Mr Kostynian had previously insulted, violently attacked and threatened Witnesses on at least 15 occasions. The police ignored the Witnesses' concerns when they reported the incidents and mildly reprimanded the assailant. After some Witnesses filed complaints in court, the police initiated criminal proceedings against Mr Kostynian for a hate crime under Article 161(2) of the CCU on **13 June 2018**. The investigation is still in progress. The assailant has not yet been held liable.

5. Mykolayiv. On **14 May 2018**, a middle-aged man harassed A. Litnevskiy, one of Jehovah's Witnesses, and broke a beer bottle on his head. The aggressor demanded that Mr Litnevskiy stop his public ministry and ran away before the police arrived.

6. Zhytomyr. On **7 June 2018**, Mr Lazun Stanislav punched A. Mekhed several times and tried to hit other Witnesses with a wooden club. The assailant also harassed S. Baranovska and threw away her religious literature. With each attack, the assailant asked the Witnesses to make the sign of the cross. The assailant continued his attack for about 20 minutes. Police qualified this assault as personal animosity between the assailant and the victims. The case was forwarded to the court.

VANDALISM AND ARSON ATTACKS OF KINGDOM HALLS

1. Radomyshl, Zhytomyr Region. On **25 March 2018**, unidentified person(s) set the local Kingdom Hall of Jehovah's Witnesses on fire. The building was destroyed, with damages of EUR 65,000. The investigation under Article 194 CCU (wilful destruction of property by fire) is ongoing but without any progress to date.



Kingdom Hall in Radomyshl attacked by arsonists

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2. **Kharkiv.** On **2 May 2018**, unidentified persons painted “Sect” on the wall of the Kingdom Hall at 103 Osnovianska Street. On **8 May 2018**, the police refused to institute criminal proceedings.
3. **Smila, Cherkasy Region.** On **19 May 2018**, unidentified persons broke windows of the local Kingdom Hall. The property had been vandalized twice before (previous incidents on 12 and 16 August 2017). Although investigations were initiated each time, there has been no progress on the case to date.
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Vandalized Kingdom Hall in Kharkiv

INTERFERENCE WITH MANIFESTATION OF BELIEF

POLICE INTERFERENCE

Between **September 2017 and June 2018**, Jehovah’s Witnesses in Ukraine reported **16 incidents** where municipal authorities or police officers demanded that the Witnesses stop their public ministry, at times using abusive language and threats of repercussions. These officials claimed that permits were needed, as the activities of the Witnesses were equivalent to commercial trade, a form of “advertising.” However, in most cases, the courts resolved the issue in favour of the Witnesses.

REGISTRATION REFUSED

1. Chernivtsi. For over six months, the Chernivtsi Regional State Administration (CRSA) has refused to register the charter of the Local Religious Community (LRC) of Jehovah's Witnesses. In **May 2018**, the CRSA unjustly accused the Witnesses of falsifying documents and committing property fraud. As a result of the groundless accusation, police interrogated several local Witness ministers.

Even though the CRSA did not find any falsification of records, it refused to register the LRC's charter. The present situation threatens the religious activity of several thousand Witnesses in the area, as well as their ownership rights of more than ten houses of worship.

2. Rivne. On **3 October 2017**, the Rivne Regional State Administration (RRSA) refused to register the updated charter of the LRC of Jehovah's Witnesses. The RRSA insisted that the Witnesses may conduct their religious activity only in their houses of worship and that they cannot own residence buildings to use for this purpose. The Witnesses tried to resolve the problem without going to court, but to no avail. Leading officials of the RRSA refused to discuss the matter with the Witnesses. The trial court overturned the RRSA's refusal but failed to consider the merits of the case. The appellate court dismissed the appeal on **14 August 2018**.

7

DENIAL OF ZONING PERMITS

During the reporting period, municipal authorities cancelled building permits or otherwise impeded the construction of Kingdom Halls of Jehovah's Witnesses in the following places:

- Tetiiv (Kyiv Region)
- Village of Torun (Mizhhiria District, Zakarpattia Region)
- Settlement of Myropil (Zhytomyr Region)
- Kharkiv—the local registrar refuses to comply with the court ruling that directed the municipality to reclassify the land to allow for the building of a Kingdom Hall

Positive Developments

- There were several instances where the courts (1) punished perpetrators for physical assaults and (2) ordered local municipalities to issue building permits to the Witnesses to construct Kingdom Halls.
- On **21 May and 12 July 2018**, the State Architect-Building Inspection of Ukraine reported that it voluntarily enforced local court decisions and renewed the permits for the construction of the Kingdom Hall of Jehovah's Witnesses in Onufriivka, Kirovohrad Region, and in Mahdalynivka, Dnipropetrovsk Region.
- On **31 May 2018**, the Supreme Court upheld the conviction of the Moscow Patriarchate Orthodox Church priest, I.I. Fedoroshchak, under charges of intended minor bodily injury for his assault on 32-year-old Witness V. Rodenko in Berezhonka village on 7 April 2014. The priest had attacked the victim and had shouted, "The lips which disturb people should be closed!" As a result of the priest's violent assault, the victim suffered concussion and was hospitalized for 11 days.
- After proceedings conducted at the Ombudsman's Office, the Zvedenivka Village Council informed Jehovah's Witnesses on **14 June 2018** that the council would no longer hinder their religious activities. (The village head had previously declared that the Witnesses would only be allowed to engage in their ministry "under the control of the village deputies or the police officers.")

Meetings With Officials

Jehovah's Witnesses have met with local law enforcement officials when problems arise. Some were receptive and agreed that the public manifestation of one's faith does not require prior approval or permits.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF UKRAINE TO:

- Investigate, prosecute and appropriately punish those who harass and harm Jehovah's Witnesses and vandalize their houses of worship
- Respect the Witnesses' right to manifest their belief publicly
- Eliminate interference with constructing, renovating and occupying houses of worship

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Ukrainian government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



Visit the Newsroom at jw.org or scan the QR code to learn more about legal developments and human rights affecting Jehovah's Witnesses.



U Z B E K I S T A N

RELIGIOUS FREEDOM CONCERNS

STATEMENT BY THE
EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

10-21 SEPTEMBER 2018



Uzbekistan

Jehovah's Witnesses in Uzbekistan continue to endure abusive treatment and serious violations of their basic religious freedoms.

- **Government denial of registration**
- **Police disruption of religious services**
- **Police interference with manifestation of belief**
- **Government denial of right to possess religious material**

Uzbekistan has repeatedly denied Jehovah's Witnesses the right to register and considers illegal any religious activity outside the one registered religious building in Chirchik.

Authorities interrupt the religious services of Jehovah's Witnesses, raid their homes, seize their electronic devices and other personal property, fine them for possessing religious literature and harass and mistreat them.

On 14 May 2018, Mr Javlon Vakhabov, the Ambassador of Uzbekistan to the United States, spoke at the National Press Club in Washington, D.C., and stated:

The Uzbek Parliament adopted a roadmap to ensure religious freedom. It aims at revising the legislation on the freedom of religion and simplifying the registration of religious organisations. Smaller religious denominations, for example, Jehovah's Witnesses and others, from now on, will be able to get registered much easier.

However, the new rules for registration adopted on 31 May 2018 have the same obstacles for registration as the 1998 law, making it impossible for Jehovah's Witnesses to register.

Just after Ambassador Vakhabov's statement at the National Press Club, there were 20 incidents where police detained Jehovah's Witnesses for practising their faith.

Jehovah's Witnesses in Uzbekistan are grateful that the government of Uzbekistan has publicly stated its intentions to allow for greater religious freedom. However, in practice, the Witnesses have not experienced relief.

On 25 July 2018, Mr Abdulaziz Kamilov, the Foreign Minister of Uzbekistan, also spoke at the National Press Club in Washington, D. C., and stated:

. . . we admit the need to adopt additional measures to implement the recommendations of the U.S. State Department in terms of improving the practice of observing religious freedoms in Uzbekistan. In this context, we have been undertaking consistent work.

Abuses and Restrictions of Religious Freedom

INTERFERENCE WITH MANIFESTATION OF BELIEF

Police detain, harass and threaten Jehovah's Witnesses for manifesting their beliefs. The police routinely seize all electronic devices and religious literature. Electronic devices are carefully examined for social networks and downloaded apps. Even if the police cannot find evidence that Witnesses distributed religious literature electronically, they often initiate administrative charges under Article 184-2 of the Administrative Code (unlawful production, storage, import or distribution of religious materials) or under Article 240(2) (illegal missionary activity)—resulting in convictions and fines for the Witnesses.

Listed below are a few examples of incidents that occurred in May 2018.

Almalik. On 2 May 2018, police detained two Witness women while they were sharing their faith with others. At the police station, Officer Donier, from the Counter Terrorism and Extremism Department, interrogated them and issued them a warning, since it was the first time the women had been detained.

Toy-Tepa. On 29 May 2018, police detained two male Witnesses while they were sharing their faith with others. The police seized their mobile phones and took the Witnesses to the police station for interrogation. They were later taken to another police station to write a statement.

Jizzakh. On 26 May 2018, Bobur Boymurodov, the head of the Counter Terrorism and Extremism Department, summoned Ms Muborak Abdurakhmanova, one of Jehovah's Witnesses, for interrogation. Officials seized her mobile phone, found e-copies of religious literature and videos and initiated charges against her under Article 240 of the Administrative Code.

On 31 May 2018, police officers visited Ms Dilyafroz Sheralyeva at her work-

SEPTEMBER 2017
THROUGH AUGUST 2018

>84

Police raids on religious meetings, personal searches and searches of private houses

>72

Detentions by police and persecution for religious activity

3

Severe beatings of men and assaults on women by police

>51

Jehovah's Witnesses were fined

place and demanded that she relinquish her mobile phone for inspection. Since she did not have her phone with her, the officers went to search her house and seized a SIM card. The officers then took Ms Sheralyeva to the police station for interrogation and forced her to write a statement admitting that she communicated with Ms Abdurakhmanova, a fellow believer. She was detained until 1:30 a.m.

On **31 May 2018**, police officers also visited Nasiba Umarova at her home and demanded to see her mobile phone so they could inspect the phone for chat history with her fellow believer Ms Abdurakhmanova. Ms Umarova refused to relinquish her phone and was summoned for interrogation. She was pressured to write a statement.

On **31 May 2018**, authorities summoned 19-year-old Sarvinoz Esonkildieva for interrogation. Nadir Uralov, the head of Counter Terrorism and Extremism Regional Department; Mr Farukh; and 14 other policemen were waiting for her. These 16 men worked together to humiliate her and to exert extreme pressure on her in an effort to force her to write a statement that her fellow believer Ms Abdurakhmanova had sent files with religious content to her. The pressure was so great that Ms Esonkildieva cried uncontrollably and was unable to write anything. The police stopped their interrogation when her non-Witness father came to defend her.

On **3 June 2018**, Jamshid Umatov was summoned for interrogation and told to provide a statement admitting that he had received files of religious content from Ms Abdurakhmanova through his cell phone. On **4 June 2018**, Jamshid's sister, Dilnavoz Umatova, was also summoned to provide a statement. Mr Uralov headed the interrogations.

On **5 June 2018**, Mr Uralov summoned Sabina Esonkildieva to provide a statement concerning her fellow believer Ms Abdurakhmanova.

The following incidents are examples of abuses that occurred prior to May 2018 during the reporting period:

Parkent district, village of Karakalpak. On **25 February 2018**, Evgeniy Kupaev; his wife, Natalia; Elmira Davletshina; and Aliya Sadikova were standing at a bus stop after they had shared their faith with others in the area. Police

officers arrived, accompanied by a man who accused the women of talking to him about their faith. Ten other police officers arrived on the scene. The officers escorted the four Witnesses to the police station for interrogation. During the interrogation, the police treated them rudely and seized two mobile phones. Administrative cases were initiated against Ms Davletshina and Ms Sadikova. In May 2018, criminal cases were initiated against Evgeniy and Natalia Kupaev under charges of 'inducement into participation in illegal public associations and religious organisations' based on Article 216-1 of the Criminal Code. Their hearing began on **20 August 2018**, but the court stopped the case and returned the case materials to the prosecutor because there were numerous procedural errors.

Angren. On **10 February 2018**, police detained Mr Il'yos Eshonkulov while he was waiting at a bus stop. They asked him to get into their car voluntarily to go to the police station. But since the police did not explain their reason for detaining him, he refused. So the police took him by force to the station and threatened to arrest him for 15 days. The police seized his electronic devices and demanded that he provide them with his passwords. When he refused, the police initiated an administrative case against him, which is still pending.

INTERFERENCE WITH RELIGIOUS SERVICES

Police frequently raid the meetings and private homes of Jehovah's Witnesses. Listed below are recent examples.

Fergana. On **17 March 2018**, police officers raided a private home where seven Witnesses had gathered for a religious meeting. The police seized a computer, a flash drive and a tablet. On **4 May 2018**, the Fergana Administrative Court found three of the women in attendance liable under Article 184-2 of the Administrative Code and fined each of them UZS 172400 (EUR 18). The court terminated the case against one of the male Witnesses in attendance, and his laptop was returned to him after all electronic religious materials were removed.

Samarkand. On **24 March 2018**, police raided a private home where nine Witnesses had gathered for a religious meeting. The police searched the premises and seized a smart phone that contained e-copies of religious literature published by Jehovah's Witnesses.

Karshi district, village of Uzinavo. On **28 March 2018**, police interrupted a peaceful religious meeting of six Witnesses in a private home. The officers conducted an unlawful search of the house and seized a Bible and other religious literature in the Uzbek language. All present were taken to the police station for interrogation, which lasted until 1:30 a.m. The policemen ignored requests for medical assistance from two of the women who suffered from high blood pressure.

Samarkand. On **2 May 2018**, police officers raided a private home where seven Witnesses had gathered for a religious meeting. The police inspected the personal belongings of all those present, seized the book of Proverbs in the Uzbek language from one Witness and seized a mobile phone containing electronic religious publications from another Witness. On **22 May 2018**, a court found the two Witnesses liable under Article 184-2 of the Administrative Code and fined each of them UZS 861200 (EUR 93).

POLICE BRUTALITY

Urgench. On **18 September 2017**, police officers arrested Baltaeva Yulduz under administrative charges and took her to the police station, where she was assaulted, threatened and intimidated. Officer Sobirov Ravshan and other officers repeatedly interrogated her in an attempt to force her to renounce her religious beliefs and testify against other Witnesses. They threatened to imprison her for a long time, to assault her physically and even kill her. After the intense interrogation, which included humiliating insults, Ms Yulduz suffered from emotional shock and depression.

Chirchik. On **26 September 2017**, police detained Atlanov Vitaliy while he was talking to others about his faith. They took Mr Vitaliy to the police station, where they beat and threatened him during a four-hour interrogation. Mr Vitaliy, who is an invalid (2nd group), became ill, and the police called an ambulance. The following day, police detained Mr Vitaliy again. Investigator Azot repeatedly hit Mr Vitaliy in the head and threatened him further. Officers Dilshod and Fayziev Elyer were also complicit in the abuse.

Urgench. On **3 October 2017**, police officers raided the residence of Anvar Tajiev and Rinat Sultanov, searched their apartment and seized personal items. On **10 October 2017**, police summoned Mr Tajiev to the police station in the early afternoon. The police pressured him to give information about his fellow believers and the activity of Jehovah's Witnesses in Uzbekistan. Because Mr Tajiev refused, Officer Sobirov Ravshan and another officer began to beat him severely in the head and the neck, attempted to strangle him and then forced him to do 100 squats non-stop three times in a row until he could no longer stand.

During the ordeal, the police forced Mr Tajiev to sign a statement that he was not beaten and that he did not have any claims against the officers. The officers verbally abused him and threatened to break his arms and legs—telling him that he would not leave the police station alive. Fearing for his life, he signed the document. He was released from the police station at 10:30 p.m. He suffered a concussion, lost hearing in one ear, had severe injuries to one leg and suffered a severe headache.

On **11 October 2017**, Mr Tajiev's friends took him to a hospital in Tashkent, over 700 kilometres from Urgench. (He was afraid of repercussions if he looked for medical help nearby.)

For the last nine years, the CRA has forbidden any publications of Jehovah's Witnesses to be imported into the country.

On **15 November 2017**, Mr Tajiev filed an official complaint with the Presidential Administration, the Committee of Religious Affairs (CRA) and the National Human Rights Centre. From December 2017 to February 2018, the Regional Prosecutor's Office, the City Prosecutor's Office and the General Prosecutor's Office responded to the complaint, stating that the police had not done anything illegal.

STATE CENSORSHIP OF RELIGIOUS LITERATURE

The use of or even the mere possession of the Bible outside the one religious building in Chirchik is considered to be an administrative violation.

The CRA censors all imported religious publications. After State approval, such publications may only be used inside the registered religious building in the town of Chirchik. For the last nine years, the CRA has forbidden any publications of Jehovah's Witnesses to be imported into the country.

LEGAL RECOGNITION WITHHELD

On **31 May 2018**, the government published the new rules for registration of religious organisations. However, the new rules have the same obstacles for registration as the 1998 law did, making it impossible for Jehovah's Witnesses to register.

With the exception of one Local Religious Organisation (LRO) in Chirchik, authorities have repeatedly denied Jehovah's Witnesses registration.

In March/April 2018, two representatives of Jehovah's Witnesses, Mr Fazlitdin Tukhtaev and Mr Djamshed Umarov, attempted to register LROs in Tashkent, Bukhara and Samarkand. The local government (Makhalla Committee) refused to approve the legal address of the LROs in each city. Since this approval is the first required step in the registration process, it is impossible to move forward. The authorities initiated administrative charges against both Witnesses and told them to stop their efforts to register the LROs. Mr Tukhtaev was heavily fined (EUR 536), and Mr Umarov received an official warning from a court.

With the exception of one Local Religious Organisation (LRO) in Chirchik, authorities have repeatedly denied Jehovah's Witnesses registration.

Dr Ahmed Shaheed, the UN Special Rapporteur on freedom of religion or belief, made the following recommendation on his October 2017 mission to Uzbekistan (A/HRC/37/49/Add.2):

Make registration optional only to facilitate the operational functions of religious organisations. Procedures should be quick, transparent, fair and without undue bureaucratic complications. Non-registered communities must be able to operate free from discrimination and fear of intimidation. Thresholds for registration at local, regional and national levels should be defined in such a way that minorities can fully operate throughout the country. The ban on proselytism and missionary activities, as well as the practice of licensing the import, publication and distribution of religious literature, should be overhauled.

Complaints filed with UN Human Rights Committee (CCPR)

Jehovah's Witnesses in Uzbekistan have filed 13 individual complaints with the CCPR against court decisions that have convicted and fined Jehovah's Witnesses for their peaceful religious activities. Additional complaints are being prepared.

| CCPR COMPLAINTS FILED | REASON FOR COMPLAINT | PENALTIES IMPOSED |
|--|---|---|
| <i>Tukhtaev et al. v. Uzbekistan</i> , filed on 14 February 2017 | Unlawful search and seizure of religious literature, police detention and administrative conviction of six Witnesses for meeting together as a family for worship. | The court imposed combined fines of approximately EUR 10,000 , and ordered their religious literature to be destroyed. |
| <i>Nazarova et al. v. Uzbekistan</i> , No. 3037/2017, filed on 20 March 2017 | Unlawful search and seizure of Bibles and other religious literature, police detention and administrative conviction of four Witnesses for meeting together for worship. | The court imposed a combined fine of approximately EUR 6,690 , and ordered their religious literature to be destroyed. |
| <i>Safikhanov v. Uzbekistan</i> , filed on 24 March 2017 | Unlawful search and seizure of religious literature and administrative conviction. | The court ordered a sentence of 10 days in administrative detention for possessing religious literature. |
| <i>Gareev et al. v. Uzbekistan</i> , No. 3185/2018, filed on 5 June 2017 | Unlawful search and seizure of religious literature, police detention and administrative conviction of four Witnesses for possessing religious literature and meeting together for worship. | The court imposed a combined fine of approximately EUR 590 , and ordered their religious literature to be destroyed. |

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| <p><i>Mulina v. Uzbekistan</i>, No. 3025/2017, filed on 26 July 2017</p> | <p>Unlawful search and seizure of religious literature and administrative conviction of three Witnesses for possessing religious literature.</p> | <p>The court imposed a combined fine on the grandmother, mother and granddaughter of approximately EUR 2,228, and ordered their religious literature to be destroyed.</p> |
| <p><i>Hasanov et al. v. Uzbekistan</i>, No. 3093/2018, filed on 22 August 2017</p> | <p>Unlawful search and seizure of religious literature and administrative conviction of three Witnesses for possessing religious literature and sharing their faith with others.</p> | <p>The court imposed a combined fine of approximately EUR 6,623, and ordered their religious literature to be destroyed.</p> |
| <p><i>Kitaeva v. Uzbekistan</i>, No. 3092/2018, filed on 23 August 2017</p> | <p>Unlawful search and seizure of religious literature and administrative conviction for possessing religious literature.</p> | <p>The court ordered Ms Kitaeva to pay a fine of approximately EUR 853, and ordered her religious literature to be destroyed.</p> |
| <p><i>Nasirova v. Uzbekistan</i>, No. 3989/2017, filed on 23 August 2017</p> | <p>Unlawful search and seizure of religious literature and administrative conviction for possessing religious literature.</p> | <p>The court ordered Ms Nasirova to pay a fine of approximately EUR 1,745, and ordered her religious literature to be destroyed.</p> |
| <p><i>Chernysh et al. v. Uzbekistan</i>, No. 3153/2008, filed on 8 December 2017</p> | <p>Unlawful search and seizure of Bibles and religious literature and administrative conviction of five Witnesses.</p> | <p>The court imposed a combined fine of approximately EUR 4,360, and ordered their religious literature to be destroyed.</p> |
| <p><i>Maksutova v. Uzbekistan</i>, No. 3057/2018, filed on 11 December 2017</p> | <p>Challenging Ms Maksutova's criminal conviction under Article 244-3 of the Criminal Code for possessing religious literature and sharing her faith with others.</p> | <p>The court sentenced Ms Maksutova to "2 (two) years of community service with the State withholding 30 percent of her wages."</p> |
| <p><i>Klichev v. Uzbekistan</i>, No. 3059/2018, filed on 11 December 2017</p> | <p>Unlawful search and seizure of religious literature and administrative conviction for possessing religious literature and sharing his faith with others.</p> | <p>The court ordered Mr Klichev to pay a fine of approximately EUR 2,136, and ordered his religious literature to be destroyed.</p> |
| <p><i>Tsoy v. Uzbekistan</i>, No. 3155/2018, filed on 14 December 2017</p> | <p>Unlawful search and seizure of Bibles and religious literature and administrative conviction for possessing religious literature.</p> | <p>The court ordered Ms Tsoy to pay a fine of EUR 430 and ordered that her religious literature be retained by the State.</p> |
| <p><i>Ushakov et al. v. Uzbekistan</i>, No. 3158/2018, filed on 14 December 2017</p> | <p>Unlawful home search and seizure of religious literature and administrative conviction of a Witness couple for possessing religious literature.</p> | <p>The court imposed combined fines of approximately EUR 337, and ordered the couples' religious literature to be destroyed.</p> |

Positive Developments

- On **14 March 2018**, Judge I. Alimov of the Supreme Court reversed lower court rulings against Timur Satdanov and ordered that his confiscated laptop be returned and that he be reimbursed for the fine he had already paid. Mr Satdanov had been charged with illegally storing religious materials for the purpose of distribution, under Article 184-2 of the Administrative Code. The Court observed: “The mere fact of having religious materials on the computer does not mean that T. Satdanov had the goal to disseminate them.” The Court acknowledged that “T. Satdanov has a constitutionally guaranteed right to freedom of conscience—the right to profess or not to profess any religion.” The decision, however, has not deterred authorities from using various methods of intimidation in an effort to restrict the Witnesses’ religious activity.
- In two similar cases, the Supreme Court was not satisfied with the evidence against the Witnesses and returned the cases to lower courts for additional investigation.

Meetings With Officials

- In **September 2017**, representatives of Jehovah’s Witnesses met with Mr Bekzod Kadirov of the CRA to discuss the situation of the Witnesses in Uzbekistan.
- On **5 October 2017**, representatives of Jehovah’s Witnesses spoke with Dr Ahmed Shaheed, UN Special Rapporteur on Freedom of Religion, concerning the situation of the Witnesses in Uzbekistan. The discussion focused on the registration issue and the more than 150 arrests of individual Witnesses each year for so-called illegal religious activity.
- On **1 November 2017**, representatives of Jehovah’s Witnesses met with Dr Daniel Mark, chairman of the U.S. Department of State Commission on International Religious Freedom, and his associates to discuss the situation of the Witnesses in Uzbekistan. The discussion focused on the CRA’s interference with registration efforts and the ongoing persecution of Jehovah’s Witnesses by police and other officials.
- On **22 March 2018**, representatives of Jehovah’s Witnesses met with Dr Ahmed Shaheed, UN Special Rapporteur on Freedom of Religion. The discussion focused on the registration issue.



RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF UZBEKISTAN TO:

- Grant full registration to Jehovah's Witnesses throughout the country
- Stop arrests and prosecutions of Witnesses for peacefully meeting together
- Stop arrests and prosecutions of Witnesses for respectfully sharing their faith with others
- Cease illegal searches of Witnesses' private homes and seizures of personal items
- Uphold fundamental freedoms guaranteed by the Constitution and the International Covenant on Civil and Political Rights

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Uzbekistan government.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPI@jw.org.



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