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CRIMEA: Interrogated, photographed, fingerprinted, fined

By Felix Corley, Forum 18 (<https://www.forum18.org>)

Seven of nine Baptists who conducted an outdoor religious meeting in a village in central Crimea were fined in May, Forum 18 News Service notes. An eighth is due in court on 15 June. All rejected police and court insistence that their event required prior notification under Russia's Demonstrations Law. "This event did not disturb public order and did not threaten the safety of the participants themselves or of other citizens," church members insisted to Forum 18. The chair of the village council who halted the event, Aleksei Rusanov, and the head of the District Police, Colonel Aleksandr Venikov, both refused to discuss their actions with Forum 18. Since Russia's annexation of Crimea in March 2014, some religious communities have complained of state restrictions on public activities they had previously conducted when the peninsula was under Ukrainian rule. The fines came as proposed new punishments for "religious agitation in public places" are in Crimea's State Council (parliament). The United Nations has expressed concern about the consequences of a re-registration requirement on Crimea's religious communities.

Nine Baptists were interrogated, photographed, fingerprinted and seven of them fined in May for sharing their faith in public in a village in central Crimea, Forum 18 News Service notes. The chair of the village council who halted the event and the head of the District Police both refused to discuss their actions with Forum 18.

The punishments came as Crimea's State Council (parliament) approved in first reading a draft Law on Administrative Offences in the Republic of Crimea which would – if adopted in current form - punish "religious agitation in public places" with a warning or a fine. Also, a new draft Crimean Religion Law has now been presented to the State Council's committees (see F18News 3 June 2015 http://www.forum18.org/archive.php?article_id=2069).

Since Russia's annexation of Crimea in March 2014, some religious communities have complained of state restrictions on public activities they had previously conducted when the peninsula was under Ukrainian rule. However, most have declined to give details of such restrictions for fear of making their situation worse (see Forum 18's religious freedom survey of Crimea http://www.forum18.org/archive.php?article_id=2051).

Meanwhile, state re-registration of religious communities is proceeding only very slowly, Forum 18 notes. Only 54 are so far listed on the Russian Justice Ministry website as re-registered, though others appear to have received re-registration and are awaiting listing on the site. The re-registration deadline has been extended to 1 January 2016. The United Nations has criticised the consequences of the re-registration obligation (see below).

Preaching halted, interrogation, fingerprinting

Nine members of the Council of Churches Baptist congregation in the coastal town of Saki travelled 85 kms (55 miles) inland to the village of Maryanovka in Krasnogvardeiskoe District of central Crimea on 10 May to pass on Easter greetings and preach to local people, Baptists told Forum 18. That afternoon they sang hymns and spoke in the yard of multi-storey flats. "People began to come up to them, and those that wanted to stayed to listen," Baptists recounted. "After a little time the chair of the village council, Aleksei Rusanov, arrived and demanded to halt the event."

Rusanov's written statement of how he halted the event was presented in subsequent court cases, according to the court decisions seen by Forum 18.

Rusanov repeatedly refused to discuss with Forum 18 on 27 May why he had ordered the Baptists to halt their activity. "Goodbye," he said each time and put the phone down.

Baptists say the church members ended their event within 15 minutes and set off for home. However, a police officer stopped them as they were driving home. He took all nine church members to the District Police "and subjected them to protracted interrogation", fellow Baptists complained. "Then records of an offence were drawn up against them, they were fingerprinted and photographed, and their vehicle, literature and equipment were examined." They were handed summonses to court and freed shortly before 2 am.

A case was prepared against Sergey Shokha under Administrative Code Article 20.2, Part 2. This punishes "violation of the

established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket". Part 2 specifically targets the holding of events without formally notifying the authorities in advance. For individuals, this carries a fine of 20,000 to 30,000 Roubles, compulsory labour of up to forty hours, or detention for up to ten days. Officials may be fined 20,000 to 40,000 Roubles, and organisations 70,000 to 100,000 Roubles.

Each 10,000 Russian Roubles is equivalent to 4,000 Ukrainian Hryvnias, 1,500 Norwegian Kroner, 170 Euros, or 190 US Dollars.

Cases were also prepared against seven of the other eight – Anatoly Gerasimenko, Semyon Vinnikov, his brother Denis Vinnikov, Mark Dombrovsky, Yelena Kuskova, Galina Romanovich and Kristina Matafonova – under Administrative Code Article 20.2, Part 5. This punishes participants in illegal public events with a fine of 10,000 to 20,000 Roubles or compulsory labour for up to forty hours.

Krasnogvardeiskoe District Police Chief, Colonel Aleksandr Venikov, refused absolutely to answer Forum 18's questions as to why his officers arrested, interrogated, fingerprinted and photographed the nine Baptists and prepared the cases against them. "I won't give any information by telephone," he repeatedly told Forum 18 on 2 June. "I don't know who you are." He then put the phone down.

Fines

On 19 May, Judge Irina Shevchenko of Krasnogvardeiskoe District Court found Shokha, Gerasimenko, both Vinnikov brothers, Dombrovsky and Kuskova guilty, according to the court decisions seen by Forum 18. She fined Shokha 20,000 Russian Roubles. She fined the other five 10,000 Russian Roubles each.

On 20 May, Judge Shevchenko found Romanovich guilty and fined her 10,000 Russian Roubles also.

That same day, Judge Shevchenko had also been due to hear the case against Matafonova, but this was postponed until the afternoon of 15 June, according to court records.

Five of the seven fined Baptists have already lodged appeals to Crimea's Supreme Court, according to court records.

"This event did not disturb public order"

The church members were punished for "holding a public event devoted to the mass Easter greeting to citizens.. without informing the local authorities", the court decisions noted. The court argued that this violated Article 16, Part 5 of the 1997 Religion Law (which classifies certain public religious events as falling under the procedure for demonstrations) and Articles 4 and 7 of the 2004 Demonstrations Law (which set out requirements for the authorities to be notified in advance of the aim, location, date, duration and number of expected participants of public events).

The church members denied this in court. Semyon Vinnikov, for example, explained that "the Easter greeting they had held did not constitute a public event, gathering, meeting, procession, or a demonstration" under the terms of the Demonstrations Law.

"This event did not disturb public order and did not threaten the safety of the participants themselves or of other citizens," church members insist, "and therefore did not require the taking of special measures." They point out the guarantee of freedom of conscience and religion "including the right individually or with others" to profess a faith, as well as to spread one's religious convictions in Article 28 of Russia's Constitution.

Prosecutions are often brought in Russia to punish organisers of public religious events despite a December 2012 Constitutional Court ruling that such organisers need not necessarily seek advance state permission to hold them (see F18News 3 January 2013 http://www.forum18.org/archive.php?article_id=1787).

October 2014 changes to Article 16 of the Religion Law specify that the Demonstrations Law applies to public religious events "which require the adoption of measures to ensure public order and the security of the participants of religious rites and ceremonies, as well as those of other citizens" (see F18News 2 March 2015 http://www.forum18.org/archive.php?article_id=2044).

Slow re-registration

Crimea's Justice Department and the Justice Ministry in Moscow have been slow to process re-registration applications from religious communities which had state registration in Ukraine and wished to maintain it under Russian rule.

Of the 1,546 religious communities which had Ukrainian state registration (1,409 in the then Crimean Autonomous Republic and 137 in administratively separate Sevastopol), only about 170 have so far applied for re-registration (see F18News 26 March 2015 http://www.forum18.org/archive.php?article_id=2050).

The re-registration deadline was originally set for 31 December 2014. However, a law was hurriedly adopted in late December 2014 extending the deadline until 1 March 2015 (see Forum 18's religious freedom survey of Crimea http://www.forum18.org/archive.php?article_id=2051).

On 26 March, a provision was added to existing proposed amendments to Russia's Religion Law and several other laws to extend the deadline again until 1 January 2016. The amendments were approved by both chambers of the Russian parliament and, on 6 April, signed into law by President Vladimir Putin.

As of 29 May, the most recent update, the Justice Ministry website listed 42 local religious organisations in Crimea which have succeeded in gaining re-registration. In addition, ten are listed in the administratively separate city of Sevastopol. The Russian Orthodox Diocese of Simferopol (one of three of the Church's dioceses on the peninsula) and the Crimean Muftiate are listed as centralised religious organisations. No other centralised religious organisations appear to be listed.

"After many months of preparatory work", Crimea's Justice Department finally gave re-registration in early May to all 22 Jehovah's Witness communities which applied for it, Jehovah's Witnesses told Forum 18 on 15 May. Only one – in Sevastopol – was included as of 29 May in the listing on the Justice Ministry website. A further 84 Jehovah's Witness communities function in Crimea without state registration.

Prosecutors unsuccessfully tried to prosecute three Jehovah's Witness communities for allegedly having "extremist" literature. A Simferopol court sent the case against their community back in November 2014. A Dzhankoi court dismissed cases against both their local communities in January, and the prosecutors' appeal failed in March (see Forum 18's religious freedom survey of Crimea http://www.forum18.org/archive.php?article_id=2051).

The two Dzhankoi communities and the Simferopol community were among the 22 which gained re-registration.

The telephone of Irina Demetskaya, head of the Registration Department for Non-Commercial Organisations at the Justice Department in Simferopol, went unanswered each time Forum 18 called on 2 June.

United Nations concern

In a report on the human rights situation in Ukraine covering 16 February to 15 May, published on 1 June, the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU) expressed concern about the consequences of the re-registration requirement on Crimea's religious communities (<http://www.ohchr.org/Documents/Countries/UA/10thOHCHRreportUkraine.pdf>).

"The HRMMU notes with concern that the obligation of religious communities to re-register under Russian Federation law, the strict requirements of the procedure, and the lengthy verifications it entails, have adversely affected the right to freedom of thought, conscience and religion of hundreds of thousands of Crimean residents. Without registration, religious communities can congregate but cannot enter into contracts to rent state owned property, employ people or invite foreigners."

The UN HRMMU calls on the Crimean and Russian authorities to "End the practice of imposing cumbersome re-registration requirements in Crimea, which have been applied mainly to the media and religious organizations and limited the exercise of the right to freedom of expression, thought, conscience and religion."

Registration of religious publications

In addition to re-registering communities, printed religious publications with a circulation of more than 1,000 copies – whether produced by an individual, a registered or unregistered community - also require registration under Russian law.

The Muftiate's Crimean-Tatar language monthly journal "Hidayat" (Guidance) and the bi-monthly "Istochnik Mudrosti" (Source of Wisdom), which is in both Crimean Tatar and Russian, were both re-registered on 24 March, Roskomnadzor state agency notes on its website. Also re-registered the same day was "Tavrida Pravoslavnaya" (Orthodox Tavrida), the paper of the Simferopol Russian Orthodox Diocese.

Under Russia's much-revised 1991 Media Law, all printed publications with a print-run of more than 1,000 copies on any subject require registration with Roskomnadzor. Websites do not require state registration.

Administrative Code Article 13.21, Part 1 prescribes fines and confiscations for those who publish media without appropriate registration. Fines on individuals are 1,000 to 1,500 Russian Roubles, on officials 2,000 to 3,000 Russian Roubles, and on organisations 20,000 to 30,000 Russian Roubles.

Forum 18 asked Roskomnadzor's Crimean branch in writing on 1 June whether it has rejected the registration applications of any religious publications. No response was received by the end of the working day in Crimea on 2 June. (END)

Reports on freedom of thought, conscience and belief in Crimea can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=86>.

For more background information see Forum 18's religious freedom survey of Crimea at http://www.forum18.org/archive.php?article_id=2051.

Reports and analyses on freedom of thought, conscience and belief in Russia within its internationally-recognised territory can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

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