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RUSSIA: "Russia has deceived Interpol"

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

Russia is using Interpol Red Notices to try to get back at least three citizens now based abroad to prosecute them on extremism charges for exercising freedom of religion or belief. Two are Muslims who met to study their faith using the writings of Said Nursi. These Red Notices violate Interpol's rules, which ban their use in ways that violate individuals' human rights.

Russia has issued Red Notices through Interpol seeking the detention and extradition back to Russia of at least three citizens now based abroad to face criminal charges under the Extremism Law to punish them for exercising freedom of religion or belief. One was issued in 2018 and two in 2020. Interpol's Rules on the Processing of Data govern the publication and circulation of Red Notices. The Rules state at Article 2 ("Aims") that cooperation such as Red Notices should be "with due respect for the basic rights of the persons who are the subject of the cooperation, in accordance with Article 2 of the Organization's [Interpol's] Constitution and the Universal Declaration of Human Rights to which the said Article refers" (see below).

Russia issued the first two of the Red Notices against Muslims: Timur Atadzhanov in 2018 and Ashurali Magomedeminov in 2020. Both studied their faith using the works of the late Turkish Muslim theologian Said Nursi. The third Red Notice was issued later in 2020 against a member of another faith (see below).

All three have had their bank accounts in Russia blocked and are on the Russian Interior Ministry wanted list (see below).

Atadzhanov spent 11 months in a deportation detention centre in the country where he took refuge, before being released in May 2019. However, he failed to overturn the deportation order through the local courts and remains at risk of return to Russia (see below).

None of the three men appears on the Interpol Red Notice online public database. Only about a tenth of those facing Red Notices are listed publicly on the Interpol website (see below).

"Russia has deceived Interpol," a Muslim who reads Nursi's works and knows the two men told Forum 18. He pointed to the impact of such Red Notices. "You are immediately detained without any investigation and taken to a detention centre for terrorists, where you are treated as a terrorist. Russia gives no information except that you are an international terrorist" (see below).

Human rights defenders have repeatedly criticised governments' misuse of Interpol Red Notices to target individuals – including human rights defenders and journalists - on political grounds (see below).

In 2017, Kazakhstan used an Interpol Red Notice to try to get back a Muslim who had left Kazakhstan years earlier. A German court rejected Kazakhstan's extradition request in February 2019 (see below).

Atadzhanov and Magomedeminov are considering challenging the Red Notice through the Commission for the Control of Interpol's Files, which handles complaints about Red Notices considered to be abusive (see below).

A Red Notice "is a request to law enforcement worldwide to locate and provisionally arrest a person pending extradition, surrender, or similar legal action", Interpol explains on its website.

"Russia has deceived Interpol"

Interpol – which Russia joined in September 1990 - circulated the three Red Notices despite Article 2 of its Constitution stating that Interpol's promotion of mutual assistance must be "in the spirit of the Universal Declaration of Human Rights". Interpol itself in a comparable situation stressed in September 2012 that Article 3 of its Constitution states: "It is strictly forbidden for the Organization [Interpol] to undertake any intervention or activities of a political, military, religious or racial character" (<http://www.interpol.int/en/News-and-Events/News/2012/INTERPOL-s-Constitution-forbids-it-from-undertaking-any-matter-of-a-p-redominantly-political-military-religious-or-racial-nature>).

Interpol's Rules on the Processing of Data governs the publication and circulation of Red Notices (<http://www.interpol.int/en/Who-we-are/Legal-framework/Data-protection>). The Rules (http://www.interpol.int/content/download/5694/file/24%20E%20RPD%20UPDATE%207%2011%2019_ok.pdf) state at Article 2 ("Aims") that cooperation such as Red Notices should be "with due respect for the basic rights of the persons who are the subject of the cooperation, in accordance with Article 2 of the Organization's [Interpol's] Constitution and the Universal Declaration of Human Rights to which the said Article refers".

Human rights defenders have repeatedly criticised governments' misuse of Interpol Red Notices to target individuals – including human rights defenders and journalists - on political grounds (<http://www.fairtrials.org/news/blunted-still-dangerous-more-reforms-needed-stop-abuse-interpol>).

"Russia has deceived Interpol," a Muslim who reads Nursi's works and knows the two men told Forum 18. "The impact is very bad. You are immediately detained without any investigation and taken to a detention centre for terrorists, where you are treated as a terrorist. Russia gives no information except that you are an international terrorist. Approaches must be made to Interpol."

Forum 18 asked Interpol about whether these Russian Red Notices seeking to punish individuals for exercising freedom of religion or belief met its requirements.

"If or when police in any of Interpol's 194 member countries share information with the General Secretariat in Lyon," Interpol press office responded from its headquarters in the French city of Lyon on 6 July, "this information remains under the ownership of that member country. Interpol does not comment on specific cases except in special circumstances and with the approval of the member country concerned."

Kazakhstan also issued a Red Notice via Interpol against Atyrau-born Sunni Muslim Murat Bakrayev in 2017. The Kazakh authorities sought to prosecute him for exercising freedom of religion or belief by giving talks on Islam while living in exile in the Czech Republic, long after he had left Kazakhstan. A German court rejected Kazakhstan's extradition request in February 2019 (http://www.forum18.org/archive.php?article_id=2457).

Were Russia's Red Notices permissible?

Forum 18 asked the National Central Bureau of Interpol at Russia's Interior Ministry on 6 July about the three Red Notices seeking the return of the individuals to face criminal prosecution to punish their exercise of the freedom of religion and belief. However, the official – who would not give her name – referred all questions to the Interior Ministry press office. It in turn asked for questions in writing.

Forum 18 asked the Interior Ministry press office in writing the same day why Russia is using Interpol to try to have Atadzhanov, Magomedeminov and at least one other individual extradited back to Russia when Interpol's procedures ban use of the organisation to try to gain the extradition of individuals for political reasons, and in ways that violate their human rights. Forum 18 received no response by the middle of the working day in Moscow on 10 July.

First known Russian Red Notice seeking to punish freedom of religion and belief

Timur Muzafarovich Atadzhanov (born 21 April 1988) is a Muslim who meets with others to study his faith using the works of the late Turkish Muslim theologian Said Nursi. He was among nine Muslims detained in a cafe in Novosibirsk in December 2015 (http://www.forum18.org/archive.php?article_id=2141).

Muslims who exercise their right to freedom of religion and belief by meeting to study Nursi's writings stand accused of "continuing the activities" of "Nurdzhular", a "banned extremist organisation" which Muslims in Russia deny exists but which the Supreme Court banned in April 2008 (http://www.forum18.org/archive.php?article_id=1136). Typically, such Muslims meet in private homes to study Islam, with one or more expounding on Nursi's works. They also pray, eat, and drink tea together, and do not seek state permission to meet (http://www.forum18.org/archive.php?article_id=2215).

Russia has convicted and jailed, fined or otherwise punished numerous Muslims who read Nursi's works – as well as numerous Jehovah's Witnesses – on "extremism"-related charges. These criminal trials continue (http://www.forum18.org/archive.php?article_id=2581).

Atadzhanov fled Russia in March 2016 after the FSB security service in Novosibirsk launched an investigation against him and other Muslims (http://www.forum18.org/archive.php?article_id=2373) under Criminal Code Article 282.2, Part 2 ("Participation in the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity").

The FSB Investigator had Atadzhanov added on 18 May 2016 to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists". Banks are obliged to freeze these people's accounts, only allowing small transactions up to 10,000

Roubles (http://www.forum18.org/archive.php?article_id=2215). He remains on the List.

Prosecutors in Blagoveshchensk later opened a separate case against Atadzhanov under Criminal Code Article 282.2.

Atadzhanov is on the Interior Ministry wanted list, for both the Novosibirsk and Blagoveshchensk cases, but with no Criminal Code Article listed. Forum 18 called the Blagoveshchensk listed number on 10 July, but the official refused to give any information, stating that it is "confidential".

The Russian authorities told Atadzhanov's relatives in Russia in May 2018 that they had issued a Red Notice against him, fellow Muslims told Forum 18.

Police of the country where Atadzhanov took refuge also informed him of the Red Notice when they detained him in July 2018 while he was travelling in that country, he told Forum 18 on 8 July. He was held in an extradition detention centre for 11 months, before being released on 27 May 2019. He added that he has never been shown the Red Notice itself.

Atadzhanov lost all attempts to challenge his extradition through the local courts, which ruled that he should be sent back to Russia. However, he was later released from the detention centre, but has to report monthly to the Migration Service. "The deportation question remains open," he told Forum 18.

Atadzhanov told Forum 18 he is considering challenging the Red Notice through the Commission for the Control of Interpol's Files (CCF). The CCF is the Interpol body which handles complaints that Red Notices are abusive.

Second known Russian Red Notice seeking to punish freedom of religion and belief

Ashurali Magomedshapievich Magomedeminov (born 24 September 1972) is a Muslim who meets with others to study his faith using the works of the late Turkish Muslim theologian Said Nursi. He left Russia to study abroad in Autumn 2016, he told Forum 18 on 9 July 2020.

On 21 August 2017, prosecutors launched a criminal case against Magomedeminov under Criminal Code Article 282.2, Part 1.1 ("Inclination, recruitment, or other involvement of a person in an extremist organisation"), the Stavropol Regional Investigative Committee announced on its website three days later.

The Investigative Committee said Magomedeminov – who was born in Makhachkala in Dagestan – had committed crimes between June 2015 and July 2016 while living in a rented flat in Pyatigorsk in Stavropol Region. It accused him of dressing in "religious garments", sharing "extremist literature" with his flat mates and those he invited to his flat, and conducting "conspiratorial meetings with other individuals with the aim of recruiting them into the ranks" of the banned Nurdzhular organisation.

On the same day that the criminal case was launched, Prosecutors added Magomedeminov to the federal wanted list, as he was "hiding from the investigation". He remains on the wanted list on the Interior Ministry website, though without any Criminal Code Articles being listed.

The FSB Investigator had Magomedeminov added on 20 November 2017 to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists". Banks are obliged to freeze these people's accounts, only allowing small transactions up to 10,000 Roubles (http://www.forum18.org/archive.php?article_id=2215). He remains on the List.

The Russian authorities issued a Red Notice against Magomedeminov in mid-January 2020. Migration Service officials of the country he now lives in summoned him on about 22 January when they themselves learned of the Red Notice, which appears to have been issued shortly before.

"I explained to them that I read Nursi's works and they understood fully," Magomedeminov told Forum 18. "I have to report once a month to the Migration Service." He added that he has never been shown the Red Notice itself.

Magomedeminov told Forum 18 he is considering challenging the Red Notice through the Commission for the Control of Interpol's Files (CCF). The CCF is the Interpol body which handles complaints that Red Notices are abusive.

"We're still looking for him," an official of the Investigative Committee in the southern Russian city of Pyatigorsk (who did not give her name) told Forum 18 on 7 July. "We're seeking his extradition to the Russian Federation to take a decision on the criminal case against him." The official added that the Investigator in the case, Arut Pogosyan, was unavailable as he is on a one-month holiday.

Asked what Magomedeminov had done that made him an "extremist" who deserved to be prosecuted, the official claimed he had called people to conduct "extremist activity". She refused to give any further information.

Third known Russian Red Notice seeking to punish freedom of religion and belief

Officials of another country told the third individual in summer 2020 that Russia had issued an Interpol Red Notice seeking the individual's detention and extradition back to Russia, friends of the individual told Forum 18.

Prosecutors had the individual added to the Federal Financial Monitoring Service (Rosfinmonitoring) "List of Terrorists and Extremists". Banks are obliged to freeze these people's accounts, only allowing small transactions up to 10,000 Roubles (http://www.forum18.org/archive.php?article_id=2215).

The individual is also on the federal wanted list on the Interior Ministry website.

If returned to Russia, the individual faces serious criminal charges related to the exercise of freedom of religion or belief. (END)

Full reports on freedom of thought, conscience and belief in Russia
(<http://www.forum18.org/archive.php?query=&religion=all&country=10>)

For more background see Forum 18's survey of the general state of freedom of religion and belief in Russia (http://www.forum18.org/archive.php?article_id=2246), as well as Forum 18's survey of the dramatic decline in this freedom related to Russia's Extremism Law (http://www.forum18.org/archive.php?article_id=2215).

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <http://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation (http://www.forum18.org/archive.php?article_id=1468)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (http://www.forum18.org/archive.php?article_id=1351)

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