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Forum 18 provides truthful, original, detailed, and accurate monitoring and analysis of violations of freedom of thought, conscience and belief in Central Asia, Russia, Russian-occupied Ukraine, government-held Ukraine, Belarus, and the South Caucasus particularly Azerbaijan.

1. Serious human rights violations take place in Russia within its internationally-recognised borders. Before Russia's renewed 2022 invasion of Ukraine, the most serious freedom of religion or belief violations were criminal prosecutions and jailings of Jehovah's Witnesses and of Muslims who meet to study the works of Turkish theologian Said Nursi. The activities being prosecuted are similar, including meeting without state permission in each other's homes to pray and sing together, study sacred texts, and to discuss shared beliefs.
2. Among other freedom of religion or belief violations, individuals and religious organisations are prosecuted for unlawful "missionary activity," including ordinary worship meetings for fellow believers, and not showing their complete officially registered names on literature, online, and most frequently on buildings. There were 108 such prosecutions between July 2020 to December 2021, and from 2019 there have been increasing prosecutions of Muslims. Prosecutor's Offices in several regions have not answered Forum 18's questions on why individuals who conducted worship services in homes with only community members present were prosecuted.
3. In 2017 Russia's Supreme Court banned all Jehovah's Witness organisations as "extremist", ordering them to be liquidated and their activities prohibited. Muslims who meet to study the writings of Nursi are prosecuted for organising or participating in "Nurdzhular", which the Supreme Court banned in 2008 as "extremist", although Russian Muslims deny any such formal organisation ever existed. Prosecutions are normally brought for allegedly organising or continuing an "extremist" organisation, or "inclination, recruitment or other involvement of a person" in the organisation, or, in a smaller number of Jehovah's Witness cases, for activities such as financing the organisation. If convicted, penalties can include long prison terms and six-figure fines.
4. In October 2021, the Supreme Court directed judges to ascertain a defendant's "specific actions," noting that actions "consisting solely of the exercise of their right to freedom of conscience and freedom of religion ... do not in themselves constitute a crime ... if they do not contain signs of extremism". This has had a limited impact, and Jehovah's Witnesses continue to be convicted for meeting for prayer, hymn singing, and Bible study.
5. Typically, the first those targeted know of an "extremism" case against them is early morning or late night raids on their homes by large numbers of armed masked officers from agencies such as the Federal Security Service (FSB), the Investigative Committee, the National Guard, and possibly other agencies – in one instance the Investigative Department of the Russian Navy's Northern Fleet. Officials search homes, confiscating electronic devices and personal items such as bank cards, money, religious literature, and photographs. Such searches can take many hours, and some people are then taken away for questioning and possible detention. Raids take place after those targeted have been under FSB or police surveillance for months, using methods such as covert recordings of meetings and conversations, CCTV cameras, and social media account monitoring.
6. In 2022 there were 124 criminal convictions of Jehovah's Witnesses, a small number of which were overturned on appeal and sent back to prosecutors or for re-trial. Forty-eight were jailed for up

to eight years. The number of convictions has risen every year since 2018.

7. Similarly, nine Muslims who met others to study the works of theologian Said Nursi are on criminal trial for “extremism” in Naberezhnyye Chelny and Moscow. In Moscow on 25 August 2022, the largest trial since 2014 of Muslims who met to study Nursi’s works began with a preliminary hearing. The six male Muslim Moscow residents have been in detention since their arrests in October 2021. Four of the defendants are among other things accused of: “creating an organised and purposeful gathering of pupils of a 'home madrassah', in which they conducted propaganda work among these citizens, their training within the framework of the teachings of Said Nursi namely, [they] carried out oral public translation of books from [Nursi's collection of sermons] Risale-i Nur ... [and] joined with students in conversations, explaining to them the provisions of this religious literature.” Moscow City Prosecutor's Office has not replied to Forum 18’s questions on why defendants are considered dangerous, who had been harmed by their actions, and what punishment prosecutors are seeking.

8. Texts by Nursi and multiple Jehovah’s Witness publications are on the Justice Ministry's Federal List of Extremist Materials, along with material inciting human rights violations. Any lower court can without evidence order any text to be added to the Federal List, thus banning their production and distribution. The List's length, complexity, bibliographical shortcomings, and irregular updates make it very difficult or impossible to check whether a particular item has been banned. Possessing texts on the List makes individuals and religious communities liable to criminal prosecution. For example, before the 2017 nationwide ban on Jehovah’s Witness organisations, local Jehovah’s Witness communities were prosecuted for possessing items on the List – sometimes apparently planted by police during searches – and then banned as organisations. Removing items from the Federal List is rare and can be short-lived, and in recent years new texts have been added at an increasing rate.

9. Investigators and prosecutors tend not to name any they claim are “victims” in such criminal cases, despite considering defendants dangerous enough to seek long prison sentences. This is a point made by several of the defendants. “The courts are called to fight crime, but I still do not understand what my crime is,” Jehovah’s Witness Yelena Nikulina told Lenin District Court in Saransk on 15 August 2022. “There are no victims in our case, but there are still injured parties – and they are in front of you, in the dock!” Her husband Georgy Nikulin noted in his final speech: “It turns out that I am on trial not because I committed some real crime and am therefore dangerous to society. I am subject to criminal prosecution only because I am a Christian, a Jehovah's Witness.”

10. Both the Nikulins were on 25 August 2022 sentenced to 4 years and 2 months' imprisonment, with 1 year and 2 months' restrictions on freedom. They were both added to Rosfinmonitoring List on 11 April 2019, after they (along with other Jehovah’s Witnesses sentenced in the same trial) were detained during raids on nine homes in Saransk on 6 February 2019. Along with other defendants Nikulin was kept in custody for 147 days, and was not officially charged until 2021.

11. Forum 18 asked Prosecutor's Offices and courts: why the defendants had been convicted in light of the Supreme Court's guidance, why they were considered dangerous, and why prosecutors sought long sentences of up to seven years. Forum 18 received only one reply, which did not answer the questions but referred to the court website which among other things stated: “the court took into account the nature and degree of social danger of the crimes committed ... and came to the conclusion that achieving the aim of punishment is possible only by isolating the convicts from society.”

12. There are eight interlocking consequences related to “extremism” investigations and convictions for exercising freedom of religion or belief:

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- a) during investigation and even if no trial takes place, inclusion on the Rosfinmonitoring “List of Terrorists and Extremists”, which blocks bank accounts, and causes problems in finding formal employment, obtaining insurance, buying and selling property, and other financial activities.
- b) if convicted, the prison sentence, or possible fines to be paid within 30 days of the fine entering legal force;
- c) for suspended sentences, a probationary period during which any other conviction would send the defendant to prison;
- d) for those not given prison or suspended sentences, or fines, a possible period of assigned work. This may take the form of a paid job in any organisation, as determined by the correctional centre administering the sentence. The assigned work depends on availability and the convicted person has no right to refuse. Officials check on convicted persons' locations at least once a day;
- e) a possible period of restricted freedom. This normally includes a curfew between particular hours, a ban on visiting certain places, a ban on leaving one's home town, a ban on attendance at or participation in particular events, a ban on changing one's place of residence, work, or study without the probation authorities' permission, and an obligation to register with probation authorities one to four times per month;
- f) sudimost, or the state of having an active criminal record. Individuals may face a harsher sentence if prosecuted and convicted again during this period. Individuals are also barred from holding jobs in sectors such as the aviation industry, education, finance, the police and similar agencies, the civil service, and from standing for election. Although there is no legal bar on employment in other sectors, many people find it hard to secure formal work after criminal convictions. Sudimost expires at the end of the probationary period for those who have received suspended sentences. For those who have received fines, sudimost expires one year after the fine is paid. The length of sudimost for those given prison terms depends on the category of crime of which they have been convicted. Sudimost lasts eight for serious offences such as those under Criminal Code Article 282.2 (“Organisation of” or “participation in” the activity of a banned “extremist” organisation);
- g) for those given prison sentences, administrative supervision for the entirety of their period of sudimost. Administrative supervision consists of a set of restrictions on movements and activities, and a requirement to register regularly with the police;
- h) and for those convicted under Criminal Code Article 282.2 (“Organisation of” or “participation in” the activity of a banned “extremist” organisation), either compulsory or discretionary bans on holding particular positions or undertaking particular activities. These include: leading, participating in, or holding positions of responsibility in religious or public organisations. This would ban an individual from any participation in any registered religious organisation – even a religious community with no connection to their conviction. Individuals can also be banned from other activities, such as speaking publicly and publishing in the media and on the internet.

13. After Russia’s renewed 2022 invasion of Ukraine, new legal offences were introduced for protesting against the war, with a range of punishments (increased in March 2023) up to 10 year jail terms. Many Russian religious leaders, most prominently the Moscow Patriarchate hierarchy, support the renewed invasion. In some cases this is due to warnings to senior and local religious leaders, and prosecuting and fining religious believers and clergy who have publicly opposed the

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war. It is unclear what effect this has had on those who may have considered publicly protesting against the war. Similar tactics have been used against many Russians who oppose the war for any reason.

14. Among the thousands of Russians detained and prosecuted for protesting against the war, a small number have done so from a religious perspective or using explicitly religious imagery. Nina Belyayeva, a Russian Protestant and Communist Party municipal deputy, was the first known person to face criminal prosecution for opposing the war on explicitly religious grounds. During a 22 March 2022 Semiluk District Council meeting she called the invasion a war crime, asserting over the shouting of fellow deputies: “A Christian is not someone who wears a cross, but someone who follows Christ, for whom the word of God – the authority of Christ – is much higher than the authority of the President ... for a Christian, first of all, the authority of Christ is higher than the opinion of the Patriarch...” When accused of inciting Russian troops to surrender, Belyayeva explained that this was “one way out for a Christian”, and that every soldier chooses for himself: “There are lawful orders and there are unlawful orders”. Twenty out of 23 deputies voted to ask prosecutors to investigate Belyayeva, she was expelled from the Communist Party, and a case was opened against her under the new Criminal Code Article 207.3 (“Public dissemination, under the guise of credible statements, of knowingly false information about the use of the Armed Forces of the Russian Federation”). She had by then fled Russia.

15. Protestors have also included Russian Orthodox priest Fr Ioann Burdin of the Moscow Patriarchate's Kostroma Diocese, who was on 10 March 2022 fined one month's average local wages for online remarks and a Sunday sermon in church condemning Russia's invasion of Ukraine and stressing the importance of the commandment, “Thou shalt not kill”. In October 2022, Russian Orthodox (ROCOR) priest Nikandr Pinchuk became the first person criminally convicted for opposing Russia's war in Ukraine on religious grounds, when he was fined two months' average local wages for a social media post. Other Russian Orthodox priests have resigned from their posts and in some cases left the country, after their opposition to the war brought them into conflict with their Moscow Patriarchate dioceses and the state.

16. One such former Moscow Patriarchate Orthodox priest is Fr Ioann Kurmoyarov, who has been detained since June 2022 and is on trial for posting videos opposing the war. Darya Lebedeva, head of the joint court system press service for St Petersburg, told Forum 18 that Fr Ioann must be held in detention as: “If at liberty and not isolated from society, Kurmoyarov may continue his criminal activity, conceal himself from investigators and the court, destroy evidence and otherwise interfere with the criminal proceedings”.

17. The renewed 2022 Russian invasion of Ukraine was preceded by the 2014 invasion and illegal annexation of Ukraine's Crimean peninsula and when Russian-backed rebels also seized some eastern parts of Ukraine's Donbas Province. Serious systemic violations of many human rights followed, including raids, fines, religious literature seizures, official surveillance, expulsions of invited foreign religious leaders, unilateral cancellation of property rental contracts, and obstructions to regaining Soviet-confiscated places of worship. Compulsory community re-registration was imposed in occupied Crimea, and of the 1,546 religious communities with Ukrainian legal status, 998 eventually gained Russian legal status. Russian restrictions on freedom

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of religion and belief were imposed, leading to the currently 12 Crimean prisoners of conscience jailed for exercising freedom of religion or belief. All are Jehovah's Witnesses, and four of them are against international law serving their sentences within Russia inside its internationally-recognised boundaries.

18. Among Russia's other violations documented by Forum 18 up to February 2022 in the occupied Luhansk parts of Ukraine's Donbas Province are:

- the banning of all Ukrainian Baptist Union communities;
- surveillance of local religious communities, and the encouragement by LPR rebels of a climate of fear about discussing human rights violations;
- cutting off gas, water, and electricity supplies and denials of access to all places of worship owned by unregistered communities;
- contacts with fellow believers of any faith elsewhere in Ukraine being made difficult or impossible, including repeated denials of permission to a Catholic priest resident in Luhansk since 1993 to continue to live in the region, as well as to nuns to return to a parish. This has resulted in the repeated inability of Catholics to receive Communion at Mass;
- and an increasing list of banned allegedly "extremist" books, including an edition of the Gospel of John originally published in 1820.

19. In the parts of Ukraine occupied since Russia's renewed February 2022 invasion, serious human rights violations have multiplied. Russian and Russian-backed officials and soldiers have in newly-occupied areas seized and tortured religious leaders, searched and sealed places of worship to prevent their use for worship, confiscated equipment and literature, and demanded documents. In most of these cases it is unclear if people and communities were targeted specifically for their exercise of the freedom of religion or belief, or as independent Ukrainian communities and leaders. Two Ukrainian Greek Catholic priests seized in Berdyansk in late 2022 possibly remain in Russian detention, but it is unknown whether they are still alive. On 16 November 2022, troops of Russia's National Guard (Rosgvardiya) seized the two Ukrainian Greek Catholic priests, Fr Ivan Levytsky and Fr Bohdan Heleta. Forum 18 was not able to find out from Russian occupation officials in March 2023 where Fr Levytsky and Fr Heleta have been held, what their state of health is, or whether they have been released at an unknown location.

20. On 22 November 2022, Russian forces seized businessman and Pentecostal deacon 52-year-old Anatoly Prokopchuk and his 19-year-old son Aleksandr who lived in Nova Kakhovka in Kherson Region. On 26 November their shot and mutilated bodies were found in a nearby wood. The (Russian) Kherson Region Anti-Terrorism Centre refused to answer Forum 18's questions, and the (Russian) Nova Kakhovka Police have avoided answering questions. (END)