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Russian Federation: Ban on Jehovah's Witnesses is an assault on Freedom of Assembly and Conscience

On 20 April the Supreme Court of the Russian Federation banned Jehovah's Witnesses in Russia on the grounds that they are an extremist organization. This means that the Administrative Centre and all 395 regional organisations of Jehovah's Witnesses are subject to liquidation, and their property can now be seized by the state. Those who continue to manifest their faith as Jehovah's Witnesses including participating in worship, leading religious activities, recruiting others or fundraising despite the ban will be liable to criminal prosecution and can face imprisonment for up to 12 years.

The Supreme Court Decision is a regrettable step backwards towards the repressive religious policy of the past. Amnesty International will consider any Jehovah's Witnesses who are imprisoned for continuing to practice their faith to be prisoners of conscience and will call for their immediate and unconditional release.

Within hours of the Supreme Court decision a wave of attacks against the property of Jehovah's Witnesses began. On 20 April, a group of men blocked the entrance to the main place of worship in Saint Petersburg, and one of them pelted the façade with paving stones while shouting insults and threatening violence against members of the religious group. On 22 April in Gukovo in Rostov region, unknown individuals vandalized a property that had been used for religious services by Jehovah's Witnesses. They destroyed the letter box, threw dirt on the door and damaged the fence. On 30 April, there were at least four attacks against the property of Jehovah's Witnesses. A local resident in Achinsk in Krasnoyarsk district, who was known to be antagonistic to Jehovah's Witnesses broke the window of a property used by them, and when confronted refused to stop. A building used by Jehovah's Witnesses was vandalized in Penza, and in Lutsino in the Moscow region two families lost their homes, when a neighbour threw a Molotov cocktail at their houses destroying both houses and their cars. The culprit has been arrested and charged. On 2 May, somebody threw a stone breaking the window in the home of a family of Jehovah's Witnesses, and on 5 May in Novomoskovsk in Tula region vandals left threatening graffiti¹ on the door of a building used for religious services.

¹ The graffiti stated: "We will come for you all".

Jehovah's Witnesses base their beliefs on the Bible and do not use or advocate violence of any kind. In fact, Jehovah's Witnesses have faced reprisals in many countries for their conscientious objection to military service because of their pacifist views.

Amnesty International calls on the Russian authorities to send a clear message that attacks against Jehovah's Witnesses will be promptly, impartially and thoroughly investigated and that anyone suspected to be responsible will be brought to justice. There should be no impunity for such attacks.

Violation of the Right to Freedom of Religion and the right to freedom of association

Both the Constitution of the Russian Federation and the Law on Freedom of Religion and Religious Organizations guarantee the right to freedom of religion.

The right to freedom of religion is also inextricably linked to the right to freedom of association. The European Court has drawn attention to this link between the two basic rights in its judgment on the case of Jehovah's Witnesses of Moscow and others v. Russia: "While religious freedom is primarily a matter of individual conscience, it also implies, inter alia, freedom to "manifest [one's] religion" alone and in private or in community with others, in public and within the circle of those whose faith one shares. Since religious communities traditionally exist in the form of organised structures, Article 9 must be interpreted in the light of Article 11 of the Convention, which safeguards associative life against unjustified State interference. Seen in that perspective, the right of believers to freedom of religion, which includes the right to manifest one's religion in community with others, encompasses the expectation that believers will be allowed to associate freely, without arbitrary State intervention."²

The right to freedom of association is guaranteed by the Russian Constitution. The liquidation of the Administrative Centre and regional organizations of the Jehovah's Witnesses in Russia, is a violation of the rights to religion and freedom of association guaranteed in Russian legislation. It is also a violation of Russia's obligations as a state party to the European Convention on Human Rights and Fundamental Freedoms. There are approximately 170,000 Jehovah's Witnesses in Russia with 395 registered local organizations. The liquidation of the Administrative Centre will therefore violate the right to freedom of religion and association of a significant number of people in Russia.

Misuse of anti-extremism legislation

Amnesty International has documented the misuse of anti-extremism legislation to prosecute people for the legitimate exercise of their right to freedom of expression.³ In this

² CASE OF JEHOVAH'S WITNESSES OF MOSCOW AND OTHERS v. RUSSIA (Application no. 302/02),

³ See "Freedom under Threat", 2013, <https://exdocs.amnesty.org/Documents/12000/eur460112013en.pdf#search=ALL%28Freedom%20of%20expression%20extremism%29%20Russia>,

A Summary of Amnesty International's Concerns in the Russian Federation (2016), including Natalia Sharina's

case Amnesty International is concerned that anti-extremism legislation is being incorrectly used to prevent people in Russia from exercising their right to freedom of religion.

Amnesty International calls on the Russian authorities to ensure respect for the rights to Freedom of Assembly and Conscience.

Background

The Supreme Court decision is the culmination of a campaign that has been waged by the Russian authorities against communities of Jehovah's Witnesses in Russia. According to Forum 18, a religious freedom monitoring organization, from 2007 to 2012 there were eight warnings and one liquidation, whereas in 2013 – 2016 there were 31 warnings and nine liquidations.⁴

On 27 February 2017 the Ministry of Justice completed an inspection of the activities of the Administrative Centre and found that "the structural subdivisions of the [Administrative Centre] engage in extremist activity, which violates the rights and freedoms of man and citizen and inflicts harm on persons, public order and public security". On 2 March 2017, the Prosecutor General's Office issued a warning to the Administrative Centre that it was engaging in extremist activity. On March 15, the Ministry of Justice filed a claim with the Supreme Court of the Russian Federation requesting that the Administrative Centre of Jehovah's Witnesses in Russia be designated an extremist organization and requiring its liquidation.

case, <https://exdocs.amnesty.org/Documents/EUR4650092016ENGLISH.pdf#search=ALL%28Freedom%20of%20expression%20extremism%29%20Russia>,

Russian Federation: Contemporary art - an issue of freedom of expression, not extremism, (2008) <https://exdocs.amnesty.org/Documents/56000/eur460232008eng.pdf#search=ALL%28Freedom%20of%20expression%20extremism%29>

⁴ F18News 24 October 2016 http://forum18.org/archive.php?article_id=2228