

RUSSIA’S ATTACK ON THE RELIGIOUS COMMUNITY OF JEHOVAH’S WITNESSES

Prosecuting Peaceful Worship as Criminal Activity —The Case of Dennis Christensen

The Deputy Prosecutor of the Oryol Region alleges that by meeting for worship, Jehovah’s Witnesses are continuing the activity of an extremist organisation, namely, the liquidated Oryol LRO.

Mr Christensen is now on trial for organizing “extremist activity”—actually, he was targeted as a foreign national merely for participating in the religious meetings of Jehovah’s Witnesses.



The Oryol authorities have fabricated a crime entirely without basis in fact

CLAIM: The Oryol local religious organisation (LRO) engaged in extremist activity

- Fact:
- (1) The Oryol LRO existed as a legal entity in order to rent a facility when local Witnesses needed a place to hold religious events.
 - (2) The Oryol LRO had only 11 members, who by its charter could not be foreign citizens.
 - (3) The Oryol LRO owned no property and engaged in no religious activity. Jehovah’s Witnesses in Oryol had formed three separate “religious groups” (congregations) to support their religious activity.¹
 - (4) On 14 June 2016, the Oryol Regional Court ruled to liquidate the Oryol LRO as an “extremist organisation” based on the claim that the FSB had “discovered” five banned brochures in a building that was rented in the name of the LRO. This was another case of law enforcement officers planting evidence.²
- The decision directly contradicted a Supreme Court ruling in an unrelated case, which concluded that seizure “of several [banned] books . . . with only one copy each, cannot be the grounds for declaring such actions to be mass distribution of extremist materials.”—Supreme Court judgment No. 70-G11-5, dated 9 August 2011, page 6. (Emphasis added.)
- (5) The decision of the Oryol Regional Court was limited to banning the Oryol LRO; it did not ban or in any way restrict the religious activity of the three congregations (religious groups) of Jehovah’s Witnesses in Oryol.

CLAIM: Dennis Christensen continued the activity of the Oryol LRO after it was liquidated for extremism by organising and participating in religious services of the Oryol LRO

- Fact:
- (1) Mr Christensen was never a member of the Oryol LRO nor did he ever engage in extremism.
 - (2) The Supreme Court’s 18 October 2016 ruling (that affirmed the liquidation of the Oryol LRO) in fact ruled that even the 11 members of the liquidated LRO (of which Mr Christensen was never a member) continued to have the right to conduct “worship services not associated with the distribution of literature of extremist content.”

¹ Section 7 of the Religions Act guarantees that religious groups have the right to conduct “religious services and other religious rites and ceremonies, and to provide religious education and instruction for their followers”

² <https://www.jw.org/en/news/legal/by-region/russia/russian-authorities-fabricate-evidence-video/>

Prosecuting Peaceful Worship

- è The 20 April 2017 decision of the Russian Federation Supreme Court liquidated the religious organisations of Jehovah’s Witnesses in Russia
- è The Appellate Chamber of the Supreme Court affirmed the decision on 20 July 2017
- è Because of this decision, Russian authorities have labeled Jehovah’s Witnesses as “extremists” and have begun to prosecute them on the basis of Article 282 of the Criminal Code, punishing extremism
- è A conviction brings a prison term of six to ten years

Targeting Dennis Christensen

On 25 May 2017, an FSB officer directed a group of about 15 OMON (Special Purpose Police Unit) officers in a raid of the Witnesses’ religious services in Oryol



The officers disrupted the services; detained, searched and questioned all present; seized literature and mobile phones; and arrested Dennis Christensen, a Danish citizen and an elder of the Tsentralnoye Congregation



Authorities have held Mr Christensen in pretrial detention since 25 May 2017

On 31 January 2018, the Deputy Prosecutor of the Oryol Region filed a 76-page indictment against Mr Christensen

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CLAIM: On 26 May 2017, the Sovietskiy District Court ordered the pre-trial detention of Mr Christensen, ruling:

It was established from the materials attached to the motion, which were examined in court session, that D. O. Christensen’s possible involvement in the crime with which he is charged is proven by the submitted criminal case materials: the 14 June 2016 [liquidation] decision of the Oryol Regional Court, protocols of the operational-investigative measure “Surveillance” on 19 February and 26 February 2017, memorandum report dated 22 May 2017, protocols of questioning witnesses T. A. Kiryushina and A. P. Yermolov, and the search protocol dated 25-26 May 2017.—Emphasis added

- Fact:
- (1) The covert surveillance of the Kingdom Hall in Oryol on 19 and 26 February 2017 established that on both dates Mr Christensen was present and participated in audience discussion of a religious publication.
 - (2) The testimony of T.A. Kiryushina stated that she was a member of the Oryol LRO from 2013 to 2016 (records prove otherwise), that she stopped attending the religious meetings “sometime in the middle of 2016” (not in the period of criminal investigation) and that Mr Christensen participated in religious services.
 - (3) The testimony of A.P. Yermolov [an FSB pseudonym] stated that when he attended the religious meetings at the beginning of 2016 (not in the period of criminal investigation), Mr Christensen served the congregation as an elder.
 - (4) The 25-26 May 2017 search protocol documented the search of Mr Christensen’s apartment and the seizure of his bank cards, religious publications and videos, personal correspondence, laptop and electronic storage devices (hard drive and USB key) and other personal items.
 - (5) None of the case materials proved the commission of a criminal offense or even a reasonable suspicion of guilt.

CLAIM: The FSB investigator characterized Mr Christensen’s activity as a “grave crime” in violation of Article 282.2 § 1 of the Criminal Code: “calling [religious] meetings [at the Kingdom Hall in Oryol] ..., organising preaching activity and allocating the funds of the LRO of Jehovah’s Witnesses in ‘Oryol’”

- Fact:
- (1) Mr Christensen lawfully attended and participated in the religious services of the Tsentralnoye Congregation of Jehovah’s Witnesses in Oryol, which has not been banned.
 - (2) Mr Christensen lawfully participated in door-to-door preaching activity—Article 28 of the Russian Constitution guarantees that “everyone” has the right to “freely choose, possess and disseminate religious and other views”.
 - (3) Mr Christensen and other congregation members lawfully made donations to care for the costs of their Kingdom Hall in Oryol, such as the costs of heating, lighting, and maintenance. Additionally, they lawfully donated to the Administrative Centre of Jehovah’s Witnesses in Russia, which was not liquidated by a final court decision until 17 July 2017, nearly two months later.

CLAIM: The liquidation of the Oryol LRO for extremism means that the religion of Jehovah’s Witnesses has been declared “extremist,” including religious services and religious evangelizing

- Fact:
- (1) Domestic courts liquidated the Oryol LRO for alleged possession of five banned religious publications, and the legal entity ceased to exist on the date that decision entered into force.
 - (2) The liquidation of the Oryol LRO did not mean that the peaceful religious activity of Jehovah’s Witnesses was also “extremist”. The Supreme Court’s 18 October 2016 decision expressly ruled that even the 11 members of the liquidated Oryol LRO continued to have the right to conduct “worship services” of Jehovah’s Witnesses.
 - (3) Authorities arrested and detained Mr Christensen merely for attending and participating in peaceful religious services—they did not allege that he engaged in extremist activities, for example, inciting violence or religious hatred.
 - (4) Mr Christensen did nothing to “continue” the activity of the Oryol LRO—the three congregations (religious groups) of Jehovah’s Witnesses in Oryol had the lawful right to carry out all religious activity, including holding religious services, organising door-to-door preaching and making donations to further the religious activities of Jehovah’s Witnesses in Oryol and elsewhere in Russia.

CLAIM: As a foreign citizen guilty of a grave crime, Mr Christensen was likely to abscond, making pretrial detention necessary

- Fact:
- (1) Mr Christensen provided domestic courts with the 15 September 2017 guarantee letter of the Ambassador of the Embassy of Denmark in Moscow, stating that the embassy would not provide Mr Christensen with a replacement passport or in any other way assist him to leave Russia.
 - (2) Mr Christensen provided convincing and compelling reasons that proved detention was not necessary: He had no previous criminal record, submitted positive character references and showed that he had permanent ties to Russia—he is married to a Russian citizen, owns property in Russia, has a permanent residence permit and had employment in Russia.