

Deborah Charlier, Member of the Bar of Charleroi, Belgium, the Caen Contest

ONCE UPON A TIME IN RUSSIA... ALEXEY KOPTEV

Mr President, Members of the Jury, Ladies and gentlemen:

1. A 15 month trial. A first verdict condemns seven individuals to heavy fines, four to prison terms. The guilty verdict is appealed and thus first judgement is overturned. The case is brought before another Judge in January 2015. An eleven month trial begins, 60 days of hearings. The *Washington Post* referred to it as being one of the most important anti-extremist trials in Russia in recent years. The verdict is reached on the 30th November 2015, the accused are pronounced guilty of extremist activity in violation of the laws of the Russian Republic. The four guilty ringleaders are condemned to 5 ½ years of , the 12 accomplices given hefty fines ; suspended sentences by order of The Court.
2. But what crime did they commit? Indoctrinated of young teenagers in order to recruit them into a terrorist ring? No. Organisation of heinous seditious proproganda? No! They held a religious service in a private home in TAGANROG, a coastal town in the gulf of Taganrov, near the Ukranian border, because their own place of worship and been confiscated. They read the bible, they prayed together... risky behaviour in today's Russia, at least for a ... *Jehovah's Witness*.
3. Among those convicted was is *Alexey Koptev*, seven years retired, who, in earlier days had received official recognition for 38 years of service in the famous Krasnyy Kotelshik factory, the pride of the town of Teganrog. *Alexey Koptev*, an ordinary grandfather, whose sole wish was to continue his modest existence as a peaceful law abiding citizen, was spied on, covertly filmed then arrested and found guilty of extremist activities in violation of Russian Federal law. This law, adopted following the September 11, 2001, terrorist attacks, in response to the growing threat of terrorism, has had its application systematically widened again and again so that today it can be used to censor any religious community considered undesirable in Russia; JWs have paid the price.
4. True, the Jehovah's Witnesses were never much liked in the ex-Soviet Union. But one might have thought that their situation would have improved following the European Court of Human Rights (ECHR) decision dated the 10th June 2010, which directed the Russians to reestablish the registration of the Witnesses in Moscow as a cultural organization, the status of which had been lost with their dissolution as a legal entity in 2004. The European High Court loudly proclaimed that the Witnesses had the right to conduct their public religious activities in a peaceful manner and fined Russia to pay damages for having violated their fundamental rights. They had to wait until 27th May 2015 for the Russian Minister of Justice to conform to this directive. But this was merely an empty political gesture

to placate the international community. Since then, the Jehovah's Witnesses in Russia have had the unpleasant feeling of going back in time to the days before 1980's.

5. During the era of the Soviet Union, Witnesses were imprisoned in their thousands for their religious opinions. In 1990 they were all released and each ex-prisoner received an official *Statement of rehabilitation*, formally recognising that they were never enemies of the State but rather innocent victims of a totalitarian regime that was now part of the past.

7. Twenty five years later, the shadow of that past is becoming increasingly closer as it encroaches heavily on the freedom of thought and religion in Russia. Government crackdowns on places of worship during religious services, the confiscation of property, members placed under surveillance, wiretapping, searches, arrests, ransacking of homes, the confiscation of an ever growing list of banned religious literature, considered «extremist» according a criteria that remains undefined, denial of access to their official website - a world first, the website being authorized everywhere else - the blocking the importation of bibles, even the *Russian Synodal bible* which is widely used in the country by other Christian denominations.

8. The Witnessss are fighting back against this ever increasing and ever intensifying oppression. To date they have filed no less than 28 appeals before the ECHR. *The Parliamentary Assembly of the Council of Europe* (PACE) have called for the Russians to cease applying a law destined for extremist activities against their religious communities in general and the Jehovah's Witnesses in particular. The 31st March 2015, *The United Nations Human Rights Council* (UNHRC) recommended again that Russia revise its federal law to counteract extremist activities, to stipulate a precise definition; including references to «violence» or «hatred» in order to avoid the arbitrary application of this law in the widescale censorship of freedom of religion. But the Russians could not care less!

9. For *Alexey Koptev* and his 15 unfortunate companions are beyond mere threats. Even with suspended sentences, their «criminal» status is stamped indelibly on their foreheads. The stigmatism of which risks spreading to the other 800 witnesses of the Town of Taganrog and on to their 175,000 Russian brethren. They are of course, not obliged to served their sentences - if they cease to practising their religion. Renounce his faith; Alexay might well consider it. Afterall, at at 71 years of age with precarious health and a previous a heart attack, why subject himself to the stress of long legal procedures? Is a bible conversation with your friends really worth running the risk of being charged with further infringements, and new prosecutions, more sentences, this time possibly incurring actual time behind bars ? Alexay doesn't hesitate, he repeats that he has done nothing illegal and appeals the decision, as do the entire body of his religious brethren convicted by his side.

10. On 17th March 2016 the guilty verdict was confirmed by the *Regional Court of Rostov*. Alexay has affirmed throughout the trial that he will continue to practice his religion. He will not be stopped or made to feel ashamed of his faith. Is this the stupidity of a stubborn old man? The battle of a controversial minority lost in advance against a regime, which is clearly stronger and seeking the added benefit of ridding itself of these Sunday morning nuisances?

11. Not enough deaths to hold the world's attention? It would be absolute madness to think this way, for it is everyone's freedom that is being killed in Russia. What these legal authorities have actually convicted is a citizen's right to the peaceful exercise of freedom of religion. And it's been done using a text designed to counteract activities that risk creating a fertile breeding ground for terrorist threats, a text that deliberately leaves the definition of said activities so vague that it can be applied to just about anything at all.

12. Have we grasped what is at play here? Worship is an expression of belief and belief the fruit of a thought, as is non-belief. It is one of the fundamental blocks in the construction of who we are, a feature of the way we think that is particular to each individual, it precedes all our choices. What I wear today, what I eat...my friends, my career, the person with whom I share my life, the values for which I fight and shall pass on to my children. It is this extraordinary capacity for thought, to conceive in the abstract, to be able to give it a meaning, a name; to make an informed decision to believe or not to believe, this is what distinguishes us from a tin of sardines. It is this precious liberty, irreplaceable, irrevocable, this and this alone that makes everything else possible and workable.

13. If while respecting others, I cannot believe or manifest my faith or absence of faith, if my very thoughts are to be muzzled, how can I exist? What is the point of being human? Do we appreciate value this fundamental freedom? The seriousness of allowing it to be threatened? Safe and sound from our armchairs, believing, perhaps, naively that such facts are self-evident we may say so, but are we ready to protect these freedoms, especially when they are used by those that think differently from us? Are we ready to defend, blow for blow, each aspect of this idea, because it is at such a price that our own freedoms are protected.

14. George Orwell once said that «*If liberty means anything at all it means the right to tell people what they do not wish to hear*». Are we ready to guarantee and live up to such liberty so that never, NEVER we or one of our fellow human beings are treated like sardines. The only enemies of the freedom to say everything are those who want to reserve the freedom to do anything, the warning of *Jean Paul Marat* is clear. In the name of the legal attire I here wear, I will finish by paraphrasing a quotation, it seems falsely attributed to Voltaire «*I may not agree with what you say but I will fight to the death that you have the right to say it?*» And you, how much are you willing to fight?